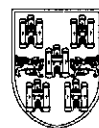
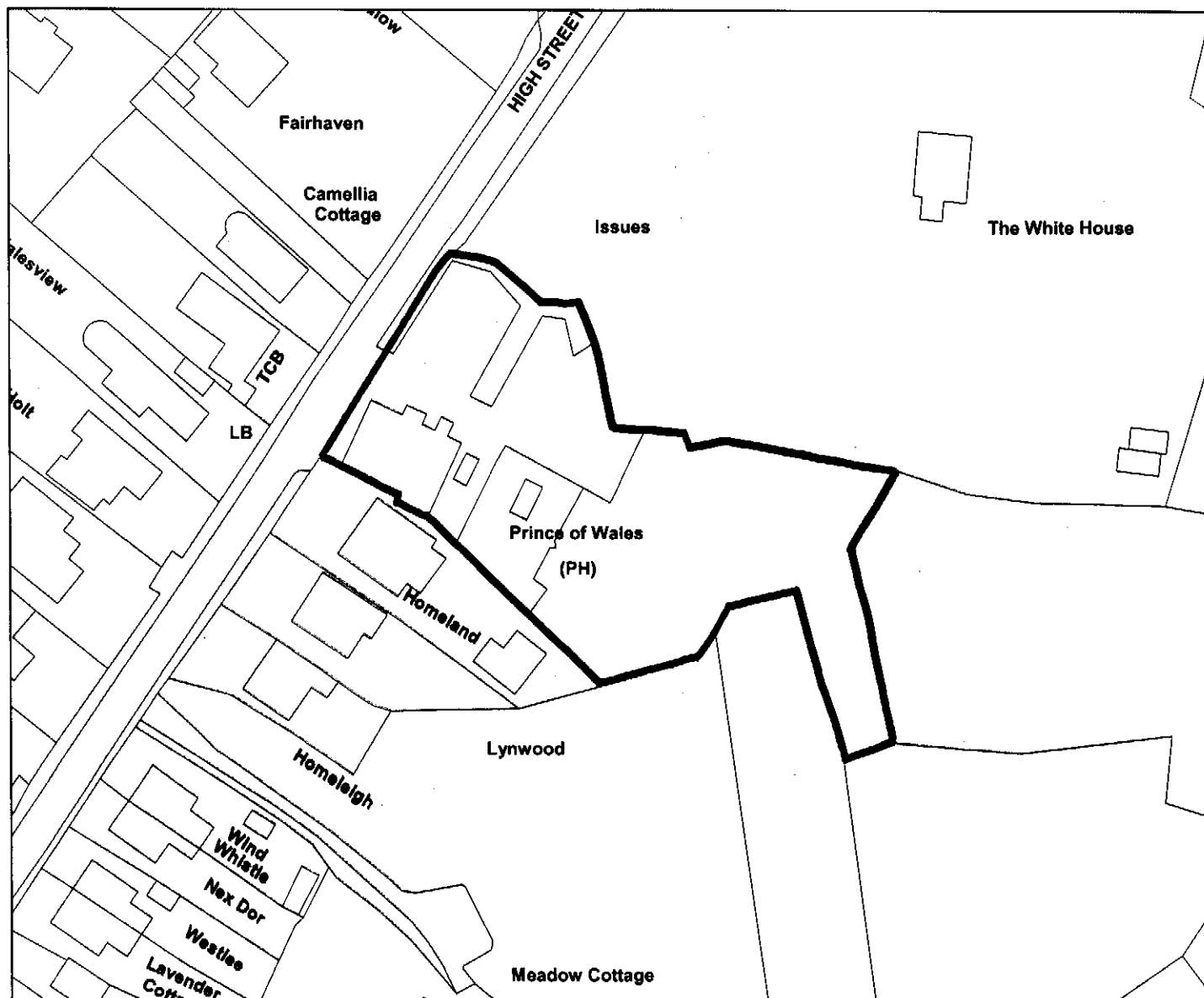


Prince of Wales Public House

12/02137/FUL



Winchester
City Council



Legend

Scale: 1:1000



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Organisation	Winchester City Council
Department	Winchester GIS
Comments	
Date	20 February 2013
SLA Number	100019531

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Item No: 4
Case No: 12/02137/FUL / W04863/11
Proposal Description: Erection of 2 no. three bedroom dwellings and 1no. four bedroom detached dwelling with ancillary garages, hardstanding and landscaping and construction of new car park to serve public house.
Address: Prince of Wales Public House High Street Shirrell Heath Southampton SO32 2JN
Parish, or Ward if within Winchester City: Shedfield
Applicants Name: MCP(Poole) Ltd
Case Officer: Mr Simon Avery
Date Valid: 18 October 2012
Recommendation: Application Refused

General Comments

This application is reported to Committee because of the number of letters of support received.

Amended plans have been received providing additional information about levels and showing a footpath from the front entrances of the proposed semi-detached houses to the main access driveway.

Site Description

This site is located on the south east side of the High Street in Shirrell Heath. It contains the Prince of Wales Public House (currently closed), a car park which is mainly to the north east side of the building, a pub garden which is immediately to the rear and an adjoining area of meadow to the east. The Public House is a two storey building fronting the High Street. It is traditional in form and is finished in white painted brick with plain concrete roof tiles on a hipped roof. While the public house itself is level with the road, the land drops down from the High Street to the east and the access to the car park is on a relatively steep gradient. The land levels out to the rear of the pub garden and then begins to rise again towards the back of the site. There is a line of trees and shrubs enclosing the end of the site to the east.

The Public House is on the end of a line of residential properties fronting the High Street. To the north east of the site is the grassed curtilage of a property called the White House which is approximately 50 metres from the site and also about 50 metres back from the High Street.

The Pub is within a parcel of land enclosed by the High Street, Winters Road and Twynhams Hill. This land has a development pattern consisting of buildings fronting roads with mainly undeveloped landscape to the rear of these frontage buildings.

Proposal

The proposal is for 2 semi-detached three bedroom houses to be located to the north east side of the public house on what is currently the pub car park, and 1 detached four

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bedroom house to be located to the rear.

Both buildings will have garages and a new car park will be provided for the public house to the rear of the pub garden.

All 3 new units are of traditional design with brick elevations (tile hung gable also included on the 4 bed unit), beneath pitched roofs finished in clay tiles. Each house would be provided with garage parking in the form of 2 detached blocks.

Relevant Planning History

79/01407/OLD - Alterations to toilet accommodation. PER 16th August 1979.

80/00779/OLD - Erection of extension to beer store and erection of prefabricated garage. PER 8th January 1980.

80/00780/OLD - Extension to car park. PER 11th December 1980.

84/00635/OLD - Erection of garage and single storey side extension. PER 17th August 1984.

86/00618/OLD - Display of externally illuminated wall signs. PER 6th January 1986.

86/00619/OLD - Installation of septic tank and drainage. REF 28th July 1986.

87/00622/OLD - Installation of septic tank and drainage. WDN 17th November 1987.

88/00637/OLD - Installation of sealed cesspit. PER 8th April 1988.

90/00594/OLD - (AMENDED DESCRIPTION) Externally illuminated double sided hanging sign. PER 28th June 1990.

92/00459/OLD - Single storey front extension. PER 3rd November 1992.

98/01025/AVC - Externally illuminated signage to include: Fascia sign, individual letters, two wall-mounted pictorial signs, two logo boards. Non-illuminated signs to include: amenity signs and information sign. PER 10th August 1998.

Consultations

Engineers: Drainage:

- No objection.

Engineers: Highways:

- The public areas of the pub equate to 78 sqm, which according to Hampshire County Council current standards requires 16 car parking spaces and are to be provided to the rear of the public house.
- The three new residential dwellings will be provided with parking to accord with Winchester City Council's Residential parking standards of 2 spaces per three bedroom dwelling and 3 spaces per four bedroom dwelling.
- The gradient of the existing vehicular access is rather steep and it is strongly recommended that the opportunity should be taken to reduce this gradient to

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enable vehicles to move to and from the site more quickly.

- The residential proposal will result in an additional 24 trips approx. per day, which cannot be considered to be a material increase and it is unlikely that a highway reason for refusal could be successfully sustained for the reason of increased traffic.
- Under the terms of the Agency Agreement, a financial contribution is sought towards Hampshire County Council's Transport Contributions Policy of £12947.

Head of Environmental Protection:

- No adverse comments.

Head of Landscape:

- The land slopes down and then rises again to the rear boundary, due to the rising land the four bed-roomed dwelling and ancillary garage would be visible from the High Street, resulting in a visible structure which urbanising the central landscape strip. This part of the development would be contrary to the development pattern and detrimental to the landscape character.

Head of Landscape – Arboricultural Response:

- The Arboricultural Implications Assessment reflects accurately the quality and category of tree stock. The protection measures specified in the Arboricultural Method Statement will be sufficient to reduce the affects on the retained trees to a minimum.

Representations:

Shedfield Parish Council

- The Parish Council has no objection in principle.
- Some neighbouring residents were not given notification of this proposal.
- Risk that the currently empty Public House, may be subject to another development if not sold as business premises and loss of local amenity.
- Highway safety issues, no public footpath, steep gradient leading on to main road. Restricted access/space for deliveries to the business. No footpath to the local school or on exit from the proposed properties.
- Lack of amenities, local school, St. John the Baptist full, no public transport or shops/pub.
- Combined pedestrian and vehicular road to PH car park
- Detrimental impact on the current Street Scene
- Better suited to smaller 2 bedroom properties.
- Loss of trees and no mention of conservation of the spring which flows through the bottom of this site.
- Large property in the middle of a field - out of keeping with this countryside.

8 letters received objecting to the application for the following reasons:

- Negative impact on the natural environment.
- Lack of facilities in the village for more homes/families.
- Impact on neighbours of noise, traffic and inconvenience from building work.
- Potential danger from heavy delivery vehicles and shared access being blocked for emergency vehicles.
- Increased parking congestion/traffic problems/road safety.
- This development will mean further residential development of the pub.
- Homes built so close to the pub car park pose a traffic safety threat for children.
- Pedestrian safety/lack of footpath.
- A natural spring runs through the site.

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- Site for plot 3 very wet/floods.
- The Prince of Wales was a flourishing Public House / Restaurant until recently.
- Loss of local amenity.
- Plots 1 & 2 show 2 storey buildings which will obscure vision when leaving the site by car.
- Waste collection impractical due to slope.
- Loss of mature Oaks before application submitted.
- All 3 proposed houses are large and totally outside the scope of first times buyers and cannot possibly be considered as Affordable Housing.
- There is no indication as to what is proposed with the actual Prince of Wales Public House.
- Residential Development would seriously detract from the visual amenity of the area.
- Development on this land would screen the current view of trees at the back across some of the only open remaining spaces visible from the High Street.
- The proposed 4 bedroom dwelling would be well behind the accepted building line for the road and would compromise the 'setting' for the White House.
- The houses would not have a safe access for pedestrians.
- Insufficient parking which would inevitably result in parking on the road.
- Inadequate consultation with the community.
- Further large expensive family homes providing more unaffordable housing.
- The loss of trees from the site.
- Development of this scale does not feel in keeping with the village.
- The potential loss of the green border behind the pub would make it a less family friendly place.

12 letters of support received from 8 households.

- The pub is to remain and a prospective tenant has been found.

1 letter of comment:

- Concern about whether all the application documents have been loaded properly on the web site.

Relevant Planning Policy:

South East Plan 2009:

- CC6, BE6

Winchester District Local Plan Review

- DP3, DP4, DP5, DP9, CE5, CE10, H4, H7, RT4, T2, T4

Local Plan Part 1 – Joint Core Strategy

- DS1, SH1, MTRA1, MTRA 3, CP1, CP2, CP3, CP7, CP10, CP11, CP12, CP13, CP14, CP15, CP16, CP17, CP20, CP21

National Planning Policy Guidance/Statements:

- National Planning Policy Framework and in particular sections; 1 Delivering Sustainable Development, 6 Delivering a Wide Choice of High Quality Homes, 7 Requiring Good Design and 11 Conserving and enhancing the natural environment.

Supplementary Planning Guidance

- Implementation of Infilling Policy

Planning Considerations

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- Principle of Development
- Design and Layout
- Impact on character of area and neighbouring property
- Trees
- Highways
- Drainage/Flooding
- Financial contributions

Principle of development

On 11 February the Council received confirmation from the Planning Inspector dealing with the Council's new Local Plan that the Winchester Local Plan Part 1 – Joint Core Strategy (LP1) is sound subject to the Council accepting a number of modifications to the Plan recommended by him. The Council will now be recommended to formally adopt the Plan, incorporating the Inspector's changes, in March 2013.

At the present time the saved policies of the Winchester District Local Plan Review 2006 (WDLPR) remain part of the development plan for the purposes of decision making for planning applications and therefore these policies should be taken into account. However, the policies set out in the Joint Core Strategy are now material considerations which should be afforded significant weight, given that the Plan has been found sound by the Inspector (subject to modifications being made).

Where there is any inconsistency between the Joint Core Strategy and 2006 Local Plan officers' advice is that the Joint Core Strategy should be given greater weight as these policies are up-to-date and comply fully with current evidence and the National Planning Policy Framework March 2012. Furthermore, the Joint Core Strategy also introduces additional requirements for certain types of development, such as provision of affordable housing on all residential schemes, in order to meet the Council's corporate aims and the relevant policies should be afforded significant weight when applications are decided.

When the Council formally adopts the Joint Core Strategy it will also 'un-save' a number of policies in the 2006 Local Plan and they will therefore no longer form part of the development plan. At this point those policies will not be material when making planning decisions. Some policies in the 2006 Local Plan will remain saved even after the Joint Core Strategy is adopted as they deal with development management issues and these will still form part of the development plan until Winchester Local Plan Part 2 is adopted in 2015.

Under the WDLPR proposals for housing in the countryside must be considered under Policy H4 and it's supporting SPD 'Implementation of Infilling Policy' which deals with infill development in the countryside. The SPD sets out a series of criteria which must be satisfied before a site can be considered appropriate for residential development.

Criterion 1 - Sustainable Pattern of Development

Criterion 1 requires the development to be within a village or settlement which has an adequate range of facilities that can be conveniently and safely accessed from the site on foot. Shirrell Heath provides none of the required facilities listed under Criterion 1. There are shops in Wickham and Bishops Waltham with additional convenience in shops in Waltham Chase and Swanmore. There is no regular bus service serving Shirrell Heath and therefore the entire journey would need to be made on foot. Waltham Chase, which

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has a primary school, is within 2km of the application site however, it is not considered that this school can be accessed safely from the site. Access to the school in Waltham Chase would have to be via Solomon's Lane which is narrow in places and has no footway for some distance. The text of the SPD identifies the need for a continuous surfaced footway or surfaced footpath to be an important factor in this part of the assessment.

The settlement of Wickham is in excess of 2km and therefore a bus journey would have to be made to access their local facilities and services. Section 3.7 of criterion 1 allows for these journeys to be made by bus or train providing they run at frequency of 2 per hour. There are no train facilities in the area and the closest bus route is on the B2177 (Winchester Road) however this bus service does not operate at a frequency required by the SPD. For these reasons, it is considered that this application fails to meet criterion 1. This assessment has been supported by appeal decisions under planning references 05/01508/OUT, 07/01684/FUL, 08/00004/FUL and 09/00100/FUL.

Criterion 2 – The Nature of the Site

Criterion 2 requires the development to form part of a limited gap between permanent established buildings (one of which must be residential) within a continually built up frontage to an existing road. The site does not comply with this criterion as it does not lie in a gap between buildings along the road frontage. The site includes the Prince of Wales public house but even if it were regarded as being residential, because it includes living accommodation for the business, there are no buildings on the other side of the site only an open grassed area which appears to belong to a neighbouring property to the north east called The White House. This property is set back some 50 metres from the road and is not considered to be on the frontage or framing an infill site. Therefore criterion 2 is not considered to be satisfied.

Criterion 3 - Access

With appropriate conditions of consent vehicular access onto the highway is considered acceptable further to the advice of the Highways Engineer.

Criterion 4 – Settlements in Annexe C

Shirrell Heath is one of the settlements listed at Annex C.

Criterion 5 – Local Gaps

The site is not within a strategic or local gap and therefore criterion 5 does not apply.

Criterion 6 – Loss of Natural Features

There are no specific important features on the site which would be lost because of the proposed development.

Criterion 7 – Character of the Locality

It is not considered that the proposal responds positively to the character of the area. This is explained in more detail below.

As criteria 1, 2 and 7 are not met, the proposal does not comply with Policy H4. Since Policy H4 will not be retained in the LP1, its effective replacement (Policy MTRA3) also has to be considered and should be afforded significant weight.

Policy MTRA3 supports the principle of residential development within Shirrell Heath if

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the proposal consists of infilling of a small site within a continuously developed road frontage, where this would be of a form compatible with the character of the village and not involve the loss of important gaps between developed areas. MTRA3 states that all new development should be appropriate in scale and design and conserve each settlement's identity, countryside setting, key historic characteristics and local features.

This site is not considered small in that it includes a section of field to the rear which extends to the east. Furthermore, it is not within a continuously developed road frontage. There are no buildings on the other side of the Prince of Wales, only the large curtilage of a neighbouring property to the north east called The White House. This property is set back some 50 metres from the road and is not considered to be on the frontage or framing an infill site. In addition to this, it is not considered that the scale and design of the buildings, and in particular the proposed four bedroom dwelling to rear, would be appropriate in this context. As with Criterion 7 of Policy H4 above, this is discussed in more detail later in the report.

It is considered that the proposal does not comply with MTRA3 as it is not a small infill site. As the proposals do not comply with H4 of the WDLPR or MTRA3 of the LP1 the principle of residential development is unacceptable in principle.

Another important Policy consideration relates to the mix of housing. Policy H7 of the WDLPR requires 50% of new units to be smaller (less than 75 square metres measured internally). As the proposal is for 2 three bed houses and 1 four bed house, all of which exceed 75 square metres, it does not comply with Policy H7.

This Policy in the 2006 Local Plan is not to be remain saved because in LP1 housing mix is covered by Policy CP2. Policy CP2 requires that development should provide the majority of homes in the form of 2 and 3 bed family houses. No 2 bed houses would be provided and the majority of units would not be 2 and 3 bed units so, the proposal also fails to comply with Policy CP2.

Furthermore, under Policy CP3 of the LP1, all development which increases the supply of housing is to provide 40% of the gross number of dwellings as affordable housing although on smaller sites like this (fewer than 5 dwellings) the policy can be met by way of financial contribution. There is no provision for affordable housing (on site or contribution) in this scheme and therefore the application is contrary to this Policy.

Policy CP11 of the LP1 requires developments to achieve Level 5 for the energy aspect of the Code for Sustainable Homes (CHS) and Level 4 for the water aspect of the CHS. There is no information provided to demonstrate that the dwellings will be able to meet this requirement. It is not considered therefore that this Policy has been satisfied.

Design/layout

The proposal consists of 2 semi-detached houses fronting the High Street on approximately the same building line as the public house and 1 large dwelling to be located 65 metres back from the road.

The semi-detached houses have hipped roofs and large gables facing to the front and rear. Both properties would have private garden areas to the rear with hardstanding and a double garage behind these for parking. The garage would be split into two bays, one for each dwelling. The front entrances to the properties face the High Street but there is

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a path proposed linking these to the access drive which runs between the public house and the proposed semi-detached houses. This driveway is proposed to serve the 3 dwellings plus the public house.

The detached house would at a lower point in the site and would be positioned approximately at the end of the access drive. It will have a separate double garage to the front on the southern side, behind the public house car park. The house has a large footprint resulting in a building with a deep span and considerable mass. It will have a large hipped roof with a gable projection to the front, half gables to the front and rear and a chimney on the northern side. Due to its bulk and design it is considered to be suburban in appearance.

Parking to serve the pub will be relocated behind the existing pub garden on an area of land which is currently a field. 16 parking spaces are proposed to be provided.

Impact on character of area and neighbouring property

The pattern of development in this part of the village is of mainly detached or terraced housing fronting the road. It is considered that the proposed large dwelling to rear would not respond positively to this context and would appear as a large, isolated and intrusive structure within an undeveloped field. While there are various examples in the village of dwellings set back from the road in more isolated positions, this is not the prevailing character of surrounding development, and a number of these properties, such as the White House to the north, are older buildings which have some historical or agricultural justification for their siting. Allowing a new, and prominent building in an open field setting, where it would be very visible from public viewpoints, would be materially harmful to both the character of the village and its rural setting. This would be exacerbated by the bulky suburban design of the building which would not respond positively to its rural context.

The semi-detached houses are more consistent with the general pattern of development in the area as they front the High Street

However, there is quite a drop in levels to the east. An amended plan which includes sections has been submitted seeking to show how the development would deal with the changes in levels. The levels information does not appear to be accurate however with the sections not corresponding with the site layout plan. There is also no information to demonstrate how the semi-detached houses would appear when viewed from the High Street or how they would relate to the public house. In addition, for the reasons explained above, the pair of new houses would not occupy an infill site. They would be seen as extending development in linear fashion further along the High Street which would be damaging in visual terms.

It is therefore considered that the impact of these semi-detached properties can not be properly assessed in relation to ground levels and they will appear incongruous and detrimental to the local character of the area.

The proposed car park to serve the pub will intrude into what is currently a field. It is considered that there is insufficient justification for this and that it would have an urbanising effect on the landscape by extending the built development out into the countryside. This would be visually harmful and detract from the landscape character at this point.

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The garages, parking area and the end of the driveway proposed to serve the new dwellings would also be located on what is currently part of the field and it is considered that these structures and hardsurfaces would also have an urbanising and visually harmful impact on the landscape character of this site.

Overall, in terms of the impact of the development on the character of the area, the development is considered to be contrary to Policies DP3 and CE5 of the WDLPR. Policy DP3 requires development to respond positively to the character, appearance and variety of the local environment and Policy CE5 requires development to respect the character of the landscape. It is also contrary to Policies CP13 and CP20 of the LP1. Policy CP13 requires new development to meet the highest standards of design while Policy CP20 requires development to recognise, protect and enhance the Districts landscape assets.

The proposed buildings are sufficiently far away from neighbouring properties to prevent any unacceptable impact on residential amenity in terms of overlooking of, and loss of light to, the nearest houses. The semi-detached houses will flank the public house and will have one first floor side window facing towards the pub. This however would serve a bathroom and would be likely to be obscured glazed. It would not therefore present overlooking issues in relation to accommodation in the pub.

Trees

No significant existing trees are proposed to be removed from the site under this application. An appropriate tree protection scheme has been submitted to ensure that existing trees will be retained.

Highways/Parking

The proposed dwellings and public house would use the same access driveway. While the gradient of this driveway is quite steep, given the minimal increase in vehicle movements associated with this proposal, this arrangement is not considered unacceptable. The parking for the proposed houses and the public house is acceptable.

Drainage/Flooding

There is a public foul sewer in the High Street which would be able to serve the development. A residential scheme could be designed with high levels of permeability to accommodate storm water. Despite concerns about a natural spring running through the site it is not within a flood zone and it is not considered there is any justification for adding a reason for refusal based on drainage.

Financial Contributions

Policy RT4 of the WDLPR requires all new housing development to contribute towards local public recreational space and facilities. On smaller sites like this the Policy enables developers to make provision for any necessary children's play and/or sports ground improvements, by making a financial contribution. To accord with this Policy an open space contribution of £8,496.00 is required. This Policy is not to be saved when the Council adopts the new Plan but, under LP1, Policy CP7 has the same requirement.

Policy DP.9 of the Winchester District Local Plan requires new development to make provision for necessary physical infrastructure. Hampshire County Council's Transport Contributions Policy 2007 requires improvements to transport and the highway network in order to mitigate for the additional transport needs and burden arising from such

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development. Hampshire County Council provides a list of Transport Improvement schemes. This site is in the Shedfield parish and there are 4 schemes within this Parish. Therefore, in order to comply with Policy DP9 and the HCC Transport Contributions Policy 2007, a contribution of £12,947.00 is required. Policy DP9 is also not to be saved when the new Plan is adopted but in LP1, its aims are carried through in Policies DS1, MTRA1 and CP21.

In seeking the financial contributions the Local Planning Authority has had regard to the tests laid down in Paragraph 204 of the National Planning Policy Framework which requires the obligations to be necessary; relevant to planning; directly related to the proposed development; fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.

Recommendation

Application refused subject to the following condition(s):

Conditions/Reasons

- 1 The proposed development is contrary to Policies H4, DP3 and CE5 of the Winchester District Local Plan Review and Policies MTRA3, CP13 and CP20 of the Winchester District Local Plan Part 1 - Joint Core Strategy, in that the land to be developed for housing does not constitute a small infill site, while the proposed dwellings, by reason of their size, siting and design, the provision of a new public house car park, and the limited information about levels, would result in a form of development which would be intrusive and visually damaging, incompatible with the character of the village and surrounding countryside.
- 2 The proposed development does not comply with either Policy H7 of the Winchester District Local Plan Review or Policy CP2 of the Winchester District Local Plan Part 1 - Joint Core Strategy, in that the scheme would not provide an appropriate mix of housing. The scheme does not include any 1 or 2 bed dwellings (Policy H7 and Policy CP2) and the majority of units are not 2 and 3 bed dwellings (CP2).
- 3 The proposed development is contrary to Policy CP3 of the Winchester District Local Plan Part 1 - Joint Core Strategy, in that it fails to make appropriate provision for affordable housing.
- 4 The proposed development is contrary to Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy, in that, based on the information provided, it fails to achieve Level 5 for the energy aspect of the Code for Sustainable Homes (CHS) and Level 4 for the water aspect of the CHS.
- 5 The proposal is contrary to Policy RT4 of the Winchester District Local Plan Review and Policy CP7 of the Winchester District Local Plan Part 1 - Joint Core Strategy in that it fails to make adequate provision for public recreational open space to the required standard, and would therefore be detrimental to the amenities of the area.
- 6 The proposal is contrary to Policy DP.9 of the Winchester District Local Plan Review and Policies DS1, MTRA1 and CP21 of the Winchester District Local Plan Part 1 - Joint Core Strategy, in that it fails to make adequate provision for improvements to transport and the highway network in accordance with Hampshire County Council's Transport

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Contributions Policy 2007, such provision being required in order to mitigate for the additional transport needs and burden imposed on the existing network arising from this development.

Informatives

1. 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.

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

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

Winchester District Local Plan Review 2006: DP3, DP4, DP5, DP9, CE5, CE10, H4, H7, RT4, T2, T4

Local Plan Part 1 - Joint Core Strategy: DS1, SH1, MTRA1, MTRA 3, CP1, CP2, CP3, CP7, CP10, CP11, CP12, CP13, CP14, CP15, CP16, CP17, CP20, CP21

South East Plan 2009: CC6, BE6