

Contact: Chris Steuart DDI No. 01494 421543

App No : 19/05142/FUL App Type : FUL

Application for : Demolition of existing 97 dwellings across the north and south sites and erection of 194 new dwellings comprising 88 x 1 bed flats and 96 x 2 bed flats and 2 x 3 bed and 8 x 4 bed houses on two sites with associated car and cycle parking, private amenity space, play space, public open space and landscaping

At Castlefield Development Area, Chairborough Road, High Wycombe, Buckinghamshire

Date Received : 23/05/19 Applicant : Red Kite Community Housing

Target date for decision: 22/08/19

1. **Summary**

- 1.1. Full planning permission is sought for the redevelopment of the flats and houses on two sites in Castlefield's. The redevelopment would provide 8 new flat blocks and 10 houses. The applicant is Red Kite a Registered provider. A mix of tenures is proposed and policy compliant affordable housing can be secured.
- 1.2. The following report sets out the planning considerations that are relevant to the proposal. The redevelopment is considered to be acceptable subject to some clarifications/further drawings, and subject also to a legal agreement and planning conditions.

2. **The Application**

- 2.1. Full planning permission is sought for the demolition of existing 97 dwellings across two sites (north and south sites) and for the erection of 194 new dwellings comprising 88 x 1 bed flats and 96 x 2 bed flats and 2 x 3 bed and 8 x 4 bed houses on two sites with associated car and cycle parking, private amenity space, play space, public open space and landscaping
- 2.2. The two sites were developed with Council housing in the 1960's and 1970's. The housing comprised a series of star shaped blocks beside Chairborough Road and Pettifer Way and a long row of two storey houses and flats along Longland Way. The condition of the buildings has declined and the site has had a number of anti - social crime issues. Red Kite, to whom the housing was transferred by the District Council, were required by the transfer agreement to redevelop the two sites.
- 2.3. The redevelopment enables the density of development within the sites to be increased and the potential to provide for a better layout that takes into account modern living and planning requirements.
- 2.4. Red Kite first approached the planning authority in 2015 with their ideas to redevelop the sites and entered into a Planning Performance Agreement to manage the pre-application process. A large number of meetings have taken place and many scheme iterations have been the subject of comment.
- 2.5. In early 2018 an independent design review was undertaken by South East Design. This involved a panel of 5 independent professionals conducting a site visit and then providing a verbal and written critique of the development as it was then proposed.

2.6. Other consultees have also provided pre-application advice. The Highway Authority has been involved in the proposal since its inception and Thames Valley Police provided a detailed assessment of the proposal in mid-2018. The Lead Local Flood Authority has also been contacted by the applicant.

2.7. As set out in the description, the development will be accommodated on two sites. The southern site is located beside Chairborough Road and the northern site between Longland Way and Pettifer Way. The area has been developed on steeply sloping land and the surrounding housing estate mainly comprises two storey family housing with long gardens. There are trees in the area, for instance on the ridgeline of the valley which can be seen from distant views, and sporadic trees breaking up the roof lines of the houses.



2.8. The sites are surrounded by residential development. The southern site is located at a lower level than Chairborough Road, a road characterised by two-storey semi-detached family houses fronting the road. On the other side of the site, to the south east, are flats located within McLellan Place. These are partly screened from view by dense vegetation on the site boundaries. The land steeply rises beyond McLellan Place up to the Cressex Business Park which can be seen on the ridge of the hill and the land between is a designated local nature reserve. The former Jolly Bodger public house is located to the south-west of the site.



Southern site

2.9. The northern site falls into two parts. At the upper level is Longland Way, a wide road serving the existing dwellings within the application site and the rear of houses in

Chiltern Avenue and Whitelands Road. Garages and outbuildings are located in the back gardens of these dwellings. A primary school is located further up slope a few streets distant from the site. Longland Way will provide access to the new dwellings in this part of the site and joins Chairborough Road a few hundred metres south of the site. For the most part Longland Way is characterised by two storey dwellings.

- 2.10. The lower part of the northern site is accessed from Pettifer Way. This road also joins Chairborough Road to the south about 50 metres from the site. There are six existing two storey family houses facing the road that are beyond the application site. Within the site, Pettifer Way is at a much higher level than the dwellings that back onto the site and face Chairborough Road. The existing four storey flats in this part of the site look out towards the long and steeply sloping back gardens of these houses. The part of the site between the flats that face Pettifer Way and the houses that face Longland Way is grassed and very steeply sloping. A footpath follows a contour giving level access into this space and the dwellings up slope facing Longland Way. There are some trees within the site.



Northern site

- 2.11. The proposal is to demolish all 97 existing dwellings with the northern and southern sites. These will be replaced by:
- (a) Northern site: 66 x 1 bed flats and 72 x 2 bed flats within six 5 storey blocks and 2 x 3 bed and 2 x 4 bed houses (total 142 dwellings).
 - (b) Southern site: 22 x 1 bed flats and 24 x 2 bed flats within two 5 storey blocks and 6 x 4 bed houses (52 total)

The northern site is 1.98 hectares in area, with 142 units proposed, equating to a density of 72 dwellings per hectare. The southern site is 0.73 hectares in area and 52 units are proposed equating to a density of 73 dwellings per hectare.

2.12. The proposed layout of the northern site is as follows:

1. Facing Longland Way (top of slope):

- (a) Three five storey blocks (N02, N03 and N04) facing Longland Way. Each block contains 23 flats. The blocks are three storeys tall when viewed from Longland Way and five storeys tall when viewed from Pettifer Way and from the open space within the site.
- (b) Living rooms and bedrooms overlook the street and on the opposite side of the blocks living rooms, bedrooms and kitchens overlook the central open space. There are also windows in the side elevations of the blocks resulting in most flats being dual aspect.
- (c) Car parking is provided along Longland Way and close to block N04 beside the open space accessed from Pettifer Way:
 - In front of N02 (23 flats) Longland Way;
 - 11 car parking space which includes an electronic vehicle charging point space,
 - 1 disability space,
 - 1 motorcycle space.
 - In front of N03 (23 flats) Longland Way;
 - 11 spaces which includes an electronic vehicle charging point space
 - 1 disability space
 - 3 motorcycle spaces;
 - In front of N04 (23 flats) Longland Way;
 - 21 car parking space which includes an electronic vehicle charging point space,
 - 1 disability space
 - 3 motorcycle spaces;
 - Downslope of Block N04 adjacent to the central open space area;
 - 35 car parking spaces which includes 2 electronic vehicle charging point spaces,
 - 1 disability space
 - 2 motorcycle spaces.
- (d) The car parking spaces beside Longland Way measure 2.4m x 4.8m and within the open space measure 2.5m x 5.0m.
- (e) Cycle stores are provided within 4 storage areas within each flat block providing 6 spaces per store which equates to 24 spaces per flat block and 72 for the 3 blocks facing Longland Way. Some cycle hoops are also provided within the street.
- (f) Three bin store buildings are provided within Longland Way.
- (g) Provision for service vehicle turning is provided.
- (h) Tree and hedge planting is illustrated close to the blocks beside Longland Way.

2. Facing Pettifer Way (lower down on slope)

- (a) Three five storey blocks (N01, N05 and N06) face Pettifer Way. The five storey blocks contain 23 flats each. The five storey blocks are five storeys tall when viewed from Pettifer Way and three storeys tall when viewed from Longland Way and the open space within the site.
- (b) Two three storey semi-detached houses (H7 and H8) are located at the end of Pettifer Way looking down the site access road and closing off the end of the site. A footpath that used to be located here has been legally closed (by Order). Two four storey houses (H9 and H10) are located at the entrance to the site beside the existing house, 6 Pettifer Way. Two four storey semi-detached houses are located besides the existing dwelling 6 Pettifer Way at

- the site entrance.
- (c) Within the flat blocks, living rooms and bedrooms overlook the street and on the opposite side of the blocks living rooms and kitchens overlook the central open space.
 - (d) Car parking is provided along Pettifer Way.
 - The four houses each have a forecourt on which approximately 3 cars can be parked.
 - In front of N01 (23 flats) Pettifer Way.
 - 34 car parking spaces which includes 2 electronic vehicle charging point spaces.
 - 1 disability space.
 - 2 motorcycle spaces.
 - To the side of N05 (23 flats) Pettifer Way.
 - 8 car parking spaces
 - 2 disability spaces.
 - 2 car parking spaces to the front of N05 (23 flats) Pettifer Way.
 - To the side of N06 (23 flats) Pettifer Way.
 - 7 car parking spaces which includes 2 electronic vehicle charging point spaces.
 - 4 car parking spaces parallel to the street
 - (e) The car parking spaces accessed from Pettifer Way measure 2.5m x 5.0m.
 - (f) Cycle stores are provided within 4 storage areas within each flat block providing 6 spaces per store which equates to 24 spaces per flat block and 72 for the 3 blocks facing Pettifer Way. Some cycle hoops are also provided within the street.
 - (g) Two bin store buildings are provided within Longland Way.
 - (h) Provision for service vehicle turning is provided.
 - (i) Tree and hedge planting is illustrated close to the blocks beside Pettifer Way.

3. Central Open space

- (a) The northern site includes a central area of open space.
- (b) The open space will be significantly regraded so that it is not as steep as it currently appears on site.
- (c) Private amenity spaces will be provided adjacent to the main open space. These will serve individual flat blocks and will be demarcated by fencing/railings on the edge of the open space.
- (d) The open space will include an equipped play space for children (307 sq. m). This is proposed near the entrance to Pettifer Way.
- (e) Due to the change in levels a number of retaining structures will be located on the Longland Way edge of the open space. These have been designed to minimise their visual impact.
- (f) A group of mature trees that were planted when the existing flats were constructed will be removed. One large mature tree at the entrance to the site close to Pettifer Way will be retained along with many trees on the site boundaries.
- (g) A series of footpaths are proposed within the open space. The only footpath that is disabled compliant in terms of gradient is the footpath that runs along the length of the open space. However the routes onto this path are not disabled compliant.
 - The route from Pettifer Way up to Longland Way includes steps.
 - No ramps are proposed as these would have to be very large structures.
 - A person with ambulant disabilities living in Blocks N02, N03 or N04 (which face Longland Way) can access either the street or the open space to the rear of the block by using the lift/stairs within the block.
 - A person with ambulant disabilities living in Blocks N01, N05 or N06 (which face Pettifer Way) would not be able to access Longland Way at the top of the slope except by travelling along Pettifer Way to

Chairborough Road and then turning into Longland Way.

- (h) The footpath route includes a route through the parking area and another to the side of the parking area that is adjacent to the open space.

2.13. The central open space will require more detailed design work. There is for instance an opportunity to enclose the space so that it is only available to the residents of the blocks that face onto it. This would have the advantage of making it a safer and more useable space for the children of the residents of the scheme. The access for people with ambulant disabilities could be improved within the space when it is accessed from the blocks, however access from the streets will prove problematic due to the gradient of the land. A route without steps can be provided from Pettifer Way but it cannot be made to be disabled compliant without significant engineering to create ramps.

2.14. The proposed layout of the southern site is as follows:

- (a) Two five storey blocks (S07 and S08) facing Chairborough Road. Each block contains 23 flats. The blocks are 3 storeys tall when viewed from Chairborough Road and five storeys tall when viewed from the parking area within the site (and McLellan Court).
- (b) 6 houses (semidetached dwellings) are proposed (H1 to H6). These are 4 storeys tall and located beside the access road at the site entrance from Chairborough Road. Their back gardens face the road.
- (c) Living rooms and bedrooms overlook Chairborough Road and on the opposite side of the blocks living rooms and bedrooms overlook the access road.
- (d) Car parking is provided as follows:
 - Houses H1 to H6
 - 2 driveway spaces per house
 - 1 garage space per house
 - Block S07 (23 flats) Chairborough Road:
 - 10 spaces accessed from Chairborough Road including 1 electronic vehicle charging point space.
 - 1 disabled space.
 - 7 spaces beside the access road including 1 electronic vehicle charging point space.
 - Block S08 (23 flats) Chairborough Road:
 - 10 spaces accessed from Chairborough Road including 1 electronic vehicle charging point space.
 - 1 disabled space.
 - 13 spaces beside the access road including 1 electronic vehicle charging point space.
 - 2 motorcycle spaces
 - Beside the access road at the entrance to the site:
 - 14 car parking spaces
- (e) A pedestrian path is proposed along the length of the access road. A new path is also proposed into the local Nature Reserve to the north and west of the site.
- (f) An equipped play space (79 sq m) will be provided at the end of the spine road adjacent to the Jolly Bodger site.
- (g) The car parking spaces measure 2.5m x 5.0m.
- (h) Cycle stores are provided within 4 storage areas within each flat block providing 6 spaces per store which equates to 24 spaces per flat block and 48 for the 2 blocks facing Chairborough Road. Some cycle hoops are also provided within the street.
- (i) One bin store is provided beside the access road.
- (j) Provision for service vehicle turning is provided.
- (k) Hedges can be planted to define private amenity areas close to the blocks.

2.15. The proposals include details of:

- (a) Section details showing how the development will sit within the landscape/local topography.

- (b) Images showing the “before development” and “after development” townscape views
- (c) Tree protection measures for trees to be retained.
- (d) Illustrative hard and soft landscaping.
- (e) Illustrative elevations with materials.

2.16. Overall, the layout drawings identify 226 car parking spaces across both sites.

(a) Northern site: 140 spaces for the flat blocks and 12 spaces for the 4 houses

(b) Southern site: 56 spaces for the flat blocks and 18 for the 6 houses.

This level of provision equates to 1.01 spaces per flat.

2.17. The flats will not be served by any balconies. Instead high quality private amenity spaces are provided beside each block. These will be available to use by each resident of the flat. The applicant has stated that viability is the reason for removing the balconies that were present on the drawings when the proposal was first submitted.

2.18. The applicant, Red Kite, is a Registered Provider of affordable housing. The proposed tenure for the development is set out in the table below. The applicants own estimates are that the development will require a financial subsidy which it will provide, but 10 units of private rental and 31 outright sale dwellings are proposed within the tenure mix to aid financial viability.

Tenure	1 bed	2 bed	3 bed	4 bed	Total Units
Affordable Rent	55	60	0	0	115
Shared Ownership	17	19	0	0	36
Discount Market Rent	0	0	0	2	2
Market Rent	5	5	0	0	10
Outright Sale	11	12	2	6	31
Total	88	96	2	8	194

2.19. The application is accompanied by:

- a) Planning Statement
- b) Design and Access Statement
- c) Urban Design Report
- d) Transport Assessment
- e) Travel Plan
- f) Tree survey
- g) Contamination Report
- h) Energy Statement
- i) Visual Impact Assessment
- j) Flood Risk Assessment
- k) Ecological Impact Assessment
- l) Structural Report
- m) Utilities report
- n) Statement of Community Involvement

2.20. Substantial amendments have been made to the proposal. The original drawings have for the most part been superseded and additional technical information has been submitted. The main changes are:

Northern Site

- A reduction in the scale of the flat blocks from 6 storeys to 5 storeys.
- Substantial amendments to the internal layout of the blocks to provide 5 flats per floor instead of four flats per floor.
- Amendments to the car parking layout on the site.
- Removal of a group of trees within the open space to create a car parking area.
- Flat block positions rearranged on Pettifer Way and 2 houses introduced beside no 6 Pettifer Way.
- Re-arrangement of the central open space and footpath routes.
- Relocation of the proposed play space.
- Amendments to the building elevations and floorplans.
- Amendments to the private amenity space. Overall an increase in the amount.
- Deletion of balconies.
- Accessible flats provided.

Southern Site

- A reduction in the scale of the flat blocks from 6 storeys to 5 storeys.
- Substantial amendments to the internal layout of the blocks to provide 5 flats per floor instead of four flats per floor.
- Amendments to the car parking layout on the site.
- Amendments to the layout of the 4 houses.
- Relocation of the proposed play space.
- Amendments to the building elevations and floorplans.
- Amendments to the private amenity space. Overall an increase in the amount.
- Deletion of balconies.
- Accessible flats provided.

2.21. The development has been screened under the Environmental Impact Assessment Regulations and the local planning authority has concluded that an environmental impact assessment will not be required in this case.

Statement of Community Involvement.

2.22. Red Kite has carried out a community consultation exercise which has included exhibitions, meetings with community interest groups and stakeholders. The tenant's response has been overwhelmingly supportive of redevelopment.

2.23. Red Kite have also made two presentations to members of the Council (as regulated by the Council's Statement of Community Involvement). These presentations have focussed on scheme design and viability issues. The Council has also widely consulted on the planning application and the responses are summarised in Appendix A of this report and are available in full on our web site.

3. Working with the applicant/agent

3.1. The Council takes a positive and proactive approach to development proposals. Its planning advice service is solution focused towards policy compliant development. This is in line with paragraph 38 of the 2019 NPPF. In this instance

- Planning Advice was provided using a Planning Performance Agreement,
- the applicant/agent was updated of any issues after the initial site visit and throughout pre application and application process,
- The applicant was provided the opportunity to submit amendments to the scheme/address issues.
- The application was determined without delay.
- The application was considered by the Planning Committee

4. Relevant Planning History

4.1. There is no relevant planning history.

5. **Issues and Policy considerations**

Principle and Location of Development

DM1 (Presumption in favour of sustainable development)
CP1 (Sustainable Development),
CP2 - (Overall Spatial Strategy),
CP3 (Settlement Strategy),
CP4 (Delivering Homes),
DM21 (The Location of New Housing)

- 5.1. The site is located within an urban area where residential development is acceptable.
- 5.2. Policy DM21 of the new local plan states that housing will be supported at sites that are allocated for housing including Delafield Heights (which was the name Red Kite gave to this site during Planning Advice discussions). The indicative number of dwellings set out in the plan was 40 more than presently on site (97 + 40 = 137 total). This number isn't a target or a ceiling to the amount of development that can be accommodated – it is simply a monitoring number.

Affordable Housing, Housing Mix and Self Build Housing

CP4 (Delivering Homes),
DM22 (Housing Mix),
DM24 (Affordable Housing)
Planning Obligations Supplementary Planning Document (POSPD)

- 5.3. The table within section 2 of this report set out the tenure and mix of dwellings. The proposal complies with planning policy by providing a mix of tenures of housing (including affordable housing) and a mix of sizes of dwelling.
- 5.4. The applicant proposes to provide 79% of the dwellings as affordable housing. The planning authority seeks to secure affordable housing on sites in conformity with its planning policy. A legal agreement will be required to secure 35% of the dwellings as affordable housing.
- 5.5. The new local plan also requires that self-build housing be provided on sites that include 100 houses or more. The policy relates to “houses” rather than “dwellings”. There will only be 10 houses provided by this development therefore there is no need to secure self-build housing.
- 5.6. In terms of housing mix, a mix is proposed but the dwellings are predominantly one and two bedroom flats. In this case, this is considered to be acceptable as there is a predominance of family sized housing already in this area. The existing development at the site is also of a type that caters for smaller households.

Housing: Space Standards and Accessible Design

DM40 – (Internal Space Standards) (dwellings)
DM41 – (Optional Technical Standards for Building Regulation Approval)

- 5.7. The dwellings have all been designed to meet the national technical standards for minimal internal space. This is in compliance with DM40.
- 5.8. DM41 requires all of the dwellings to meet the standards in Building Regulation Approved Document 4(2). This means that they are accessible to people in a wheelchair and are adaptable to lifetime living. Furthermore in accordance with the policy at least 20% of the market dwellings and 30% of the affordable dwellings meet the higher standard of Building Regulation Approved Document 4(3). These dwellings are suitable for occupation by someone in a wheel chair.
- 5.9. The applicant has amended the drawings in order to achieve the required standards.

Transport matters and parking

DM2 (Transport Requirements of Development Sites)

CP7 (Delivering the Infrastructure to Support Growth – threshold applies)
 CP12 (Climate change)
 DM33 (Managing Carbon Emissions: Transport and Energy Generation)
 DM35 (Placemaking and Design Quality)

5.10. The development is considered to be acceptable in terms of transport matters.

Capacity and junctions

5.11. It is considered that the highway network has sufficient capacity to deal with the traffic that will be associated with this development. There are currently two mini roundabouts on Chairborough Road close to the site. One is located on the junction with Longland Way and the other with the southern site access road. It is proposed to remove these. The new junctions replacing the mini roundabouts will be priority junctions.

Footpaths

5.12. A number of estate footpaths have been closed under legal orders that previously served this northern site. These paths provided relatively poorly surveyed routes between blocks of housing, were subject to considerable dumping and littering and the local Police Officers regarded them as potential escape routes for criminals.

5.13. A number of new footpath routes are proposed within the northern site. These are mainly located within and to the open space. In terms of connection with the surrounding area this will be via Longland Way, Pettifer Way and Chairborough Road. The new footpaths within the open space are accessible from Longland Way by steps and from Pettifer Way by a sloping path. People with ambulant disabilities will only be able to access the open space from the flat blocks themselves. A network of paths is planned within the open space. These are planned to be accessible to people with disabilities.

5.14. The southern site relies on the footpath beside the access road which connects to Chairborough Road for pedestrian access.

Car, cycle and motorcycle parking

5.15. It is considered that the development provides adequate car, cycle and motorcycle parking.

5.16. The County Parking Standards for Zone A require the following amount of car parking.

	Optimum number of parking spaces required on site (if more than 50% of spaces are unallocated)
1-4 habitable rooms	184
6 habitable rooms	4
7 habitable rooms	16
TOTAL	204

5.17. The applicant proposes to manage the parking so that more than half the spaces are not allocated to any particular flat. Some areas of parking may however be identified for the use of the residents of particular flat blocks.

5.18. The layout drawings identify 226 car parking spaces across both sites.

(c) Northern site: 140 spaces for the flat blocks and 12 spaces for the 4 houses

(d) Southern site: 56 spaces for the flat blocks and 18 for the 6 houses.

This level of provision equates to 1.01 spaces per flat, which exceeds the BCC parking standards.

5.19. A significant amount of discussion has been had with the applicant regarding the

location of the car parking for the northern site. The amount of car parking accessed from Longland Way where there are three flat blocks falls below the County standards and the amount of car parking accessed from Pettifer Way where there are also three flat blocks exceeds the County standards. An area of car parking has been proposed beside the open space accessed from Pettifer Way which will serve flats located in Longland Way which overlook the car parking.

- 5.20. The parking needs of visitors will be met within the car parking areas that are provided in accordance with the County Parking Standards.
- 5.21. The car parking will also include spaces for blue badge holders and electronic vehicle charging points. Motorcycle parking spaces are also proposed.
- 5.22. The dimensions of the car parking standards are a mix of 2.4 x 4.8 m and 2.5 m x 5.0m. The provision of larger 2.8 x 5.0m spaces has not proved possible on this constrained site.
- 5.23. Cycle parking will be provided within storage areas within the flat blocks and within the streets.

Servicing

- 5.24. Provision is made for waste and recycling throughout the development. Information has been provided to demonstrate that the development can be adequately accessed by service vehicles. Turning areas are proposed within the three streets that serve the two sites.

Public transport

- 5.25. The applicant proposes to upgrade a bus stop close to the site in Chairborough Road. The bus stop will be slightly relocated and will include the provision of Real Time Passenger Information.

Raising the quality of place making and design

CP7 (Delivering the Infrastructure to Support Growth)

CP9 (Sense of place)

DM35 (Placemaking and Design Quality)

DM37 (Small Scale Non – Residential Development)

DM40 (Internal Space Standards)

Residential Design Guidance

- 5.26. All development is required to improve the character of the area and the way it functions. The quality of place-making is particularly important for this development. The existing accommodation at the site has become outdated in a number of ways and the site has been earmarked for redevelopment for some time. The current deficiencies of the two sites include:
 - The flat blocks are dated in terms of their layout and design.
 - There have been crime issues within the estate.
 - The private and public spaces are confused with no private demarcation around the flat blocks.
 - The slope between the blocks on the northern site makes large areas of the site difficult to use due to the steepness of the slope.
 - There is limited surveillance of the streets due to the layout of the buildings. The flat blocks have car parking/garaging at the ground floor level of the buildings.
 - The doors into the flat buildings are not legible or always visible from the street.
 - The density could be increased giving more efficient use of land.
 - On the southern site the buildings do not have an active frontage to the main road.
- 5.27. The positive characteristics of the two sites include:
 - (a) The hillside setting offers good views of the local area.
 - (b) The presence of a Local Nature Reserve offers a nearby open space that the

sites could better connect to.

- (c) There are nearby facilities and amenities within easy walking distance.
- (d) The site is in a sustainable location.
- (e) The site offers good opportunity for a greater density of development.
- (f) The sloping land could be levelled in part to provide better recreational space.

- 5.28. The applicant has provided a detailed site analysis and has sought to take advantage of the positive characteristics of the two sites. The development seeks to enhance the green linkages with the surrounding area and to create a more dense development taking advantage of the sustainability credentials of the site.
- 5.29. Policy DM35 of the new local plan provides a useful guide for considering place making. A number of the criteria set out within the policy can usefully be considered and provide the sections headings below.

Create positive and attractive buildings and spaces;

- 5.30. The existing outdated buildings will be demolished. The redevelopment on both sites will comprise five storey flat blocks and some houses. The flats will be of a modern and attractive design and will use a simple pallet of materials. A planning condition will be required to control the materials.
- 5.31. The northern site will include an area of open space between the two rows of blocks. This space is currently present on site but has a steep slope which inhibits its use as an outdoor space. The proposed development faces blocks onto the space and provides level surfaces surrounded by gentle slopes. Play spaces will be provided.
- 5.32. The detailed layout of the central open space has yet to be determined and the details will be the subject of a planning condition. There is an opportunity to enclose the space for the exclusive use of the residents of the development and this would have the advantage of making the space safer for children's play. This image of the space below shows a stepped area running the length of the site and this is likely to be redesigned so the space has a less formal character and to improve accessibility for people with disabilities (the image shows steps within the space which need to be replaced by ramps). An equipped children's play area will also be provided close to the entrance to the site on Pettifer Way.
- 5.33. The central area will also include private spaces for residents of particular flat blocks. These are the spaces that are adjacent to the blocks and can be seen in the image below on the left enclosed by railings.
- 5.34. The image also shows a retaining structure on the left hand side of the image. Retaining structures will feature in many parts of the north and south sites but have been designed to reduce their engineered appearance and enhance their landscaping potential.



Central open space – northern site

5.35. The southern site repeats many of the elements of the northern site. Chairborough Road is located in an elevated position so there will be a need for a retaining structure. Private amenity areas serving the two flat blocks can be provided at the base of this structure. An equipped children's play area can also be provided. The blocks will face Chairborough Road and will have direct pedestrian access to the street. The blocks also face the spine road to their rear with pedestrian access at a lower level onto the spine road.

Take a comprehensive approach to site layout and design including adjacent sites where these are suitable for redevelopment;

5.36. The SE Design Review team considered that the applicant should explore incorporating additional land adjacent to the site within the site area. This point was particularly made in relation to Longland Way where 79 -107 Chiltern Avenue back onto the road. This frontage is unattractive due to the ad hoc location and design of numerous outbuildings which face the street. The applicant does not own these properties and has not therefore been able to incorporate them into this development. However, the proposal retains access to the rear of all these properties and would not prejudice a future development on these back gardens if one were to come forward.

5.37. Elsewhere, topography is a severe constraint on increasing the extent of the site. The Jolly Bodger site is also left out of the development but could be redeveloped independently or later accessed from the southern site (topography permitting).

Provide a robust and legible structure of public realm and private spaces;

5.38. A development objective for this development has been the creation of a robust and legible structure of the public realm and private spaces. The lack of public private distinction is a characteristic of the current buildings at the site and is a problem of the site. The proposed redevelopment works off a strong framework of public and private space. Spaces around the flat blocks will be clearly demarcated as private spaces. Public spaces will be provided away from the blocks within the streets and the open spaces.

Direct most activity to the public realm;

5.39. The public realm will be the focus for most activity. The public realm will include:

- The car parking, motor cycle parking and some cycle parking
- The waste refuse storage buildings
- The roads and associated footpaths
- The public open space

5.40. The flat blocks and houses will access directly onto the public realm.

Provide good surveillance of the public realm through layout and building design;

5.41. The flat blocks and houses have been designed so that habitable room windows provide good surveillance of the spaces around the blocks. The spaces will feel significantly overlooked. This should deter crime and improve the feeling of safety for children's outdoor play.

Prevent significant adverse impacts on the amenities of neighbouring land and property;

5.42. When first submitted the planning application proposed 6 storey flat blocks. Officers considered these to be too tall due to their effect on the character of the area. There was also comment from neighbouring residents expressing concerns about impact and overlooking of their gardens.

5.43. The proposal was amended so that the flat blocks are now all 5 storeys tall. The Councils normal overlooking distances between flats and houses are all complied with.

5.44. The most impacted dwellings will probably be those in Chairborough Road which will be overlooked from the flat blocks in Pettifer Way. However the impact is considered to be acceptable due to:

- The distance between the windows in the rear of the houses in the new flat blocks is about 40 metres which exceeds the Council's standards.
- There are already flat blocks in this location looking down towards the houses.
- There are boundary trees which provide some screening. Additional boundary trees will be provided by the development and the residents of the houses have the opportunity to plant their own trees at the rear of their long gardens.
- There is a significant difference in land levels. The new flats will be built on much higher ground which then steeply slopes down to Chairborough Road. The outlook from the flats will be over the rooftops of the houses although it is accepted that the houses will be seen by anyone in the flats looking down towards them.



View of flat block behind Chairborough Road frontage



Above: Comparison of Existing and Proposed Footprints

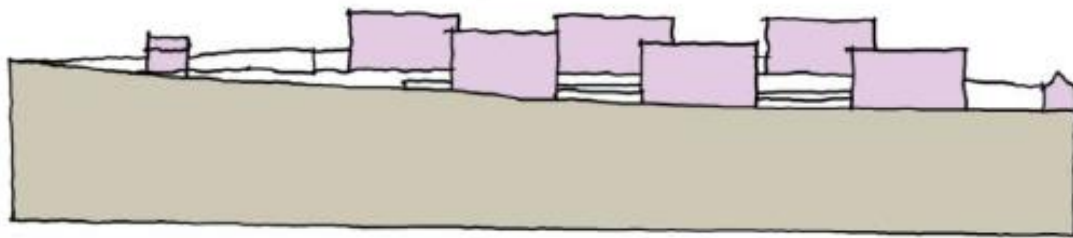
Demonstrate the efficient use of land through the scale and height of buildings.

5.45. The applicant has amended the design of the blocks to reduce the scale of the blocks to 5 storey instead of 6 storeys. However, this has not resulted in a reduction in the volume of development: indeed there are now a few more dwellings than previously proposed. This is because the original floorplans of the flats showed a large amount of corridor/circulation space. The blocks have been redesigned so that there are now 5 flats per floor instead of 4 flats per floor. Minor amendments to the dimensions of the blocks has enabled a more efficient internal layout to be achieved.

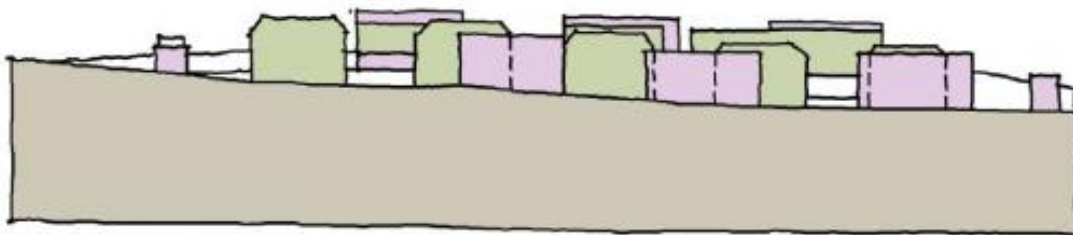
5.46. It is considered that the amount of development that can be accommodated has been optimised. The amount of car parking that is capable of being provided limits the overall volume of the development. Furthermore officers would not support 6 storey blocks due to their impact on the street scene, the townscape and neighbouring property.



Existing Massing Elevation



Proposed Massing Elevation



Comparison Massing Elevation

Above: Comparison Elevations to North Site

Streets and off-site highway improvements should be designed to strike an appropriate balance between all of the five principle functions of a street: place, movement, access, parking, and utilities.

5.47. It is considered that the street design is acceptable. The needs of pedestrians, vehicles and servicing have been met. The flat blocks and houses address the streets in an acceptable way to create an attractive place.

Summary

5.48. The proposal has been significantly amended and is considered to comply with the policies that promote good place-making.

- (a) The block and houses face the streets and spaces and provide for good levels of activity and surveillance.
- (b) The blocks will be in character with the local area at 5 storey in scale.
- (c) The impact on neighbouring residential property has been minimised.
- (d) The amount of development has been optimised.

Crime and Design

CP9 (Sense of place)

DM35 (Placemaking and Design Quality)

NPPF

- 5.49. The overarching principle that underpins policy DM35 is that all development is required to improve the character of the area and the way it functions. As stated above the area is one that has experienced crime and this was one of the factors taken into account when it was decided to redevelop this site.
- 5.50. Policy DM35 specifically promotes good surveillance of the public realm. The Crime Prevention Design Adviser (CPDA) has assessed this and considers the development to have good surveillance. The NPPF at paragraphs 91 and 127 states that development should be safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.
- 5.51. The CPDA has expressed some serious concerns. The main concern is that each flat block has two entrance doors, one on each side of the block. One door provides access into a lobby space enclosed by a second internal door. The CPDA regards this as being a safe arrangement. The other door provides access directly into the building beside the stairs and lift. The CPDA is concerned that anyone entering the building via this door will be able to access all the individual doors to the flats. It is possible that the door will be used as the main door serving 2 flat blocks on the southern site as the doors face Chairborough Road and the 3 flat blocks on the northern site at the top of the slope as the doors face Longland Way.
- 5.52. There will be a number of people who will need to visit the flat blocks for legitimate reasons. These include the postal and parcel service, the fire brigade, health visitors, tradespeople and residents' visitors.
- 5.53. The CPDA has requested that all external doorways lead into a secure lobby. The applicant has declined to amend the drawings and has stated that access to the buildings and to the floors of the flats will have secure access with fob and intercom controls.
- 5.54. The CPDA as recommended a number of planning conditions that are designed to ensure that the fear of crime is reduced. These include:
- (a) Ensuring that the front doors are designed to a secure standard.
 - (b) That there is compartmentalisation within the flat blocks (i.e. that access into the buildings and onto the different floors of the flats is restricted by access control).
 - (c) That CCTV is provided within the flat blocks.
- 5.55. The CPDA raises some other concerns about the layout of the development in terms of the need for defensible spaces and secure boundaries. It is considered that these points can be addressed by the landscaping proposals for the site.
- 5.56. It is concluded that the development will be capable of reducing the fear of crime.

Amenity of existing and future residents

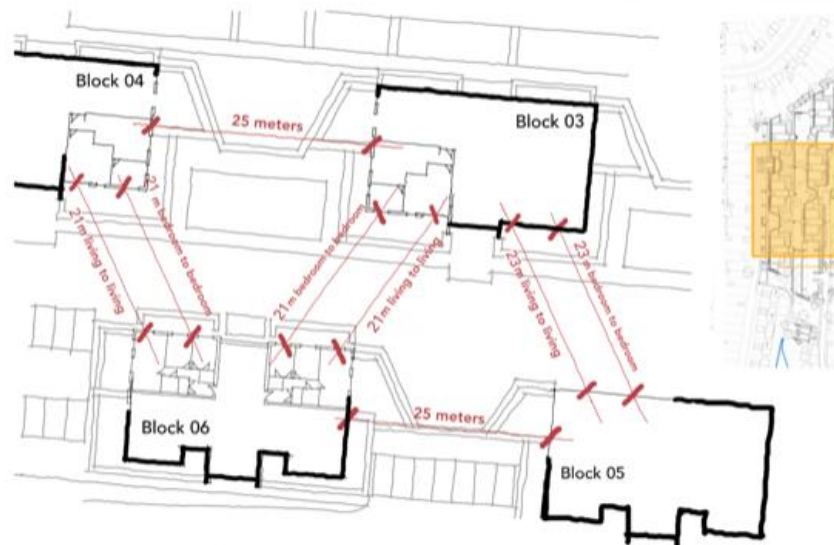
CP9 (Sense of place)

DM35 (Placemaking and Design Quality)

Residential Design Guide

- 5.57. DM35 requires development to provide a level of privacy and amenity for future occupants appropriate to the proposed use.
- 5.58. As set out in the section entitled 'Raising the quality of place making and design' the development is considered to achieve acceptable building to building relationships with neighbouring dwellings.
- 5.59. The building relationships within the development also need to be considered. The blocks within the northern site are located close to each other. They achieve a window to window distance when measured side to side of 25 metres and comply with the Residential Design Guide. However the distances between facing windows in the upslope blocks in Longland Way and the downslope blocks in Pettifer Way sometimes

fall short of this standard. At their closest the window to window distances are only 21 metres.



Northern site: Block separation

- 5.60. During negotiations on the planning application some of the Pettifer Way blocks have been moved closer to the Longland Way blocks principally due to the need to retain Pettifer Way on its present alignment rather than move it closer to the rear gardens of the houses fronting Chairborough Road. Moving it closer presented engineering and cost issues and would also have resulted in a greater impact upon the existing residents. There would for instance have been less scope for new boundary planting and views from the road over the rear gardens fences due to the differences in land level.
- 5.61. The result of the amendments is that the proposal does not meet the standards that are set out in the Residential Design Guide. However, in this case this matter is not considered to warrant refusal because:
- (1) The overlooking is between new blocks rather than between a new block and an existing dwelling. New residents will be able to see the situation when they decide whether or not to accept a flat.
 - (2) The space between the buildings is a public space. The window to window standard is design to apply to overlooking across private spaces such as back gardens. The standard is never applied across to facing windows in the fronts of houses across a public street. The affected windows will already have a degree of overlooking from the use of the public space.
 - (3) The topography means that the upslope Longland Way blocks tend to look over the downslope Pettifer Way blocks. This could reduce the feeling of being overlooked.
 - (4) There is significant scope for tree planting within the open space to reduce the feeling of overlooking. This will need to be carefully planned because there will remain a need for blocks to provide surveillance over the open space.
- 5.62. On balance the proposal is considered to be acceptable.
- 5.63. The houses on the northern site on plots H7, H8 and H10 have first and second floor windows in their side elevations. These windows serve bathrooms or are secondary windows serving habitable rooms. The windows on the side of houses H7 and H8 look directly into the gardens of existing houses that are located on each side of this part of the site. Although the window to window distances exceed 25 metres, the elevated position of the houses means that the rear private gardens would be overlooked from a close distance. With regard to Plot H10, the side windows would look over a number of adjacent gardens. A planning condition is needed to ensure that the windows are

non-opening up to a specified height and obscure glazed.

- 5.64. The provision of outdoor amenity space is another aspect of amenity. Balconies have featured in the design of the site throughout the pre-application process; when initially submitted the application drawings for the flats included balconies and ground floor patios. The applicant has removed the balconies in the latest iteration of the drawings with officer support for viability reasons.
- 5.65. The detailed planning policy for outdoor amenity space is provided on page 56 of the Residential Design Guide. This sets out the requirement for balconies but states that “flats without their own private amenity space may be allowed where the flat is...adjacent to a garden space.” In interpreting this policy, your officers would expect a garden space to be a space that is purposely designed for the exclusive use of residents and which itself will provide a good degree of amenity. A small area of grassed land beside a car park would not be acceptable as such a space.
- 5.66. In terms of the current scheme, private gardens serving the flat blocks have been a feature of the design. These spaces are identified on the layout drawing close to the flat blocks that they serve, they would be capable of being enclosed by railings/hedging or suitable fencing and gated. They are of a suitable size and shape to enable a number of people to use them at the same time.
- 5.67. On balance it is considered that this would be an acceptable way of accommodating amenity space. There is no conflict in this case with the policy.

Flooding and drainage

CP7 (Delivering the Infrastructure to Support Growth)

CP12 (Climate change)

DM39 – (Managing Flood Risk and Sustainable Drainage Systems)

- 5.68. There is a small area within both sites that experience surface water flooding during periods of rainfall. These areas include the road surface of Pettifer Way and the southern site spine road which are both within the application site area. The development of the northern and southern sites was considered within the local plan so no sequential test is required.
- 5.69. A flood risk assessment has been produced and considered by the Environment Agency and the Lead Local Flood Authority (LLFA). The LLFA has objected to the proposals.
- 5.70. Policy DM39 states:
- All development will be required to incorporate Sustainable Drainage Systems (SuDS) ensuring that:
- Within the site:
- i. Surface water run-off is managed as close to the source as possible;
 - ii. Priority is given to Sustainable Drainage Systems (SuDS) which mimic and reflect natural drainage processes;
 - iii. Details for future maintenance over the lifetime of the development are included.
- 5.71. The objection of the LLFA relates to the requirement for more technical work to be undertaken and for a sustainable drainage proposal to be derived that meets the requirements of the policy. The applicant on receipt of the objection has provided amendments to the proposal which were being considered by the LLFA at the time of completing this report.
- 5.72. However the initial feedback received suggests that an adequate sustainable drainage scheme has not been proposed. It is considered that this cannot be overcome by making it a requirement of a planning condition because meeting the requirements of Policy DM39 may have other implications for the development. Of particular note is the requirement of the LLFA for drawings to demonstrate that a 10m buffer zone from soakaways to any building, structure or highway is achievable and the requirement that

the sustainable drainage hierarchy in the policy is followed.

5.73. It is recommended that further information would be required to be submitted to address sustainable drainage before any permission be issued.

Green networks and infrastructure and ecology

CP7 (Delivering the Infrastructure to Support Growth)

CP10 (Green infrastructure and the Natural environment)

DM11 (Green Networks and Infrastructure)

DM13 (Conservation and Enhancement of Sites, Habitats and Species of Biodiversity and Geodiversity Importance)

DM14 (Biodiversity in Development)

DM15 (Protection and enhancement of river and stream corridors)

DM34 (Delivering Green Infrastructure and Biodiversity in Development)

5.74. Development is required to protect and enhance biodiversity. The applicant has provided an ecological report for the site. It is generally of low ecological value. The Chairborough Road Local Nature Reserve is located adjacent to the south site and some bat roosts have been found within the application site.

5.75. Generally the population associated with the site is too small to place pressure on sites with an ecological designation. However, there is potential for public access to put increased pressure on the Local Nature Reserve (LNR). Ways of mitigating this impact include:

- Providing new residents with a leaflet setting out the importance of their local site and relevant information on reducing impacts whilst visiting the LNR, including details on public involvement in management of the LNR.
- The provision of good quality open space within the development site would reduce recreational pressure and potential associated negative impacts (vandalism etc.) on the adjacent LNR.

5.76. A small area of semi improved grassland is located on a grass triangle at the Pettifer Way/Chairborough Road junction. The measures recommended for this area are:

- Protective fencing to be employed to protect the retained grassland during construction (e.g. heras);
- Preparation, approval and implementation of a Grassland Management & Monitoring Scheme to bring retained grassland into favourable status, including relaxation of existing management to a single annual late-season cut and 'lift' (with arisings removed) with an optional early season 'topping' (high cut and lift). The development of grassland would be subject to appropriate monitoring by suitably qualified persons (e.g. botanist) to ensure management remains appropriate, and;
- Installation of suitable demarcation (e.g. short timber posts) and signage (e.g. "wildlife bank' sign) for the avoidance of doubt for future management and to inform public of the grassland's interest.

5.77. The removal of trees and hedgerows is likely to have a small effect. Protective fencing would be needed around retained trees.

5.78. A number of bat roosts have been found within buildings on the site. Bats are a European Protected Species (EPS) and an EPS Licence will be required for the demolition of all buildings on the sites. This will provide for a derogation from The Habitats and Species Conservation Regulations 2010, which protects bats and their roosts. Mitigation for bats will include:

- Precautionary measures for bats will need to be implemented prior to demolition of buildings across the site, as appropriate, to avoid any potential impacts to bat roosting areas.
- A Bat Mitigation Strategy will need to be prepared to define appropriate

mitigation to compensate for the loss of roosting opportunities, new roost provision and precautionary working measures to be employed during demolition.

- The provision of ten bat roosts in the form of integrated bat boxes within new buildings will be required to mitigate for the loss of the roosts to be demolished. These roosts should be located close to foraging areas within new landscaping at the site.
- New tree and hedgerow planting along the boundaries and within the centre of the site will provide connectivity across the site and with habitats to the north and east of the site, whilst providing additional foraging habitat, mitigating for the loss of trees and hedgerow.
- In order to maintain ecological functionality of existing hedgerows and new tree planting along site boundaries for bats, in addition to the replacement roosts, a sensitive external lighting scheme will be prepared. The future lighting scheme will be developed in consultation with a bat ecologist to avoid/minimise light spill onto retained and created habitat/roosts.

5.79. No badgers have been found at the site but it would provide suitable habitat for badgers. Mitigation therefore includes:

- To safeguard badgers, ramps or other appropriate safeguards must be installed in excavations which are to be left over night and are over 1m deep with a sheer face/slope.
- A pre-commencement update badger survey be undertaken to confirm the absence of any badger setts from the site.

5.80. The mitigation for birds would be to carry out site clearing outside the bird nesting season. A planning condition is not required as this is controlled by other legislation.

5.81. Slow worms are present on a nearby site. None have been found on the application site but the habitat is suitable for them. Mitigation includes:

- To avoid committing an offence under the Wildlife and Countryside Act 1981 (as amended), where vegetation clearance is necessary a precautionary approach would be undertaken to minimise the risk of killing or injuring reptiles. This would include phased strimming and hand removal of waste piles, under supervision and outside of the hibernation period (c. October to end-February inclusive).
- As a precaution, reptile fencing should be installed along the south-west boundary of the site to ensure reptiles do not stray from the off-site population onto any existing habitat on-site (i.e. hedgerows) or unmanaged vegetation which establishes during construction.

5.82. Japanese Knotweed is found near the site but not on the site. However the ecological report recommends that checks be made for the plant to avoid it being exported off the site in waste thereby spreading to other sites.

5.83. Policy DM11 requires that “all development proposing new green spaces or green links should be provided in a way that retains, reinforces or creates links within and to the Green Infrastructure Network so as to promote recreation, biodiversity and non-motorised access.” It is considered that the development would be capable of complying with this policy. The provision of undeveloped spaces, landscaping and appropriate management schemes for the site would result in a development that promotes recreation, biodiversity and access.

5.84. Policy DM34 requires development to achieve a future canopy cover of 25% of the site area on sites outside of the town centres and 0.5 ha or more in extent. The applicant has provided an initial analysis to demonstrate how the requirements of this policy could be met.

Public open space

DM16 (Open space in new developments)

- 5.85. To accord with policy DM16, the development will be required to make provision for public open space to serve new residents.
- 5.86. The northern and southern sites already contain open space but this is simply laid out as a setting for the buildings that currently occupy the sites and topography severely limits the use of the space.
- 5.87. The main new area of open space will be located on the northern site. This is the central space between the blocks. Within the development approximately 1.4ha of open space will be provided in compliance with policy DM16.
- 5.88. The new central open space will be graded and laid out in order to make it usable as an informal open space. The land is currently proposed to be available to all members of the public – which it needs to be to qualify as public open space – but officers have indicated that restricting access to the space in order to make it more attractive and safer for the residents of the northern site would be acceptable.
- 5.89. Both sites include equipped play spaces for children.
- 5.90. The initial design philosophy for the layout of both sites was to join them to the open space provided by the Local Nature Reserve located beside the southern site. A new footpath is proposed to the nature reserve.

Environmental Issues

CP12 (Climate change)

DM20 – (Matters to be determined in accordance with the NPPF – contamination and pollution)

DM35 – (Place making and Design Quality)

- 5.91. The environmental Services Officer has identified two issues: air quality and traffic noise.
- 5.92. The developer is proposing to provide electronic vehicle charging points adjacent to some parking spaces. There is generally one space proposed per flat block on the northern site and 2 per flat block on the southern site. This falls below the standard that the Environmental services Officer considers to be needed. It is considered that electric vehicle charging points can promote the ownership and use of electric vehicles and this will have beneficial effects on air quality.
- 5.93. The Environmental services Officer has suggested a planning condition to secure 48 charging points. However, this is on the assumption of a greater amount of dedicated car parking than is actually proposed. It is considered that securing on space per house and 20 spaces for the flat blocks would comply with the standard provided by the Environmental Services Officer.
- 5.94. Noise from vehicles using Chairborough Road is also an issue. It is recommended that a planning condition be imposed to protect the dwellings from excessive traffic noise.

Building sustainability

CP12 (Climate change)

DM33 (Managing carbon emissions)

- 5.95. Development is required to integrate renewable technologies into developments. Amongst other things:
- Adopting higher water efficiency standards to contribute to alleviating water stress across the District.
 - Introducing a requirement that new development should be designed to contribute towards mitigating urban heat island effects and increases in air pollution.
 - Supporting the integration of renewable technologies into residential developments of all sizes and the use of district heating or combined heat and power on larger scale developments.

5.96. It is recommended that energy and water efficiency be the subject of planning conditions.

Infrastructure and Developer Contributions

CSDPD: CS21 (Contribution of development to community infrastructure)

DSA: DM19 (Infrastructure and delivery)

BCSNP: Policy 13 (Connecting the Parish)

New Local Plan (Submission Version): CP7 (Delivering the infrastructure to support growth)

5.97. The development is a type where CIL would be chargeable on the private dwellings.

5.98. It is considered that there would not be other types of infrastructure, other than the provision of affordable housing, that will be put under unacceptable pressure by the development to justify financial contributions or the direct provision of infrastructure.

5.99. The Planning Obligations SPD sets out the Local planning Authority's approach to when planning obligations are to be used in new developments.

5.100. Having regard to the statutory tests in the Community Infrastructure Levy regulations and the National Planning Policy Framework it is considered that the following planning obligation(s) are required to be secured within a section 106 agreement:

- (a) Affordable housing – at least 35% of the dwellings to be provided as affordable housing
- (b) Travel plan (including monitoring fee)

5.101. The applicant has confirmed that he is willing to enter into a legal agreement.

Weighing and balancing of issues – overall assessment

5.102. This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.

5.103. In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:

- (a) Provision of the development plan insofar as they are material
- (b) Any local finance considerations, so far as they are material to the application (in this case, CIL)
- (c) Any other material considerations

5.104. As set out above it is considered that the proposed development would accord with the development plan.

5.105. The report has identified some areas where there is a need for a balanced judgement against policy. These include:

- (a) The car parking spaces do not measure 5.0 x 2.8 metres. This does not fail to comply with a planning policy in the development plan as the policy requirement is that sufficient parking be provided to meet the needs of the residents;
- (b) The window to window distances between the northern blocks fall short of 25 metres. This does not fail to comply with a planning policy in the development plan. The Residential Design Guide requires 25 m and sometimes 30m between facing windows. Reasons why the SPD policy is not breached are set out in the report;
- (c) There could be insufficient public open space. The total amount of open space is acceptable but a large proportion of the space could beneficially be restricted to the use of the northern site flats only. If it were, then the space would not

strictly function as public open space and therefore potentially breach policy DM16. However other planning benefits, such as better safety and security for children resident in the blocks, are considered to arise to off-set this harm.

- (d) There are no private amenity spaces. This does not fail to comply with a planning policy in the development plan as the policy requirement is found in the Residential design guidance. This does allow for communal amenity space to be provided in some situations.
- (e) The CPDA concerns over crime and design particularly in relation to the entrance lobbies. This does not fail to comply with a planning policy in the development plan and planning conditions can secure an acceptable outcome.

5.106. It is considered that in this case the development plan and other material consideration weigh in favour of the proposal.

Other matters

5.107. The National Health Service has commented that the development should make a contribution towards the Accident and Emergency Service. They have explained that the reason for this is that funding for A and E is related to population change and there is a delay in the population increasing and government funding being made. They wish to fill this funding gap by securing a developer financial contribution.

5.108. This is the first such request that this Council has received in relation to a major development. Over past years, through the local plan process, contact has been made with the NHS regarding development and its services. The NHS has not previously alerted the Council to the need for funding and the NHS services do not appear in the Councils Planning Obligations SPD.

5.109. There is therefore no local policy framework for supporting local NHS funding of this kind. Furthermore the amount of funding requested would have significant impacts upon the Councils ability to secure other funding through section 106 agreements. There is also a concern that section 106 should not be used for normal public service costs – otherwise other local public services (including for example the day to day cost of local government, police etc.) could also make a case for funding.

Recommendation: Deferred for further information/negotiation or other reasons
--

Subject to:

- (a) the receipt of details that are capable of resolving the objections of the Lead Local Flood Authority to the development and complying with Policy DM39, and,
- (b) a detailed concept drawing (including details of levels, means of enclosure, retaining structures, pathways, provisions for people with ambulant disability, hard and soft landscaping and locations of play areas and a classification of the spaces as private spaces, spaces available to the residents only and public open spaces) for the central space on the northern site being submitted including an indication of how the 25% canopy cover policy will be achieved for the entire site given the concept contained in the detailed central space plan. The plan will form the guide to drawing up the details required to be approved by planning condition.

On receipt of such appropriate details that the Head of Planning and Sustainability be authorised to grant planning permission for the development subject to the prior completion of a legal agreement relating to:

- a) The provision of affordable housing in compliance with the Councils adopted policies.

It is currently anticipated that such permission would be subject to the following or similar conditions:

Time Limit

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: o comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

Approved drawings

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
[Drawing numbers to be added.]

Materials

3. Notwithstanding any indication of materials which may have been given in the application, a schedule and/or samples of all surfacing materials shall be submitted to and approved in writing by the Local Planning Authority before any development above the footings of the development takes place. Thereafter, the development shall not be carried out other than in accordance with the approved details.
Reason: To secure a satisfactory appearance.
4. Notwithstanding any indication of materials which may have been given in the application, a schedule and/or samples of the materials and finishes for the flats and houses shall be submitted to and approved in writing by the Local Planning Authority before any development above the footings of the development takes place. Thereafter, the development shall not be carried out other than in accordance with the approved details.
Reason: To secure a satisfactory external appearance.
5. Notwithstanding any indication which may have been given in the application, no development shall take place until details of all walls, fences and retaining structures shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
Reason: this is a pre-start condition. A large amount of earth moving is proposed by the development and it is possible that retaining structures will need to be put in place before development commences on the buildings. The condition is therefore required to secure a satisfactory appearance for the development once complete.

Landscaping

6. No dwelling shall be constructed above the level of the footings on the northern site until details of the treatment of all parts of the northern site not covered by buildings has been submitted to and approved in writing by the Local Planning Authority.

No dwelling shall be constructed above the level of the footings on the southern site until details of the treatment of all parts of the southern site not covered by buildings has been submitted to and approved in writing by the Local Planning Authority.

The details shall include:

- 1) A scaled plan showing all existing vegetation and landscape features to be retained
- 2) Trees, hedges, shrubs and plants to be planted
- 3) Location, type and materials to be used for hard landscaping including specifications, where applicable for:
 - a) Turning heads and car parking spaces

- b) Permeable paving for paths
 - c) Retaining structures
 - d) Tree pits (design and location) showing how soil volume will be achieved
 - e) Details of the soil to be used within the tree pits
 - f) Underground modular systems (design and location)
 - g) Tree guards for trees within car parking areas
 - h) Sustainable urban drainage features
- 4) A schedule detailing sizes and numbers/densities and location of all proposed trees/plants;
 - 5) Before and after spot height drawing for the 2 sites
 - 6) Specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and
 - 7) Location and design of all boundary treatments

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. The landscaping scheme for each site shall demonstrate how the Council's 25% tree canopy cover requirement will be achieved.

The development shall only take place in accordance with the approved details.

Reason: In the interests of the character and appearance of the area, ecology and green infrastructure in accordance with the Council's planning policies for the area.

- 7. Protective fencing and/or other protective measures shall be erected around each tree and hedge to be retained in accordance with a scheme which must first be submitted to and approved in writing by the Local Planning Authority (i.e. an Arboricultural Method Statement and Tree Protection Plan to British Standard 5837:2012 Trees in relation to design, demolition and construction – Recommendations) before any site clearance works or development commence, and before any machinery or equipment has been allowed on site.

The scheme shall show the type, height and position of protective fencing to be erected around each tree(s) or hedge to be retained. Unless otherwise agreed in writing by the Local Planning Authority this shall be in accordance with clause 6.2 "Barriers and ground protection" of the British Standard 5837:2012.

The area surrounding each tree/hedge within the approved protective fencing shall remain undisturbed during the course of the works, and in these areas:

- 1. There shall be no changes in ground levels,
- 2. No materials or plant shall be stored,
- 3. No buildings or temporary buildings shall be erected or stationed,
- 4. No materials or waste shall be burnt; and,
- 5. No drain runs, trenches or other excavation shall be dug or otherwise created, without the prior written approval of the Local Planning Authority.

Reason: To ensure trees and hedges to be retained are adequately protected from damage during the execution of the works hereby permitted, in the interests of visual amenity.

- 8. The approved details for soft and hard landscaping shall be implemented in accordance with a programme to be submitted to and approved by the Local Planning Authority before any dwelling on the northern or southern site is occupied. Any trees, plants or areas of turfing or seeding which, within a period of 10 years from the completion of the development, die are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority first gives written consent to any variation.

Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping.

Public open space and suds

- 9. No development above footings shall take place on the northern or southern sites until a drawing has been submitted that identifies the location of:

- (a) For each flat block an area of outdoor amenity space that is dedicated to the sole use of the residents of the flat block. The details to include shall include the land area (in square metres).
- (b) Any amenity areas dedicated to the sole use of the residents of the northern or southern sites. The details to include how access to the areas will be managed.
- (c) Any public open space that is provided for use by residents and the public. The public open space shall be available for use by the public at all times of day and night.
- (d) Details of the play equipment to be located within the children's play area on the northern and southern sites
- (e) Sustainable urban drainage features.

A management and maintenance plan shall be submitted to and approved in writing by the Local Planning Authority for the management and maintenance of the areas and play equipment referred to in a) to d) above and for the sustainable urban drainage features.

The outdoor amenity space serving each flat block shall be provided before any flat within the block is occupied. The amenity space, play equipment and public open space on the northern site shall be provided before the occupation of the 60th dwelling on the northern site. The amenity space, play equipment and any public open space on the southern site shall be provided before the occupation of the 20th dwelling on the southern site.

Reason: In order to ensure that adequate space is provided and maintained within the site for the outdoor amenity and play needs of residents and sustainable drainage.

Amenity space

10. No development above the footings shall take place until details of the location of the outdoor amenity space serving each flat block within the site have been submitted to and approved in writing by the Local Planning Authority. The details shall include the land area (in square metres) of the amenity space. No flat shall be occupied until the amenity space serving the flat block in which the flat is located has been provided.

Reason: To ensure that each flat and house has adequate private outdoor amenity space in accordance with the Council's planning policies.

Biodiversity

11. No development (including no demolition) shall take place until a scheme to protect ecology has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be consistent with the applicants ecological report CSA/2413/02 prepared by CSA Environmental. The scheme shall include the following:
- 1. Submission of a Bat Mitigation Strategy including Measures to protect bats prior to demolition and during the construction process
 - 2. Details of the location and design of 10 bat boxes/bat bricks to be provided within the new buildings within the application site
 - 3. The results of a further badger survey and any mitigation measures should badger setts be found.
 - 4. A scheme to safeguard badgers during construction works.
 - 5. A scheme for reptile fencing to be installed along the south-west boundary of the site before development commences and retained during the period of building operations.
 - 6. A scheme for preventing the spread of Japanese Knotweed.

The development shall only take place in accordance with the approved scheme.

Reason: This is a pre-start condition. Some of the ecological value of the site directly relates to the existing buildings on the site and details are therefore required before development commences. This condition is required in the interests of protecting and enhancing biodiversity in accordance with the Councils adopted policies.

12. A landscape and ecological management plan (LEMP) shall be submitted to and be approved in writing by the Local Planning Authority prior to the occupation of any dwelling. The content of the LEMP shall include the following:
- i) Description and evaluation of features to be managed.

- ii) Ecological trends and constraints on site that might influence management.
- iii) Aims and objectives of management.
- iv) Appropriate management options for achieving aims and objectives.
- v) Prescriptions for management actions.
- vi) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- vii) Details of the body or organisation responsible for implementation of the plan.
- viii) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism by which the long-term implementation of the plan will be secured by the developer with the management body responsible for its delivery. The approved plan will be implemented in accordance with the approved details.

Reason: To ensure appropriate protection and enhancement of biodiversity, to make appropriate provision for natural habitat within the approved development and to provide a reliable process for implementation and aftercare.

13. No dwelling shall be occupied until a lighting design strategy has been submitted to and approved in writing by the local planning authority. The strategy shall:

- a) Identify those areas/features on site that are particularly sensitive for nocturnal species and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) and detail how timing of lighting will be controlled, so that it can be clearly demonstrated that areas to be lit will not disturb or prevent nocturnal species using their territory or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: This condition is required in the interests of promoting biodiversity and in the interests of the character and appearance of the area. Many species active at night are sensitive to light pollution. The introduction of artificial light might mean such species are disturbed and/or discouraged from using their breeding and resting places, established movement corridors or foraging areas. Such disturbance can constitute an offence under relevant wildlife legislation. Limiting negative impacts of light pollution

14. No dwelling shall be occupied on the southern site until an improved footpath has been provided within the site to the boundary of the Local nature reserve. The footpath shall be constructed using a permeable material.

Reason: In the interests of the outdoor amenity of residents.

Amenity

15. Before the first occupation of the houses on plots H7, H8 and H10 hereby permitted the windows within the side elevations above the ground floor shall be fitted with obscured glazing and any part of the window(s) that is less than 1.7 metres above the floor of any room in which it is installed shall be non-opening. The window(s) shall be permanently retained in that condition thereafter.

Reason: In the interests of the amenity of neighbouring dwellings.

Electric Vehicle Charging Points

16. Notwithstanding the details that accompanied the application, no dwelling shall be occupied until details of the location of electronic vehicle charging points and the location of the cabling to demonstrate that additional electronic points can be provided in the future have been submitted to and approved in writing by the local planning authority. The details shall identify one electric

vehicle charging point for each of the ten houses hereby approved and 20 spaces for the eight flat blocks. The electric vehicle charging points for the houses and flat blocks shall be installed and operating before any house or flat block that the vehicle point is serving is occupied. Thereafter the electric vehicle charging points must be maintained in full working order.

Reason: To reduce the negative impact on the health of residents living within the Air Quality Management Area by encouraging the use of electric vehicles and to comply with Policy DM33.

Parking

17. No car parking space shall be individually allocated to a named flat but groups of parking spaces shall be allocated to named blocks. No development above the footings of the development shall take place until details of the car parking spaces (including electronic, disabled and motorbike spaces) to serve each flat block have been submitted to and approved in writing by the Local Planning Authority. No flat within a block shall be occupied until the car parking spaces serving that block (including electronic, disabled and motorbike spaces) have been provided and thereafter retained for parking.

Reason: To ensure that adequate car and motorbike parking is provided.

18. No house shall be occupied until the car parking for that house has been provided and thereafter retained for parking.

Reason: To ensure that adequate car parking is provided.

Cycle parking and waste storage

19. No flat within a flat block shall be occupied until the cycle parking and refuse storage area serving the flat has been provided. The cycle parking shall thereafter be retained for the parking of bicycles and the refuse storage shall thereafter be retained for the storage of refuse.

Reason: In the interests of the amenities of future residents and to provide adequate cycle storage as an alternative to the car.

Bus stop

20. No flat on the southern site shall be occupied until the bus stop near the site on Chairborough Road has been relocated and Real Time Passenger Information has been provided at the stop.

Reason: In order to encourage the use of public transport as an alternative to the car.

Water supply

21. No dwelling shall be occupied until confirmation has been provided that either:

- a) All water network upgrades required to accommodate the additional flows from the development have been completed; or
- b) A housing and infrastructure phasing plan has been agreed with the Local Planning Authority in consultation with Thames Water to allow additional properties to be occupied.
- c) Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development

Water efficiency

22. The dwellings shall all achieve the higher water efficiency standard set out in the appendix to Building regulations approved document Part G.

Reason: In order to meet the requirements of Local Plan Policies CP12 and DM41 in the interests of water efficiency.

Accessibility

23. The dwellings shall be constructed as follows:

- a) 20% of the market homes (market sale or market rent) and 30% of the affordable homes (affordable rent or shared ownership) shall be provided in accordance with the dwelling standards of Building Regulations Approved Document M4(3).
- b) All other dwellings shall achieve the standards in Building Regulations Approved Document M4(2).

Reason: In order to meet the requirements of Local Plan Policy DM41 in the interests of providing accessible dwellings.

Energy efficiency

24. No dwelling shall be occupied until a carbon reduction scheme containing measures for delivering a 15% reduction in carbon emissions on site through the use of decentralised renewable and/or low carbon sources has been submitted to and approved in writing by the Local Planning Authority. No flat within a block or house shall be occupied until the measures within the scheme relating to that house or block have been provided. The scheme shall remain operational for the lifetime of the development unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of carbon reduction as required by Local Plan Policy CP12.

Sound insulation

25. No flat or house on the southern site shall be occupied until a scheme to protect the flats and houses from traffic noise from Chairborough Road has been implemented. Unless the Local Planning Authority otherwise agrees in writing, the scheme shall ensure the indoor ambient noise levels in living rooms and bedrooms meets the standards in BS8233:2014 for the appropriate time period. It shall be assumed that the existing noise level at the façade of the proposed development is 72dB LAeq16 hour and 66dB LAeq, 8 hour (unless the Local Planning Authority otherwise agrees alternative data in writing). The scheme shall include mechanical ventilation to meet the requirements of the Noise Insulation Regulations 1975 as amended 1988.

Reason: To protect the occupants of the new development from noise disturbance

Highways

26. No other part of the development shall commence until the off-site highway works, which include (but not limited to):

- Relocation of the Chairborough Road bus stop
- Construction of the respective direct access parking spaces and private crossovers
- Changes to the existing Chairborough Road and Pettifer Way carriageway, footways and/or verge in order to facilitate construction of the accommodation blocks and houses hereby permitted

Have been laid out and constructed in accordance with details to be first approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

27. No dwelling on the northern site or the southern site shall be occupied until the scheme for manoeuvring and the loading/unloading provisions for refuse and delivery vehicles shown on the approved drawings has been laid out on the relevant site. The area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, load/unload and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

28. No development shall take place on the northern or southern site, until a Construction Traffic

Management Plan for that site has been submitted to and approved in writing by the Local Planning Authority. The Management Plan shall include details of:

- The management of construction traffic (including vehicle types, frequency of visits, expected daily time frames, use of a banksman),
- On-site loading/unloading arrangements and
- Parking of site operatives vehicles.

Thereafter, the development shall only be carried out in accordance with the approved management plan.

Reason: This is a pre-commencement condition as development cannot be allowed to take place, which in the opinion of the Highway Authority, could cause danger, obstruction and inconvenience to users of the highway and of the development.

29. No dwellings shall be first occupied unless the occupants of the dwelling have been provided with a travel plan welcome pack. This shall include:

- Introduction to the Travel Plan concept detailing objectives and aspirations;
- Literature on the health benefits of walking, cycling and environmental benefits of sustainable modes of transport;
- Personal travel initiatives;
- Maps showing local walking/cycling routes and places of interest;
- Details of public transport services, including timetables and routes; and
- Details of the Travel Plan Co-ordinator

Reason: In the interests of sustainable development.

Crime and design

30. No flat within a flat block shall be occupied until the Local Planning Authority has confirmed in writing that it accepts the certification from a suitably qualified assessor that all communal entrance door sets serving that block have been installed to meet one of the following standards ensuring it is suitably robust and able to withstand 'day to day' use in a communal application:

- STS 202 Issue 6:2015 Burglary Rating 2; or
- LPS 1175 Issue 7.2:2014 Security Rating 2+; or
- LPS 1175 Issue 8:2018 Security Rating A3+; or
- LPS 2081 Issue 1.1:2016 Security Rating B;

Installed electronic hardware must form part of the certificated door set range. Audible door alarms should be fitted and operational on the external communal entrance door sets preventing them from being propped open evading the access control system.

Reason: In the interest of creating safer, sustainable communities.

31. No flat within a flat block shall be occupied until access controls that provide compartmentation throughout the flat blocks have been installed. Residents should be assigned access to their floor only via the security encrypted key (fob/card). Access controls should be provided to both the external door in the front lobby and secondary internal door creating a secure lobby for postal services.

The following attributes must be present within the access control system provided:

- Access to the building of a security encrypted electronic key (fob or card)
- Vandal resistant external door entry panel linked with a camera
- Ability to release the primary entrance door set from the dwelling
- Live/audio communication with the visitor
- Ability to recover from power failure instantaneously
- Unrestricted egress from the building in event of an emergency or power failure
- No Trades button to be present
- Capture of images in colour of people using the door entry panel and store of these for at least 30 days. If the visitor entry system is not capable of capturing images then it should be linked to CCTV system or a dedicated CCTV camera installed for this purpose. This information should be available to Thames Valley Police within 3 days upon request.
- All visitor and resident activity should be recorded and stored for at least 30 days upon

request.

- Systems must comply with General Data Protection Regulations.

Letter boxes are to be located within the front secure lobby area. Post boxes should be robust with anti-phishing properties. Individual dwelling door sets should not have postal apertures.

Reason: In the interest of creating safer, sustainable communities.

32. No development shall take place on the flat blocks above the level of the footings until a scheme for CCTV has been submitted to and approved in writing by the Local Planning Authority. The scheme should ensure that CCTV is located so as to provide coverage of the lift and stairwells to deter crime and criminal behaviour, assisting the identification of offenders and providing reassurance for residents and visitors. The system should have the following attributes:

- Vandal resistant
- Recording images in HD quality
- Any 'on-site' recording unit will be contained in a lockable cabin to LPS 1175 SR1 or STS 202 BR1
- Provide suitable methods to export and incorporate software to view the exported footage
- Identify each camera's location, time and date stamping

No flat within a flat block shall be occupied until the CCTV serving that block has been installed.

Reason: In the interest of creating safer, sustainable communities.

INFORMATIVE

- 1 The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken.
- 2 It is contrary to section 163 of the Highways Act 1980 for surface water from private development to drain onto the highway or discharge into the highway drainage system. The development shall therefore be so designed and constructed that surface water from the development shall not be permitted to drain onto the highway or into the highway drainage system.
- 3 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 appropriate Water Authority may be necessary.
- 4 The applicant is advised that the off-site works will need to be constructed under a section 278 of the Highways Act legal agreement. This agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A minimum period of 8 weeks is required to draw up the agreement following the receipt by the Highway Authority of a completed Section 278 application form. Please contact Development Management at the following address for information:-

Development Management (Works Co-ordination & Inspection)
Buckinghamshire County Council
6th Floor
County Hall
Walton Street
Aylesbury
Buckinghamshire
HP20 1UY

- 5 It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.

- 6 No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.
- 7 The applicant is advised to contact the Highways Development Management delivery team to determine the extent of pre-condition surveys.
- 8 The applicant is advised that adequate measures should be in place to ensure water is not carried out onto the highway. If water is carried out onto the highway during icy period, site inspectors will request salt is applied to affected areas.
- 9 The attention of the applicant is drawn to the requirements of section 60 of the control of pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application under Section 61 of the Act, for prior consent to the works, can be made to the environmental Services Division of the Council.
- 10 With regard to access control for the flat blocks it is imperative that the fire service should have unrestricted access to all floors of the flats therefore the most appropriate means is to install a switch within an ACB (access control box) which should meet the requirements of LPS 1175 Issue 7.2 (2014), Security Rating 2 or STS 202 Issue 3 (2011), Burglary Rating 2. The location and additional requirements should be made following consultation with the local fire and rescue service.