

CABINET

9 January 2006

Attendance:

Councillors:

Campbell (Chairman) (P)

Beveridge
Collins (P)
Evans
Hiscock (P)

Knasel (P)
Learney (P)
Wagner (P)

Others in attendance who addressed the meeting:

Councillor Rees

Others in attendance who did not address the meeting:

Councillors Beckett, Bidgood and Jackson

636. **APOLOGIES**

Apologies were received from Councillors Beveridge and Evans. Councillors had been previously advised that it would not be appropriate for Members of the Planning Development Control Committee to attend this meeting if they were to be involved in the determination of the Silver Hill planning application.

637. **MINUTES**

RESOLVED:

That the minutes of the meeting held on 12 December 2005, less exempt minutes, be approved and adopted.

638. **PUBLIC PARTICIPATION**

Mr Weeks (Chairman of Winchester City Residents' Association) referred to changes in Thornfield's proposals for Silver Hill that had consequently reduced the overall number of residential units on site. The changes included the reduction of scale and massing of some of the buildings which Mr Weeks suggested was vital to preserve both long and near distance views of the historic city. The inclusion of office accommodation on site (as part of a more mixed-use development of the site) was also welcomed and he suggested that this might also encourage residential conversion of existing less suitable office space within the City Centre.

In conclusion, Mr Weeks stated that he supported the reduction in the number of housing units on site from that stated in the original proposal from Thornfield.

639. **TO CONSIDER MATTERS RAISED AT PRINCIPAL SCRUTINY COMMITTEE ON 12 DECEMBER 2005 (LESS EXEMPT MINUTE)**
(Report CAB1186 refers)

The Leader referred to the matters raised by Principal Scrutiny Committee, as set out in the above report. In referring to recommendation (i) on page 4, Cabinet was reminded that the detail of discussions on the financial viability of the scheme contained commercially sensitive information and would be dealt with in exempt session. Reference would also be made to exempt Report CAB1184 in which officers had set out responses to the requests for assurances from the Committee on a number of identified risks. The Leader also referred to recommendation (ii) on page 4 in which the Committee had requested that Cabinet consider the public perception of the Council, as landowner, supporting a smaller percentage of affordable housing on site than set out in its emerging Local Plan policies.

Following discussion, Cabinet noted that the number of housing units on site had been reduced from that originally proposed in the Development Agreement, due to the reduction in height and massing of some of the buildings. The proposed percentage of affordable units remained the same as originally proposed 35 percent, which was in line with the policies of the current Winchester District Local Plan. However, the new and emerging Local Plan now required an increased percentage of 40 per cent. Cabinet recognised that although it was preferable to adhere to this percentage, doing so should not adversely impact upon the overall viability of the development.

At the invitation of the Chairman, Councillor Rees addressed Cabinet with a number of comments and suggestions regarding the Silver Hill proposals:

- Thornfield should conclude their negotiations with Registered Social Landlord (RSLs) as soon as possible in order to clarify the percentage of affordable housing provision.
- Pedestrian only areas of the development should be maximised in order to attract visitors to the City.
- The popularity of the development would undoubtedly create traffic management issues that should be dealt with as they arise for example by further expansion of Park and Ride.
- Commercial and entrepreneurial interests should be encouraged by the scheme's provision of smaller retail units and the relocated market.
- With reference to the new Bus Station, an analysis of projections of usage should be further considered.
- Concerns previously raised regarding proposed access to the Doctor's surgery at third floor level were unwarranted as lift access could be provided.
- The proposals were a quality scheme which should transform and enhance Winchester for many generations.

Councillor Hiscock reported that Thornfield were yet to formally identify a partner RSL, although he confirmed that discussions had commenced. Referring to affordable housing percentages, he suggested that this should not be finalised too early as negotiations with RSLs and the Council might indicate that a figure between 35 per cent and 40 per cent might be the best achievable with a mix of tenure type which best meets housing need. It was important to consider the percentage of social rented housing provided, as well as the overall percentage of affordable housing. It was also possible that the 40 per cent of affordable housing might be achieved if RSL or Housing Corporation Subsidy was forthcoming. The final decision

would be a matter for the Planning Development Control Committee when it considers the planning application.

Following discussion, Cabinet referred to their support of the Silver Hill Development – Landowners Approval as set out in the minutes of Cabinet held 12 December 2005 (Report CAB1179, less Exempt Appendix 3, refers) and agreed an additional recommendation 5 as set out below for submission to Council on 1 February 2006 to clarify their discussion of the matters raised by Principal Scrutiny Committee.

A Member suggested that a report be brought direct to Council, for ease of reference, containing a composite set of the recommendations from Cabinet upon the application for the Silver Hill Development Landowner's Approval.

Cabinet agreed to the following for the reasons set out above and outlined in the report.

RECOMMENDED:

THAT SUBJECT TO THE MATTERS RAISED IN THE EXEMPT MINUTE BELOW:

THAT WHILST IT IS RECOGNISED THAT IN PROPOSING 35 PER CENT AFFORDABLE HOUSING THORNFIELD PROPERTIES (WINCHESTER) LIMITED HAVE MET THE REQUIREMENTS OF THE PLANNING AND DEVELOPER BRIEFS, THEY ARE NEVERTHELESS STRONGLY ENCOURAGED TO CONSIDER THE OPPORTUNITY TO INCREASE THAT PERCENTAGE TO 40 PER CENT, AND TO ENTER INTO EARLY NEGOTIATIONS WITH A REGISTERED SOCIAL LANDLORD TO FACILITATE THIS.

RESOLVED:

1. That the minutes of Principal Scrutiny Committee held on 12 December 2005 (less exempt minute) and recommendations contained therein, be noted.

2. That a report be brought direct to Council containing a composite set of Cabinet's recommendations upon the application for landowners approval in relation to the Silver Hill Development.

640. **EXEMPT BUSINESS**

RESOLVED:

That the public be excluded from the meeting during the consideration of the following items of business because it is likely that, if members of the public were present, there would be disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

<u>Minute Number</u>	<u>Item</u>	<u>Description of Exempt Information</u>
641 & 643	Silver Hill Development – Further Information) Information relating to the financial or business affairs of any particular person (other than the authority). (Para 7 Schedule 12A refers).
627 & 628	Exempt Minutes of the previous meeting held on 12 December 2005)
	• Silver Hill Development – Milestones Report) Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services. (Para 9 to Schedule 12A refers).
	• Silver Hill Development – Landowners' Approval (Exempt Appendix)) Any instructions to counsel and any opinion of counsel (whether or not in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with:-
635	Exempt Minutes of Principal Scrutiny Committee held on 12 December 2005)
	• Silver Hill Development – Landowners' Approval (Exempt Appendix)) (a) any legal proceedings by or against the authority, or (b) the determination of any matter affecting the authority, (whether, in either case, proceedings have been commenced or are in contemplation). (Para 12 to Schedule 12A refers).
625 & 626	Minutes of the meeting held 12 December 2005)
	• Silver Hill Development – Milestones Report)
	• Silver Hill Development – Landowners' Approval (Exempt Appendix))

641. (a) **TO CONSIDER MATTERS RAISED AT PRINCIPAL SCRUTINY COMMITTEE ON 12 DECEMBER 2005 (EXEMPT MINUTE)**
(Report CAB1186 refers)

Cabinet considered the above exempt minute that set out the recommendations of Principal Scrutiny Committee following their consideration of Exempt Appendix 3 of the Silver Hill Development

Landowners' Approval (Report CAB1179 refers). This contained commercially sensitive information relating to consideration of the Council's consent by way of 'landowner's approval' in advance of submission of a planning application for the Silver Hill development.

In summary, Principal Scrutiny Committee had requested that Cabinet seek assurances about a number of identified financial aspects of the proposals (detail in exempt minute).

(b) **SILVER HILL DEVELOPMENT – FURTHER INFORMATION**
(Report CAB1184 refers)

Cabinet considered a report that provided additional exempt information in response to the matters raised by Principal Scrutiny Committee at its meeting held on 12 December 2005 (further details in exempt minute).

The Chief Estates Officers explained that the percentage of affordable housing was linked to the viability of the proposals. He suggested that although the Council (as Planning Authority) would be likely to favour determining an application adhering to 40 per cent affordability, the types of tenure could not be specified within planning policies. In conclusion, he explained that flexibility should be maintained at this stage of the negotiations regarding tenure type as this would assist in the maintenance of the overall viability of the scheme and also in the ensuing negotiations with prospective partner RSLs.

642. **MINUTES**

RESOLVED:

That the exempt minutes of the meeting held on 12 December 2005, be approved and adopted.

The meeting commenced at 9am and concluded at 10.05 am.