



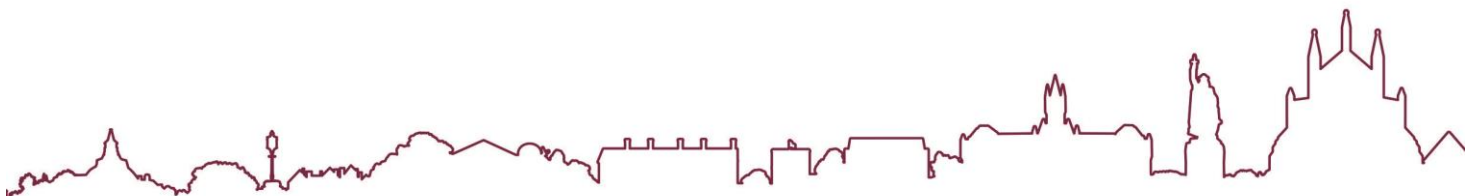
Meeting	Kings Barton Forum
Date and Time	Thursday, 13th October, 2022 at 6.00 pm.
Venue	This meeting will be held virtually and a live audio stream can be listened to via https://civica.audiominutes.com/public_player/wincc

AGENDA

- 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. Disclosures of Interests**
To receive any disclosure of interests from Members and Officers in matters to be discussed.

Note: Councillors are reminded of their obligations to declare disclosable pecuniary interests, personal and/or prejudicial interests in accordance with legislation and the Council's Code of Conduct.
- 3. Chairperson's announcements**
- 4. Public Participation**
To receive and note questions asked and statements made from members of the public and the residents' association on general matters of interest and/or matters relating to the work of the Forum.
 - Members of the public;
 - Visiting Councillors;
 - Kings Barton Residents' Association

Members of the public and visiting councillors may speak at the Forum, provided they have registered to speak three working days in advance. Please contact Democratic Services **by 5pm on Friday 7 October 2022** via democracy@winchester.gov.uk or (01962) 848 264 to register to speak and for further details.



5. **Community & Neighbourhood centre**
(Describe the Consultation process, what is in scope and out of scope) - Cala
6. **To note the following dates for future meetings of the Forum in the 2022/23 municipal year:**
14 March 2023
7. **Minutes of the meeting of the 12 July 2022 and matters arising** (Pages 7 - 12)
 - i. Cycle/Footpath network within and across Kings Barton - Cala / HCC
 - ii. Phase Delivery (information on proposals for the timing of phased delivery and plans/drawings indicating connectivity) – Cala
 - iii. Winchester Avenue (update on technical approval) – Cala

That the minutes of the meeting be signed as a correct record.

8. **Andover Road**
Discuss the response to the KBRA petition / Cllr Heron's/ HCC's response (what is happening and who should do what?) - WCC, HCC, Cala
9. **Public Open spaces in development**
 - i. 1B – status in the negotiation with HWPC - Cala
 - ii. 1A – status in the design and consultation - Cala
 - iii. 2B – The Green – plan for when in consultation - Cala
10. **Occupation Schedule/ Update on Physical Development of MDA (KBF36)** (Pages 13 - 32)

Laura Taylor
Chief Executive

All of the Council's publicly available agendas, reports and minutes are available to view and download from the Council's [Website](#) and are also open to inspection at the offices of the council. As part of our drive to minimise our use of paper we do not provide paper copies of the full agenda pack at meetings. We do however, provide a number of copies of the agenda front sheet at the meeting which contains the QR Code opposite. Scanning this code enables members of the public to easily access all of the meeting papers on their own electronic device. Please hold your device's camera or QR code App over the QR Code so that it's clearly visible within your screen and you will be redirected to the agenda pack



5 October 2022

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

Kings Barton Forum

Membership

Cllr Cramoysan	Winchester City Council
Cllr Batho	Winchester City Council
Cllr Craske	Winchester City Council
Cllr Cunningham	Winchester City Council
Cllr Godfrey	Winchester City Council
Cllr Horrill	Winchester City Council
Cllr Porter	Winchester City Council
Cllr Rutter	Winchester City Council
Cllr Tod	Hampshire County Council
Cllr Warwick	Hampshire County Council
Cllr Watters	Headbourne Worthy Parish Council

In addition, the following are nominated deputies to the Forum:

Porter (Hampshire County Council) and Stallard (Hampshire County Council)

Development Fora – Terms of Reference

The fora have no formal decision making powers, but can advise and make recommendations on relevant issues.

Primary objectives of the fora:

1. Meet 3 times per year. Virtual meetings will continue.
2. Comment and advise on strategic matters related to the implementation of the MDA.
3. Monitor and comment on progress relating to the development of the MDA including the implementation of planning conditions and requirements of planning obligations (s106 agreements) and s278 agreements (highway works).
4. Monitor and comment on community development activities within the development area, and provide advice on how these should progress.
5. Support the establishment of appropriate local democratic structures for the emerging community.
6. Be wound down once governance arrangements are established,

How this will be achieved:

1. Each meeting will receive the following input:
 - a. Update on the physical development of the MDA (from the developer).
 - b. Report on the community development activities and any issues arising within the MDA.
 - c. Discussion on infrastructure.
2. Other matters will be brought to the forum as and when required.

Key stages of the fora:

Stage 1 – Planning	Stage 2 – Emerging	Stage 3 – Establishing
<p><u>Start:</u> Initial master planning <u>End:</u> Outline planning consent / start on site.</p>	<p><u>Start:</u> Start on site <u>End:</u> Establishment of a parish council, or other suitable democratic body as applicable.</p>	<p><u>Start:</u> Establishment of a parish council, or other suitable democratic body as applicable. <u>End:</u> New governance arrangements established</p>
<ul style="list-style-type: none"> • 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. • Consider and advise upon the infrastructure required 	<ul style="list-style-type: none"> • Receive updates on the progress of development and compliance with relevant planning conditions and S106/S278 agreements • Input into creation of a community development strategy 	<ul style="list-style-type: none"> • Receive updates on progress in establishing the community and any emerging issues • Consider and advise upon a strategy for the ownership and management of the social infrastructure and community assets. • Receive updates on the progress of development and compliance with relevant planning conditions and S106/S278 agreements
Lead: Service Lead – Built Environment	Lead: Service Lead – Built Environment	Lead: Service Lead – Community & Wellbeing

Membership

Kings Barton / Stage 2

- | | |
|--|--|
| • Winchester City Council | 7 elected representatives (inc. Chair) |
| • Hampshire County Council | 2 elected representatives |
| • Littleton & Harestock Parish Council | 1 representative |
| • Headbourne Worthy Parish Council | 1 representative |

Officers

Lead Officer	Julie Pinnock
Senior Planner/ Community Officer	Naomi Arnold

Quorum

The development fora will be quorate if five voting representatives are present.

Method of working and voting rights

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

Public Participation procedure

There will be a period of 10 minutes maximum at the beginning of each forum meeting when the Chair 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. 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 allocated maximum ten minutes between them.

The Chair will retain 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.

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 Chair will invite Officers and/or Members to respond to specific points during the round table debate and discussion amongst forum members that follows.

Members of the public should contact the Democratic Services Officer 3 working days before the meeting (preferably telephone or email) so that as many people who wish to speak can be accommodated during the public participation sessions. Once the period of public participation has drawn to a close, there will be an opportunity for elected members who are not on the forum (i.e. Cabinet or Ward Members) to speak in advance of questions and debate amongst forum members at the Chair's discretion.

The forum will then debate the item with any conclusions and recommended recorded.

Filming and Broadcast Notification

This meeting will be recorded and broadcast live on the Council's website. The meeting may also be recorded and broadcast by the press and members of the public – please see the Access to Information Procedure Rules within the Council's Constitution for further information, which is available to view on the [Council's website](#).

KINGS BARTON FORUM

Tuesday, 12 July 2022

Attendance:

Batho	Porter
Craske	Rutter
Cunningham	Tod
Godfrey	Warwick
Horrill (Winchester City Council)	Watters (Headbourne Worthy Parish Council)

Other members in attendance:

Councillor Learney

[Video recording of this meeting](#)

1. **DISCLOSURES OF INTERESTS**

Councillor Porter declared a personal (but not prejudicial) interest in respect of various agenda items due to her role as a county councillor.

Councillors Tod and Warwick reminded the meeting that they were both present at the Forum in their role as county councillors.

Councillor Rutter reminded the meeting that although present as a city councillor, she was also chair of Headbourne Worthy Parish Council.

2. **APPOINTMENT OF VICE-CHAIRPERSON FOR THE 2022/23 MUNICIPAL YEAR**

RESOLVED:

That Councillor Craske be appointed vice-chairperson of the Forum for the 2022/23 municipal year.

3. **CHAIRPERSON'S ANNOUNCEMENTS:**

Councillor Cramoysan drew members' attention to the approved terms of reference for the Forum (as set out on the agenda sheet) and in particular highlighted the objectives. He encouraged the Forum to limit discussion to within the agreed remit as far as possible.

He confirmed that it had been established that the dog waste bins around the Kings Barton Meadow were the responsibility of the City Council and urgent action was being taken to deal with recent issues.

4. **MINUTES OF THE MEETING OF THE 15 MARCH 2022 AND MATTERS ARISING**

i) **Cycle/Footpath network within and across Kings Barton**

Councillor Cramoysan invited Lucy Taylor to address the Forum during public participation at this point as summarised below:

Speaking as resident of Abbots Barton with children attending Barton Farm Academy she highlighted the poor condition of the paths to the school. The rough condition of the paths in some areas made them impassable for pushchairs and were also dangerous for cycling. The connectivity between paths was also poor and she had not received replies when she had communicated her concerns to Cala.

Ms Taylor's points relating to the condition of the paths and lack of connectivity were supported by a number of Forum Members. It was clarified that her concerns related to the two paths – the first was from near Phase 1A up the hill to the Ridgeway, the second was the ridgeway path from Andover Road towards the school.

Ian Curry (Cala) explained that the first path referred to was a temporary link provided in response to requests from the community to offer the most direct route between areas. There were logistical challenges as routes sometimes crossed land not owned by Cala. **However, he agreed to investigate further whether improvements to the path surface were possible and he would respond directly to Ms Taylor on this as well as liaising with the Forum Chair.**

The more general point was raised of Cala providing information on proposals for the timing of the phased delivery and plans/drawings indicating connectivity. **Mr Curry agreed to meet with the Forum Chair to provide further information.**

It was clarified that the surface work for the second path referred to had been undertaken by the County Council Countryside Team. Councillor Porter emphasised that its status was as a footpath rather than a cycle path but agreed that the surface should be suitable for pushchairs etc. **She had arranged a further meeting with the County Council officers on this matter and would report back to Forum Members.**

ii) **Community Centre – Cala**

Alison Thompson (Cala) provided an update and advised that recent meetings had been held with the Design Review Panel where high level schemes were presented. Once Cala had been able to assess the comments from the Panel, she would be able to give a clearer timescale on the dates for the public consultation regarding the community centre. It was likely this would take place before the next Forum meeting in October and councillors would be invited to take part.

In response to questions, Ms Thompson stated that Cala worked with Steve Lincoln (WCC Service Lead – Community) who had presented an update on proposals to the parish council. She agreed that the building design should be suitable for the end user and **confirmed that she would discuss further with Mr Lincoln to ensure that the parish council was further involved at an appropriate time in order to have an input into proposals for the internal layout of the community centre building.**

(iii) Bus service

Councillor Porter reported that an intermediate taxi bus service would be operated connecting both Phase 1A and 1B to Winchester. The level of usage would be monitored by the County Council's community bus team in order to ascertain likely future demand.

(iv) Waste plant

Councillor Porter stated that the application had been awarded on appeal to the Inspector and details of the planning application had been shared with the parish council and were available on the county council's website <https://planning.hants.gov.uk/Planning/Display/20/01765/HCS>. The general restrictions were that lorries would be required to use the A34 unless they were travelling from the Winchester town direction. The hours of operation were also specified.

RESOLVED:

That the minutes of the previous meeting of the Forum held 15 March 2022 be agreed as a correct record.

5. **FUTURE MEETINGS OF THE FORUM IN THE 2022/23 MUNICIPAL YEAR:**

RESOLVED:

That the dates of the future meetings of the Forum be noted as follows: 13 October 2022 and 14 March 2023.

6. **PUBLIC PARTICIPATION**

Kings Barton Residents' Association (KBRA)

Mike Slinn outlined the various matters arising as set out in the notes circulated prior to the meeting from the KBRA, including their meeting with Cala. The notes were available on the Council's website [here](#).

With reference to the update regarding the new waste recycling centre, Mr Slinn continued to express concerns about the potential for additional traffic through Kings Barton. However, Councillor Porter reiterated that the planning permission would address this point.

The Service Lead – Built Environment advised that a replacement senior planner/community support officer had been appointed and would be starting on

1 August 2022. She confirmed that she would be meeting with the KBRA as part of her role.

Winchester Avenue

Mr Curry (Cala) confirmed that the County Council had not yet given technical approval for Winchester Avenue although he hoped this would be given by September. **It was agreed that this should be an item for the future Forum work programme.**

Future governance review

With regard to item 9 of the KBRA notes, Councillor Porter clarified that the meeting referred to was with Winchester City Councillors (in addition to parish councillors) and not officers. It was agreed that once further clarity was available on possible future options, the parish council would seek to involve KBRA. A WCC initiated Governance review is referred to in the future work plan.

Community meetings space

Mr Curry advised that there was no obligation on Cala to provide the meeting space referred to and he had contacted the parish council to clarify this misunderstanding. **However, he agreed to investigate further whether any space might be provided in the future.**

During discussion of the various points raised by the KBRA, one Forum Member highlighted the importance of ensuring the various different meetings taking place all tied together and clarifying the Forum's role in the process. **Councillor Cramoysan noted this point for further consideration.**

In response to questions, Mr Curry confirmed that a strategy for the play areas already exists and agreed to share a copy to the KBRA and Forum. Similarly, the strategy for the Neighbourhood centre or commercial centre was already in the public domain (Outline planning permission on the council planning portal) but Mr Curry agreed that he would share this again.

7. UPDATE ON THE PHYSICAL DEVELOPMENT OF THE MDA (VERBAL UPDATE)

It was noted that a number of points under this section of the agenda had been discussed earlier in the meeting.

Councillor Cramoysan made reference to the information provided for the North Whiteley Development Forum regarding the number of dwellings approved, when built and when occupied and asked if similar information could be provided for this Forum? **Mr Curry agreed to investigate whether this information could be provided, noting that future sales and occupancy rates might be subject to commercial sensitivities. It was thought that currently, 435-440 dwellings were built with approximately 390 occupied.**

8. **REPORT ON THE COMMUNITY DEVELOPMENT ACTIVITIES AND ANY ISSUES ARISING WITHIN THE MDA (VERBAL UPDATE)**

The Service Lead – Built Environment stated that the points raised earlier in the meeting had been noted and the new officer referred to above would provide an update to the next meeting as appropriate.

9. **DISCUSSION ON INFRASTRUCTURE (VERBAL UPDATE)**

Councillor Porter announced that work on the Andover Road puffin crossing would commence 2 August and was due to be finished by November 2022. All KBRA residents had been informed via letter.

10. **WORK PLAN FOR FUTURE MEETINGS IN THE 2022/23 MUNICIPAL YEAR:**

Councillor Cramoysan drew attention to the proposed work programme as set out on the agenda and in paragraphs (i) to (iv) below. These items were agreed as amended as set out below, in addition to consideration of two additional items.

(i) Active and vehicular travel plan for North Winchester – HCC

The Forum requested that HCC highways present their plans for the movement strategy within and through North Winchester as the Kings Barton MDA matures. The scope to include, walking, cycling and vehicular movements, and to make reference to the role that both Winchester Avenue and Andover Road will play in future.

ii) Governance review – WCC

Proposed for the January Forum meeting, subject to the completion of the North Whiteley governance review and necessary WCC resources being available

iii) Public open space management – Cala / WCC

To consider plans for the transfer of Public Open space from Cala to the most appropriate level of local government (depends on Governance review) via WCC.

Item noted.

iv) Update on infrastructure deliverables – S106/S278 – WCC / HCC and Cala

The Forum agreed that discussions on the new community centre be included as an item for a future meeting.

v) Neighbourhood Centre

In addition to the discussion on the facilities provided within a new community centre itself, there were wider issues relating to the whole neighbourhood centre area, such as what is envisaged to be in the Neighbourhood centre and how this connects to the highways and active travel paths.

vi) Local Plan

This item was requested for future discussion at the Forum with particular regard to the impact of any redevelopment at St Johns Moores Barracks. The Chairperson thought that the local plan was consulted on via other council bodies including Parish Councils and the Local Plan Advisory Group. The Forum should ensure it did not extend its remit beyond the scope of the agreed terms of reference but the chair agreed to consult with officers.

The meeting commenced at 6.00 pm and concluded at 7.55 pm

Chairperson

REPORT TITLE: KINGS BARTON FORUM – PROGRESS UPDATE

13 OCTOBER 2022

REPORT OF CABINET MEMBER: Cllr Jackie Porter – Cabinet Member for Place and the Local Plan

Contact Officer: Naomi Arnold Tel No: 01962 848375 Email
narnold@winchester.gov.uk

WARD(S): THE WORTHYS WARD, ST BARNABAS, ST BARTHOLOMEW

PURPOSE

To provide the Forum with an update on progress at Kings Barton, the development process, and future works.

RECOMMENDATIONS:

1. That the content of the report be noted

IMPLICATIONS:1 COUNCIL PLAN OUTCOME1.1 **Tackling the Climate Emergency and Creating a Greener**

Kings Barton is located close to existing services, employment and education facilities making it possible for residents to take more journeys by foot, cycle or bus.

1.2 **Homes for all**

40% of the homes at the 2000 dwelling development at Kings Barton will be affordable, providing a wide range of opportunities to rent or buy in Winchester.

1.3 **Vibrant Local Economy**

2000 dwellings will provide opportunities for more young people to live and work in the district. The local centre in the development will also provide a range of business and employment opportunities.

1.4 **Living well**

Homes that are located close to services provide greater opportunities to encourage active travel amongst the population.

1.5 **Your services, your voice**

The increase in the number of homes will increase the council tax revenue for the City Council.

2 FINANCIAL IMPLICATIONS

2.1 None

3 LEGAL AND PROCUREMENT IMPLICATIONS

3.1 Provision of an update report as to the current implementation of the approved development at Kings Barton provides an important communication between the developer, City Council and local community. The report and appendices recognise the on-going nature of the planning process and importance for compliance with the planning permission and any resultant planning obligation agreements

4 WORKFORCE IMPLICATIONS

4.1 None

5 PROPERTY AND ASSET IMPLICATIONS

5.1 None

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 developers. The Forum itself plays an important role in this process.

7 ENVIRONMENTAL CONSIDERATIONS

7.1 The City Council has declared a climate emergency and on 23 December adopted a Carbon Neutrality Action Plan, committing it to reaching carbon neutrality by 2024 and aiming to make the entire district carbon neutral by 2030.

7.2 The planning consent for King's Barton cannot be amended but future phases of development can take account of emerging technologies and opportunities to reduce carbon emissions within the scope of the planning consent and Building Regulations

8 PUBLIC SECTOR EQUALITY DUTY

8.1 The Council has a general equality duty under s149 of the Equalities Act 2010 to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

8.2 There are no protected characteristics affected by the decisions within this report

9 DATA PROTECTION IMPACT ASSESSMENT

9.1 None Required

10 RISK MANAGEMENT

Risk	Mitigation	Opportunities
Financial Exposure	N/A	
Innovation	N/A	

Reputation	N/A	
Property	N/A	
Community Support	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 developers with Implementation Officer. Close working liaison with parish councils and ward Members
Timescales	If the development does not progress in a timely fashion the Council's ability to demonstrate a five year land supply will be comprised.	
Project capacity	N/A	
Legal	Implementation of the development in accordance with the planning permission and any planning obligation agreement.	The appointment of an Implementation Officer will reduce the scope for delays and hence communication as to compliance with the planning process.
Other		

11 **SUPPORTING INFORMATION:**

11.1 Background

- 11.2 Once complete, the development will comprise 2,000 new homes, 800 of which are affordable (40%), along with a range of amenities including 24 hectares of recreational and public open space, a new 32 hectare nature reserve, and other supporting infrastructure, including major highway works. The development site itself under the control of a single house builder – Cala Homes Ltd and one landowner. It is wholly contained in the Winchester City council area. The site was granted outline consent by the Secretary of State on 2nd October 2012 ref. 09/02412/OUT and was subject to a number of conditions and two S106 Legal Agreements (WCC and HCC). The outline consent also approved detailed access arrangements to serve the site. The outline consent has been subject to a Section 73 planning application to vary 3 conditions on the outline permission (ref 13/01694/FUL). A resolution to grant planning permission for the development was made by the City Council's Planning Committee on 12th October 2015 and has created a new

planning permission to which subsequent reserved matters applications relate.

11.3 S106 Obligations Discharged from Outline Consent

11.4 S106 obligations are monitored and a tracker is provided with this report – Appendix 1.

11.5 Update on Key Infrastructure and Planning

11.6 **Phase 1B**

223 homes are complete and fully occupied. Discussions with Hampshire County Council Highways continue to allow the adoptable roads to be put forward for their twelve month maintenance period.

The clauses of a Section 38 agreement of the Highways Act 1980, which establishes the adoption of a road by the County Council, outline the standards the County Council requires the new road to be built to. If the road is constructed to these standards and maintained satisfactorily for a period of at least 12 months after it is built, then the County Council will adopt the road.

11.7 **Phase 1A**

Under construction with approximately 150 dwellings complete/occupied



Phase 1A

11.8 Phase 2A Approved 05.02.202

Under construction - 264 dwellings

*Phase 2A***11.9 Planning application submissions**

11.10 Condition 8 of the outline planning consent for Kings Barton states:

11.11 “Application for approval of the residential reserved matters and non-residential reserved matters in respect of each subsequent phase of development hereby permitted shall be made to the local planning authority before the expiration of 7 years from the date of this permission”

11.12 The submission of all outstanding reserved matters were submitted and validated before the 7 years deadline securing both the planning consent and S106 obligations.

11.13 In order to facilitate the submission of these reserved matters applications and in line with the requirements of the S106, CALA formally submitted a request to the City Council informing they wished to amend the Phasing Plan

11.14 These reserved matters applications are 'shelved' at the City Council until such a time that CALA are ready to bring them forward.

11.15 The following table provide an update on the reserved matters applications that are approved and pending consideration (estimated dates are conservative):

Phase	Development Description	Application Ref	Determined	Commenced on site or estimated
Phase 1A	200 residential dwellings & public open space (Winterbourne Meadows)	13/02257/REM	Permitted 27/03/2014	2018
Phase 1B	223 residential dwellings	13/02257/REM	Permitted 27/03/2014	2016
Phase 2A	264 residential dwellings & public open space (The Green)	19/01616/REM	Permitted 07/02/2021	2022
Phase 2B Plot 1	231 residential dwellings & public realm and access to the various mixed uses within the Neighbourhood Centre, Recreation Ground and Park & Ride Facility	19/02124/REM	Pending consideration	
Phase 2B Plot 2	Retail food store (Retail Use Class E), 5 smaller retail units (falling within Use Class E) with associated service yard, car parking and landscaping. This retail hub includes The Place which functions as an events space or car parking when not in use,	19/02118/REM	Permitted 17/06/2022	
Phase 2B Plot 3	Children's Day Nursery (Use Class D1 Non-Residential Institution) with associated outdoor play area, car parking and landscaping.	19/02122/REM	Permitted 17/06/2022	
Phase 2B Plot 4	A 2, 3 and 4 storey building housing an Extra Care Scheme. This includes 60 one and two-bedroom units with	19/02115/REM	Permitted 17/06/2022	

Phase	Development Description	Application Ref	Determined	Commenced on site or estimated
	associated communal facilities for residents set within landscaped grounds.			
Phase 2B Plot 5	Mixed use development comprising of E (g) Offices and D1 (Non-Residential) Training and Education Centre with associated parking, landscaping and related infrastructure	19/02116/REM	Permitted 17/06/2022	
Phase 2B Plot 6	A single storey community building, associated car parking and landscaping	19/02119/REM	Permitted 17/06/2022	
Phase 3A	193 residential dwellings including public open space	19/01983/REM	Pending consideration Currently in consultation, targeted determination 2023	2025
Phase 3B	121 residential dwellings including public open space	19/01985/REM	Pending consideration Targeted determination 2024	2026
Phase 4A	273 residential dwellings & public open space including an equipped play area (LEAP), U13/14 Football Pitch, allotments and related infrastructure	19/01984/REM	Pending consideration Targeted determination 2026	2028
Phase 4B	433 residential dwellings & public open space	19/02029/REM	Pending consideration Targeted determination 2028	2030

11.16 Phase 2B plots 1 – 6 represent separate parts of the Local Centre of the overall development and is located close to the centre of the wider Kings Barton development.

Other phases of the development sit on all sides and the existing Kings Barton Academy is located to the far east.

The Avenue, the main thoroughfare through Kings Barton, passes through the centre of the phase to the east of Phase 2B, the land is currently undeveloped with the exception of The Avenue where preparatory works have taken place.

Plots 2 to 6 which together form the Local Centre of the Kings Barton Development have had planning applications submitted, assessed and determined on their each individual merits. However a strategic overview is being made on this area and it is therefore expected that further revised applications will be submitted in the future.

- 11.17 A key challenge for the Local Planning Authority is to ensure that all the elements of Phase 2B articulate well with each other to create and contribute to a strong character and sense of place. Therefore it is seen as correct procedure that the Kings Barton Neighbourhood Centre development be referred for Design Review Panel due to its combined size, significance and location. The DRP provide an essential part of the planning process and comments from the panels should be given substantial weight in the decision making process.
- 11.18 CALA have subsequently presented the proposal for the future combined application for the major development area Neighbourhood centre to the DRP on 15th February 2022, and a further revised proposal presented to the DRP on 12th July 2022. Feedback has been provided by the DRP following both these presentations and now CALA are in a position to undertake public consultation on the neighbourhood centre. This will be high level and be based on the last presentation to the Design Review Panel, so will focus on design principles.
- 11.19 CALA have scheduled to hold their public engagement event on Wednesday 5th October 2022 at the Visitor Centre within Kings Barton, providing easy access for residents living both on the Kings Barton development and adjacent residents.

11.20 **Transfer of Open Space**

- 11.21 S016 agreement 5.2 states:

The long term ownership maintenance and management proposals shall provide for one of the following:

5.2.1 –the ownership maintenance and management of the features by a management company; or

5.2.2 - the ownership maintenance and management of the features by a trust that has sufficient capital resources to ensure its ability to manage features in the long term; or

5.2.3 - the transfer of the freehold of such features to the Council following the Council clarifying the completion of the Open Space and the maintenance thereof for a period of twelve months thereafter by the Owner to the reasonable satisfaction of the Head of Planning Management by an agreement in the form set out in Part I of Schedule 2 and a transfer in the form set out in Part II of Schedule 2 hereto and including the payment by the

Owner to the Council of a reasonable commuted sum in relation to their future maintenance; or

5.2.4 – a combination of any of the options referred to in Clauses 5.2.1, 5.2.2, and 5.2.3; or

5.2.5 – any other mechanism agreed between the Council and the Owner

11.22 As published in the minutes of the Headbourne Worthy Parish Council - Kings Barton Working Group (18.07.2022), Headbourne Worthy Council have conveyed an interest in taking the transfer of the open space, both Cala and the City Council consider this an acceptable proposal, and the S106 permits 'any other mechanism' to be agreed between Cala and the City Council. However as the Parish Council are not signatories to the S106 legal agreement, Cala are required to liaise with the City Council in terms of inspections and the signing off process.

11.23 An agreement to the commuted sum for the transfer of open space is yet to be agreed. Before an agreed sum for the completed Phase 1B play area, or any other future area of open space, it is needed to agree a rate /m² which can then be used consistently across the site.

It is acknowledged however that this sum, and others, will be affected by the agreement Cala and the City Council made in 2016, with respect to the 'Ecological Amenity Land' aka land to the east of the railway line (LEORL). In this agreement Cala and the council agreed that the initial 'first operations' or actual costs of establishing the LEORL (fencing, seeding and other works set out in JSL1980_873M) would be taken off the S106 open space maintenance sum. However, this would not apply to any costs for maintaining the LEORL while in Cala's ownership.

It was further agreed that a pro rata calculation would then be made whenever a commuted sum was to be paid and an appropriate deduction made from each such payment, until the full amount had been allowed for i.e. the sum would not be taken up front, but spread over the life of the development.

The following has so far been ascertained:

- There is a standard rate applied to all types of open space (allotment/ play area/informal green space/natural green space, pitches courts and sports grounds etc.) as a one-size-fits-all including NEAPs and LEAPs.
- The standard rate can be applied to all open space for Phase 3a (i and ii). Subsequent phases including 2b to work to current rates that will be calculated at the time. This will be established through the reserved matters process.
- Cala will work on the commuted sums spreadsheet for Phase 1a and b and 2a to understand what level of difference there is between Cala's calculations and those that WCC are expecting.

- LEORL – Cala to establish what the cost was to implement the works to the area and when did they occur in order discussions can be undertaken as to how best Cala recoups this cost.

12 OTHER OPTIONS CONSIDERED AND REJECTED

12.1 None

BACKGROUND DOCUMENTS:-

Previous Committee Reports:-

KBF Tuesday, 12 July 2022

Other Background Documents:-

APPENDICES:

S106 Obligations Tracker

Kings Barton s106 tracker

Key:
Completed
Not completed but underway
Trigger missed and not underway

Page 27

PARAGRAPH	SUMMARY	WHEN	STATUS
Obligations between Cala and Winchester City Council			
2.4	THE OWNER WILL NOT COMMENCE DEVELOPMENT UNTIL THE PHASING PROGRAMME HAS BEEN SUBMITTED TO AND APPROVED IN WRITING BY THE LPA	Prior to commencement	Completed
3.4	BETWEEN 35-45% AH IN EVERY PHASE		To note
3.7	PRIOR TO THE COMMENCEMENT OF DEVELOPMENT THE OWNER SHALL SUBMIT A DRAFT AFFORDABLE HOUSING MASTERPLAN STRATEGY (ALSO REFER TO 3.12)	Prior to commencement	Completed
3.8	EACH RESERVED MATTERS APPLICATION SHALL BE ACCOMPANIED BY A DRAFT AFFORDABLE HOUSING RESERVED MATTERS STRATEGY (ALSO REFER TO 3.12)	Prior to commencement	Completed
3.11	NO MORE THAN GROUPS OF 15 AH HOUSES OR 25 AH FLATS		To note
3.21	Prior to the commencement of development, the council shall provide the owner with a Local Lettings Plan for the development	Prior to commencement	Completed
4.1	ALL LANDSCAPING, INCLUDING CHILDREN'S PLAY, TO BE COMPLETED WITHIN 12 MONTHS OF OCCUPATION OR LONGER IF AGREED WITH HEAD OF PLANNING, OF FIRST HOUSING UNIT		To note
5.1	PRIOR TO OCCUPATION OF ANY PHASE SUBMIT TO COUNCIL PROPOSALS FOR LONG TERM OWNERSHIP MAINTENANCE AND MAGAMENT OF OPEN SPACE AND ANY OTHER LAND TO BE LANDSCAPED AS PER LOSS	Prior to occupation	Not completed but underway
6.1	PAYMENT OF CULTURAL FACILITIES CONTRIBUTION	800TH UNIT	
7.1	SPECIFICATION OF COMMUNITY CENTRE (INCLUDING CAR PARKING)	PC	
7.6.2	COMPLETION OF COMMUNITY CENTRE	800TH UNIT	
7.8	TRANSFER OF COMMUNITY CENTRE TO COUNCIL	800TH UNIT	
8.1	COMMUNITY DEVELOPMENT WORKER EMPLOYED (MAY BE AN EMPLOYEE OF THE OWNER)	200TH OCCUPATION*	Completed

PARAGRAPH	SUMMARY	WHEN	STATUS
8.3	COMMUNITY DEVELOPMENT WORKER ACCOMMODATION OF 2 ROOMS NOT LESS THAN 25 SQ METRES WITH ACCESS TO KITCHEN AND TOILET FACILITIES	200TH OCCUPATION*	
9.1	PRIOR TO COMMENCEMENT OF EACH PHASE, SUBMISSION FOR COUNCIL'S APPROVAL OF A PLAN OF THE PHASE SHOWING PUBLIC RIGHTS OF WAY THROUGH THE PHASE	Prior to commencement	
10.1	DETAILED ROUTE FOR THE PUBLIC FOOTPATH FROM ANDOVER ROAD THROUGH THE SITE AND THE ECOLOGICAL AMENITY LAND TO WORTHY ROAD, SURFACING AND OTHER CONSTRUCTION DETAILS FOR PFS AND PROPOSALS FOR LONG TERMS MAINTENANCE AND MANAGEMENT OF THE ECOLOGICAL AMENITY LAND	Prior to commencement	
Obligations between Hampshire County Council and Cala			
4.1	Notice of Commencement at least 10 day before commencement	Prior to commencement	
4.5.1	Copies of surveys and overall design of infrastructure relating to Primary School land	Prior to commencement	
4.5.2	Owner to supply to HCC the Primary School framework details including temporary access route, permanent access, any adjoining roads, cycleways and footways, drainage and utilities supplies	WITHIN 3 MTHS OF COMMENCEMENT AND BEFORE OCCUPATION 1ST UNIT	
4.6	PRIMARY SCHOOL LAND FREE OF CONSTRAINTS	Prior to commencement	
4.7	SUBMISSION OF DRAFT PRIMARY SCHOOL TRANSFER PLAN	Prior to commencement	
4.8	PRIMARY SCHOOL LAND (NOT LESS THAN 1.8 HA) TRANSFERRED TO HCC & FIRST EDUCATION PAYMENT MADE (£3400000) INDEX LINKED	POST-150TH OCCUPTION	
4.9	ALL SERVICES TO PRIMARY SCHOOL TO BE IN PLACE TO ENABLE COMMISSIONING	150TH OCCUPATION	
4.10	PERMANENT SCHOOL ACCESS COMPLETED AND SECOND PRIMARY EDUCATION PAYMENT MADE (£3400000)	250th occupation	

PARAGRAPH	SUMMARY	WHEN	STATUS
4.11	OWNER TO RE-CALCULATE PRIMARY PUPIL PRODUCT (PPP) HAVING REGARD TO PRIMARY MONITORING INFORMATION AND SHALL SUBMIT TO COUNTY	NO LATER THAN 1 MTH AFTER RECEIPT OF PRIMARY MONITORING INFORMATION FOLLOWING OCCUPATION OF 1200TH UNIT	
4.12	IF PRIMARY PUPIL YIELD EXCEEDS 420 THEN NOT TO OCCUPY MORE THAN A FURTHER 100 UNITS FOLLOWING SUCH AGREEMENT UNTIL ADDITIONAL PRIMARY SCHOOL LAND HAS BEEN TRANSFERRED TO THE COUNTY COUNCIL FOR £1 AND THE ADDITIONAL PRIMARY EDUCATION CONTRIBUTION HAS BEEN PAID TO THE COUNTY COUNCIL	IF PPP EXCEEDS 420, OWNER CAN ONLY ALLOW OCCUPATION OF A FURTHER 100 HOUSES UNTIL THE EXTRA PRIMARY SCHOOL LAND (1 HA) HAS BEEN TRANSFERRED TO HCC	
4.15	Secondary Education Contribution (£3,000,000 index linked) to be paid to HCC	750th OCCUPATION	
4.16	Owner to calculate the Secondary Pupil Product (SPP) and submit to HCC with regard to the SMR (Secondary Pupil Monitoring Report see clause 5.11)	One month after owner receives the SMR following occupation of 1,200 houses	
4.17	First City Access (£100,000), First Eastern Access (£100,000) First Western Access (£120,000) and First Non Motorised User (£170,500) Contributions must be paid by the owner to HCC	Prior to occupation	
4.18	Second City Access (£100,000), Second Eastern Access (£100,000) Second Western Access (£120,000) and Second Non Motorised User (£170,500) Contributions must be paid by the owner to HCC	PRE-650TH OCCUPATION OR FOUR YEARS AFTER THE FIRST HOUSE IS OCCUPIED, WHICHEVER THE SOONER	
4.20	NOT TO CARRY OUT HIGHWAY WORKS AND/OR OCCUPY THE DEVELOPMENT OTHERWISE THAN IN ACCORDANCE WITH SCHEDULE 2	To note	
4.21.3	BUS SUBSIDY £301,689 INDEX LINKED	350TH OCCUPATION	
4.21.4	BUS SUBSIDY £213,856 INDEX LINKED	650TH OCCUPATION	
4.21.5	BUS SUBSIDY £171,019 INDEX LINKED	950TH UNIT	
4.21.6	BUS SUBSIDY £202,706 INDEX LINKED	1250TH UNIT	
4.23	PAYMENT OF TRAVEL PLAN FEE £1500.00	Prior to occupation	
4.24	SUBMISSION AND APPROVAL OF SCHOOL, RESIDENTIAL AND RETAIL TRAVEL PLANS PRIOR TO THE COMMENCEMENT OF EACH PHASE	Prior to commencement	
4.25	TRAVEL PLAN MONITORING FEE £15000.00	Prior to commencement	

PARAGRAPH	SUMMARY	WHEN	STATUS
4.26.1	APPROVAL OF RETAIL TRAVEL PLAN	Prior to occupation of retail	
4.26.2	APPROVAL OF RESIDENTIAL DEVELOPMENT	Prior to occupation of residential	
4.31	PAYMENT OF TRAVEL PLAN BOND	Prior to commencement	
4.32	OWNER TO ESTABLISH AT ITS OWN COST AND MAINTAIN A COMMUNITY TRAVEL WEBSITE	Prior to occupation	
4.33	OWNER TO ESTABLISH TRAVEL BOARDS THROUGHOUT DEVELOPMENT	FIRST OCCUPATION	
4.35.2	NOT LESS THAN TWO CAR POOL CARS AT ALL TIMES	POST-650TH OCCUPATION	
4.36	SCHEME FOR CYCLE PARKING	Prior to commencement	
4.37	COMPLETION CYCLE PARKING	Prior to occupation	
4.38	DRAFT CONSTRUCTION ROUTE MANAGEMENT PLAN SUBMISSION	Prior to commencement	
4.39	DRAFT CONSTRUCTION ROUTE MANAGEMENT PLAN APPROVAL	Prior to occupation	
SCHEDULE 2 Part 1	SUBMISSION OF DETAILS OF HIGHWAY ACCESS WORKS AT ANDOVER ROAD/TEMPORARY SITE ACCESS JUNCTION	Prior to commencement	
SCHEDULE 2 PART 2	HIGHWAY ACCESS WORKS COMPLETION	Prior to commencement	
SCHEDULE 2 PART 3	HIGHWAY AGREEMENT TO SECURE COMPLETION OF ANDOVER RD/BEREWEEKE ROAD JUNCTION IMPROVEMENT WORKS	Prior to occupation	
SCHEDULE 2 PART 4	COMPLETION OF ANDOVER RD/BEREWEEKE ROAD JUNCTION IMPROVEMENT WORKS	100TH OCCUPATION	
SCHEDULE 2 PART 5	HIGHWAY AGREEMENTS TO SECURE:	NO MORE THAN 200TH OCCUPATION	
	A) NEW ANDOVER ROAD WORKS	NO MORE THAN 200TH OCCUPATION	
	B) ANDOVER ROAD/HARESTOCK ROAD JUNCTION IMPROVEMENT WORKS	NO MORE THAN 200TH OCCUPATION	
	C) ANDOVER ROAD/STONEY LANE JUNCTION IMPROVEMENT WORKS	NO MORE THAN 200TH OCCUPATION	
	D) WELL HOUSE LANE RAIL ARCH IMPROVEMENT WORKS	NO MORE THAN 200TH OCCUPATION	
	E) ANDOVER ROAD/WELL HOUSE LANE JUNCTION IMPROVEMENT WORKS	NO MORE THAN 200TH OCCUPATION	
	F) BARTON FARM TO WORTHY ROAD FOOTWAY/CYCLE LINKS	NO MORE THAN 200TH OCCUPATION	
SCHEDULE 2 PART 6	COMPLETE WELL HOUSE LANE RAIL ARCH IMPROVEMENT WORKS AND BARTON FARM TO WORTHY ROAD FOOTWAY/CYCLEWAY WORKS	PRIOR TO PRIMARY SCHOOL OPENING	

PARAGRAPH	SUMMARY	WHEN	STATUS
SCHEDULE 2 PART 7	NEW ANDOVER ROAD WORKS, ANDOVER ROAD/HARESTOCK ROAD JUNCTION IMPROVEMENT WORKS, ANDOVER ROAD/STONE LANE JUNCTION IMPROVEMENT WORKS AND ANDOVER ROAD/WELL HOUSE LANE JUNCTION IMPROVEMENT WORKS	NOT MORE THAN 650TH OCCUPATION	
SCHEDULE 2 PART 11	IF NO ORDER GAINED, OWNER TO PROMOTE A ROAD TRAFFIC ORDER RESTRICTING THE USE OF THAT PART OF ANDOVER ROAD TO PEDS/CYCLISTS	650TH OCCUPATION	
SCHEDULE 2 PART 12	OWNER AT OWN EXPENSE TO PROMOTE RTOs AS NECESSARY TO FACILITATE IMPLEMENTATION OF DOWNGRADING OF ANDOVER ROAD WORKS	N/A	
SCHEDULE 2 PART 13	IF PART 12 OBTAINED, OWNER TO IMPLEMENT IN ACCORDANCE WITH A PROGRAMME PREVIOUSLY AGREED WITH COUNCIL	N/A	
SCHEDULE 12 PART 14	IF RTO OBTAINED PROHIBITING use of that part of andover road, the owner shall get county approval of landscaping with programme of implementation and subject to grant of necessary licences and carry out to satisfaction of county council	PO 950TH UNIT	

This page is intentionally left blank