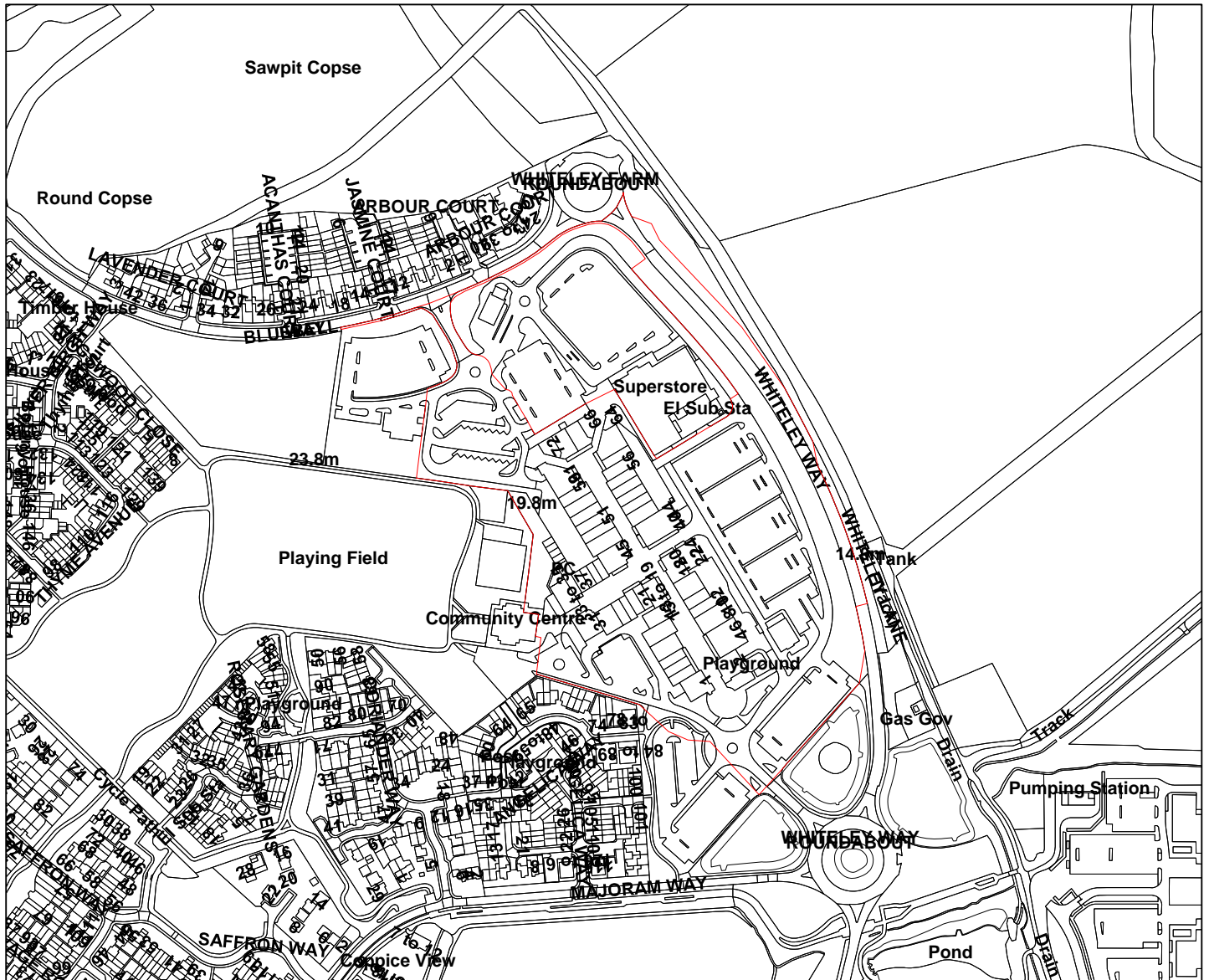


Whiteley Village, Whiteley

10/02481/FUL

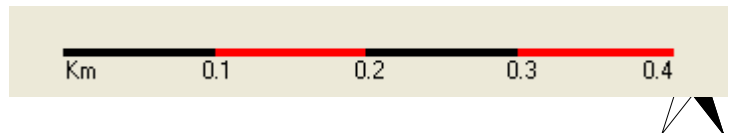


Winchester
City Council



Legend

Scale:



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Organisation	Winchester City Council
Department	Development Services
Comments	
Date	24 November 2010
SLA Number	00018301

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Item No: 6
Case No: 10/02481/FUL / W00818/80
Proposal Description: Redevelopment of Whiteley town centre to provide:

-22, 489 square metres of A1 retail shops, 5000 square metres of a mixture of A2/A3/A4/A5 (financial and professional services, food and drink, public houses/wine bars/other drinking establishments and takeaways), D1/D2 (non residential institutions/assembly and leisure) uses, town centre managers office, public conveniences, associated public squares, plazas, car and cycle parking, servicing areas and landscaping;

-Improvements to Whiteley Way to include a new roundabout, 2 x 2-bay bus laybys, bus shelter, pedestrian crossing point, footpath and cycleway; part provision of cycleway along Bluebell Way to link to facility to be provided by adjacent residential development;

-Alterations and extensions to Meadowside recreation centre, including new entrance foyer and canopy.

Address: Whiteley Village Whiteley Way Whiteley Hampshire
Parish, or Ward if within Winchester City: Whiteley
Applicants Name: The Whiteley Co-Ownership
Case Officer: Mr James Jenkison
Date Valid: 22 September 2010
Site Factors: Civil Aviation

Recommendation: Application Permitted

Appendices:

Appendix I: Layout.

Appendix II: Plan showing building heights, massing of approved and proposed scheme and .

Appendix III:

General Comments

This application is reported to Committee because it is a significant development and the officer recommendation is to grant permission.

On 17 December 2009 Planning Development Committee resolved to grant full planning permission for a similar development (ref: 09/00658/OUT) subject to a Section 106 Agreement and conditions and the application was referred to the Secretary of State on 21 January 2010, pursuant to Circular 15/93, as it comprised more than 20,000 square metres of retail space. The Secretary of State responded on 19 February 2010

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confirming that he did not wish to call in the application and so the Council was able to proceed with the determination of the proposal. The permission was duly issued on 2 August 2010. Circular 15/93 has now been superseded by Circular 02/2009 – Departure Directions. In accordance with the advice of this Circular it is not necessary to refer the current application to the Secretary of State as the proposal comprises the redevelopment of an existing town centre.

This proposal differs from the approved scheme in that it no longer includes a hotel and envisages the demolition of the existing Frankie and Benny's restaurant to allow a more practical layout. Additionally, the roundabout on Whiteley Way is proposed to be repositioned and the two units that were originally proposed to flank the entrance into the site from the roundabout have been removed. Instead, blocks D and E have been reconfigured to have units facing towards the main car parking area. The massing of the proposed blocks has also been increased slightly, with blocks D and E increasing from single to 2-storey height; however, the signature towers of the previous scheme are no longer proposed. Overall, the building height to eaves level of the main blocks will be approximately 8.8 (10.4 metres for Block C) and height to ridge level ranging from 9.4 to 12.3 metres.

The mix of uses has also been amended. It is now proposed to provide up to 5000 square metres of floor space for A2 (professional services and banks), A3 (restaurants, snack bars and cafes), A4 (pubs and bars) and A5 (takeaway food premises) uses and up to 600 square metres of floor space for D1/D2 uses (cinemas, halls, crèches, health centres, art galleries, gymnasiums etc). The previous scheme allowed for up to 3000 square metres of floor space for A2/A3/A4/A5 uses and the proposal is intended to have 2,885 square metres less floor area overall than the approved scheme.

The proposal in its entirety comprises two essential elements.

1. A full planning application for the demolition and reconstruction of the Whiteley Village shopping centre.
2. Full planning application for the construction of a 2-storey library/ community centre/ parish offices attached to and integrated with Meadowside Leisure Centre. This will include the creation of a larger reception foyer for Meadowside and a reconfiguration of its elevation. The extension of the car parking area in front of Meadowside into a multi-functional plaza is also proposed, with shops and other village centre activities facing onto it. The redevelopment of Meadowside will allow the developer to be released from an existing Section 106 Agreement to provide space for a library within the existing pedestrianised shopping precinct.

Whiteley Way is to be modified in order to create a roundabout entrance to the redeveloped village centre and puffin pedestrian crossings, double length bus lay-bys and foot and cycle ways are to be established along Whiteley Way and Bluebell Way.

Planning application (ref: 09/01114/FUL) by the Portsmouth Diocesan Board for a church at Whiteley Village was approved on 24 July 2009 and a 55 dwelling development on land to the north-west is currently under construction. This housing scheme has provided for a 3 metre wide cycle/pedestrian path along the adjacent section of Bluebell Way.

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Site Description

The application site comprises approximately 7.3 hectares of land and encompasses all of the existing Whiteley Village and the car parking area adjacent to Whiteley Way but excludes the land occupied by the existing petrol filling station and Tesco store and its associated car parking area (a section of land at the north-east corner of the Whiteley Farm/Bluebell Way roundabout) and the car parking areas to the south-west and north-west. The site slopes gently upwards from Whiteley Way and is essentially a separate entity from the surrounding residential and commercial areas to the north, south and west, being divided from these areas by car parking, service areas and roads.

The site is separated from the Whiteley/Marjoram Way roundabout by a pair of balancing ponds and the land to the east of Whiteley Way comprises Botley Wood & Everett's & Mushes Copses SSSI and the Upper Hamble Estuary & Woods SSSI (a large contiguous ancient woodland). Immediately to the south-east of the Whiteley Way roundabout is a substantial modern office park (Solent Business Park) and further to the south are a hotel and the substantially completed and tenanted Fulcrum office and industrial park. To the west of the application site is a large residential area around Angelica Way, with the properties nearest the village centre comprising large 2½ storey houses.

The site is currently accessed from the south via a slip road from the Whiteley/Marjoram Way roundabout and from the north via an access off Bluebell Way, connected via a roadway adjacent to Whiteley Way. The car parking area at the north-west of the site, adjacent to Bluebell Way and to the north of the access, is underutilised – although temporary permission exists for a coach park. The land is otherwise little used.

The shopping precinct itself comprises two intersecting pedestrian streets forming a cruciform and enclosed by 2-storey buildings with pastiche facades that imitate a traditional shopping street. In reality the majority of shops are ground floor only with 6.1 metre floor to ceiling heights and exposed services and pipes at ceiling level. The east-west street connects to Meadowside Leisure Centre and it is possible for pedestrians to walk across the adjacent car parking area and into the residential area of Angelica Way. A Frankie and Benny's restaurant has been built on the south-east edge of the shopping centre and includes a sitting out area, but is not closely integrated into the main shopping complex.

The car parks have a level of tree planting typical of parking areas associated with large retail stores and there is a dense tree and hedge screen separating Whiteley Way from the application site. There is a permissive footway established along the boundary with Angelica Way properties connecting the application site with Marjoram Way. With the maturation of landscaping since the development was completed the application site has become difficult to discern from Whiteley Way and Whiteley/Marjoram Way roundabout and therefore seems visually isolated from its surroundings and not integrated into it.

Proposal

It is acknowledged that the existing development has not provided a town centre for Whiteley, but rather has been used as a factory outlet shopping facility serving a wider area.

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However, the centre is now struggling economically and the owners are seeking to address this by redeveloping the centre so that it will provide shops and services for the community in and around Whiteley. The design and layout of the existing centre is not well related to surrounding development and spaces and the lack of integration with the settlement has been compounded by its use as a factory outlet facility which does not offer a range of shops which are able to meet the everyday needs of the local community. This application seeks to address these issues.

The basic layout of the proposed development will be similar to the existing situation, with a strong focus on two pedestrianised streets intersecting at a central plaza, however, the proposed development has been designed to create a greater sense of place and more pedestrian comfort by minimising wind impact, creating continuity with surrounding residential areas, creating more plazas and having units facing over the main car parking area.

The design philosophy adopted emphasises the importance of place making and creating a more pedestrian friendly environment, compared to the existing development, with urban plazas of different sizes proposed throughout the development and acting as entry and focal points. Glazed kiosks are proposed to be located at the entrance plazas' at the north, west and south of the pedestrianised shopping streets, with 2 much smaller kiosks at the western end of the east-west axis (between the central square and the community centre).

The proposal also seeks to create a better mix of uses (comprising A1, A2, A3, A4, A5 and D1/D2 uses) with the intention of using modular components 6 metres wide in order to appeal to high street retailers and other town centre enterprises whilst ensuring an even spacing of facade elements that make a positive contribution to the design of development (i.e. amalgamation and subdivision of units will not result in disruption to the facade design). The taller buildings proposed at the central plaza have been aligned to create visual continuity and a sense of arrival and the visual impression that this is the centre of Whiteley, similar to older more traditional settlements but in a modern context.

The building scale of the redevelopment will, with some exceptions, be similar to what currently exists or has been approved. The taller building elements of the approved scheme (such as the hotel) are no longer being pursued. All of the blocks proposed will now be predominantly 2-storeys (8.85 metres to top of fascia) with single storey buildings of approximately 4.5 metres height facing over the plaza enclosed by Meadowside leisure centre. Block C will have a fascia height of approximately 10.4 metres and the tallest aspects of Blocks A and B (facing over the central plaza) will have an eaves height of approximately 11.5 metres and an apex of approximately 13.2 metres. The design of the buildings will allow services and plant to be established within the roof space rather than on top of the roofs of buildings or attached to walls. Public toilets and changing room facilities are also proposed centrally within the pedestrian zone on the east-west axis close to the Meadowside Leisure Centre.

Relevant Planning History

W11433 Mixed development of housing, shopping, office, open space and community facilities - Whiteley Farm, Whiteley Lane, Burridge, Hampshire SO31 1BR. Application Permitted - 09/06/1994.

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W11433/07 Development of town centre, including; 15,000 sq metres (gross) of retail uses and 7000 sq.m (gross) of office (Class B1) uses, public house inc. managers flat, library, medical centre, church, community hall, petrol station, car parks, circulation areas and landscaping - Land At Whiteley Farm Whiteley Lane Burrridge Southampton Hants SO31 1BR.

Application Permitted - 07/11/1996.

W00818/72 (09/00658/OUT) - (Re-publicity - amended proposals including omission of housing development) 1. Demolition and redevelopment of existing Whiteley Village Centre comprising 22, 489 square metres of A1 retail shops, 2,731 square metres comprising a mixture of A2/A3/A4/A5 (financial and professional services, food and drink, public houses/wine bars/other drinking establishments and take-aways), public squares and plazas and associated landscaping and cycle and car parking (full application).
2. Extension of Meadowside community centre (full application).
3. Construction of 4-storey hotel, up to 125 bedrooms, with associated bar, restaurant and carparking facing over the Whiteley Way Roundabout (outline application).
4. Construction of a new roundabout off Whiteley Way (full application).

Application Permitted subject to conditions and S.106 Agreement 30th July 2010.

Consultations

South East England Partnership Board (commenting on previous application).

Considered that the proposal complied with PPS6 and town centre policies TC1, TC2 and SH4 of the South East Plan. Noted that securing the new access junction, travel plan, footpath and cycleway connections and an appropriate level of car and cycle parking was necessary to achieve policies T1, T2, T4, T5, CC7 and CC8 of the South East Plan. Also noted that sustainable construction methods, sustainable drainage and flood management systems, greater use of renewable or low carbon energy sources, securing energy efficiency measures, controlling air and noise pollution and protecting and enhancing biodiversity interests is necessary to meet the objectives of policies CC2, CC3, CC4, NRM1, NRM2, NRM4, NRM9, NRM10, NRM11, NRM12, SH8, W2 and M1 of the South East Plan.

South East England Development Agency (commenting on previous application).

Welcomed the application to redevelop Whiteley town centre which was considered to be well aligned to the Regional Economic Strategy. Directed the Council to consider Policy NRM11 of the South East Plan.

Fareham Borough Council (FBC)

Objected to the scheme on the following grounds:

- would adversely impact upon the vitality and viability of Fareham town centre, and jeopardise its ability to operate as a sub-regional centre.
- would severely undermine the delivery of a district centre for a North of Fareham Strategic Development Area.

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- is over-scaled with regard to the purpose and function of the centre to serve the local Whiteley population and thereby contrary to the South East Plan and South Hampshire spatial strategy for centres.

Eastleigh Borough Council

Had no comment to make on the application.

Nathaniel Lichfield Partners (NLP) Retail Overview (commenting on previous application)

NLP were commissioned by the City Council to undertake a critique of the retail assessments undertaken by the applicant and by Fareham Borough Council in relation to the approved development (09/00658/OUT) and subsequent issues raised by Fareham and Eastleigh Borough Councils in relation to that application. They disagreed with the applicant's claim that the additional floor space proposed was, in practice, only limited in scale and assessed the proposal on the basis that the proposal represented a 9,106 square metre increase in gross floor area. Nevertheless, NLP still concluded that the amount of retail floor space proposed would not materially harm the vitality and viability of other town and local centres such as Locks Heath, Hedge End, Botley, Eastleigh, Fareham or that of the proposed Strategic Development Areas. NLP were also asked to give a view on whether the scale of increased floor space proposed was appropriate to a centre of Whiteley's size and position in the retail hierarchy. They noted that Whiteley is defined as a town centre in the Winchester District Local Plan and that there is no limitation on floor space increases within Local Plan policy. They concluded that Whiteley cannot be considered as a local centre (as suggested in Fareham Borough Council's objections) and that the scale of growth being proposed was consistent with its position in the retail hierarchy, which would not be increased at the expense of other centres as a result of implementing the proposals.

Highways Agency:

Recommended a construction management condition (condition 14).

HCC Highways:

The predicted increase in traffic was considered to be minimal in relation to the extant planning permission and that increased trip generation would be compensated by the fact that a higher proportion of trips would be local thereby resulting in an overall reduction of trips generated to Junction 9. However, it was considered imperative that the future mix of uses and occupiers was achieved in order to achieve the proposed targets for mode shift away from car use. Provision of financial contributions towards local transport improvements, a travel plan (with bonds to secure its implementation) and conditions relating to construction and provision of parking, turning, loading and unloading of vehicles prior to occupation of units recommended.

HCC Planning:

Sustainable waste management should be provided for within the development.

HCC Rights of Way Officer:

Had no objection to the scheme or comments to make.

Hampshire Fire Rescue Service:

Expressed concern that more water supplies for fire fighting may be necessary.

HCC Ecology Department:

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The proposal (in the various documents, and suggested planning conditions) proposes some measures relating to enhancing biodiversity such as green and brown roofs, provision of bird boxes and native planting. The enhancements proposed are relatively small but are nonetheless important and should be secured by any consent. The proposed conditions are in line with those agreed previously and secure the necessary measures relating to ecological issues (conditions 6 & 13).

Natural England:

Recommended the retention and enhancement of wildlife corridors and installation of green roofs and walls (such as using climbers and hanging baskets) within the development as this would assist to minimise adverse impacts on surrounding Sites of Special Scientific Interest. Conditions and Informatives recommended.

Environment Agency:

Raised no objection to the scheme and recommended drainage, foulwater and landscape schemes as conditions of planning permission (conditions 6, 16-21). Advice notes also provided.

National Air Traffic Services

No objection.

Southern Water:

Recommended an informative.

Strategic Planning:

PPS4 continues to promote town centre development and does not require impact/sequential testing of proposals for town centre uses within a town centre.

The site is within the settlement boundary of Whiteley, where development is normally allowed subject to various criteria, and is predominantly within the designated town centre area for Whiteley. Policies relating to infrastructure provision (DP.9) transport (T.1) are also relevant and none of the Local Plan policies have changed since the previous application was determined.

The range of uses proposed are appropriate to such a location, according to Government and local planning policies, however, the increase in non-retail (A2-A5) floorspace does need to be considered against the policy requirements. The proposed development increases the non-A1 floorspace proposed in comparison to the previous permission and removes the proposed hotel. There are no policy objections to this and these changes are not considered so significant as to change the character or role of the centre. The applicant has committed to achieve a BREEAM 'Excellent' rating which would address concerns about the previous application in terms of sustainability credentials.

WCC Communities Department

Supported the application and particularly the plans for the new library/community facility to include an integrated reception area as the proposed facility is needed in Whiteley as a venue for the provision of information, advice and services on a range of public services including the delivery of the Council's Local Office services in Whiteley alongside partner organisations such as the Parish Council, Police and Library Service.

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Urban Design & Major Projects Officer:

The proposals do not deviate significantly from the approved scheme and the streets and enclosure of spaces are improved. The significant changes are the replacement of the hotel and additional units providing active frontages onto the main car park, the removal of Frankie and Benny's restaurant, removal of offices, additional A2 – A5 uses and enhancements to the elevations. The scheme will still be contemporary and will be constructed of high quality materials with simplified detailing that makes the scheme more ordered and cohesive, which will reinforce its identity.

Environmental Protection:

Demolition and construction concerns raised in terms of potential for noise and dust nuisance and advice provided relating to opening and delivery hours and details of extractor equipment for A3-A5 uses. Requirement for construction/demolition plan requested. Informatives also recommended relating to construction hours and advising against burning of materials on site (Conditions 6, 13, 23, 24).

Landscape:

Raised no objection to the proposal and considered that whilst it made some significant changes from the previous scheme, the fundamental landscape principles upon which it is based remained in place.

Engineers: Drainage:

Whiteley Village is connected to both foul and storm water drainage and the redevelopment will use the same connections. Storm water run off will remain the same as hard landscaped areas for existing and proposed developments are similar. The applicant proposes to use a biomat filter under the new parking areas to improve water quality before discharge to the storm water sewer. The risk of flooding to or from the development has not changed and will not increase. The existing sewage system was designed to take the flow from this type of development and foul water discharge will remain similar.

Representations:

Whiteley Parish Council:

Supported the application.

2 letters were received objecting to the application, outlining the following concerns:

- Increased traffic and car dominance promoted.
- No demand for bars and drinking establishments and no social provision for youths provided.
- Proposal does not integrate with its surroundings and has the appearance of an out of town centre.
- More cycle and pedestrian access should be promoted.
- Greater mix of functions should be promoted, such as flats and offices over shops.

Relevant Planning Policy:

South East Plan (SEP):

SP3 (Urban focus and urban renaissance), CC4 (Sustainable design and construction), CC6 (Sustainable communities and character of the environment), CC7

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(Infrastructure and implementation), H1-H5 (Housing policies), T2 (Mobility management), T4 (Parking), NRM4 (Sustainable flood risk management), NRM7 (Woodlands), NRM11 (Development design for energy efficiency and renewable energy), NRM12 (combined heat and power), BE1- BE4 (urban renaissance and suburban intensification), TC1 (Strategic network of town centres), TC2 (New development and redevelopment in town centres), , SH1(South Hampshire core policy), SH3 (Scale, location and type of employment development), SH4 (Strategy for main town centres), SH5 (Scale and location of housing development), SH6 (Affordable housing), SH8 (Environmental sustainability).

The South East Plan was formally adopted on 6 May 2009. The SoS revoked the Plan in July this year and this decision was subject to judicial review. The Court ruled that the revocation of the Plan was unlawful and, as a result, it still forms part of the development plan. The government has restated its intention to abolish regional planning guidance; however, until such time as those plans are enacted in law, the South East Plan remains a material planning consideration.

Adopted Winchester District Local Plan Review 2006

SF1, SF2, SF6, SF7, H3, H5, H7, E1, DP3, DP6, DP9, DP13, DP14, T1

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development
PPS4 supersedes PPS 6 Planning for Town Centres
PPS 9 Biodiversity and Geological Conservation
PPS 10 Planning for Sustainable Waste Management
PPG 13 Transport
PPS 22 Renewable Energy
PPS 23 Planning and Pollution Control
PPG 24 Planning and Noise
Circular 02/2009 Consultation Direction

Other Planning guidance

Hampshire Biodiversity Action Plan
Movement, Access, Streets and Spaces

Planning Considerations

Principle of development

PPS4 promotes a hierarchy of town centres that are resilient to anticipated future economic changes and promotes the need to address deficiencies in the network of town centres. Where existing centres are in decline, the scope for consolidating and strengthening these centres by seeking to focus on a wider range of services and diversification of uses and improving the environment is encouraged. PPS4 also encourages local planning authorities to consider the appropriate scale of development, ensuring that the scale of the site and the level of travel it generates is in keeping with the role and function of the centre within the hierarchy of centres and catchment served and to also consider the degree of which the regeneration benefits of developing on previously developed sites may be material to the choice of appropriate locations for development.

Whiteley has a failing factory outlet centre which has been laid out in a manner that lacks

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a sense of place and causes pedestrian discomfort through exposure to winds which are channelled through the pedestrianised area. The existing layout is also very poor as it has not allowed for incremental development and intensification of land use and buildings over time in a satisfactory manner, and this is demonstrated by the somewhat peripheral nature of the Frankie and Benny's restaurant. The redevelopment of the town centre, with a mixture of uses, is aimed at redeveloping the site to create a more 'traditional' town centre to provide a better range of shops and services aimed at meeting the needs of Whiteley, rather than the current centre which has a limited range of uses and seeks to draw trade from a wider area. It is therefore acceptable in principle to redevelop this town centre as it should help to facilitate the positive regeneration of an underperforming town centre and help to improve the sustainability of Whiteley.

Effect on neighbouring town and local centres and the retail hierarchy

The report produced by NLP in connection with the previous application assessed the information provided by the applicant, Eastleigh Borough Council and Fareham Borough Council. They concluded that it would not have materially harmful effects on the vitality and viability of the town centres of Fareham or Eastleigh or the local centres of Locks Heath, Botley or Hedge End. The current application proposes the same quantum of retail floor space although the mix of uses has changed (see Proposal section above). However, the revisions to the proposal should not change the overall character of the centre and are unlikely to materially affect the wider impact of the development compared to the development already permitted.

The objection of Fareham Borough Council essentially views Whiteley as a local centre, or a suburb of Fareham, which is considered to be an inappropriate conclusion. Whiteley is not a local centre but is a settlement in its own right, with a designated town centre and is a substantial and significant employment and business hub.

The City Council's emerging Core Strategy also promotes the growth of the residential aspect of Whiteley. The proposal does not envisage enlargement of the town centre limits, merely more efficient use of the existing designated town centre –which is currently underperforming and does not utilise land with the intensity that would be expected of a town centre. Sections of the town centre are under-used or unused and shop vacancy rates are high. The re-development of the town centre in the manner proposed is therefore considered to be in accordance with PPS4 and, when Whiteley as a whole entity is considered, will be beneficial to both residents and business park tenants and their employees.

The policies of the South East Plan must also be considered, although some policies are aimed predominantly at guiding the production of Local Development Frameworks rather than being development control policies.

The South East Plan promotes a ranking of major town centres in a hierarchy, though South Hampshire has not had any primary centres designated, creating a gap in the ranking between Southampton and Portsmouth (designated as centres expected to accommodate significant change) and Winchester, Eastleigh and Fareham which have been designated as secondary regional centres where less growth is expected (Policy TC2).

Policies TC1 and TC2 do not anticipate a strict hierarchical approach to the development of town centres and instead promote a flexible process tested through regular

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assessments (as has been undertaken for the emerging LDF and for the recently approved town centre proposal), noting that growth will not be restricted to the centres stated in the policy and that rebalancing may be required. Policy TC2 also notes that significant growth should also be directed to areas where there are particular regeneration needs or a specific growth area focus. Policy SH4 expects limited expansion of Fareham town centre, that the focus of this should be on the leisure and evening economy and that this should not occur until access to the north of Fareham strategic development area (SDA) is secured. If development of the SDA occurs in the manner expected by the South East Plan, then Fareham will continue to maintain its place in the hierarchy and NLP have advised that this will not be challenged by the proposed development of Whiteley.

Mixed use development is also promoted in Eastleigh town centre, with office development promoted. The policy provides for other town centres to expand facilities to cater for their expanding population or to meet current local needs, as appropriate, and the policies for SDA's do not expect them to have anything more than local centres.

In this context, Fareham is notable in that its town centre is considered by the various retail consultants to be over-trading and is therefore having an unbalancing effect on the local town centre network, and this may be contributing to the current underperformance of Whiteley. This unbalancing effect is likely to be exacerbated when a 6,215 sq.m Tesco superstore at Quay Street, Fareham (approximately twice the size of the existing Tesco store at Whiteley and granted planning permission by Fareham Borough Council) is constructed. In itself, the shopping mall at Fareham comprises approximately 46,450 sq.m of retail floorspace and Fareham town centre also has a substantial level of community, recreational, governmental, institutional and cultural facilities commensurate with its status as a secondary regional centre. The proposed development at Whiteley will have between 25% and 35% of the retail floorspace of Fareham town centre and cannot therefore be considered to be challenging the function and viability of Fareham town centre or the hierarchical status of Fareham as set out in policies TC1 and TC2.

Eastleigh can be considered to be of similar scale to Fareham and is too distant to be materially harmed by the proposal. It is also notable that comparison retail trade competition for Eastleigh town centre is more affected by retail parks within that Borough (particularly at Hedge End) which accommodate most of the national retail chains.

Whiteley's function is somewhat unique in that it contains one of the largest office parks in the region, which currently has approximately 56,090 square metres of modern office floor space in a high quality landscape setting and has the ability to grow to 76,305 square metres (these figures exclude approximately 14,000 square metres of other commercial floor space at Solent 2, which also has greenfield land allocated for development). Whiteley currently has a workforce of approximately 5000 people and a large urban extension (North Whiteley) comprising residential development (3000 dwellings) is proposed in the emerging LDF. To put this in context, if the amount of office floorspace in Whiteley was to be placed within the town centre, the proposed buildings would be an additional 3-4 storeys taller. Because of this, Whiteley it is not a conventional settlement and is of a different scale to local centres such as Locks Heath or Botley but too small to compete with secondary regional centres such as Fareham, Eastleigh or Winchester.

The Solent business parks have a large number of large floorplate/employee organisations (including Kvaener, Northrop Grumman, Exxon Mobil (Chemicals), Datacard and government organisations such as the National Air Traffic Services but only a limited

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amount of smaller floor space premises and little retail. The mix of uses and unit sizes proposed with this application (which includes a number of smaller units for small retail/service businesses) is conducive to the establishment of locally focussed businesses able to provide support services to both local residents and the business park.

Furthermore, the scale of activity at the business park is likely to result in a wide range of complementary businesses (such as banks, office product supplies, cafes etc.) establishing at a density that local and district centres would not be able to sustain. The range of premises sizes will also allow many employees who work at the business park to purchase goods and services that are currently under provided, and there have been a number of planning applications since the town centre opened for restaurants, cafes, takeaway food bars and a dentist surgery. Several of these have occurred within the business park itself, which seems to indicate that latent demand exists. Conditions 3-5 are intended to ensure that the type and mix of businesses likely to be attracted to Whiteley will create the vibrancy needed for the centre to have a more local focus and therefore the sustainability goals of the Council should be realised.

Whiteley is therefore currently defined as a town centre and has particular regeneration needs and potential to better serve the local residential and business community. In this context, and considering the fact that the increase in retail floor space, compared to that presently available, should not materially harm the function or viability of nearby town and local centres and is not significant enough to disrupt the retail hierarchy, the increase in retail floor space proposed is consistent with PPS4, Local Plan Policy SF1 and policies SH4, TC1 and TC2 of the South East Plan. The proposal is therefore acceptable in principle.

This conclusion is supported by the previous responses from the South East Partnership Board and the Secretary of State, in relation to the recently approved scheme, with the Secretary of State considering that the proposal did not raise issues of more than local importance and the South East Partnership Board concluding that the proposal conformed with the South East Plan.

Design/Layout/Impact on the Character of the Area – Town Centre

The residential areas adjacent to Whiteley town centre are predominantly large 2-storey houses, some with large roofs, that enable substantial floor space to be created in the roof. These modern housing developments, in addition to the town centre, have a modern pastiche design whilst Solent Business Park comprises much more substantial 3-5 storey commercial buildings using modern designs. Woodlands form a major aspect of the surrounding countryside, and within the urban area itself, providing a dense forested edge to Whiteley.

The proposed redevelopment of the town centre should provide a core of community facilities, shops, bars, restaurants and services that will improve the character of the settlement by providing it with a functional town centre and community focal point. The design, layout and scale of the proposed development is intended to reinforce the functional importance of the town centre providing a visual focus for the heart of Whiteley and an understandable and legible identity (i.e. the centre of settlements are identifiable by having larger buildings in a more condensed environment compared to their surroundings). The layout submitted is therefore considered appropriate in the context of Whiteley's size and location and the scale of the surrounding urban area.

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Additionally, servicing areas have been located in a manner that will not dominate the entrances into the centre and the height of the buildings has been designed so as to ensure that the smaller buildings (such as Blocks G and H) are closest to existing residential development and of a similar scale.

The design of the proposed town centre is also notable for providing an easy to understand layout and design and for promoting pedestrian comfort by reducing the channelling of cold winds along the pedestrianised shopping streets. The development would also create a connected street network with links to important places (such as the leisure centre). The entrance at Whiteley Way will also assist in integrating Whiteley Way as part of the settlement, rather than giving the impression of being a bypass. This new entrance will also assist in channelling traffic away from Bluebell and Angelica Way, to the benefit on neighbouring residents.

The east-west pedestrian route through the proposed development will terminate at the Meadowside Leisure Centre which is to be provided with a more substantial facade and entrance foyer. The extension of this building will provide an opportunity for an HCC Libraries community learning centre and other facilities. As part of the proposed development the applicant will provide for the creation of the enlarged entrance foyer and other community facilities through the Section 106 Agreement and ensure that this public building maintains a high architectural profile in accordance with Policy SF6 (Refer section on Community Facilities).

Planting has been considered, including hedgerows and green walls (i.e. Vine type plants on climbers) to screen loading bays. Trees have been arranged within the car parking area to define spaces and the plaza in front of the leisure centre will create a definitive transition space between the town centre and surrounding residential neighbourhood. These landscaping arrangements, as well as promoting visual harmony and well defined travel routes, will also act as effective wildlife corridors (Conditions 6-8).

An important design consideration for this application has been security and the design concept and layout directly addresses concerns raised by the police, resulting in a clear segregation of parking areas from the pedestrianised shopping streets. Furthermore, the main parking area is to be located away from residential areas, minimising traffic noise impacts and enabling the town centre to more effectively connect into the neighbouring residential areas with future development, which will assist in creating an integrated urban fabric, with the built form of the town centre being able to physically and visually merge into the built form of the neighbouring residential areas around Angelica and Bluebell Ways'.

A modern design approach is considered to be the most appropriate, as this provides an honest reflection of the era in which the development is to be constructed. The application documents show the use of good quality materials throughout the scheme, with building facades consisting of profiled metal fascias, clear frameless glass walling for shopfronts, timber piers with granite plinth bases at regular intervals. Climbing plants are also proposed to be utilised to provide 'green walls' within the scheme and solar panels are proposed on the roofs of the buildings. The use of good quality materials and products are also proposed for paving and kerbing with different textures and designs proposed to be used to differentiate spaces and emphasise travel routes and squares, and tree grilles are to be used to allow tree planting in hard surface areas (which

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includes the plaza at the front on the Meadowside Centre). Stainless steel and hardwood street furniture such as seating, bollards, litter bins and cycle hoops are proposed to provide a harmonious design theme consistent with the design theme adopted for the buildings and it is important that other street furniture such as street lamps and signs within the site are consistent with this theme. Conditions 6 and 11 are intended to secure these details and street furniture in accordance with a comprehensive master plan and to try to ensure that there is no future haphazard development that might result in a deterioration of the quality of the public realm.

It is therefore considered that the proposed development will not have a materially harmful impact on the character of the area.

Community Facilities

The existing development is bound by a Section 106 agreement which includes a requirement to provide HCC with the opportunity to create a library space within the centre was provided to allow this to occur. However, to date, Hampshire County Council has not taken up this opportunity. Policy SF7 notes the importance of retaining and promoting community facilities and seeks to resist their loss (even if the space is currently unused), Policy SF2 provides for the relocation of facilities and Policy SF6 notes the importance of high standards of design for public buildings.

The proposal effectively seeks to relocate the library space to the Meadowside Centre by constructing an extension to create a community hub. Whilst the amount of floor space proposed for the relocated library/learning centre will be less than that originally provided for the applicant will also provide for space for parish council offices and the creation of a new main entrance and larger main foyer with reception desk at Meadowside Leisure Centre, from where access to the library/learning centre and other public services will be possible. The rebuilding of the main entrance will fulfil the policy requirements of Policy SF6 by creating a more substantial facade and entrance foyer which emphasises the public importance of the building and, like the rest of the development, will result in an improved public realm, including the creation of a formal square in front of the entrance, where it is possible for future outdoor markets to be held. This is considered to be appropriate compensation for the reduction in floor space proposed for any future library in terms of the existing arrangement and it is proposed to secure the works proposed through the Section 106 agreement.

Impact of A3/A4/A5 Uses (Cafes, restaurants, bars and takeaway food outlets).

The establishment of A3/A4/A5 and D1/D2 uses have the potential to create concerns, particularly relating to smells associated with commercial kitchens. This is mitigated to some extent by the fact that no apartment living is proposed above the commercial outlets. However, as one of the intentions of the redevelopment of the town centre is its integration with the adjacent residential area and because wind has the potential to carry offensive smells over long distances and parts of the development will be located close residential areas it would be appropriate to impose conditions (Condition 6) to ensure that appropriate extraction equipment is fitted to any unit used for A3/A4/A5 uses. In addition to this permitted development rights are proposed to be removed (Condition 11).

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Concerns relating to anti-social behaviour from people walking home from these types of uses must be balanced against the fact that they have an important role in sustaining the vitality of the town centre and promoting social contact between local residents. There are already a number of A3 and A4 uses that have been granted planning permission within the existing development, but because these units are isolated from residential areas there is no restriction on operating hours. This application seeks much more flexibility in terms of the location of activities and it is therefore considered acceptable to impose an hours of operation condition on A3/A4/A5 and D1/D2 uses for any planning permission to be granted (condition 23).

Impact on Wildlife, Bio-diversity and Sites of Special Scientific Interest

Prior to submitting the planning application the applicants requested a screening opinion in terms of the Environmental Impact Assessment (EIA) regulations. An EIA application was not considered to be necessary in this instance, as the proposal comprises the staged redevelopment of an existing town centre on a similar footprint to existing buildings. There will still be potential adverse effects however and PPS9 adopts a precautionary approach in this respect. Apart from the use of the town centre itself this can include contaminants entering waterways, dust and noise from construction activity and stormwater and sewage overflow from inadequate sewage and stormwater provision. The applicant has agreed to enter into Section 106 obligation in order to ensure that these effects are mitigated (such as dormouse habitat enhancement measures and ecological improvements) and a construction management plan will also act to alleviate the impacts of construction on the surrounding environment (refer below).

Construction Waste, Noise and Dust etc.

The proposed redevelopment has the potential to cause significant traffic, noise and dust disturbance during its construction phase, which may occur over an extended period of time due to the scale of development. The impact will be mitigated to some extent by the ability to base construction activity behind the Tesco store, which is able to act as a screen to nearby residences, and by being able to utilise the proposed new access off Whiteley Way. There is also potential for the creation of a large amount of waste due to the existing centre being entirely replaced, creating additional traffic. In order to mitigate against such potentially harmful impacts on neighbouring residential areas and the SSSI a condition has been recommended (Condition 13) to ensure that, among other things, dust suppression measures are used, that parking and storage activity on-site during construction is in an acceptable location and that construction machinery is only operated during acceptable hours.

Drainage

Whiteley is served by a group of balancing ponds (a sustainable urban drainage system) surrounding the Whiteley Way/Marjoram Way roundabout and these ponds eventually drain into the River Hamble. The applicant proposes to retain these ponds and existing infrastructure and also install a biomat filter under the new parking areas, which should prevent flooding, improve water quality and allow settlement of pollutants. Conditions 15-21 seek to ensure the continued use of such systems in order to prevent flooding and reduce the level of pollutants entering the natural water environment.

Transport/Highways/Parking

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A significant aspect of the proposal is the need to promote sustainable methods of movement and to reduce car dependency as the Highways Agency has expressed concern previously about existing congestion during peak hours on the M27.

A green travel plan has been agreed as part of the Section 106 agreement for the approved scheme and this is transferable to the proposed scheme. A primary concern of the application is to create a more locally focussed town centre that meets the needs of local residents and workers, many of whom currently have to travel elsewhere to meet their day to day shopping and business requirements. It is considered that a local focus and promotion of walking, cycling and public transport use should reduce car dependency and improve the sustainability of Whiteley.

The Section 106 provisions and highways agreements for this application will require adherence to the green travel plan and, in addition to this, conditions 6, 7 and 8 seek to encourage walking, jogging and cycling to work by ensuring adequate provision of washing and changing facilities for people who wish to travel to the site in this manner and the provision of a high quality public realm that seeks to improve safety and encourage positive perceptions of the outdoor environment. In addition to this the applicant is required to make a financial contribution of £36,800 for improvements to the local highway network, pedestrian and cycle links, public transport and safer routes to schools schemes and other sustainable transport solutions that should reduce car dependency in the locality.

The proposed development also includes the provision of double length bus lay-bys along Whiteley Way, a pedestrian crossing point along Whiteley Way, the potential for the provision of a section of a cycle path along Bluebell Way and covered cycle parking for staff and visitors.

It is therefore considered that subject to the travel plan requirements, financial contributions, Section 106 agreement and conditions for construction of the roundabout, bus lay-bys, pedestrian crossings, cycleway, formation of parking spaces, cycle storage and wash/changing facilities the proposed development will provide the necessary infrastructure to minimise car traffic and promote a pedestrian and cycle friendly environment. The reduction in the need for travel to the site by private car also reduces the need for car parking provision and the reduction of parking spaces proposed is not therefore considered to a problem. The reduction in spaces has also allowed a better designed and more pedestrian friendly scheme to be developed than that which currently exists and promotes a more effective sense of place.

Sustainable Development

National Planning guidance and policies in the South East and local plans require development to proceed on a sustainable basis. The applicant has prepared a sustainability report that justifies why the existing development should be demolished rather than adapted. Essentially, the applicant has conducted market research that indicates that unit design and layout needs to be flexible enough to attract high street retailers and that adapting the present buildings would not be able to accomplish this in an acceptable manner.

Complete redevelopment also offers the opportunity to ensure that new buildings are constructed to a much more energy efficient design. Conditions 10 and 11 are intended to ensure that the development will incorporate energy savings at a level higher than

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existing building standards and facilities that promote sustainable travel patterns. The green travel plan will be secured through the Section 106 Agreement.

Policy NRM11 of the SEP expects new development to be sustainable, and in particular, to be designed for energy efficiency and renewable energy. It advocates that developments should secure at least 10% of their energy from decentralised and renewable or low carbon sources unless this would not be feasible or viable.

In this instance the applicant is committed to delivering a sustainable development which would achieve a BREEAM rating of 'Excellent'. BREEAM is a method of assessing buildings which address wide ranging environmental and sustainability issues and enables applicants to prove the environmental credentials of their development. The rating system for buildings consists of a number of bands – pass, good, very good, excellent and outstanding. While conditioning an excellent rating does not, in itself, specifically meet the low carbon/ renewable energy test of Policy NRM11 in terms of providing 10% of the schemes energy requirements from these sources it would nevertheless result in a highly sustainable form of development which will be entirely consistent with the objectives of the SEP. Consequently it is considered that it would be appropriate to grant permission with a requirement that the development is built to this BREEAM rating (Condition 9).

The proposal also anticipates recycling paving stones on-site for re-use, and the concrete, steel, timber and glass used in the construction of the buildings is also able to be recycled, reducing the level of waste material from the proposed development and ensuring that waste is able to be recycled. The Construction Management Plan (Condition 13) will require the inclusion of details for waste minimisation during construction.

Conclusion

The proposed development, with the safeguards recommended in place, should provide Whiteley with a much needed town centre deserving of its place at the heart of the community and which will provide a comfortable and pleasing pedestrian environment and an important support function for the existing business parks. It will also assist in achieving long term sustainability objectives for Whiteley as the settlement continues to grow by creating an effective hub with good public transport, pedestrian and cycle route connections.

Planning Obligations/Agreements

In seeking the planning obligations and financial contributions or requiring for the provision of community facility improvements, sustainable transport and infrastructure improvements and ecological mitigation and improvement measures, the Local Planning Authority has had regard to government planning guidance (and particularly PPS1, PPS9 and PPG13) and 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

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That planning permission be granted subject to the following condition(s) and provision of a deed of variation to the Section 106 Agreement for planning permission 09/00658/OUT to include this planning permission in order to secure the following planning obligations under Section 106 of the Town and Country Planning Act and any other relevant provisions as set out below:

- (i) Implementation of a green travel plan;
- (ii) Contributions of £36,800 in accordance with Hampshire County Council's transport contributions policy;
- (iii) Provision of a community hub at the Meadowside Leisure centre;
- (iv) Highways work, including the provision of the roundabout, double length bus lay-bys, bus shelter, pedestrian crossings, puffin crossing equipment and structures and formation of the cycleway/footway along Whiteley Way;
- (v) Environmental mitigation measures associated with the construction of the development.

Conditions

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

1 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, samples and sample panels of the materials as appropriate to be used for the construction of the external surfaces of that phase 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. For the avoidance of doubt, the general details described on the elevation drawings submitted with the application are acceptable and product specifications and samples only are required to be submitted.

2 Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area and to ensure that the proposed development achieves crime prevention requirements.

3 The development hereby permitted shall be carried out in accordance with the approved plans as listed below, with the exception of the internal subdivision of blocks which shall be the subject of conditions 4-6 listed below.

Approved plans:

Corstorphine + Wright					
Drp. No	Scale	Size	TITLE	Rev	Submitted
10451-0301	1:1000	A1	Location (Red Line) Plan	-	22.09.10
10451-0302	1:1000	A1	Existing Site Plan	-	22.09.10
10451-0303	1:500	A0	Proposed Site Plan	-	22.09.10
10451-0330	1:100	A1	Block A South Elevation	-	22.09.10

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10451-0331	1:100	A1	Block A North Elevation	-	22.09.10
10451-0332	1:100	A1	Block A East & West Elevations	-	22.09.10
10451-0333	1:100	A1	Block B South Elevation	-	22.09.10
10451-0334	1:100	A1	Block B North Elevation	-	22.09.10
10451-0335	1:100	A1	Block B East & West Elevations	-	22.09.10
10451-0336	1:100	A1	Block C East Elevation	-	22.09.10
10451-0337	1:100	A1	Block C West Elevation	-	22.09.10
10451-0338	1:100	A1	Block C North & South Elevations	-	22.09.10
10451-0339	1:100	A1	Block D North Elevation	-	22.09.10
10451-0340	1:100	A1	Block D South Elevation	-	22.09.10
10451-0341	1:100	A1	Block D East & West Elevations	-	22.09.10
10451-0342	1:100	A1	Block E North Elevation	-	22.09.10
10451-0343	1:100	A1	Block E South Elevation	-	22.09.10
10451-0344	1:100	A1	Block E East & West Elevations	-	22.09.10
10451-0345	1:100	A1	Block G Elevations	-	22.09.10
10451-0346	1:100	A1	Block H Elevations	-	22.09.10
10451-0350	1:50	A1	Proposed Sections and Massing	-	22.09.10
10451-0351	1:20	A1	Typical Bay Details	-	05.10.10
10451-2303	1:200	A1	Blocks A & G GA Plan	C	05.10.10
10451-2304	1:200	A1	Blocks B & H GA Plan	C	05.10.10
10451-2305	1:200	A1	Block C GA Plan	A	05.10.10
10451-2306	1:200	A1	Block D GA Plan	C	05.10.10
10451-2307	1:200	A1	Block E GA Plan	C	05.10.10
10451-2701.A	1:500	A3	Hub – Existing Site Plan	A	22.09.10
10451-2703.A	1:100	A1	Hub – Existing Elevations	A	22.09.10
10451-2704.A	1:500	A3	Hub – Proposed Site Plan	A	22.09.10
10451-2705.B	1:100	A1	Hub – Proposed Floor Plans	A	22.09.10
10451-2706.A	1:100	A1	Hub – Proposed Elevations	A	22.09.10
10451-3303	1:50	A1	Gate 3 Details	-	18.11.10
10451-3304	1:50	A1	Gate 4 Details	-	18.11.10
MacGregor Smith					
901-101-A	1:1000	A1	Landscape Masterplan	A	22.09.10
DOCUMENTS					
Design & Access Statement / Design Approach					22.09.10
Design Appendices A – Counter Terrorism					22.09.10

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Design Appendices A – BRE Wind Analysis		22.09.10
Design Appendices A – BREEAM Pre-Assessment		22.09.10
Design Appendices A – Consented Scheme Site Analysis		22.09.10
Design Appendices E – Application drawings A3		22.09.10

3 Reason: For the avoidance of doubt as to the scope of this planning permission.

4 At any time during the operation of the town centre development hereby approved there shall be a minimum of 40 separate units and (unless otherwise agreed in writing with the local planning authority) subject to this requirement the following additional restrictions shall apply:

(i) there shall be no more than:

- A) 1 unit of between 4,001sq.m and 6,000 square metres gross floor area
- B) 1 unit of between 2,501sq.m and 4,000 square metres gross floor area
- C) 2 units of between 2,001 sq.m and 2,500 square metres gross floor area
- D) 2 units between 1,401 sq.m and 2,000 square metres gross floor area
- E) 3 units between 1,001 sq.m and 1,400 square metres gross floor area

Where the maximum number of units within each category (A, B, C, D, E as defined above) is not reached it shall be permitted to increase the total number of units in the next immediate category below only by one such unit and provided that all other requirements in this condition are met:

(ii) there shall be no units exceeding 6,000sq.m gross floor area.

(iii) there shall be no fewer than 10 units of 200 sq.m gross floor area:

(iv) no more than 4 units of the same size categories of (i) and (iii) listed above shall be positioned contiguously within the development:

(v) no more than 2 units exceeding 1,000 square metres gross floor area shall be located in any one block of the development (A-E shown on site layout drawing 10451 0303).

4 Reason: To promote sustainable development through a locally focussed town centre that maintains a diverse size and mix of A and D class uses.

5 The total floor space of the entire development (including ancillary offices, storage, loading and amenity areas and mezzanine floors for individual units) shall not at any time exceed 29,000 square metres gross floor area and shall not at any time exceed the following maximums (measured as gross floor area) for each use class:

A1 Retail	22,489 square metres.
A2/A3/A4/A5	5,000 square metres.
D1/D2	600 square metres.

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At no stage shall any part of the development be used for any other use class as defined by the Town and Country Planning (Use Classes) Order 1987 (or any Order revoking and re-enacting such order with or without modification, including the 2005 amendment of the A class uses) without grant of planning permission.

5 Reason: To promote sustainable development through a locally focussed town centre with a suitable level of floor space available for non-retail town centre uses and to ensure that the town centre does not have a materially harmful impact on neighbouring local and secondary regional centres.

6 Prior to the first occupation of any unit, or any subsequent amalgamation of units, within any of the blocks hereby approved a masterplan showing the internal layout of each block that demonstrates compliance with conditions 4 and 5 shall be submitted to and approved in writing by the Local Planning Authority. The Local Planning Authority will not withhold approval from a scheme that demonstrates that conditions 4 and 5 have been complied with.

6 Reason: To ensure the quantum, mix and distribution of uses and units accords with the requirements of conditions 4 and 5, to provide a mechanism for ensuring compliance with Conditions 4 and 5 without requiring planning applications for changes of use or enlargement or subdivision of units within the development in acceptable circumstances and to promote sustainable development through a locally focussed town centre with a suitable level of floorspace available for all types of typical town centre uses.

7 Prior to work commencing on the site a public realm and landscape masterplan and management plan (showing the positions and locations of the details listed below) and details and samples (as appropriate) of these items shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be carried out, installed and made functionally available for use in the positions shown on the masterplan and maintained and operated in the manner described in the approved details prior to the occupation of any unit unless otherwise agreed in writing by the local planning authority.

The details shall include:

Details of pavement and hard surfaces.

Details of Public seats and benches and their design specification.

Details of Litter bins and their design specification.

Details of cycle stands, racks, storage pods/lockers and shelters and their design specification.

Details of streetlamps and all other forms of external lighting, their design specification and measures to prevent light pollution from these sources (including beam orientation, luminaire type, mounting height, aiming angles and luminaire profiles).

Details of bollards (including rising bollards) and their design specification.

Details of planter boxes and their design specification.

Details of CCTV cameras.

Details (including alignment, height and materials) of fencing, railings, retaining structures and other barriers and means of enclosure etc. and their design specification.

Details of notice boards, including the sustainable travel notice boards and shopping information signs.

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Details of signs including finger post (pedestrian) direction signs, Public Right of Way signage, parking and traffic signs, directional signage, give way signs, speed limit signs, etc.).

Street Name Plates.

Puffin crossing poles, traffic lights and equipment.

Details of electric vehicle recharge points.

Details of Bus canopies to serve the bus stands, including the design, materials and finish.

Details of the provision to be made for the storage and disposal of all waste material from all of the units and the market, including the siting, design and materials for any bin storage areas or collection points.

Details of the siting, design, finish and means of enclosure for any fuel oil or gas storage tanks. Any oil tanks shall incorporate adequate spillage containment facilities.

Details of the siting, external appearance and materials to be used for any statutory undertakers or service provider's equipment such as electricity sub-stations, gas governors.

Details of Telecommunications equipment, including masts, mountings, aerials, antenna, dishes and equipment housings.

Details of any other structures and external fixings proposed including air conditioning and fume extraction equipment.

Details and location of below ground infrastructure, including pipes, tanks, drainage crates etc.

Details of bird nesting boxes.

Landscape and planting details shall include the following as relevant:

- planting plans:

- written specifications (including cultivation and other operations associated with plant and grass establishment:

- schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate:

- retained areas of grassland cover, scrub, hedgerow, trees and woodland;

- manner and treatment of watercourses, ditches and banks:

- implementation programme:

Note: Bollards and fixed security planters shall be placed at the entrance points to the pedestrian areas of the site and outside the hotel to the (BSi) PAS 68 2007 standard and the guidance provided by (BSi) PAS 69 2006, requiring a maximum gap of 1.2 metres between planters/bollards.

7 Reason: To ensure that a high standard of public realm is achieved in accordance with the submitted details and to ensure that the development provides appropriate security measures in the interests of crime prevention.

8 If within a period of twenty 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

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shall be planted at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

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

9 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, including the existing trees on the site which are to be retained, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the details hereby approved. For the avoidance of doubt, the requirement to maintain and replace any trees or plants shall not be construed to require the applicant to maintain and replace any trees or plants (adjacent to any carriageway or footpath/cycleway) which the local highway authority shall from time to time (i) maintain as part of a highway maintainable at public expense and/or (ii) require in writing to be removed or not replaced for highway safety purposes.

9 Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of the site and to promote wildlife and bio-diversity interests.

10 No works on any building of the development hereby permitted shall commence until a BREEAM 2008 pre-assessment for that element of the scheme has been submitted to and approved in writing by the Local Planning Authority. This submission shall demonstrate how that part of the development will achieve a minimum rating of 'Excellent' under the BREEAM 2008 method of assessment. Thereafter that part of the development shall not be carried out other than in accordance with the approved assessment, or any subsequent revision approved in writing by the Local Planning Authority, which shall achieve a minimum rating of BREEAM 2008'Excellent'. No building of the approved development shall be occupied until such time as it has achieved minimum rating of BREEAM 2008'Excellent'.

10 Reason: In order to ensure a sustainable form of development consistent with the objectives of PPS1- delivering sustainable development and Climate Change and Natural resource management policies of the South East Plan.

11 Prior to the occupation of any of the units two electric vehicle recharge points shall be installed in the positions shown on the approved plans in accordance with details and specifications to be submitted to and approved in writing by the Local Planning Authority.

11 Reason: To promote sustainable development.

12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking and re-enacting that Order with or without modification) no further plant, machinery, equipment, external aerials, antenna, extraction or ventilation equipment or any other structure (including structures for the support of signs) of any kind shall be erected on the site or attached to the buildings hereby permitted without the prior written consent of the Local Planning Authority.

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12 Reason: In the interests of visual amenity and to ensure that development that would otherwise be permitted is considered prior to commencement of work on the site in accordance with Condition 7 so as to ensure a high standard of public realm.

13 Prior to the occupation of any of the units of the development hereby approved (or as otherwise agreed in accordance with an approved phasing plan) the roads, parking spaces, service areas, cycleways, footways and new roundabout and entrance onto Whiteley Way shall be constructed, surfaced and marked out in accordance with plans, specifications and details to first be submitted to and approved in writing by the Local Planning Authority.

13 Reason: To ensure that the roads and footways are constructed to a satisfactory standard.

14 Prior to the demolition of any building within the applications site a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include the following details;

Phases of development.

Measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway.

Provisions to be made for the parking and turning on site of operative and construction vehicles during the period of development.

Dust suppression, mitigation and avoidance measures.

Measures for minimising construction waste and provision for the re-use and recycling of materials which shall be used in the construction of the development.

Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.

A traffic management plan for construction vehicles entering and leaving the site, including times of movement so as to avoid peak period traffic.

Floodlighting and security lighting. (note: this must be directed in such a way as not to cause nuisance to adjoining properties, SSSI or adjacent highway).

Code of Construction Practice for all works and operations on the site.

Measure to be taken to prevent contaminants from entering watercourses or the water environment.

Use of fences and barriers to protect adjacent habitat environments, including the balancing ponds adjacent to the Whiteley Way/Marjoram Way roundabout.

Timing restrictions for staged removal of vegetation so as not to conflict with breeding seasons.

The Construction management plan shall be adhered to throughout the duration of the construction period. For the avoidance of doubt, this condition covers all construction and demolition work (including the breaking up and removal of pavement) on the application site.

14 Reason: To ensure that all demolition and construction work in relation to the application is undertaken in a sustainable manner and does not cause materially harmful effects on nearby properties and businesses.

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15 All work relating to the development hereby approved, including works of demolition, construction or preparation prior to operations, shall only take place between the hours of 0800 and 1800 Monday to Friday and 0800 and 1300 Saturdays and at no time on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

15 Reason: To protect the amenities of adjoining properties during the construction period.

16 Any above ground oil/chemical storage tank/container and associated pipework shall be bunded in a manner so as to retain at least 110% volume of the tank capacity. All filling points, vents, gauges and sight glasses must be located within the bund which shall be sealed so as to retain any spillages.

16 Reason: To prevent pollution of the water environment.

17 None of the units of the development hereby approved shall be occupied until the system for the disposal of sewage and surface water in accordance with the drainage strategy by Evolve Consulting Engineers Ltd and details (including layout plans, sections, manhole locations, calculations and identification of management responsibilities post implementation) to be first submitted to and approved in writing by the Local Planning Authority.

17 Reason: To ensure satisfactory provision of foul and surface water drainage and to prevent flooding.

18 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through a oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

18 Reason: To prevent pollution of the water environment.

19 Inspection manholes shall be provided and clearly identified on foul and surface water drainage systems in accordance with the details approved in Condition 15.

19 Reason: To prevent pollution of the water environment.

20 No sewage or trade effluent (including vehicle wash or vehicle steam cleaning effluent) shall be discharged to any surface water drainage system.

20 Reason: To prevent pollution of the water environment.

21 Prior to the occupation of the development hereby permitted, written verification produced by the suitably qualified person approved under the provision of E110c) 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 conditions E110c) has been implemented fully, unless varied with the written agreement of the Local Planning Authority in advance.

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

22 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.

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

23 Details of the floor slab levels of all proposed buildings, 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.

23 Reason: To protect the amenities of the locality and neighbouring residents.

24 No unit occupied by an A3, A4, A5, D2 use in accordance with the Town and Country Planning (Use Classes) Order as amended (or any Order revoking and re-enacting that Order with or without modification, including the 2005 amendment of the A class), shall be open to customers outside 0700 to 24.00 hours in the case of units in Blocks D and E and 0700 to 23.00 hours in the case of units in all other blocks unless otherwise agreed in writing by the Local Planning Authority.

24 Reason: To protect the amenities of the occupiers of nearby residential areas.

25 Unless otherwise specified in the Travel Plan agreed as part of the Section 106 agreement for the development hereby approved, no commercial deliveries shall be taken at or dispatched from units in Blocks A, B, C, G, H as shown on the approved plans except between the hours of 0700 and 2100 Monday to Saturday and 1000 to 1600 on Sundays, unless otherwise agreed in writing by the Local Planning Authority.

25 Reason: To protect the amenities of the occupiers of nearby properties.

Informatives:

INFORMATIVES

In reaching its decision the Local Planning Authority has taken account of the following development plan policies:-

The South East Plan:

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SP3 (Urban focus and urban renaissance).
CC4 (Sustainable design and construction).
CC6 (Sustainable communities and character of the environment).
CC7 (Infrastructure and implementation).
H1-H5 (Housing policies).
T2 (Mobility management).
T4 (Parking).
NRM4 (Sustainable flood risk management).
NRM7 (Woodlands), NRM11 (Development design for energy efficiency and renewable energy), NRM12 (combined heat and power).
BE1- BE4 (urban renaissance and suburban intensification).
TC1 (Strategic network of town centres).
TC2 (New development and redevelopment in town centres).
SH1 (South Hampshire core policy), SH3 (Scale, location and type of employment development).
SH4 (Strategy for main town centres).
SH5 (Scale and location of housing development),
SH6 (Affordable housing).
SH8 (Environmental sustainability).

Note: The proposal was considered to be compliant with PPS4 and the South East Plan with the exception of Policy NRM11 where acceptable alternatives to the requirements of this policy were incorporated as part of the development. The revocation of the South East Plan would not materially alter Local Planning Authority's assessment of the application's merits and therefore its decision to grant planning permission with conditions. The proposal remains consistent with PPS4 and the Development Plan and there are no material considerations that would require the application to be referred back to the Secretary of State.

Local Plan and Core Strategy considerations:

In reaching its decision the Local Planning Authority has taken account of the following development plan policies:-

Winchester District Local Plan 2006 (Review):

Design and Development Principles:-

DP1 specifies need for design statements and other explanatory information to support planning applications.

DP3 sets general design criteria to be met by all new development in order to maintain or enhance the District's townscape and landscape.

DP4 Defines landscape and built environment criteria to be met by new development in order to maintain or enhance the District's townscape and landscape.

DP5 Sets design objectives for on site amenity open space to ensure an attractive environment.

DP6 Provides objectives to be met in the interests of sustainable development and the efficient use of resources.

DP13 Requires that development proposals likely to be within areas of contaminated land meet appropriate investigation and mitigation requirements.

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DP14 Provides criteria to be met in regard to the provision of Public Utilities and Telecommunications provisions.

Employment:-

E1 Office development.

Town Centres, Shopping and Facilities:-

SF1 Commercial and facilities development in defined town and village centres – provides for retail, leisure and other developments.

SF2 Relocation of existing uses and facilities.

SF3 Use Class A3, A4, A5 proposals within town centres.

SF6 Development of improved facilities.

SF7 Loss of facilities and services.

Transport:-

T1 Transport development should be capable of being served by various transport modes and if significant transport implications be supported by a Travel plan.

T2 Transport criteria for provision new access required to serve development.

T3 Transport site layout considerations.

In considering the relevance of these policies and how the proposed development satisfies them the Council has identified the main issues to be whether the scheme is acceptable in terms of principle, design, layout, scale, form, height, traffic generation and sustainability, particularly with reference to the level of retail floorspace proposed for the site, the need for a comprehensive design concept and the need to promote cycling and the use of public transport. These issues are in the Council's consideration satisfactorily addressed by the proposed development (subject to conditions) because it would:-

- (a) Make more efficient use of town centre designated land.
- (b) Provide a locally focussed town centre that would not materially harm the vitality and viability of nearby local and sub-regional centres;
- (c) comprise a design, layout scale, form and height of development that will create a locally distinctive character that is appropriate and complementary to the character and context of Whiteley;
- (d) significantly improve the public realm of Whiteley town centre by providing a new bus layby, enhanced public areas and permeability, better public security and a pedestrian friendly shopping environment;
- (e) not involve significant harm to the neighbouring woodland and Sites of Special Scientific Interest.
- (f) provide for adequate access to local services and public transport, meet appropriate highway, access and parking requirements;
- (g) enable a sustainable form of building design and delivery to be provided:

The decision to grant planning permission has been taken because the development is generally in accordance with the provisions of the development plan and the Winchester Core Strategy. The objectives of the development plan seek to improve the vitality and viability of town centres and the redevelopment of the town centre and enhancements of the public realm and Botley Wood & Everett's & Mushes Copses SSSI provided by the development are material considerations and the development would as a result of this have no materially harmful impact on the Botley Wood & Everett's & Mushes Copses SSSI's or the residential amenities of the occupants of neighbouring properties. The Core

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Strategy is at the preferred options stage and an advisory visit by the Planning Inspectorate did not raise concern about Whiteley and its proposed expansion. During the development of the Core Strategy a consultation process was held in Whiteley where local aspirations included better public transport, a better range of shops, a 'proper' town centre and for the main road link (Whiteley Way) to be completed and the proposed development will assist in achieving these aspirations.

Having taken into account all the requirements of Section 38 (6) of the Planning and Compulsory Purchase Act 2004, and all other material considerations, the Council has determined that planning permission should therefore be granted.

Additional Informatives:

1. During development no machinery shall be operated, no process or works shall be carried out and no deliveries taken at or dispatched, including works of demolition or preparation prior to operations at the site except between the hours of 0800 and 1800 Monday to Friday and 0800 and 1300 on Saturdays and at no time on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.
2. All building works including demolition, construction and machinery or plant operation should only be carried out as prescribed above. Where allegations of noise from such works are substantiated by the Environmental Health and Housing Department, a notice limiting the hours of operation under the Control of Pollution Act 1974 may be served.
3. No materials should be burnt on site, where allegations of statutory nuisance are substantiated by the Environmental Health and Housing Department, an Abatement Notice may be served under the Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under the Clean Air Act. 1993.
4. A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development please contact Atkins Ltd., Anglo Street, James House, 39A Southgate Street, Winchester, SO23 9EH (tel: 01962 858688), or www.southernwater.co.uk.
5. The proposed development must comply with the Control of Pollution (Oil Storage)(England) Regulations 2001. The Regulations apply where more than 200 litres of oil are stored (excluding waste oil) in one or more containers.