

Registration Date: 15-May-2013
Officer: Mr. Albertini

Applic. No: P/15513/000
Ward: Britwell
Applic type: **Major**
13 week date: **14th August 2013**

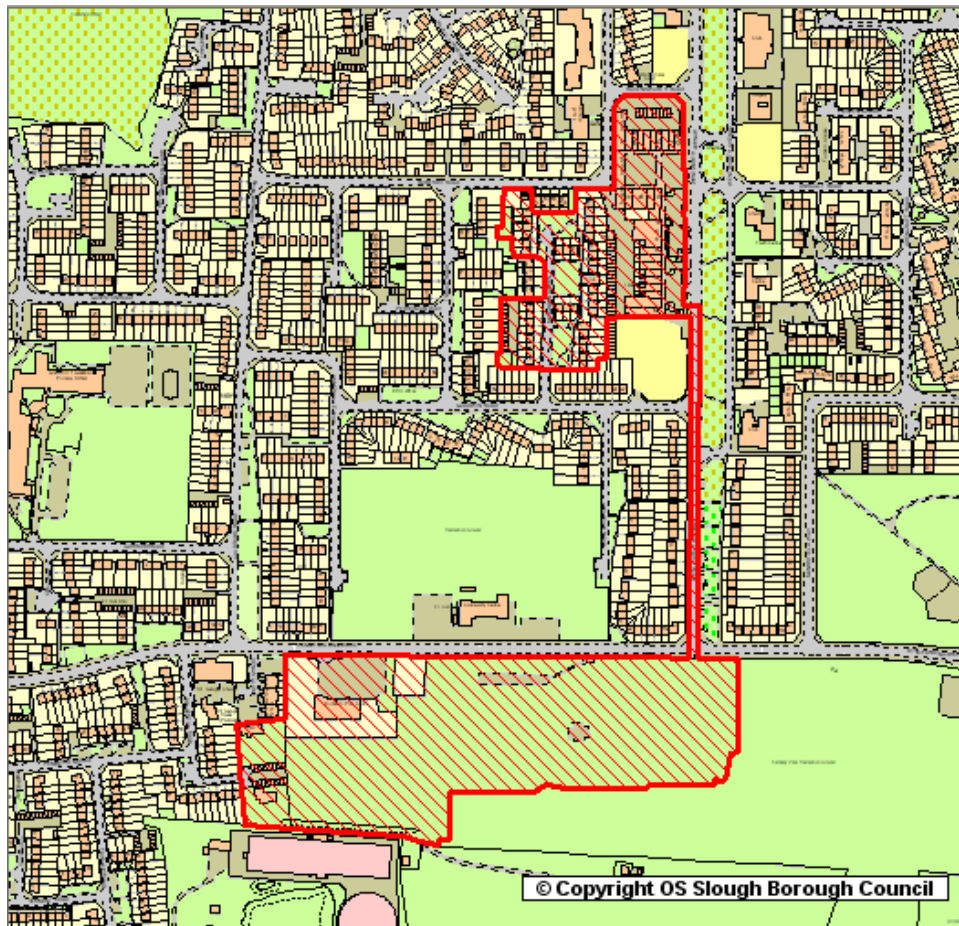
Applicant: Mr. Garry Tarvet, Countryside Properties (UK) Ltd

Agent: Mr. David Phillips, GL Hearn 20, Soho Square, London, W1D 3QW

Location: Land At Kennedy Park, Long Furlong Drive And At Marunden Green, Wentworth Avenue, Britwell, Slough, Berkshire, SL2

Proposal: FULL PLANNING APPLICATION FOR DEMOLITION AND REDEVELOPMENT OF TWO LINKED DEVELOPMENT SITES (SITE 2A KENNEDY PARK AND 2B WENTWORTH AVENUE SHOPS/MARUNDEN GREEN). SITE 2A COMPRISES 171 RESIDENTIAL UNITS, 980 M2 OF RETAIL USE (USE CLASSES A1, A2, A3 AND A5) AND 411 M2 RETAIL SPACE, HEALTH CENTRE OR NURSERY (USE CLASSES A1, A2, A3, A5 AND D1). SITE 2B COMPRISES 87 RESIDENTIAL UNITS AND 195 M2 OF RETAIL USE (USE CLASSES A1). SURFACE CAR PARKING AND CYCLE PARKING PROVISION; AMENITY SPACE; ACCESS AND ASSOCIATED AND ANCILLARY DEVELOPMENT ACROSS BOTH SITES ALSO FORM PART OF THE PROPOSALS.

Recommendation: Delegate to the Head of Planning Policy and Projects



1.0 **SUMMARY OF RECOMMENDATION**

Delegate to the Head of Planning Policy for satisfactory conclusion of outstanding matters, agreement of draft Section 106 agreement and completion of conditions.

PART A: BACKGROUND

2.0 **Proposal**

2.1 The site forms part of a Council initiated regeneration project that aims to remove some of the problems associated with the existing Wentworth Avenue shopping area and flats above and also improve both facilities for local residents and rented housing stock. The Council, through competitive tender, are appointing Countryside Properties to develop Council owned land for mixed tenure housing, new social rent homes for the Council, a net increase in affordable housing, and a new shopping centre.

2.2 The site is effectively split into 2. The Kennedy Park site (2A) will have 171 homes including 14 flats at a density of 45 units per hectare plus a retail centre. 40% of the homes will be affordable housing. The Wentworth Avenue site (2B) will have 87 homes including 7 flats at a density of 44 units per hectare plus a small shop and an open space. Taking account of demolitions on site 2B there will be a net increase of 16 homes on that site. The proportion of affordable housing is 45%.

2.3 Overall 41.5 % of the homes will be affordable housing; 53 social rent for the Council and 54 shared ownership for Catalyst Housing Association. The overall net increase in homes across both sites will be 187.

2.4 The breakdown of residential accommodation proposed is:

- 15 - one bedroom flats (5 social rent, 10 shared ownership)
- 6 - two bedroom flats (2 social rent, 4 shared ownership)
- 106 - two bedroom houses (6 social rent, 32 shared ownership)
- 121 - three bedroom houses (30 social rent, 8 shared ownership)
- 10 - four bedroom houses (social rent)

2.5 The main retail area will be on Kennedy Park close to the Wentworth Avenue / Long Furlong Drive junction and combined with a bus stand. The single storey main building will comprise one large unit (372 sqm.), intended for a small convenience store and 6 smaller units (99 sqm. each). A separate building (411 sqm.) next to

the park, will be either retail or community uses e.g.; health, nursery.

- 2.6 A small 195 sqm. shop is planned for the corner of Wentworth Ave. and Ravensworth Road.
- 2.7 The proposal involves demolition of all remaining buildings on both the sites. The existing retail area, before recent partial demolition, comprised approximately 2,500 sqm.
- 2.8 All houses will be two storey and the 3 blocks of flats will be 3 storey. Houses are linear terraces with flat blocks marking some corners. Homes face the street with frontage or, in places, kerb side parking and no rear parking courts. Roads are designed to limit speeds and most will be shared surface.
- 2.9 For site 2A, Kennedy Park a key feature is 5 access points off Long Furlong Drive leading through to and giving clear views through to Kennedy Park beyond. These are tree lined with homes set back from the shared surface road. One access will be the inward bus and service access for the shopping area. The exit from the shops will be onto a new roundabout at the south end of Wentworth Ave. Homes on the southern edge will face Kennedy Park.
- 2.10 Pemberton Road will serve one new house and will have a pedestrian/cycle link to the new development.
- 2.11 Of the 3 oak trees near the west end of the site one is in poor health and will go. The 3 oaks south of the retail area will be retained. Most of the small trees near the reservoir will go.
- 2.12 The frontage of the retail area faces east away from houses with 49 parking spaces opposite. Adjacent is a path/cycleway linking Wentworth Avenue to Pentland Road and the Northborough estate. The retail area incorporates a bus stand. This will allow all buses going to the town centre to use one stop whatever route they take. Pedestrian crossings on Long Furlong Drive are proposed either side of the roundabout next to the retail area and one will be near the west end of the site on the route to Lynch Hill School.
- 2.13 For site 2B at Wentworth Ave/ Marunden Green the key layout feature is a central green with houses overlooking it. This will be accessed as now from Marunden Green but with a road link onto Rokesby Road also. Along Wentworth Ave, where the car park is now, houses will line most of the street from the new community building northwards. The existing pedestrian link from Rokesby Road to Wentworth Avenue will be retained in the form of a shared surface access way lined with houses. On Ravensworth Road there will be corner block of 3 storey flats two houses and a small shop on the Wentworth Ave corner.

- 2.14 Some of the trees in Marunden Green will be retained in the new open space but the group near the back of Goodwin Road homes will be lost. The overall open space will be 0.23 hectares in size.
- 2.15 The scheme includes unallocated car parking spaces that the occupiers of the 24 retained flats can use – 12 kerbside spaces in Marunden Green and 8 spaces off Rokesby Road in a small plot of vacant land next to 38 Rokesby Road.
- 2.16 For both sites houses have 2 parking spaces each. Cycle stores are provided for all homes on the frontage or for end of terrace homes the rear garden. Bin stores are on the frontage. No rear garden access paths are proposed.
- 2.17 All affordable homes will be built to lifetime homes standard. All homes will be built to level 3 of the code for sustainable homes. The retail units will be built to BREEAM standard of very good. The development will include photovoltaic panels to generate electricity from light.
- 2.18 Regarding architectural design the applicant refers to a contemporary version of the garden city suburb. Some of the architectural details can be seen in the surrounding area of Britwell. Gable ends, brick or render finishes and steep pitched roofs are proposed. Mock chimneys break up the roof line. Some facades will have coloured boarding as well as simple porch canopies. Ends of terraces generally have projecting gables as ‘book ends’.
- 2.19 Facades will share common features to create an underlying unity but façade treatment will vary from street to street to provide character areas. The palette of materials used will be good quality but be limited in range.
- 2.20 The retail buildings will be more modern to act as focal point. The main building will have a waveform canopy roof as a visual landmark and practical means of shelter.
- 2.21 A draft Section 106 agreement outlines financial contributions for education, transport/parking, Kennedy Park enhancements and maintenance plus works to form a path to Pentland Road. The Park enhancements are to provide recreation for the new population, to compensate for the loss of some open space and provide alternative recreation space (re the Burnham Beeches issue – see para 2.22 below).
- 2.22 Supporting statements have been submitted by the applicant for transport, flooding, ecology, design, planning, ground investigation, sustainability, community consultation. The ecology study outlines issues associated with the proximity of Burnham Beeches, a special

area of conservation in particular the need for local informal recreation space to limit increase demand on Burnham Beeches.

3.0 **Application Site**

- 3.1 The first site, known as 2A (4.46 hectare), covers part of Kennedy Park plus an area off Pemberton Road used by the scouts and guides etc., the old play centre/family welfare building recently used by the recycled teenagers project and the old lodge compound. The second site, 2B (2.01 hectare), covers all the Wentworth Avenue shopping centre plus the now cleared Marunden Green area excepting the retained flats on the west of that road.
- 3.2 The Kennedy Park site comprises amenity grass land sloping slightly to the south east, some skate board ramps, a few mature trees, young trees near the scout/guides buildings and a boundary hedge alongside the road. Key oak trees now benefit from Tree Preservation Orders.
- 3.3 To the west are Pemberton Road homes, Venus Close flats with St. George's church beyond. Opposite to the north are the Parish Council Britwell Community Centre, playing field and houses fronting the road. To the east is a grass area and beyond a grassed mound and the new scout and guide buildings adjacent to Long Furlong Drive. The mound is a former landfill site but is capped to modern day standards. To the south, near the west side of the site, is a covered reservoir. For the rest of south boundary the park grass land continues up to the rough grassland belonging to Segro and extending to the edge of the Northborough estate. The Segro land is a historic landfill site. A well used informal path crosses this land from Pentland Road to Wentworth Ave.
- 3.4 The Wentworth Avenue site, inclusive of Marunden Green, has been partially cleared of buildings with just a few shops remaining. It contains some ornamental trees. To the west are residential properties of Travic Road plus a 3 storey block flats that fronts the site. To the south are rear gardens of Goodwin Road homes and the new Community Building. To the north is a second 3 storey block of flats on Rokesby Road and residential roads surround the rest of the site. New homes are being built opposite on the old service station site. The east is Wentworth Ave with community buildings opposite beyond a band of trees and the recently built homes on the former Jolly Londoner site.
- 3.5 Until recently site 2B contained flats in the tower above the shops and elderly person bungalows at Marunden Green totalling 71 homes.
- 3.6 The site is in the middle of Britwell with primary and secondary schools nearby and is well served by buses to the town centre

some of which extend to Heathrow and Langley. It is within walking distance of the northern part of the Trading Estate but the most direct route involves a scramble down a muddy embankment at Pentland Road. That informal path is also the most direct route for pedestrians from the Northborough area to access local community facilities and shops.

4.0 **Site History**

4.1 Outline application for 97 homes and 2,322 square metres of retail/community uses plus bus turning area on Long Furlong Drive. Approved in principle March 2010. Ref. No. S/134/10. Application not progressed.

Various approvals for demolition of Marunden Green bungalows and Wentworth Ave flats.

5.0 **Neighbour Notification**

5.1 1 letter of support. 6 objections raising concerns of :

- Overlooking/loss of privacy
- Loss of 5 mature trees (site 2B rear Goodwin Rd.)
- Loss of trees result in loss of wildlife/birds
- (layout change from earlier plans)
- Extra traffic especially. L Furlong/L Readings Junction
- St. Georges Church; focal point of local community – loss of view of church down Long Furlong Rd.
- Road link connecting Goodwin Rd to Rokesby Rd will cause problems/misuse.
- Loss of (retail) car park used by new community centre – street parking will cause congestion.
- Loss of property value.

5.2 In response the separation distances are typical of a new development such that any overlooking is not significant for a suburban area. In some places existing residents have benefitted from no homes or no upper storeys near their home.

5.3 The loss of a view of the Church is an unfortunate consequence of using the Park for development. Setting back the building line would result in either a smaller development or loss of more of the Park.

5.4 The new community centre has a small car park and 9 spaces are available in a lay by on the east side of Wentworth Ave. Parking restrictions, to protect the 9 spaces for centre users, are planned.

5.5 Loss of property value is not a planning matter.

5.6 Tree loss and traffic are referred to below.

6.0 **Consultation**

6.1 Traffic

Request various changes to and clarification of trip generation and distribution figures to assess the impact of the development on the highway network. Some road junctions on the edge of Britwell may be affected. Mitigation measures need to be agreed. Details of travel plan monitoring need to be agreed. A response from the applicant is awaited.

6.2 Highways

Long Furlong Drive roundabout needs altering to achieve forward visibility. A revised plan is under discussion which involves moving parking areas next to a protected tree. A road safety audit will be needed regarding detail design of highways.

6.3 Environmental Quality

Information has been submitted about the land under the site and the former landfill next to the site. Clarification or further information for some specific points is requested. Request conditions to cover submission and implementation of a remediation strategy.

6.4 Housing

Seek more social rent homes but the private units are too small to be converted to social rent tenure so will accept a financial contribution instead to allow flexibility on how extra affordable homes are provide.

6.5 Education

Seek financial contribution for education facilities. Prepared to accept reduction of agreed sum to go towards affordable housing.

6.6 Environment Agency

No objection. Seek conditions to control surface water run off, control unexpected soil contamination, control of pilling re contamination.

6.7 Thames Water

No objection. Seek conditions to control foul and surface water drainage. Protect or divert water main. Seek foul drainage strategy.

6.8 Crime Prevention Design

No objection. Has been involved at pre application stage. Developer aims to build to 'Secured by Design' standard.

6.9 Britwell Parish Council – no comments received.

6.10 Natural England

Natural England was consulted because the development is near Burnham Beeches a Special Area of Conservation (Habitats Regulations). They have no objection provided the development is carried out in strict accordance with details submitted. The mitigation measures outlined in the proposal and discussed in the ecological assessment should be secured including the provision of additional recreation opportunities.

6.11 South Bucks District Council

Point out that the edge of the sites are 1.5 km apart and their planning policy gives high priority to the integrity of Burnham Beeches in particular restricting the amount of development in close proximity. Development can increase recreational pressure on the Beeches which in turn can affect the sensitive habitat. Regarding the ecological assessment's study of the cumulative impact of new development in the area that might affect the Beeches they point out that the study did not look at development outside Slough. It also questions the assessments consideration of alternative green space that could offset the impact of 500 plus new residents in Britwell. They say it is essential that Natural England and Burnham Beeches are consulted. *The applicants have subsequently said they have taken into account all developments and that Natural England have not objected.*

South Bucks say the transport assessment has not looked at the affect on junctions in Buckinghamshire in particular Farnham Road or Farnham Lane. *The applicant has subsequently provided information and Bucks County Council's comments are awaited.*

6.12 The City of London (Burnham Beeches) has commented on the application. They say the development will alone or in combination with similar developments in the area have a significant detrimental impact upon the Special Area of Conservation. They refer to various discrepancies or lack of information in the ecological assessment. They conclude that the precautionary principle should be applied and the application be refused.

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

7.1 The Core Strategy (2008) identified this part of Britwell for major change. The site is identified in the Site Allocations Development Plan (Nov 2010) (site SSA2) for residential, retail and community uses plus public open space. The reason for allocation is regeneration in a sustainable way to improve the image of the area, improve housing stock, provide a range homes (size and tenure) with an emphasis on family homes, enhance open space recreation

facilities, enhance wildlife habitat, improve local access to shops/community facilities in particular access from the south. The proposal inclusive of proposed Section 106 agreement, achieves the above objective. However the content of the Park enhancement scheme will be important to ensure adequate compensation for the loss of some open space land.

- 7.2 The Site Allocations Plan identifies some key planning requirements and how some policy conflicts could be addressed.
- 7.3 Core Strategy policy 2 and Local Plan Policy OSC 1 both seek to retain open space unless compensatory provision is made. The proposal will involve the loss of 4.2 hectares of open space (3.6 ha excluding buildings/compounds) at Kennedy Park. The Site Allocations Plan recognises that the loss could be justified by the economic, social and environmental benefits of comprehensive regeneration. However in addition compensatory provision is proposed as detailed below.
- 7.4 Firstly 2,300 sqm. of new open space is proposed at Marunden Green to serve the new housing and the immediate existing community which has no significant open space at present. The Council will take control of this with maintenance money.
- 7.5 Secondly the proposed financial contribution to Kennedy Park enhancement will allow the remainder of Kennedy Park to be improved and possibly adjacent spaces. At present it has few facilities and features. These improvements can serve both the new and existing residents in particular older children. An indicative master plan, prepared by the Council, shows a skateboard park larger than the one to be lost on the site, play space, general enhancements for active and passive recreation and changes to the mound to make it more interesting. It can include space for young children's play to complement the extensive play equipment nearby at Monksfield Park. The indicative master plan includes natural habitat for informal recreation, dog walking and wildlife. Access to the Park can be improved through use of the new pedestrian crossings on Long Furlong Drive and the proposed path to Pentland Road.
- 7.6 Broad costings indicate the financial contribution is sufficient for significant enhancements including those in the indicative master plan. It is proposed to receive the money at the beginning of the development such that the Council will control enhancement irrespective of the rate of house building. Maintenance money will also be contributed.
- 7.7 Consequently an exception to the loss of open space policy can be made because of the benefits of the scheme and the compensatory measures within the Council's control.

- 7.8 In addition agreement in principle has been reached with Segro for the Council to have access to its land south of Kennedy Park. Consequently this could secure an area of replacement open space approximately equivalent to that lost by development. This area is already used informally for dog walking etc.
- 7.9 Regarding Local Plan policy OSC 7 and Core Strategy policy 6 which resists the loss of community facilities the old family welfare building will be lost but the new community building provides an alternative facility. The scouts and guides are in the process of being relocated on Long Furlong Drive opposite Monksfield open space.
- 7.10 There is no conflict with the retail policy that seeks to protect neighbourhood centres and concentrate significant new space in existing retail centres as the proposal simply replaces an existing neighbourhood centre. The reduction in size of overall retail space is not in this case a significant matter as the new proposal is adequate to serve the area and provide a range of shops including a food store.
- 7.11 Core Strategy policy 4 seeks new development outside central locations to be predominantly houses not flats. 13 % of the homes will be flats. For a major development of over 200 homes a few flats are acceptable. Furthermore the flats are all in the affordable housing category and provide for local need. Consequently this is a reasonable percentage such that there is no substantial policy conflict. Overall there are sufficient family homes and range of sizes to be in line with the Site Allocations objective.
- 7.12 Local Plan policy OSC 5, open space, is complied by way of a new space on the Wentworth Ave site and for the Kennedy Park site by proximity of the existing Park combined with the enhancement scheme proposed.
- 7.13 The proposal complies with the National planning policy Statement.

8.0 **Transport and Highways**

- 8.1 The impact of traffic on the highway network is an outstanding matter. Any further transport issues to be addressed will be reported on the Committee meeting amendment sheet and assessed against Core Strategy policy 7 transport. The draft Section 106 covers key transport matters.
- 8.2 The net increase in dwellings will result in some extra traffic on the highway network. Although the impact has yet to be fully assessed it is important to encourage use of non car modes of travel. The following will assist: (1) the bus turning area (in front of the shops)

will provide a single bus stop in a convenient location for all services to the town centre irrespective of which route they take. (2) The roundabout will assist buses turning out as they will not have to wait for a gap in traffic as they do from tee junctions or lay bys. (3) By condition real time passenger information and a shelter will be provided. (4) An estate wide travel plan and (5) introductory bus season ticket for each household are proposed. (6) Cycle stores will be provided for all homes. (7) The path link to Pemberton Road and to Pentland Road will provide convenient pedestrian and cycle links to the new shops and bus stop particularly for Northborough estate residents. It will also be a short cut to the Trading Estate.

- 8.3 The path to Pentland Road will be a Section 106 requirement and will be subject to a separate planning application.
- 8.4 The access points are acceptable in principle. However a revised roundabout is under discussion to allow for the correct forward visibility but also avoid the adjacent parking area moving over roots of the mature oak trees. The remainder of the highway layout is acceptable.
- 8.5 Car parking in terms of numbers is acceptable as all houses have 2 spaces most of which are 'on plot' or allocated. There will also be some visitor spaces and spaces for existing flats at Marunden Green who currently park in that street.
- 8.6 Various off site highway works required include parking restrictions at the junction of Wentworth Ave/Ravensworth Road and the lay by opposite the new community building; bus stop/shelter relocation, verge protection on Wentworth Ave. opposite the site, adjustment of crossing points, new pedestrian crossings on Long Furlong Drive (3), changes to Long Furlong Drive traffic calming, stopping up of sections of public highway not required in the new development. Subject to consultation the Council intend to propose a 20 mph zone on part of Long Furlong Drive.

9.0 **Shopping Centre**

- 9.1 The shops will move approximately 350 metres further south. This will benefit residents near Long Furlong Drive and in particular those living in the Northborough estate. But those in the north of Britwell will have further to walk to the shops. It is impractical to split the location of the shops as a concentration helps attract retail occupiers and provide a focus for the neighbourhood. However the provision of a small shop on Ravensworth Road will assist those disadvantaged by the move.
- 9.2 The retail building will be visible at the end of Wentworth Ave. and together with its distinctive design it will appear close to the shops. Its visibility will also help attract customers using Long Furlong

Drive.

- 9.3 Servicing is at the rear. A gated compound that an articulated lorry can enter is planned with scope for tree planting on the edge to help screen it from new homes opposite. The close proximity of the yard to homes is not ideal but delivery traffic should be modest and the homes, that overlook the yard entrance, can help will security.
- 9.4 Because of problems with the existing centre the new retail building has no residential property above. The frontage of the main retail building will be visible from Long Furlong Drive and the proposed new path to Pentland Road to provide some surveillance from nearby public space. The Council is also looking at how its CCTV system can be extended to the site. Overall it is an opportunity to create a new, more successful neighbourhood centre.
- 10.0 **Design**
- 10.1 The mainly two store development is welcome as it fits in well with the rest of Britwell. The extensive frontage development helps provide active streets and is a well known way of reducing crime.
- 10.2 Whilst the extensive use of frontage car parking will result in cars dominating the street scene it will help with crime prevention as cars will not be hidden from view beside or behind homes. Planting or fences on frontages will be important to help soften the appearance of so many cars in the street. A few spaces are located next to flanks with no overlooking. A revision to move some of these has been requested.
- 10.3 Separation distances between new homes and to existing homes are reasonable for suburban development. Gardens are all 9 metres or more in length.
- 10.4 The elevational treatment of housing and the retail building is satisfactory.
- 10.5 The retention of the mature oak trees on the Kennedy Park site is important in terms visual amenity. However to achieve a rational and consistent layout buildings are very close to 3 of the trees. One garden is substantial covered by the spread of the tree. Whilst the trees are protected by preservation orders by condition special construction will be required for works adjacent. It will also be advisable for the developer to advise future occupiers in advance of the need to retain the trees.
- 10.6 The landscape concept shows a satisfactory mixture of structural and decorative tree planting on frontages, to the side of flanks or in rear gardens. Because of the density and frontage parking there is limited scope for extensive tree planting on frontages.

10.7 At Marunden Green, the loss of some existing trees is regrettable but it makes it easier to create a new landscape area with homes overlooking it and also reduces the exposure of rear gardens to public areas which can be more vulnerable to crime.

10.8 In time the new trees will provide an adequate replacement but some existing residents will lose their view of existing trees.

10.9 Subject to the revision of some residential parking and the roundabout design etc. the proposal complies with Core Strategy policies for the built environment and community safety. It also complies with Local Plan policy re design, landscape, density,

11.0 **Environmental Aspects**

11.1 The previous 2009 application for the Kennedy Park site was subject to an Environmental Impact Assessment because of the adjacent old landfill site south of Kennedy Park. As the Council now has more information about contamination etc. on this site a subsequent screening opinion has concluded no new Environmental Impact Assessment is needed.

11.2 **Sustainability**

All the homes will be built to level 3 of the Code for Sustainable Homes standard. The retail buildings will be built to achieve the BREEAM very good standard. Photovoltaic panels will be placed on the roof of many homes and shop units to generate electricity from the sun equivalent to 10% of the developments carbon emissions.

11.3 **Ecology**

An ecology survey has been carried out which concludes that the habitat within the site has limited ecological value. It indicates the proposed new planting could enhance the ecological value of the site. In addition the park enhancement scheme can provide better wildlife habitat.

11.4 The site is not far from Burnham Beeches which is a Special Area of Conservation (and an SSSI and a Nature Reserve). The edge of the application site is 2.5 km from the nearest Burnham Beeches car park and the development will increase the number of people living in this part of Britwell as there will be a net increase of 187 homes.

11.5 Under the Habitats Regulations the affect of the development by itself or cumulatively on Burnham Beeches must be considered. In this instance a key consideration is extra people going to Burnham Beeches for recreation which may have an adverse affect on the

sensitive wildlife habitat there.

- 11.6 The applicants conclude that the development proposal alone or in combination would not contribute to a likely significant effect, nor to an overall adverse impact on the integrity of Burnham Beeches.
- 11.7 English Nature does not object to the proposal provided the development goes ahead in strict accordance with the proposal i.e. ecology and recreation enhancements.
- 11.8 The proposal for additional development in Britwell is included within the Site Allocations Development Plan. The Plan addressed the matter of proximity to Burnham Beeches by way of a screening opinion that concluded that principle was acceptable subject to application of the Council's normal planning policies.
- 11.9 The proposal includes provision for a Kennedy Park enhancement scheme. That scheme can make the Park or associated areas more attractive for informal recreation, in particular dog walkers or those who enjoy natural environments. This is an important provision to help dissuade residents going to Burnham Beeches. It can provide alternative recreation space. An outline enhancement scheme has been considered (see para 7.5) and implementation of it is within the Council's control subject to receiving a Section 106 financial contribution.
- 11.10 Consequently the availability of money, the Council's control of the park and the Council's indicative master plan are sufficient to show that appropriate enhancements can be carried out that will help reduce additional recreational pressure on Burnham Beeches. By condition ecology enhancements within the housing development can be made. Natural England's request can therefore be satisfied.
- 11.11 In addition it is likely that the Council will gain formal access to the open land south of Kennedy Park such that this can also be used officially for local informal recreation in particular dog walking.
- 11.12 The overall proposal inclusive of section 106 matters complies with Core Strategy policy for sustainability and natural environment.
- 12.0 **Section 106 matters**
- 12.1 A draft Section 106 agreement has already been agreed in principle. Subject to any revisions regarding transport impact it complies with Core Strategy policy 10 regarding infrastructure and associated policies referred to above. It covers the following :
- Education facilities financial contribution (for the net increase in homes).

- Bus season ticket for all households (via financial contribution to Council).
- Travel Plan and associated monitoring fee.
- Kennedy Park enhancement financial contribution.
- Kennedy Park and open space long term maintenance financial contribution.
- Parking restrictions (Wentworth Ave.) financial contribution.
- Sustainable development (minimum standards)
- Path to Pentland Road – commitment to build (subject to the Council sorting permissions from land owners affected etc.)

In addition an affordable housing financial contribution is now proposed.

- 12.2 The Council's requirements, as land owner, to provide the shopping centre, affordable housing together with Section 106 requirements means the development is not viable if the Council's full Section 106 requirement is applied. This has been established through the tender process. In the submitted scheme this is addressed by the affordable housing package being less than desired. Subsequently it has been agreed to reduce the education contribution by about one third less than the published rates and have an affordable housing financial contribution of an equivalent amount. This is acceptable bearing in mind the desire for regeneration and need for affordable housing.
- 12.3 Building affordable housing on the site is a commitment in the Council's development agreement with the developer rather than the Section 106.
- 12.4 As this is a Council owned site no Section 106 can be signed at present. The Council, by way of full Council resolution has committed to only dispose of the development site if a Section 106 agreement is signed by the developer at the same time and if there is a commitment (in a development agreement) to build the affordable housing.
- 13.0 **Conclusion**
- 13.1 The principle of developing the site has been established by way of the Site Allocations Development Plan of 2010. That Plan recognises that development on part of the park can only be acceptable if there is satisfactory compensatory provision and that

the development has local regeneration benefits. A previous application for developing part of the park was been agreed in 2010 but was not progressed further.

- 13.2 The proposed open space and park enhancement package is suitable compensation for loss of some open space. The new shopping centre, affordable housing package and general renewal of the built environment, plus the park enhancement are benefits for Britwell that cannot easily be achieved without use of part of Kennedy Park. The park enhancement is also a key requirement, requested by Natural England, to help address wider environmental policy in particular limiting additional recreational pressure on Burnham Beeches, a Special Area of Conservation.
- 13.3 The design of the scheme is simple but attractive and links well with its surrounding in particular the use of predominantly two storey buildings. Homes facing informal, tree lined shared surface streets and facing the park plus new open space are particular features. The incorporation of a bus stand and requirement to build a proper path to Pentland Road will help local people access local facilities.
- 13.4 Subject to the satisfactory resolution of outstanding matters referred to in the report above and the completion of a Section 106 agreement for the items referred to in the report the development complies with Development Plan policies.

PART C: RECOMMENDATION

14.0 **Recommendation**

Delegate to the Head of Planning Policy for satisfactory conclusion of outstanding matters; agreement of draft Section 106 agreement and completion of conditions.

15.0 **PART D: LIST OF CONDITIONS OR REFUSAL REASONS**

- Time limits for implementation – 3 years
- Approved plans list
- Materials - details
- Bin stores - details (for flats/retail)/provide
- Cycle stores - provide
- Lighting – details (for un adopted areas)
- Water butts – provide for houses
- Boundary treatment – details/provide
- Parking & turning areas - provide
- Access details

- Off site highway works – details & timing of
- Replacement residents parking spaces - provide
- Construction management scheme (contractor parking and space for deliveries)– details/carry out
- Public Open Space hectares – details/provide
- Landscape scheme – details/provide
- Landscape management – details/carry out
- Tree protection during construction –provide
- (including special construction over tree roots)
- TPO trees – notify residents affected
- Wildlife mitigation - details
- Low or zero carbon energy 10% - details/provide
- Soil remediation scheme – details/carry out
- Thames Water piling restrictions near sewers-details
- Surface water drainage scheme –details/provide
- Environment Agency conditions
- Thames Water conditions
- Retail controls – min of 980 sqm use class A1 on site 2A.
- Bus stand, shelter, passenger information – details/provide
- Recycling containers in retail car park – details/provide
- Path – east edge of site 2A – provide with shopping centre.
- (some conditions will be linked to phases of development)