



Meeting	Kings Barton Forum
Date and Time	Tuesday, 12th March, 2024 at 6.00 pm.
Venue	This meeting will be held virtually and members of the public should note that a live video feed of the meeting will be available from the council's YouTube channel - youtube.com/WinchesterCC

S U P P L E M E N T A R Y A G E N D A

Agenda Item.

5. Public Participation (Pages 3 - 8)
 - Matters to be raised by Kings Barton Residents' Association
 - Matters to be raised by Headbourne Worthy Parish Council's Kings Barton Committee

7. Winchester City Council officer update (Pages 9 - 18)
 - Section 106 obligation tracker

11 March 2024

Agenda Contact: Nancy Graham ngraham@winchester.gov.uk 01962 848 235



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Matters to be raised by Kings Barton Residents' Association (KBRA) at Kings Barton Forum of 12th March 2024

1. Estate roads in KB and Winchester Avenue

We are pleased to learn from CALA that agreement has now been reached with HCC on the detailed design/construction of KB estate roads and that work is now underway to complete the wearing course on estate roads.

We look forward to the completion of 1B by the end May.

Winchester Avenue is still in a poor condition. We understand that CALA and HCC are reaching agreement on the design of Winchester Avenue in the next week. KBRA ask for the opportunity to view this design for Winchester Avenue.

2. Phase 2B Planning approval

We are aware that Phase 2B residential application has been approved, with conditions placed on the re-submission of proposals for the recreation ground to the north of Manley Road.

There are concerns amongst some residents about the design and usage of sports pitches and their impact on local residents.

Whilst residents will welcome local sports facilities, we would like to receive advice from WCC on what is the appropriate balance in sports facilities available to North Winchester residents at 2B and in the redeveloped Sir John Moore Barracks site and how these facilities will be managed.

3. Lack of a Bus Service in KB

We remind again that the Kings Barton Travel Plan approved by both CALA and HCC stated that:-

“Between the occupation of around the 250th – 350th dwelling and the opening of Andover (aka Winchester) Avenue and the Park and Ride light site an 86A service will operate. This will provide a 30 minute frequency service between the Phase 1B development and the City Centre via the existing Andover Road.”

We understand from HWPC that following discussions between HCC and local bus operators it is not commercially viable to operate a bus service whilst Winchester Avenue is not connected between the phase 1A and 1B developments. We have written again to HCC asking them to look at a phased opening of the service allowing for the connection being made soon by CALA. We also understand that CALA have provided the full amount of their Bus Subsidy Contribution.

4. Improved pedestrian and cycle movement on Andover Road between the MDA and the City Centre

CALA has provided funding for improvements but we have not as yet had a response from WCC and HCC to the ideas KBRA provided in writing on how this should be spent. It is good practice to encourage walking and cycling as well as bus patronage at an early stage of a new development in order to establish these modal choices amongst the new residents; this is sadly lacking in Kings Barton.

5. Secretary of State

Following our letter to Michael Gove, the Secretary of State for Levelling Up, Housing and Communities we have had a response dated 24 November 2023 indicating an understanding of the concerns of residents and advising that “It is open to the developer and the Highway Authority to seek to vary the terms of the permission in respect of the diversion of Andover Road by making an application to Winchester City Council.”

6. Andover Road Closure and Sir John Moore Barracks

If necessary to meet planning permission requirements, Kings Barton residents are prepared to accept a short-term closure of Andover Road to traffic. But residents insist that Andover Road then be returned to being open to general traffic. Kings Barton residents voted unanimously at our recent AGM to object to the Sir John Moore Barracks redevelopment if Andover Road is permanently closed to general traffic.

HWPC has agreed to make the objection that the Sir John Moore Barrack development should not go ahead if Andover Rd was closed.

7. HCC Consultant's Report

The HCC Consultant's (WSP) Report recommended that Andover Road be kept open at least for buses. We have asked HCC through a Freedom of Information request to explain what action they are taking to achieve this.

8. Changes to the status of Andover Road in WCC's draft Local Plan

We wrote to WCC stating that:

“We have taken advice from a planning consultant. This advice was that the additional development at Sir John Moore Barracks to the north of Kings Barton (as proposed in the emerging Local Plan) is a material change and requires a re-appraisal of the decision to downgrade the Andover Road, with any change to the approach being set out within the new Local Plan.”

We have asked WCC to consider this as a material change in the preparation of the Local Plan. We consider that this would provide an excellent opportunity for WCC to meet with HCC and the developer of Sir John Moore Barracks to resolve this issue which is so important to Kings Barton, Harestock and Weeke residents.

We have also requested from HCC a justification of the need for 1000+ parking spaces on Andover Road. This should be based on evidence of an accurate surveyed assessment of the number of cars driving down Andover Road that are currently using public parking in the City Centre and so might be attracted to use a Park and Ride site on Andover Road.

9. CALA and Anthem (Castleford) engagement

We have now established a good working relationship with **Anthem (Castleford)** and continue to liaise with both them and **CALA** on a number of topics.

However, we understand that residents will not be represented as Directors on the Barton Farm (Winchester) Management Company Ltd. board until the development is complete. We feel that, as this could be up to 15 years away, some representation is essential now to:

- Provide oversight of the contractual engagement with Anthem Property Management
- Remove the current potential conflict of interest
- Avoid any possible future situation of disagreement between residents and Anthem.

We would welcome an interim arrangement for a minority of resident directors to be appointed, working closely with Anthem to prepare for the future when the Management Company is handed over to the residents entirely.

10. S106 Contributions and application

In our previous reports to the Kings Barton Forum, we asked that the Forum be regularly updated on progress on S106 contributions (in line with the Development For a Terms of Reference) including how much is now due, how much has been received by WCC and HCC from CALA and how much has been spent and how it has been spent.

We have raised this in a Freedom of Information request to HCC but have not as yet had a full reply.

11. Headbourne Worthy Parish Council

We are working closely with Headbourne Worthy Parish Council and will be sending them a copy of this Report.

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Report from Headbourne Worthy Parish Council's Kings Barton Committee to Kings Barton Forum

March 2024

Football pitches and Recreation ground in 1b

The KBC has been hearing from members of the public who will be affected by the plans for the recreation ground at the top of 1b. The plans that have been put to WCC include a 3G football pitch with flood lighting, a smaller U13 pitch, a trim trail and community building with changing rooms. The residents that spoke to the Committee wanted to keep the space open, they expressed concerns regarding the commercial use of a 3G pitch, the flood lighting and the noise levels. KBC recognizes the legitimate concerns of the residents in these areas but is of the opinion that a full and wide consultation is necessary. KBC feels that 3G football pitches do not necessarily need to be used commercially and be focused mainly on community all weather use with commercial use only at certain times. KBC would like the public consultation to include different locations for the 3G pitch and for transparency regarding the cost implications for any outcome.

KBC welcomes the inclusion of a community building in these plans but feels the proposal can be improved with better access for the teams from the outside, as well as hatch from the kitchen to serve refreshments and possibly a bar area. KBC would like to work with CALA on these improvements.

KBC would like to see plans for the trim trail, outside gym and the LEAP included in the above consultation.

Meetings with CALA

KBC is pleased to announce that quarterly meetings will be held between the Committee and CALA. The intention will be for the two parties to work together on the open space planning to ensure that what will be handed over to Headbourne Worthy PC works in the best interests of the residents and the PC which will be responsible for the maintenance. KBC also hopes to work more closely with CALA on the consultation process for the forthcoming community installations that are being planned.

Winterbourne Meadows and 1a Playground

KBC was pleased to be consulted by CALA regarding proposed fencing around the balancing pond in the Winterbourne meadows. CALA also consulted on the layout of the trees in the playground and agreement was reached regarding modifications to the design. However, it is disappointing for KBC that having reached this agreement with CALA, engaged with the residents, reached their agreement which were seen as an improvement on the original,

CALA decided not to apply for a planning amendment and went about installing the original plan. In light of the meetings with CALA discussed above, KBC trusts that this is a one off.

Street names in Kings Barton

KBC has put forward as protocol for street names in Kings Barton the following – Hampshire Wildflowers, Rivers, Kings and Queens of Wessex, Stars and Planets and Bishops of Winchester. These have been accepted by WCC. We look forward to Ethelburga street.

MUGA and play area in 2a

KBC is not in receipt of the plans for the proposed MUGA in 2a and the play area around it, however KBC feels that these proposals are something that the community should be involved with shaping. There are many different versions of MUGAs and the line markings will dictate the use of the site. KBC would like the markings to be as flexible and inclusive as possible.

Greenfields and the Orchard

Sparsholt students have been asked to put forward designs for the community orchard on the corner of Manley Rd and Andover Rd. It is hoped that some of the designs can be displayed at the Meet the Councillor's event on June 6th where the community attendees will be able to vote for their preferred design. Installation is planned for the Autumn of this year. Greenfields park now has a bin and a new double gate for ease of maintenance.

Bus transport

KBC Councillors have been working with HCC regarding the implementation of a bus service for Kings Barton. KBC is disappointed that a full service is not cost effective at present and is happy to work on a community bus solution. KBC would like to emphasise that when Winchester Road is connected then there will be an expectation from residents that a full bus service will be implemented. KBC shares that expectation and will be raising the issue if there is disappointment in this regard.

Roads

KBC is pleased to see that CALA is planning the dressing of the roads in 1b in May. KBC is aware of the concerns of residents regarding the poor road surfacing that has resulted in pot holes, ruts and high kerbs. KBC is looking forward to the road quality being brought up to the standard of that in 1a. KBC would find it useful to have a timeline of CALA's plans for the linking of Winchester Rd. The linking of the two ends of Winchester Ave will affect not only the bus transport provision (as mentioned before), but also will start to create a positive feeling of community in the development to the benefit of all.

Christmas lights

KBC will be working with KBRA regarding the installation of Christmas lights. A Christmas celebration and Christmas lighting are a great opportunity to bring the community together. KBC hopes that CALA will be able to contribute to some of the running costs as the community in Kings Barton grows.

Winchester City Council Legal Agreement dated 8/3/11 (link below)

Hampshire County Council Legal Agreement 7/3/11 and variations of 11/10/13 and 24/5/22 (see links below)

On 8/3/24, Council records show 562 properties have been completed on site, of which 6 are unoccupied.

Legal Agreement Paragraph	Summary of Requirement	Obligation with WCC or HCC?	Category	When is it required?	What is the latest status?	Further Information
2.4	Phasing Programme - to show the order in which the developer will construct the phases.	WCC	General	Prior to commencement	Completed	
3.7	Draft Affordable Housing Materplan Strategy - to demonstrate the location and total number of affordable units across the development	WCC	Affordable Housing	Prior to commencement	Completed	
3.8	Draft Affordable Housing Reserved Matters Strategy - to demonstrate how individual applications will take account of the overall Masterplan Strategy (in terms of layout and number)	WCC	Affordable Housing	Prior to commencement	Completed	
3.21	Local Lettings Plan - to show how certain properties are allocated to certain groups of people in order to create and maintain a sustainable community.	WCC	Affordable Housing	Prior to commencement	Completed	
5.1	Long Term Ownership, Maintenance and Management Plan - to includes details of Open Spaces and any other landscaped land.	WCC	Landscape	Prior to occupation of a relevant phase	Completed	Agreed via the Landscape Open Space Specification document, which specifically references Condition 16 and also Clauses 4 and 5 of the S106.
6.1	Cultural Facilities Contribution - to provide £50,000 for cultural facilities	WCC	Culture and Community	Prior to occupation of the 800th unit	Upcoming	800 units not constructed to date
7.1	Specification of the Community Centre - to ensure the Community Centre includes adequate facilities and internal spaces.	WCC	Culture and Community	Prior to commencement	Completed	Copy of specification provided. Submitted May 2014 in accordance with Clause 7.1
7.6.2	Complete the Community Centre - in a good and workmanlike manner and using good quality materials	WCC	Culture and Community	Prior to the occupation of the 800th unit	Upcoming	800 units not constructed to date
7.8	Transfer the Community Centre to the Council	WCC	Culture and Community	Prior to the occupation of the 800th unit	Upcoming	800 units not constructed to date
8.1	Community Development Worker - to provide a Worker (which may be an employee of the Council)	WCC	Culture and Community	Prior to the occupation of the 200th unit	Completed	Implementation Officers and dedicated Senior Planning Officers for the role employed by the Council
8.3	Community Development Worker Accommodation - provide a space for use by the Community Development Worker	WCC	Culture and Community	Prior to the occupation of the 200th unit	Completed	Worker employed by Council with access to on-site facilities at Visitor Centre if required.
9.1	Public Access Routes - to show routes across the site which the public can use at all times	WCC	Transport	Prior to commencement	Completed	
10.1	Plan showing a detailed route from Andover Road to Barton Meadows to include sufacing and construction details and long-term maintenance	WCC	Transport	Prior to commencement	Completed	To submit to WCC for approval (1) a detailed route for the public footpaths from Andover Road through the site and the ecology amenity land to Worthy Road; (2) surfacing and other construction details for public footpaths and (3) proposals for the long term maintenance and management of teh amenity land.
4.1	Notice of Commencement 10 days before construction	HCC	General	Prior to commencement	Completed	
4.5.1	Copies of all surveys - to be provided to the County Council	HCC	General	Prior to commencement	Completed	
4.5.2	Design for the infrastructure serving the Primary School Land	HCC	Education	Within 3 months of commencement, prior to occupation of 1st unit	Completed	
4.6	Remove Constraints from Primary School Land	HCC	Education	Within 3 months of commencement, prior to occupation of 1st unit	Completed	
4.7	Draft Primary School Land Transfer Plan	HCC	Education	Within 3 months of commencement.	Completed	
4.8	Transfer Freehold of Primary School Lane and pay first Primary Education Contribution	HCC	Education	Prior to the occupation of the 150th Unit	Completed	

4.9	Provide Services and Utilities to the Primary School Land	HCC	Education	Prior to the occupation of the 150th Unit	Completed	
4.10	Construct Permanent School Access and pay second Education Contribution	HCC	Transport	Prior to the occupation of the 250th unit	Part completed. Education payment has been made. Trigger for permanent access provision varied on 24/5/22.	Trigger varied 24/5/22 to read 'Not to Occupy any part of the Development within the areas shaded pink and marked 'Phase 2b' on the phasing plan unless and until the Permanent access to the primary school land has been constructed and completed to the satisfaction of HCC.'
4.11	Owner to recalculate Primary Pupil Product	HCC	Education	Following occupation of the 1200th unit	Upcoming	1200 units not constructed to date

4.12	County Council	If the Primary Pupil Product (4.11) exceeds 420, the developer cannot occupy more than 100 further units until an additional contribution has been paid to the	HCC	Education	Following occupation of the 1200th unit	Upcoming	1200 units not constructed to date
4.15	HCC	Secondary Education Contribution (£3,000,000 index linked) to be paid to	HCC	Education	Prior to the occupation of the 750th unit	Upcoming	750 units not constructed to date
4.16		Owner to calculate the Secondary Pupil Product	HCC		Following occupation of the 1200th unit	Upcoming	1200 units not constructed to date
4.17		Highway Access Contribution Payments	HCC	Education	Prior to occupation	Completed	
4.18		Second Highway Access Contribution Payments	HCC	Transport	Prior to Occupation of the 650th unit	Upcoming	650 units not constructed to date. To pay Second City Access Contribution, the Second Eastern Access Contribution, the Second Western Access Contribution and the Second Non Motorised User Contribution to HCC (as varied in deed dated 24/5/22).
4.20 A (as per s106 variation 22.05.2022)		To pay the Andover Road/Bereweek Road Improvement Contribution	HCC	Transport	Within 14 days of signing the agreement	Completed	To pay £331,748 index linked to enable HCC to deliver the works shown indicatively on drawing 0710-64/Figure 4.9 which is pasted below (see full definition below from HCC s106 Deed of Variation 24/5/22)
4.21.3		To provide first Bus Subsidy	HCC	Transport	Prior to the occupation of the 350th units	Completed	
4.21.4		To provide Bus Subsidy payment	HCC	Transport	Prior to the occupation of the 650th unit	Upcoming	650 units not constructed to date
4.21.5		To provide Bus Subsidy payment	HCC	Transport	Prior to the occupation of the 950th unit	Upcoming	950 units not constructed to date
4.21.6		To provide Bus Subsidy payment	HCC	Transport	Prior to the occupation of the 1250th unit	Upcoming	1250th units not constructed to date
4.23		To pay the Travel Plan Fee	HCC	Transport	Prior to the first occupation	Completed	
4.24		Submission of school and residential Travel Plans	HCC	Transport	Prior to commencement of each phase	Part-Completed	Completed on a phase-by-phase basis and will continue to be submitted as the development is constructed. Residential Travel Plan has been approved and has been implemented. School and retail will be completed by other developers.
4.25		To pay the Travel Plan Monitoring Fee	HCC	Transport	Prior to commencement	Completed	
4.26.1		Submission of Retail Travel Plan	HCC	Transport	Prior to occupation of retail units	Completed	
4.26.2		Not to occupy any residential unit until the Residential Travel Plan is submitted	HCC	Transport	Prior to occupation of 1st unit	Completed	
4.31		To pay Travel Plan bond	HCC	Transport	Prior to commencement	Completed	
4.32		Community Travel Website	HCC	Transport	Prior to the occupation of the 350th unit	Completed	
4.33		Installation of Travel Boards	HCC	Transport	Prior to the occupation of the 350th unit	Completed	
4.35.1		Pool Car Club Provision	HCC	Transport	Prior to the occupation of the 400th unit	Completed	
4.35.2		Review the car club scheme and provide second car at 750th occupation	HCC	Transport	Review at 700th occupation	Upcoming	750 units not constructed to date
4.36		Scheme for Cycle Parking	HCC	Transport	Prior to commencement	Completed	
4.37		Construct Cycle Parking	HCC	Transport	Prior to occupation of any housing unit	Part-Completed	Each unit must be provided with cycle parking prior to occupation - this is an ongoing requirement through lifetime of development to be applied to each unit before it is occupied.
4.38		Submit Draft Construction Route Management Plan	HCC	Transport	Prior to commencement	Completed	
4.39		Approval of Draft Construction Route Management Plan	HCC	Transport	Prior to occupation of 1st unit	Completed	
SCHEDULE 2 Part 1		Submission of Access details for Andover Road/Temporary Access Junction	HCC	Transport	Prior to commencement	Completed	
SCHEDULE 2 PART 2		Completion of Highway Access Works	HCC	Transport	Prior to commencement	Completed	
Schedule 2, Part 5		i. Completion of the New Andover Road works shaded blue and marked Phase 1A on the phasing plan.	HCC	Transport	Prior to occupation of 550th unit (trigger amended via to HCC email 1/11/23).	Upcoming	550 units not constructed to date. Requirement to complete realignment of Andover Road through the site with 30mph speed limit (20mph through district centre) as shown indicatively on drawing 071064/Figure 4.1 Rev L (see full definition below and plan which is page 5 of attached file).

	ii. Highways Agreement to secure the completion of the section of the New Andover Road Works shaded blue and marked Phase 1B on the phasing plan.	HCC	Transport	Prior to occupation of the 550th unit (trigger amended via to HCC email 1/11/23).	Upcoming	550 units not constructed to date.
	iii. Highways Agreement to secure the completion of the section of the New Andover Road Works shaded gold and is marked phase 2A on the phasing plan.	HCC	Transport	Prior to occupation of 575th unit (trigger amended via to HCC email 1/11/23).	Upcoming	575 units not constructed to date

	iv. Highways agreement for New Andover Road Works, Andover Road/Harestock Road Junction Improvement Works, Andover Road/Well House Lane Junction Improvement Works and New Andover Road Works shaded pink and marked phase 2B on the phasing plan and Andover Road/Stoney Lane Junction Improvement Works	HCC	Transport	Prior to occupation of the 625th unit	Upcoming	625 units not constructed to date
SCHEDULE 2 PART 6	Completed Well House Lane Rail Arch Improvement Works and Barton Farm/Worthy Road Improvements	HCC	Transport	Prior to occupation of 425th unit	Completed	
SCHEDULE 2 PART 7	New Andover Road Works, Andover Road/Harestock Road Junction Improvement Works, Andover Road/Stoney Lane Junction Improvement Scheme and Andover Road/Well House Lane Junction Improvement Works	HCC	Transport	Prior to occupation of 650th unit	Upcoming	Works (definition below) to be constructed and completed to the satisfaction of HCC and open to use by traffic/pedestrians prior to 650 units occupied on site. 650 units not constructed to date
SCHEDULE 2 PART 8	Procure the making of any necessary traffic regulation orders as required to facilitate implementation of the downgrading of Andover Road works	HCC	Transport	Prior to occupation of 650th occupation	Upcoming	Prior to the Occupation of any Housing Unit the Owner shall at its own expense submit a valid application for an order under section 247 of the Act authorising the stopping up of those parts of Andover Road that are proposed to cease to be public highway as part of the Downgrading of Andover Road Works. The Owner shall use its reasonable endeavours to thereafter obtain the order. 650 units not constructed to date
SCHEDULE 2 PART 14	Where a TRO is obtained prohibiting the use of that part of Andover Road, the owner shall get county approval of landscaping with a programme for implementation and subject to the grant of all necessary licences and carry out to the approval of the County Council	HCC	Transport	Prior to occupation of 950th unit	Upcoming	Where a stopping up order or road traffic regulation order is obtained prohibiting the use of that part of Andover Road before the date of Occupation of nine hundred and fifty (950) Housing Units the Owner shall submit to the County Council for their approval details of landscaping thereof together with a programme for implementation and subject to the grant of all necessary licences by the County Council as highway authority shall carry out such landscaping to the reasonable satisfaction of the County Council in accordance with the approved details. 950 units not constructed to date

NOTE
**Please note that this document provides a summary of some of the key obligations for this development. Please refer to the original legal agreements and deeds of variation for the full details of all obligations (links below).*

- LINKS TO S106 AGREEMENTS**
- HCC 7/3/11 [09_02412_out-HCC_S106_Agreement_Main_Clauses_Schedule_1_and_2-287048.pdf \(winchester.gov.uk\)](#)
 - [09_02412_out-HCC_S106_Schedule_4_Travel_Plan_Part_1-287127.pdf \(winchester.gov.uk\)](#)
 - [09_02412_out-HCC_S106_Schedule_4_Travel_Plan_Part_2-287225.pdf \(winchester.gov.uk\)](#)
 - [09_02412_out-HCC_S106_Schedule_3_Plans_and_Drawings-287244.pdf \(winchester.gov.uk\)](#)
 - [09_02412_out-HCC_S106_Plans-287222.pdf \(winchester.gov.uk\)](#)
 - WCC 8/3/11 [09_02412_OUT-LEGAL_AGREEMENT_3893_PT250727-1234813.pdf \(winchester.gov.uk\)](#)
 - HCC 11/10/13 [DEED_OF_VARIATION_S106_AGREEMENT_3988_PT280766-321491.pdf \(winchester.gov.uk\)](#)
 - HCC DoV 24/5/22 [13_01694_FUL-S106_DEED_OF_VARIATION-3627561.pdf \(winchester.gov.uk\)](#)

KEY DEFINITIONS AND PLANS*

“Permanent Access”

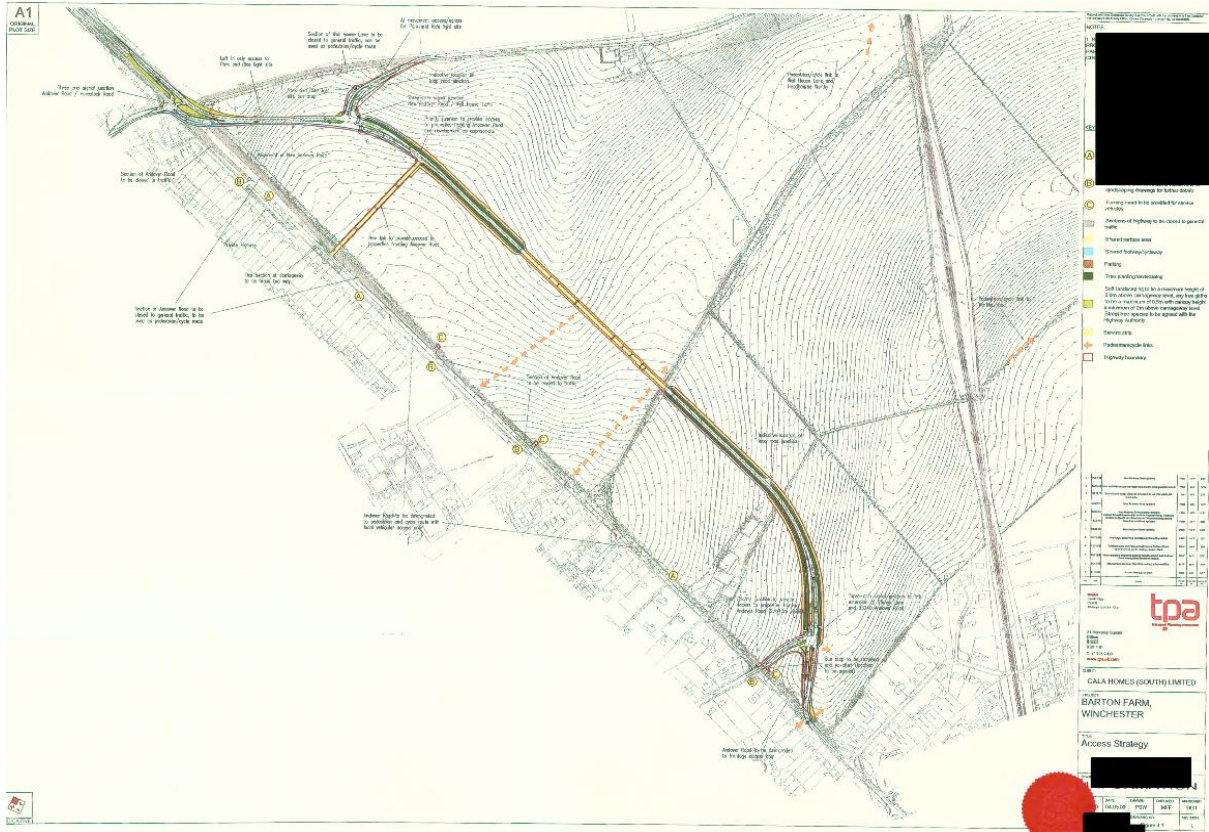
means the permanent vehicular and pedestrian access complete with binder course level surfaced footways signing lining landscaping lighting and kerbing constructed pursuant to a Highway Agreement or otherwise to adoptable standards and which is connected to an adopted highway to serve the Primary School;

“New Andover Road Works”

means the realignment of Andover Road through the Site with a 30mph speed limit (20mph through the local centre) as shown indicatively on drawing number 0710-64/ Figure 4.1 Rev L (as appended to this Agreement) and in accordance with the initial Design Code and the Design code Addendum Letter exchanged between the County Council and the Owner as set out in correspondence in Appendix SCG/A of the Highways Statement of Common Ground;

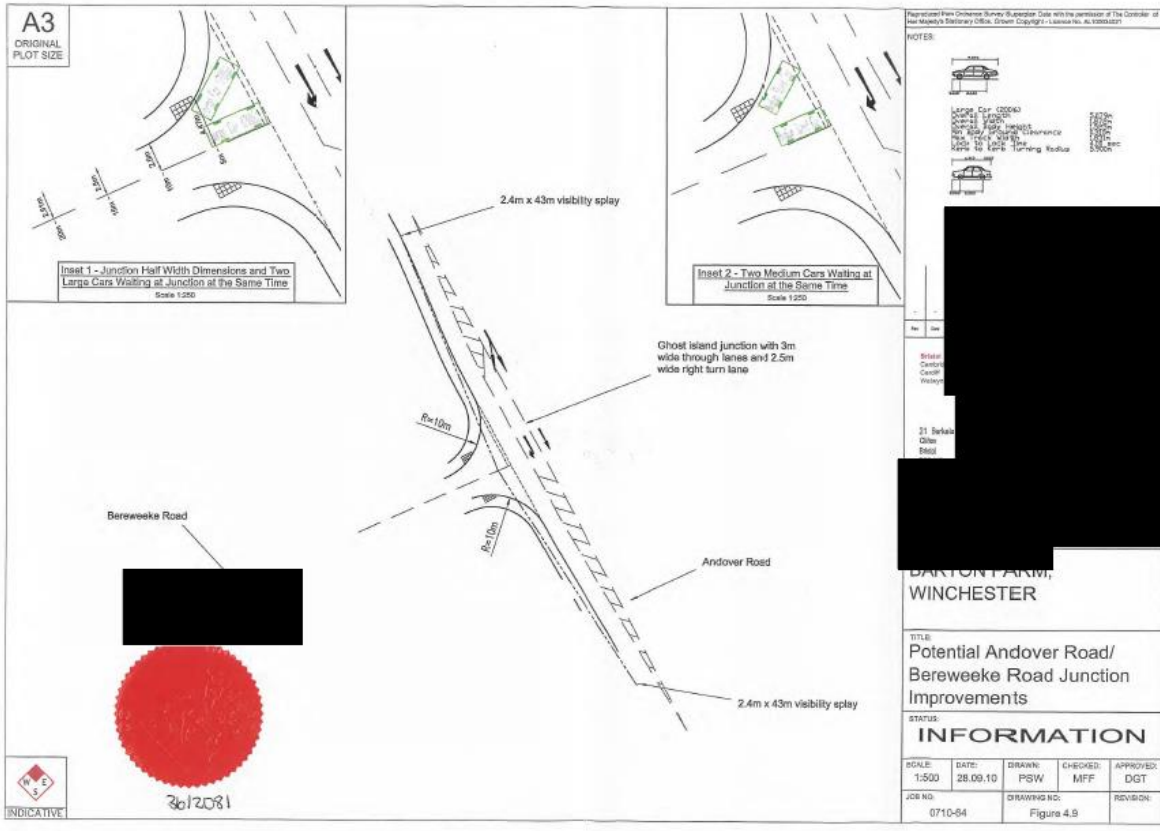
"New Andover Road"

means the realigned Andover Road pursuant to the New Andover Road Works;



"Andover Road/ Bereweke Road Junction Improvements Contribution"

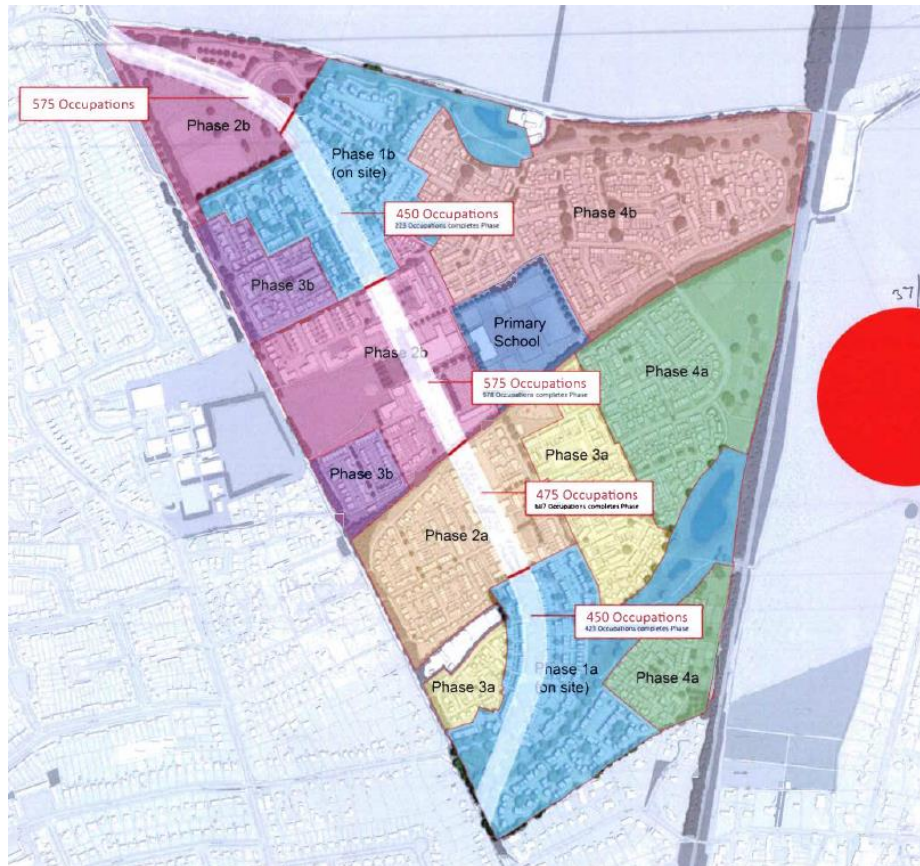
means the sum of Three Hundred and Thirty One Thousand Seven Hundred and Eighteen pounds (£331,718) to be paid to enable the County Council to deliver the works shown indicatively on drawing number 0710-64/Figure 4.9 annexed hereto or any other such works to deliver an amended or alternative junction improvement scheme for Andover Road which may include improvements to sustainable travel



The definition of "Downgrading of Andover Road Works" in clause 1.1 (Definitions) of the Original Agreement shall be deleted and replaced with the following new definition:

Downgrading of Andover Road Works	means the downgrading of Andover Road to a pedestrian/cycle route with vehicular access for local frontages only (subject to the provisions of Schedule 2)
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Phasing Plan attached to Deed of Variation dated 24/5/22



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