

Special Planning Committee

Silver Hill

Public Speaking and Update sheet

Thursday 11Th December 2014

The information set out in this Update Sheet includes details relating to public speaking and any change in circumstances and/or additional information received after the agenda was published.

Item No	Ref No	Address	Recommendation
1 - 4	14/01912/FUL 14/01913/FUL 14/01915/FUL 14/01916/LIS	Silver Hill Development, Tanner Street, Winchester	Permit

Agenda Page:

Officer Presenting: Lorna Hutchings and Lewis Oliver

Public Speaking

Objectors (2 minutes each):

- 1 Tim Fell
- 2 Karen Barratt
- 3 Patrick Davies
- 4 Harvey Cole
- 5 Peter Marsh
- 6 Huw Thomas
- 7 Scot Masker
- 8 Judith Martin
- 9 Hugh Petter
- 10 Rupert Pitt
- 11 HCC Cllr Jackie Porter
- 12 Phill Cagg
- 13 Nicholas Craig-Harvey
- 14 Kate Macintosh
- 15 Eleanor Bell

Ward Councillor: Cllr Janet Berry
Cllr Robert Hutchinson
Cllr Kim Gottlieb

Portfolio Holder: Cllr Ian Tait - Portfolio Holder for Housing and
Ward Member for St Michael

Supporter:

- 1 Richard Baker - City of Winchester Trust (3 minutes)
- 2 Dr Fitzgerald-Barron (3 minutes)
- 3 Chris Turner - BID (3 minutes)
- 4 Ken Macartney - Pavilion Fashion (3 minutes)
- 5 i) Cameron Fraser - Hendersons – Applicant (18 minutes)
 - ii) Paul Appleton - Allies & Morrison
 - iii) Nick Symons - MMX

Update

A further 392 objections and a further 27 letters of support have been received since the publication of the report. They do not raise any new issues, not already detailed in the report.

Furthermore a letter of objection has been received from Prime Planning & Development Limited, which acts on behalf of Winchester City Councillor Kim Gottlieb, this letter raises the following points (summarised):

- Application reference 14/01912/FUL (the 's73 application') represents more than a 'minor material amendment' to the planning permission granted by the Council in February 2009;
- Application reference 14/01913/FUL (the 'Block B application') also represents more than a minor material amendment to the 2009 permission;
- The s73 application is a sham application, and should not be entertained. The applicant has admitted that it has no intention of implementing that version of the scheme;
- It is clear that the imperative for a comprehensive scheme (if it ever existed at all) no longer exists, given Stagecoach's dramatically reduced requirements for bus provision;
- There remains a reasonable, and better approach to the redevelopment of the area that would significantly reduce the overall height and impact of the redevelopment;
- The Block B application, if approved, would mean the Silver Hill scheme would provide no affordable housing contribution (other than a capped and contingent payment in-lieu);
- The Block B application could facilitate the relocation of either Debenhams or Marks & Spencer from the existing core of Winchester City Centre, causing significant harm that cannot be adequately controlled; and
- The Block B application, if implemented, would facilitate the removal of a range of other uses previously permitted in 2009, resulting in the scheme providing less variety of use.

This letter does not raise any new matters not already detailed in the report.

City of Winchester Trust have submitted a position statement stating that they have always supported the proposals for the redevelopment in principle with objections raised from time to time. Although some concerns remain in respect of increase in retail floor area, loss of affordable housing and over provision of car parking space they do not consider their reservations to be grounds for the Trust planning objection as a whole because on balance they consider the scheme well designed, appropriate for its location and to be good for Winchester.

Heads of Term for Travel Plan costs to increase as a result of additional consultation with HCC.

Amendment to condition 01: The development hereby permitted shall be begun before the expiration of 09/02/2016 – the date of the original planning permission 06/01901/FUL.

Reason: To comply with the provisions of Section 91 (1) and Section 73 of the Town and Country Planning Act 1990.

Additional condition – A pedestrian entrance shall be provided at ground level into Building B from Friarsgate or the north side of Lawn Street into Building B. This shall be detailed on the large scale elevation plans to be submitted pursuant to condition 03.

Reason: In the interests of providing access to facilities for bus passengers or other customers.

Members will have received and letter from Harvey Cole (Economic and Development Consultant) dated 24 November. This alleges that work produced for the Council by retail consultants NLP has over-estimated retail need in the town and suggests that independent retail consultants are appointed. Officers have been provided with a more detailed report regarding these matters.

NLP has been invited to respond to the points raised in Mr Cole's report and Member letter. Officers are satisfied that this demonstrates that the two key concerns raised have been appropriately dealt with:

- Alleged omission of Primark from assessment of existing floorspace/turnover – NLP confirm that Primark is not omitted and has been included in its assessment. It has not been listed separately as its floorspace/sales density figures are not published, but it is included in the aggregated figures for 'other comparison shops' (at a higher sales density than suggested by Mr Cole);
- Allowance for occupation of vacant shops – NLP point out any update should cover all elements of the needs assessment, not just vacancy information. In any event, NLP's retail assessment does include an allowance for the occupation of vacant floorspace which is higher than the allowance suggested by Mr Cole.

Accordingly, officers are satisfied that the alleged omissions do not exist and that, if anything, the allowances made by NLP have led to a lower projected floorspace requirement than would have been the case if Mr Cole's suggested sales density and vacancy allowance were used.

Of more significance, however, is NLP's advice regarding national retail policy. This highlights the fact that there is no requirement for an applicant promoting town centre uses on a town centre site to demonstrate need. While the planning authority must assess and meet retail needs through its Local Plan process (as the Council have done and continue to do), suggestions of a lack of retail need should not be the basis for determining planning applications. Neither is there a requirement to assess the impact of retail development unless it is outside a defined town centre (this proposal is within the town centre).

Members are reminded of the relevant sections of the NPPF (paragraphs 23-27) and the National Planning Policy Guidance ('Ensuring the Vitality of Town Centres') which clarify these points.

Affordable Housing clarification The report refers to the £7.363m being based on 40% of the capital value of 177 units which is an incorrect reference to capital value. The calculation is in fact based on figures contained in the SPD, which themselves are based on figures derived from the affordable housing Viability Report which was produced for LPP1.

End of Updates