

Planning Note



1. SITE ANALYSIS	
Site Name:	Bar End Depot, Bar End Road, Winchester SO23 9NP
Local Planning Authority	Winchester City Council
Introduction	<p>The purpose of this note is to advise on the potential in planning terms for the redevelopment of the Bar End Depot, Bar End Road, Winchester. This does not constitute a formal planning appraisal or provide commentary on any particular scheme.</p> <p>These comments are the opinion of JLL, informed by discussions held with the LPA, they should be used as a guide only – JLL would be pleased to speak to prospective purchasers regarding specific schemes or proposals.</p>
The Site & its Surroundings	<p>The site extends to an area of approximately 1.5 hectares. It is abutted by residential properties to the north; the Winchester Sports Stadium to the east, the newly constructed Bar End Leisure Centre to the south; Access to the site is via Bar End Road located to the west, with further residential properties located further west.</p> <p>The site has been used mainly as a Depot for a number of years and consists of a number of ancillary buildings and hardstanding. There appears to be limited vegetation on the site.</p> <p>The surrounding residential buildings which the site backs onto range between 2 – 3 storeys.</p>

	<p>Although any prospective purchasers should undertake their own due diligence, the site appears to fall within the following constraints.</p> <ul style="list-style-type: none"> • Is be within flood zone 1; • is not located within a Conservation Area and does not have any listed buildings or structures located on the site, • There is potential for biodiversity • There is potential for contaminants <p>The above list is not exhaustive and should not be considered as setting out all constraints.</p>
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2. PLANNING COMMENTARY / KEY CONSTRAINTS

Sustainable Location	<p>The site is located within Winchester's settlement boundary and is well served by public transport and is in close proximity to goods and services. The site is located 1.5miles from Winchester train station which is approximately a 30-minute walk.</p>		
Planning History	<p>The below table outlines the planning history of the site. The site has been used as an employment site for a number of years.</p>		
	Planning Application No.	Description of Development	
	75/00983/OLD	Erection of store	Decision
	77/00298/OLD	Erection of garden machinery repairs workshop of 1,800sqm	Withdrawn
	91/00158/OLD	Two storey office block	Refused
	97/02159/LDC	Storage of construction and other materials in relation to local authority and allied work including street sweeping, housing waste and construction waste – LAWFUL DEVELOPMENT CERTIFICATE	Permitted
	<p>It is clear that the use is established, and that the planning history would not have any prejudicial implications on the redevelopment of the site, with a suitably considered scheme which is in conformity with the Council's Planning Policy.</p>		

Existing Use

As outlined above, the site has been used as a Depot encompassing a number of other uses and as such given the disparate nature of the uses it is highly likely this would fall within the definition of a Sui Generis use. From a search of the Council's records it is clear that a variety of uses have taken place on the site (i.e. a depot and a number of other uses). The uses would fall in such a manner as to be considered Sui Generis as there would not be one dominant planning use that would lead to other uses as being ancillary. Whilst a Lawful Development Certificate has not been obtained from the Local Planning Authority, given the disparate nature of the uses, the planning history and the details provided into the uses that have taken place on the site both presently and historically it is highly probable that the site could demonstrate that it would fall within the definition of a Sui Generis.

From a land use perspective when assessing a scheme for a differing use, the starting point for the assessment of this previously developed site is conformity with the Local Plan and the policies contained therein.

Working on the basis that it appears evident that the former use of the land is Sui Generis Policy CP9 in the Council's adopted Core Strategy only applies to B1, B2 and B8 uses. When assessing any scheme for redevelopment from a policy perspective this would give significantly greater flexibility in terms of considering alternative uses on the land. This will obviously need to consider the adjacent, type and form of development adjacent, and issues pertaining to access, the capacity of junctions, parking, etc. In this regard, subject to meeting the above requirements, B1, C1, C2, C3, D1 and D2 use would all appear to be acceptable in theory.

Given the Sui Generis use, and the fact that the site is not allocated for a specific use within the local plan, when considered with the provisions of Policy CP9 there should be no requirement with the re-provision of any employment land. As such the future use will only need to consider what the site can accommodate and how those uses conform with the adopted planning policy. Notwithstanding this and in line with the community

	<p>engagement that has already taken place regarding the future use of this site this should be used to inform any plans to redevelop this site as discussions with the Local Planning Authority have indicated that they would take this into consideration had the site come through the Local Plan review process'</p> <p>Given the Local Authority are the owners of the site, any applicant should discuss any marketing particulars and any advice which they may have received from the Planning Authority.</p>
<p>Adjacent Development Design Framework</p>	<p>The City Council is progressing a scheme to build a new high-quality Sports and Leisure Centre at Bar End as part of a Sport and Leisure Park utilising the existing community sports facilities in this location including the sports pitches and the sports stadium.</p> <p>In order to deliver an appropriate, viable and inclusive Sport and Leisure Park the City Council commissioned a design and technical team to analyse the relationship between the proposed uses and neighbouring residential areas and engaged thoroughly with the residents, users and stakeholders to create a Design Framework to provide guidance for future considerations and decisions of the landowners in the area including the City Council, the County Council and the University of Winchester.</p> <p>The Design Framework for the Bar End area of Winchester sets out a long-term vision as to how residents and the Council, working with partners, would like to see the area develop over time. It is designed to be an informal guide to help potential future development proposals and recreational improvements in the area. This DF has been shaped by the responses generated by four phases of public engagement carried out between 2017 and May 2018.</p> <p>This document was adopted by a special WCC Cabinet meeting in June 2018¹. It seeks to establish principles which ensure that the redevelopment of the Winchester Sports & Leisure Centre and adjacent Depot site are designed to be sensitive to the amenity of adjacent residential properties.</p>

¹ <https://democracy.winchester.gov.uk/documents/g318/Public%20reports%20pack%2006th-Jun-2018%2016.30%20Cabinet.pdf?T=10>

	<p>Whilst it is acknowledged that the redevelopment of the Depot Site is to be considered separately to the Winchester Sport and Leisure Park/Centre, the Design Framework is intended to set out a series of fundamental design features for development of the Depot Site and not to define a series of permitted uses.</p> <p>Any redevelopment proposal will be considered in the context of adopted local planning policy, in particular policy CP9, as well as the development guidelines set out within Theme 4 of the Design Framework Document.</p>
<p>Layout and Visual Impact</p>	<p>The Design Framework envisages that many of the Depot site buildings will be demolished and that any new buildings will be limited to the north western part of the site. The DF also outlines that any redevelopment of the Depot site will be guided by (but not limited to) the following principles:</p> <p>Appropriate separation distances with residential properties located along Milland Road sufficient to maintain appropriate daylight and sunlight levels in accordance with the building research establishment guidelines;</p> <ul style="list-style-type: none"> • Encourage a use that takes account of the site proximity to the park • Create a buffer of natural vegetation along the northern boundary of the Depot site • Limiting development to low vehicular traffic generating uses; • Securing a vehicular access from within the proposed Winchester Sport and Leisure use, thereby enabling the closure of the existing two access junctions into the Depot site directly off Bar End Road; • Providing a better footway link across the western boundary of the Depot site to improve connectivity to the city centre to the north; • The scale and massing of the buildings will be limited to a maximum height of 12m (equivalent to a 3/4 storey house) towards the north of the site and no more than the height of the Sport and Leisure Centre to the south of the site facing the Sports and Leisure Centre and only if it can be demonstrated that daylight/sunlight and the reasonable protection of the existing residential amenities will be

	<p>secured;</p> <ul style="list-style-type: none"> • Uses that will give rise to an unacceptable level of pollution via means of commercial extract ventilation systems or noise will be discouraged.
<p>Vehicular Access and Parking</p>	<p>As outlined above, the principles as set out within the Design Framework requires the securing of a vehicular access to be introduced from within the Winchester Sport's and Leisure Centre site thus allowing the closure of the existing access junctions off Bar End Road.</p> <p>The vision also seeks any development of the Depot site to provide a better footway links across the western boundary to improve the connectivity to the city centre to the north. The site would be expected to support the objective of delivering enhanced, safer and more direct connection to the National Cycle Network Route 23 to the west of the site.</p> <p>The City Council seeks to work with bus operators to ensure that new bus stopping points to the entrance of Winchester Sports and Leisure Park along Bar End Road are available.</p> <p>It is envisaged that any parking and small storage structures could be incorporated along the north of the site.</p>
<p>Landscaping and Ecology</p>	<p>A natural landscaping buffer is required to be located along the northern boundary to help achieve the appropriate separation distances with the residential properties located along Milland Road. This buffer will also help maintain the appropriate daylight and sunlight levels whilst protecting existing residential amenity.</p> <p>The long-term management of this this strategic landscaping buffer and any other landscaping within the extent the site will be set out and implemented in accordance with the details of a Landscape and Ecological Management Plan (LEMP) to be submitted with any planning application.</p> <p>The Council will require subsequent landscaping and ecological enhancement proposals across the DF area to follow appropriate LEMP requirements, reflective of the nature of the specific landscape and</p>

	ecological enhancement measures.																															
Ground Contamination	Given the sites extant use as an operational Depot, any planning application should be accompanied by a Phase I ground contamination report to allow the Council to make an informed assessment of any potential contamination of the site.																															
Financial Contributions & CIL	<p>Winchester City Council Adopted its Community Infrastructure Levy in January 2014 and was brought into effect on the 7th April 2014.</p> <p>The WCC CIL charge is levied on different land uses and on different zones. They will be charged per square metre of new development over 100sqm metres of gross internal floor space or if it involves the creation of additional dwellings. The CIL charge will be index linked.</p> <p>The site appears to fall within zone 2 (Winchester Town).</p> <table border="1" data-bbox="464 1151 1347 1532"> <thead> <tr> <th rowspan="2">Type of Development</th> <th colspan="3">Charge per square metre</th> </tr> <tr> <th>Zone 1</th> <th>Zone 2</th> <th>Zone 3</th> </tr> </thead> <tbody> <tr> <td>Residential</td> <td>£0</td> <td>£120</td> <td>£80</td> </tr> <tr> <td>Hotel</td> <td>£0</td> <td>£70</td> <td>£70</td> </tr> <tr> <td>Retail all categories within the town centre</td> <td>n/a</td> <td>£120</td> <td>n/a</td> </tr> <tr> <td>Retail convenience stores, supermarkets and retail warehouses</td> <td>£0</td> <td>£120</td> <td>£120</td> </tr> <tr> <td>Retail all other retail development</td> <td>£0</td> <td>£0</td> <td>£0</td> </tr> <tr> <td>All Other Uses</td> <td>£0</td> <td>£0</td> <td>£0</td> </tr> </tbody> </table> <p>Winchester City Council's CIL charging schedule defines the terms used in the above table. Any purchasers are requested to visit this for guidance² and their own due diligence.</p> <p>Applicants may be able to benefit from Vacant Building Credit. JLL can provide further advice on request.</p>	Type of Development	Charge per square metre			Zone 1	Zone 2	Zone 3	Residential	£0	£120	£80	Hotel	£0	£70	£70	Retail all categories within the town centre	n/a	£120	n/a	Retail convenience stores, supermarkets and retail warehouses	£0	£120	£120	Retail all other retail development	£0	£0	£0	All Other Uses	£0	£0	£0
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² <https://www.winchester.gov.uk/planning/community-infrastructure-levy-cil/cil-charging-in-winchester>

	<p>Any development on the Depot site is likely to be required to enter into a legal agreement with the Local Authority to secure the strategic landscape buffer and any off-site highways works required to facilitate the appropriate access/egress arrangements in line with the Design Framework.</p>
<p>Way Forward</p>	<p>The Council have acknowledged that the Depot Site will be developed as a separate scheme to the Winchester Sports and Leisure Park and that the Design Framework does not define what permitted use is acceptable on the site. The Design Framework does however set out a series of fundamental design features which should be considered for any scheme development on the site.</p> <p>Any redevelopment proposal will be considered in the context of adopted local planning policy, as well as the development guidelines set out within Theme 4 of the Design Framework Document. Nevertheless our research demonstrates that the site is capable of accommodating a number uses, B1, C1, C2, C3 and D1 or D2 which would be complimentary to adjacent uses. The site does not have any specific polices which constrain the use and as such the provisions of the adopted Local Plan should be taken in the round.</p> <p>As ever, pre-application discussions with Planning Officers will be essential to secure support for any proposed scheme prior to a planning application being submitted.</p> <p>Although pre-application advice is provided without prejudice, this should avoid protracted negotiations during the planning application determination period and would also provide the prospective developer with some certainty at this point.</p> <p>JLL Planning and Development would be pleased to provide further advice on request.</p>