



HAVANT BOROUGH COUNCIL
PUBLIC SERVICE PLAZA
CIVIC CENTRE ROAD
HAVANT
HAMPSHIRE P09 2AX

Telephone: 023 9247 4174
www.havant.gov.uk

WINCHESTER CITY COUNCIL
CITY OFFICES,
COLEBROOK STREET,
WINCHESTER,
HAMPSHIRE SO23 9LJ

Telephone: 01962 840222
www.winchester.gov.uk

JOINT WEST OF WATERLOOVILLE MAJOR DEVELOPMENT AREA PLANNING COMMITTEE AGENDA

Membership: Councillor Ruffell (Chairman) (WCC)	
Councillors (WCC) Clear, Read, Evans and Tait	Councillors (HBC) Buckley, Keast and Quantrill

Meeting: Joint West of Waterlooville Major Development Area Planning Committee

Date: Monday 9 January 2017

Time: 10.00 am

Venue: Hurstwood Room, Public Service Plaza, Civic Centre Road, Havant, Hampshire PO9 2AX

The business to be transacted is set out below:

Nick Leach
Monitoring Officer

29 December 2016

Contact Officer: Jack Caine 023 9244 6232
Email: mark.gregory@havant.gov.uk

1 Apologies and Deputy Members

To record the names of apologies given and Deputy Members who

Page

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 - 2

To approve the minutes of the Joint West of Waterlooville Major Development Planning Committee held on 15 October 2015

4 16/02621/REM - Berewood Phase 3A for 296 Residential

3 - 16

Proposal: Berewood Phase 3A for 296 Residential, associated with the outline application for the Berewood development as part of the West of Waterlooville Major Development Area

Parish: Southwick And Widley

5 10/02862/OUT - Deed of Variation

17 - 24

Proposal: Deed of variation

Parish: Denmead, Southwick & Widley and in Havant Borough Council

GENERAL INFORMATION

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Internet

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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:

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marked for the Attention of the "Democratic Services Team"

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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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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

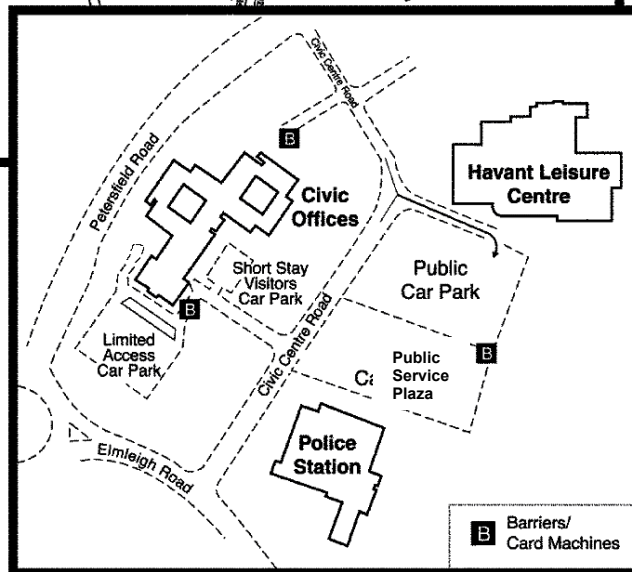
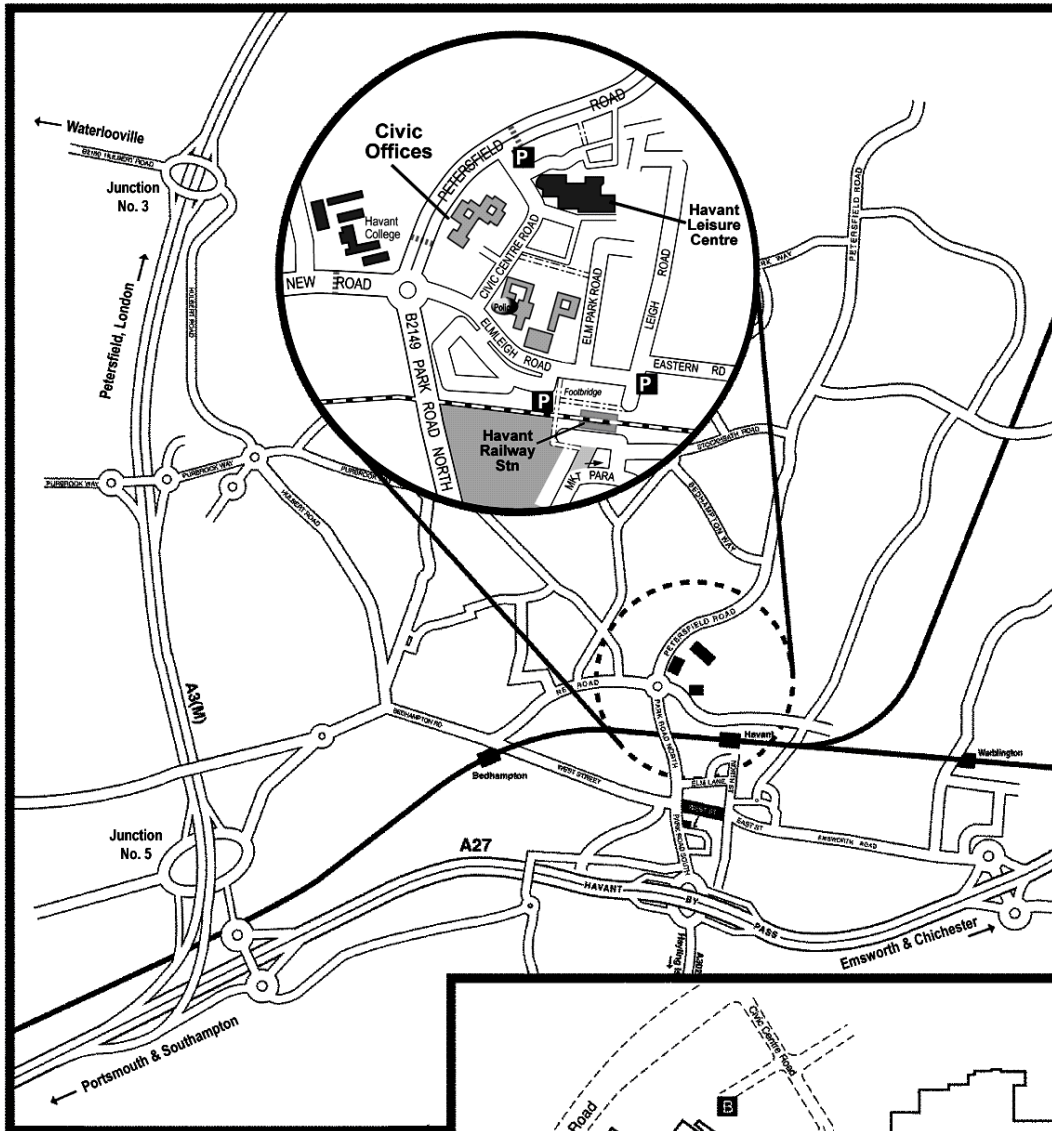
- 7.1 Meetings of the Joint Committee shall be held at such times, dates and places as may be notified to the members of the Joint Committee by the Secretary to the Joint Committee.

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
 Civic Offices, Havant, Hants, PO9 2AX
 Telephone (023) 9247 4174

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WINCHESTER CITY COUNCIL AND HAVANT BOROUGH COUNCIL
JOINT WEST OF WATERLOOVILLE MAJOR DEVELOPMENT AREA PLANNING
COMMITTEE

15 October 2015

Attendance:

Winchester City Council:

Councillor L Ruffell (P) (Chairman)

Councillor Evans (P)

Councillor Tait (P)

Havant Borough Council:

Councillor Buckley (P)

1. **MINUTES**

RESOLVED:

That the minutes of the meeting of the Joint West of Waterlooville Major Development Area Planning Committee meeting held on 12 March 2015 be approved and adopted.

2. **OUTLINE APPLICATION WITH ALL MATTERS RESERVED;**
CONSTRUCTION OF NEW ELECTRIC SUBSTATION (OUTLINE) -
LAND AT OLD PARK FARM, WIMPEY SITE, HAMBLEDON ROAD,
DENMEAD

CASE NUMBER. 15/01255/OUT/ W19499/39

(Report PDC1036 Item 4 and Update Sheet refers)

The application decision arising from consideration of the above Report is circulated separately and forms an appendix to the minutes.

The Committee agreed to receive the Update Sheet as an addendum to the Report.

The Head of Development Management referred Members to the Update Sheet which made reference to the consultation response received from Havant Borough Council making comments in respect of the application, as follows:-

No objection raised by officers to the principle of the provision of the substation but would request that the following matters be considered:

1. That the substation is not proposed to be sited on an intended link into the Western Open Space;
2. That the materials used match those on the adjacent development, preferably the nursing home or extra care facility; and
3. That landscaping be introduced to screen and soften the visual impact of the substation.

The Head of Development Management reported that these matters had been adequately addressed by conditions as set out in the Report.

During public participation, Lewes Price and Councillor Paula Langford-Smith representing Denmead Parish Council spoke in objection to the application and answered Members' questions thereon.

At the conclusion of debate, the Committee agreed to grant permission for the reasons (and subject to the conditions and informatives), set out in the Report and as per the Update Sheet.

RESOLVED:

1. That the application be permitted subject to the conditions and informatives set out in the Report and as set out in the Schedule (appended to the minutes for information).

The meeting commenced at 9.30am and concluded at 10.00am.

Chairman

Item No:	01
Case No:	16/02621/REM
Proposal Description:	Berewood Phase 3A for 296 Residential, associated with the outline application for the Berewood development as part of the West of Waterlooville Major Development Area
Address:	Berewood Phase 3A East Of Newlands Avenue Waterlooville Hampshire
Parish, or Ward if within Winchester City:	Southwick And Widley
Applicants Name:	Barratt David Wilson Homes (Southampton) and West of Waterlooville Development Limited.
Case Officer:	Mrs Jill Lee
Date Valid:	10 October 2016
Site Factors:	County Heritage Site Solent Disturbance and Mitigation Zone.
Recommendation:	Application Permitted

General Comments

This application is reported to Committee as it is for major development within the West of Waterlooville Major Development Area.

The plans have been amended since the original submission to take on board some comments made by consultees.

The main changes are as follows;

Parking rearranged to allow for additional landscaping and avoid triple parking situations wherever possible.

All flats provided with balconies.

House types rearranged to provide a stronger frontage to the main street.

Boundary treatments revised to ensure brick walls are provided in all public areas and not wooden fences.

Samples of the materials submitted to include stock brick, natural slate and plain clay tiles.

Changes to elevations to accommodate urban design comments.

Affordable housing clusters have been rearranged to take on board the view of the housing officer. Units 58 – 64 changed from Affordable Rent to Shared Ownership, Unit 92 changed from Shared Ownership to Affordable rent, 145 – 148 changed from Shared Ownership to Affordable rent and 207 and 208 changed from Shared Ownership to Affordable rent.

A further reserved matters application to approve the detail of the landscaping for the infrastructure area including the SuDs has also been submitted reference 16/03044/REM. This application covers the main road and SuDS area only as they were approved under a discharge of condition application but the landscaping being a reserved matter could not be dealt with at the same time as the agreement was that it would be more appropriate to come forward when the details of the residential layout and planting were known.

Site Description

The application site forms part of phase 3 residential on West of Waterlooville Major Development Area. Phase 3A will deliver 296 dwellings out of the total of 418 dwellings envisaged for the whole phase. Phase 3A covers an area of approximately 7.55 hectares. The entire phase 3 area is approximately 8.6 hectares.

This part of phase 3 is bounded by phase 1 existing development designed by Robert Adams in traditional form and materials, to the north east corner, the remainder of phase 3 to the east, phase 7 (Plant Farm) and Town Park to the south and phase 5 to the west and 6 (Local Centre).

The infrastructure for phase 3 has already been implemented with a large SuDS feature dissecting the site. The levels on the site vary with a general slope down the site from east to west.

Proposal

It is proposed to develop part of Phase 3 for the erection of 296 dwellings with associated roads and landscaping. Access is off the main infrastructure for phase 3 which has already been implemented.

Relevant Planning History

10/02862/OUT – Outline consent for the Grainger part of the West of Waterlooville Major Development Area, decision notice issued 30th March 2012 subject to a S106 agreement that covers financial contributions and works for various infrastructure matters; the timing of the payments and works being tied to numbers of units completed over the entire Grainger part of the MDA.

The approved outline permission was for the development of approx 2550 no dwellings including the construction of a new access from Ladybridge Roundabout, Milk Lane and completion of Maurepas Way access, a local centre comprising retail, community building, land for healthcare, land for elderly care, public house, land for 2 primary schools, land for a nursery, land for employment uses, associated amenity space along with substantial green infrastructure, SUDS, land for allotments, main pumping station, land for cemetery, restoration of River Wallington together with landscape structure planting.

The same permission also approved the detail for 194 dwellings on Phase 1 which is now largely complete.

The context for this current application is provided by the documents that were included in the application the primary ones being:

- The Design and Access Statement
- The Masterplan Design Document
- The Planning Statement
- The Environmental Statement and Appendices
- The Sustainability and Energy Statements

The Masterplan Design Document included an Illustrative Masterplan and a number of Parameter plans to set the context for the whole outline area.

The outline planning application was approved at committee on 21 March 2011.

Subsequent to the approval of the outline permission, both Authorities approved a Design Code under **APP/12/01297** for Havant and **10/02862/OUT** for Winchester for Berewood,

JOINT WEST OF WATERLOOVILLE MDA PLANNING COMMITTEE

in December 2012. The Code deals with the structure, use and form of development for a number of identity areas which are the Market Town, Garden Suburb, The Hamlets, Employment Hub and the Countryside and River Wallington Corridor. Phase 3 falls within the Market Town identity area. There are also Development Wide codes for the whole of the Grainger area that address street hierarchy and design and utilities.

Phase 3 Infrastructure – discharge of conditions approved. Landscaping which is a reserved matter is now applied for under reference 16/03044/REM.

Phase 3 Phased Area Strategy S106 Clause 7 approved 3 October 2014.

Consultations

Engineers: Drainage: No comments at this stage.

This is a reserved matters application which does not include drainage details. They will be submitted a discharge of conditions on the outline.

Engineers: Highways: No objection to the amended plans.

This consultation seeks highway comments to this Reserved matters application for Phase 3A details of which are shown on the latest submitted layout plans (drg. No's N81:2348/SL-01 and also BDWBWOOD-P3/GA/01 rev.D).

After an initial consultation when highway concerns were raised the applicants have redesigned the proposed layout plans to address the majority of highway issues raised - particularly in regard to concerns about triple parking and insufficient widths of some of the internal access roads. I am now satisfied that these issues have been sufficiently satisfactorily resolved not to cause undue danger or interference to users of the internal highway network. After checking the layout plans I am satisfied that car parking has been provided in accordance with Winchester City Council's Residential Parking Standards.

Details of the typical swept path movements for a large refuse freighter have been provided in the series of plans (drg. No's. P3/VT/01 to 06) these are acceptable and consequently access by emergency vehicles and delivery vehicles is also considered adequate. If the internal highway infrastructure is to be offered for adoption as public highway by the Highway Authority then the construction details and specifications will need to be approved by my colleagues at Hampshire County Council who deal with the Section 38 Road Making Agreement procedures.

Conditions recommended as follows:

Prevention of mud on the road. This is a condition on the outline (11 xii) which still requires to be discharged.

Parking during construction. This is a condition on the outline (11 ii) which still requires to be discharged.

Condition unallocated parking. Added to this consent, condition 2.

Retention of parking. Added to this consent, condition 3.

details of construction, approved as part of this consent.

Connection from highway to dwelling. This is a condition on the outline (15) which will apply to this development so doesn't need to be added again.

Head of Landscape Ecology:

An Environmental Statement has been undertaken to assess the potential impacts of the

JOINT WEST OF WATERLOOVILLE MDA PLANNING COMMITTEE

proposals as a whole, and this Newlands document of November 2010 provides a detailed and thorough assessment and master plan for the West of Waterlooville MDA. The site is large and ecologically complex and includes designated sites and protected species.

The WYG *Ecological Walkover Survey* document of the 15th July 2016 mentions the attenuation features that will form part of the drainage for the 296 residential dwellings that are proposed, and although it is the case that these features lie outside of the development boundary, the LPA require information on how the developer will liaise with Grainger to ensure these areas are created without impact on the open spaces. Fencing, or measures to protect the SuDS features and associated habitats and species should be submitted to the LPA. These **green corridors** or “wildlife arteries and arterioles” are a vital component of the MDA design so construction methods will need to be agreed prior to commencement. Lighting along this route is a significant consideration and the applicant needs to demonstrate how **lighting** will not impact the green corridor (and boundary features) and the protected species associated with it.

The connectivity of the **woodland** across the whole MDA is vital within this development and it must be shown how this will be achieved in line with the Grainger plans from 2010. Plants Farm to the south of the site previously had more significant ecological features associated with it including **bat** roosts, and more detail is required by the LPA to show how protected species in this area will not be impacted by the development on the adjacent site. Again, lighting both during and post-construction will need to be designed in a way that will not impact on protected species (especially bats, dormice and moths) using the Plants farm area and connectivity through or via the 3a site. Measures in 9.6.158 to 9.6.165 in the Environmental Statement should be adhered to with details of improvements for bat roosting provisions to be submitted to the LPA for approval. As two outlier **badger** setts were recorded previously, and no badger setts were identified in 2016, a walk-over check will be required immediately prior to commencement to confirm no new badger setts are present. Mitigation and enhancement measures as set out on page 3 of the WYG document of 15th July 2016 shall be adhered to. If badgers are recorded on site then measures outlined in section 9.6.138 to 9.6.147 of the Newlands Environmental Statement of November 2010 shall be adhered to.

Measures relating to **GCN** and **reptiles** from section 9.6.166 to 9.6.174 and 9.6.175 to 9.6.176 respectively in the Newlands 2010 document shall be adhered to. The woodland and SuDS features are integral in the safeguarding of these amphibians in their aquatic and terrestrial habitat.

Overall, the applicant needs to consider Tables 9.39 & 9.40 of the Newlands Environmental Statement with mitigation and compensation measures required for the construction phase and operational phase.

It should be noted by the applicant that condition 3 of the Grant of Planning Permission 10/02862/OUT states that ...*“The submission of all reserved matters and the implementation of development shall be carried out in substantial accordance with the Design and Access Statement (November 2010), the Master Plan Design Document (November 2010), the Planning Statement (November 2010), the Environmental Statement and supporting Appendices and Appendix (November 2010)”*.

Condition 11 states that... *“No development within a reserved matters area shall take place until a Construction Environmental Management Plan (CEMP) which should be in accordance with the ecological mitigation measures set out in the Environmental*

JOINT WEST OF WATERLOOVILLE MDA PLANNING COMMITTEE

Statement and the ecological mitigation plan submitted for that Reserved Matters Application, has been submitted for each particular reserved matters application, and approved by the Local Planning Authority (details specified i. – Xxi.)

Head of Historic Environment Archaeology: No objection to the application.

I can confirm that the Berewood Phase 3A area has been subject to previous geophysical survey and archaeological evaluation (trial trenching) and, as per previous advice, no further archaeological mitigation is required in this phase area.

For clarity, there is no requirement to replicate the Condition 10 (archaeology) of the outline planning permission (10/02862/OUT) for any consent that may be issued for this reserved matters application.

Furthermore, there would be no objection to the discharge of Condition 10 of outline planning permission (10/02862/OUT) for the Phase 3A development area only (subject to the usual application requirements).

Head of Landscape:

Detailed hard and soft landscape plans have been received, prepared by fabrik landscape architects as follows:

7 Combined Hard and Soft Landscape General Arrangement Plans, D 2132 L.201-207 Rev P01. Dated Nov.16; 2 Site Wide Landscape General Arrangement sheets D 2132 L.100 and L.101 Rev P02;

2 Detailed Planting Plans of Plant Row Buffer Planting, D2132 L.311 and 312; and A 'Plant schedule and Specification' D2132.

The proposals are satisfactory on the whole. The emphasis is on mixes of native trees, shrubs and herbaceous plants with a view to enhancing the habitat value and ecology of the various suds areas. Plants have been selected according to the likely soil moisture conditions with a mix of aquatics, emergent, marginal and bankside plants and grassed areas will be sown with native grass-mixes. Large semi-mature Oak trees (*Quercus robur*) will be planted on the edge of the larger central suds feature to maintain the concept of a strong east/west landscape structure as set out in the approved Environmental Statement (Chapter 9 – Biodiversity: 'East-west Wildlife Arteries') and in the approved Masterplan Design Document (Section 2.6 - Green Infrastructure Strategy i.e., 'the establishment of strong, accessible and bio-diverse green linkages that connect the development to the countryside beyond and in particular the Forest of Bere.'

In addition to a biodiverse planting pallet, the large suds space will also provide some recreation and play value and to this end it will be furnished with natural play features such as logs and boulders (currently only shown indicatively on the detailed plans)

The treatment of the suds infrastructure in this way will ensure that they will conform to the requirement for a 'multifunctional approach' to the suds design.

There seems to be no lack of space for a slightly larger tree in these linear suds features. Maintenance of these features will initially be undertaken by Grainger's contractors but in due course these areas will be transferred to a local parish, Borough or District Council.

Head of New Homes Delivery Team: No objection to the application.

The application is supported by The Affordable Housing Masterplan Strategy and the Phased Area Strategy.

General requirements

40% affordable housing is required on site. This equates to 118.4 units. Clause 8.1.5 states that the number of Affordable Housing Units should be rounded up to the next

JOINT WEST OF WATERLOOVILLE MDA PLANNING COMMITTEE

whole number, provided that 40% affordable housing is provided across the site overall. Each phase can provide between 35 – 45% affordable housing. The applicant should, through the submitted documents, acknowledge that this slight under provision of 40% will be made up across the site on other phases. This application for part of phase 3 is proposing 39.8% affordable housing which is considered to be acceptable. 50% of the affordable housing is proposed for affordable rent and 50% for shared ownership, which again is acceptable based on the removal of grant funding for social rented housing and is in accordance with the s106 agreement. The applicant has provided wheelchair accessible homes. The applicant is providing homes that comply with the space standards set out in the s106 agreement. The mix of bedroom sizes put forward is acceptable, based on current affordable housing need for each tenure.

Head of Urban Design:

Detailed comments on the revised plans will be on the update sheet prior to committee.

Representations:

Southwick and Widley Parish Council:

- No comments to make in respect of the application.

Denmead Parish Council:

- No comments to make in respect of the application.

No neighbour representations have been received.

Relevant Planning Policy:

Winchester District Local Plan Review

Saved policies: DP3, DP4, DP5, T2, T3, T4.

Winchester Local Plan Part 1 – Joint Core Strategy

SH2 – Strategic Housing Allocation – West of Waterlooville.

Winchester Local Plan Part 2 – Development Management and Site Allocations.

As this is a reserved matters application it does not require assessment against these policies which were adopted after the outline consent had been granted.

National Planning Policy Guidance/Statements:

National Planning Policy Framework

Planning Considerations

Principle of development

The principle of the development of this area for housing has been established by the outline planning permission 10/02862/OUT. This application is submitted as a reserved matters application and is bound by the original S106 agreement and conditions on the outline consent none of which are applied for at this stage and will remain to be discharged before development can commence. The application is also required to be in accordance with the approved Design and Access Statement, The Masterplan Design Document, The Planning Statement, The Environmental Statement and Appendices and the Sustainability and Energy Statements.

JOINT WEST OF WATERLOOVILLE MDA PLANNING COMMITTEE

The applicant has submitted a statement of conformity with the application which indicates that the proposed development is largely in accordance with the approved suite of documents. When the documents were originally submitted it was planned to use fake slate tiles but the applicant has now amended this and is using natural slate which is acceptable.

The windows are proposed to be UPVC which does not comply with the design code which prohibits the use of UPVC. It has been agreed with Grainger that the design code will be formally updated to allow for the use of UPVC as the product has been very much improved in recent years and a sample has been submitted which has been assessed by the Urban Designer who has confirmed that it is an acceptable product and use of UPVC on the site will be limited to this particular product or something of equal quality. This should help to ensure continuing quality over the site whilst allowing the flexibility of using UPVC product for future phases. This deviation from the design code is therefore considered to be acceptable.

Parking for cars and cycles are provided to the adopted standard. The principle of the proposed development is therefore acceptable.

Design/layout.

The layout of Phase 3A has been designed around the existing infrastructure including SuDS as well as the guidance in the design code and masterplan documents. The layout and hierarchy of the roads is set out in the design codes with the approximate position of the major roads indicated on the approved parameter plans.

Within this part of the phase the layout of the development reflects that already approved on phase 1 with dwellings fronting the roads with private rear gardens. The applicant has divided the site into character zones but phase 3A is within the overall Market Town identity area and conforms to the requirements relating to this identity area within the design codes.

The design of the proposed dwellings is traditional and reflects the Robert Adam designed phase 1 which is now largely constructed. The materials are high quality and include two brick samples, Weinerberger Maplehurst Light Multi Stock brick and Weinerberger Winchester Multi Stock both of which are good quality bricks which have been used elsewhere on the MDA. The roof materials will be natural slate or Redland Breckland Brown through coloured plain clay tile. There will be some areas of render and timber cladding which are acceptable materials and which have been used elsewhere on the MDA.

Details for all of the hard surfaced areas have yet to be agreed with one block paviour sample submitted which is acceptable but there are other hard surface options which need to be agreed. An update on these will be provided before committee. All boundaries to public areas and car parking courts are to be brick walls or walls with railings. Close boarded fences will only be used to divide garden areas and so will not be in the public domain. This accords with the advice given in the design codes. On the entrance to the site on West Street a four storey apartment block is planned to provide the scale needed to form one of the edges of the square. This then steps down to 3 storey houses and two storeys beyond. The same 4 storey block is also proposed on the north western corner of the site adjacent to the local centre and facing future phase 5 residential. The building heights accord with the parameter plans in the approved master plan document and are considered to be acceptable.

Impact on character of area and neighbouring property:

The proposed development is in accordance with the approved suite of documents submitted with the outline planning permission. These were designed to ensure that the development phases would fit together in the overall development without adverse impacts on adjoining phases or land uses.

The closest neighbours are those to the western most end of phase 1 which face the proposed dwellings which would be on the opposite side of West Street at a separation distance of approximately 30m. The proposed dwellings are designed to reflect the heights of those opposite. There are not considered to be any adverse neighbour impacts caused by the proposed development.

To the north of the site is an as yet unbuilt part of the local centre and is it considered that the residential development planned on phase 3 will not have an adverse impact on the future development of this site.

Landscape/Trees and ecology:

The landscaping has been amended to take into account changes to the layout and efforts have been made to provide more landscaping to the car parking areas. The site has the advantage of containing significant green areas which accommodate the SuDS and is bounded by the Town Park to the south. The road adjacent (south) of the SuDS feature has been amended to shared surface to make maximum use of the open landscaped area and give more priority to pedestrian movement. This is in accordance with the comments of the landscape and open space officer and will help to maximize the open space opportunity afforded by the significant SuDS feature.

There are no significant trees to be lost as a result of this phase of development. Some questions have been raised about proposed lighting for the site and its possible impacts on landscape and ecology but lighting will be dealt with by discharge of condition (6 ii (l) (m)) of the outline. The details for this have not been submitted at this stage.

Most of phase 3 has been identified as having limited ecological interest and the creation of the SuDS will improve the phase in terms of its ecology. When the lighting details are submitted they will be assessed to ensure that they are sensitive to the ecology of the site and area generally.

The landscape, tree and ecological impacts of the proposed development are therefore considered to be acceptable and the proposed landscaping, tree planting and ecological mitigation will positively improve the site.

Highways/Parking:

The main infrastructure for the phase is already in place. This application brings forward the smaller roads within the phase and the individual accesses to the dwellings. The street hierarchy is in accordance with the approved masterplan document. Car parking is provided to standard and is in the form of driveway parking with some garages, rear court parking and some visitor parking provided on street. There is a long run of visitor parking on the south side of West Street which is adjacent to the Town Park and this will be available for visitors to the planned boating lake as well as the park more generally.

There are instances where there are tandem parking spaces in front of garages which highways have commented on being less than desirable. But the applicant is reluctant to provide more on street car parking and in visual terms this can be supported because

JOINT WEST OF WATERLOOVILLE MDA PLANNING COMMITTEE

if allows for more landscaping to be provided in front of the houses and avoids long runs of car parking in the street scene which are visually unattractive.

The key pedestrian links through the site are identified and link up with pocket parks, areas of open space through to the local centre and also through to the Town Park. This provides safe and interesting access for pedestrians through the site.
All dwellings are provided with cycle storage.

Affordable housing:

The site is required to provide 40% affordable housing which would equate to 118.4 dwellings. Ordinarily this would be rounded up but in this case as it is less than half a unit it is considered that this can be picked up in the remainder of the phase and in fact the S106 allows for some deviation from the 40% over phases provided the overall provision doesn't fall short. The proposal is for 118 affordable dwellings with a mix of shared ownership, affordable rent and wheelchair accessible affordable rent. This is considered to be acceptable and meets the local housing need as well as conforming to the Affordable Housing Reserved Matters Strategy and the requirements of the S106. The affordable dwellings are spread around the phase with some in the more desirable locations such as opposite the local centre and facing onto the Town Park. This is considered to be an acceptable approach.

Recommendation

Application Permitted subject to the following conditions:

Conditions

01 The development hereby approved shall be carried out in accordance with the following plans and documents;

Completed application form and Certificate A
Design and Access Statement
Site Location Plan - LP-01
Street scene Elevations (sections) - SS-01
Proposed Site Layout (Coloured) - SL-01 Rev W
House-type Booklet (Elevations and Floorplans for Houses, Garages, Sub Station) Dated 12/12/16
Roof Plans (shown on Planning Site Layout) - SL01 – Rev W
Statement of Compliance.
Storey Height Plan - SH-01 Rev A
Bin & Cycle Storage Plan - BC-01
Boundary Treatment Plan - BT-01 Rev C
Affordable Housing Plan - AL-01 Rev D
Chimney Location Plan - CL-01
Ecological Letter from WYG Ecology
General Arrangement Visibility and Road Markings - BDWBWOOD_P3/GA/01C
Soft Landscaping Proposals (Sheets 1 - 10) - BDWS20612 11D (Sheet 1-10)
Materials Plan - MP-01
Statement of Compliance IDP Architects.
Proposed Areas of Pervious Paving - BDWBWOOD_P3/SK/02C
Proposed Finished Floor Levels and Spot Levels - BDWBWOOD_P3/EL/01C
Proposed Limits of Highway Adoption - BDWBWOOD_P3/LG/01C
Proposed Residential Street Lighting - BDWBWOOD_P3/RD/20C
Tracking Diagrams Estate Car Vehicle Sheets 1 & 2 - BDWBWOOD_P3/VT/03B & 04B

JOINT WEST OF WATERLOOVILLE MDA PLANNING COMMITTEE

Transport Assessment Paul Basham Associates
Affordable Housing Reserved Matters Strategy BDW Homes
Affordable Housing Masterplan Phase 3 Savills (v2)
Schedule of Accommodation (12/12/16)
Phased Area Strategy Phase 3 Savills (v2)
Tracking Diagrams Large Refuse Vehicle Sheets 1 & 2
BDWBWOOD_P3/VT/01C
BDWBWOOD_P3/VT/02D
BDWBWOOD_P3/VT/03
BDWBWOOD_P3/VT/04
BDWBWOOD_P3/VT/05
BDWBWOOD_P3/VT/06
Outline Decision Notice Winchester City Council
Affordable Supporting Letter Grainger's Plc
Noise Assessment 24Acoustics
Massing Plan - 001
Massing Plan - 002
Massing Plan - 003
Massing Plan - 004

01 Reason: To avoid confusion and to ensure that the development is carried out in a satisfactory manner.

02 The unallocated and visitor parking spaces shown on drawing number DWBWOODP3/GA/01 rev D by Meyer Brown dated July 2016 shall be retained and made available for parking purposes at all times to all residents and visitors to the development with no physical or legal restriction on who may use such spaces.

02 Reason: To ensure that adequate parking spaces are retained for the development (in accordance with Winchester City Council's Supplementary Planning Document Residential Parking Standards December 2009) in the interests of highway safety.

03 The parking areas including the garages shall be provided in accordance with the approved plans before the dwellings are first occupied and thereafter permanently retained and used only for the purpose of accommodating private motor vehicles or other storage purposes incidental to the use of the dwelling houses as a residences.

03 Reason: To ensure that adequate parking spaces are retained for the development (in accordance with Winchester City Council's Supplementary Planning Document Residential Parking Standards December 2009) in the interests of highway safety.

Informatives:

01. 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.

JOINT WEST OF WATERLOOVILLE MDA PLANNING COMMITTEE

In this instance the applicant was updated of any issues after the initial site visit.

02. 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.

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

Winchester District Local Plan Review 2006: Saved policies DP3, DP4, DP5, T2, T3, T4. Local Plan Part 1 - Joint Core Strategy: Winchester City Council has now adopted its Winchester District Local Plan Part 1 - Joint Core Strategy and Local Plan Part 2 - Development Management and Site Allocations but as this is a reserved matters application it does not require assessment against these policies which were adopted after the outline consent had been granted.

04. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or recognised public holidays. Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

05. During Construction, no materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Protection Team, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.

06. The applicant is advised that one or more of the Conditions on the outline consent reference 10/02862/OUT need to be formally discharged by the Local Planning Authority before works can commence on site. Details, plans or samples required by Conditions should be submitted to the Council at least 8 weeks in advance of the start date of works to give adequate time for these to be dealt with. If works commence on site before all of the pre-commencement conditions are discharged then this would constitute commencement of development without the benefit of planning permission and could result in Enforcement action being taken by the Council.

The submitted details should be clearly marked with the following information:

- The name of the planning officer who dealt with application
- The application case number
- Your contact details
- The appropriate fee.

Further information, application forms and guidance can be found on the Council's website - www.winchester.gov.uk.

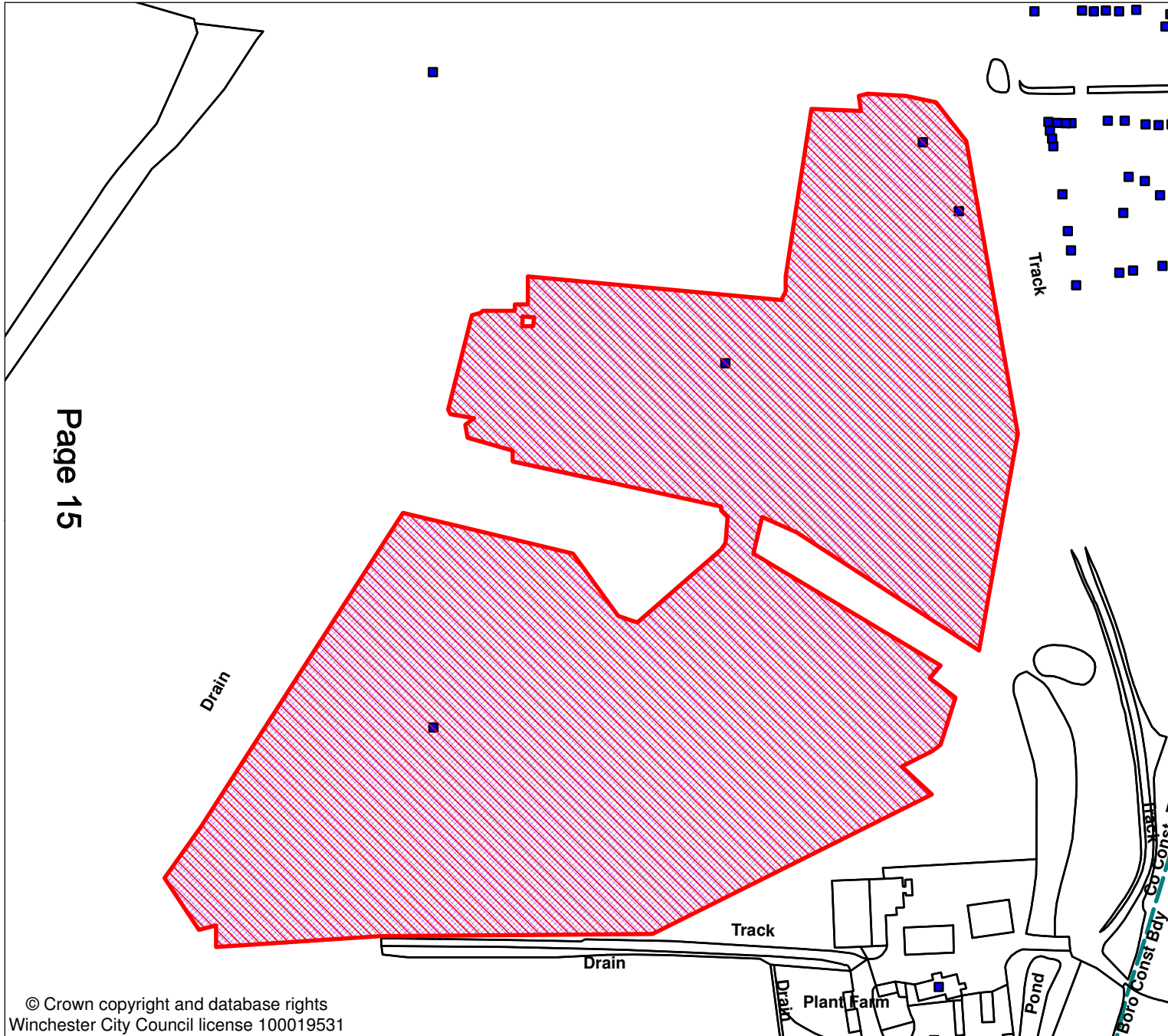
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Berewood Phase 3A East of Newlands Avenue, Waterlooville.

16/02621/REM



Winchester
City Council



Page 15

Legend

Scale: 0 0.0275 0.055 0.11 KM

Organisation	Winchester City Council
Department	Winchester GIS
Comments	1:2500
Date	19/12/2016
PSMA Number	100019531

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WEST OF WATERLOOVILLE JOINT DEVELOPMENT CONTROL COMMITTEE AGENDA

Item No:	02
Case No:	10/02862/OUT
Proposal Description:	Deed of Variation
Address:	Berewood, Waterlooville
Parish, or Ward if within Winchester City:	Denmead, Southwick & Widley and in Havant Borough Council
Applicants Name:	Grainger
Case Officer:	Mrs Jill Lee
Date Valid:	n/a
Site Factors:	West of Waterlooville Major Development Area
Recommendation:	Application Permitted

1. General Comments

- 1.1 The purpose of this report is to inform Winchester City Council and Havant Borough Council of the proposal to vary the section 106 agreement associated with the outline application for the southern section of the West of Waterlooville Major Development Area.
- 1.2 This document outlines the proposed changes in order for members to decide if they are in agreement with the principle of changing the section 106 agreement.
- 1.3 In 2012 outline planning permission was granted for the Berewood development, part of the West of Waterlooville Major Development Area, with further detail to be produced as each parcel of land comes forward for development. A section 106 legal agreement was signed by Winchester, Havant and Hampshire councils with the land owner / developer. This agreement set out ways that any harm would be mitigated and made contractual obligations for the delivery of elements of the master plan.
- 1.4 As the site has developed out there have been changes to the masterplan. One example is the allocation of some E1 (Employment) land to a Private Rented Sector residential scheme. This brought forward the number of occupations and allowed additional funds to be invested in the site.
- 1.5 Since the agreement was signed there have been unforeseen delays and changes to policies (such as the degree to which the councils are intending to adopt open space). The section 106 agreement should be updated to reflect the progress made.
- 1.6 The developer is seeking to update the section 106 agreement to align with the current form of development of the site and to provide for a successful coordinated delivery of future phases of the masterplan.

WEST OF WATERLOOVILLE JOINT
DEVELOPMENT CONTROL COMMITTEE AGENDA

2. Site Description

2.1 The application site is located within the West of Waterlooville Major Development Area (MDA) and forms the southern part. It covers an area of approximately 209 hectares. The site is split between Winchester City Council and Havant Borough Council, the majority of land is within Winchester district.

2.2 The eastern edge of the site is bounded by the A3 London Road beyond which is the built up area of Waterlooville. The northern boundary is marked by Brambles Farm Business Park and the remainder of the MDA which is being developed by Taylor Wimpey. The western boundary is open countryside which forms the gap between the application site and Denmead. The southern boundary of the site runs towards Purbrook Gardens and a point adjoining the Ladybridge Roundabout near Purbrook Heath Road.

3. Proposal

3.1 The table below outlines the key proposed changes to the existing s106 agreement.

Item	Proposed Changes
Multi-Use Greenway	a) Remove the requirement to enter into a Highways agreement b) Vary the definition to allow flexibility in design
Social Infrastructure Plan (SIP)	a) Include the Multi-Use Greenway in the plan
Town Park Plan	a) Relocate the MUGA b) Amended to be consistent with the SIP c) Vary trigger for delivery of details relating to Town Park Phase B
Sports Facilities	a) Changing rooms to be part of a building rather than stand-alone b) Cricket Pavilion could be located 'close to' the cricket pitch c) Vary trigger for delivery of details relating to MUGA
Community Facilities	a) A minimum of 720sq m net to be provided between a building in the town park which may be part of another building and rooms in the local centre (Phase 6) b) The temporary community facilities could be provided within the Northern School.
Art	a) Developer to take on responsibility for implementing the public art. b) Developer to cease art contributions to WCC in order to pay for costs directly. c) Include definition of the West of Waterlooville Arts Advisory Panel
Highways Work Stake Road/ Stake Hill Road/ Crookhorn Lane/ Purbrook Way/ Phase 4	a) Remove the requirement to enter into a highways agreement before the occupation of 150 dwellings. b) Delay the trigger for provision of these works c) Delay the triggers associated with phase 4
Extra Care Facility	a) Clarification of the definition to refer to the number of the Extra Care units (as opposed to beds) b) Require the land to be used by Hampshire County Council within 4 years of the date the land is made available.
Timescale for written confirmation	a) For Local Authorities to confirm whether planning obligations have been satisfied or not within 28 working days of a written request

WEST OF WATERLOOVILLE JOINT
DEVELOPMENT CONTROL COMMITTEE AGENDA

4. Relevant Planning History

- 4.1 The West of Waterlooville Major Development Area (MDA) is allocated as a strategic site in both the saved policies in Winchester District Local Plan Review and the adopted Havant Borough Local Plan (Core Strategy) 2011.
- 4.2 The strategic site is described in the latter as ‘approximately 3,000 dwellings, this is expected to be split between approximately 600 dwellings in the Havant Borough area and the remainder (2,400) in the Winchester District’.
- 4.3 The outline permission for the site is 10/02862/OUT for Winchester and APP/10/00828 for Havant. The approved outline permission was for:
“Outline application for the development of approx 2550 no dwellings including the construction of a new access from Ladybridge Roundabout, Milk Lane and completion of Maurepas Way access, a local centre comprising retail, community building, land for healthcare, land for elderly care, public house, land for 2 primary schools, land for a nursery, land for employment uses, associated amenity space along with substantial green infrastructure, SUDS, land for allotments, main pumping station, land for cemetery, restoration of River Wallington together with landscape structure planting.”
- 4.4 The same permission also approved the detail for 194 dwellings on Phase 1, to the west of the ASDA roundabout on Maurepas Way which are currently under construction and will be completed in early 2017.
- 4.5 Prior to approving applications 10/02862/OUT and APP/10/00828 a legal agreement was entered into under the provisions of Section 106 of the Town and Country Planning Act 1990. This legal agreement comprehensively addressed infrastructure and other matters arising from the development, covering issues such as: affordable housing; open space; allotments; cemetery; community facilities; integration; London Road Purbrook contribution; Leisure Centre contribution; art; employment and skills development contribution; air quality contribution; SUDS scheme; highways contributions; on-site highways works; off-site highways works; travel plans; access to the countryside; maintenance and management; education and children's services; and household waste.
- 4.6 Subsequent reserved matter applications have included:
- Phase 2 (APP/12/01322, APP/14/00032, 14/00068/REM)
 - Berewood Outline - Town Park Phase A (APP/14/00061, 14/00092/REM)
 - Plant Farm demolition (following arson) (14/00212/LIS)
 - Private Rental Scheme Application (14/02872/REM)
 - Phase 3A (16/02621/REM)
 - Pumping Station (16/02550/REM)
 - Revised Town Park Phase A (APP/16/01211, 16/03168/REM)

WEST OF WATERLOOVILLE JOINT
DEVELOPMENT CONTROL COMMITTEE AGENDA

5. Consultations

5.1 Officers from Hampshire County Council, Winchester City Council and Havant Borough Council reviewed an initial draft proposal from the developer in 2016. Comments were given back to the developer and a meeting was held with the developer to discuss concerns. A revised proposal has since been submitted.

5.2 There have been no objections to the principle of varying the section 106 agreement from officers.

5.3 Below are the additional comments made regarding specific topics.

5.3.1 Community Facilities:

- a) The proposals for changes to the community facilities were presented by Grainger at the October Forum meeting and were unanimously supported.
- b) The same information was given to local residents with one resident raising a concern that splitting the facility meant that some of the provision would be further away from the residents in the north of the MDA.
- c) The Community Planning Manager is generally supportive of the proposals and recommends the final wording ensures:
 - i. A minimum of 720sqm is provided solely for community uses
 - ii. The cricket pavilion and community centre are mutually exclusive and shared facilities are not a reduction of the community provision.

5.3.2 Arts:

- a) The proposal was presented to the Arts Panel and it was agreed that the proposals would be supported.
- b) Suggested wording for the definition of the panel is:

“West of Waterlooville Arts Advisory Panel means:

The Panel established In November 2011 to oversee the commissioning, delivery and evolution of programmes and projects funded by the developer contributions for arts and where applicable play as part of the West of Waterlooville section 106 agreement. The Panel comprises Members and officers of the two Councils, representatives from the community and the developers.”

WEST OF WATERLOOVILLE JOINT
DEVELOPMENT CONTROL COMMITTEE AGENDA

5.3.3 Highways and Multi Use Greenway:

- a) Engineers from the Highways Development Planning team at Hampshire County Council and Section 38 Principal Engineer have been involved in the consultation with residents around the proposed alterations to the Stakes Road /Stakes Hill Road/Crookhorn lane/Purbrook Way roundabout. There is no objection in principle to varying the agreement and the County will recommend updated figures for the triggers based on the results of updated models of traffic generation.
- b) It has been confirmed that Hampshire County Council will not be adopting the Multi-Use Greenway and the agreement should be updated to reflect this.
- c) A discharge of condition application has been submitted to allow works to start on the Phase 4 (and 13) infrastructure. The developer has requested a change in the triggers relating to phase 4 as this is being brought forward earlier than originally anticipated in the masterplan.

5.3.4 Extra Care:

- a) Commissioning Manager (Extra Care Housing – Hampshire) has agreed with the amendment of the agreement to refer to units rather than beds, recommending a size of 2.5 acres for the extra care facility.
- b) Strategic Planner comments that if the County Council is unable to provide an Extra Care Facility the developer should then market the land as potential assisted living accommodation. If there is no interest from private or public sectors then other relevant uses should be considered.

5.3.5 Sports Facilities, Town Park, Phase 4 and Timescales:

- a) No objections were raised for these matters.

6. Planning Considerations

Section 106A of the Town and Country Planning Act makes provision for planning obligations to be renegotiated at any point, where the local planning authority and developer wish to do so. The National Planning Policy Framework sets out the Government's policy on such matters, and states:

205. Where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.

Thus the Councils should consider the proposed changes to the existing Section 106 Agreement with these considerations in mind.

Turning to the respective topic headings where changes are proposed to the existing Section 106 Agreement dated 30 March 2012:

WEST OF WATERLOOVILLE JOINT
DEVELOPMENT CONTROL COMMITTEE AGENDA

6.1 Multi-Use Greenway and Social Infrastructure Plan:

- 6.1.1 It was originally anticipated that this would be adopted by Hampshire County Council however the design for rural track, as requested by Ramblers, was incompatible with the standard required to provide an adoptable footpath. It was agreed that Winchester City Council would be able to adopt the land with a path that was sympathetic to the rural surroundings. Therefore removing the requirement to enter into a highway agreement rationalises the agreement and is supported.
- 6.1.2 Including the Multi-Use Greenway in the Social Infrastructure Plan will ensure its maintenance is covered through either a long term management programme or adoption by Winchester City Council.
- 6.1.3 Varying the definition of the Multi-Use Greenway will allow the design to be responsive to consultation request and changes in technology.
- 6.1.4 It is therefore considered that the proposed changes to this topic are suitable as they reflect current adoption circumstances and allow an appropriate level of flexibility in the designs coming forward, which was not anticipated at the time of the original agreement.

6.2 Town Park Plan:

- 6.2.1 The Town Park Plan included in the section 106 agreement showed an indicative layout of the town park. The component elements included a MUGA, MUSA, cricket pitch, informal kick about area, LEAP, skate park and youth shelter cricket pavilion. These were distributed between for areas labelled Town Park phases A to D. The developer is proposing additional tennis courts to allow for club level competitions and a larger building within the Town Park. This has lead to a review of the siting of all components within the Town Park, taking into consideration feedback from consultations. The solution proposed is to relocated the MUGA.
- 6.2.2 A reserved matter application has been submitted to relocate the MUGA within Town Park Phase A. The proposed amendment to the Town Park Plan and Social Infrastructure Plan is to remove the indicative layout of components. This will ensure the section 106 agreement to does not have disproportionate weight against consultation responses when reviewing planning applications for the Town Park. The plans forming part of the section 106 agreement will be in line with the future development of the site. This rationalisation of the agreement is supported.
- 6.2.3 The trigger for details of Phase B of the Town Park to be submitted is prior to commencement of Phase 3. An application has been received for Phase 3A for residential dwellings the developer is requesting more time to progress the plans including the cricket pavilion and community facilities. The proposed new trigger

WEST OF WATERLOOVILLE JOINT
DEVELOPMENT CONTROL COMMITTEE AGENDA

is by the 50th occupation of Phase 3A. In order to allow the developer time to submit considered plans for the Town Park and to avoid stalling development this is supported.

6.3 Sports Facilities:

6.3.1 As part of the proposal for the community facilities and cricket pavilion the changing rooms could be rationalised into the building to improve access and reduce the building footprint within the town park.

6.3.2 Due to the application to relocate the MUGA the trigger will be difficult for the developer to meet. Therefore they request a later trigger.

6.3.3 There are no objections to these proposals.

6.4 Community Facilities:

6.4.1 The developer is seeking to provide an enhanced community facility by locating a building for community use within the town park and rooms within another building in the local centre. This is anticipated to:

- a) increase the use of the town park and buildings within it, making the area more secure.
 - b) allow a greater amount of space through rationalising the buildings.
 - c) Should reduce running costs making long term maintenance more viable
- For these reasons this is supported.

6.4.2 Current community facilities are provided in the northern primary school (Berewood School) and be included in the section 106 agreement in case of delays in delivering the temporary community facility. There is no objection to the addition of this clause.

6.5 Art:

6.5.1 The West of Waterlooville Arts Panel has agreed two of the three main programmes of art work funded through this section 106 agreement. This is to include living sculptures as part of gateway structure and a boating lake. The proposed change to the section 106 agreement removes the requirement of the developer to make further payments to Winchester City Council. Instead the developer will report to the Arts Panel with an open book and use the funding to directly procure and install the elements of the artwork. The Art Panel would continue to make decision on the public art programme and the community engagement element and consultation and delivery for the remaining art. This is supported on the basis of cost savings through use of current contractors and more efficient project management by incorporation into the overall infrastructure plans. These amendments have been agreed with the Arts Panel.

WEST OF WATERLOOVILLE JOINT
DEVELOPMENT CONTROL COMMITTEE AGENDA

6.6 Highways infrastructure:

- 6.6.1 The original trigger for the Stakes Hills / Stakes Road agreed scheme was missed due to an extended consultation period. Therefore this proposal is to update the agreement with an achievable trigger for the works.
- 6.6.2 Hampshire Highways team and the developer are undertaking a review of the trigger set within the S106 agreement and are willing to agree a new trigger for the delivery of this scheme.
- 6.6.3 Phase 4 and 13 are being brought forward to take advantage of a commercial opportunity. This will allow construction rates to be maintained (or possibly increased). The trigger was defined through modelling based on a projected number of occupations. As this phase is being brought in ahead of the number of dwellings expected the developer would like to delay the triggers relating to phase 4 highways works.

6.7 Extra Care Facility:

- 6.7.1 Wording in the agreement refers to both units and beds which is confusing in terms of what is required. Therefore clarity is being sought by changing the wording to units and including a maximum size of the site.
- 6.7.2 In order to ensure commercial viability of the site and full development of the local centre the developer requested comfort from Hampshire County Council that there was still demand and capacity for an Extra Care Facility. The proposal is to reduce the amount of time available for the land without guarantee of development. Hampshire County Council are comfortable with the proposed changes and therefore this is supported.

6.8 Timescales for written confirmation:

- 6.8.1 The developer is seeking to have the status (discharged or not satisfied) of conditions confirmed and included on the planning register within 28 working days of application. This is considered to be reasonable amount of time to fully review and respond to the most complicated obligations. This would be an enhanced service level for discharge of conditions to enable more efficient project management and hand over of completed sites.

Recommendation: That Members approve the principle of changing the section 106 agreement as set out in this report and delegate the detailed wording of the text to be inserted in the deed of variation for final agreement by:

- **Head of Legal and Head of Development Management for Winchester City Council**
- **Head of Legal and Head of Planning for Havant Borough Council**
- **Head of Law and Governance and Monitoring Officer for Hampshire County Council**