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JOINT WEST OF WATERLOOVILLE MAJOR DEVELOPMENT AREA PLANNING COMMITTEE AGENDA

Membership: Councillor Ruffell (Chairman) (WCC)	
Councillors (WCC) Evans and Tait	Councillors (HBC) Buckley

Meeting: Joint West of Waterlooville Major Development Area Planning Committee

Date: Thursday 15 October 2015

Time: 9.30 am

Venue: Walton Suite, Guildhall, Winchester

The business to be transacted is set out below:

Nick Leach
Monitoring Officer

6 October 2015

Contact Officer: Mark Gregory 023 9244 6232
Email: mark.gregory@havant.gov.uk

Page

1 Apologies and Deputy Members

To record the names of apologies given and Deputy Members who are attending the meeting in place of appointed Members.

2 Declarations of Interests

To receive any disclosure of interests from members and officers in matters to be discussed

3 Minutes

1 - 6

To approve the minutes of the Joint West of Waterlooville Major Development Planning Committee held on 12 March 2015.

4 15/01255/OUT / W19499/39 - Construction of New Electric Substation

7 - 18

Proposal: Outline application with all matters reserved;
 Construction of new electric substation. (OUTLINE)

Parish: Denmead

GENERAL INFORMATION

IF YOU WOULD LIKE A VERSION OF THIS AGENDA, OR ANY OF ITS REPORTS, IN LARGE PRINT, BRAILLE, AUDIO OR IN ANOTHER LANGUAGE PLEASE CONTACT DEMOCRATIC SERVICES ON 023 9244 6231

Internet

This agenda and its accompanying reports can also be found on the Havant Borough Council's website: www.havant.gov.uk and Winchester City Council's website www.winchester.gov.uk/meetings . Would you please note that committee reports are subject to changes and you are recommended to regularly check the website and to contact *Mark Gregory (tel no: 023 9244 6232)* on the afternoon prior to the meeting for details of any amendments issued.

Public Attendance and Participation

Members of the public are welcome to attend and observe the meetings. If you wish to address the Committee on a matter included in the agenda, you are required to make a request in writing (an email is acceptable) to the Democratic Services Team. A request must be received by 5pm on **Tuesday, 13 October 2015** . Requests received after this time and date will not be accepted

In all cases, the request must briefly specify the subject on which you wish to speak and whether you wish to support or speak against the matter to be discussed. Requests to make a deputation to the Committee may be sent:

By Email to: mark.gregory@havant.gov.uk or DemocraticServicesTeam@havant.gov.uk

By Post to :

Democratic Services Officer
Havant Borough Council
Public Service Plaza
Civic Centre Road
Havant, Hants P09 2AX

Delivered at:

Havant Borough Council
Public Service Plaza
Civic Centre Road
Havant, Hants P09 2AX

marked for the Attention of the "Democratic Services Team"

Who To Contact If You Wish To Know The Outcome Of A Decision

If you wish to know the outcome of a particular item please contact the Contact Officer (contact details are on page i of the agenda)

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The meeting room has full access and facilities for the disabled.

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Please ensure that you are familiar with the location of all emergency exits which are clearly marked. In the unlikely event of an emergency an alarm will sound.

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No Smoking Policy

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CONSTITUTION AND TERMS OF REFERENCE OF WEST OF WATERLOOVILLE MDA JOINT PLANNING COMMITTEE

At the meeting of Winchester City Council held on 2 April 2014, and Havant Borough Council held on 27 March 2014, the following Constitution and Terms of Reference were agreed for the Joint Planning Committee:

1 Establishment of the Joint Committee

- 1.1 There shall be constituted under the provisions of Section 101(5) and Section 102 of the Local Government Act 1972 a Joint Committee to be known as the “West of Waterlooville Major Development Area Joint Planning Committee”.
- 1.2 The Joint Committee is established by Havant Borough Council and Winchester City Council.
- 1.3 The area within which the Joint Committee is to exercise its authority is the West of Waterlooville Major Development Area, as shown on the plan attached as Appendix A.
- 1.4 This Constitution sets out how the Joint Committee will operate and how decisions are made.

2 Functions Delegated to the Joint Committee

- 2.1 Subject to the remaining provisions of this Clause 2, the following functions shall be delegated to the Joint Committee insofar as they relate to matters within the West of Waterlooville Major Development Area:

Power to determine applications for planning permission (including applications for reserved matters).
Power to determine applications to develop land without compliance with conditions previously attached.
Power to grant planning permission for development already carried out.
Duties relating to the making of determinations of planning applications.
Power to determine applications for planning permission made by a local authority, alone or jointly with another person.
Power to enter into agreement regulating development or use of land.

The delegation includes all the powers necessary to facilitate, or otherwise incidental or conducive to, the discharge of the functions of the Joint Committee.

- 2.2 The following functions shall be reserved to the appointing Authorities and shall not be within the powers of the Joint Committee:-

Power to decline to determine application for planning permission.
Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights.
Power to issue a certificate of existing or proposed lawful use or development.
Power to serve a completion notice.
Power to grant consent for the display of advertisements.
Power to authorise entry onto land.
Power to require the discontinuance of a use of land.
Power to serve a planning contravention notice, breach of condition notice or stop notice.
Power to issue a temporary stop notice
Power to issue an enforcement notice.
Power to apply for an injunction restraining a breach of planning control.
Power to determine applications for hazardous substances consent, and related powers.
Duty to determine conditions to which old mining permissions, relevant planning permissions relating to dormant sites or active Phase I or II sites, or mineral permissions relating to mining sites, as the case may be, are to be subject.
Power to require proper maintenance of land.
Power to determine application for listed building consent, and related powers.
Duties relating to applications for listed building.
Power to serve a building preservation notice, and related powers.
Power to issue listed building enforcement notices.
Powers to acquire a listed building in need of repair and to serve a repairs notice.
Power to apply for an injunction in relation to a listed building.
Power to execute urgent works.
Power to determine applications to fell or carry out works to trees that are the subject of a Tree Preservation Order

- 2.3 The Joint Committee shall not have authority to take any decision which is contrary to or not wholly in accordance with the budget approved by Havant Borough Council or Winchester City Council for the Joint Committee or is contrary to an approved policy or strategy of either of the authorities.

2.4 Save as expressly provided, the functions delegated to the Joint Committee shall not affect the schemes of delegations for officers for determining planning applications adopted by Winchester City Council and Havant Borough Council.

3 Membership and Appointment of the Joint Committee

3.1 The Joint Committee shall comprise nine Members, being five Members from Winchester City Council and four from Havant Borough Council. Each appointing Authority shall, unless there are overriding reasons to the contrary, appoint to the Joint Committee the Chairman of their committee responsible for planning matters.

3.2 Each Authority may appoint deputies to act for the appointed Members of the Joint Committee. Where the appointed Member is unable to attend a meeting of the Joint Committee, their Deputy may attend and carry out their responsibilities, including voting in their absence.

4 Quorum

4.1 The quorum for a meeting of the Joint Committee shall be four Members, with at least one Member from each Authority.

5 Chairman and Vice-Chairman of the Joint Committee

5.1 The Chairman of the Joint Committee shall be the Chairman of the Planning Development Control Committee of Winchester City Council.

5.2 The Vice-Chairman of the Joint Committee shall be the Chairman of the Development Management Control Committee of Havant Borough Council.

6 Secretary to the Joint Committee

6.1 The Joint Committee shall be supported by the Secretary to the Joint Committee.

6.2 The Secretary of the Joint Committee shall be an officer of one of the appointing Authorities, appointed by the Joint Committee for this purpose.

6.3 The functions of the Secretary of the Joint Committee shall be:

- a) To maintain a record of membership of the Joint Committee;
- b) To summon meetings of the Joint Committee;
- c) To prepare and send out the agenda for meetings of the Joint Committee in consultation with the Chairman and the Vice Chairman of the Joint Committee;
- d) To keep a record of the proceedings of the Joint Committee;

- e) To take such administrative action as may be necessary to give effect to decisions of the Joint Committee;

7 Convening of Meetings of the Joint Committee

- 7.1 Meetings of the Joint Committee shall be held at such times, dates and places as may be notified to the members of the Joint Committee by the Secretary to the Joint Committee.

8 Procedure at Meetings of the Joint Committee

- 8.1 The Joint Committee shall, unless the member of the Joint Committee presiding at a meeting or the Joint Committee determines otherwise, conduct its business in accordance with the Constitution of Winchester City Council, except in so far as may be specified to the contrary in this Constitution.
- 8.2 The Chairman of the Joint Committee, or in his/her absence the Vice Chairman of the Joint Committee, or in his/her absence the member of the Joint Committee elected for this purpose, shall preside at any meeting of the Joint Committee.
- 8.3 Subject to Clause 8.4, decisions shall be decided by a majority of the votes of the members present and voting.
- 8.4 The chairman shall have a second or casting vote.
- 8.5 Where, immediately following the taking of a decision, at least two members of the Joint Committee indicate that the decision should be referred back and made by the relevant local planning authority(ies) for the application, the matter shall stand referred to the appropriate local planning authorities for determination.

9 Amendment of this Constitution

- 9.1 This constitution can only be amended by resolution of all appointing

HAVANT BOROUGH COUNCIL AND WINCHESTER CITY COUNCIL

JOINT WEST OF WATERLOOVILLE MAJOR DEVELOPMENT AREA PLANNING COMMITTEE

12 March 2015

Attendance

Councillor Ruffell (Chairman)(Winchester City Council)

Councillor Cyril Hilton

Councillor Rory Heard

Councillor Elaine Shimbart

Councillor Leah Turner, Standing Deputy

Councillor Sam Newman - Mckie, Winchester City Council

Councillor Therese Evans BA, MCIL, Winchester City Council

Councillor Michael Read, Winchester City Council

Councillor David McLean, Winchester City Council (Conservative Standing Deputy)

12 Apologies and Deputy Members

Councillor Mclean attended as standing deputy for Councillor Pearson

13 Minutes

The Minutes of the meeting of the Joint West of Waterlooville Major Development Area Planning Committee held on 28 November 2014 were agreed as a correct record and signed by the Chairman.

14 Disclosures of Interests

There were no declarations of interests relating to matters on the agenda.

15 14/02872/REM / W19499/36 - Berewood Phase 1 Hambledon Road Denmead Hampshire

Proposal: This application is for 104 units of private rented accommodation and includes the following: approval of Reserved matters 6(i)(a),(b), (c) and (d) of planning consent 10/02862/OUT and conditions 3, 6(ii)(a), (b), (d), (f), (h), (i), (j), (l), 9N0, 11 and 18 (an Environmental Impact Statement was submitted and approved with the outline planning consent)

The Committee considered the written report and recommendation of the Executive Head of Planning and Built Environment and Head of Development Management together with updates issued prior to the meeting.

The Committee's attention was drawn to the update sheets, which included a revised recommendation and reasons for the change in stance. During the meeting, the Committee was advised that a standard time condition was not required for this application.

Arising from Members' questions, it was clarified that:

- (1) based on the information submitted, It was not financially viable for the applicant to allocate 40% of the development as affordable housing immediately: the applicant would still make a slight loss by allocating 40% of development as affordable housing after 12 years;
- (2) the Private Rented Sector (PRS) loan scheme did not require a recipient of the loan to retain the houses as private rented accommodation for a specified period;
- (3) the proposal would not impact on the housing density on other phases;
- (4) it should be understood that the developer could not be forced to develop all of the phases of Major Development Area (MDA) and whilst the applicant was now indicating that it was planned that the development would provide 74 additional units overall the outline planning permission would not require the developer to build 2624 (2550 originally consented plus 74) in total across the Grainger part of the MDA;
- (5) the parking courts had been made more attractive and visible to encourage occupiers to use the parking courts;
- (6) the applicant had agreed to impose a condition in the tenancy agreement requiring tenants to park in the parking courts. This provision would be incorporated within the proposed Section 106 Agreement;
- (7) all of the properties would be accessed from rear parking courts;
- (8) the position of the taller buildings would be in accordance with the Design Code;
- (9) it was never intended that the major access to the waste recycling centre would be via the Hambledon Road; and
- (10) a collection area had had been designated for refuse bins.

The Committee received the following deputations:

- (A) Mr Stanford, the Head of the Private Rented Sector Taskforce, circulated a presentation and outlined the aims and benefits of the Government's Private Rented Sector initiatives
In response to questions raised by members of the Committee, Mr Standford advised that:
 - (i) the Government's Private Rented Sector Initiatives aimed to encourage more investment into the private rented sector through schemes such as the loans for Build to Rent schemes and in doing aimed to improve the quantity and quality of the private rented sector; and

- (ii) there were no plans for future Build for Rent Loans schemes in the MDA.
- (B) The Committee was addressed by Councillor Tait who advised that as a former Portfolio Holder for Housing for Winchester City Council he had been involved in discussions on Government's private rented initiatives. He supported this scheme for the following reasons:
- (1) Grainger was a well established and respected private sector landlord with a proven record of providing quality homes for private rent;
 - (2) in the long term, 40% of the houses to be built under this scheme would be made available for affordable housing: the financial viability assessment submitted suggested that the applicant had good grounds to argue against the provision of any affordable housing for this scheme;
 - (3) the scheme had attracted government funding; and
 - (4) there was a need for private rented housing

In response to questions raised by members of the Committee, Councillor Tait advised that although the scheme would not in planning terms provide affordable housing, the schemes would provide a form of housing which was affordable to many.

- (C) The Committee was also addressed by Mr Rees and Mr Beresford, on behalf of the applicant, who supported the application for the following reasons:
- (1) Grainger was not a developer but a residential landlord and property manager, which aimed to provide return for investors. As a landlord Grainger sought to maximise occupancy with longer tenancies so as to encourage a community spirit within its housing schemes; and
 - (2) Evidence demonstrated that there was a need for private rented housing in the area: in a ten year period between 2001 and 2011, Havant Borough had witnessed an increase in more than 100% in private sector rented tenancies compared with Winchester which had seen an increase of approximately 50%.

(Mr Rees and Mr Beresford did not complete their deputation within the allotted time)

In response to questions raised by members of the Committee, Mr Rees and Mr Beresford advised that:

- (i) Grainger would seek to prohibit on street parking by tenants by including a clause within their tenancy agreements for this scheme requiring tenants to park in the parking courts: a failure to comply with this clause would be considered a breach of the

tenancy agreement. Grainger had a policy whereby tenants lost their tenancies if they breached the tenancy agreement three times within one year;

- (ii) Grainger would provide tenants with a tablet to enable them to report problems. Any problems reported would be dealt with by a property manager or the assistant property manager: Grainger had a Saturday call out scheme. An estate office would be provided as soon as 300 rented properties were provided in the development;
 - (iii) there were no plans to us provide another government funded private rented only scheme within the MDA;
 - (iv) the location of the houses to be switched to affordable housing would be in accordance with the provisions set out in the Section 106 agreement: Grainger sought to ensure it was difficult to identify a private rented home from home allocated for affordable housing;
 - (v) Grainger's policy was not to have the roads within its estates adopted as highways maintainable at the public expense; experience had shown that roads could be better maintained and repaired if they retained responsibility for maintenance of the roads; and
 - (vi) the majority of the tenants would be residents who were unable to secure a mortgage and did not qualify or had a low priority for an affordable housing waiting list. Such tenants could receive housing benefits.
- (D) Mr Maggs, Head of New Homes Delivery, gave an overview of the proposal to transfer 40% of the development to affordable housing.

In response to questions raised by members of the Committee, Mr Maggs advised that

- (i) the houses to be transferred to affordable housing would need to meet the Council's design quality;
- (ii) the location of the affordable dwellings would meet the criteria set out in the Section 106 Agreement and be grouped in each of the three distinctive sections of the proposed scheme;
- (iii) although the affordable housing units may be clustered together, they would not form distinct groups

The Committee discussed this application in details together with the views raised by the deputees. Although concern was expressed about the use of the residential roads by freighters to and from the waste recycling centre, the Committee supported the application subject to the proposed Section 106 Agreement including the following requirements:

- (a) that the development is retained as Private Rented Sector housing for a period of at least 12 years but allowing for the transfer of units as affordable housing within 12 years;
- (b) to ensure that 40% of the dwellings permitted were made available as Affordable Housing units no later than 12 years or upon the completion of 2200 dwellings or when the dwellings ceases to be Private Rented Sector housing (whichever is the sooner); and
- (c) that a clause be added to the tenancy agreement requiring tenants to use their car parking spaces.

It was therefore Agreed that provided the applicant entered into a S106 agreement, on terms to be determined by the Head of Legal and Democratic Services in consultation with the Head of Development Management to ensure

- (a) that the development is retained as private Rented Sector housing for a period of at least 12 years but allowing for the transfer of units as affordable housing within 12 years;
- (b) to ensure that 40% of the dwellings hereby permitted were made available as Affordable Housing Units by no later than 12 years or completion of 2200 dwellings or when the dwellings cease to be Private Rented Sector Housing Tenure (whichever was the sooner); and
- (c) that a clause was included in the tenancy agreements for this scheme requiring tenants to park in their designated parking spaces

reserved matters 6(i) a), b), c) and d) of planning consent 10/02862/OUT and conditions 3, 6(ii) a), b), d), f), h), i), j), k), l), m), n), 11 and 18 be approved subject to conditions to be imposed by the Head of Development Management including conditions to cover the following:

- 1 numbering of car parking spaces and retention thereafter.
- 2 1:20 details of proposals, typical part of elevations, window reveals, window frames, formers, sills, arches, eaves and verges, balconies and dormers, chimneys, doors and surrounds, oriel windows etc.
3. Standard landscaping maintenance and clarification of species.
4. Provision of a hard surfaced link from the car parking space to the back door of the dwelling.

The meeting commenced at 1.30 pm and concluded at 3.15 pm

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THE AVAILABILITY OF BACKGROUND PAPERS

In deciding what recommendation to make on the following application, the Head of Development Management at Winchester City Council has had regard to all documents contained in the application file. The following list specifies the categories of documents which may be found on such a file and which will be background papers * although in any particular case there may be no documents in that category.

1. Application form, required certificates, plans and drawings (including any amended plans and drawings).
2. Correspondence between the Planning Department and the Applicant or the Applicant's agents.
3. Correspondence, including correspondence between the Planning Department and other departments of the Council or other Authorities.
4. Notes of site visits, meetings and discussions.
5. Representations received from any party.

* Background papers do not include documents which contain e.g. confidential material and which constitute "exempt information" under the Local Government Act 1972.

Background papers may be inspected prior to the meeting to which this report is made and for 4 years thereafter beginning with the date of the meeting.

THE STATUS OF OFFICER RECOMMENDATIONS

Members of the public are reminded that;

- The recommendations contained in a report are those made by the officers at the time the report was prepared. Circumstances may cause a different recommendation to be made at the meeting.
- The officers' recommendations may not be accepted by the Committee.
- A final decision is only made once Councillors have formally considered and determined each application.

Recommendation codes

REF = Refused PER = Permitted LEG = Permitted, subject to legal agreement

THE HUMAN RIGHTS ACT 1998:

Please note that the Human Rights Act 1998 makes it unlawful for the Council to act in a way incompatible with any of the Convention rights protected by the Act unless it could not have acted otherwise.

In arriving at the recommendations to grant or refuse permission, careful consideration has been given to the rights set out in the European Convention on Human Rights including Article 6 (right to a fair trial), Article 8 (right to respect for private and family life), Article 14 (prohibition of discrimination in enjoyment of convention rights) and Article 1 of the first Protocol (the right to peaceful enjoyment of possessions).

The Council is of the opinion that either no such rights have been interfered with or where there is an interference with the rights of an applicant or objector, such interference is considered necessary for any of the following reasons:-

- ◆ The protection of rights and freedoms of others
- ◆ Public safety
- ◆ The protection of health or morals
- ◆ The prevention of crime or disorder
- ◆ The economic well being of the country.

It is also considered that such action is proportional to the legitimate aim and in the public interest.

Item No:
Case No: 15/01255/OUT / W19499/39
Proposal Description: Outline application with all matters reserved; Construction of new electric substation. (OUTLINE)
Address: Land At Old Park Farm Wimpey Site Part Of West Of Waterlooville MDA Hambledon Road Denmead Hampshire
Parish, or Ward if within Winchester City: Denmead
Applicants Name: Taylor Wimpey UK Ltd
Case Officer: Mrs Jill Lee
Date Valid: 19th June 2015
Site Factors: County Heritage Site
Contaminated Land Consultation
Overhead Power Line
Solent Disturbance and Mitigation Zone

Recommendation: Application Permitted

General Comments

This application is reported to Committee at the request of Denmead Parish Council, whose request is appended in full to this report.

The application is in outline with all matters reserved so it is the principle of providing an electricity sub station (ESS) on the site that is to be determined at this stage.

Site Description

The application site has been identified as an area of approximately 0.002 hectares of land located on the eastern edge of the Western Open Space opposite the entrance to Foxtail Road. The site is also within the Denmead – Waterlooville Local Gap.

The site is on an area of land identified as open space but which is not currently in use due to the levelling operation which is being carried out to reduce the height of the spoil heaps on the Western Open Space.

The area of land on which the electricity sub station is to be located is flat with no particular features. The high voltage overhead lines run just to the west and follow the line of the Western Open Space.

The nearest property is 1 Darnel Road which is approximately 17m from the edge of the site and approximately 21.5m from the proposed position of the building although this is not fixed at this stage.

There are two sub stations already within the Taylor Wimpey part of the Major Development Area (MDA) which were consented as part of the residential phases.

Phases 1 – 4 are served off a sub station which is located adjacent to plot 89.

There is a new sub station which has been approved to the northern end of phase 5 residential and this is intended to serve phase 5 and the remainder of the commercial area. This sub station is under construction but not complete at the moment.

The application site is within the administrative boundary of Winchester City Council.

Proposal

It is proposed to construct an electricity sub station to serve the recently approved extra care and nursing care homes.

The ESS will have an access onto Darnel Road from the back edge of the pavement. The proposed site will contain a building and indicative details have been submitted to show what it is intended to look like although the appearance is not being determined at this stage and submission of these details has been conditioned. The power for the new ESS will come from the approved sub station on phase 5 and the cables will run underneath the footpath in the usual manner. The ESS proposed will only serve the extra care and nursing care homes and has been located and designed to suit the needs of the electricity supplier (GTC). The ESS needs to be located mid way between the two facilities due to the required split of electrical loading.

Relevant Planning History

Outline planning permission reference 05/00500/OUT for the development of land for residential (450 units); live/work (24 units); employment (7.1 ha including B1, B2 and B8 and a Household Waste Recycling Centre), mixed use including retail, food and drink, financial/professional and health; open space/recreational purposes and the construction of two accesses from Hambledon Road (OUTLINE) was granted planning permission on 4th January 2008 subject to a S106 agreement.

There is no planning history directly relevant to this proposal but the two facilities that it is required for were approved at the West of Waterlooville joint committee on 13th June 2011. The nursing home is under construction and the initial ground works for the extra care facility are now taking place.

Consultations

Landscape and open space - 'No objection'. While the proposed sub station will occupy a small proportion of the western open space, its height, mass and footprint are relatively modest and will not significantly detract from the character and appearance of the open space when completed. As this is an outline application any reserved matters permission should be conditioned to enable a landscape scheme to be submitted, which should seek to soften the impact of the structure when viewed from the road.

Engineers drainage – No objection. Only storm water drainage is required for this unit and it would appear that it is to be discharged onto the ground adjacent to the building. If the applicant is confident that this will not adversely affect the building then that is acceptable otherwise discharge to a French drain surrounding the compound is suggested.

Head of Environmental Protection would not wish to make comments on a substation of this size particularly as it is contained within a building which will contain any possible noise emissions (hum).

Representations:

Denmead Parish Council – Unanimously raised a strong objection to this application. Members considered that the proposed substation would be in an area of green space and should be positioned in the commercial zone to the area south of the Nursing Care Home (Plot M2). Should there be a conflict of views between the Parish Council and the Case Officer the Parish Council would wish for this matter to go to committee

1 letter received objecting to the application for the following reasons:

- The sub station will be a large development.

- When the house was purchased Taylor Wimpey had confirmed that this area of land would not be built on.
- The development encroaches on the Denmead Gap which is supposed to provide separation from Denmead village and the new development. The village will lose its identity if this gap is lost.
- This development would be contrary to material planning matters and impact on the enjoyment of neighbouring properties.
- The development is likely to adversely affect a medical condition (epilepsy). The electrical magnetic field (EMF) from the overhead power lines has been measured and none was detected. This is not the case with a sub station.
- Being so close to a sub station will put electrical devices at risk of an Earth Potential Rise in fault conditions the high voltage is discharged to earth and can travel a significant distance as electric will travel the path of least resistance.
- There is an abundance of land that this substation could be built on which could be further away and less danger to the general public.

Relevant Planning Policy:

Winchester District Local Plan Review
Saved policies CE2, DP3, DP4, and DP14.

Winchester Local Plan Part 1 – Joint Core Strategy
SH2, CP13 and CP20

National Planning Policy Guidance/Statements:
National Planning Policy Framework.

Planning Considerations

Principle of development:

Planning permission was granted in outline for the northern part of the MDA being developed by Taylor Wimpey in January 2008.

The application site is within the countryside where non essential development is discouraged. The application site is located within an area known as the Western Open Space which forms a north south corridor of public open space along the western boundary of the MDA which also is included within the Denmead – Waterlooville Local Gap.

It would be possible for a statutory undertaker to construct the electricity sub station under their permitted development rights but they would not provide it within a building and would fence the site. The developer in this case would prefer the substation to be contained within a building for aesthetic reasons and also to contain any possible noise nuisance arising from humming from the apparatus. The developer has therefore made an application for the sub station and will commission it to the requirements of the statutory undertaker and then had the building over to them. The facility will be subject of the rules and regulations applying to the providers of electricity as with other sub stations within the MDA.

The policies regulating development on the site are contained within the Winchester District Local Plan Part 1 – Joint Core Strategy (LPP1) and the saved policies of the Winchester District Local Plan 2006 Review (WDLPR).

Within LPP1 policy SH2 states that “Land to the West of Waterlooville is allocated for the development of about 3,000 dwellings together with supporting uses. The extra care home and the nursing care home are both now consented and the nursing home is under construction with some ground works having taken place on the extra care home site. The electricity sub station is required for the functioning of both of these facilities as it is not possible to serve them off either of the two existing sub stations. Technical information from the applicant and the electricity provider has been submitted with the application to support this claim. To provide infrastructure to support development within the MDA is acceptable and allowed for under SH2 in LPP1.

CP13 requires new development to be of high quality design. Whilst this application is for a sub station it is being constructed in a traditional form with brick elevations and a tiled roof and the details of the materials to be used are conditioned to ensure that they are appropriate in this location. It is considered that the proposed design will be acceptable and that the proposed development will meet the requirements of CP13.

CP20 deals with landscape character and requires new development to be sympathetic to the landscape. The proposed sub station will be contained within a building and will be within a fenced compound which will be landscaped. It is considered that this is a suitable solution to mitigate the need to provide a building within the Western Open Space and the Denmead – Waterlooville Local Gap.

Within the WDLPR policy CE2 deals with Local Gap designations. The application site is within the Denmead – Waterlooville Local Gap. Development which would physically or visually diminish the Local Gap and thus undermine its function will not be permitted. The proposed development will introduce built form into the Western Open Space and the Denmead – Waterlooville Local Gap. The proposal is however modest with the red line site being 8m by 4m and the building and access will be incorporated within this. The sub station when approached from the north will be seen against the backdrop of the nursing home which is under construction and from views within the open space will be seen against the backdrop of the existing development on phase 2. When exiting Foxtail Road the building will be in full view against the backdrop of the Western Open Space but it is not considered that a building of this scale will significantly impact on the open space or the function of the Denmead – Waterlooville Local Gap. It is considered that the proposed development is in accordance with policy CE2.

DP3 and DP4 require new development to take account of its setting and not result in the loss of important views or natural features, trees etc. Whilst the development will result in built form within the open space it will be designed in a way that is appropriate to its setting and will reflect the surrounding development. It will also be landscaped which will help to soften any visual impacts although the height of any planting may need to be restricted due to the proximity of the overhead lines.

DP14 deals with public utilities and requires alternative sites to have been examined. In this case the applicant has asserted that this is the only location that is acceptable to the electricity provider. Sharing of existing sub stations has been assessed but is not possible. The cables are to be provided under the pavement and so will have no visual impact. It is not considered that the proposed development would harm a sensitive environment or the

amenities of a residential area as it is located on the other side of the road to the existing houses which is a greater degree of separation than the existing sub stations within the MDA which are located within the residential phases. It is considered that the proposed development accords with the requirements of policy DP14.

It is considered that the provision of an electricity sub station to serve consented development within the MDA is acceptable and the principle of the development is acceptable and policy compliant. The only issue to consider then is whether or not the actual provision of the building is unacceptable in terms of impacts on the landscape or to neighbours.

Design/layout:

The application is in outline only although indicative details of the proposed building have been submitted for information only. It is anticipated that the building required will be approximately 16m² and 4.3m in height. It will be constructed in brick elevations with a tiled roof. It is considered that containing the substation within a building will be preferable in design terms and will be preferable in the street scene particularly when landscaped. The details of the brick and tile are conditioned to ensure that good quality materials are utilised (condition 6). The advantage of containing the sub station within a building is that should any noise arise from the apparatus the building will help to contain it.

Impact on character of area and neighbouring property:

The building will be visible within the street scene and it will be important to ensure that it is adequately landscaped. It will not be the only building within the Western Open Space and when approaching from the Hambledon Road it will be viewed against the backdrop of the nursing home which is now under construction. Alternative positions for the substation have been discussed but due to technical requirements the position now proposed is the only position that will be acceptable in terms of providing the necessary power to the nursing and extra care homes. If the substation had to be moved into the developed area it would have to be located within the verge as there is no other space available in front of the houses on Darnel Road. This would not be acceptable in street scene or amenity terms. Providing the building on the open space keeps it away from neighbouring residential properties and allows space for it to be properly landscaped. It is not considered that the building will detract from the overall function or appearance of the Western Open Space or the Denmead – Waterlooville Local Gap.

The Head of Environmental Protection has confirmed that no adverse neighbour impacts would arise from a sub station located in this position in relation to the residential neighbours. There are sub stations that are located much closer to residential properties and cause no issues.

Landscape/Trees:

Because the application is in outline only with only the principle to be determined there are no landscape details provided. The landscaping details will be submitted as one of the reserved matters at a later stage. There is sufficient space within the site to allow for satisfactory landscaping to be provided.

Highways/Parking:

There are no highways or parking issues associated with the proposed development.

There is access to the substation from Darnel Road for maintenance purposes and vehicles will pull off the roadway into the sub station compound and can pull clear of the road whilst the gates are opened.

Other matters.

It has been suggested that the sub station be moved into the commercial area but this has been discussed with the applicant and is not possible in terms of the technical specifications. The sub station could be constructed without requiring a planning application if it was to be constructed by the electricity provider. The applicant prefers to erect the building themselves to a higher specification and then dedicate it to the electricity provider and this is what has happened elsewhere on the MDA. Under normal circumstances the sub station would have been included as part of the reserved matters application for the phase but in this case because of the particular requirements of the two nursing and extra care homes that have been consented the need for an additional sub station has arisen.

An objection has been received which raises matters of health arising from living in close proximity to a sub station in terms of the Electro Magnetic Fields which could be present. The sub station will be subject to the rules governing electricity providers and this is separate legislation contained within The Electricity Safety, Quality and Continuity Regulations 2002 (as amended). This is not a planning matter and cannot be resolved within the remit of a planning application. The objection also makes reference to issues that could arise from an Earth Potential Rise where a high voltage charge is discharged to earth and can travel a significant distance. This again is a matter that would need to be addressed under other legislation which governs the electricity provider. They have agreed the location of the sub station so it is reasonable to assume that they have taken the safety of nearby residents or users of the open space into account.

The proposed drainage of the site has not been detailed at this stage and so a condition has been added to require details of surface water drainage to be submitted (condition

Recommendation

Application Permitted subject to the following conditions:

Conditions / Reasons:

01 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall begin before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

01 Reason: To comply with the provision of Section 92(2) of the Town and Country Planning Act 1990 (as amended).

02 Plans and particulars showing the detailed proposals for all the following aspects of the development (hereinafter called "the reserved and other matters") shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced. The approved details shall be carried out as approved and fully implemented before the building(s) is/are occupied.

Reserved and other Matters:

The layout including the positions and widths of roads and footpaths.

Landscape considerations including:

(i) a landscape scheme showing the planting proposed to be undertaken, the means of forming enclosures, the materials to be used for paved and hard surfaces and the finished levels in relation to existing levels;

(iii) the arrangements to be made for the future maintenance of landscaped and other open areas.

The siting of all buildings and the means of access thereto from an existing or proposed highway, including the layout, construction and sightlines.

The design of all buildings, plant and tanks, including the colour and texture of external materials to be used together with samples of all external facing and roofing materials.

details of surface water drainage.

02 Reason: To comply with the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order).

Informatives:

In accordance with paragraphs 186 and 187 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service and,

- updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

The Local Planning Authority has taken account of the following development plan policies and proposals:-

Winchester District Local Plan Part 1 - Joint Core Strategy: SH2, CP13, CP20.
Winchester District Local Plan Review 2006: CE2, DP3, DP4, DP14.

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REPRESENTATION FROM DENMEAD PARISH COUNCIL

Please return this form to the Case Officer: Mrs Jill Lee

From: Denmead Parish Council

Case No: 15/01255/OUT

Closing Date for Comments: 14.8.2015

Location: Land at Old Park Farm, Wimpey Site Part of West of Waterlooville MDA
Proposal: Outline application with all matters reserved; Construction of new electric substation.

Comments:

The Parish Council of Denmead, by a unanimous decision, raised a STRONG OBJECTION to this proposal and cited the following reason: Members considered that the proposed substation would be in an area of green space and should be positioned in the commercial zone to the area south of the Nursing Care Home (Plot M2)

Request for application to be considered by Committee:
(NB: Case Officer to forward form to Head of Planning Control if this section completed)

Should there be a conflict of views between the Parish Council and the Case Officer the Parish Council would wish for this matter to go to the Development Control Committee.

Signed: *Tony Daniells*
Date: 10th August 2015

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