



Meeting	North Whiteley Development Forum
Date and Time	Wednesday, 11th July, 2018 at 6.30 pm.
Venue	Bembridge and Osborne Suite, Solent Hotel, Rookery Avenue, Whiteley, PO15 7AJ

AGENDA

OPEN TO THE PUBLIC

- 1. Apologies**
To record the names of apologies given and deputy members who are attending the meeting in place of appointed Members (where appropriate)
- 2. Appointment of Vice-Chairman to the Forum**
As this is the first meeting of the Forum of the 2018/19 Municipal Year, it will be necessary to appoint a Vice Chairman of the Forum.
- 3. Public Participation**
To receive and note questions asked and statements made from members of the public on general matters of interest and/or matters relating to the work of the Forum
- 4. Minutes of the previous meeting held 13 November 2017** (Pages 5 - 10)
- 5. North Whiteley Development Forum Progress Report and Update** (Pages 11 - 16)

L Hall
Head of Legal Services (Interim)

4 July 2018

Agenda Contact: David Blakemore, Democratic Services Manager
Tel: 01962 848 217

**With the exception of exempt items, Agenda, reports and previous minutes are available on the Council's Website www.winchester.gov.uk*



MEMBERSHIP

North Whiteley Development Forum

Winchester City Council:

Cllr Ruffell (Chairman)
Cllr Achwal
Cllr Bentote
Cllr McLean
Cllr Weston
Deputies Cllr Evans and Cllr Humby

Fareham Borough Council:

Councillor Butts
Councillor K Evans

Eastleigh Borough Council:

Councillor Pretty

Hampshire County Council

Councillor Huxstep
Councillor Woodward

Curdrige Parish Council

Parish Councillor Bundell

Whiteley Town Council

Town Councillor Evans
Deputy – Town Councillor Jenkins

Botley Parish Council

Parish Councillor Mercer
Deputy – Parish Councillor Hunter

TERMS OF REFERENCE

The Forum is to act as an informal advisory body to discuss and engage with the public on the following issues, and advise the relevant authorities accordingly:-

- *Advise upon a vision for the development of the MDA at North Whiteley which will act as a template for the master planning process and subsequent planning applications and keep this under review.*
- *Provide a response to key issues and options arising during the course of planning for and delivering the extension to the community at Whiteley, with input from local authorities, community groups and development interests.*
- *Act as a sounding board where ideas, options and issues relating to the development can be considered before becoming part of the formal planning process.*

- *Develop for consideration by the relevant authorities a community development strategy for the MDA.*
- *Consider and advise upon the community infrastructure required to support and integrate the new and existing communities.*
- *Consider good practice from development elsewhere and consider key findings for inclusion in the master planning process.*
- *Consider and advise upon a strategy for the ownership and management of the social infrastructure and community assets.*
- *Review progress reports on the development of the masterplan and relevant planning applications.*

The membership of the Forum is:

- Winchester City Council (6 representatives - including chairman of the Forum plus deputy)
- Hampshire County Council (2 representatives)
- Fareham Borough Council (1 representative plus deputy)
- Eastleigh Borough Council (1 representative)
- Whiteley Parish Council (1 representative plus deputy)
- Curdridge Parish Council (1 representative)
- Botley Parish Council (1 representative plus deputy)

Quorum

The Forum will be quorate if five voting representatives are present.

Method of Working and Voting Rights

All representatives are expected to use their best endeavours to reach conclusions by general consensus. Where any voting representative on the Forum requires a formal vote to be taken, this shall be on a show of hands by those voting representatives present and voting (the membership as set out above).

Administration

Winchester City Council's Democratic Services Team shall be responsible for administering the Forum, calling meetings, and recording proceedings.

Public Participation Procedure

General

1. There will be a period of 10 minutes maximum at the beginning of each Forum meeting when the Chairman will invite the public, including local interest groups, to raise any general matters of interest and/or matters relating to the work of the Forum. Detailed matters related to agenda items will not be accepted at this point, as there will be an opportunity for these comments to be heard later in the meeting. As is the usual practice for general public participation, however, officers and Members may not be able to immediately

respond at the meeting to points raised by the public where these relate to non-agenda items.

Consideration of Individual Agenda Items

2. After an officer has introduced an agenda item, the Chairman will invite public participation on matters relating to that agenda item. At this point, a period of up to ten minutes (subject to extension at the Chairman's discretion) will be allowed for public comments. During this period, members of the public, including local interest groups, will be able to object, support or ask questions directly relating to the agenda item and contents of the officer report.
3. An individual speaker will be limited to a maximum of three minutes per agenda item. Where a number of members of the public wish to speak, they will be encouraged to agree the allocation of the maximum ten minute period for public participation. The Democratic Services Officer will assist in this process before the start of the meeting. The Chairman will retain a general discretion to manage the public speaking process, and may limit individual speakers to less than three minutes, or take other steps necessary in order to maximise public participation in an appropriate way. The extension of the total 10 minutes limit allowed for the public to discuss an agenda item will be at the discretion of the Chairman.
4. There will be no further opportunity for the public to comment on an agenda item once the period of public participation has ended even if the prescribed period has not been reached. The subsequent discussion, consideration and decision on the matter is then passed to Forum Members.
5. Members and Officers will not provide an immediate response to public comments raised from the floor. All comments and queries will be noted and the Chairman will invite Officers and/or Members to respond to specific points during the round table debate and discussion amongst Forum members that follows.
6. Members of the public should wherever possible contact the Democratic Services Officer before the start of the meeting (preferably by telephone or email prior to the day of the meeting), so that as many people who wish to speak can be accommodated during the public participation sessions.

Forum Debate and Vote

7. The Chairman will subsequently invite questions and open the discussion and debate to all Members of the Forum and will invite officers and/or Members to respond to any public comments raised from the floor. Where appropriate, a vote will be taken to reach a formal recommendation on the agenda item.

**PROPOSED SCHEDULE OF MEETINGS FOR THE 2017/18 MUNICIPAL YEAR
(TO COMMENCE AT 4.30PM):**

- 11 July 2018
- 30 October 2018 (TBC)
- 20 February 2019 (TBC)

DISABLED ACCESS:

Disabled access is normally available, but please phone Democratic Services on 01962 848 264 or email dblakemore@winchester.gov.uk to ensure that the necessary arrangements are in place.

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NORTH WHITELEY DEVELOPMENT FORUM

13 November 2017

Attendance:

Councillors:

Winchester City Council

Ruffell (Chairman) (P)

Achwal (P)
Bentote (P)

Huxstep (P)
Pearson (P)

Eastleigh Borough Council

Clarke (P)

Fareham Borough Council

Butts (P)

Hampshire County Council

Woodward
Stallard

Whiteley Town Council

Evans (P)

Curdridge Parish Council

Bundell (P)

Botley Parish Council

Mercer (P)

Officers in Attendance:

Mr S Tilbury – Strategic Director, Winchester City Council

Others in attendance:

Mr N Thorne - Peter Brett Associates

Mr B Clifton – Hampshire County Council Highways

Mr R Vaughan - Hampshire County Council Children's Services

1. **CHAIRMAN'S WELCOME**

The meeting was held at the Solent Hotel, Whiteley and the Chairman welcomed approximately 40 local residents and representatives of amenity groups, the development consortium and businesses.

2. **APPOINTMENT OF VICE-CHAIRMAN FOR THE 2017/18 MUNICIPAL YEAR**

RESOLVED:

That Councillor Huxstep be appointed Vice-Chairman for the remainder of the 2017/18 Municipal Year.

3. **PUBLIC PARTICIPATION**

The Chairman invited members of the public (including local interest groups and stakeholders) to raise any general matters of interest and/or matters relating to the work of the Forum following the presentation and discussion of agenda item 5 - North Whiteley Development Forum Progress Report and Update (Report NWDF5 refers).

4. **MINUTES**

RESOLVED:

That the minutes of the previous meeting held 3 July 2014 be agreed as a correct record.

5. **NORTH WHITELEY DEVELOPMENT FORUM PROGRESS REPORT AND UPDATE**

(Report NWDF5 refers)

Mr Tilbury gave a presentation to the Forum, a copy of which has been made available on the [Council's website](#).

In summary, Mr Tilbury reminded the Forum that North Whiteley was one of three Major Development Areas (MDAs) in the current Winchester District Local Plan. The other two are located at Barton Farm (King's Barton) and at West of Waterlooville – both of which were currently in varying stages of being built out. It was explained that planning permission for North Whiteley was resolved to be granted by Winchester City Council in October 2015, subject to a Section 106 (S106) agreement being prepared and signed. This was a legal agreement with regard to various important phased infrastructure being in place at specific stages of the development, notably highway improvements. Planning consent was now shortly to be issued as the S106 was now ready to be signed after delays caused largely by uncertainty over infrastructure funding. Mr Tilbury drew the Forum's attention to the appendix to the Report which set out the schedule of obligations within the S106 agreement.

It was explained that a S106 would ensure that all necessary additional infrastructure was provided for by the developer. This would ensure that the 'burden' of the new development did not fall upon existing residents.

Mr Tilbury highlighted those involved in the decision making, the in particular the local authorities, the developer consortium as well as statutory consultees and also key stakeholders. The latter included Whiteley Town Council, Curdridge Parish Council and neighbouring authorities and were represented on the Forum.

The development area was extensive and within the 'red line' boundary of the planning application a considerable proportion of land would not be developed. This was generally because these were areas of particularly sensitive natural environment. Mr Tilbury showed the broad form of the development, and its three distinct areas. An area close to the existing Whiteley would contain a new primary school. A 'middle' area would include a new secondary school and the third area to the northern end of the MDA was to be of a different character and was to include the second primary school, playing fields and community buildings.

There would be no employment or large scale retail within the development as this already existed in Whiteley.

Mr Thorne, Peter Brett Associates detailed the significant on-site and off-site highway infrastructure improvements and the three primary routes through the development – Bluebell Way extension, Whiteley Way extension and Curdridge Way. There was also to be a significant sustainable transport strategy. Off site high way works included at parkway south roundabout ('R1') and also at M27 J9. All improvements were to be expedited due to securing £14m Solent LEP funding. Mr Thorne explained each of the three highway 'packages' as highlighted in the presentation, including their various triggers around house occupations. The Blue Bell Way extension (package 1) was to provide access to the new primary school and was to be approximately 1.3 kilometres long and was expected to be delivered by 2019. Package 2 included improvements to R1 and also the M27 J9. The latter, especially, was complex and required careful traffic management and liaison with Highways England - although it was an objective for these works to be completed asap. Package 3 included improvements to the Tesco Roundabout, access to the town centre shops, Marjoram Way and also Parkway north roundabout. These proposals required careful sequencing so to avoid disrupting the movement of shoppers and business excessively.

Mr Tilbury reported on the £42m total contributions within the S106 with regard to education and the 'triggers' for their completion. The new secondary school (up to eight form entry) would be the first to have built in Hampshire for many years and would support community facilities. The target opening date for the first new primary school in the southern area was September 2020 at which point the existing Cornerstone school would be relocated.

Mr Tilbury also explained that there was to be provision of 15% affordable housing on site, and a further financial contribution for off site provision equivalent to a further 10% on site. The Forum's attention was also drawn to

an indicative timetable in his presentation which set out site clearance by February 2018, first occupations by spring 2019 and continued delivery 5-10 years after delivery of the first primary school at September 2020. The Forum was reminded that there were factors outside the control of the consortium and the Council which may impact upon the timetable.

Finally, Mr Tilbury reiterated the important role of the Forum going forward. It would provide feedback on planning issues etc and oversee community development activities etc. The Forum's achievements to date had included helping shape the masterplan for the MDA, the design codes and community infrastructure requirements.

Members of the Forum asked a number of questions which were discussed and responded to as summarised below:

Medical Centre

The existing Whiteley Surgery had been consulted on the development and it had been agreed with the Clinical Commissioning Group (CCG) as having the ability to expand to meet the medical needs of the residents of the development at North Whiteley and therefore no new premises for primary health care were proposed. However, the car park at the surgery is inadequate and the S106 agreement therefore provides funding for an extension by the owners of the property. This would require planning consent from Fareham Borough Council as local planning authority. A member of the Forum asked what would happen if Fareham Borough Council did not grant planning permission and it was confirmed that in that circumstance, an alternative form of car parking would be required.

Highways improvements

It was explained that the Consortium and the County Council were both aware that there must be flexibility and agility to deliver the highways works promptly and phased appropriately to tie in with specific elements of the development as this was progressed. For example, those to be undertaken at Junction 9 M27 should ideally be undertaken ahead of those at R1 roundabout. There was a clear willingness to deliver and recognition to be flexible so as to ensure the least impact as possible on existing residents and business. Further detail would be brought forward in due course of the detailed planning and scheduling of the highway works. Information of the County Council's delivery of the highway improvements linked to the development should be tied into the work to complete a village plan for Botley as well as having regard to the decision soon to be made regarding the Botley bypass.

Education

It was explained that the initial assessment undertaken in 2013 had concluded that there should be provision for two primary schools each of three forms of entry built as part of the development. The County Council now anticipated fewer pupils from the existing Whiteley area and so the two new primary schools will be configured as one with three forms of entry and one with two forms of entry.

Woodland SINCS

The North Whiteley development was to retain a significant area as countryside. However, not all of this land would be accessible to the public due to its sensitivity and it would be managed accordingly.

The Chairman invited members of the public (including local interest groups, and stakeholders) to raise any general matters of interest and/or matters relating to the work of the Forum.

Councillor Hazel-Croft (Whiteley Town Council) addressed the Forum with regard to provision for wildlife and the natural environment as part of the development.

The consortium was urged to consider how to enhance biodiversity within house building and design. All new buildings must ideally be constructed to be 'wildlife friendly' and there was good practice set out in the RIBA Guide 'Designing for Biodiversity' which was the outcome of much detailed work with relevant groups and experts. A housing development at 'Kingsbrook' Aylesbury was referred to as good practice, which was a site not dissimilar to North Whiteley. The developer here had incorporated wildlife corridors, bat roosts etc. The Town Council was already discussing how to incorporate such initiatives into the existing Whiteley by enhancing areas for wildlife.

In response, Mr Tilbury recognised that this was an important area and explained that this could be looked into as part of the future reserved matters planning applications for the development.

A local resident asked whether the volume of traffic in Leafy Lane would further increase during development as was already difficult due to business traffic.

In response, Mr Clifton referred to proposed improvement works to Whiteley Way and opportunities to look at the interaction of the existing business park traffic with Leafy Lane. Study work being undertaken could include this.

A local resident was concerned at an apparent lack of priority to consider the urgent expansion of the existing health centre, which was already at capacity.

In response, Mr Tilbury clarified that the NHS had made clear, as it had at other neighbouring development, that it did not want any additional buildings to be provided and that healthcare for residents could continue to be delivered effectively with new services provided at existing facilities. Additional GPs would be provided by the NHS and could not be sought through the planning process. It was also noted that in Botley, other community buildings had been successfully fitted out for suitably equipped 'nurse led' health care facilities.

A representative of Whiteley Town Council referred to existing issues of traffic being halted at the Marjoram Way Roundabout at the pedestrian crossings by workers travelling between the business parks. It was queried whether there may be consideration of a footbridge to assist with traffic flow.

Mr Clifton explained that although there were no plans for footbridge as part of the highway works the frequency of the crossings had featured in traffic assessment works. The existing breadth of the works here were to increase the capacity of the roundabout and along Whiteley Way as well as there being additional crossing points along Whiteley Way.

A local resident queried when the new secondary school was to be provided?

Mr Tilbury reported that the school was scheduled to be provided by 2025 and also that within the S106 there was to be financial contributions to fund transport to take pupils off site until this was open.

A local resident queried whether Yew Tree Drive was to remain open and if Rookery Avenue was eventually also to be a new route out of Whiteley?

Mr Clifton responded that the area transport assessment assumed that Yew Tree Drive would as remain open and there were no plans to complete Rookery Avenue. Councillor Bundell (Curdrige Parish Council) raised the issue of the proposed cycle way along part of the A3051 and being lit by 5 metre high lamp-posts. This would create an effect of urbanisation of the area and he requested that the Forum support the Parish Council's request that Hampshire County Council further consider options available.

In response, Mr Clifton explained that the footway/cycleway was an important facility and that the design of lighting would be carefully looked at. The County Council were likely to agree the minimal specification for the lighting, having been mindful of the character of the area. These were likely to be LED lights, which will not be over lit, with no 'overspill'. This specification met the dark sky policies of the national parks. There could be other options available, such as lit bollards, but these could not be adopted by the County Council. The various options available could be made available for discussion at a future meeting of the Forum.

RESOLVED:

1. That the content of the report be noted.
2. That the Hampshire County Council provide further options for discussion to a future Forum meeting before any final decision is made with regard to its current position on the provision of lighting of the A3051 footway/cycleway.

The Chairman thanked those attending this meeting of the Forum.

The meeting commenced at 6.30pm and concluded at 8.15pm.

Chairman

REPORT TITLE: NORTH WHITELEY DEVELOPMENT FORUM PROGRESS
REPORT AND UPDATE

11 JULY 2018

REPORT OF PORTFOLIO HOLDER: Cllr Caroline Brook; Portfolio Holder for Built
Environment

Contact Officer: Steve Tilbury Tel No: 01962 848 256 Email
stilbury@winchester.gov.uk

WARD(S): WHITELEY AND SHEDFIELD

PURPOSE

The purpose of the report is to update the Forum on the status of issues relating to the North Whiteley Major Development Area. In particular it addresses progress on the completion of the Section 106 agreement and the issue of the outline planning consent for the development. The Forum will be updated on the programme of highway works both to serve the new development and for the general improvement of access to Whiteley.

RECOMMENDATIONS:

1. That the content of the report be noted.
2. That the Forum notes the further discussion Hampshire County Council in relation to cycleway lighting in response to concerns raised by Curdridge Parish Council

IMPLICATIONS:

1 COUNCIL STRATEGY OUTCOME

- 1.1 The provision of 3,500 houses at North Whiteley is a key Local Plan policy and will help the Council to deliver quality housing options. It will support economic growth in the south of the District in accordance with Council Strategy objectives.

2 FINANCIAL IMPLICATIONS

- 2.1 The Council will receive various financial contributions arising from the development and by way of New Homes Bonus. The triggers for the payment of financial contributions are set out in the Section 106 agreement.

3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 There are no legal issues arising from the report itself. Some important information regarding the legal issues associated with the planning consent is contained in the report.

4 WORKFORCE IMPLICATIONS

- 4.1 None.

5 PROPERTY AND ASSET IMPLICATIONS

- 5.1 The City Council or the parish council for the area will eventually receive various assets transferred under the terms of the Section 106 agreements.

6 CONSULTATION AND COMMUNICATION

- 6.1 Good communication and the provision of timely information to local residents and businesses is a joint responsibility of the various public bodies involved and the development consortium. The Forum itself plays an important role in this process. As the development progresses the appointment of the Implementation Officer is a proven mechanism to ensure that information is available locally to help maintain awareness of the progress of the development.

7 ENVIRONMENTAL CONSIDERATIONS

- 7.1 The report itself has no environmental implications. An important matter in relation to the assessment of the environmental impacts of the development is addressed in the body of the report.

8 EQUALITY IMPACT ASSESSMENT

- 8.1 None.

9 RISK MANAGEMENT

Risk	Mitigation	Opportunities
<i>Property</i> <i>None</i>		
<i>Community Support</i> If communication and information provision to local residents and businesses is poor there could be an impact on community activities, the development timetable and reputation for those involved.	Regular Forum meetings to be held Good communication by the development consortium Appointment of Implementation Officer Close working liaison with parish councils and ward Members.	
<i>Timescales</i> If the development does not progress in a timely fashion the Council's ability to demonstrate a five year land supply will be comprised. It is important that works on adjoining parts of the highway network be coordinated and this requires maintaining a strong focus on achieving target dates.	The Council has limited control over the timetable for development which will be largely a commercial matter for the developer. The appointment of an Implementation Officer will help to reduce the scope for delays which might occur as a result of planning process and communication issues. Good dialogue between HCC,WCC, WTC and the consortium will help ensure project milestones are coordinated and achieved.	
<i>Project capacity</i> <i>None</i>		
<i>Financial / VfM</i> <i>None</i>		
<i>Legal</i> If the implications of the recent ECJ judgement are not properly taken into account then the issue of planning consent could be challenged causing further delay and uncertainty.	Take appropriate legal advice and ensure as far as possible that no basis for challenge exists.	
<i>Innovation</i> <i>None</i>		
<i>Reputation</i> <i>None</i>		

10 SUPPORTING INFORMATION:

10.1 Background

10.2 The North Whiteley development will consist of 3,500 dwellings, 2 primary schools, a secondary school and other supporting infrastructure, including major highway works. It will integrate with the existing residential, commercial and employment development. The site itself is effectively under the control of a consortium of three housebuilders (Crest, Taylor Wimpey and Bovis) and one landowner. It is wholly contained in the Winchester City Council area. A resolution to grant planning permission for the development was made by the City Council's Planning Committee on the 12th October 2015. The grant of permission was, as is always the case for major development, subject to the completion of a Section 106 agreement which is a contract between the developer of the site and the two local authorities (Winchester and Hampshire) to secure the delivery of the infrastructure requirements as put before the Committee. After long delays for a number of reasons the Section 106 agreement has been signed by all parties and is ready to exchange subject to resolution of the matter explained below.

10.3 ECJ Judgement and Issue of Decision Notice

10.4 In April 2018 the European Court of Justice (ECJ) issued the decision on a case arising from a proposed development in the Republic of Ireland. The effect of this is to overturn a decision by the UK courts in 2008 which established the basis on which all relevant UK planning applications have been assessed for their environmental impact on protected sites. In simple terms, the ECJ decision means that measures proposed to mitigate the impact of a development cannot be taken into account by the local planning authority until after the environmental impacts are assessed by the planning authority. This overrides the position taken in the UK since 2008 which is that any mitigation proposed (provided it is suitably specific and deliverable) can be taken into account before deciding whether there is any need for an assessment to take place. The judgement does not mean that previous planning decisions failed to provide suitable mitigation, but rather that the mechanism used in assessing the applications is not the one which the UK courts had determined.

10.5 This decision by the ECJ has caused some surprise and confusion across the country as it has been widely considered as good practice to incorporate habitat mitigation into the project development process, not to see such measures as a separate 'bolt on' only to be added afterwards.

10.6 Because the decision notice for North Whiteley has not yet been issued it has been caught by the ECJ judgement. The 2015 planning application was not given what is known formally as an 'Appropriate Assessment' of its environmental impacts because the mitigation measures it includes were deemed sufficient to ensure that no harmful impact arose and therefore that no Appropriate Assessment was needed. The ECJ judgement means that an

Appropriate Assessment must be commissioned in order to form part of the evidence base before a decision notice can be issued.

- 10.7 An Appropriate Assessment has now been commissioned based on the material supplied for the planning application. This is expected to be complete by the end of July to the necessary standard of detail and comprehensiveness.
- 10.8 This delay in issuing a decision notice could have an impact on the timetable for preparatory works on the development. Everything possible is being done to avoid this, but there is a narrow window for those works. A further update will be given at the meeting.
- 10.9 Update on Key Infrastructure Issues
- 10.10 As discussed at the last Forum meeting, the complex highways issues on the M27, J9 and in and around Whiteley are of great concern to local residents and businesses. Regular meetings have been held between Whiteley Town Council, the County Council, the City Council and consortium representatives to coordinate these works. The Highways Agency has also been consulting recently on its 'Smart Motorway' project for the M27 which is also likely to have an impact on traffic flows whilst it is carried out.
- 10.11 Representatives from the County Council and consortium will be present at the meeting and will give an update on the latest project management issues.
- 10.12 Timetable and Delivery
- 10.13 Until the recent legal issue described above intervened, the timetable for the development commencing on site remained as set out in the previous report NWDF7. That timetable is now at risk as a result of the need to complete an Appropriate Assessment but it is not possible at the time of writing the report to be sure about how much impact this might have. More information will be available to be presented orally at the meeting.
- 10.14 Lighting of B3051 Cycleway – Curdridge Parish Council concerns

Curdridge Parish Council remains concerned that the cycleway to be provided running alongside the B3051 from the new Whiteley Way junction to Kings Corner where the B3051 meets the A3345 will be lit to ensure safety and encourage after dark usage and has asked to raise the matter once again at the meeting of the Forum.

11 OTHER OPTIONS CONSIDERED AND REJECTED

- 11.1 There are no other options to be considered.

BACKGROUND DOCUMENTS:-

Previous Committee Reports:-

NWDF5 – 17 November 2017

Other Background Documents:-

None