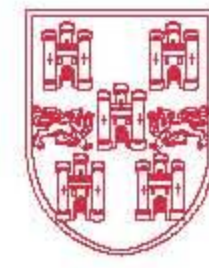
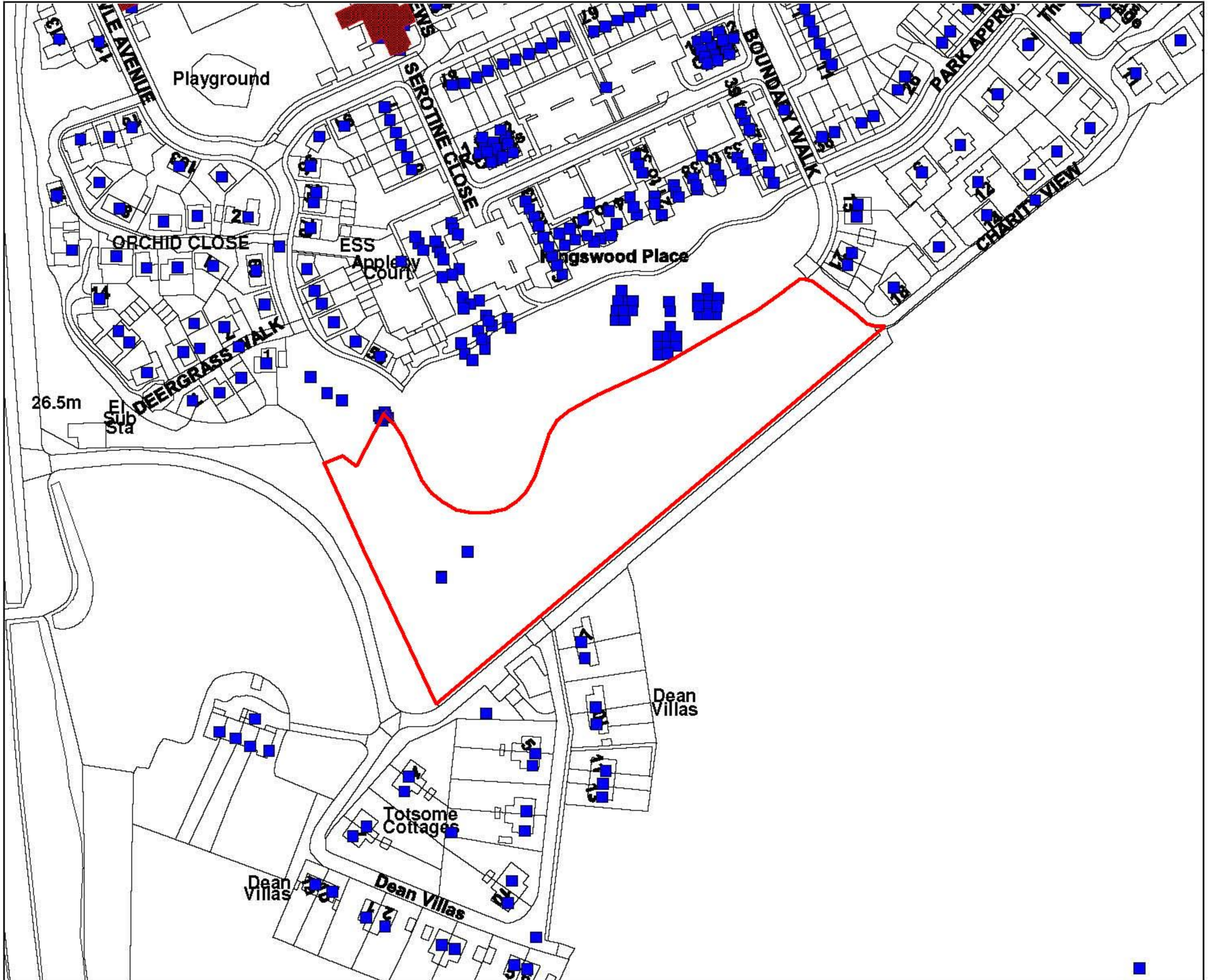


# Knowle Village, Knowle

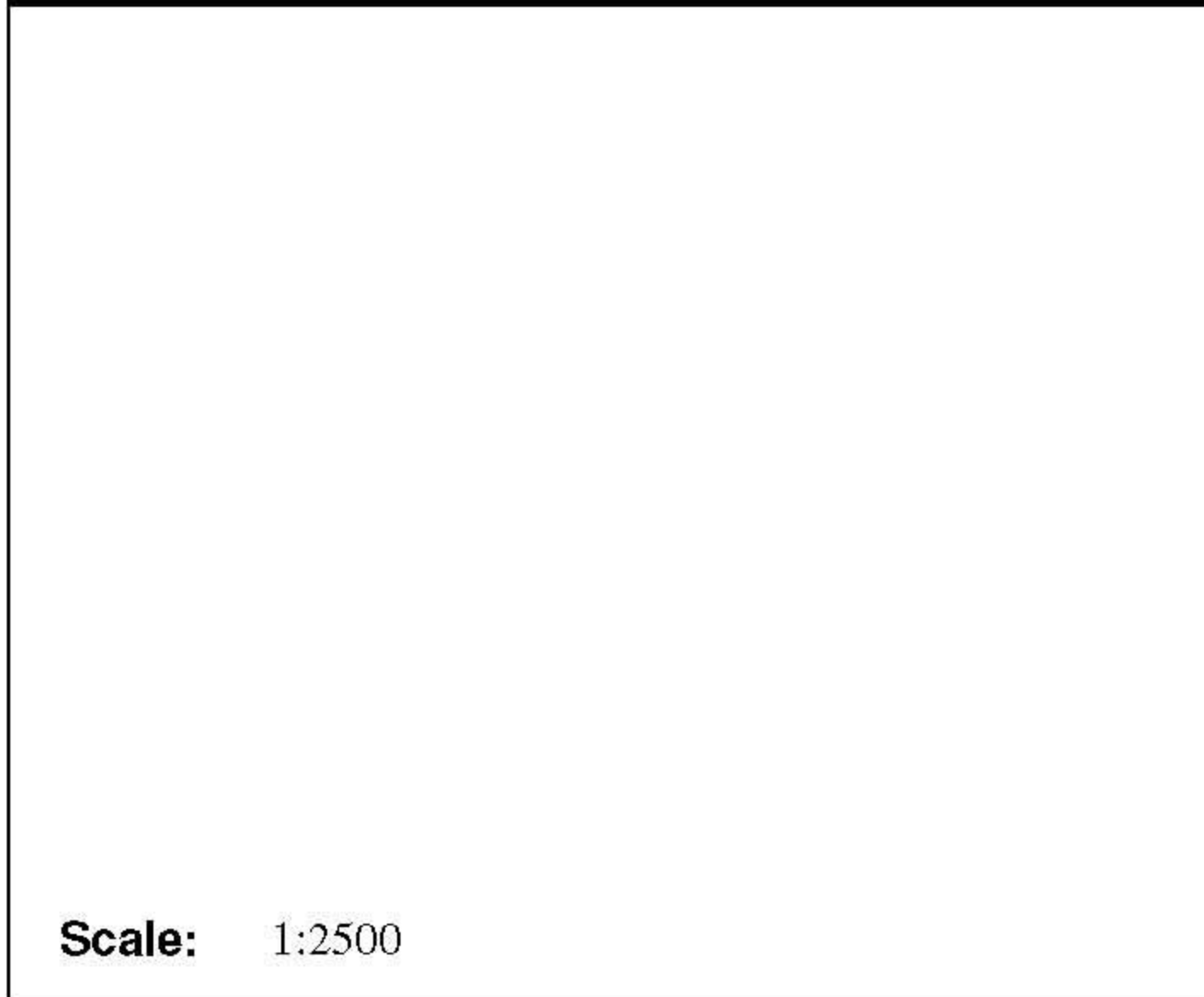
09/00571/FUL



**Winchester**  
City Council



## Legend



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<b>Organisation</b>	Winchester City Council
<b>Department</b>	Development Services
<b>Comments</b>	
<b>Date</b>	13 May 2009
<b>SLA Number</b>	00018301

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<b>Item No:</b>	<b>2</b>
<b>Case No:</b>	<b>09/00571/FUL / W14097/62</b>
<b>Proposal Description:</b>	Development of 64 dwellings comprising of; 6 no. one bed flats, 27 no. two bed flats, 2 no. two bed houses, 20 no. three bed houses, 9 no. four bed houses with associated parking and landscaping (Resubmission)
<b>Address:</b>	Knowle Village Knowle Avenue Knowle Hampshire
<b>Parish/Ward:</b>	Wickham
<b>Applicants Name:</b>	Berkeley Homes (Southern) Ltd
<b>Case Officer:</b>	Mrs Julie Pinnock
<b>Date Valid:</b>	24 March 2009
<b>Site Factors:</b>	
<b>Recommendation:</b>	Application Permitted

### General Comments

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

This application is a resubmission following the refusal by the Planning Development Control Committee on 17<sup>th</sup> February 2009 of an application for 67 dwellings (ref: 08/02352/FUL). The application was refused for the following reasons:-

1. The proposed development by reason of its height, form, density and spatial characteristics is not in accordance with Policy DP3 (ii) of the Winchester District Local Plan Review in that it does not respond positively to the character appearance and variety of the local environment. Furthermore, it would have an unacceptably dominant impact on this edge of settlement area, to the detriment of its character, and where a more suburban form of development is appropriate in recognition of its interface with the adjoining countryside.
2. Development as proposed is not in general accord with Policy H7 (iii) of the Winchester District Local Plan Review in that it comprises high density development that is not close to a town centre or public transport corridor.
3. The proposal is contrary to Policy RT.4 of the Winchester District Local Plan Review 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.
4. The proposal is contrary to Policies DP9 and T.5 of the Winchester District Local Plan Review in that it fails to make adequate provision for transport contributions in accord with the adopted policy of Hampshire County Council for funding of transport improvements to serve the impact of new development and would therefore be detrimental to the existing transport infrastructure.
5. The proposal is contrary to Policy H.5 of the Winchester District Local Plan Review in that it fails to secure the provision of affordable housing to an appropriate proportion, mix and tenure to meet the identified housing need as required by the provisions of such policy.

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This application seeks to overcome the reasons for refusal, and has reduced the number of units proposed from 67 to 64, and also amends the layout.

The revised scheme omits a block of 7 apartments and replaces it with a crescent of houses.

### **Site Description**

The application site, Phase 3, comprises an area of 1.16 hectares situated on the southern side of Knowle Village.

The new community of Knowle Village is based around the former Knowle Hospital, south of Wickham. Knowle is approximately mid-way between Fareham and Wickham, about 1.5km north of the M27 motorway.

The main hospital buildings, which are listed buildings, have been converted into residential accommodation, and the listed chapel has been converted for community use.

Vehicular access to the former hospital buildings was historically served by Mayles Lane, which is rural in character, but a new approach road to serve the village has been constructed from the A32 across agricultural land, which is within Fareham Borough Council's area.

Most of the new development provided-for under the original Knowle Village master plan of 1998 has now been built-out and Phase 3 is the last undeveloped area on the southern side of the village, lying between the internal circular access road and the former hospital walled boundary, with arable farmland on the south eastern side. A small outcrop of former staff housing is situated to the south and an area of woodland to the western side. Recent flatted development is nearing completion on the northern side of the site and semi-detached housing fronts the circular access road to the north west.

The site falls away from the road, particularly at its western end, and there are a few individual trees which are to be retained within the development.

### **Proposal**

The proposal is to provide a total of 64 dwellings, with 6 x 1 bed flats, 27 x 2 bed flats, 2 x 2 bedroom houses, 20 x 3 bed houses and 9 x 4 bed houses. 105 parking spaces are proposed along with 122 cycle spaces.

The scheme is an alternative to two previous schemes which have been approved for this area of land in January 2008 (36 dwellings) and 2006 (50 dwellings).

These schemes were part of larger planning applications that combined additional land and are shown in the history list below. Application ref: 07/01629/FUL (W14097/54) provided for 61 dwellings over the combined Phase 3 and 6 sites, and additionally included the land on the north side of the loop road. That application (07/01629/FUL) was itself a variation to earlier applications for Phases 3 and 6 (refs: 04/02739/REM - W14097/39 and 06/01679/REM - W14097/47) and provided for 25 flats in 3 blocks on the north side of the road (now built) and 36 houses on Phase 3 to the south of the road, which is the same site as that which is now the subject of this application for 64 units.

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The earlier Phase 3 approval of 2006 provided for 50 dwellings, comprising 19 x 2 bed flats in two blocks and 31 houses.

The current scheme has been produced on the basis of providing a development comprised entirely of affordable housing.

### Relevant Planning History

**03/02166/FUL - W14097/33:** Development of Knowle Hospital for residential development, village centre, playing field, open spaces, roads and access road (Renewal of outline planning permission W14097/10) - Knowle Village - Permitted - 20/10/2003

**04/02739/REM - W14097/39:** (Amended description and amended plans) Phases 3, 6 and 8 - Erection of 106 No. dwellings, in two and three storey blocks comprising 18 No. one bedroom; 29 No. two bedroom; 29 No. three bedroom; 15 No. four bedroom dwellings; and 15 No. five bedroom dwellings, associated roads, garages, parking areas and landscaping (Details in compliance with outline planning permission W14097/33) - Knowle Village - Permitted - 14/03/2005

**06/01769/REM - W14097/47:** Phases 3, 6 and 8 - Erection of 106 No. dwellings in two and three storey blocks comprising 18 No. one bedroom, 29 No. two bedroom, 29 No. three bedroom, 15 No. four bedroom and 15 No. five bedroom dwellings, associated roads, garages, parking areas and landscaping (Details in compliance with outline planning permission W14097/33). Amendment to Phase 8 of Planning Permission W14097/39. (Resubmission) - Knowle Village - Permitted - 19/07/2006

**07/00297/FUL - W14097/52:** (Amendment to existing planning permission W14097/34) Amendment to plots 1-5 (Phase 9), 2/3 storey block of flats - Knowle Village - Permitted - 25/04/2007.

**07/01629/FUL - W14097/54:** 61 dwellings comprising 12 No. three bed; 21 No. four bed; 3 No. five bed; 19 No. two bed; 6 No. one bed dwellings with associated garaging and parking (amendment to Phases 3 and 6) - Knowle Village - Permitted - 09/10/2007

**07/02832/FUL - W14097/57:** Community pavilion and associated parking, land at Knowle Avenue and Greater Horseshoe Way, Knowle - Permitted - 19/02/2008

**08/01837/FUL - W14097/58:** Multi-use games area and skateboard park (Resubmission), land at Knowle Avenue and Greater Horseshoe Way, Knowle - Permitted - 26/09/2008

**08/02352/FUL – W14097/61:** Development of 67 dwellings, comprising 6 no. one bed flats, 34 no. two bed flats, 2 no. two bed houses, 20 no. three bed houses, 5 no. four bed houses with associated access, parking and landscaping - Refused - 26/02/2009

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Engineers: Highways: (comment carried forward from previous application - an update on further highway comments will be provided for the Committee).

The amended proposal for 67 units is acceptable in highway terms.

Car Parking – The proposed standard for shared / communal parking spaces indicates that 93 spaces are required for the proposed mix, whereas 110 car parking spaces are to be provided on site (i.e. 17 spaces above the emerging parking standards that the City Council proposes to adopt)

The prime amendments of this new scheme to those details affecting the highway design are the introductions of open space areas between blocks B & G and also in front of units 46-56.

Sustainable Transport Contributions policy – A highways contribution of £77,205 is required in accord with HCC policy, which represents the difference between the existing permitted scheme and that now proposed.

Visibility Splays – The proposed visibility splays are 4.5m x 33.5m. Manual for Streets advises that the x distance need only be 2.4 m in this instance, which is supported by HCC.

No objection, subject to conditions (Conditions 5 & 6)

Environmental Protection: (comment carried forward from previous application)

Given the site's location on a former hospital, and as it is situated on land where contamination is suspected for all or part of the site, an appropriate contamination assessment should be submitted as part of the application process. Information held suggests this land has been used historically as a depot within an industrial area. Furthermore, the development comprises the construction of residential dwellings. This is considered to represent a sensitive end-use regarding vulnerability to the presence of contamination.

Given this, the response provided in section 15 of the planning application is incorrect, as the proposal involves a use that would be particularly vulnerable to the presence of contamination and an appropriate contamination assessment should be submitted as part of the application process. This should be required by conditions (Conditions 14,15 &16)

Strategic Planning: (comment carried forward from previous application)

A 100% affordable housing scheme would, of course, be welcomed and it could even be argued that some exception to policy could be allowed (in accordance with H.6) but it still has to be satisfactory in its own right. Whilst the density is high, this shouldn't be a reason in itself for rejecting it.

Strategic Housing:

In addition to previous comments, welcomes the greater provision made for family homes, which will make a significant contribution to meeting the housing needs of large households. Comments that the application proposes a good mix of accommodation in accordance with PPS3 and the Council's housing and planning policies. He also adds that, although not a planning consideration, Strategic Housing is still in discussions with

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the applicant and a Registered Social Landlord (RSL) to offer all these units as affordable housing. This will be subject to the availability of grant funding from the Homes and Communities Agency (HCA) and discussions with the latter have been very positive and are continuing.

(Previous comments)

Supports the proposal that all 67 units that comprise this application will be transferred to a RSL as affordable housing units.

The need for affordable housing in Wickham Parish remains high, with currently 345 applicants on the housing register eligible for a 1 bedroom property, 127 for a 2 bed, 89 for a 3 bed and 19 for a 4 bed. This gives a total housing need of 580 households requiring social rented accommodation in Wickham Parish. The type and size of the proposed units has been agreed with Strategic Housing. This mix of family accommodation and smaller units will help support the existing, balanced community of Knowle.

For a relatively new development, Knowle has a very low percentage of affordable housing, currently only around 23%. The original legal agreement only required 20% of the total units built at Knowle to be used as affordable dwellings, but this number has been increased in recent times, by Housing Associations (RSLs) purchasing units "off the shelf" and converting the tenure to intermediate affordable housing.

The current Local Plan minimum requirements are 30% affordable housing in settlements outside of Winchester, but it should also be noted that other comparable developments, such as the West of Waterlooville MDA, will provide 40% affordable housing. If this application receives consent and is built-out, there will be around 32% affordable housing at Knowle, which is acceptable.

The tenure of Phase 3 is yet to be finalised, as it will be subject to Government funding being available. The applicants, in conjunction with the RSL, A2 Dominion, are proposing that a mix of social rented, intermediate rented and shared ownership tenures be used to disperse large groupings of dwellings of a single tenure across this phase. Within the scope of any legal agreement that there may be, the applicant should be required to agree the tenure split across this phase.

Knowle is a sustainable location for affordable housing. From April 2009, the Council will be operating a Choice Based Lettings scheme, which will give housing applicants more choice than ever before to make informed decisions about where they wish to live. Applicants will be able to access information on the neighbourhood, facilities, amenities and local public services. The end result will be that only applicants who wish to live at Knowle will be offered accommodation, reducing any chance of rural isolation occurring.

The properties will be designed to meet the rigid Housing Corporation build standards, to ensure that they will be eligible to attract Government subsidy.

In the current economic climate, many housing developments with an element of affordable housing in them and planning consent, have been shelved by developers. The result is that affordable housing completions for this year will be below the numbers forecast. This application for a 100% affordable housing scheme will, if approved, help address this shortfall while providing much needed affordable homes from which applicants from this District and from Fareham Borough Council's District can benefit.

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Landscape and Open Space

At the time of writing, the formal consultation response has not been received, although no objection was raised to the previous scheme. Comments will be provided in the update sheet. (Conditions 8 & 9 require a landscape scheme).

Trees

At the time of writing, the formal consultation response has not been received, although no objection was raised to the previous scheme. Comments will be provided in the update sheet. (Condition 11 requires tree works to be undertaken in accordance with the Tree and Arboricultural Implications Assessment and Method Statement).

Environment Agency: (comment carried forward from previous application)

The Flood Risk Assessment submitted in support of the application demonstrates that there is no increase in risk as a result of the development. Therefore, recommends attachment of a condition in the case that permission is granted (Condition 12).

**Representations:**

Wickham Parish Council: Strongly objects for the following reasons:

- The proposed density of development on the rural fringe of Knowle Village is too high: the number of apartments and three storey buildings are inappropriate in this semi rural location and inconsistent with the rest of the development which is characterised by high density in the centre, reducing in density towards the outer perimeter.
- There is insufficient parking proposed for the development. Knowle Village is in an unsustainable location with a very limited bus service and no local facilities or work opportunities that can be reached without a car. (Evidence that providing minimum parking provision does not reduce car ownership may be seen throughout the village. The result is excessive on street parking and widespread problems due to inconsiderate parking.)
- There is a perception from local residents that there is an oversupply of apartments and a need for more family housing to broaden the social mix of the village and improve its current 'dormitory' nature. The proposed overprovision of apartments and affordable homes threatens the ability of the community at Knowle to develop both its social infrastructure: the vital volunteer and support networks and daytime economy it urgently needs.

The Parish Council wishes to register a strong objection to the proposed tenure of the development which is 100% affordable: 53 social rented and 11 intermediate.

- The concentration of affordable housing in one area is contrary to WCC's Affordable Housing SPG Adopted February 2008 which states:

*Policy 3: Affordable housing should be well integrated with market housing, in a way which results in different kinds of housing being in close proximity to each other. Large groupings of single tenure dwellings or dwelling types should be avoided.*

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- Placing a large number of affordable homes in an unsustainable location lacking in education, social, transport and economic infrastructure is unacceptable. Access to extended school provision, sports clubs, leisure facilities, health care, shops, services and employment is only realistically available to those with private transport.

Residents of Knowle without private transport are in a situation of rural isolation, this has resulted in some social problems and pockets of deprivation within the development which will be exacerbated by this proposal.

- Wickham Parish already has a much higher percentage (20%) of social rented housing in comparison to the rest of Winchester District (Whiteley 3%, Bishops Waltham 14%, Alresford 12%, Winchester District 16% - (2001 census figures, see extract from Wickham MTHC below). During the five years to 2006, 82 new housing association houses have been built in the Parish, (see extract from CAH Housing Needs Survey April 2007) This represented a quarter of the total number of affordable homes built in Winchester District during this time.
- The Parish has a need for modest market housing and intermediate housing to address the current social imbalance; this application does not address this need which has been repeatedly raised by the Parish Council through the LDF process – for example, the copy letter to Steve Opacic 11<sup>th</sup> August 2008 attached.

**The Parish Council requests that this application be heard by Committee if the delegated decision is to grant permission.**

8 letters received, including Knowle Village Residents Association, objecting to the application for the following reasons:

- Application is a cynical attempt to circumvent previous decision;
- Density still too high;
- Minimal changes do not address issues of density/appropriateness in rural setting;
- Proposal does not comply with original master plans for the village/community;
- Large proportion of flats, unhealthy for community, creates a dormitory culture;
- The balance of type of properties does not attract the right population distribution of family units with children necessary to build a community;
- Contrary to Government guidelines and Council's Supplementary Planning Guidance on Affordable Housing;
- Proposal will impact on views into the site from Dean Villas and Totsome Cottages and affect outlook from Boundary Walk and Charity View;
- Proposal adversely impacts the built and natural environment;
- Impacts on the enjoyment of neighbouring properties;
- In excess of 40% rented proposed, both private and social;
- Social housing quota already fulfilled;
- Increase in traffic (only one access road into and out of the village);
- Parking difficulties - particularly at night - car parking on the road causing hazard to pedestrians and vehicular traffic;
- Management company is planning to introduce parking controls (clamping) which reflects current parking problems;
- Bollards allow access to Mayles Lane;
- Infrastructure inadequate;



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- Overload to existing schools and emergency services;
- Inadequate bus service which does not coincide with train services or run beyond 7pm (week end service is more limited);
- No proper consultation process. Berkeley's only wrote to a small proportion of individuals (did not include Dean and Totsome Villages);
- Densities were planned to decrease towards the edge of the village;
- Uncompleted work on the village green and the building of the community centre.

Reasons aside not material to planning and therefore not addressed in this report:

- Residents mis-sold properties on the basis of information provided by Berkeley Homes.

No letters of support received.

### **Relevant Planning Policy**

South East Plan

H1, H3, H4, H5, T4, BE.1, BE6

Hampshire County Structure Plan Review:

T5

Winchester District Local Plan Review

DP.1, DP.3, DP.4, DP.5, DP.9, H.7, RT.4, T.2, T.3, T.4

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPG 3 Housing

PPS 9 Biodiversity and Geological Conservation

PPS12 Local Development Framework

PPG 13 Transport

PPG 17 Planning for Open Space, Sport and Recreation

PPG 25 Development and Flood Risk

Supplementary Planning Guidance

Affordable Housing SPD (Feb 2008)

Knowle Village: A Master Plan for Development (1998)

Knowle Village: An Urban Design Framework(1999)

Knowle Village : A Development Brief for a new rural community(2004)

Other Planning Guidance

Guide to the Open Space Funding System

Technical Paper: Open Space Provision and Funding

Hampshire Biodiversity Action Plan

Housing Monitoring Report

Movement, Access, Streets and Spaces

### **Planning Considerations**

Principle of development

Much concern has been expressed with regard to the type and density of development proposed, which it has been suggested conflicts with the original master plan for Knowle. The master plan was published in 1998, in accordance with Condition 3 of the outline

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planning permission, and sought to provide guidance for the detailed development of the new community. It envisaged a population of about 2000 and 533 new dwellings, with the conversion of the listed former hospital buildings providing the focus of the development.

The master plan was not adopted as supplementary planning guidance and, as development has proceeded, the original concepts have been adapted to changing circumstances so that there are now some 628 dwellings completed and 45 with permission that have yet to be built. This includes 36 on Phase 3, where the scheme which is the subject of this application proposes an alternative layout for 64 dwellings, i.e. an additional 28 dwellings and an overall total of 701. However, this still results in a density of 32.6dph across the whole Knowle development, which is well within the guidance of PPS3. (N.B. It should be noted that there is also a second earlier extant permission for Phase 3 which was in respect of 50 units; this is explained in the Design and Layout section below).

The provision of affordable housing has similarly increased in proportion, from the originally envisaged 20% to currently about 23%, which this proposal, if developed for 100% affordable housing as proposed, would lift to 32.9% overall (232 dwellings, 125 of which are shared equity/intermediate rent). This reflects the growing pressure for affordable housing provision that is now recognised in PPS3 and the Local Plan provisions under Policy H.5, which requires 30% provision in most cases and 40% in the case of Winchester and the MDA's and 35% in the case of the identified reserve sites.

The site is within the defined settlement boundary for Knowle (Inset Map 13 of Winchester District Local Plan Review) and has the benefit of extant permissions for alternative forms of residential development, so the principle of the proposed development is acceptable.

The form of development, in terms of incorporating blocks of flats to a height of three storeys, has also been established by the earlier permissions for the site and is consistent with the nature of adjoining development.

The main difference in this case is, therefore, the higher density in terms of the total number of units and the fact that the scheme is intended to be entirely for affordable housing purposes. It is, however, principally the physical characteristics of the development that must be examined as regards their acceptability. If the development meets relevant policy requirements in terms of its environmental merits, the tenure of occupancy is only materially relevant to the limited extent as explained in the following paragraph.

Although the adopted housing policies promote a range of housing types, size and tenure, particularly where development is a mixture of open market and social housing, there is no presumption, as such, against schemes comprising entirely social housing. In this case, there is an extant permission for 50 units which was approved as details pursuant to the original outline permission. However, as this application is a full application in its own right (i.e. not tied to the outline) it is appropriate that the difference in the number of units from the extant permission (64-50 =14 units) is subject to the provisions of Policy H.5 of the Local Plan. This would require that, if the development does not proceed as 100% affordable housing, then 30% of the 14 units should be for affordable housing, which would be 4.2 units.

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In terms of density, the proposal is in accord with adopted housing policies and PPS 3 Housing. Although the density is relatively high at 55 dph, this is not inconsistent with proposals that incorporate flatted development and is comparable with other existing flatted development at Knowle, which is partly in the form of new-build and partly in the form of conversion of the large former hospital blocks. The principle consideration is, therefore, whether the buildings and layout are compatible with the existing character in terms of their height and mass and whether adequate spatial quality, as a setting for the buildings and amenity for residents, is achieved. This is dealt with in more detail in the following sections.

Design/layout

The proposed layout has adopted, to a large extent, the principles already established in the earlier approvals that exist for this site. This revised proposal has been amended to address the previous reasons for refusal, by removing a block of flats which fronts onto Boundary Walk, and replacing this with a curved terrace crescent of 4 units, which follows the contour of the road.

Plots 40 - 45 are 2 storey, and 57 - 64 are 2½ storey, set into the ground to minimise their impact along the street scene. In views along the loop road, there will be a crescent of 14 dwellings providing an attractive street scene with a break between, where a road is proposed to service 12 units (plots 46 - 56), with an area of attractive open space, visible from the road.

The largest buildings are the blocks of flats but these are not incongruous in any way as they all front onto the loop road and relate to the scale and height of the blocks of flats recently built on the other side of the road and to the dominant scale of the converted massive south block building of the former hospital. Block A, at the eastern end of the site, is 2½ storey height and has additionally been set into the ground between 1 and 1.5 m. to minimise the impact in relation to the buildings opposite in Charity View and address concerns that arose in the pre-application community consultation exercise. As the land drops to the southern boundary, the 2 storey housing steps down, reducing the scale

In terms of the individual building designs, the appearance reflects the local vernacular and the already built neighbouring development, with predominantly red brick elevations complemented with tile hanging and rendering under plain tiled roofs. The blocks of flats G and B1 have bays with balconies as features of some elevations and block G1 has a corner turret feature that marks the entrance into the car park and housing to the rear. The dormer windows on the housing are generally broken by the eaves line, and chimneys add interest to the roof line. The parking areas are set along the south east and south west boundaries on the lower land and are generally screened, either by the existing boundary wall or by existing vegetation.

Impact on character of area and neighbouring property

The proposed development relates principally to the recently built parts of Phases 6 and 9 which adjoin the site, to the north and north-west respectively. This principally comprises blocks of flats on the north side of Boundary Walk and a smaller block still to be built on the north west side. To the east of the recently built flats is a large open area that provides a setting to the converted south block building of the former hospital. The proposals do not create any issues of concern regarding their interface with the neighbouring buildings.

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In terms of the character of the area, the site does mark the edge of the built-up area with the countryside beyond, and the massing of the additional blocks of flats creates a more urban perception. However, in comparison to the previously permitted schemes for this site, the overall form of the current proposals does not significantly change the character, particularly as the amended scheme has enhanced the spatial qualities of the development, creating an improved setting for the buildings and for the retained trees.

The proposals address Boundary Walk in a satisfactory way, with reasonable spaces between the buildings, and the important open view to the listed South Block building of the former hospital is retained across the open space area, where existing trees are retained.

Landscape/Trees

Knowle Village, as a whole, is well-endowed with open space provision and it is therefore not considered necessary to require contributions towards enhanced off-site provision of play and sports areas. The proposal includes areas of amenity open space between the buildings and a larger area towards the eastern end of the site, where existing trees are to be retained. Unfortunately, the car parking severs the open space here, but the provision of a LAP is included, and the area complements the open space on the opposite side of Boundary Walk that preserves an open setting for the imposing listed south block of the former hospital buildings.

The landscape plan and arboricultural implications assessment demonstrate the adjustments that have been made with regard to the retained trees and the new planting that is proposed.

Highways/Parking

The parking provision, which is in the form of parking courts, provides 105 spaces, which exceeds the requirement of the emerging WCC standards and meets the former HCC standards of 2002. The parking areas are quite dominant features of the layout, but are relieved to some extent by the proposed tree planting. The access arrangements and sight lines onto Boundary Walk are considered to be satisfactory.

Cycle parking provision is being made for the flats and by means of garden sheds for the housing.

A sustainable transport contribution is required in accordance with HCC policy, which represents the difference between the existing permitted scheme and that now proposed.

Sustainability

All of the dwellings are to be constructed to Level 3 of the Code for Sustainable Homes and will achieve HQI (Lifetime Homes) standards.

Other Matters

Prior to the submission of the recently refused application (08/02352/FUL), the applicants undertook a pre-application community consultation exercise, in accordance with the Adopted Statement of Community Involvement, which comprised an exhibition in October 2008. Some 50 people attended but only 2 written comments were received. The comments in respect of Block A were addressed by sinking it more into the ground and by making the LAP an Environmental Play Area. Other comments about the scheme related to parking and the principles of development, which are repeated in the

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representations to this application, and have been addressed within the various sections of this report. In terms of sustainability, the site is served by public transport and access to employment, schools and facilities and services is no less satisfactory than for other villages within the Meon Valley area.

Following the refusal of the previous application, further public consultation has been undertaken on this revised proposal, with a leaflet distribution to 450 households on 11<sup>th</sup> March, with responses invited by 18<sup>th</sup> March 2009. There were 9 comments received and the following amendments were incorporated into the design: To prevent loss of privacy to those existing properties on boundary walk and Charity View some of the windows in the apartment block will be obscure glazed, and a 1.2m high post and rail fence is to be provided at the eastern end of the application site.

### **Conclusion**

It is acknowledged that, when the scheme is viewed as a whole, the amendments to the previous proposal refused by committee are modest. However, the replacement of the flats (block G1) by the terraced houses is a significant improvement, particularly in terms of the effect on the street scene of Boundary Walk. The bend in the road would now be framed on the south side by terraced housing in the form of a crescent rather than two groups of houses separated by a single block of flats. There is also a more balanced mix of houses and flats across the development, as well as fewer units in total.

It should also be borne in mind that the proposed development, to a large degree, follows the pattern of earlier approvals given for this site, but with a higher proportion of flatted development, hence the increase in unit numbers and density. Resisting development solely on the grounds of density is difficult to sustain as this factor must be considered in conjunction with the form and layout of the scheme. Whilst the density is relatively high at 55dph, it is nevertheless considered to be appropriate because of the proposal's design in terms of its built form, layout and landscaping provision, taking into account previous development permitted at this site. Nevertheless, it maintains a reasonable mix of housing, with 31 of the 64 units, or 48.4%, being traditional two or 2½ storey houses.

The proportion of open space within the site is considered satisfactory, as is the car parking provision, which, despite the concerns expressed about parking problems and the views expressed with regard to Knowle being considered to be situated in an unsustainable location, meets previous HCC residential parking standards and is above the standards that the emerging parking policy requires. The buildings are considered to be of an appropriate design and scale which is compatible with the other development at Knowle. The 3 storey blocks of flats front onto the main road, where there is already similar development opposite, and the lower 2 storey housing is sited to the south where it interfaces with the countryside. As explained above, the amended plans have improved the spatial quality of the development in terms of landscaping and opportunities for additional tree planting and this creates an improved setting for the buildings and the retained trees, such that the Landscape Team finds the proposals acceptable.

The tenure of the development is the focus of much of the representation that has been received, but it is important that this small area of development is seen in the context of the

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development at Knowle as a whole. In planning terms, affordable housing and market housing need to be of equal design quality. Although policies presume in favour of mixed developments, with at least 30% affordable housing being provided within any market scheme, there is no presumption against higher proportions of affordable housing, or, indeed, areas that consist of all affordable housing. Shared equity provision will ensure a mixed spread of tenancy and ensure that a mixed and sustainable community is created.

It is also important to note that an approved housing development can be sold to a Registered Social Landlord without the need for any reference to the Local Planning Authority, so it is not possible for the Council to ensure that a market housing scheme remains privately owned. The focus of the Council as Local Planning Authority, therefore, must be to ensure that the quality of the development is satisfactory and indistinguishable, whether occupied as market housing or social housing or a mix of both.

Planning Obligations/Agreements

In seeking the planning obligation(s) and/or financial contributions for open space and transport, the Local Planning Authority has had regard to the tests laid down in Circular 05/2005 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**

**That permission be GRANTED subject to:-**

**(i) The securing by appropriate legal agreement (the terms of which to be approved by the Head of Legal Services) of the following provisions under Section 106 of the Town and Country Planning Act, and any other relevant provisions as set out below:**

1. The development of the site to provide affordable housing, either on the basis of its complete development by a RSL or in the event that it is developed as a scheme of market housing, a minimum provision of 4.2 units of affordable housing. (Being 30% of the difference between the proposed scheme and the extant permission for 50 units).
2. Public Open Space supervision / inspection fee of £794.34
3. HCC Transport contribution
4. The setting up of a management company or other satisfactory provision to ensure the future management and maintenance of all common areas, which do not form parts of private curtilages, and comprising: access roads; footpaths; parking areas; retaining walls; bin storage; hard and soft landscaping and the retained trees.

**(Note: If the Legal Agreement is not completed within 6 months then the application may be refused without further reference to Committee);  
and**

**(ii) The following conditions:**

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**Conditions**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

2. No development shall take place until details and samples of the materials to be used for the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

3. No development shall take place until fully annotated elevations and sections at a scale of 1:20 showing the following details: all windows and all doors; rainwater goods; eaves; ridges; chimneys; window cills; window heads; door heads; roof lights; dormer windows; balconies; brick detailing; porches; garden gates, walls and fences, and steps, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with approved details before the dwellings are occupied.

Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area

4. Details of the floor slab levels and existing and proposed ground levels shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on the site. The development shall be carried out in accordance with the approved details.

Reason: To protect the visual amenities of the locality.

5. Details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the duration of the construction period. No lorry shall leave the site unless its wheels have been cleaned sufficiently to prevent mud being carried onto the highway.

Reason: In the interests of highway safety.

6. Details of provisions to be made for the parking and turning on site of operative and construction vehicles during the period of development shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the construction period.

Reason: In the interests of highway safety.

7. The parking spaces hereby approved shall not be used for any other purpose than the parking of cars.

Reason: To ensure the provision and retention of the parking spaces in the interests of local amenity and highway safety.

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Landscape Design Proposals

8. No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include the following, as relevant:
- (a) existing and proposed finished levels or contours;
  - (b) means of enclosure including any retaining structures;
  - (c) car parking layout;
  - (d) other vehicle and pedestrian access and circulation areas;
  - (e) hard surfacing materials;
  - (f) minor artefacts and structures (e.g. street furniture, play equipment, refuse or other storage units, signs, lighting, utility apparatus etc);
  - (g) proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, including lines, manholes, supports etc.)
  - (h) retained historic landscape features and proposals for restoration.

Soft landscape details shall include the following as relevant:

- (i) planting plans:
- (j) written specification (including cultivation and other operations associated with plant and grass establishment:
- (k) schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate:
- (l) retained areas of grassland cover, scrub, hedgerow and woodland:
- (m) manner and treatment of banks:
- (n) implementation programme:

Reason: To improve the appearance of the site in the interests of visual amenity.

Landscape works implementation

9. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before the occupation of development hereby permitted is first commenced and prior to the completion of the development, or in accordance with the programme agreed with the Local Planning Authority. If, within a period of five years after planting, any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased, another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

10. In this condition, "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars, and paragraphs (a) and (b) below shall have effect until the expiration of five years from the date of the occupation of the building(s) for its permitted use.
- a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning



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Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

- b) If any tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.
- c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with details to be submitted and approved in writing by the Local Planning Authority before any equipment, machinery, or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To ensure the protection of trees which are to be retained.

11. Tree protection

Protective measures, including fencing and ground protection, in accordance with the Arboricultural Impact Appraisal and Method Statement, Revision A dated 16<sup>th</sup> Dec 2008, written by ACD Arboriculture and submitted to the Local Planning Authority, shall be installed prior to any demolition, construction or groundwork commencing on the site.

Inspection of fencing

The Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with the Arboricultural Implications Assessment, Rev A, dated 16<sup>th</sup> December 2008. Telephone 01962 848317.

Construction of special engineering under tree canopies

The Arboricultural Officer shall be informed prior to the commencement of construction of special surfacing under tree canopies so that a pre-commencement site visit can be carried out. Telephone 01962 848317.

Limit of arboricultural work

No arboricultural works shall be carried out to trees other than those specified and in accordance with the submitted Method Statement.

No deviation from agreed Method Statement

Any deviation from works prescribed or methods agreed in accordance with the above Method Statement shall be agreed in writing with the Local Planning Authority.

Arboricultural Supervision

No development, or site preparation prior to operations which has any effect on compacting, disturbing or altering the levels of the site, shall take place until a person suitably qualified in arboriculture, and approved as suitable by the Local Planning Authority, has been appointed to supervise construction activity occurring on the site. The arboricultural supervisor shall inform the Local Planning Authority of protective measures, special surfacing and all works deemed necessary by the

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approved Arboricultural Method Statement. Where ground measures are deemed necessary to protect root protection areas, the arboricultural supervisor shall ensure that these are installed prior to any vehicle movement, earth moving or construction activity occurring on the site and that all such measures to protect trees are inspected by the Local Planning Authority's Arboricultural Officer prior to commencement of development work.

Reason: To ensure the protection and long term viability of retained trees and to minimise the impact of construction activity.

12. Development shall not begin until drainage details, incorporating sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, have been submitted to and approved by Winchester City Council, and the scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include a maintenance programme and establish ownership of the drainage system.

Reason: To prevent the increased risk of flooding, to improve water quality and to ensure future maintenance.

13. Detailed proposals for the disposal of foul and surface water, (including any surface water sustainable drainage system), shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved details shall be fully implemented before the development is occupied or in accordance with any phased implementation, details of which to be first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory provision of foul and surface water drainage.

14. Prior to the commencement of the development hereby permitted (or within such extended period as may be agreed with the Local Planning Authority), a scheme to deal with contamination shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall conform to current guidance and best practice as set out in BS10175:2001 Investigation of Potentially Contaminated Sites – Code of Practice and Contaminated Land Reports 7 to 11, or other supplementary guidance, and include the following phases, unless identified as unnecessary by the preceding stage and agreed in writing by the Local Planning Authority:

- a) A desk-top study and conceptual model documenting all the previous and existing land uses of the site and adjacent land;
- b) A site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk-top study;
- c) A remedial strategy detailing the measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a suitably qualified person to oversee the implementation of the works.

Reason: In order to secure satisfactory development and in the interests of the safety and amenity of the future occupants

15. Prior to the occupation of the development hereby permitted, written verification produced by the suitably qualified person approved under the provisions of

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Condition 14 c) shall be submitted to and approved in writing by the Local Planning Authority. The report must demonstrate that the remedial strategy approved under the provisions of Condition 14 c) has been implemented fully, unless varied with the written agreement of the Local Planning Authority in advance.

Reason: In order to secure satisfactory development and in the interests of the safety and amenity of future occupants

16. Development shall cease on site if, during any stage of the works, potential contamination is encountered which has not been previously identified, unless otherwise agreed in writing with the Local Planning Authority. Works shall not recommence before an assessment of the potential contamination has been undertaken and details of the findings along with details of any remedial action required (including timing provision for implementation), has been submitted to and approved in writing by the Local Planning Authority. The development shall not be completed other than in accordance with the approved details.

Reason: In order to secure satisfactory development and in the interests of the safety and amenity of future occupants.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no development permitted by Classes A, B, D, E, of Parts 1 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

Reason: To protect amenity and privacy, both between occupiers of properties within the development and of those occupying properties adjoining the development.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that order, with or without modification), no windows, doors, dormer windows or roof lights other than those expressly authorised by this permission shall, at any time, be constructed in any of the elevation(s) of the dwelling houses hereby permitted.

Reason: To protect amenity and privacy, both between occupiers of properties within the development and of those occupying properties adjoining the development.

### **Informatives**

1. 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.

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

Hampshire County Structure Plan Review	T5, E16,
Winchester District Local Plan Review:	DP.1, DP.3, DP.4, DP.5, DP.9, H.7, RT.4, T.2, T.3, T.4,