

**PLANNING DEVELOPMENT CONTROL COMMITTEE**

**3 April 2012**

Attendance

Councillors:

Jeffs (Chairman) (P)

Berry (P)

Clear(P)

Evans (P)

Izard (P)

Johnston (P)

Laming

Mclean (P)

Pearce (P)

Read (P)

Ruffell (P)

Tait (P)

Deputy Members

Councillor Mitchell (Standing Deputy for Councillor Laming)

Prior to the meeting of this Committee the Head of Legal Services of Winchester City Council explained the format of the meeting. It was noted that the Committee and Winchester City Council's Planning Development Control Committee would each separately open its own formal meeting to consider procedural items and then adjourn for informal discussions. Following these informal discussions, each Committee would formally reconvene to determine the applications submitted in respect of its own administrative area.

1. **PLANNING APPLICATION APPLICATION: 11/03014/REM  
PHASE 3 AND 4, LAND AT OLD PARK FARM, HAMBLEDON ROAD,  
WATERLOOVILLE**

Proposal: Proposal: Reserved matters application under Outline planning 05/00500/OUT (WCC) and 05/40000/000 (HBC) condition 7 with relevant part discharge of outline planning conditions 6, 8, 21, 22 and 24; third and fourth phases of residential development – 219 no. dwellings; 178 no. houses and 41 no. apartments and 17 no. live/work units.

Councillor Read declared a personal (but not prejudicial interest) in this application as he was member of Denmead Parish Council. He spoke and voted thereon.

**(The meeting adjourned at 2.05pm for informal discussions to take place**

**The meeting resumed at 4.51 pm)**

The Committee considered:

- (A) the written report and recommendations of the Corporate Director (Operations) at Winchester City Council and the Executive Head of Planning Built Environment at Havant Borough Council;
- (B) the following issues and matters raised whilst the meeting was adjourned:
  - (1) the officers' presentation;
  - (2) additional information, including plans and elevations, circulated in an addendum prior to the meeting;
  - (3) Deputations from Councillor Lander-Brinkley (Denmead Parish Council)
  - (4) questions raised by members of this Committee and members of Havant Borough Council's Development Management Committee in relation to this application and application APP/12/00008 (HBC) submitted to Havant Borough Council as set out in the appendix to these minutes;
  - (5) the matters raised during a debate with members of Havant Borough Council's Management Committee over this and application APP/12/00008 (HBC) as set out in the appendix to these minutes;
  - (6) The following additional informative raised during the debate and by officers:
    - (a) Requiring building works to be undertaken during specific hours of the day

RESOLVED that:

- (i) Application 11/03014/REM be granted permission subject to:
  - (A) the following conditions
    - (1) The garage, car ports and parking areas 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 in the interests of local amenity and highway safety.

- (2) 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 development permitted by Classes A, B, C or E of Part 1 of the Order and Class A of Part 2 of the Order and Class A of Part 40 of the Order shall be carried out without the prior written consent of the Local Planning Authority.

**Reason:** To protect the amenities of the locality and to maintain a good quality environment.

- (3) The car park areas shall be constructed, surfaced and marked out in accordance with the approved plan before the associated development hereby permitted is brought into operation. Those areas shall not thereafter be used for any purpose other than the parking and turning of vehicles.

**Reason:** To ensure that adequate on – site parking and turning facilities are made available.

- (4) The garage hereby permitted shall be retained and kept available for the parking of cars at all times and shall not be converted to living accommodation without the prior written approval of the Local Planning Authority.

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

- (5) The cycle parking hereby permitted shall be retained and kept available for the parking of cycles at all times.

**Reason:** To ensure the provision and retention of cycle parking in the interests of the local amenity and highways safety.

- (6) The roads and footways shall be laid out and made up in accordance with the specification, programme and details to be approved by the Local Planning Authority. No dwelling erected on the land shall be occupied until there is a direct connection from it completed to the approved specification (less the final carriageway and footway surfacing) to an existing highway.

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

- (7) All development shall be carried out in accordance with the approved plans, details and documents hereby approved. Any variation from the approved plans or details shall be submitted to and approved in writing by the Local Planning Authority and the development carried out in accordance with the approved details.

**Reason:** To ensure a good quality environment and that the development is carried out in accordance with the approved details.

- (8) Construction of the buildings hereby permitted shall not commence until:
- (a) Details of the measures to be taken to reduce the carbon emissions of this phase of the development through sustainable construction, including measures to achieve at least Level 3 of Code for Sustainable Homes and equivalent BREEAM rating for office and industrial, have been submitted to and approved in writing by the Local Planning Authority; and
  - (b) Details of the measures to provide 10% of the development's energy needs from on site renewable energy sources, or alternatively how the equivalent or greater carbon reduction can be achieved through improvements to the building fabric of the development have been submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure a sustainable form of development consistent with the objectives of PPS1 - Delivering Sustainable Development and Climate Change and the Policies of the South East Plan and to accord with the requirements of the approved Design Code and the conditions in outline planning permission reference 05/00500/OUT.

9. Prior to any work commencing on site, details at a scale of 1:20 of the following shall be submitted to and approved in writing by the Local Planning Authority unless otherwise agreed. Development shall be undertaken in accordance with the approved details.
  1. Front doors with surrounds and canopies
  2. Garage doors
  3. Chimneys
  4. Eaves details
  5. Ridge detailing
  6. Windows and sills with windows recessed by a minimum of 75mm
  7. Balconies
  8. Porches
  9. Dormer detailing

**Reason:** In the interests of the visual amenities and character of the area

(B) The following informatives:

- (a) 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.
- (b) The Local Planning Authority has taken account of the following development plan policies and proposals:- (relevant policies for both Winchester City Council and Havant Borough Council as set out in Appendix C of the report, amended by the Head of Planning Management to refer to the National Planning Policy Framework as appropriate).

(C) An additional informative requiring building works to be undertaken between specified hours (such hours to be determined by the Head of Planning Management)

- (ii) Head of Planning Control (WCC) after consultation with the Executive Head of Planning and Built Environment (HBC) be authorised to discharge condition 8 of outline planning permission 05/00500/OUT upon receipt of samples of materials to the satisfaction of the Head of Planning Control.

**(The meeting commenced at 2.04 pm and concluded at 4.54 pm)  
(The meeting adjourned at 2.05 pm and resumed at 4.51 pm)**

**HAVANT BOROUGH COUNCIL EXTRAORDINARY DEVELOPMENT  
MANAGEMENT CONTROL COMMITTEE  
AND  
WINCHESTER CITY COUNCIL PLANNING DEVELOPMENT CONTROL  
COMMITTEE  
3 April 2012  
INFORMAL DISCUSSIONS**

**Councillors' Attendance**

**Winchester City Council**

**Councillors:**

Jeffs (Chairman) (P)

Berry (P)  
Clear(P)  
Evans (P)  
Izard (P)  
Johnston (P)  
Laming

Mclean (P)  
Pearce (P)  
Read (P)  
Ruffell (P)  
Tait (P)

**Deputy Members**

Councillor Mitchell (Standing Deputy for Councillor Laming)

**Havant Borough Council**

**Councillors:**

Buckley (Chairman) (P)

Gibb - Gray  
Johnson  
Mrs Shimbart (P)

J Smith (P)  
L Turner (P)  
Wilson

**Deputy Members**

Councillor Galloway (Standing Deputy for Councillor Gibb - Gray)  
Councillor Guest (Standing Deputy for Councillor Johnson)

**Officers' Attendance:**

**Winchester City Council**

Steve Tilbury – Corporate Director (Operations)  
Howard Bone – Head of Legal Services  
John Hearn – Urban Design Manager

Jill Lee – Principal Planning Officer  
 Nigel Green – Major Development Project Leader  
 Stuart Dunbar-Dempsey - Landscape Officer  
 Jacky Wilson – West of Waterlooville Implementation Officer  
 Chris Griffiths-Jones - Head of Building Control

### **Havant Borough Council**

Chris Murray –Service Manager (Planning Development)  
 Sally Smith – Senior Planner  
 Shirley Shaw – Deputy to the Solicitor to the Council  
 Julie Boschi – Senior Landscape Architect  
 Julia Watson-Cowan – Housing Enabling Manager  
 Peter Marshall – Development Engineer  
 Mark Gregory – Democratic Services Officer

## **2. PLANNING APPLICATIONS HBC APP/12/00008 (HBC) AND 11/03014/REM (WCC) - DUKES MEADOW, HAMBLEDON ROAD, DENMEAD**

**Proposal:** Reserved matters application under Outline planning 05/00500/OUT (WCC) and 05/40000/000 (HBC) condition 7 with relevant part clearance of outline planning conditions 6, 8, 21, 22 and 24; third and fourth phases of residential development – 219 no. dwellings; 178 no. houses and 41 no. apartments and 17 no. live/work units.

### **i) INTRODUCTION**

The Applications sought approval for some of the outstanding details of the outline planning applications approved, subject to a legally binding agreement and conditions, in 2006 (Minutes 185/11/2006 (HBC) and 3/11/2006 (WCC)).

With regard to the development of the southern part of the MDA, the Committee was advised that the Section 106 Agreement for Outline Planning Applications APP/10/00828 (HBC) and 10/02862/OUT (WCC) had now been completed and works were expected to commence towards the end of April.

### **ii) OFFICERS' PRESENTATION**

The main aspects of the application were explained to the Committee by referring to the appendices to the report and a PowerPoint presentation.

The applications sought approval for some of the outstanding matters relating to the final phases in the northern part of the Waterlooville MDA. Phase 1 had been completed and occupied and Phase 2 had been completed and partially occupied. The other outstanding conditions, which were not part of these applications, with the exception of condition 28, were to be discharged by way of details in

compliance applications: the applicant had submitted separate planning applications for the discharge of condition 28 (APP/12/00149(HBC)/12/00265/FUL (WCC)). Applications for the discharge of Condition 17 of the outline application (realignment of the stream) were being dealt with under delegated powers.

The built form was in accordance with the principles set out in the approved Design Code and followed Phases 1 and 2.

Members were shown the relationship of the residential areas, development mix and affordable units, the range of heights across the development and the pedestrian and road network throughout the phases. Details of the proposed stream diversion were also shown.

Although the materials strategy for phases 3 and 4 was considered acceptable, samples of the materials had not yet been submitted to the Councils. It was therefore recommended that authority be delegated to the officers to discharge Condition 8 of the Outline Planning Permissions upon receipt of satisfactory samples of the materials to be used in these phases.

It was explained that the application had been advertised in accordance with the Councils' codes of practice for publicity. Two letters of comment and an objection from Denmead Parish Council had been received.

In light of the National Planning Policy Framework issued in March 2012, the development had been reviewed and it was considered that it was in accordance with the main principle of sustainable development.

### iii) **PUBLIC PARTICIPATION**

Parish Councillor Lander Brinkley (Denmead Parish Council) addressed the Committee and with reference to the objections submitted by the Parish Council raised the following issues:

- (1) the consultation undertaken by Taylor Wimpey was inadequate;
- (2) the lack of "kickabout" areas in the had been raised by the current residents of Phases 1 and 2 and this problem should be avoided in the final phases of the development;
- (3) provision of 1 Local Equipped Area for Play (LEAP) area did not comply with PPG17;
- (4) the form of materials to be used on this development was too important a matter to be delegated to officers;
- (5) the development would mainly be within a designated "protected area" under The Leasehold Reform Act 1967 (as amended).



The purpose of this designation was to help retain affordable housing. The Parish Council was disappointed to learn that a proportion of the affordable houses to be provided in these phases would be for shared ownership i.e. would not be affordable housing in perpetuity.

iv) **OFFICERS' RESPONSES**

The public space provision was in accordance with the approved Design Code. Over 47% of the entire site was allocated as public open space with a mixture of formal and informal spaces.

A majority of the shared ownership properties would be within Havant's area but many were close to the boundary between the two authorities. A plan showing the distribution of affordable housing was circulated at the meeting.

To ensure that Phases 3 and 4 were not an exact copy of the previous phases, the applicant had been requested to consider using different materials. The applicant had agreed in principle but preferred to use a different form of brick to that suggested. It was recommended that, provided the applicant submitted an acceptable alternative, this matter could be dealt with under delegated powers.

iv) **MEMBERS' QUESTIONS**

During Members' questions, in summary, the following matters were discussed:

**Condition 6**

**Conformity with the Design Code**

- The conditions attached to the outline permission required the whole of the ground floor of the Live/Work units to be used for work purposes. These conditions were enforceable; to use the ground floor for residential use would require planning permission.

**Materials**

- Wooden cladding would be used in buildings in the Mews and along the stream corridor. The cladding used for the flats in Phases 1 and 2 were probably made of a combination of materials; the faults pointed out on the site visit appeared to be a fixing problem.

**Affordable Housing**

- The figures set out in paragraph 5.7 appeared to be related to Havant Borough Council. There were currently 18,000 applications

registered with Home Choice Housing; 5,000 were from Havant Borough Council's Housing List.

- It was unusual for residents to cross administrative boundaries in search of a home. Therefore, very few of the applicants registered on the Home Choice Register lived in Portsmouth.
- The funding regime for affordable housing had changed since the completion of phases 1 and 2. The applicant had invited tenders from social registered landlords for these two new phases.
- Affordable housing would be provided in clusters across the proposed development to make it easier for the Housing Association to manage and maintain their properties.
- The requirements of the approved Design Code and the need to satisfy the wider urban design and place making aspirations prohibited a wider distribution of affordable housing units across the phases.
- There was no requirement in the Building Regulations for 4 storey buildings to install a lift.
- The application would provide a mix of housing which met housing needs
- The proposed rents for the affordable housing would be subject to negotiation.
- The development provided more affordable housing than was normally required.

### **Legibility**

- Although some of the houses would not have a great deal of garden space, the majority of the gardens complied with dimensions set out in Havant Council's Borough Design Supplementary Planning Documents.
- The detail of the open spaces had not been agreed but a form of boundary fencing would be provided for open spaces bounded by roads.
- There would be sufficient flora and fauna in the development. The garden sizes were adequate especially as there were plenty of public open spaces.

### **Landscape and Open Space**

- It was anticipated that initially all the maintenance of open spaces would become the responsibility of the Local Authorities. This responsibility could be transferred by Service Level Agreement to other bodies e.g. the stream corridor could in the future be maintained by the Wildlife Trust.
- It was essential to ensure that all of the proposed open spaces were maintained and managed correctly if these areas were to function as local amenities, visual screens, wildlife corridors or essential components of the proposed townscape. To overcome the problems that had arisen in the past where management

companies were responsible for the maintenance of open spaces, it had been agreed in the Section 106 Agreement that the management of the open spaces would become the responsibility of the local authorities. In the case of Winchester, it was intended that the Council would transfer this responsibility to the appropriate Parish Council. The Councils would receive a commuted sum to help fund future maintenance costs of the public open spaces.

- There were a variety of garden sizes across the development: the public open space was important for the legibility of the scheme.
- An ambition to retain as many mature trees dictated the size of open spaces and garden spaces.

### **Streets, access and movement**

- The main access to the development would be via the Main Avenue: the access onto Hambledon Road from Sickle Way would be limited.
- The location of the bollards in Sickle Way would be investigated

### **Parking Strategy**

- The live/work units would have either 1 or 2 allocated parking spaces. It was not intended that these units would be retail. Therefore, there was no need to provide customer parking spaces.

### **Waste and recycling**

- Every dwelling would have a rear access if required to enable bins to be put out on collection days.

### **Sustainable Design**

- The developer had decided to improve the fabric of the building to avoid the need for solar panels.
- Building Regulations did not require a four storey building to provide a lift.

### **Conclusions**

- An informative setting hours of work could be included.
- The live/work units would accommodate creative industries such as silversmiths.
- Both Councils had decided to use the New Homes Bonus to freeze their Council Tax.

vi) **MEMBERS' DEBATE**

The following matters were raised:

- The applicant had sought to fulfil the outline planning consent requirements relating to sustainability through an enhanced building fabric and not through solar technology
- There was concern that the New Homes Bonus arising from the development of this site should be used for the benefit of residents of the development, Havant and Denmead.
- There was debate about the merits of the design across the whole development.
- Concern was raised about the clustering of the affordable housing in the development.
- Concern was raised about the suitability and spread of open spaces across the development and the inaccessibility of the formal open space to dwellings in the northwest of the development.
- Concern was raised about the reliance upon one access onto Hambledon Road with traffic feeding off the Main Avenue.
- Concern was raised about the adequacy of the parking provision for the development and in particular for the live/work units.
- Concern was raised about the future arrangements for the maintenance of the stream corridor.

vii) **CONCLUSIONS**

In response to the matters raised during the members' debate, the officers advised that:

- (a) that the recommendation was to grant permission subject to:
- (i) the conditions set out in the report;
  - (ii) the additional condition set out in the addendum circulated prior to the meeting;
  - (iii) an informative setting out the hours of working; and
  - (iv) authority being delegated to the officers to approve the reserved matters set out in condition 8 of the outline permission.

- (b) the management of the open spaces was not part of this planning application

The informal meeting commenced at 2.00pm and concluded at 4.51pm.

Chairman