

Application Number: APP/12/01243 (HBC)
12/02502/FUL (WCC)

Ward: Waterloo
Parish: Denmead

Site Address: Dukes Meadow, Waterlooville - Phases 2, 3 and 4

Applicant: Taylor Wimpey UK Ltd

Agent: Mr D Cramond

Case Officer: Mrs S Smith (HBC)

Mrs Jill Lee (WCC)

Expiry date 27/02/2013 (HBC)

Reason for Committee Consideration: Major application in both Authorities' Administrative Areas

Proposal: Erection of 21No. residential units & 6 retail units within Phase 2 (7No. Residential, 7No. Live/Work, 6No. Retail previously approved within planning applications - HBC - APP/10/00610 & WCC - 10/02353 REM).

Erection of 17No. residential units within Phases 3-4 (17No. Live/Work units previously approved within planning applications HBC - APP/12/00008 & WCC - 11/03014 REM. (Alternative to existing approvals)

Recommendation: **GRANT PERMISSION**

Introduction

This report relates to development within the northern section of West of Waterlooville Major Development Area (MDA). It relates to a full application as it is a proposal in lieu of development that has already been approved as reserved matters under the original Taylor Wimpey outline permission for the areas in question. If permitted, therefore, this application provides the developer with an alternative to building out the development as already approved by the reserved matter consents.

The development is split between Winchester City Council's and Havant Borough Council's areas. In such a situation, legislation requires that the applicant must submit a separate application to each Local Planning Authority, in respect of the part of the site which falls within the relevant administrative area. The applicant has done this and the applications show the whole development site rather than the land within the relevant Council area. However, each Council can only determine the application in so far as it falls within its own area.

Eight of the flats over garages in Phases 3 and 4 are within Winchester District Council's administrative area with the remaining 9 being within Havant Borough Council's area. All of the 21 residential units and 6 retail units in the phase 2 area adjacent to Hambledon Road are within Havant Borough Council's area.

For simplicity, this report refers to 'the application' in the singular, but this should be read as a reference to the two separate applications.

1 Site Description

- 1.1 The proposals lie within the Taylor Wimpey part of the MDA adjacent to the Hambledon Road, Waterlooville. Part of the proposal relates to the area of an existing reserved matter approval for Block 4 within Phase 2. It lies between the first

flats erected in Phase 1 and the flats currently under construction for Phase 2 and opposite the Hambledon Parade shops.

- 1.2 The other part of the proposal relates to the plots of 17 individual units that have been permitted under a reserved matters application for Phases 3 and 4. These plots are distributed throughout the area of Phases 3 and 4.

2 Planning History

The applications of relevance are:

12/00265/FUL (WCC) APP/12/00149 (HBC)

Removal of condition 28 of outline planning permissions relating to the removal of the requirement for noise bund/fencing adjacent to Brambles Business Park. Approved by both Authorities subject to a Supplemental S106 Agreement.

11/03014REM (WCC) APP/12/00008 (HBC)

Reserved matter application for Third and Fourth Phases of Residential development (219 dwellings, comprising 178 houses and 41 apartments) along with 17 live/work units in respect of outline planning condition 7 with relevant part clearance of outline planning conditions 6, 8, 21, 22 and 24 of outline permission 05/00500/OUT WCC and 05/400000/000 HBC approved 28/6/2012.

10/02353REM (WCC) APP/10/00610 (HBC)

Reserved matter application for second phase of residential development (121 dwellings, comprising 54 houses and 67 apartments) along with 7 Live/Work units and 326 square metres (internal) of A1/A2/A3 floorspace in respect of outline condition 7 with part clearance of conditions 6, 8, 9, 20, 21, 22 and 24 of outline planning permission 05/00500/OUT WCC and 05/40000/000 HBC approved 24/12/2010. Discharge of conditions applications have also been submitted and discharged for conditions on the reserved matter approval.

08/00278/DIC (WCC) 08/40000/001 (HBC)

Design Code submission relating to condition no. 06 on Outline Planning Permission 05/00500/OUT WCC and 05/40000/000 HBC on Land at Old Park Farm, approved 30/03/2009.

05/00500/OUT (WCC) 05/40000/000 (HBC)

Development of land for residential (450 units); live/work (24 units); employment (7.1 ha including B1, B2 and B8 and a Household Waste Recycling Centre), mixed use including retail, food and drink, financial/professional and health; open space/recreational purposes and the construction of two accesses from Hambledon Road (OUTLINE), permitted 04/01/2008. Subject to a S106.

3 Proposal

The proposal has two parts.

Phase 2

- 3.1 The proposal is for the erection of 21 residential units and 6 retail units within this phased area adjacent to Hambledon Road. All of this part of the development is within the Havant area.

Use

- 3.2 Permission was granted previously for a block with 6 retail units on the ground floor, above which 7 residential (comprising a mix of 4 private and 3 affordable units) and 7 Live / Work units were located. The Live /Work units were to be provided as a flat over the work area with an internal connecting staircase.

The current application includes amended floorplans showing the replacement of the 7 Live/Work units with 14 residential units together with the 7 conventional residential units previously approved. The new application will therefore provide a total of 21 residential units which shall all be provided as affordable housing – a net increase of 7 residential units over the previously approved scheme. The proposal also contains the previously approved 6 retail units on the ground floor.

Amount/Tenure

- 3.3 The footprint and height of the amended proposals remain unaltered from the phase 2 reserved matters consent. Consequently, the amount of development in this location is unaltered, apart from some minor changes to the internal floorplans to make more efficient use of space and simplify the overall design of the block. The new proposals will provide 21 affordable units, 52% of which shall be for affordable rent and 48% for shared ownership.

Layout

- 3.4 The layout of the site is unaltered from that previously approved as part of the phase 2 reserved matters consent.
- 3.5 The principle remains the creation of a mixed-use perimeter block that wraps around and contains the attendant parking and service areas within a private courtyard. This arrangement ensures active street frontages overlooking the pedestrian link to the northwest, and the public car park to the southeast, with the retail uses along Hambledon Road. The internal courtyard will be block paved and landscaped. A dedicated delivery bay is provided via dropped bollards to allow access to the rear of the retail units. There will be a communal parking courtyard where spaces would be unallocated.

Scale and Appearance

- 3.6 The overall height and size of the buildings remain unchanged with it being a 3 storey block rising to 4 storeys on each corner of the Hambledon Road frontage. The block relates to the design of the adjacent blocks with approved elevations consisting of a stock brick ground floor and stair cores with render and rainscreen cladding above. There are modest changes to the ground floor fenestration and upper windows. The decked access to the rear is removed and replaced with a monopitched roof and the four storey bays now extend to ground level. The landscaping scheme is as approved but for the introduction of further pergolas above the parking spaces in the rear courtyard.

Access

- 3.7 The access strategy remains unaltered. The courtyard areas will be a shared surface

space and secure bicycle and bin storage is to be provided directly for the courtyard area.

Phase 3 and 4

- 3.8 This part of the proposal is for the erection of 17 residential units distributed throughout the Phase. These were previously approved as 17 live/work units. They proposed as units for private sale. Eight of the residential units are within Winchester and 9 within the Havant area.

Layout

- 3.9 There are no substantial changes to the approved location or layout for these units. The application seeks to amend the approved floorplans so as to replace the work space elements with conventional residential accommodation. This is proposed by modifying the ground floor arrangement to replace part of the workspace with additional parking. In addition there is, for some units, access to some outdoor amenity space either together with or in place of private balconies.

Scale and Appearance

- 3.10 The external appearance remains largely unchanged but for alterations to the fenestration to provide the second parking space. No changes to the materials or finishes are proposed. No changes are proposed to the landscaping and access arrangements

4 Policy Considerations

The current development plan context for the MDA comprises the following documents;

- The National Planning Policy Framework.
- The South East Plan 2009
- Saved policies of the Winchester District Local Plan 2006 Review.
- The Winchester District Local Plan Part 1 – Joint Core Strategy
- Havant Borough Council Local plan (Core Strategy) and the Saved Policies of the Havant Borough District Wide Local Plan 1996 - 2011.

National Planning Policy Framework

South East Plan 2009: Common to both Authorities

CC1 – Sustainable development

CC2 – Climate Change

CC4 – Sustainable Design and Construction.

CC6 – Sustainable Communities and Character of the Environment.

CC8 – Green Infrastructure.

NRM2 – Water Quality

NRM4 – Sustainable Flood Risk Management

NRM5 – Conservation and Improvement of Biodiversity

NRM7 – Woodlands

NRM9 – Air Quality

NRM 11 – Energy Efficiency/Renewables
 NRM12 – Combined Heat and Power
 NRM13 – Regional Renewable Energy Targets
 H3 – Affordable Housing
 H4 – Type and Size of New Housing.
 H5 – Housing Design and Density
 C5 – Managing the Rural – Urban Fringe.
 C6 – Countryside Access and Rights of Way Management.
 S1 – Supporting Healthy Communities
 T4 – Parking
 T5 – Travel Plans and Advice
 W2 – Sustainable Design, Construction and Demolition.
 W6 – Recycling and Composting.

Winchester District Local Plan 2006 Review Saved Policies.

MDA.1 - West of Waterlooville
 DP.1 - Planning Applications Supporting and Explanatory Information
 DP.3 - General Design Criteria
 DP.4 - Landscape and the Built Environment
 DP.5 - Design of Amenity Open Space
 DP.9 - Infrastructure for New Development
 DP.10 - Pollution Generating Development
 DP.11 - Unneighbourly Uses
 DP.13 - Contaminated Land
 CE.9 - Site of Importance for Nature Conservation
 CE.10 - Other sites of Nature Conservation Interest
 CE.11 - New and enhanced sites of Nature Conservation Value
 CE.17 - Re-use of non-residential buildings in the countryside
 HE.1 - Important Archaeological sites
 HE.2 - Archaeological Assessments
 HE14 - Alterations to Historic Buildings
 HE17 - Re – use and conversion of rural and industrial buildings.
 H.1 - Provision for Housing Development
 H.5 - Affordable Housing
 H7 - Housing Mix and Density
 RT.4 - Recreational Space for New Housing Development
 RT.9 - Recreational Routes
 T.1 - Development Location
 T.2 - Development Access
 T.3 - Development Layout
 T.4 - Parking standards
 T.5 - Off Site Transportation Contributions
 T.6 - Integrated Transport Infrastructure
 T.11 - Road Schemes

Winchester District Local Plan Part 1 – Joint Core Strategy.

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

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

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

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

The proposal is an amendment of the previously approved scheme for phases 3 and 4 (the affected area of phase 2 is not within Winchester's boundary) as such it is not reasonable to try to impose the sustainability policies of the Joint Core Strategy to these 8 units. The previous scheme was approved at code level 3 and Havant Borough Council has a sustainability requirement for Code level 3 for homes and BREEAM very good for retail which will be imposed on the units within its administrative area. To impose a condition requiring the development to achieve code level 3 will be consistent with Havant, in accordance with the condition on the outline and maintain consistency over the phase.

Havant Borough Local Plan (Core Strategy) Adopted 1 March 2011

Strategic Policies

- CS1 Health and Wellbeing
- CS2 Employment
- CS3 Skills and Employability
- CS4 Town, District and Local Centres
- CS6 Regeneration of the Borough
- CS7 Community Support and Inclusion

CS8 Community Safety
 CS9 Housing
 CS11 Protecting and Enhancing the Special Environment and Heritage of Havant Borough
 CS12 Chichester Harbour Area of Outstanding Natural Beauty (AONB)
 CS13 Green Infrastructure
 CS14 Efficient Use of Resources
 CS15 Flood and Erosion Risk
 CS16 High Quality Design
 CS17 Concentration and Distribution of Development within the Urban Areas
 CS18 Strategic Site Delivery
 CS19 Effective Provision of Infrastructure
 CS20 Transport and Access Strategy
 CS21 Developer Requirements

Development Management Policies

DM1 Recreation and Open Space
 DM2 Protection of Existing Community Facilities and Shops
 DM3 Protection of Existing Employment and Tourism Sites
 DM5 Control of Class A3, A4 and A5 Food, Drink and Entertainment Uses
 DM6 Coordination of Development
 DM7 Elderly and Specialist Housing Provision
 DM8 Conservation, Protection and Enhancement of Existing Natural Features
 DM9 Development in the Coastal Zone
 DM10 Pollution
 DM11 Planning for More Sustainable Travel
 DM12 Mitigating the Impacts of Travel
 DM13 Car and Cycle Parking on Residential Development
 DM14 Car and Cycle Parking on Development (excluding residential)
 DM15 Safeguarding Transport Infrastructure
 DM16 Freight Transport

Saved Policies of the Havant Borough District Wide Local Plan 1996 – 2011 forming part of the Havant Borough Council Local Development Framework to Operate Simultaneously with Adopted Core Strategy Policies.

R12 Waterlooville Leisure Centre Development
 R16 New Open space
 R17 Playing Space Related to New Housing Development

5 Statutory and Non Statutory Consultations

As the form of the development has already been authorised under the earlier reserved matter approvals consultations were undertaken in respect of the amended elements only.

Havant Borough Council

Housing

The principle of the provision of a further 18 affordable housing units in the flatted block is welcomed on the basis that there is a good proportion of shared ownership units (48%) and that there will be a Community Lettings Plan.

Planning Policy

Permission recommended.

Promoting Havant Borough's Economy: Local Plan (Core Strategy) Policy CS2.5 seeks to "safeguard existing employment sites and allocations that are fit for purpose from development proposals for non-employment uses."

It is questionable, however, whether the approved live/work (LW) units can reasonably be considered as 'existing employment' uses.

The consent for them has not been implemented and their employment potential is very limited. The whole concept of LW units is now rather outdated given current communications technology that supports homeworking. It should be noted also that the Economic Development Officer has no objection to the proposal.

Housing: The small increase in the net number of new dwellings will contribute to the overall housing target for the Borough (Policy CS9), but is not a significant factor in the consideration of the proposal.

Economic Development

Economic development has no objection to the deletion of the live/work units from the original proposal and their substitution with conventional residential accommodation. This is because:

- 1) I estimate that over 50% of self employed people work from home anyway and are able to utilise a spare room as an office/workspace. The use of computers, mobile phones, etc has meant that working from home does not require much space or resources.
- 2) We have a plentiful supply of business start up units within the Borough. e.g. the Waterlooville Basepoint Centre, Waterberry Drive, (51 units) is within walking distance of the site. I have identified over 15 different locations suitable for business start ups within the Borough of Havant.
- 3) We support the building of 6 retail units which will create employment.

Landscape Team

The landscape plan for the old live/work units that are proposed to change to residential units is the same as originally approved apart from the trees in the rear courtyard. The original permission was for 3 lime trees at 7 metre centres in the middle of the parking area (drawing 503B) but this has been reduced to 2 trees 7 metres apart on drawing no. 504. I think it is important to plant as many trees as possible in the rear courtyard, and therefore I recommend that the applicant plants 3 limes as originally proposed. *(An amended plan has increased the trees as requested).*

Development Engineer

1. A Hampshire Transport Contribution is not required as this has been addressed by the existing original legal agreement.
2. With respect to the flats over garages (FOGs) they were originally flats over the live work area and would not have benefitted from pd rights. As there is now parking and living accommodation on the ground floor I would assume the new units now have pd rights. It is therefore recommended that pd rights be withdrawn to ensure that the under building parking is not lost.
3. With Phase 2 previously there was a parking schedule. For this application a new parking allocation plan and schedule needs to be

provided which includes the retail units contained in this application. *(There was a parking schedule for Phase 2 as for the majority of the units parking was allocated. However for this particular block the parking was always intended to be provided as a communal shared resource. As a result the request for a parking allocation plan has not been pursued).*

Environmental Health

Noise:

The noise mitigation proposals are acceptable subject to the specification of the glazing of the habitable windows of the flats facing Hambledon Road being amended to prevent noise resonance. This has been agreed.

Access:

Concern is raised that the units cannot be adapted to provide for occupants once their mobility becomes impaired. *(The applicants have confirmed that the mixed use block fronting Hambledon Road will be Lifetime Homes compliant. In the case of the 17 units within Phases 3 and 4, although these will not be fully compliant due to the primary rooms located at first floor level, they nonetheless feature staircases that will accommodate a stair lift; have bathrooms large enough to accommodate wheelchairs and a hoist; and have sockets sited between 450-1200mm above floor level).*

Winchester City Council

Planning Policy

No policy objections and the increase in housing is welcomed, particularly the affordable element. There is no policy requirement to provide live/work units; the emerging policy (CP8) seeks to facilitate measures to increase self employment and home working as a means of increasing growth/job opportunities. It will be beneficial if these units help to achieve this objective through high speed broadband, adequate parking and adequate space for home working.

Landscape

No objection. The detailed landscape proposals remain unchanged apart from an additional pergola in the Hambledon Road block rear courtyard. This will provide further high level greening and softening of the impact of parked cars. The landscape details are not altered for Phases 3 and 4.

Housing

Happy with the principle of what is being proposed subject to details of the mix of tenures, the design being checked for HCA compliance and that the overall Masterplan Strategy for the Taylor Wimpey site is updated.

Denmead Parish Council

No objection.

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 53

Number of site notices: 3

Statutory advert: Major proposal

Number of representations received: None

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development;
- (ii) Employment and Loss of Live/Work units
- (iii) Affordable Housing
- (iv) Highways and Parking
- (v) Effect on Appearance of the Development and the Locality
- (vi) Other Matters

(i) Principle of Development

7.2 The proposed built form of the development was effectively approved under the relevant reserved matters applications for the retail and flatted development in Phase 2 and for the individual units in Phases 3 and 4. When Members considered the earlier applications they were assessed against the Design Code in respect of:

- Land use, density and Building Heights
- Green Infrastructure, Landscaping and Open Space
- Movement and Legibility
- Parking
- Built Form
- Urban Design and Architecture
- Development Mix and Affordable Housing
- Waste, Recycling and Sustainability

This report therefore assesses the current proposals only in respect of the extent to which they differ from the earlier approved reserved matters.

(ii) Employment and Loss of Live/Work units

7.3 The concept of Live/Work was embodied in the original Taylor Wimpey outline application of 2005. Time has since moved on and neither Council has a Local Plan policy that requires the provision of such units. Furthermore the Councils' policies in respect of the retention of employment relate to existing employment and floorspace for B use classes. As these particular developments have not been built the requirements of these policies do not apply. However, Taylor Wimpey have sought to market the units but without any success. The applicant states that the units have not been taken up because:

- Residential mortgages cannot be used and commercial ones are needed which usually require a 50-60% deposit and a higher interest rate;

- Other financial disincentives also apply such as Business rates, long term lock in and, on sale, potentially capital gains tax being applied to the commercial element;
- Those that could afford the outlay probably require more spacious residential accommodation
- The location is not one of passing trade and has a suburban residential character
- There is no flexibility to expand, contract or exit from the units as is provided with commercial leasing arrangements.

There is no objection to the proposals from either the Policy teams or from Economic Development officers of the councils. The principle of allowing the development of residential units in place of the live work units is therefore supported. It should be noted that the revised proposals will, in any event, enable home working; indeed the Phase 3 units now include a ground floor room that provides the option of a home office/study away from the first floor family accommodation.

(iii) Affordable Housing

7.4 The proposal includes 21 affordable housing units within the flatted block which needs to be looked at within the context of the overall distribution of 198 affordable units throughout all 4 phases of the Taylor Wimpey development. This is an additional 18 affordable units above that already committed to in the Taylor Wimpey development. This provision is supported by both Councils' housing officers on the basis that there is a tenure split of 52% affordable rent and 48% shared ownership and that there is a Community Lettings Plan in place. The concentration of the provision within the one block is also considered justifiable on management grounds. As a single block under the control of one Registered Provider the management can be contained. The block will provide a mix of tenures, Affordable Rent (11 units) and Shared Ownership (10 units). Within the Affordable Rented units are there 2 no 1 bed 2 person flats and this provision of different size accommodation, different tenures, and the existence of a Community Lettings Plan as part of the original s106 will enable the formation of a more sustainable community.

• If the units were to be dispersed throughout phases 2, 3 and 4 this would potentially leave the flatted block split between affordable units and open market. This would create a management issue for any Registered Provider especially concerning the communal areas, different services, different service charges, and conflicts of interests.

The proposed affordable housing provision is therefore acceptable subject to a minimum of 40% of all 38 units the subject of the application (i.e.16 units) being secured in line with prevailing planning policy, and the overall Masterplan being updated to reflect the provision under the requirements of a supplemental S106 agreement.

(iv) Highways and Parking

7.5 The vehicular and pedestrian access arrangements to serve the different units proposed are as approved, and will be implemented under the provisions of the relevant reserved matters approvals for these areas.

With respect to parking there will be a gain in the number of spaces for the

units within Phases 3 and 4 as the previously approved workspace is to be divided between a downstairs room and a further car parking space provided by way of a carport or garage. It is proposed that the car parking provision is conditioned so that it cannot be converted to further living accommodation through permitted development rights (condition 5).

With regards to the flats 28 spaces are proposed in a private rear courtyard which are to be maintained and managed as a shared resource for all the units within the block. Twenty of the spaces will be covered by the proposed pergola structures which will prevent commercial parking by larger vehicles accessing the retail units. The development is also adjacent to the public car park to south east (which has yet to be laid out to its agreed form) which will provide additional parking provision. On this basis the provision is considered adequate.

7.6 (v) Effect on the Appearance of the Development

The proposed units within Phases 3 and 4 are as previously approved but for the alterations to the ground floor to accommodate the additional parking provision and to amend fenestration in some cases. These changes are not thought detrimental or contrary to the Design Code. With respect to the block on the Hambledon Road frontage, the scale, form and materials used remain unchanged from those approved. The changes that are proposed with respect to some of the fenestration, distribution of the materials on the elevations and bay details are modest and are considered acceptable.

The landscaping proposals accord with those previously approved but for the introduction of additional pergolas with planting which will further soften the rear area for the flats and this is considered acceptable.

7.7 (vi) Other Matters

Noise and Access

Environmental Health raises concern over the inability for the development to be adapted for use by residents whose mobility becomes impaired. To some extent this was an issue for the apartments in the earlier approval as a lift is not included. Nevertheless the applicants have advised that the mixed use block fronting Hambledon Road will be Lifetime Homes compliant. In the case of the 17 units within Phases 3 and 4, although these will not be fully compliant due to the primary rooms located at first floor level, they nonetheless feature staircases that will accommodate a stair lift; have bathrooms large enough to accommodate wheelchairs and a hoist; and have sockets sited between 450-1200mm above floor level). The situation with these units has also improved as there is now a ground floor room that could provide sleeping accommodation for any family member that found the stairs difficult.

With respect to noise mitigation the proposals submitted (as amended) are acceptable.

Amenity

With respect to the units within Phases 3 and 4 they were originally

designed as flats over parking and the working space. Whilst it is still the case that the majority of the residential accommodation is at first floor level as with the previous flats they now include a room on the ground floor. Outside private amenity space has been provided for the units where possible which is welcomed. However the plots remain small. As permitted development rights would apply to these units it is proposed to remove the right to extend or provide ancillary buildings given the constrained nature of the plots and proximity to one another. In addition, to maintain a good quality environment, the rights to alter the roofs and install domestic microgeneration equipment are also proposed for removal.

Sustainability

The residential units are proposed to be built to Level 3 of the Code for Sustainable Homes and it is confirmed that the retail units will achieve BREEAM 'Very good'. Conditions are therefore proposed to ensure these levels are achieved.

S106

As this application replaces development that was subject to the original Section 106 agreement for the Taylor Wimpey part of the MDA it requires a supplemental S106 agreement to link it to that agreement, to ensure any wording related to the live work units previously permitted is reviewed and to ensure the provision of the affordable housing in the manner proposed in this scheme.

8 Conclusion:

- 8.1 As a consequence of a demonstrable lack of market interest in the live/work units already approved for the site, Taylor Wimpey are not in a position to commence work on these elements of the scheme. This means that, for the Hambledon Road, there will be a gap in the development frontage between the completed Phase 1 and the Phase 2 development that is under construction. The scheme, as proposed, will allow for the continuation of this development without leaving a gap in the frontage and this will complete the appearance of the MDA adjacent to the Hambledon Road which is important in urban design terms. Furthermore, the scheme will provide the retail units on the ground floor to the benefit of the new and existing residents of the locality.

The scheme will also enable the bringing forward of the completion of the car park adjacent to the mixed use block to serve both the new development and Hambledon Parade, and provide additional affordable housing provision. The scheme is therefore considered acceptable subject to a S106 supplemental agreement to provide the necessary linkage to the principal and first supplemental S106 agreements for the Taylor Wimpey development and to ensure the provision of the affordable housing.

RECOMMENDATION:

That the Executive Head of Planning and Built Environment at Havant Borough Council be authorised to **GRANT PERMISSION** for application APP/12/01243 and the Assistant Director Built Environment at Winchester City Council be authorised to **GRANT PERMISSION** for application 12/02502/FUL subject to:-

(A) The completion of legal agreements under Section 106 of the Town and Country Planning Act 1990 and other relevant legislation in order to:

- link the permissions to the Principal Taylor Wimpey Agreement of 20 December 2007 and the First Supplemental Agreement of 7 December 2012; and
- to secure the provision of a minimum of 40% of the residential units as affordable housing units and the preparation of a revised Affordable Housing Masterplan Strategy

subject to such changes as the Executive Head - Planning and Built Environment (Havant Borough Council) and the Head of Planning Management (Winchester City Council) may determine; such agreements to be to the satisfaction of the Head of Legal Services (Winchester City Council) and the Solicitor to the Council (Havant Borough Council)

(B) The following conditions, subject to such changes as the Executive Head - Planning and Built Environment (Havant Borough Council) and Head of Planning Management (Winchester City Council) may determine

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 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.
- 3 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.
- 4 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.

- 5 The garages and integral carports hereby permitted shall be retained and kept available for the parking of cars at all times and shall not be converted to living accommodation.
Reason: To ensure the provision and retention of the garage and parking spaces in the interests of the local amenity and highway safety.
- 6 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.
- 7 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.
- 8 The dwellings hereby permitted shall not be occupied until a Certificate of Compliance with the Code for Sustainable Homes has been submitted to the Local Planning Authority. The Certificate shall demonstrate that the development has attained a minimum standard of Level 3 in accordance with the Code.
Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2012 and the policies of the South East Plan and to accord with the requirements of the approved Design Code and the conditions in the outline planning permission.
- 9 Written documentary evidence demonstrating that the development has achieved a minimum of 'Very Good' against the BREEAM standard shall be submitted to the Local Planning Authority within 6 months of the first occupation (for trading) of the retail units hereby granted, unless an otherwise agreed timeframe is agreed in writing by the Local Planning Authority. The evidence shall take the form of a post construction certificate as issued by a qualified BREEAM certification body.
Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2012 and the policies of the South East Plan and to accord with the requirements of the approved Design Code and the conditions in the outline planning permission.
- 10 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. Eaves details
 4. Ridge detailing
 5. Windows and sills with windows recessed by a minimum of 75mm
 6. Balconies

7. Porches

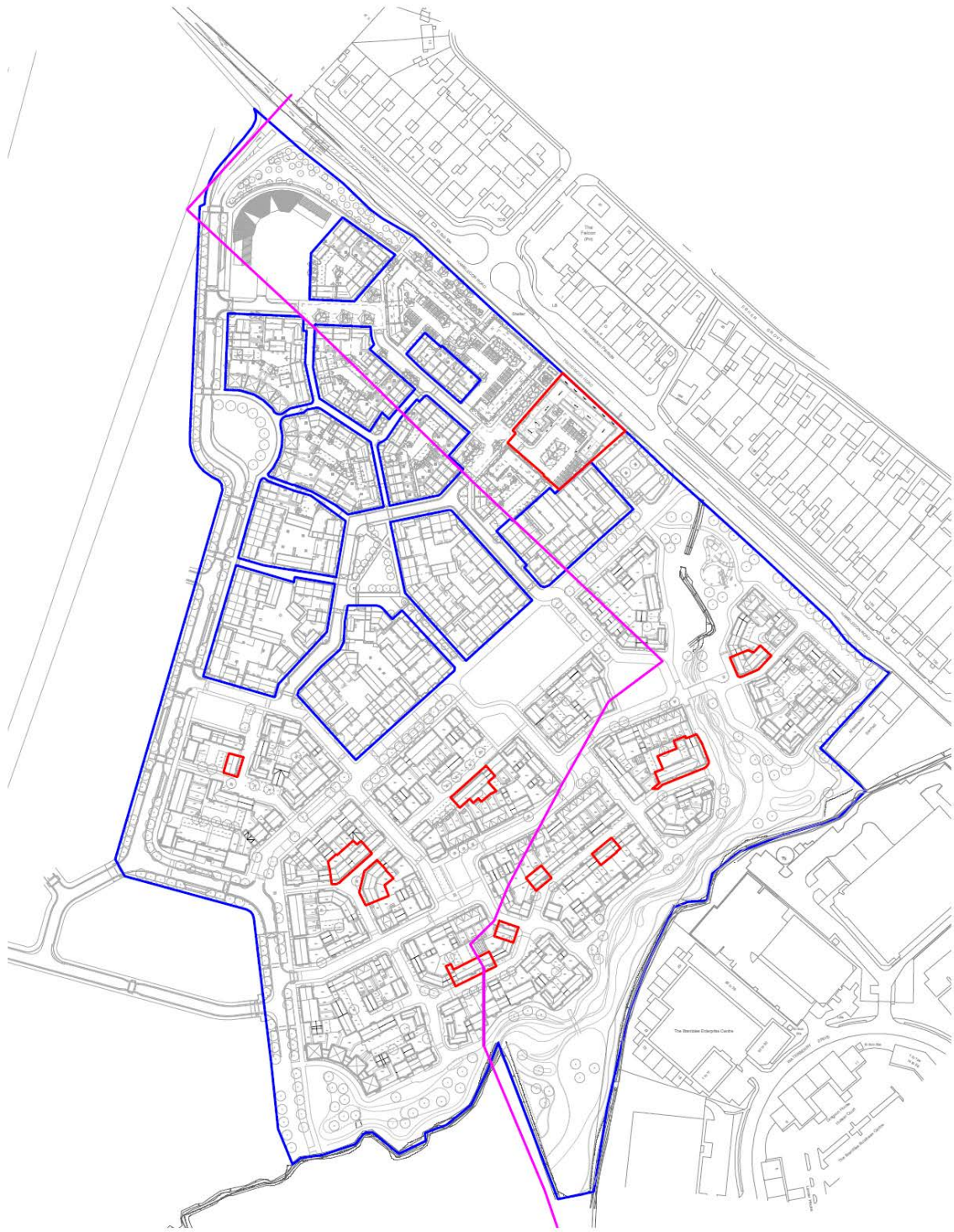
Reason: In the interests of the visual amenities and character of the area

- 11 All development shall be carried out in accordance with the approved plans, details and documents hereby approved (Final plans and documents to be listed).

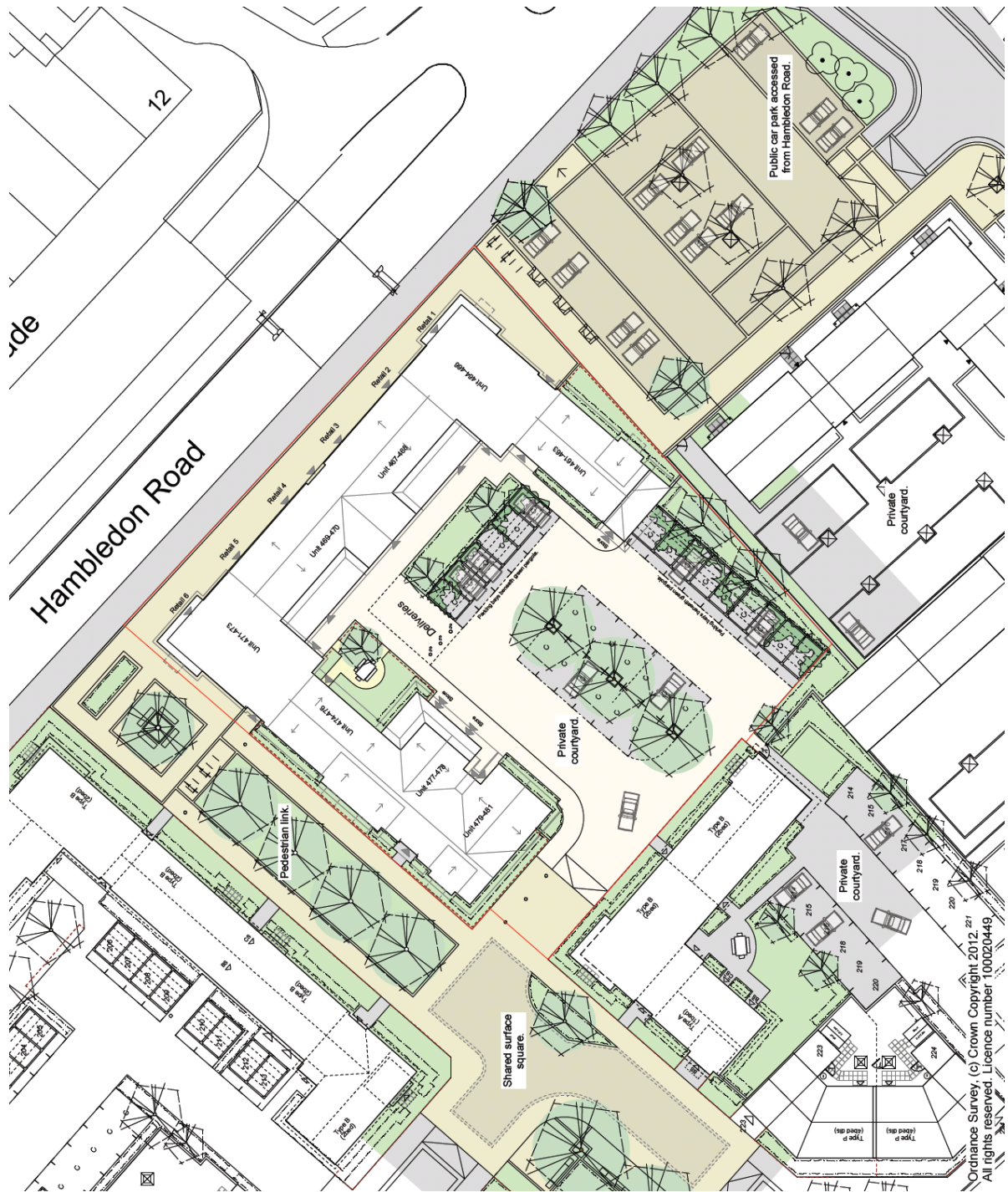
Reason: To ensure a good quality environment and that the development is carried out in accordance with the approved details.

Appendices:

- (A) Location Plan
 - (B) Site Layout of Hambledon Road Block
 - (C) Frontage of Hambledon Road Block
 - (D) Typical Floor Plans and Elevations of Phases 3 & 4 Units (Approved)
 - (E) Typical Floor Plans and Elevations of Phases 3 & 4 Units (Proposed)
-



-  Planning application boundaries.
(Showing individual plots.)
-  Extent of applicants land ownership within phases 2,3 & 4.
(Including areas currently subject to conveyance to local highway authority.)
-  Local authority administrative boundary.

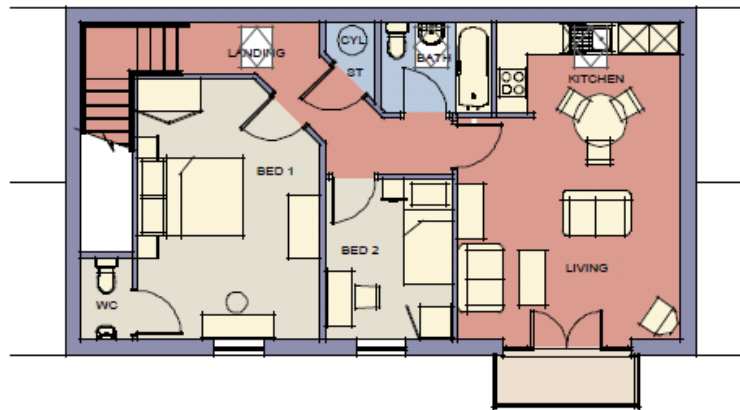


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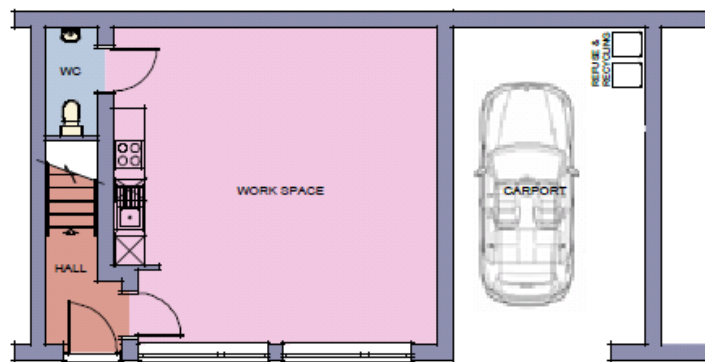


Figure 5: Key Elevations - Mixed Use Block (Phase 2).

Approved Floorplan



First Floor

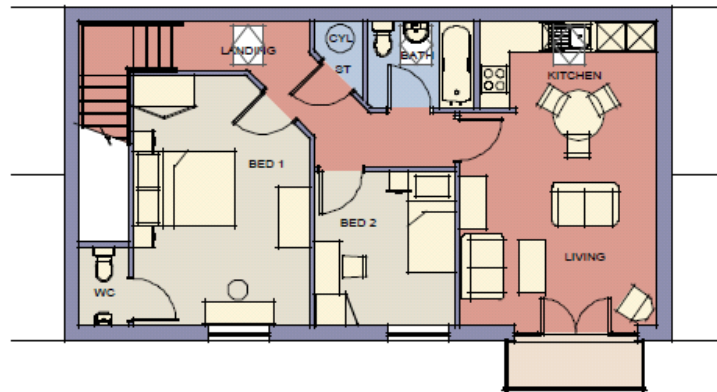


Ground Floor

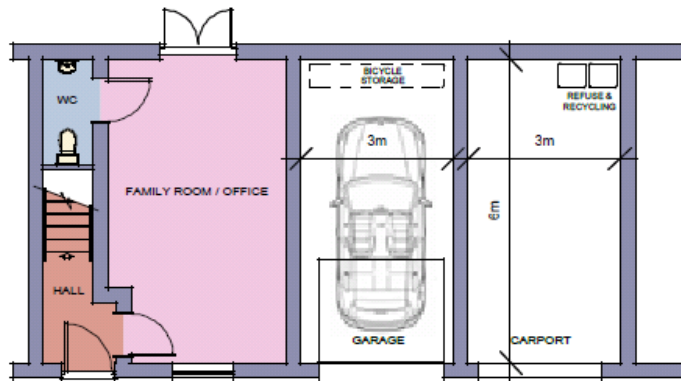


Front

Proposed Floorplan



First Floor



Ground Floor



Front