# REPORT TITLE: NORTH WHITELEY DEVELOPMENT FORUM PROGRESS REPORT AND UPDATE

**13 NOVEMBER 2017** 

REPORT OF PORTFOLIO HOLDER: Cllr Caroline Brook Portfolio Holder for Built Environment

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WARD(S): WHITELEY AND SHEDFIELD

#### **PURPOSE**

The purpose of the report is to update the Forum on the status of issues relating to the North Whiteley Major Development Area.

#### **RECOMMENDATIONS:**

- 1. That the content of the report be noted.
- 2. That the Forum considers whether Hampshire County Council should be asked to reconsider its position on the provision of lighting on the B3051 cycle way as requested by Curdridge Parish Council.

#### **IMPLICATIONS:**

#### 1 <u>COUNCIL STRATEGY OUTCOME</u>

1.1 The provision of 3,500 houses at North Whiteley is a key Local Plan policy and will help the Council to deliver quality housing options. It will support economic growth in the south of the District in accordance with Council Strategy objectives.

#### 2 FINANCIAL IMPLICATIONS

- 2.1 The Council will receive various financial contributions arising from the development and by way of New Homes Bonus. The triggers for the payment of financial contributions are set out in the Section 106 agreement.
- 3 <u>LEGAL AND PROCUREMENT IMPLICATIONS</u>
- 3.1 None.
- 4 WORKFORCE IMPLICATIONS
- 4.1 None.
- 5 PROPERTY AND ASSET IMPLICATIONS
- 5.1 The City Council or the parish council for the area will receive various assests transferred under the terms of the Section 106 agreements.
- 6 CONSULTATION AND COMMUNICATION
- 6.1 Good communication and the provision of timely information to local residents and businesses is a joint responsibility of the various public bodies involved and the development consortium. The Forum itself plays an important role in this process. As the development progresses the appointment of the Implementation Officer is a proven mechanism to ensure that information is available locally to help maintain awareness of the progress of the development.

#### 7 ENVIRONMENTAL CONSIDERATIONS

- 7.1 The report itself has no environmental implications. The environmental implications of development were assessed as part of the planning process.
- 8 <u>EQUALITY IMPACT ASSESSMENT</u>
- 8.1 None.

### 9 RISK MANAGEMENT

Risk	Mitigation	Opportunities
Property None		
Community Support If communication and information provision to local residents and businesses is poor there could be an impact on community activities, the development timetable and reputation for those involved.  Timescales If the development does not progress in a timely fashion the Council's ability to demonstrate a five year land supply will be comprised.	to be held Good communication by the development consortium Appointment of Implementation Officer Close working liaison with parish councils and ward Members. The Council has limited	
Project capacity None		
Financial / VfM None		
Legal None		
Innovation None		
Reputation None		

#### 10 **SUPPORTING INFORMATION:**

#### 10.1 Background

- 10.2 The North Whiteley development will consist of 3,500 dwellings, 2 primary schools, a secondary school and other supporting infrastructure, including major highway works. It will integrate with the existing residential, commercial and employment development. The general area of the development is shown in Appendix 1.
- 10.3 The formal allocation of the site is made in the current Winchester City Council Local Plan, but was identified as a possible extension of the Whiteley settlement some years before that under the regional planning system for the

South of England. The site itself is effectively under the control of a consortium of three housebuilders (Crest, Taylor Wimpey and Bovis) and one landowner. It is wholly contained in the Winchester City Council area.

- A planning application consisting of an outline application for the development as a whole with details of initial highway works was received in early 2015 and first considered by the Planning Committee on 10<sup>th</sup> September 2015. At that meeting the application was deferred so that further consideration could be given to a number of highways issues raised by Whiteley Town Council on behalf of residents. The Town Council did not object to the principle of development, but had concerns about the sequencing of works to ease existing highway problems and reduce the impact on existing residents and people working in the large employment area which Whiteley provides. The Consortium considered these points and produced revised proposals for a meeting on the 12<sup>th</sup> October 2015 at which the Planning Committee resolved to grant permission for the development. The issue of permission was, as is always the case for major development, subject to the completion of a Section 106 agreement which is a contract between the developer of the site and the two local authorities (Winchester and Hampshire) to secure the delivery of the infrastructure requirements as put before the Committee. Some of these are by way of works by the developer, others require payments to be made to meet the cost of infrastructure provided by others. A summary of the key contributions required by the Section 106 is provided as Appendix 2.
- At the time of preparing this report the terms of the Section 106 agreement 10.5 have been concluded and it is awaiting signature. The planning consent will be issued within a few days of the Section 106 agreement being signed. It is highly unusual for a Section 106 agreement to take two years to agree, even for a major development. The North Whiteley S106 is not a particularly complex legal document, nor has there been any particularly difficult negotiation required on its content. The key reason for the delay has been need to await resolution of the position on funding works on Junction 9 of the M27. Although these are not part of the North Whiteley planning application. other works on the existing Whiteley Way are dependent on the details of the Junction 9 works. After a long drawn out process Hampshire County Council was successful in securing a significant funding bid of £12.9m which will be matched by a further £5m from local sources (including the Section 106) to undertake the works on junction 9 and adjoining roads and is currently undertaking detailed design for delivery between 2018 and 2021. Other delays have involved classification of the school place requirements and some commercial issues for the Consortium. Contrary to some reports there has never been any issue over the affordable housing component of the Section 106 which remains as approved by the Planning Committee at 15% on site provision and a financial contribution to off site affordable housing equivalent to a further 10% on site provision (£17.5 million payable as phases of housing are started).

#### 10.6 Update on Key Infrastructure Issues

10.7 Unfortunately whilst discussions have been taking place to resolve highways matters it has been difficult to provide a comprehensive and consistent picture of the timetable for the development and infrastructure delivery. This is frustrating for everyone involved, but most particularly for local residents and businesses which want to understand how they will be affected, when and for how long.

10.8 At the meeting presentations will be made by the consortium and by officers from the County Council and City Council covering a range of topics. These will provide more detail than is possible to provide in this report but the general position under key infrastructure headings is as follows.

#### 10.9 Highways

- 10.10 The highways works which will primarily concern the Forum fall into three interlinked packages:
  - 1. Those within the development area itself but connecting to the existing network. Most important of these are the extension of Bluebell Way to connect with the B3051 Botley Road, and the extension of Whiteley Way through the development to a new junction with the Botley Road just south of its connection with the A334. This latter connection anticipates the plans for the implementation of a new by-pass for Botley.
  - 2. The works by the Consortium between the existing roundabout from which Bluebell Way connects and from which Whiteley Way will be extended (known as R3) and the first roundabout on Whiteley Way (R1).
  - 3. The works to be undertaken by Hampshire County Council on Junction 9 of the M27 and Whiteley Way between J9 and up to and including R1.
- 10.11 The delivery of works by the consortium is governed by the "trigger points" in the Section 106 agreement. In most cases these are related to progress in the delivery and occupation of housing. This means that whilst it is possible to say with certainty when they will occur relative to other things happening within the development it is more difficult to be precise about when this will be in calendar terms. The aim of the trigger point mechanism is to strike a balance between the additional capacity requirement generated by the development and the cost of making that provision for the developer. A presentation at the meeting will provide more information about the highways works programme.

#### 10.12 Education

The new development will create a long term requirement for two primary schools, one of three forms of entry (the largest type of primary school generally provided) and one with two forms of entry. The first primary school should be open for the September 2020 academic year and the Cornerstone

Primary School staff and pupils will relocate to this new building. The development will also accommodate a new secondary school with up to 8 forms of entry which will be funded partly by the development and partly by Hampshire County Council, reflecting the balance between new and existing demand for places. No provision for any type of education provision has been asked for or made.

## 10.13 Community Facilities and Services

A range of other community infrastructure is provided within the development which will be provided over time. These include sports pitches and pavilion, a community centre in the northern area, childrens play areas, allotments and areas of recreational open space. It is intended that these will be managed locally by Whiteley Town Council which will have its boundary redrawn to encompass the whole of the new developemnt. Negotiations have taken place to provide for larger areas of countryside within the development area to be transferred to a national charity, the Land Trust, which exists to ensure that areas of public land in new development is maintained for public benefit in perpetuity. A sum is also provided for community development work, and for a car park extension at the existing doctor's surgery. There was no request from the NHS for any additional facilities for primary care services. As mentioned above. affordable housing is being provided, with 15% on site and 10% by way of off-site contributions. This will be for a mix of tenures and will be spread evenly across the phases of development.

#### 10.14 Timetable and Delivery

The delays in completing the Section 106 agreement have pushed back the start date of construction works which have to be preceded by clearance of trees and other natural infrastructure which can only be undertaken in a narrow window to avoid the disturbance of protected wildlife. The outline plan is therefore works to progress as follows

- Before February 2018 site access clearance works
- June contractor mobilisation
- September site access works underway
- 10.15 In the meantime the Council hopes to receive 'reserved matters' applications for the first phases of housing. These are where the detailed design and layout of parcels of housing are considered and they will always be approved provided they are in conformity with the outline application and the Design Code document which is the template for housing layout.
- 10.16 Once started a development of 3,500 houses will take a number of years to be completed and the pace of delivery will be driven by the external economic factors which drive the housing market more than than any local planning issues.

#### 10.17 Other matters

The business units at Bury Farm which are accessed from the Botley Road are contained within the development area and will be lost during development. Crest, who own the site, have been sensitive to the problems this creates for small businesses on the site and have been supportive of efforts with the City Council to suggest alternative locations. Rents paid for units at Bury Farm are very low by local standards and this means that relocation is not easy but some progress has been made and all businesses are aware that their occupation only has a limited length of time to run.

#### 10.18 Lighting of B3051 Cycleway – Curdridge Parish Council concerns

As part of the access improvements to link the northern part of the development to Botley, a cycleway is to be provided running alongside the B3051 from the new Whiteley Way junction to Kings Corner where the B3051 meets the A3345. Hampshire County Council has specified that this be lit with 5m lamp columns to ensure safety and encourage after dark usage. Curdridge Parish considers that this will 'urbanise' the landscape at this point and does not wish any lighting to be provided. From a planning perspective the views of the County Council as highway authority must prevail, but the Forum is asked whether it has any views on the matter which it wishes to convey to the County Council.

#### 10.19 Implementation Officer

The Section 106 agreement provides for the developers to pay for the City Council to employ an Implementation Officer, with a role similar to that of those currently employed for West of Waterlooville and Barton Farm. The Implementation Officer will ensure that planning matters including the discharge of conditions are dealt with efficiently and will liaise between statutory bodies to deal with some of the inevitable queries and problems which need resolving as the scheme progresses. They will also provide an information resource for the community and local representatives.

#### 11 OTHER OPTIONS CONSIDERED AND REJECTED

11.1 There are no other options to be considered.

#### **BACKGROUND DOCUMENTS:-**

Previous Committee Reports:-

None relevant to this report

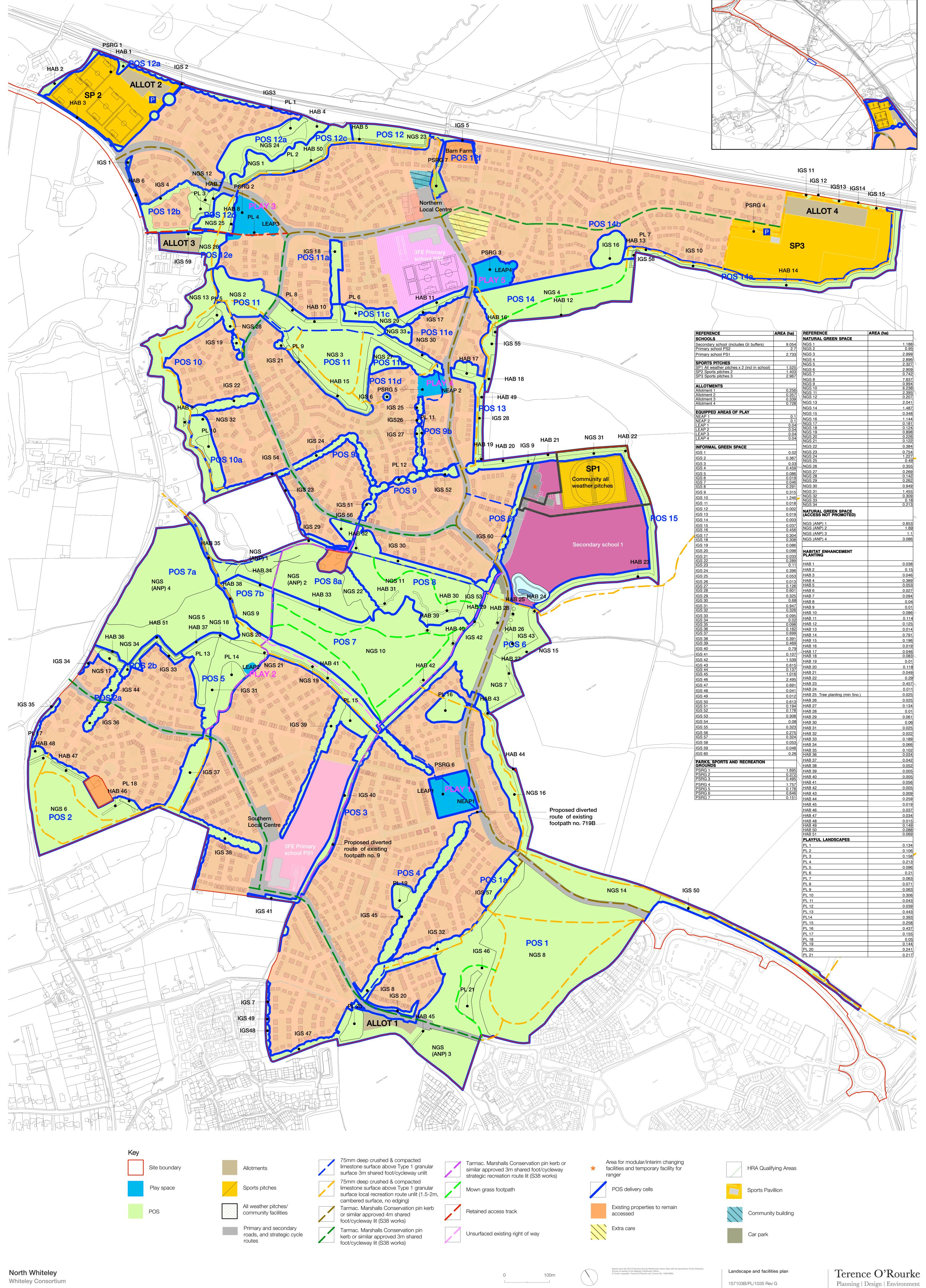
Other Background Documents:-

None

# APPENDICES:

Appendix 1 Plan of the North Whiteley Development Area

Appendix 2 Summary table of Section 106 obligations and triggers



# North Whiteley MDA – Draft Section 106 Agreement – Contributions Summary

(This is a non-technical summary – for precise requirements refer to Section 106 Agreement)

Obligation	Trigger	Deliverable	Contribution (£) or Works by developer
Affordable Housing Contribution	Half of the contribution prior to 50% of the market houses being occupied; the remainder to be paid prior to 75% being occupied within each phase. Based on 10% of market units per phase.	350 units X £50,000  (N.B. £50,000 is sufficient to fund a unit of rented or shared ownership accommodation in most circumstances because income from the finished property funds the rest of the development cost)	17,500,000
Affordable Housing Units	To be provided proportionately within in each phase of development. Generally 15% of units per phase although small variations are permitted between phases so long as total is provided.	15% of units = 525 dwellings  Standard practice is that the developer will build the houses and they will be purchased at a discount by a housing association which will rent them to or arrange shared ownership with qualifying people.	Works
Construction of serviced allotment	Prior to 125 occupations	Allotment site 1	Works
sites	Prior to 1800 occupations	Allotment site 2	Works
	Prior to 1075 occupations	Allotment site 3	Works
	Prior to 3200 occupations	Allotment site 4	Works
Allotment maintenance contribution	Practical completion	A contribution for future maintenance	£50,000
Community Building	Prior to 750 occupations in Northern Area	Submission of detailed plans for a Community Building  The basic requirements for the community building are set out in planning documents	Works
	Prior to 1000 occupations in Northern Area	Transfer of the completed community building  The building will be transferred either to the city council or some other organisation, such as a parish council, which the City Council agrees.	Works

Obligation	Trigger	Deliverable	Contribution (£) or Works by developer
Sports Pavilion Contribution	1500 occupations	Payment of the first Sports Pavilion Contribution	375,000
		This allows for the pavilion contribution to be used either for one large building or two or more smaller ones	
Sports Pavilion Contribution	Prior to 3000 occupations	Payment of the second Sports Pavilion Contribution	375,000
GP Surgery Car Park Contribution	Prior to first occupation or within 30 days of the contract for works being let and commenced, whichever occurs first	Payment of £350,000 for the upgrade of the car park at the Whiteley Surgery	350,000
Implementation Officer	No later than the date on which the first Reserved Matters application is validated.	Funding for the City Council to employ an officer to act as liaison on technical matters between the developer, local authorities and the community. This should last for up to 5 years.	200,000
Off site sustainable transport measures contribution	Prior to first occupation	Various works (not specified yet) that the County Council consider necessary	137,777
	Prior to 750th occupation	Various works (not specified yet) that the County Council consider necessary	137,777
Open space area maintenance sum	Payable in instalments to the agreed Management Body on the transfer of each Open Space Area	Funds which will be used over many years to help meet the cost of maintaining these areas for the benefit of the public and the environment	£6,696,793 in instalments

Obligation	Trigger	Deliverable	Contribution (£) or Works by developer
Play Spaces	Prior to 125 occupations	Children's Play area 1	Works
	Prior to 1710 occupations	Children's Play area 2	Works
	Prior to 500 occupations	Children's Play area 3	Works
	Prior to 2345 occupations	Children's Play area 4	Works
	Prior to 2345 occupations	Children's Play area 5	Works
Play Spaces Maintenance Sum	Transfer of Play area 1 to WCC	Sums for the maintenance of the play areas in the future	420,996
	Transfer of Play area 2 to WCC		148,568
	Transfer of Play area 3 to WCC		148,568
	Transfer of Play area 4 to WCC		272,428
	Transfer of Play area 5 to WCC		148,568
Primary School 1 Contribution	5% payable on commencement or 20 days from HCC providing project appraisal, whichever is later. Then 10% or 15% at six month stages until payment completed.	The cost of providing the first new primary school by Hampshire County Council	10,820,000
Primary School 2 Contribution	5% payable before 1701 occupations OR 20 days from HCC providing project appraisal, whichever is later. Then 10% or 15% at six month stages until payment completed.	The cost of providing the second new primary school by Hampshire County Council	7,740,000
R1, Whiteley Way and A27 Works Contribution	If the County Council asks for a contribution to these works instead of the developer carrying them out	A contribution to the total cost of the works which Hampshire County Council will be carrying out	3,800,000

Obligation	Trigger	Deliverable	Contribution (£) or Works by developer
School Transport Contribution	Prior to opening of the Secondary School	Payment towards statutory school transport for children living on the development prior to the new Secondary School opening	A maximum of 300,000
Secondary School Contribution	10% prior to 1100 occupations or 20 working days from project appraisal, whichever is later. Then amounts at six month stages until payment completed.	Funding equivalent to the cost of building a secondary school of 5 forms of entry.  The development will generate demand for 5 forms of entry so the developer can be asked to pay for this. The County Council will pay the additional cost of a school for up to 8 forms of entry.	22,730,000
Solent Recreation Mitigation Strategy	Prior to first occupation	Project work which will reduce the impact of the development on protected habitat and species on the Solent coast.  All qualifying development in south Hampshire is asked to pay a sum to mitigate the impact	261,870
Sports Pitch 1	Prior to 500 occupations, if delivered separate from Secondary School contract	Two new full sized artificial grass pitches with fencing and floodlights  These will be built on the secondary school site either at the same time as the school or earlier if necessary. They will be dual use for school and community	1,360,000
Sports Pitch 2	Prior to 1800 occupations	Grass sports pitches	Works
Sports Pitch 3	Prior to 3200 occupations	Grass sports pitches	Works
Sports Pitch 2 Maintenance Sum	Upon transfer of Sports Pitch 2 to WCC	A sum for the maintenance of the sports pitches	220,576
Sports Pitch 3 Maintenance Sum	Upon transfer of Sports Pitch 3 to WCC	A sum for the maintenance of the sports pitches	420,923

Obligation	Trigger	Deliverable	Contribution (£) or Works by developer
Travel Plan Audit Fee	Prior to commencement and on an annual basis for 12 year thereafter	A sum to pay for the County Council to check that the Travel Plan is being implemented	40,500
Travel Plan Deposit	Prior to first occupation and in staged payments thereafter	The developer has to implement a travel plan which is estimated to cost approximately £2,700,000. This deposit or bond would only be called upon if they did not do so and Hampshire County Council had to step in.	2,692,338
Traffic Regulation Order - Bluebell Way	Prior to first occupation	Minor works on Bluebell Way	6,000
Household Waste Recycling Centre Contribution	Prior to 500 occupations	The development will not require its own HWRC but a local site may need	30,500
	Prior to 1500 occupations	improvements to increase capacity	30,000
	Prior to 2500 occupations		25,000
Whiteley Pastures SSSI Contribution	Prior to first occupation	This contribution will pay for improvements to access and footpaths in Whiteley Pastures	127,993
Highways Works		,	
A3051 / Northern Access Junction	Prior to first occupation in Northern Area	Specified highways works completed	Works
A3051 / Botley Road / Western Access Junction	Prior to first occupation in Southern Area	Specified highways works completed	Works

Obligation	Trigger	Deliverable	Contribution (£) or Works by developer
Extension of Whiteley Way and site access to Whiteley Way / Bluebell Way roundabout	Prior to 150 occupations	Specified highways works completed	Works
3.0m shared cycleway/footway along Bluebell Way	Prior to 100 occupations or 12 months from the date of transfer of Primary School 1 site	Specified highways works completed	Works
Whiteley Way / Town Centre roundabout and R2 & R3 improvements	Prior to 1200 occupations	Specified highways works completed	Works
Whiteley Way / Parkway North (R1A) improvements	Prior to 1200 occupations	Specified highways works completed	Works
Whiteley Way / Rookery Avenue / Parkway South improvements	Prior to 1200 occupations but HCC may elect to take a developer contribution	Specified highways works completed or developer contribution	Works or a contribution paid
Whitely Way widening and footway improvements to J9	Prior to 1200 occupations but HCC may elect to take a developer contribution	Specified highways works completed or developer contribution	Works or a contribution paid
Botley Road footway / cycleway	A soon as reasonably practicable but no later than 50 occupations	Specified highways works completed	Works
A3051 / A334 Mill Hill / A334 Station Road junction improvements	Prior to 1710 dwellings but HCC may elect to take a developer contribution	Specified highways works completed or developer contribution	Work or a contribution paid
Whiteley Way works to serve Secondary School site	Prior to 1500 occupations	Specified highways works completed	Works
Complete Whiteley Way works	Prior to 1710 dwellings	Specified highways works completed	Works
Completion of Bluebell Way	Prior to 1075 dwellings	Specified highways works completed	Works

Obligation	Trigger	Deliverable	Contribution (£) or Works by developer
Works to complete Curbridge Way	Prior to 2780 dwellings	Specified highways works completed	Works
Provision of Strategic recreational foot / cycleway (west)	Prior to 2345 occupations	Specified highways works completed	Works
Strategic recreational cycleway (east)	Prior to 1075 dwellings	Specified highways works completed	Works