

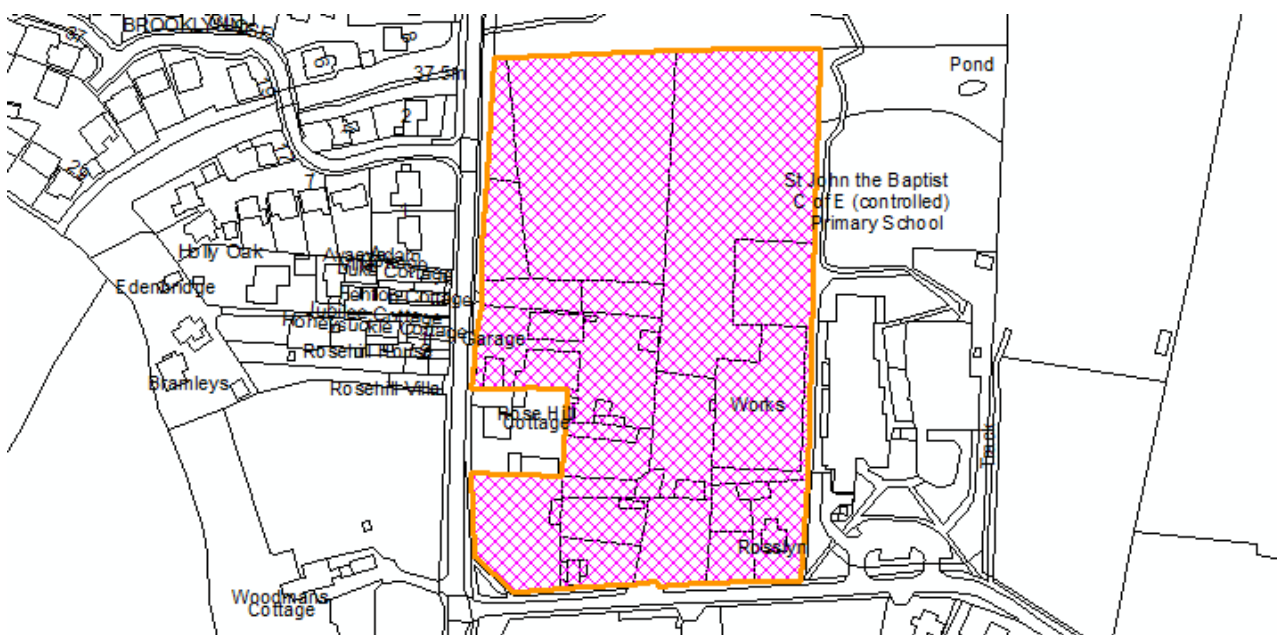
WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 21/02439/FUL
Proposal Description: Full planning permission for 80 dwellings, 716sq.m of Class E commercial space comprising Class E(c) - (financial and professional services), E (e) (medical or health services) and E (g) (uses which can be carried out in a residential area without detriment to its amenity including industrial processes), related vehicle access from Solomons Lane (residential) and Winchester Road (single access to serve 8 properties, and commercial), separate pedestrian/cycle access from Winchester Road, open space and play space, landscaped buffer to Waltham Chase Meadows Site Scientific Interest (SSSI) , parking, landscaping and drainage infrastructure. (Amended Description)
Address: Land At Solomons Lane, Solomons Lane, Waltham Chase Hampshire
Parish, or Ward if within Winchester City: Shedfield Parish Council
Applicants Name: Cleanslate
Case Officer: Rose Chapman
Date Valid: 17 September 2021
Recommendation: Permit
Pre Application Advice No

Link to Planning Documents

21/02439/FUL

<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



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Reasons for Recommendation

The development is recommended for permission as it is considered that it will not have an adverse impact on the character of the area and would not harm neighbouring ecologically sensitive areas in accordance with policies DS1, MTRA1, MTRA2, CP1, CP2, CP3, CP6, CP7, CP8, CP9, CP10, CP11, CP13, CP14, CP15, CP16, CP17 of the LPP1 and policies WC1, DM1, DM2, DM6, DM14, DM15, DM16, DM17, DM18, DM19, DM20, DM21, DM24, DM26, DM29.

It is noted that there is some non-compliance with policies and these have been highlighted and assessed below.

General Comments

The application is reported to Committee because of the number of objections received contrary to the Officer's recommendation.

Shedfield Parish Council have submitted a request for the application to be determined by Planning Committee, based upon material planning considerations as shown in Appendix 1.

Amendments to Plans Negotiated

A number of amendments to the proposal have been made by the applicant to address concerns raised including:

- A reduction of units (from 98 to 80)
- Change in layout
- Increased on site landscaping provision
- Design changes

These amendments were advertised by neighbour letter, site notice and newspaper advertisement on the:

- 03.08.2022 for 21 days
- 18.08.2022 for 21 days
- 10.03.2023 for 21 days

Site Description

The application site is located to the south of Waltham Chase village within the defined settlement boundary. The site is approximately 2.8 ha in size and is mostly an industrial area with several B2 (industrial), B8 (storage and distribution) and sui generis uses on site. There is also a dwelling to the south east corner and some ancillary office space located on site as well as a large paddock.

There is a significant level change on the site with the ground level falling from south west to north east. There is a mixed boundary treatment with open frontages, wire fencing and mature tree and hedge planting. There is a row of TPO trees to the rear of the dwelling (Roslyn) to the south east of the site.

To the east of the site is the St John the Baptist Primary school. There is a dwelling, Rose Hill Cottage, which is located to the west of the site that is not part of the application. To

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the north is the Waltham Chase Meadow SSSI.

Proposal

The proposal is for 80 dwellings, employment space, Public Open Space, and associated development.

Relevant Planning History

Application 22/00149/OUT was submitted by a 3rd party for the land to the east of the school, identified in the policy maps as WC1a. The application did not include the main area within policy WC1 but as the application site forms part of the WC1 allocation this has been included as part of the planning history associated with policy WC1.

This application was refused in October 2022 due to the following reasons:

- The application is contrary to policies MTRA4 of the Winchester District Local Plan Parts 1 as it would result in unjustified additional residential units in a countryside location.
- The proposal would be contrary to policy CP7 of the Local Plan Part 1 and policy DM5 of the Local Plan Part 2 in that it would result in a loss of Public Open Space without sufficient justification.
- The proposal fails to accord with policy DM18 of the Local Plan Part 2 in that it fails to provide sufficient information to ensure the safety of highways users and pedestrians in and around the site.
- The proposal is contrary to policy CP18 of the Local Plan Part 1 and DM23 of the Local Plan Part 2 in that it would result in physical and visual harm to the countryside and diminish the settlement gap.
- The proposed development is contrary to Policy CP15 and CP16 of the Winchester District Local Plan Part 1 - Joint Core Strategy, in that it fails to protect and enhance biodiversity across the District by failing to make appropriate mitigation in regard to increased nitrates into the Solent SPAs. As a result, it is considered that the proposed development would result in significant harm to the Special Protection Area (SPA) and the species that it supports, therefore contravening the legal requirements of the Wildlife and Countryside Act 1981, the Habitat Regulations.
- The proposal is contrary to policy CP16 of the Local Plan Part 1 in that insufficient information has been submitted to confirm that the proposal would not result in harm to neighbouring protected habitats and species.

Consultations

Service Lead for Community and Wellbeing – Natural Environment and Recreation (Landscape)

First comment – object due to lack of open space provision

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Second comment – no objection subject to conditions (13,14 and 18) and securing an open space contribution.

Third comment - no objection subject to conditions (12,13 and 17) and securing an open space contribution.

Service Lead for Community and Wellbeing – Natural Environment and Recreation (Ecology)

First Comment – further information required.

Second comment – further information required regarding dormice. Conditions required to secure BEMP, external lighting and SSSI buffer.

Service Lead for Community and Wellbeing – Natural Environment and Recreation (Trees)

None received.

Service Lead for New Homes Delivery (New Homes Team)

First comment - further information required.

Second comment – further information required.

Third comment – no objection

Service Lead for Built Environment (Urban Design)

First comment - objection

Second comment – objection

Final comment – none received.

Service Lead for Built Environment (Strategic Planning Policy)

No objection

Service Lead for Built Environment (Archaeology)

No objection subject to conditions (9,11 and 30)

Service Lead for Engineering (Drainage)

No objection subject to conditions (7)

Service Lead for Public Protection – Environmental Services (Environmental Health)

No objection subject to conditions (31, 32, 33, 34, 35, 36, 37 and 38)

Service Lead for Estates

First comment – viability report is reasonable.

Second Comment - viability report is reasonable

Winchester and Eastleigh Design Review Panel

First comment – objection

Second comment - Objection

Hampshire County Council (Flood Authority)

First comment – no objection subject to conditions

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Second comment - no objection subject to conditions (10, 20 and 29)

Third comment – none received.

Hampshire County Council (Highway Authority)

First comment – further information required.

Second Comment – further information required.

Third comment – no objection subject to a S278 agreement, S106 requirements and conditions (6, 19, 21, and 22)

Hampshire County Council (Education Authority)

Comment received regarding school extension land no longer required.

Natural England

First comment – further information required.

Second comment – no objection subject to conditions (3 and 27)

Southern Water

No objection subject to condition (7)

Hampshire & Isle of Wight Fire And Rescue Service

Comment received.

- Access should be in line with Building regulations.
- Additional fire hydrants may be necessary, and the applicant should contact the fire service to discuss (informatives 8-12)
- Installation of Automatic Water Fire protection systems are recommended.
- In the event of an uncontrolled fire the water run off may become contaminated. It is the building occupier's responsibility to mitigate damage to the water environment.
- Timber framed buildings are susceptible to fire damage. Guidance should be followed.

Crime Prevention Design Advisor

No comment received.

Representations:

Shedfield Parish Council - objection

Please see Appendix A for the full set of comments. Below is a summary of the material planning reasons raised:

- Proposal should be given to Secretary of State for determination
- Over development of the site
- Too dense
- Lack of open space
- Insufficient contaminated land reports
- Increase in traffic along Solomons Lane
- Highway safety
- Drainage/flooding
- Visual impact of buildings

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- Loss of employment
- Documents are unclear
- No public support
- Local Plan policy WC1 needs to be reverted to wording prior to adoption
- Noise impacts
- Lack of affordable housing
- Proposal is not viable
- Impact on school children
- Construction impacts
- Impact on ecology
- Impact on SSSI
- Contrary to general character of the village
- Lack of housing for the elderly
- Lack of local infrastructure
- Loss of green infrastructure
- Inappropriate accesses
- Lack of parking
- Parking on Solomons Lane is dangerous
- Internal roads are not sufficient
- Contrary to Village Design Statement
- Existing footpaths are no acceptable
- Application should be delayed until new Local Plan is Adopted
- Traffic Regulation Order is required on Solomons Lane
- Loss of first Homes
- Framework Travel Plan is not acceptable.
- Lack of wider infrastructure
- Public open space insufficient
- Consultees give inconsistent advice

Campaign to Protect Rural England

- Loss of green space
- Impact on ecology
- Over development of the district
- 250 house allocation already been reached in this area.
- Allowing planning would be 'substantiated from greed only'

67 Objecting Representations received from different addresses citing the following material planning reasons:

- Loss of businesses
- increase in traffic.
- impact on countryside
- unsafe access
- lack of infrastructure (schools, GPs, Dentists)
- no need for additional housing
- impact on character of the area
- lack of public amenities
- increase in pollution.
- School over-subscribed.
- Land to the East (Wc1a) not included.

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- lack of parking at the school
- lack of affordable housing
- contaminated land reports not acceptable
- lack of renewable energy proposed.
- overdevelopment of the area
- poor layout of development
- inadequate drainage/flooding
- More development in Waltham Chase than allocated.
- Too dense
- Lack of consultation
- Construction disturbance
- Development is unnecessary.
- No justification for housing
- Too many houses
- Location of play area
- Impact of SSSI
- Internal roads unsafe
- Surrounding footpaths unsafe
- Insufficient parking
- Loss of green space
- Poor energy efficiency/renewable energy proposed.
- Contrary to policy
- Doesn't respect building line.
- Too close to school
- Insufficient drainage in Waltham Chase
- Not enough affordable housing
- Lack of wheelchair accessible homes
- Poor design
- Consultee comments not based on facts
- Overbearing along Winchester Road

2 comments were submitted that contained no planning reason and therefore have not been taken into consideration.

1 neutral comment was submitted however due to the content this was included as an objection.

Relevant Government Planning Policy and Guidance

National Planning Policy Framework

Section 2 Achieving Sustainable development.

Section 4 Decision Making

Section 5 delivering a sufficient supply of homes.

Section 8 Promoting healthy and safe communities.

Section 9 Promoting sustainable transport.

Section 11 Making effective use of land.

Section 12 Achieving well designed places.

Section 14 Meeting the challenge of climate change, flooding and coastal change.

Section 15 conserving and enhancing the natural environment.

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National Planning Practice Guidance

Appropriate Assessment

Climate Change

Consultation and pre-decision matters

Design: process and tools

Environmental Impact Assessment

Flood risk and coastal change

Light Pollution

Natural Environment

Open space, sports and recreation facilities, public rights of way and local green space

Planning Obligations

Use of planning conditions

Winchester Local Plan Part 1 – Joint Core Strategy (LPP1).

- DS1 – Development Strategy and Principles
- MTRA1 – Development Strategy for Market Towns and Rural Area
- MTRA2 – Market Towns and Larger Villages
- CP1 – Housing Provision
- CP2 – Housing Mix
- CP3 – Affordable Housing on Market Led Housing Sites
- CP7 – Open Space, Sport & Recreation
- CP8 – Economic growth and diversification
- CP9 - retention of employment land and premises
- CP10 – Transport
- CP11 – Sustainable Low and Zero Carbon Built Development
- CP13 – High Quality Design
- CP14 – Effective Use of Land
- CP15 – Green Infrastructure
- CP16 - Biodiversity
- CP17 – Flooding

Winchester District Local Plan Part 2 – Development Management and Site Allocations

- WC1 – Morgan’s Yard Mixed Use Allocation
- DM1 Location of new development
- DM2 – Dwelling Sizes
- DM6 – Open Space Provision
- DM14 - Masterplans
- DM15 – Local Distinctiveness
- DM16 – Site Design Criteria
- DM17 – Site Development Principles
- DM18 – Access and Parking
- DM19 – Development and Pollution
- DM20 – Development and Noise
- DM21 – Contaminated land
- DM24 – Special trees, important hedges and ancient woodland
- DM26 – Archaeology

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Supplementary Planning Document

National Design Guide 2019
High Quality Places 2015

RESIDENTIAL PARKING STANDARDS December 2009
Affordable Housing SPD February 2008 with amendment 2012.
Shedfield Village Design Statement

Other relevant documents

CLIMATE EMERGENCY DECLARATION CARBON NEUTRALITY ACTION PLAN 2020 – 2030
Statement of Community Involvement 2018 and 2020
Winchester District Economic Development Strategy 2010-2020
Hampshire Economic Assessment
Landscape Character Assessment May 2022
BIODIVERSITY ACTION PLAN 2021
Waste Management Guidelines and Bin Arrangements
Position Statement on Nitrate Neutral Development – February 2020

Planning Considerations

Principle of development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 47 of the National Planning Policy Framework (NPPF) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Policy MTRA2 allows for development within the settlement boundary of larger named settlements of which Waltham Chase is included. This policy encourages the reuse of areas within the settlement boundary primarily and this should be appropriate in terms of scale, design, conserving the settlement's identity, countryside setting, historic characteristics, local features and Village Design Statements.

The site is allocated for housing development under policy WC1 of the Local Plan Part 2. The policy seeks approximately 100 dwellings, an extension to the adjacent St John the Baptist Primary School, and employment uses to replace some of the jobs that would be lost on site.

The policy has several requirements, each are addressed in turn below.

Masterplan

A masterplan has been submitted as an appendix to the amended Planning Statement in March 2023 as part of the submission in compliance with this element of policy WC1.

The policy requires the provision of land totalling 0.64ha for the expansion of the primary school, in the policy maps this land is identified as Land to the East (WC1a) and is

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designated Public Open Space (POS) for mixed use allocations. The rest of the land would provide community uses and public open space. As such a masterplan was required to demonstrate how the two sites would be brought forward.

It has been confirmed by Hampshire County Council (as Education Authority) that the expansion to the school is no longer required and cannot be justified. This is due to the most recent ONS data being released indicating a lower birth rate in the area. With a lower birth rate, it is expected that the contributions made under policies WC2, WC3 and WC4 are sufficient to allow improvements to the school to accommodate future pupils. However, the need for a larger school is no longer evidenced.

As such, the replacement open space for the school (within WC1A) is no longer required as the school can accommodate current and future usage on its existing site. Whilst policy WC1 highlights the provision of land for the school, it is considered by officers that this element of the policy is no longer achievable or required.

Policy WC1 also requires a masterplan to demonstrate how the land to the east (WC1A) could supply open spaces and community functions for the general public, not attached to the school. However, the applicant has been unable to purchase the land for this use, as the price would make the scheme unviable entirely, and an application has since been submitted by separate parties (22/00149/OUT) for residential and community uses on the land to the East which have subsequently been refused as it was not in compliance with the Development Plan (see relevant planning history section of the report).

In response, in order to fulfil the aims of policy WC1, the applicant has reduced the number of units on the site from 98 (as originally submitted) to 80. This reduction in numbers allows additional areas within the site to accommodate open space and a Local Area of Play. In addition, the employment buildings on the site can also be used in a flexible manner for community purposes.

The masterplan requires details of access points and linkages which are shown on submitted documents and assessed throughout the report.

A detailed design and access statement has been submitted that demonstrates how the proposal has been developed including housing, public open space and employment uses.

Contamination

The site historically was a truck breakers yard and, more recently, has B2 uses functioning on site. As such, the majority of the site is considered to be contaminated and the policy requires an assessment and details of the proposed remedial works to remove the contamination risks.

A desk-based contamination report has been submitted which highlights a number of issues with the site. The report has been assessed by the Environmental Health Officer and it is considered that whilst further information is required, this can be secured via conditions (2, 16 and 23). The information can then be assessed by specialist officers at the time.

As such it is considered that this part of the policy has been met.

Access

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The policy requires a new footpath/cycle path link from Winchester Road to the primary school. Drawing Number 20029/C101N shows that this would be provided through the proposed POS to the north of the site and condition (21) would secure the foot/cycle path being implemented prior to occupation.

The policy also requires adequate parking for staff and visitors and safe vehicle, pedestrian and cycle access. It is the Officer's assessment that this is complied with and has been assessed under the Sustainable Transport section below.

Environment

The policy requires that the boundaries around the site are reinforced especially to the north, adjacent to the SSSI, and to the east, adjacent to the school. It is the Officer's assessment that this is complied with and is explored within the Landscape section below.

The policy also requires land for the school expansion. As stated above, Hampshire County Council (Education Authority) have confirmed that there is no justification for the expansion of the school at this time and therefore this element of the policy is no longer required.

Other infrastructure

As mentioned above the policy requires a donation of 0.64ha of land to enable the expansion of the primary school. This has been addressed above and is no longer required.

A connection to the nearest sewerage network in collaboration with the service provider is also required. It is the Officer's assessment that the applicant has complied with this point, and this is considered under the sustainable drainage section below.

Summary

Policy WC1 seeks 'about' 100 units on the site and sets out a number of requirements for the development.

It is acknowledged that 'about' is taken to mean 10% (i.e a minimum of 90 units and a maximum of 110). The applicant is now proposing 80 units which does not comply with this element of the policy.

However, as discussed above, additional land which was expected to provide open space and community benefit is no longer available. The applicant has reduced the number of units on the site in order to compensate for this change in circumstances and introduce open space and play areas on the site itself. Whilst the development does not provide the expected level of housing units, in this instance this is considered acceptable in order to ensure that open spaces, play areas and facilities are provided for the community.

As confirmed above, the land to the east (WC1A) is no longer required for education purposes and is no longer available for other community uses. The applicant has amended their approach to the development of the site to take account of this and this is considered by officers to be acceptable.

It is the Officer's assessment that the development proposed complies with other requirements of policy WC1 and this is assessed in greater detail throughout the report.

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Other relevant policies

Policy CP2 requires that a majority of dwellings on new developments are for 2 and 3 bed dwellings. The housing mix is below:

1 bed – 14
2 bed – 16
3 bed – 31
4 bed – 15
5 bed – 4

47 of the 80 dwellings are 2/3 bed and it therefore complies with policy CP2.

Policy CP3 requires that a minimum of 40% affordable housing is provided on market led housing applications. This would require approximately 32 of the 80 proposed dwellings to be affordable housing. The NPPF allows for a reduction in affordable housing when it can be demonstrated that the development would be unviable if the full requirement was provided, which is an approach also supported within policy CP3.

8 affordable dwellings are being proposed, 2 units would Shared Ownership and 6 units would be affordable rent.

The proposal originally included 6 First Homes. The Planning Statement (March 2023 amendment) indicates that 14 affordable dwellings (8 affordable that meet policy CP3 and 6 First Homes). This is an inconsistency that is clarified in the Viability Report (November 2023).

The First Homes initiative was a trial by Homes England to allow a wider variety and potentially more affordable type of housing. This scheme issued grants to developers to build market value housing and sell them at 30% below the market value. The grant would then cover the 30% loss the developer. The scheme was conditional on completion by September 2023.

Over the course of the application the initial First Homes scheme has finished and the funding that was offered to provide these First Homes has been removed. As such the proposed First Homes have been removed from the application.

It is important to note that while First Homes are considered to be more affordable compared to standard market housing, they are not considered to be counted as affordable homes under the requirements of policy CP3. As such, the loss of the First Homes is not considered to impact the provision of affordable housing.

A viability report was submitted demonstrating that the proposal can deliver 8 affordable units while remaining viable. It should be noted that the viability report submitted has reduced the profit margin of the developer to approximately 13%. The PPG sets developer profit at 15-20% for development to be considered viable.

Further consideration should also be given to the March viability report which indicated a 12% base line. Therefore, the loss of the first homes, as indicated by the submitted reports would allow an additional 1% of profit, however this is still considerably lower than the profit margin allowed for by the PPG. It is the Officers view that the 1% additional profit indicated would not cover the cost of additional affordable houses for the scheme.

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The key issues highlighted within the viability statement are the rising cost of materials, reduction in units, increased interest rates and the contamination clean-up costs. It is noted that the contamination costs were considered at the Local Plan examination stage, which allowed for the increased number of dwellings to accommodate the contamination costs and the land to the east to supply the land required for the school and open space. Without the Land to the East, POS is required on site and therefore a reduction in units is required to accommodate this and to prevent overdevelopment of the site without sufficient surrounding open space. This has in turn impacted the viability of the site and the ability to provide affordable housing.

The viability report submitted is therefore acceptable.

In summary the proposal would not meet the required 40% affordable housing required by policy CP3. However, the policy allows for a reduction in affordable housing provision provided a viability report is provided to justify a reduction/removal, in line with the NPPF. As such a lower amount of affordable housing is considered acceptable in this instance.

The site is currently an employment area for the village, as such it is necessary to consider the loss of potential employment land under policy CP9. This policy resists the loss of employment premises falling within Use Classes B1 (now class E(g)), B2 or B8. The site currently employs within the B2, sui generis and B8 uses with ancillary office space.

Policy CP9 sets a range of criteria for the loss of employment land, this was taken into consideration when the site was considered at the Local Plan examination stage and as such employment land is a requirement of policy WC1 though it is acknowledged that not all existing uses will be able to be retained.

The constraints of the policy (WC1) and the proposal would restrict the use of the site for further B2 and B8 employment uses. However, alternative employment space within Class E has been proposed including flexible employment and light industrial units. Therefore, the proposal is considered to be acceptable, and the proposal would meet the requirements of CP9 and WC1 in this regard. It is considered reasonable to restrict these buildings to within the employment uses, however concerns have been raised in regard to lack of community facilities and therefore Class F has also been considered an acceptable use class. As such condition (33) restricts the employment units to classes E and F of the Use Classes order.

Policy CP14 of LPP1 states that the development potential of all sites should be maximised and that higher densities will be supported on sites which have good access to facilities and public transport. The primary determinant will be how well the design responds to the general character of the area, which is discussed in more detail in subsequent sections of this assessment.

The housing development would need to meet the requirements for sustainable construction as required by policy CP11 of LPP1 which sets out energy and water usage requirements. This is secured by conditions 1 and 14.

Policies CP13, and DM15 – DM18 set out the criteria for new development in order to ensure that it respects and responds positively to the qualities and characteristics of the surrounding area and that its layout, scale and design provide a satisfactory level of

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accommodation for its residents without having an adverse impact on those of neighbouring properties. These aspects are assessed in more detail in subsequent sections of this report.

Policy Summary

The [WC1] policy seeks approximately 100 dwellings, requiring POS, employment space, land to facilitate the expansion of the school and a foot/cycle path link between the school and Winchester Road.

Hampshire Education Services has confirmed that the expansion of the school is no longer required and therefore the land requirement for the expansion cannot be justified. The land to the east (WC1a) is not included as part of this application though a masterplan has been submitted showing that the land to the east, whilst outside of the applicant's control, is still capable of being developed for POS and community uses by other parties and development of this site does not limit the potential for any future development on WC1a.

As such amendments have been submitted to reduce the number of units to 80 and provide onsite POS.

The onsite POS allows for a buffer to the SSSI (Waltham Chase Meadow) to the north while providing a new access to the primary school through the site.

It is considered that matters have progressed since the Local Plan was adopted and as such a variation of what is considered to meet the policy is required. As such the current proposal provides housing, employment areas and public open space on the site itself, while still allowing the land to the east to be developed for POS and community uses by other parties if an acceptable development is proposed.

It is therefore considered that while the proposal would provide less housing than policy WC1 has stated a significant amount of market and affordable housing can be delivered which is required to help retain the Council's 5 year housing land supply as well as Public Open Space (POS), employment and ecology benefits. Therefore, not bringing forward the land to the east under this application is considered to be outweighed by the proposed housing and the delivery of onsite public open space, ecology benefits and employment land.

It is considered that the proposal would sufficiently accord with the Local Plan and the principle of development is acceptable.

Assessment under 2017 EIA Regulations.

The development does not fall under Schedule I or Schedule II of the 2017 Environmental Impact Assessment Regulations, therefore an Environmental Impact Assessment is not required.

Impact on character and appearance of area

The proposed development would see 80 dwellings, an employment area, POS and associated development. The design and layout of the site is considered to be based on sound urban design principles. The proposal addresses both Solomons Lane and Winchester Road. Internalised dwellings would address the internal roads and the POS and footpaths to the north of the site so will provide positive and active frontage in views

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from the road and when entering the site. The proposed layout has an order and rhythm to the layout of the buildings and the spaces between buildings and boundaries.

A robust planting strategy is proposed with new trees to be planted in the public realm, within the proposed open space to the north of the site. Existing planting, consisting of mature trees and strong hedgerows are primarily being retained with the new planting will provide strong landscape framework for the development. The access roads contain areas of shared surfacing to reduce the amount of hard surfacing and provide a softer edge to the development.

The majority of dwellings will be two storeys in height with some two and a half storey properties. The adopted High Quality Places SPD provides very strong guidance in relation to the use of appropriate materials and detailing for new developments. It is considered that the proposal would present traditional style buildings with natural materials proposed for the dwellings in keeping with the Shedfield Village Design Code. It is considered that details of the materials should be secured via condition (12) to ensure the quality is satisfactory. It is considered that the proposed layout plans provide a framework which will enable the delivery of a high-quality development which responds well to the local context, has a strong landscape setting, addresses public spaces and views, and has a sense of place.

It is noted that the Design Review Panel (DRP) have an outstanding objection. This is in relation to the previous iteration of the scheme where issues regarding the level of public Open space, layout and design were unresolved. The most recent scheme has addressed the comments from the DRP by including an increased level of POS and addressing requirements of the policy in terms of the foot path connection to the school now running through the POS to the north and avoiding vehicle crossings. Pedestrian permeability has been proposed with a focus on good design and an improved legibility thought the site. As such though the objection from the DRP still stands it is considered that the amended scheme is a significant improvement and has addressed the concerns raised.

Therefore, the proposal complies with policy DM15, DM16 and CP13.

Development affecting the South Downs National Park

The application site is located 2km (1.2 miles) from the South Downs National Park.

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) updated February 2019. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

LPP1 Policy CP19 (South Downs National Park) seeks to ensure that new development should be in keeping with the context and setting of the National Park. Given the separation distance between the site and any part of the National Park, the consideration with regard to this development is on its impact on the setting of the National Park.

The proposal would be located within the built up area of Waltham Chase and therefore would be read within the context of the village morphology. Taking account of the Park's

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purpose to conserve and enhance the natural beauty, wildlife and cultural heritage of the area and promote understanding of its special qualities, the development is considered to have a neutral impact and does not therefore adversely conflict with the statutory purposes of the SDNP designation.

In conclusion, therefore, the development will not affect any land within the National Park and is in accordance with Section 11a of the National Parks and Access to the Countryside Act 1949.

Historic Environment

The works are likely to impact underground heritage assets that have been identified by the Archaeologist including setting.

Relevant Local Plan Policy and Legislation

The preservation, conservation, investigation and recording of archaeological interest (Policy DM26 Winchester District Local Plan Part 2; Policy CP20 Winchester District Joint Core Strategy; NPPF Section 16).

Ancient Monuments and Archaeological Areas Act, 1979

Guidance

The consideration and assessment is required in relation to the relevant legislation and guidance as outlined within the Archaeology consultation response.

Section 16 of the NPPF notes amongst other matters that heritage assets are “irreplaceable assets” and that they should be “conserved in a manner appropriate to their significance”. The guidance also sets out the approach to considering potential impacts. The local plan policies also recognise the importance of protecting heritage assets.

The historic environment section of the Planning Practice Guidance further outlines the role of the Local Planning Authority in considering the effects of new development that are in the vicinity of or affect the setting of listing buildings and heritage assets, in this case it is the below ground heritage assets. Paragraph 193 of the NPPF advises that great weight should be given to the conservation of a heritage asset in considering the impact of a proposal on its significance (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Policy CP20 of WDLPP1 and Policy DM29 of WDLPP2 ensure that development preserves and enhances heritage assets and their settings.

Heritage Assets and their significance

Historic Ordnance Survey mapping shows that a small-scale pottery production site (Forest Pottery) lay in the north-western part of the proposal site in the late 19th / early 20th century. A kiln together with several buildings are depicted and it is possible that buried archaeological remains of these and related remains may survive as this part of the site has been largely undeveloped subsequently. Although no other archaeological remains

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are known within the site or the immediate vicinity, this may reflect a lack of previous archaeological investigation or may reflect a genuine paucity of remains.

The impact of the proposal on the significance of the Heritage Asset and its setting

The application is for housing, employment, POS and together with parking, drainage and new vehicle and pedestrian access points. This is likely to result in large scale ground impacts such that any archaeological remains that may be present will be extensively truncated or destroyed; however, any such remains may already have been adversely affected to some degree by the existing buildings and site uses.

As such, there are no overriding archaeological concerns in respect of the application that would warrant a reason for refusal. A phased programme of archaeological work to investigate, record, analyse and subsequently report on the archaeological evidence that would otherwise be destroyed by the proposed development should be secured through the attachment of suitable conditions to any planning consent that may be granted (conditions 9, 11 and 30). This should comprise an initial phase of archaeological evaluation (trial trenching), followed by a further phase of archaeological mitigation work further to the results of the evaluation.

Conclusion

It is considered that it will result in less than substantial harm to the significance of the setting and historic interest of the below ground heritage assets, This harm to the below ground heritage assets must be given great weight and importance as part of the planning assessment as highlighted in the NPPF. It is also necessary to apply Government guidance concerning impact of development on the historic environment. Applying that guidance, given that the extent of harm resulting from this development is considered by officers to be less than substantial, the guidance in the NPPF is that this harm should be balanced against the public benefits of the proposal (NPPF para 202). As it is important to ensure the balance and planning judgement takes account of all relevant matters, this assessment is undertaken in the Planning Balance and Conclusions section of the report.

Initial concerns over archaeological impact have been resolved and it is considered that the development could proceed subject to conditions. Accordingly, in so far as the non-designated heritage assets and archaeological matters are concerned the proposal is considered to be in accordance with policy DM26 of LPP2.

Section 16 para 193 of the NPPF, and Policy CP20 of WDLPP1 and DM26 of WDLPP2 and the historic environment section of the Planning Practice Guidance.

Neighbouring amenity

The site has one immediate neighbour at Rose Hill Cottage. The proposal would locate the employment land adjacent to the northern boundary of Rose Hill cottage. As existing the dwelling is adjacent to a vehicle garage and repair business it is considered that uses proposed would result in less impacts than the existing. As the proposal is for light industrial uses this would produce less noise, odour and dust to the benefit of the occupiers of Rose Hill Cottage. It is proposed that a restriction on operation hours (8am-6pm Monday – Saturday and 10am -4pm on Sundays) with no outside working would also benefit the neighbour as currently no such restrictions exist (conditions 31- 38).

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It is noted that car parking is also proposed along the boundary. It is noted that the businesses would generate some vehicle movement however it is considered that this would not be to a degree that would result in harm to the occupiers of Rose Hill Cottage.

To the east of the site 2 dwellings are proposed, plots 23 and 28. The design of these dwellings have been considered so that there would be no windows that would directly overlook the garden of Rose Hill Cottage. Therefore, the proposal is considered to be acceptable in this regard.

To the south a foot path is proposed along the boundary. Plot 22 is proposed adjacent to the foot path. One first floor window is proposed in the first floor of the northern elevation facing Rose Hill Cottage. It is considered that a condition to obscure glaze the window (condition 28) would prevent direct overlooking.

It is noted that this plot would be to the south of the neighbour, however it is considered that there is sufficient distance between the proposed dwelling and Rose Hill Cottage to prevent harmful overshadowing.

Other dwellings are close to the site however these are separated by Winchester Road and Solomons Lane. As such it is considered that the proposal would not result in harmful impacts to the residential amenities of these neighbours.

Notwithstanding this concerns have been raised regarding construction impacts. It is considered that a construction management plan should be secured via condition (3) to limit the impact of construction on the nearby amenities of residents.

Therefore, the proposal complies with policy DM15, DM16 and DM17 of the Local Plan part 2.

Sustainable Transport

Site access and internal roads

The site benefits from existing accesses off both Solomons Lane and Winchester Road. However, two additional accesses onto Solomon's Lane are proposed to serve small clusters of dwellings. The retained access off Solomons Lane would serve as the main entrance to the residential area of the development. One of the existing accesses off Winchester Road would serve the commercial area. This road is proposed to connect to the residential area however would be separated by bollards to prevent through traffic but would allow pedestrian access through the site.

Swept path analysis for refuse, emergency, delivery and domestic vehicles have been submitted that indicate all accesses and internal roads have sufficient capacity for these vehicles to be accommodated safely and is therefore considered to be acceptable.

There is an existing issue of parking along Solomons Lane that would limit access of emergency vehicles. This has been raised as an issue by the Highways officer and as such it is considered that a traffic regulation order along Solomons Lane to prevent parking up to the school entrance should be secured prior to first occupation as part of a S106.

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Some of the accesses proposed would be private and therefore not subject to adoption by the Highways authority. As such details of the maintenance of these roads and accesses will need to be secured via condition (22).

Parking

The Residential parking SPD stipulates the amount of parking that is required per dwelling depending on the size of dwelling. In this case 178 parking spaces are proposed and 173 are required by the SPD. As such there would be a surplus of parking across the development allowing 5 visitor spaces. The proposal therefore complies with the Residential parking standards SPD and policies CP10 and DM17.

There is no adopted guidance on acceptable levels of parking for commercial uses, however the previous Hampshire County Council Commercial Parking Standards 2002 gives a good indication of what would be expected. The proposal would provide 23 parking spaces for the employment buildings which is a surplus to what is recommended by the standards (22 spaces).

The parking is recommended to be secured via condition 19.

Therefore, it is considered that the proposed commercial parking is acceptable.

Footpaths

The proposal includes a footpath from Winchester Road to the school as is required by policy WC1. It is noted that an existing private footpath is in place through the SSSI to the north that is used by parents and children to access the school and avoid parking along Solomon's Lane. As this footpath runs through private land, it is not certain whether this would remain in place should an alternative route be secured. The proposed pedestrian access to the school from Winchester Road would run through the proposed POS to the north of the site and would connect to the existing foot path within school grounds. This is proposed to be secured via condition (21).

The Highways Officer has made comments regarding the extension of the private footpath to the north to increase pedestrian and cycle access toward Swanmore College. As this is a private footpath though the SSSI it is not considered that this is a reasonable provision when other improvements within the Highways adopted areas could be explored.

Other footpaths have been proposed from the commercial area and adjacent to Rose Hill cottage to increase pedestrian access into and around the site.

Other

A framework travel plan has been submitted that shows commitments to reducing car usage by highlighting public transport and promoting cycle and pedestrian paths. The travel plan includes a fee of £25,000 for school access improvements and implementation. This is proposed to be secured via a S106.

A S278 agreement is also required for various details regarding the new roads and accesses and how they will integrate with the existing road network. This is also proposed to be secured via a S106.

Therefore, the proposal complies with policies CP10 and DM18.

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Ecology and Biodiversity

The proposal is for development bordering the Waltham Chase Meadow SSSI and is for overnight accommodation affecting Nitrates. The revised plans show that the entrances into the SSSI have been removed. A foot path to replace the one existing that runs through the SSSI would run adjacent to the boundary with the SSSI. A biodiversity enhancement management plan (BEMP) has been submitted that demonstrates how the site will be enhanced and protected during construction. This is considered to be acceptable and is secured via condition 27.

The Environment Act 2021 will require an increase of 10% of onsite biodiversity net gain for all development sites. A biodiversity net gain assessment has been submitted that indicates an increase of 15.75% on site. While this is not currently a policy requirement it is considered that the uplift is beneficial and will enhance the setting of the neighbouring SSSI in line with policy CP16.

The Solent coastline provides feeding grounds for internationally protected populations for overwintering waders and wildfowl and is also extensively used for recreation. Natural England has concluded that the likelihood of a significant effect in combination arising from new housing around the Solent cannot be ruled out. Applications for residential development within 5.6 km of the Solent SPAs will need to propose measures to mitigate the direct impacts of their development on the Solent SPA. This can be done by the provision of a financial contribution either before planning permission is granted or by entering into a s106 agreement before planning permission is granted with an undertaking that the payment will be made before the development is implemented. The proposal would provide 80 dwellings requiring a payment of £61,580 to comply with policy CP16 as it has failed to mitigate the recreational harm to the Solent SPAs on site. This is proposed to be secured via S106.

Appropriate Assessment.

The application will have a likely significant effect in the absence of avoidance and mitigation measures on European and internationally protected sites as an increase of 128.79 Kg/N/year will result from the development. As such mitigation is required. The authority has concluded that the adverse effects arising from the proposal are wholly consistent with, and inclusive of the effects detailed in the Winchester City Council Position Statement on nitrate neutral development and the guidance on Nitrates from Natural England.

The authority's appropriate assessment is that the application coupled with a mitigation package secured by way of a Grampian condition complies with this strategy and would result in nitrate neutral development. It can therefore be concluded that there will be no adverse effect on the integrity of the designated sites identified above in this regard.

This represents the authorities Appropriate Assessment as Competent Authority in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006 to the purpose of conserving biodiversity. Consideration of the Ramsar site/s is a matter of government policy set out in the National Planning Policy Framework 2021.

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Under Reg 63(4) of the Habs Regs the Council considers that is not appropriate, to take the opinion of the general public, and have not therefore further advertised the Appropriate Assessment.

The development therefore complies with The EU Habitats Directive and Conservation of Habitats & Species (Amendment) Regulations 2017 and contains an Appropriate Assessment as Competent Authority.

Therefore, the proposal complies with policy CP15 and CP16 of the Local Plan Part 1.

Sustainable Drainage

The site is located close to an existing sewerage network and has proposed to connect to it. Southern Water have been consulted in this regard and have confirmed that the current foul network is not sufficient to accept the additional loading proposed by the development though some dwellings could be provided in the current state. It is Southern Water's duty to maintain and update the drainage network and it has been indicated that approximately 24 months is required to assess and upgrade the system as required.

Therefore, a condition (20) has been proposed for a phasing plan to be submitted for approval in consultation with Southern Water.

In regard to surface water a range of attenuation storage and swales are proposed that would limit the surface water runoff. These are mostly located within the POS to the north of the site and would discharge into the adjacent watercourse to the north of the site. The level changes on site are also proposed to be retained in order to maintain the overland flow path of the water. Conditions have been recommended to secure the implementation of the surface water systems, assessment and improvement of the neighbouring watercourse and maintenance of surface water systems (conditions 10, 20 and 29).

Therefore, the proposal complies with policy CP17 and DM17.

Trees

There are a group TPO trees on the site to the rear of Roslyn cottage. These comprise 25 Western Red Cedar trees that are category B. The proposal would remove these trees. It is considered that these were planted and protected to ensure screening between the industrial building and the dwelling (Roslyn). As both the dwelling and the industrial units would be removed it is considered that the function of the trees would be removed however it noted that they currently have a visual amenity benefit within the street scene. Notwithstanding this, to retain these trees a significant height reduction would be required.

Therefore, the amenity value of the trees would be significantly reduced and would likely result in irreparable harm to the trees.

12 further trees that have been rated class U and class C and are of poor quality over the site are proposed for removal to facilitate development. However, there is one class B tree T10, and a Class B group, G34 that are also proposed for removal. These are a mix of goat willow and Cypress trees that have no amenity value.

3 further trees are proposed to be removed, T20, G29 and T36, as they have died and are considered unsafe.

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The remainder of the trees on site would be retained, with a mature oak forming a focal point of the development.

The landscaping plans submitted show 59 replacement trees being planted around the site. These are considered to be acceptable and therefore have been conditioned (14).

In summary while the proposal would remove a number of TPO trees these are considered in a poor condition and, in order to be returned to a reasonable standard this would likely cause irreparable harm to the trees and remove their amenity value.

A number of replacement trees are being planted and some of the key mature trees are being retained. Therefore, though the proposal would be contrary to policy DM24 the proposal would result in better quality trees being provided and retained on site to improve the area. Conditions 5, 14, 18, and 26 are considered appropriate to secure the long-term viability of the retained trees and ensure that appropriate replacement trees are installed.

Landscape and Open space

The proposal would include 0.47ha of POS including a local area of play, swales, and informal areas. Policy CP7 of the Local Plan Part 1 requires that open space is provided as part of housing development and lays out the requirements. CP7 lays out the requirements in a table below:

Table 1 : Open Space Standards (quantity and access)
(see glossary for definitions of types of open space)

Parks, Sports and Recreation Grounds	Natural Green Space	Informal Open Space	Equipped Children's and Young People's Space	Allotments
1.5 ha./1000 population (0.75 ha./1000 for outdoor sport)	1.0 ha./1000 population	0.8 ha./1000 population	0.5 ha./1000 population	0.2 ha./1000 population
Access: 650m	Access: 700m	Access: 400m	Access: 480m Toddler and Junior 650m Youth	Access: 480m

The current proposals show a slight shortfall in the required open space provision on site including sports provisions and as such would not be fully compliant with policy CP7. It is therefore considered that a contribution of £59,899.55 be secured via S106 to secure sports provisions within the village to ensure compliance with CP7.

Concerns have been raised by the Landscape Architect in regard to details of the LAP, tree species at the SW corner of the site and materials. The plans submitted in regard to the landscaping lack information regarding these elements and therefore conditions (13, 14 and 18) have been proposed to secure details of the LAP equipment and swales.

Public Health

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Concerns have been raised regarding the increased population that the proposal would create and the capacity of the local GP surgery.

Concerning the Hampshire and Isle of White NHS ICB (HloW IBC) request, they are seeking a contribution of £44,851 towards the provision of health/medical services. This information is contained in the original representations from the Trust received June 2023. In substance, it relates to the following two factors:

- funding for the hospitals and GP practices is agreed annually based on the previous year's activity; and
- the annual funding allows for predicted population growth but 'does not include ad-hoc housing developments'.

As a consequence, the Trust says that a lag in funding exists between the time when the new dwellings would be occupied and the time when the funding formula acknowledges that new residents are in place and adjusts funding accordingly. The Trust are obliged to treat anyone who arrives at their door. The consequence of this lag in the resource provision but with an increase in demand is said to be a reduction in the service provided to the wider population.

The Trust has drawn attention to planning policy documents at the local and national level that refer to health and medical services. There is no specific policy within LPP1 or LPP2 that relates specifically to the provision of hospital and public health infrastructure or contributions towards the operation of these services. The representations from the Trust refer, however, to Core Strategy policy CP21 which seeks to ensure that developments will contribute towards or provide infrastructure or increased infrastructure capacity. The representations are clear that they do not seek a contribution towards health infrastructure rather it is the operational impact upon and the delivery of the health care service. Whilst the thrust of policy seeks to secure contributions towards infrastructure, it is reasonable to conclude that the broad nature and objective of policy is material in assessing the Trusts' requests. Furthermore, the NPPF, in Chapter 8 seeks to promote healthy and safe communities. The NPPF identifies that decisions should "...enable and support healthy lifestyles, especially where this would address identified local health and well-being needs" and "...take into account and support the delivery of local strategies to improve health...of the community" (paragraph 91-92). As such, it is considered that there is, in principle, a policy basis, in an appropriate case, to seek contribution toward the operation of health case infrastructure as well as for the delivery of the new infrastructure. However, consideration need to be given to whether such a contribution as is requested is justified in the context of the present application so as to meet the statutory tests.

In order for the City Council to take into account a planning contribution when granting planning permission, and thus the basis on which a obligation can legitimately be sought from an applicant or developer, the following tests must be met, as set out in reg.122 of the CIL Regulations 2010,

1. necessary to make the development acceptable in planning terms;
2. directly related to the development; and
3. fairly and reasonably related in scale and kind to the development

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The first point to note in relation to the Trust representations is that the UK provides its citizens with healthcare on a national basis, regardless of district or county boundaries. The funding is collected via central government taxation and distributed locally to provide healthcare. Whilst delivered locally the service is a *National* Health Service and as such the government has a system to ensure that each area of the country has enough funds to provide the service on the basis of the population it serves. Regardless of where someone lives, they are entitled to receive healthcare. It is not the case therefore that any new resident of the proposed development would be denied health care by the Trust if they require it. The contribution is not therefore considered necessary in the sense that, without it, those living in the development would not receive health treatment provided by the Trust should they require it. However, and for the reasons summarised above, the impact in operational terms of the development on the delivery of services by the Trust nonetheless needs to be considered.

With regard to the Trust's submission that, without the contribution, the funding with which it is provided would not be sufficient to properly address increased demand arising as a result of the development (until the funding is adjusted) it is considered that submission is flawed and unreliable as a basis for seeking the contribution which is sought. As a result, and for each of the reasons set out below, it is considered that the HioW ICB request is not necessary to make the development acceptable in planning terms nor is it directly related or fairly and reasonably related in scale, to the proposed development. As such, it is not justified having regard to the relevant legal tests set out in the CIL Regulations, reg.122.

First, the HioW ICB assumes that all those who would occupy the new development represent additional demand on its services (and the contribution sought has been calculated by the HioW ICB by reference to this assumption). This has not been demonstrated to be the case in the context of this application and is unlikely as an outcome. It is reasonable to assume that many new occupants will already be living locally and therefore will already be using the Trust's services and will therefore already be accounted for the HioW ICB planning and funding. Those who would be expected to occupy the affordable housing units in particular are highly likely to be existing local inhabitants. The HioW ICB assumption that all new residents of this development will generate increased demand on its services is not evidentially supported. As such, the sum requested cannot therefore be justified as necessary nor is it directly related or fairly and reasonably related in scale to the development. Although it is possible some new households or residents may be new to the Trust's operational area, the supporting information provided by the Trust does not provide a basis for identifying the quantum, if any, of new individuals or household which would amount to additional pressure on the HioW ICB services. As such, the HioW ICB submission does not provide a reasonable or robust evidential basis to require the contribution sought from the proposed development nor indeed does it provide a basis to identify reasonably a contribution in any other sum.

Secondly, the Trust in substance seeks a contribution to cover the effect of the development for a period of one year from occupation of the new dwelling. The contribution is not sought for infrastructure but is sought towards the increased operating costs of the services to meet what the HioW ICB considers to be increased demand from the development and until any increase in demand is reflected in a new funding settlement for the HioW ICB. The HioW ICB has explained that its funding is adjusted annually having regard to increased activity in the previous year and population growth. Subject to the matters addressed in the previous paragraph, even were there to be a short period of time following occupation of an individual new dwelling when some additional unfunded

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demand may be placed on the HioW ICB services before that demand is reflected in a new funding settlement (e.g. through adjustments to reflect increased activity in the previous year), the impact is likely in reality to be small and this potential does not, it is considered, justify the contribution which the Trust is seeking. Again, this factor provided an additional basis which indicates that the contribution sought is not justified in light of the relevant legal tests.

It is also of note that the Trust does not indicate how the £40,000 sought will actually be used to contribute "... towards the cost of providing the necessary capacity for the Trusts to maintain service delivery" (see Trust's letter of June 2023). As such, if there were to be an increase in demand so as to materially affect services arising from the proposed development but before the next funding settlement, how the sum sought will be used in practice to mitigate that impact is unclear. This factor also itself weighs against the necessity and reasonableness of the contribution being sought.

The Trust has also referred to 25 planning appeal decisions which have addressed a request for health services funding for emergency and acute services. Regard has been had to these decisions. The majority of these appeal decisions recognise that *in principle* and in an appropriate case, a contribution such as that sought by the Trust may be appropriate as a planning obligation. However, they do not set out a consistent range of considerations which should be used to determine whether a contribution should, in a given case, be sought. The outcome in each appeal seems to depend in large measure on the particular set of circumstances which arise in the respect to the appeal site and the health service area in which it is located, as well as the submissions made to the Inspector in support of and in objection to the contribution sought. As such, regard has been had to these decision letters, but it is considered that in the context of the present application the matters set out above each demonstrate that the contribution sought is not justified in light of the relevant legal tests.

For the reasons set out above, Officers do not consider that the contribution sought by the Trust is necessary to make the development acceptable in planning terms and thus the other legal tests for planning obligations as set out above are not considered to have been met in respect of that contribution.

Public health is also linked to the design, layout, place making and connectivity that provide an environment of acceptable amenity and encourage healthy activities such as walking. These issues are explored above and have been considered acceptable.

Equality

Due regard should be given to the Equality Act 2010: Public Sector Equality Duty. Public bodies need to consciously think about the three aims of the Equality Duty as part of the process of decision-making. The weight given to the Equality Duty, compared to the other factors, will depend on how much that function affects discrimination, equality of opportunity and good relations and the extent of any disadvantage that needs to be addressed. The Local Planning Authority has given due regard to this duty and the considerations do not outweigh any matters in the exercise of our duty.

Planning Balance and Conclusion

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 47 of the National Planning Policy Framework (NPPF, 2021) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

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The proposal would see 80 dwellings, POS and associated development. As stated above some elements of policy WC1 are no longer required and the land to the east (WC1a) is not available. To accommodate for these changes a reduced number of dwellings have been proposed to accommodate additional POS on the existing site and create a better sense of place.

It is noted that a reduced number of Affordable Housing units have been proposed however a viability statement has been submitted that indicates that this is acceptable under the NPPF and policy CP3.

Contributions are proposed to secure sports facilities and highways improvements in and around the area and ensure that the affordable housing is secured.

It is considered that the SSSI to the north of the site would be protected and reinforced by the POS.

Employment uses have been proposed to replace some of the employment that would be lost in the redevelopment of the site.

Turning to heritage matters, concerns have been raised with regard to the potential impact on the heritage assets, specifically the below ground heritage assets. The assessment of the potential impact on the significance of the below ground heritage assets indicates a degree of harm that is less than substantial at the moderate level within this scale. This is due to the harm generated by the disturbance of the below ground historic assets form development.

In accordance with relevant legislation (Ancient Monuments and Archaeological Areas Act, 1979) and policy(DM26 and CP20), this must be given substantial weight and importance. The identified harm means the scheme does not wholly comply with the intentions of LPP1 policy CP20 (Heritage and Landscape Character) and LPP2 policy DM29 (Heritage Assets). This concern reflects the consultation response from the Archaeologist.

It is accepted that a less than substantial degree of impact will result. At this level of impact NPPF paragraph 202 needs to be applied. This states:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”

The public benefits from the proposal are considered to be the contribution made towards housing, Public Open Space, biodiversity, and footpath links to the Primary School adjacent to the site.

This assessment is reached having taken full account of Section 16 para 199 of the NPPF (2021), the Historic England guidance notes and Policy CP20 of WDLPP1 and DM29 of WDLPP2 and the historic environment section of the Planning Practice Guidance.

The Planning and Compulsory Purchase Act 2004 Section 38(6) requires that a determination is made in accordance with the development plan unless material considerations indicate otherwise. The development complies with a number of

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development plan policies, as identified above. While the proposal would not be in strict accordance with policy WC1 due to some elements of the policy no longer being required it is considered that the proposal would meet the requirements of the development plan as a whole.

The benefits of the scheme include the provision of 80 dwellings including affordable housing, the provision of onsite Public Open Space including a buffer to the SSSI to the north of the site and pedestrian accesses across the site (including to the St John the Baptist Primary School).

As a result of the impact of the below ground heritage assets referred to above but, given the outcome of the assessment recommended in the NPPF, whilst this conflict has been considered it does not warrant refusal of the application in this instance.

Even if it should be considered that there are elements of non-compliance with the development plan, other material considerations, in particular the provision of much-needed market and affordable housing, outweigh any such non-compliance and thus indicate a grant of planning permission.

Planning Obligations/Agreements

In seeking the planning obligations and/or financial contributions for sports facilities, highways improvements and affordable housing, the Local Planning Authority has had regard to the tests laid down in para 56 of the NPPF which requires the obligations to be necessary; relevant to planning; directly related to the proposed development; fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.

The heads of terms proposed are:

- Secure implementation and fees associated with Traffic Regulation Order
- Secure submission and implementation of a Travel Plan
- School travel improvements and fee of £25,000
- Secure agreement to a S278 agreement
- Secure the delivery of the 8 affordable housing units produced for affordable rent.
- Secure registered provider of the affordable housing
- Secure the Public Open Space delivery and management.
- Payment of the Solent Recreational Mitigation of £61,580
- Secure landscape contribution of £59,899.55 for sport provision in Waltham Chase

Recommendation Permit subject to the following conditions and the completion of the S106:

Conditions relating to the whole site.

Pre-commencement

1. Prior to the commencement of the development hereby permitted detailed information (in the form of SAP design stage data and a BRE water calculator) demonstrating that all homes meet the equivalent of Code 4 standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these findings.

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Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2023 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

2. Prior to the commencement of the development hereby permitted a scheme to deal with contamination shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall conform to current guidance and best practice as set out in BS10175:2001 Investigation of potentially contaminated sites - code of practice and Contaminated Land Reports 7 to 11, or other supplementary guidance and include the following phases, unless identified as unnecessary by the preceding stage and agreed in writing by the LPA:

- a) A desk top study and conceptual model documenting all the previous and existing land uses of the site and adjacent land;
- b) A site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study;
- c) A remedial strategy detailing the measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a suitably qualified person to oversee the implementation of the works.

Reason: In order to secure satisfactory development and in the interests of the safety and amenity of the future occupants.

3. No development shall take place until a Construction Environmental Management Plan (CEMP) which should be in accordance with the mitigation measures set out in Biodiversity Environmental Management Plan has been submitted to and approved by the Local Planning Authority, to include details of:

- Development roles, contracts and responsibilities
- Public communications strategy including complaints procedure
- construction traffic routes in the local area
- parking and turning of operative, construction and visitor vehicles
- loading and unloading of plant and materials
- storage of plant and materials
- building works which should only be carried out between the hours of 0800 and 1800 hours Monday to Friday and 0800 and 1300 hours Saturday and no time on Sundays or recognised public holidays
- deliveries should be scheduled to avoid school drop off and pick up times
- provision of boundary hoarding and lighting including construction lighting
- Protection of trees, hedgerows and other natural features to be retained.
- details of proposed means of dust suppression and noise mitigation
- details of measures to be taken to prevent mud from vehicles leaving the site during construction
- the handling and management of construction waste
- Pest control
- A programme of phasing and demolition (if any) and construction work
- Protection of pedestrian routes during construction works

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- Location of temporary site buildings, compounds, construction material, and plant storage areas
- Demolition and construction work will only take place in accordance with the approved method statement.

The development shall then only proceed in accordance with the approved plans and details.

Reason: To ensure that development should not prejudice highway safety nor cause inconvenience to other highway users or result in any other significant harm to the amenity of local residents, or to existing natural features.

4. No development, or works of site preparation or clearance, shall take place until details, including plans and cross sections of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp-proof course in relation thereto, have been submitted to and approved in writing by the Local Planning Authority. The development shall then proceed in accordance with the approved plans and details.

Reason: To ensure a satisfactory relationship between the new development and adjacent buildings, amenity areas and trees.

5. No development, or site preparation prior to operations which has any effect on compacting, disturbing or altering the levels of the site, shall take place until a person suitably qualified in arboriculture, and approved as suitable by the Local Planning Authority, has been appointed to supervise construction activity occurring on the site. The Arboricultural supervisor will be responsible for the implementation of protective measures, special surfacing and all works deemed necessary by the approved Arboricultural method statement. Where ground measures are deemed necessary to protect root protection areas, the Arboricultural supervisor shall ensure that these are installed prior to any vehicle movement, earth moving or construction activity occurring on the site and that all such measures to protect trees are inspected by the Local Planning Authority Arboricultural Officer prior to commencement of development work.

Reason: To ensure protection and long-term viability of retained trees and to minimise impact of construction activity.

6. Prior commencement of the development hereby permitted details of any external lighting and street furniture within the site shall be submitted to and approved in writing by the Local Planning Authority.

Details of any external lighting shall include a layout plan with beam orientation, and schedule of equipment in the design (lumen type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details. The lighting shall not be switched on between the hours of 10pm and 7am.

Reason: To protect the neighbouring amenities, the character of the area and to ensure that the ecological value of the site is not adversely impacted upon by the development.

7. No development shall commence until a Drainage Phasing Plan, as agreed with

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Southern Water, has been submitted to, and approved in writing by, the Local Planning Authority. The Phasing Plan shall demonstrate a phased occupation approach that would align with the delivery of sewerage network reinforcement works. The development shall be carried out in accordance with the approved Drainage Phasing Plan.

Reason: To ensure adequate drainage is provided for the development and prevent flooding.

8. Prior to any site clearance, excavation or preparatory works on site, a Strategy for Pre-Commencement Works shall be submitted to and approved by the local planning authority setting out a schedule for all pre-commencement works including timings of mitigation measures, tree protection and site inspections. This shall cover as required:

- tree works / vegetation clearance
- ecology
- archaeology
- s278 works / access works
- drainage / utility works
- contamination

Pre-commencement works shall be carried out in accordance with these approved details.

REASON: To ensure that pre-commencement works are co-ordinated to avoid unacceptable impacts to trees, biodiversity and archaeology and to minimise impacts on public and local amenity.

9. No development or any works of site preparation shall take place until the applicant or their agents or successors in title have implemented a programme of archaeological assessment (comprising trial trenching) in accordance with a Written Scheme of Investigation that has been submitted to and approved by the local planning authority in writing. The development shall the proceed in accordance with the approved plans and details.

REASON: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets. Policy DM26 Winchester District Local Plan Part 2; Policy CP20 of the Winchester District Joint Core Strategy

10. Prior to commencement of development a condition survey and report of the adjacent watercourse, which will take surface water from the development site, shall be submitted to and approved in writing by the Local Planning Authority. The condition survey and report shall include:

- the current condition of the watercourse;
- any improvements required in terms of reparation, remediation, restitution, and replacement that should be undertaken;

The approved details shall be implemented and evidence of the works being completed should be submitted to the Local Planning Authority prior to any connection to the adjacent watercourse.

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Reason: To ensure satisfactory provision of surface water drainage in a sustainable way.

11. No development or any works of site preparation shall take place until the applicant or their agents or successors in title have implemented a programme of archaeological mitigation works, based on the results of the trial trenching, in accordance with a Written Scheme of Investigation that has been submitted to and approved by the local planning authority in writing. No development or site preparation shall take place other than in accordance with the Written Scheme of Investigation approved by the LPA. The Written Scheme of Investigation shall include:

- a) The programme and methodology of site investigation and recording.
- b) Provision for post investigation assessment, reporting and dissemination.
- c) Provision to be made for deposition of the analysis and records of the site investigation (archive)
- d) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

REASON: To mitigate the effect of the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations. Policy DM26 Winchester District Local Plan Part 2; Policy CP20 of the Winchester District Joint Core Strategy

Pre Slab level

12. No development shall take place above slab level until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

13. No development shall take place above slab level until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Landscape maintenance shall be carried out in accordance with the approved schedule.

Reason: In the interests of local amenity.

Pre occupation

14. Prior to the occupation of the dwelling hereby permitted detailed information (in the form of SAP "as built" stage data and a BRE water calculator) demonstrating that all homes meet the equivalent of Code 4 standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be occupied in accordance with these findings.

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Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2018 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

15. The development hereby permitted shall NOT BE OCCUPIED until:
- a) A water efficiency calculation which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to and approved in writing by the Local Planning Authority
 - b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to and approved in writing by the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European sites by the development and be implemented in full prior to first occupation and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and
 - c) All measures forming part of that mitigation have been secured and submitted to the Local Planning Authority.

Reason: To accord with the Conservation of Habitats and Species Regulations 2017, and Policy CP11, CP16 and CP21 of the Winchester District Local Plan Part 1.

16. Prior to the occupation of the development hereby permitted, written verification produced by the suitably qualified person shall be submitted to and approved in writing by the Local Planning Authority. The report must demonstrate that the remedial strategy approved has been implemented fully, unless varied with the written agreement of the Local Planning Authority in advance.

Reason: In order to secure satisfactory development and in the interests of the safety and amenity of future occupants.

17. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before the use hereby permitted is commenced and prior to the completion of the development or in accordance with the programme agreed with the Local Planning Authority. If within a period of five years after planting any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

18. The parking spaces as shown in the drawing 20029 P201 rev J shall be implemented prior to the occupation of the development hereby approved and thereafter retained in accordance with the approved plan.

Reason: In the interests of highway safety.

19. Details for the long-term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority

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prior to the first occupation of any of the dwellings. The submitted details shall include;

- a. Maintenance schedules for each drainage feature type and ownership
- b. Details of protection measures.

The maintenance of the surface water drainage system shall progress in accordance with the approved details.

Reason: To ensure satisfactory provision of surface water drainage in a sustainable way.

20. Prior to occupation the multi-use pathway from Winchester Road to the St John the Baptist Primary School as shown on plan 20029 P201 rev J shall be implemented and operational for all users. The footpath will then be kept available for use in perpetuity.

Reason: To ensure safe access to school for users and to comply with policy WC1 of the Local Plan Part 2.

21. The drainage system shall be constructed and implemented in accordance with the Flood Risk Assessment & Drainage Strategy prior to the first occupation of any building on the site. Surface water discharge to the watercourse shall be limited to 10.6l/s & 5.3l/s. Any changes to the approved documentation must be submitted to and approved in writing by Local Planning Authority and Lead Local Flood Authority. Any revised details submitted for approval must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations.

Reason: To ensure satisfactory provision of surface water drainage in a sustainable way.

22. Prior to occupation, details of how the future maintenance of all roads, parking areas, areas besides carriageways not adopted by HCC, will be managed by an appointed Management Maintenance Company or otherwise. The roads will then be maintained in accordance with the agreed details in perpetuity.

Reason: To ensure long term maintenance of access roads and parking areas

General

23. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

24. The development hereby approved shall be constructed in accordance with the following plans and documents:

‘Biodiversity Mitigation and Enhancement Plan: Land at Morgan’s Yard, Waltham Chase’ by The Ecology Co-op dated Feb 2023

‘Environmental Impact Assessment: Land at Morgan’s Yard, Waltham Chase’ by The Ecology Co-op dated Feb 2023

‘Economic Viability Assessment (updated): Morgans Yard, Waltham Chase, Hampshire, SO32 2LY’ dated January 2023

Document Ref: 188-0002/FTP/4 – Framework Travel Plan

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Document Ref: 188-0002/TA/4 – Transport Assessment
Drawing Number: 188.0002.009 – Internal Visibility Splays
Drawing Number: 188.0002.010 – Internal Forward Visibility
Drawing Number: 20029 P256 – plot 46 plans and elevations
Drawing Number: 20029 P257 rev A – plot 60 plans and elevations
Drawing Number: 20029/C101N – coloured site plan
Drawing Number: 20029/203 – coloured street scenes
Drawing Number: 20029/204 – coloured street scenes
Drawing Number: 20029 P201 rev J – site plan
Drawing Number: 20029 P207 – Materials site plan
Drawing Number: 20029 P210 rev A – Proposed Floor Plans Light Industrial units
Drawing Number: 20029 P211 rev A – Proposed Elevations Light Industrial Units
Drawing Number: 20029 P212 rev A – Proposed Floor Plans Flexible Employment Units
Drawing Number: 20029 P213 rev A – Proposed Elevations Flexible Employment Units
Drawing Number: 20029 P221 – Proposed Plans and Elevations Plots 34-37
Drawing Number: 20029 P222 – Proposed Plans and Elevations Plots 67-71
Drawing Number: 20029 P223 rev A – Proposed Floor and Roof Plans Plots 71-76
Drawing Number: 20029 P224 rev A – Proposed Elevations Plots 71-76
Drawing Number: 20029 P226 – Plans and Elevations Plots 17 and 38
Drawing Number: 20029 P227 - Plans and Elevations Plots 23 and 28
Drawing Number: 20029 P230 rev A - Plans and Elevations Plots 77-78
Drawing Number: 20029 P231 - Plans and Elevations Plots 6-8
Drawing Number: 20029 P232 - Plans and Elevations Plots 20-22
Drawing Number: 20029 P233 rev A - Plans and Elevations Plots 41-43
Drawing Number: 20029 P235 rev A - Plans and Elevations Plot 50
Drawing Number: 20029 P236 rev A - Plans and Elevations Plots 51-52 and 63-64
Drawing Number: 20029 P240 rev A - Plans and Elevations Plots 4-5, 14-15, 39-40 and 44-45
Drawing Number: 20029 P241 rev A - Plans and Elevations Plots 10-11 and 79-80
Drawing Number: 20029 P242 - Plans and Elevations Plots 12 and 13
Drawing Number: 20029 P243 - Plans Plots 24-27, 29 and 30
Drawing Number: 20029 P244 rev A - Elevations Plots 24-27, 29 and 30
Drawing Number: 20029 P246 rev A - Plans and Elevations Plots 31-33
Drawing Number: 20029 P247 - Plans and Elevations Plot 57
Drawing Number: 20029 P250 - Plans and Elevations Plots 1 and 2
Drawing Number: 20029 P251 - Plans and Elevations Plot 3
Drawing Number: 20029 P252 rev A - Plans and Elevations Plots 16, 18, 55, 61
Drawing Number: 20029 P253 - Plans and Elevations Plots 19 and 56
Drawing Number: 20029 P258 rev A - Plans and Elevations Plot 54
Drawing Number: 20029 P259 - Plans and Elevations Plot 53
Drawing Number: 20029 P262 rev A - Plans Plots 49, 58 and 59
Drawing Number: 20029 P263 rev A - Elevations Plots 49, 58 and 59
Drawing Number: 20029 P270 rev A - Plans and Elevations Car Ports and Garages
Drawing Number: 20029 P271 rev A - Plans and Elevations Car Ports and substation
Drawing Number: 20029 P245 rev A - Plans and Elevations Plots 9 and 62
Drawing Number: 20029 S201 rev A – Location Plan
Drawing Number: 20029 SK208 rev A – POS plan
Drawing Number: CCL23415-12 – Hard Landscaping sheet 1 of 3
Drawing Number: CCL23415-12 – Hard Landscaping sheet 2 of 3

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Drawing Number: CCL23415-12 – Hard Landscaping sheet 3 of 3

Drawing Number: CCL23415-11 – Soft Landscaping Proposal sheet 1 of 3

Drawing Number: CCL23415-11 – Soft Landscaping Proposal sheet 2 of 3

Drawing Number: CCL23415-11 – Soft Landscaping Proposal sheet 3 of 3

Drawing Number: CCL23415-11 – Soft Landscaping Proposal overview

Drawing Number: 188.0002.001 rev F – Refuse and Car Swept Path Analysis

Reason: For the avoidance of doubt, to ensure that the proposed development is carried out in accordance with the plans and documents from which the permission relates to comply with Section 91 of the Town and Country Planning Act 1990.

25. Development shall cease on site if, during any stage of the works, potential contamination is encountered which has not been previously identified, unless otherwise agreed in writing with the Local Planning Authority. Works shall not recommence before an assessment of the potential contamination has been undertaken and details of the findings along with details of any remedial action required (including timing provision for implementation), has been submitted to and approved in writing by the Local Planning Authority. The development shall not be completed other than in accordance with the approved details.

Reason: In order to secure satisfactory development and in the interests of the safety and amenity of future occupants.

26. No storage of materials, cement mixing or washing points beneath any retained trees in close proximity to the development will be permitted. Protective fencing must be implemented on site to ensure that none of the above happen. The root protection zone (RPA) around trees and their roots will be treated as sacrosanct and calculated as approximately 12x the stem diameter measured at 1.5m above ground level. There will be no access into the protected area and the storage of excavated debris and building material within the RPA will be prohibited.

Reason: To ensure the protection and long-term viability of retained trees, to minimise impact of construction activity and to safeguard the amenity value that the identified trees have within the surrounding area.

Protective measures, including fencing and ground protection, in accordance with the Arboricultural report and method statement and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site and retained during construction.

Inspection of fencing

The Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with 15388-AA-MW. Telephone 01962 848403.

Limit of Arboricultural work

No Arboricultural works shall be carried out to trees other than those specified and in accordance with the Arboricultural Impact Appraisal and Tree Survey.

No deviation from agreed method statement. Any deviation from works prescribed or methods agreed in accordance with the Arboricultural Impact Appraisal and Tree Survey shall be agreed in writing by the Local Planning Authority.

Reason: To ensure protection and long-term viability of retained trees and to minimise impact of construction activity.

27. The development shall be carried out in accordance with the measures, conclusions and recommendations set out within Biodiversity Mitigation and Enhancement Plan.

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Thereafter, the compensation measures shall be permanently maintained and retained in accordance with the approved details.

Reason: To ensure that the ecological value of the site is not adversely impacted upon by the development.

28. The windows on the first-floor northern elevation of plot 22 as shown on the approved plan 20029 P232 of the development hereby permitted must be glazed with obscure glass which achieves an obscuration level at least equivalent to Pilkington Obscure Glass Privacy Level 4 and the glazing shall thereafter be retained in this condition at all times

REASON: To protect the privacy of the adjoining property and to prevent overlooking.

29. Following completion of archaeological fieldwork, within 9 months (unless otherwise agreed in writing) a report will be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports and publication. The report shall be submitted to and approved by the local authority.

REASON: To ensure that evidence from the historic environment contributing to our knowledge and understanding of our past is captured and made publicly available. Policy DM26 Winchester District Local Plan Part 2; Policy CP20 of the Winchester District Joint Core Strategy

Conditions relating to the light Industrial building as shown on plan 20029 P201 rev J

30. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2020 as amended (or any Order revoking and re-enacting that Order with or without modification), the employment uses hereby permitted shall only be within Class E(g) and no other use within Class E.

Reason: In the interests of the amenities of the locality

31. The use of the light industrial buildings hereby permitted shall only open to customers within the following times 8am-6pm Monday – Friday and 8am -1pm on Saturdays.

Reason: To protect the amenities of the occupiers of nearby properties.

Conditions relating to the flexible employment building as shown on plan 20029 P201 rev J

32. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2020 as amended (or any Order revoking and re-enacting that Order with or without modification), the employment uses hereby permitted shall only be within Class E and F only.

Reason: In the interests of the amenities of the locality

33. The use of the flexible employment units hereby permitted shall only open to customers within the following times 8am - 8pm Monday to Saturday.

Reason: To protect the amenities of the occupiers of nearby properties.

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34. Before commencement of any Class E(b) uses hereby permitted, a scheme for the installation of equipment to control the emission of odour shall be submitted to, and approved in writing by, the Local Planning Authority and the approved scheme shall be implemented. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

Reason: To ensure that cooking odours outside the premises are minimised in the interests of the amenity of occupiers of nearby properties.

35. Before commencement of any Class E(b) uses hereby permitted, full details demonstrating how noise sensitive premises will be suitably protected from the noise from any compressors, condensers or extractor fans, shall be submitted to and approved in writing by the Local Planning Authority.

Development must then continue in accordance with the approved details. Any mitigation measures must be in operation prior to the occupation of the development.

Reason: To ensure acceptable noise levels within noise sensitive premises are maintained.

ACOUSTIC REPORT NOTE

Further details of our expectations regarding noise levels and assessments can be found at <https://www.winchester.gov.uk/planning/other-guidance>

General conditions in relation to the employment buildings as shown on plan 20029 P201 rev J

36. No deliveries are to be taken at or despatched from the site except between the hours of 8am - 6pm Monday -Friday and 8am-1pm on Saturdays. At no time on Sundays or public/bank holidays.

Reason: in the interests of neighbouring amenities.

37. No works shall take place outside the employment buildings.

Reason: in the interests of neighbouring amenities.

Informative:

1) This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

2) The Local Planning Authority has taken account of the following development plan policies and proposals: -

Local Plan Part 1 Joint Core Strategy: DS1, MTRA1, MTRA2, CP1, CP2, CP3, CP6, CP7, CP8, CP9, CP10, CP11, CP13, CP14, CP15, CP16, CP17

Local Plan Part 2: WC1, DM1, DM2, DM6, DM14, DM15, DM16, DM17, DM18, DM19, DM20, DM21, DM24, DM26, DM29.

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- 3) In accordance with paragraph 38 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;
-offering a pre-application advice service and,
-updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

- 4) Please be respectful to your neighbours and the environment when carrying out your development. Ensure that the site is well organised, clean and tidy and that facilities, stored materials, vehicles and plant are located to minimise disruption. Please consider the impact on your neighbours by informing them of the works and minimising air, light and noise pollution and minimising the impact of deliveries, parking and working on public or private roads. Any damage to these areas should be remediated as soon as is practically possible.
For further advice on this please refer the Construction Code of Practice
<http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-considerate-practice>

- 5) The applicant is advised that one or more of the Conditions attached to this permission need to be formally discharged by the Local Planning Authority before works can commence on site. Details, plans or samples required by Conditions should be submitted to the Council at least 8 weeks in advance of the start date of works to give adequate time for these to be dealt with. If works commence on site before all of the pre-commencement Conditions are discharged, then this would constitute commencement of development without the benefit of planning permission and could result in Enforcement action being taken by the Council.

- 6) During Construction, no materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Protection Team, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.

- 7) All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or recognised public holidays. Flexibility of hours may be acceptable due to the Covid-19 emergency in line with the Business and Planning Bill 2019-21
<https://services.parliament.uk/Bills/2019-21/businessandplanning.html>

Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served. Where construction site working hours are limited by a planning condition you can apply under Section 74B of the Town and Country Planning Act 1990 which provides a temporary fast track to vary existing conditions. <https://www.gov.uk/government/publications/construction-working-hours-draft-guidance/draft-guidance-construction-site-hours-deemed-consent>

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- 8) Additional Water supplies for firefighting may be necessary. you should contact the Water Management Team, Hampshire & IOW fire and rescue Headquarters, Leigh Road, Eastleigh (hydrants@hantsfire.gov.uk) to discuss your proposals.
- 9) HIWFRS would strongly recommend that consideration is given to installation of an Automatic Water Fire Suppression System (AAWFSS) to promote life safety and property protection within the premises.

HIWFRS is fully committed to promoting fire protection systems for both business and domestic premises. Support is offered to assist all in achieving a reduction in loss of life and the impact of fire on the wider community.

- 10) HIWFRS strongly recommend that, upon commissioning, all fire safety systems are fully justified, fully tested and shown to be working as designed. Thereafter their effectiveness should be reconfirmed periodically throughout their working lifecycles.
- 11) Should serious unsuppressed fire occur on the premises, the water environment may become polluted with 'fire water run off' that may include foam. The service will liaise with the Environment Agency at any incident where they are in attendance and under certain circumstances, where there is a serious risk to the environment, a 'controlled burn' may take place. This could lead to total loss of the building and its contents.

Premises occupiers have a duty to prevent and mitigate damage to the water environment from 'fire water run off' and other spillages.

- 12) Timber Framed buildings are particularly vulnerable to severe fire damage and fire spread during the construction phase.

The UK Timber Frame Association publication '16 steps to fire safety on timber frame construction sites' provides guidance on this issue and is available from the Timber Frame Association website.

This guidance should be read in conjunction with the 'Joint code of Practice on the protection from fire of construction sites and buildings undergoing restoration', published by the Construction Confederation and the Fire Protection Confederation.

Copies of these documents are available from the Fire Protection Association and Construction industry press.

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Appendix 1

Comments:

Shedfield Parish Council wish to object to this application as follows:

The proposal would result in overdevelopment of the site

The proposed density would be out of keeping with the other recent developments in the village, namely WC3 and WC4

There is a lack of open space in the proposal

The response from Environmental Health suggests that insufficient investigations have been carried out in respect of contamination on the site

The proposed access to the site, via Solomons Lane (a narrow country lane) would result in additional traffic issues on an already congested route, particularly at school drop off/collection

The entire village has increasingly suffered problems with drainage/surface water run-off and it is believed the drainage system is already unable to cope – we would support the views of the drainage engineer

Request for application to be considered by Committee:

(NB: Case Officer to forward form to Head of Planning Control if this section completed)

If minded to approve this application Shedfield Parish Council would request that it is considered by committee

Signed: T S Daniels
Planning and Projects Officer

Date: 27 October 2021

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Comments:

Shedfield Parish Council wish to object to this application as follows:

This application should go back to the drawing board. Over 60 objections mostly are on substantial grounds.

The Design Review Panel have made scathing comments.

Winchester City Council Environmental Health have also made adverse comment.

WCC Landscape team highlights the lack of open spaces. It does not mention that Sandy Lane /Forest Road sites, a total of 148 houses made a financial contribution instead of Open Space land, £0.8 m towards educational and open spaces needs. Hence a further 14.400M² of land is needed if the condition of the local plan and National plans are met.

SPC have serious concerns about the visual effect and height of the buildings. The appearance of the design as this would effectively be the first building seen coming into the village

Steve Opacic, The WCC Policy statement makes no references to The Change of Policy by the Planning Inspectorate

The application address should be Morgan's Yard, (WC1) as this is well known, not land at Solomon's Lane in Solomon's Lane.

There is no information on how many businesses or people will lose their jobs. Morgan's Yard is a site which employs a lot of people.

SPC are concerned regarding how many houses are intended to be built, the application is for 98. The design statement states 100 plus 5 industrial unit. The utilities state 110 dwelling 92 houses and 18 flats.

There is also reference to "includes extension to school"

The WCC planner need to look at the paperwork in detail as there are clear ambiguities

Due to the objections made by the public it is clear that this application is not supported in its current form.

One objection has indicated another site for such a development, we ask the planners to look at this offer making sure that this is a viable alternative to Morgan's Yard

Morgan's Yard has failed to live up to its 25-year promises, maybe it is a time to look at the alternative

A major contributor The Highways authority has as yet not submitted their views. This is most important.

SPC have read Steve Opacic's report as Strategic Planning Projects Officer which states

"Assessment - The site is within the defined settlement boundary of Waltham Chase and is specifically allocated for development by the Local Plan Part 2, policy WC1. "

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He completely fails to mention that the original plan was for 65 houses and an allocation of land to the school, and that it was taken to a Public Inquiry at which the developer offered WC1a a field the other side of the school offering an extension to the school, an area for the Community as Recreation Land and a provision for a nursery school at the front. The Inquiry accepted this and agreed that WC1a be included and on that basis would allow 100 houses.

The Strategic planning officer should have included the correct policy.

107. It is also effectively common ground that the primary school's facilities require significant improvement if the village is to satisfactorily absorb the planned growth of around 250 new homes in total. Consequently, the Council, having consulted the relevant landowners, Parish Council and HCC as education authority, is now proposing to modify policy WC 1 to increase the number of new homes from around 60 to about 100 and to allocate land to the east of the present school site for the additional facilities needed, including playing fields/outdoor play space. All parties directly involved have indicated that this change should enable the project to proceed and the policy needs to be clear that this is now the expectation, rather than leaving it unresolved.

108. Both the policy and supporting text in paras 4.7.14 to 4.7.17 inclusive therefore need rewording to fully reflect the above,

SPC ask that the Strategic Planning officer report be corrected.

Why are WCC now accepting this proposal for 98 houses and no provision for the school or the Community or a nursery.

SPC would like to draw attention to the early meetings they had with Nigel Green of WCC. WCC at that time were practically falling over SPC to agree the extra land to provide a nursery (WCC even started negotiations with Yellow Dot Nursery, now taken over by Bright Horizons), and the community land and extension to school land. When it went to Inquiry no-one checked Morgans even owned it or were in a position to offer it.

No-one from WCC has been near SPC to discuss it this time, why?

If the school say they don't want the extra provision for the school, then one assumes their numbers are low at the moment. With 98 new homes this may not be the case for long. However, SPC know HCC can only provide for the need that is there at the moment and not what they think they might get. Although Waltham Chase has a preschool it does not open 52 weeks a year like most nurseries, to provide care for children of working parents and many send their young children to Shedfield, Wickham, Swanmore or Droxford. If there was a nursery school by the side of the primary school open all the time with the children feeding into the primary school this would be a wonderful asset to the village and to the primary school.

SPC would like us to draw attention to these meetings and have the notes in SPC possession

There is also no mention of the other three sites in the Village WC3 and WC4, at Sandy Hill Close and both sides of Forest Road having to contribute financially to the expansion of the school which they have done. Will HCC repay them if they no longer require the expansion?

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Noise issues

The application does not have a noise assessment which is surprising given the scale of the application and the extant noise environment. The predominant existing noise sources that have the potential to affect future residents are the B2177 highway and the school. Shedfield Parish Council notes that no noise survey has been undertaken to assess the potential impact of these sources on the development. The parish council notes the following:

- Attention is drawn to the agent of change principle with respect to noise in the National Planning Policy Framework. In particular, decision-makers need to take account of the existing noise from the school and the developers need to mitigate the impact of this noise to prevent this risk of potential nuisance arising from the school such as during playtimes, at the start and end of the school day, for sports days and similar events and when PA equipment is used within the school grounds
- It is strongly recommended that an acoustic assessment of the development is carried out following the best practice guidance set out in ProPG: Planning & Noise – New Residential Development at <https://www.ioa.org.uk/publications/propg>
- A planning condition should be imposed to ensure that all new buildings are provided with sufficient acoustic insulation to ensure that the internal noise levels do not exceed the recommended values in ProPG and BS8233 including noise from the highway, noise from the school and any noise arising within the new development. Where this is not achievable with windows that are open for ventilation then an appropriate alternative form of ventilation should be provided for each building. In this context ‘buildings’ includes both residential and non-residential use with appropriate limits
- A planning condition should be imposed to ensure that all new outdoor amenity spaces do not exceed the level recommended in BS8233 including contributions to the noise environment from the highway, the school and sources within the new development
- Decision-makers should refuse planning consent if there is insufficient evidence to demonstrate that these conditions will be achieved.

Drainage and sewerage issues

- * Southern Water desktop study highlights that the additional flows from the proposed development may lead to an increased risk of foul flooding from the sewer network
- * Southern Water will need to carry out detailed network modelling and this could take upwards of 24 months of planning consent being granted (Full or Outline)
- * Southern Water has requested that the occupation of the development is to be phased and align with the delivery by Southern Water of any sewerage network reinforcement
- * Southern Water have indicated that surface water needs to be managed as there is a risk of flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system
- * *Southern Water expects that the Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse*
- * No groundwater or land drainage is to enter public sewers this includes any liquid waste (effluent) discharged into our sewers from a business or industrial process
- * No development work to commence until (assuming they get planning) the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water

In summary it appears that flooding whether by sewage or surface water is an issue for the immediate area if the development goes ahead. SPC are not sure that the funding allocated to the

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drainage reinforcement will cover the costs of any reinforcement by Southern Water because the flooding problem runs all along the village main road and not just Morgan's/Brooklyn Close. There is here an issue of the potential impact for Waltham Chase as a village which Southern Water may not be addressing

Swales

Shedfield Parish Council notes that the design incorporates swales as a component of the drainage strategy for the site. The Parish Council notes:

- Swales are easily incorporated into landscaping with a potential for removal of urban pollutants and reduction in runoff rates and volumes
- The maintenance of these needs to be incorporated in general landscape management but it is not clear how this will be achieved or by whom
- In particular an advantage of swales is that pollution and blockages are visible so potentially easily dealt with, but pollution elsewhere within parish infrastructure (such as the ditches in Bull Lane) have been problematic historically
- It is noted that use of swales limits the opportunities to use trees for landscaping, yet the planning statement emphasises the need to respond to the "semi-rural" nature of the site by including a "feature tree lined primary route through site to central square and green buffer beyond" and the masterplan shows no fewer than 14 trees immediately adjacent to the proposed swales
- The Parish Council contends that these trees, their roots and leaf fall, together with other debris, creates a high risk of blocking of surrounding pipework. The Parish Council understands that there has been frequent flooding of dwellings within properties along Winchester Road (which forms one border of the site) in the aftermath of heavy showers and it is not clear if the development and potential blockages of pipework as set out above will exacerbate a problem that already exists

In the absence of any clear strategy for maintenance of drainage in general and blockages caused by the swales in particular.

Affordable housing.

The site is well below what is required for affordable housing. Others have commented on this. The application should not go ahead until this matter is considered

Taking into account all of the above, SPC objects to this plan as it stands today. It should be rejected and a new application submitted.

Signed: T S Daniels
Planning and Projects Officer

Date: 17 November 2021

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Comments:

Shedfield Parish Council wish to object further to this application as follows:

1. It has now become apparent that the information WCC supplied to the Planning Inspectorate in July 2016 may have been inaccurate. The Inspectorate's findings were published on 31st January 2017. This resulted in the change in policy of WC1 being flawed. In the interest of fairness and openness this should now be referred back to the Secretary of State, Planning Inspectorate.
2. It has now become clear that this application is not viable in any format.
3. **Planning Inspector Comments**
107. It is also effectively common ground that the primary school's facilities require significant improvement if the village is to satisfactorily absorb the planned growth of around 250 new homes in total. **Consequently, the Council, having consulted the relevant landowners, Parish Council and HCC as education authority,** is now proposing to modify policy WC 1 to increase the number of new homes from around 60 to about 100 and **to allocate land to the east of the present school site for the additional facilities needed,** including playing fields/outdoor play space. **All parties directly involved have indicated that this change should enable the project to proceed and the policy needs to be clear that this is now the expectation,** rather than leaving it unresolved.
4. Overleaf is a planning Policy Map drawn up after the Inspectorates comments by WCC Planning Policy department. However, the owner of Morgan's Yard never owned the area marked WC1a, or the shaded area next to it.

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5. The application does not pay any attention to the following issues.

The site is heavily polluted; soil has to be removed from the site, cleaned and then returned. No mention is made how this is to be achieved. It should be noted that a primary school is in close proximity to the site. Extra precaution should be in place to safeguard the children from both the pollutants and the increase in heavy traffic.

In 2016 the cost of removing the pollutants stood at £2.5m. With inflation the cost will now be considerably higher.

The application mentions the SSSI land and highlights this as an open space. However, the owners of the SSSI have categorically stated that the land is private and will never allow members of the public to use this land.

The application is also using part of this land for footpaths. No permission has been sought from the owners who will not allow this to happen.

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No consideration is given to how this SSSI land is to be protected from pollution or interference with drainage systems.

This application site must be taken into consideration with other recent development sites in the village. These other sites are spaced out and are designed accordingly. They feel and achieve what is desired within the village.

Morgan's Yard site is over-developed and extremely cramped. It is totally out of context with all other designs within the village.

The application does not take into consideration homes for the elderly especially those who want to downsize within the village.

It also gives lip service to the National Percentage required for affordable houses. Again, other developments within the village have maintained these.

6. There will be serious job losses and re-deployment if this development takes place. No consideration has been given to those businesses or employment.

In the initial application form it states that the site is vacant but in the supporting documentation it states that the site is currently used by a number of employment users (it then goes on to list those businesses) This is detailed under 2.1 of the planning statements. Later, under 3.44 **Commercial development**, it states that a number of existing users of the site have been relocated onto new commercial areas, retaining some of the employment on the site in line with the requirements of Policy WC1.

As far as Shedfield Parish Council are aware no businesses have been relocated

As far as Shedfield Parish Council are aware no businesses have been relocated

At a recent meeting with the developers, it was stated that only six people would lose their jobs or be affected by re-deployment. New research has been carried out and this figure is 97 with seven part time staff and a further six part time jobs in summertime.



7. Winchester City Council should refuse this planning application. The area should be retained as commercial. Waltham Chase has already fulfilled its obligations to build 250 houses via good building and development in WC3, WC4 and the expansion of WC2. In addition, windfall development takes this figure above 250.

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Signed: T S Daniels
Planning and Projects Officer

Date: 26 January 2022

Comments:

Shedfield Parish Council wish to object further to this application on the grounds of proposed density.

The area of the Morgans Yard development proposal is 2.77 ha so with 98 dwellings that is equivalent to 35 dwellings/ha whereas the other developments were 18, 20 and 25 dwellings/ha. As we've been saying all along, considerably greater housing density and that is why there is significant less space available for amenity areas and open spaces.

The descriptions in the report below are extracts from the planning statements for each development.

Recent development Waltham Chase

16/02043/REM | Reserved matters for appearance, landscaping, layout and scale together with details to discharge Condition 6, parts a, b and c pursuant to outline planning permission 15/01106/OUT for the erection... | Land North And South Of Forest Road Waltham Chase Hampshire

North 1.51ha 22 private 15 affordable

South 2.37ha 27 private 17 affordable

Indeed, at a density of approximately 25 and 18 dwellings per hectare on the north and south sites respectively, including open space and circulation, the proposals have sufficient space to deliver an attractive, well-landscaped scheme. In this regard the proposals have developed on the design principals of the outline consent and this is discussed below. The northern site is arranged around a central area of public open space that will provide opportunities for informal play. This open space is framed by high quality and bespoke dwellings which front onto the open space, resulting in an appropriate level of activity and natural surveillance. This will make the open space a safe and usable area for all age groups, including children. The southern site contains a public open space in the eastern corner, adjacent to the main entrance. It will contain a Locally Equipped Area for Play which is for the use of residents of the development and for existing residents of Waltham Chase. The space will be extensively landscaped to ensure that the space is safe for children, given the proximity to Forest Road.

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5/02765/FUL | Demolition of existing buildings and development of the site by the erection of 63

dwelling with parking, open space, landscaping and amended access. | Land Junction Of Sandy Lane And Bull Lane Waltham Chase Hampshire
38 Market led homes and 25 affordable

The tables associated with Policy CP7 require a total of 4 hectares of open space per '000 population, split into parks, sports and recreation grounds (1.5 ha), natural greenspace (1 ha), informal open space (0.8 ha), equipped children's/young people's space (0.5 ha) and allotments (0.2 ha). The housing number and mix proposed for the Sandy Lane site generates a theoretical population of 198.5 persons. The open space requirement is therefore as follows:

The Category 1. requirement (parks, sports and recreation grounds) can be met by a financial contribution towards off-site existing or proposed facilities, leaving 0.496 ha of open space to be provided on site. The proposed layout for the development provides a main area of open space along the south-western and southern borders of the site totalling 0.55 ha., together with an area of informal open space of 0.05 ha. towards the north-eastern boundary. These areas comfortably meet the 0.496 ha. on-site requirement of Policy CP7.

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With a site area of 3.1 hectares the proposed 63 dwellings result in a density of development of just over 20 dwellings per hectare (including the open space). This low density reflects the 'edge of settlement' location of the site and the density of neighbouring residential areas, safeguarding the character of the locality. The scale of the proposed dwellings, at predominantly two storeys in height, is appropriate to the site's context whilst the layout provides appropriate frontages to Curdrige Lane, Sandy Lane and to the proposed open space. The layout also incorporates significant tree and hedge planting within the site.

Conclusion

Development	Area	Dwellings	Density
Hawthorne Grove	1.51ha	22 private 15 affordable	25 dwellings/ha
Hornbeam Road	2.37ha	27 private 17 affordable	18 dwellings/ha
Sandy Hill Close	3.1ha	38 market led 25 affordable	20 dwellings/ha

Signed: T S Daniels
Planning and Projects Officer

Date: 14 March 2022

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Comments:

Shedfield Parish Council wish to object further to this application on the basis that we have discovered the developer may be able to claim tax relief on expenditure related to decontamination.

This would in part negate the argument that a greater density of homes is required on the site to offset the cost of any decontamination. Please see extract below:-

What is Land Remediation Relief?

Land Remediation Relief enables businesses to claim corporation tax relief of 150% of the cost of cleaning up contaminated land or buildings.

Who can claim Land Remediation Relief?

Commercial property owners, investors and developers can claim the tax relief on qualifying expenditure associated with the decontamination of land and buildings that has been acquired from a third party.

What Land Remediation Relief is available?

Land Remediation Relief provides a deduction of 100% plus an additional deduction of 50% against corporation tax for qualifying expenditure. A business can claim Land Remediation Relief either by:

- Reducing taxable profits by 150% of its qualifying expenditure; and
- Surrendering losses for a tax credit at 16%. (This is a cash return of 24% of qualifying expenditure).

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What is contamination?

Land and building are deemed to be 'contaminated' if, as a result of industrial activity there is contamination present which could cause 'relevant harm'. The tax relief is available for a number of decontamination measures on both land and buildings.

This includes the removal of contaminated soil and water, the treatment of harmful organisms, the removal of natural contaminants (for example, radon and arsenic), the removal of buried structures, and the removal and treatment of invasive plants (such as Japanese Knotweed).

The relief is also available for the removal of asbestos from buildings, post-tensioned concrete, building and machinery foundations, below ground redundant services, and reinforced concrete basements.

Conditions

As you would expect, the relief does come with conditions. To qualify for the relief, money must have been spent on the following:

- Land that is contaminated, which the Government define as 'causing harm', 'has the serious possibility of causing harm', or 'is causing or has the possibility of causing harm to groundwater, streams, rivers and coastal waters'.
- The land is in the UK.
- The land was acquired by the business for the purpose of its trade or business.
- The cost of remediation would not have been incurred if the land was not contaminated.

There are also clear guidelines on what is considered qualified expenditure with regard claims.

The main qualifying activities are:

- Preparatory activities, including consultancy fees, risk assessments, lab costs and regulatory liaison costs.
- Capital expenditure, including the cost of plant and machinery.
- Employment and labour costs.
- Sub-contractor costs

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Exclusions

The relief does come with some exclusions, most notable that if the contamination was caused by the claiming company.

Signed: T S Daniels
Planning and Projects Officer

Date: 27 April 2022

Comments:

Shedfield Parish Council wish to object further to this application as follows:

Correspondence has been sent to all residents of Waltham Chase indicating that the GP Surgery in Bishops Waltham have already notified the ICP/CCG NHS Management above them that they are close to reaching a population whereby they will be forced to apply to them to close their list.

We are concerned that any new residents will be unable to register with a GP.

Signed: T S Daniels
Planning and Projects Officer

Date: 29 June 2022

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Comments:

Shedfield Parish Council wish to object to this application as follows:

After a long consultation period leading up to Winchester City Council (WCC) Local Plan 1 and 2, the Council submitted its findings to the Secretary of State Planning Inspectorate who arbitrarily ruled that the Southern Parishes should have 1500 houses built during the period 2011 to 2031. These houses were to be split equally between the six parishes. Most of the other parishes are far larger than Shedfield (which is made up of the three villages of Shedfield, Shirrell Heath and Waltham Chase) and have an infrastructure to accommodate these new houses.

It was extremely disappointing that years of work by WCC and the parishes was completely ignored. Therefore, Shedfield Parish was allocated 250 houses all of which were to be built within the settlement boundary of Waltham Chase. The other villages of Shedfield and Shirrell Heath were deemed to be unsustainable.

The four development areas were given names WC1 - WC4. A number of houses were allocated to each development

Shedfield Parish Council (SPC) has no problem with WC2 - WC4 although several other houses have been built to infill certain parts of the development, hence boosting the overall numbers. A small boundary change was included.

There have been no infrastructure improvements during this time.

WC1 (commonly known as Morgan's Yard) was a problem as it was heavily polluted by industrial waste.

During 2016, The Planning Inspectorate reported on the examination of Winchester and District Local Plan part 2 . The examination hearings were held between the 12 and 20 July.

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This can be found under issue 8 Waltham Chase (Policies WC 1 - 4)

This is the current policy that is still current today.

Two questions were asked namely

i) Are the policies and proposals for growth and change in this area appropriate and justified, including in relation to the NPPF/NPPG, and in terms of environmental, economic and social impacts?

ii) Are they clear and deliverable, including in respect of the associated infrastructure requirements?

105. Waltham Chase is a relatively large village with considerable modern development in a largely rural setting. It has a requirement from WLP 1 to provide around 250 new homes by 2031. With few recent completions or outstanding permissions the Council has assessed the local need as for land to provide about 174 new dwellings, but the close knit nature of the settlement is such that there is little scope for infill schemes or “windfalls” to come forward. Consequently, there is a requirement for allocations on greenfield sites on the edges of the present built up area in addition to the identified potential of a redevelopment site within the currently defined boundary at Morgan’s Yard (policy WC 1).

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106. Policy WC1 allocates Morgan's Yard, which is quite close to the village centre with access from the B2177, as a site where a mixed use redevelopment, including some new employment, should be permitted on around 2.8 ha. It also has the potential to provide additional facilities for the adjoining local primary school as part of a comprehensive scheme. However, the site suffers from contamination; a legacy of previous employment uses, and evidence has been presented, with which the Council now concurs having taken relevant professional advice, that a scheme involving around 60 new homes is unlikely to prove viable in the foreseeable future, taking into account presently estimated abnormal development costs, including land remediation, of around £2.5 million.

107. It is also effectively common ground that the primary school's facilities require significant improvement if the village is to satisfactorily absorb the planned growth of around 250 new homes in total. Consequently, the Council, having consulted the relevant landowners, Parish Council and HCC as education authority, is now proposing to modify policy WC 1 to increase the number of new homes from around 60 to about 100 and to allocate land to the east of the present school site for the additional facilities needed, **including playing fields/outdoor play space. All parties directly involved have indicated that this change should enable the project to proceed and the policy needs to be clear that this is now the expectation, rather than leaving it unresolved.** "

Since the 2011 start date of the Local Plan 1 and 2

241 houses have been built and four others have been granted planning permission all within Shedfield Parish. This highlights that the Parish has complied with Local Plan 1 and 2 with regard to housing number allocations.

There are still nine years to run on this plan.

SPC has details of all the houses and have an interactive map listing those developments

Local Plan 1 and 2 as approved by the Planning Inspectorate is the policy as it stands today, no major changes should be made unless it referred back to the Secretary of State Planning Inspector. The Local Plan 1 and 2 and all its amendments were decided and approved by the Inspectorate. SPC is of the opinion that Winchester City Council planners do not have the authority to change the plan unless it is referred back to the Planning Inspectorate

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How can WCC have the authority to change this or even consider changing this? It seems a serious abuse of process.

Time has now gone on. The reason for the increase in housing in this application should be closely

scrutinised. Was the correct information given to the Inspectorate?

1. Contamination cost of £2.5 m, however the Land Remedial Act will seriously offset this figure by nearly covering all this cost
2. The owners of Morgan's Yard did not own the land east of the school, earmarked for playing fields and public open space. When they received the Inspector's decision to allow 98 houses if it included the land east of the school, Morgans approached the landowner with a view to purchasing the land. Negotiations broke down and the landowner sold the land to another.
3. For over 20 years prior to Plan 1 and 2, this area was always earmarked for open spaces.
4. The true cost of employment lost was not considered, nearly 100 people may lose their jobs if planning is given the go ahead
5. Under current thinking employment should be retained within the rural community
6. Had the Inspectorate been given the correct information, then a different course may have been agreed upon.
7. By considering this application, WCC is defying the Inspector's observations and agreements

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In short there should be no development on this site. The loss of over 100 jobs is a serious concern. The loss of employment in the area will have long term consequences.

Shedfield Parish Council is not against development, in fact whilst assisting WCC on the new current SHELAA sites, we have suggested sites that are more sustainable than Morgan's Yard.

It is also unfair to include Waltham Chase with larger towns, namely Alresford, Wickham, Denmead etc for the same allocation of housing numbers. The hierarchy process is severely flawed and biased against Waltham Chase.

SPC recently increased our precept considerably in part to fight the injustices that have been in the past and to stand up during this coming process. We believe we have the community on our side and will be conducting public hearings in the near future.

We can provide an interactive map of every development within Waltham Chase and have details of every dwelling built.

The development of the Local Plan 1 and 2 within Shedfield Parish Council, the Planners have not included any dwellings which are suitable for the elderly. The country has a growing elderly population and appropriate dwellings have now been highlighted by the Government as an urgent priority. As stated in the [Department for Levelling Up, Housing and Communities](#) and [Ministry of Housing, Communities & Local Government](#) Published 26 June 2019

“The need to provide housing for older people is critical.”

This application has no provision for housing suitable for the elderly.

In summary.

There should be no building on this site

The site should be retained for local employment.

There is no provision for suitable housing for the elderly

Undue process by WCC, this application should be referred back to the Planning Inspectorate

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No action should be taken before this application is considered.

If minded to approve this application, Shedfield Parish Council would request that it is referred to Committee

Signed: T S Daniels
Planning and Projects Officer

Date: 27 July 2022

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Shedfield Parish Council is concerned that undue process may have taken place concerning the consideration of planning application 21/02439/FUL. This relates to the procedure in the Local Plan.

General Information

During 2016, the Planning Inspectorate reported on the examination of Winchester and District Local Plan Part 2. The examination hearings were held between the 12 and 20 July. This can be found under issue 8 Waltham Chase (Policies WC1 -4)

Two questions were asked namely

i) Are the policies and proposals for growth and change in this area appropriate and justified, including in relation to the NPPF/NPPG, and in terms of environmental, economic and social impacts?

ii) Are they clear and deliverable, including in respect of the associated infrastructure requirements ?

105. Waltham Chase is a relatively large village with considerable modern development in a largely rural setting. It has a requirement from WLP 1 to provide around 250 new homes by 2031. With few recent completions or outstanding permissions the Council has assessed the local need as for land to provide about 174 new dwellings, but the close knit nature of the settlement is such that there is little scope for infill schemes or “windfalls” to come forward. Consequently, there is a requirement for allocations on greenfield sites on the edges of the present built up area in addition to the identified potential of a redevelopment site within the currently defined boundary at Morgan’s Yard (policy WC 1).

106. Policy WC1 allocates Morgan’s Yard, which is quite close to the village centre with access from the B2177, as a site where a mixed use redevelopment, including some new employment, should be permitted on around 2.8 ha. It also has the potential to provide additional facilities for the adjoining local primary school as part of a comprehensive scheme. However, the site suffers from contamination; a legacy of previous employment uses, and evidence has been presented, with which the Council now concurs having taken relevant professional advice, that a scheme involving around 60 new homes is unlikely to prove viable in the foreseeable future, taking into account presently estimated abnormal development costs, including land remediation, of around £2.5 million.

107. It is also effectively common ground that the primary school’s facilities require significant improvement if the village is to satisfactorily absorb the planned growth of around 250 new homes in total. Consequently, the Council, having consulted the relevant landowners, Parish Council and HCC as education authority, is now proposing to modify policy WC 1 to increase the number of new homes from around 60 to about 100 and to

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allocate land to the east of the present school site for the additional facilities needed, **including playing fields/outdoor play space. All parties directly involved have indicated that this change should enable the project to proceed and the policy needs to be clear that this is now the expectation, rather than leaving it unresolved.** “

The new application 21/02439/FUL relates to WC1.

It does not include the conditions that the Planning Inspectorate concluded are necessary for such a development. This includes the total development of Waltham Chase. There are also many other issues presented to the Planning Inspectorate that may not have been correct at the time of the hearing. This application is a Major Modification from the Local Plan. There are no conditions that justify this.

The Local Plan's examination process update 31/5/2022, which includes The Procedure for Local Plans published 13/5/14 (before the hearing date) updated on 14/2/2022.

Current Guidance

Stage 2 states

1.4. Once the plan has been submitted, further changes may only be made in accordance with section 23 of the PCPA. This allows main modifications [MMs] to be made only if they are necessary to make the plan sound and/or legally compliant, provided that the LPA has formally requested that such modifications be recommended by the Inspector. The LPA may also make additional (minor) modifications to the plan on adoption, but only if they do not materially affect the plan's policies. Additional modifications are not subject to the formal examination process.

1.5. There is no provision in the legislation which allows the LPA to replace all or part of the submitted plan with a revised plan during the examination. If the LPA wish to make changes to the plan following the Regulation 19 consultation and before submission, and wish the changes to be considered as part of the submitted plan, they should prepare an addendum to the plan containing the proposed changes. The addendum, together with a sustainability appraisal [SA] and Habitats Regulation Assessment [HRA] of the proposed changes if they are significant, should be published for consultation, on the same basis as the Regulation 19 consultation, before the plan is submitted for examination (This is to ensure that the addendum has been subject to an equivalent process of consultation as the original published plan).

Shedfield Parish Council ask for this matter to be referred back to the Planning Inspectorate for consideration as to whether this modification should be allowed.

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Comments:

Shedfield Parish Council wish to object further to this application as follows:

The first application was for 98 houses, equating to a potential population increase of 376. The new application is for 82 houses, but the potential population increase is 382.

(At present the local doctors are full and not taking any new patients)

What has changed in the plans? the most controversial addition is a 3-storey block of flats; this is unprecedented for our village and if agreed upon will set a precedent.

The Decision Notices for similar developments within the current local plan state: *The dwellings permitted to be constructed at the sites shall not exceed two and half storeys in height.*

The planned housing mix needs close examination.

	Old Application	New Application
One bed	22	9
Two bed	23	20
Three Bed	36	34
Four Bed	17	15
Five Bed	0	4
Total	98	82

This shows that the number of more affordable houses has been dramatically dropped from 22 to nine. Larger houses are now in the design.

There is no mention of any purpose-built homes for the elderly although this is now a consideration from central government.

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There has been no mention of the potential loss of approximately 100 jobs. There is no indication how many jobs will be created by the new industrial units.

It is also noted that the original application stated that 750m² is allocated for industrial use, this has now

been reduced to 716m²

It is government policy to retain employment within rural areas. This application is directly in opposition to this.

If the site had benefited from investment over the years rather than letting it decay it would be a thriving industrial business, able to support employment for the area for future generations.

A mention is made that a unit may be made available for a Doctor's Surgery but no supporting NHS paperwork has been included in this application to support such a surgery.

A separate report will be submitted regarding affordable housing and the density of houses in this application.

There has also been lip service to Open Spaces. This application includes details of Open Spaces and Play Areas which are well below the minimum requirement. An inspection of other similar developments in Waltham Chase highlight nicely laid-out Open Spaces with children's Play Areas.

This application's Play Area consists of 3 logs, 3 rocks and 3 humps.

Shedfield Parish Council (SPC) note that Winchester City Council (WCC) Landscape Team states:

Open Space provision. It has been established that there continues to be a very small shortfall of on-site open space in this proposed layout, however it has been suggested that this could be made acceptable if there was a financial contribution to off-site sports provision elsewhere in the village, in lieu of the requirement that some provision should be made on site. It is suggested that an appropriate off-site open space contribution toward sports provision in the village should be £59,899.55.

SPC does not need the money, it needs more space for the community to move around. This is for the future, for all our residents and children. It would be short sighted to accept the money in lieu.

The other sites in the Local Plan namely Sandy Lane, Forest Road North and Forest Road South have each made substantial infrastructure contributions of nearly £300,000 each.

15/02765/FUL (63 houses at Sandy Hills)

Education Contribution..... Means £299,595 (Index linked from date of agreement) towards the expansion of St John the Baptist CE Primary school in Waltham Chase

15/01106/OUT (81 houses Forest Road) the 106 agreement is a complicated formula, £385,155 index linked. This relates to improving primary education within two miles of the development

14/00685/FUL (30 house but later extended to 53 Houses) the 106 agreement mainly refers to low cost housing and for the benefit of residents within Shedfield Parish.

There is no mention of any similar contribution from the developer/owners in this application. WC1 indicated that the developers of this site were required to supply land for educational and recreational use for the community. This has not been done and therefore breaches the local plan.

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Flooding

The majority of the site is at the bottom of a hill. The topography appears to show that there is a north-western slope in the direction of the river. Looking at the area along Solomons Lane, there is an area that slopes towards Solomons Lane. The runoff will increase the flow down the hill towards the main Winchester Road. This is likely to cause more flooding at the junction with Winchester Road. There is no apparent extra infrastructure to cope with this.

Within the site there is now an increase in the size of the swales. Questions should be raised as to the use of these swales. Will these become ponds or just dips in the ground.

Contamination

There does not appear to be a plan in place to remove this safely. Several years ago, the initial clear up cost of £2.5m was quoted. The paperwork included in this application refers to only a few thousand pounds to clear it up.

Under the heading of *Quote to clear up land contaminated land*

Clean	£ 330
Non-Hazardous	£1520
Hazardous	£2620

This makes a total of £4470

WINCHESTER CITY COUNCIL
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SPC has inspected the Revised Road Safety Audit. It still doesn't answer any of the questions raised by the Highways Department in the first application.

In the new report it mentions sight lines on entrances in Solomons Lane. It states to achieve the safe sight lines the hedges will have to be removed. The street scene, the environment statements and the overview soft landscaping state they are to be kept.

There has been no comment on the three entrances leading to and from Winchester Road, one being an industrial entrance. Mention is made that they are already in existence. This is not correct, there is one entrance into the existing garage and one into the car sales.

The most northerly entrance leading into Plot 39 to 45 is a new entrance. This is almost opposite the Brooklyn Close estate and close to a street calming measure which includes a crossing for pedestrians

There are several buildings and street furniture that will block the view to road users, especially the light industrial units which abuts the pavement. Another entrance is directly opposite two entrances which lead to 19 premises. Having an entrance in this location will cause confusion and danger to all road users.

It is also noted that the main Winchester Road (industrial entrance) is only blocked with bollards, preventing the rest of the proposed estate from using this entrance. In the plans, a 1.8m wall was supposed to be built. The bollards look like a temporary measure and could eventually be used for all traffic in the estate to use this entrance onto Winchester Road. SPC understand Highways reasoning is that the main traffic should not be using an entrance in Winchester Road.

The applicant states in the revised safety audit.

Winchester Road: • Amendment to formalise an existing access for employment/light industrial use, which includes a bollarded separation between to the commercial and residential uses to enable the delivery vehicle to turn for the commercial development. • Utilise a new vehicular access for c. 7 new dwellings

Parking areas 21 and 22 at this entrance would pose a potential problem to those using the entrance. In particular, parking area 22 does not have a turning space.

Your attention is directed towards 1.4 to 1.5 in the Revised Road Safety Audit.

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Most of the report was office based, with a 45-minute site visit. The traffic flow along Winchester Road was low due to temporary traffic lights. Within these 45 minutes they failed to notice two nearby junctions and one entrance that did not exist. No comment was made about the junction Solomons Lane/Winchester Road. From Solomons Lane looking north, the sight lines are now obstructed by house plots 21 and 22, street furniture and soft landscaping.

On looking south there is a raised section in the road that has been problematic in the past.

Although a WCC problem, Solomons Lane is heavily used for street parking, most of it in relation to industrial use but also some for local resident parking.

If parking is not prevented, it will make Solomons Lane a single carriageway. The only solution is a double yellow line (no parking) from this junction to the school entrance.

The industrial access should not go into the housing estate except for pedestrian access. The layout does not provide for HGV delivery or servicing these units.

Refuse vehicles would not be able to get close enough to some of the houses and there is insufficient turning space. There appears to be bin storage areas within the site.

Plot 10 looks like an overhang property which will allow cars to pass under but not HGVs, vans or emergency vehicles.

The site needs to be looked at by a highway engineer, there is insufficient information about turning. There is insufficient pedestrian footway throughout the spine of the estate or in the industrial area. If pedestrians enter the estate by the Brooklyn Close refuge access, there is insufficient footway through the estate going to the school as a safe way of walking to the school.

The Village Design Statement encourages the retention of hedges but it shows some will need to be removed for sight lines.

Footpath access to the school should be shown.

The whole design gives a cramped appearance and is not in keeping with other similar sites within Waltham Chase

This application is outside what has been envisaged for WC1 which includes WC1a and is outside the policy for the Local Plan.

Taking everything into account SPC ask that this application is refused.

Signed: *T S Daniels*
Planning and Projects Officer

Date: 02 September 2022

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Comments:

Shedfield Parish Council wish to object further to this application as follows:

Shedfield Parish Council would request that no decision is reached until the new Local Plan is ratified by Winchester City Council

Signed: *T S Daniels*
Planning and Projects Officer

Date: 07 October 2022

From: Planning and Projects Officer <assistantclerk@shedfieldparishcouncil.org.uk>
Sent: 11 January 2023 15:56
To: Planning Mailbox Account <pplanning@WINCHESTER.GOV.UK>; Rose Chapman <rchapman@winchester.gov.uk>
Subject: Shedfield Parish Council 21/02439/FUL

For the attention of Rose Chapman

Dear Rose

At the Planning Committee meeting on 09 January 2022, the committee asked me to advise you as follows:

Shedfield Parish Council have read and would fully support the Highways Report concerning application 21/02439/FUL, dated 09 November 2022 and written by Fraser Spinney.

Kind regards

Sue Daniels
Planning and Projects Officer

Shedfield Parish Office, Upper Church Road, Shedfield, Southampton, Hampshire SO32 2JB
Tel: 01329 830060 (answer machine only) Mobile: 07375 880651
Email: assistantclerk@shedfieldparishcouncil.org.uk
Working Hours 10.00 – 15.00 Monday and 10.00 – 16.00 Wednesday

Case No: 21/02439/FUL

WINCHESTER CITY COUNCIL
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Comments:

Shedfield Parish Council wish to object further to this application as follows:

SPC would like to draw the planner's attention to recent problems in Solomons Lane that may affect the development should it be approved.

Heavy rain over a long period of time has caused a high-water table. This has led to flooding of the lane just above the applicant site, with rainwater going across the road and down to the site. Due to a recent cold period this has turned to ice and made the road extremely dangerous resulting in an accident. Investigation should be carried out by the appropriate authorities, prior to any approval.

The length of Solomons Lane from Winchester Road to an area past the school would benefit from double yellow lines on both sides to prevent vehicles parking in the vicinity of the school. This would also prevent the road being clogged due to parked vehicles.

At the moment the lane is only one vehicle width due to permanently parked vehicles

Signed: *T S Daniels*
Planning and Projects Officer

Date: 13 February 2023



09/08/2023

FAO Mrs Rose Chapman
Case Officer
Planning Department
Winchester City Council

Dear Rose

Re: 21/02439/FUL

Full planning permission for 80 dwellings, 716sq.m of Class E commercial space comprising Class E(c) - (financial and professional services), E (e) (medical or health services) and E (g) (uses which can be carried out in a residential area without detriment to its amenity including industrial processes), related vehicle access from Solomons Lane (residential) and Winchester Road (single access to serve 8 properties, and commercial), separate pedestrian/cycle access from Winchester Road, open space and play space, landscaped buffer to Waltham Chase Meadows Site Scientific Interest (SSSI), parking, landscaping and drainage infrastructure. (Amended Description)
Land At Solomons Lane, Solomons Lane, Waltham Chase

Case No: 21/02439/FUL

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Safer Walking to School

St John The Baptist Church of England Primary School, is located on Solomons Lane in Waltham Chase, and serves the parish of Shedfield, which includes Waltham Chase and Shirrell Heath.

The school carried out a community consultation with parents concerning safer walking to school. 79 responses were received by parents and carers, most of whom walk along this road each day. This has highlighted the dangers for children and adults walking along a narrow pavement. Shedfield Parish Council believe that the Planning Authority and Highways Department should consider this survey in relation to this application.

The so-called refuge island across the B2177 is not fit for purpose and very narrow and is in fact a danger to pedestrians. The road narrows and numerous vehicles hit this refuge. Unfortunately there have been several incidents and one serious accident.

Affordable/Starter homes

We note that the developer has withdrawn from the First Homes scheme, and that the withdrawal on the application is headed "SITE PLAN" which could be slightly misleading.

Shedfield Parish Office, Upper Church Road, Shedfield, Southampton, Hampshire SO32 2JB

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Email: clerk@shedfieldparishcouncil.org.uk

This means that there are now only 8 affordable homes in the plan, where 32 affordable homes should have been provided.

Sewerage

There is an inadequate foul waste plan. Recently, due to heavy rain, effluent has run down Solomons Lane across the B2177 and flooded paths which lead to a row of houses and to a meadow field. This has been reported to the authorities.

Contamination and Feasibility Reports

Shedfield Parish Council contest that due to changing economic circumstances these are now out of date. Consideration should be made to amend the costings accordingly. Previously, Shedfield Parish Council has questioned the cost of dealing with the contamination and to the extent of the contamination. We ask that consideration be given for an independent assessment of the contamination.

Best wishes

Ailsa Duckworth, Assistant Clerk
On behalf of Shedfield Parish Council

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE



29/09/2023

FAO Mrs Rose Chapman
Case Officer
Planning Department
Winchester City Council

Dear Rose

Re: 21/02439/FUL

Full planning permission for 80 dwellings, 716sq.m of Class E commercial space comprising Class E(c) - (financial and professional services), E (e) (medical or health services) and E (g) (uses which can be carried out in a residential area without detriment to its amenity including industrial processes), related vehicle access from Solomons Lane (residential) and Winchester Road (single access to serve 8 properties, and commercial), separate pedestrian/cycle access from Winchester Road, open space and play space, landscaped buffer to Waltham Chase Meadows Site Scientific Interest (SSSI) , parking, landscaping and drainage infrastructure. (Amended Description)

Land At Solomons Lane, Solomons Lane, Waltham Chase

Framework Travel Plan (FTP)

Shedfield Parish Council (SPC) welcomes the submission of the FTP and acknowledges that a considerable amount of work has been put in to answer previous concerns.

The goals of such a plan are listed below:

WINCHESTER CITY COUNCIL PLANNING COMMITTEE

The goals of such a plan are listed below:

1. Reduce single occupancy vehicle trips and their subsequent impact on the local road network;
2. Maximise the opportunities for travel by alternative means;
3. Promote pedestrian and cycle routes both on and off-site;
4. Promote local public transport options;
5. Ensure safe and easy access for all site use.

In response to the FTP, SPC would like to make the following comments.

1. Achievability

The FTP has attempted to prove that this is achievable, and the monitoring plan looks like a workable document, over the period of time it covers.

SPC is concerned that as soon as the development is built, there will be scant regard for the agreed conditions, and that the FTP will also fall by the wayside.

Using data that has been highlighted in Table 7 (Baseline splits and targets based on 2011 census) is seriously flawed, regarding this application.

Since 2011 there have been several changes that would affect the FTP, including the Covid pandemic and the increase in people working from home. The information was based on the Shedfield Ward and not the immediate vicinity, meaning that the TPO and TPC would have no accurate figures as a baseline.

2. Alternative Transport

The main alternative is the Number 69 bus that runs between Winchester/Fareham. This is a lifeline for those who do not have any form of alternative transport. As Waltham Chase has limited infrastructure, this route is needed for Hospital access, Doctor/dentist appointments, employment and shopping. Over the years this service has been downgraded. It is good that the FTP details this, however but a comprehensive review of the timetable is required.

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Winchester to Fareham (Weekdays)

Waltham Chase Curdridge Lane

0748 0924 1024 hourly till 1524 1624 1728 1813 1837 1924 **2241 2357**

Saturday

Waltham Chase Curdridge Lane

0745, 0829, 0929, 1024, hourly till 1624 1718 1818 **2241 2357**

Fareham to Winchester (Weekdays)

Waltham Chase Forest Gardens

0627 0713 0730 0857 0927 1027 hourly till 1627 1732 1830 1924 **2241**

Saturday

0729 0836 0927 1027 1127 27 1627 1720 1809 1909 **2241**

The times highlighted in **Blue** are late buses which only run on part of the route.

It is clear that this route is not fit for purpose for a growing community. The developers and other agencies should negotiate that this route be run every half hour throughout a longer period of the day.

Mention was made about giving the new occupants a discounted public transport voucher, which most probably will never be used as the service is lacking.

3. Pavements

There has been no co-ordinated approach to widen any of the pavements running alongside the development. The pavements are narrow and cause a definite danger to all users. This is why Para 3.24 states that there were no persons present when a survey was carried out. If the main pavements were widened, this would create a safer feel and they would be used more frequently.

Recently there has been a dispute regarding safer walking to school which led to parents and school children walking along the main road. A survey was carried out which reveals that between 89 and 104 persons used this pavement during school hours. The safe crossing island mentioned in the report is extremely narrow and cannot accommodate a parent/child or pushchair at the same time. To try and make necessary space, the Highways Department has used some of the pavement area to create a chicane in the area.

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No mention was made about the parking in Solomons Lane. In reality, from Winchester Road, this is a single-track road going past the school for about 200 yards, and has mainly been created by vehicles left for repair from a local garage. This area is also used for visitors and attendees at the school.

4. Usage

We note that the FTP only relates to residential use, but it should also include industrial. The total floor space is 717 sqm. The reason this has not been included is that not one industrial unit is over 500 sqm. However, this is a concern, and the developers are not making the necessary distinctions. In the interest of the lifetime plan, this must be included in the total FTP for this development.

Items 2 and 3 relate to safety. A wider plan of inclusions of safe crossing areas and pedestrian crossings throughout the village should be considered by the developer and other agencies. The only way to increase pedestrian and cycling activity is to improve the infrastructure to make those activities safer.

Thank you for your consideration of these points.

Best wishes

Ailsa Duckworth, Assistant Clerk
On behalf of Shedfield Parish Council

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE



16/11/2023

FAO Mrs Rose Chapman
Case Officer
Planning Department
Winchester City Council

Dear Rose

Re: 21/02439/FUL

Full planning permission for 80 dwellings, 716sq.m of Class E commercial space comprising Class E(c) - (financial and professional services), E (e) (medical or health services) and E (g) (uses which can be carried out in a residential area without detriment to its amenity including industrial processes), related vehicle access from Solomons Lane (residential) and Winchester Road (single access to serve 8 properties, and commercial), separate pedestrian/cycle access from Winchester Road, open space and play space, landscaped buffer to Waltham Chase Meadows Site Scientific Interest (SSSI) , parking, landscaping and drainage infrastructure. (Amended Description)
Land At Solomons Lane, Solomons Lane, Waltham Chase

Dear Rose

Shedfield Parish Council has looked closely at the amended plans and the full planning application.

Firstly, we would like to reiterate our position in the previously submitted report, which details that we consider this application a breach of process, in that it is substantially different from what was authorised by the Secretary of State, and as such should return to them in the first instance.

The Policy, which is still valid, states the following:

"To allocate land to the east of the present school site for the additional facilities needed, including playing fields/outdoor play space. All parties directly involved have indicated that this change should enable the project to proceed, and the policy needs to be clear that this is now the expectation, rather than leaving it unresolved."

The map below details that this policy is not only for WC1, but for the whole village. **However, there is no reference to any land for this purpose either within or outside the planned development.**

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Housing Density

A summary of recent development within Shedfield parish shows that the proposals do not comply with the established range for housing density. This variance is even more significant because other development has a comparatively high proportion of affordable (and hence smaller) dwellings which means that in other development a greater proportion of the land use is allocated to community green space and playground areas than is possible for the proposed development where the proposed density is greater, for relatively larger properties and where a considerably smaller proportion is allocated to affordable housing.

Development	Area	Dwellings	% affordable	Density
Hawthorne Grove	1.51ha	22 private 15 affordable	41%	25 dwellings/ha
Hornbeam Road	2.37ha	27 private 17 affordable	39%	18 dwellings/ha
Sandy Hill Close	3.1ha	38 market led 25 affordable	40%	20 dwellings/ha
Morgans Yard	2.77ha	72 market led 8 affordable	10%	28 dwellings/ha

Moreover, unlike the other developments included within this table, the Morgan's Yard proposals include an allocation of land for non-residential (such as industrial) purposes reducing the effective area of the development for residential purposes below the cited figure of 2.77ha. No figure for this reduction is available so no quantitative analysis can be prepared, but clearly this further exacerbates the high relative density substantially increasing it beyond the figure of 28 dwellings/ha.

Houses and Affordable Housing

Initially the plan was for the 98 houses but amended plans have reduced this to 80. The usual proportion of affordable houses required is 40%. The revised plan has a total of 8, which is a huge reduction from 40% to 10%.

Employment

A total of 716sqm is now proposed for commercial space, this was originally 750sqm. The industrial units do not consider any of the existing businesses. The location has been moved and now front onto Winchester Road, which narrows the pavement and causes a pedestrian blind spot between this building and Rosehill Cottage's entrance.

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The plan details medical and health services but does not give any further explanation on this. An increased service will create substantially more vehicle movements in the area.

It is noted that the Hampshire and Isle of Wight NHS Trust has asked for £44,851 as an NHS contribution. If the developer had been in contact with the NHS, then this figure would have been an offset.

Both Wickham and Bishops Waltham surgeries are over capacity. They have a total capacity for 25,499 patients. The current patient list size is 27,487, which is already over capacity by 1,988 patients (at 107% of capacity).

Access and Cycle Routes

The revised plan creates six access points for vehicles on Winchester Road and Solomons Road. The original entrance also remains at Rosehill Cottage. This includes a commercial entrance which does not appear to have the correct sight lines.

The separate cycle/pedestrian route goes to the school and nowhere else. The entrance is located at the most dangerous part of Winchester Road, namely the alleged pedestrian refuge opposite Brooklyn Close.

Open Space and Play Area

This is the most nonsensical item in the application as fundamentally there are no open spaces and the children's play area is 3 logs. It falls well below normal or even basic needs. The developer has tried to justify this by adding the areas of swales and borders to qualify the amount of open space.

A comparison is needed in relationship to the other recently developed areas WC2, 3 and 4. Similar sites in the village, including Hawthorn Grove, Hornbeam Road and Sandy Hill Close, have all provided amenity space and two have provided a children's play area. These sites use a firm that looks after the communal areas, including the play areas, and the residents living on these estates pay for the upkeep. In contrast, this site is expecting residents to use the local Recreation Ground which is owned and maintained by the Parish Council using funds raised by the precept.

Drainage

A great mention has been made of swales within the site, however these would not be necessary if the site had proper drainage. There is likely to be a problem with drainage: houses along

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Winchester Road, from Brooklyn Close to Bull Lane, have been susceptible to flooding in the recent past. The proposed poor drainage from this site will add to that.

Other Agencies

Throughout this application review process, various agencies have voiced their concerns and have submitted reports detailing why this development should be refused, unless certain requirements are fulfilled. The majority of these requests have not been answered to date.

It appears now that some agencies are accepting less than their previous stated requirements or conditions in order to conclude the process as so much time has passed.

These agencies include:

- Hampshire Highways
- WCC Environmental Health
- Southern Water
- Drainage Engineers
- WCC Landscaping
- Strategic Planning
- New Homes Team
- Ecology
- Natural England (Their comments regarding buffer zones have mostly been taken into consideration)
- Urban Design

All these agencies should consider their original reports, as they may discover that several of their comments have not been covered in the revised plans.

Viability Report

There is a lack of information regarding the clean-up of the alleged contamination on site. When the Planning Policy was examined by the Planning Inspectorate on the 20th of July 2016, it was suggested that the figure was £2.5m. Seven years on, the figure has not been updated, there is only the original one-page document covering the cost of removal of one load of varying contaminated soil.

Reference should be made to the Ground Condition Assessment (by Ground Condition Consultants), which states: *"The risk of impact to the proposed development from soil contamination have*

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therefore been assessed to be low/moderate and are considered to require mitigation measures for the proposed use."

There is no mention of a revised land remediation bill. In their viability statement, Cleanslate Ltd. state that the land at Morgan's Yard is worth £3m but concludes that the land remediation is £2.5m. Hence, the land should only be worth £0.5m.

Great reliance is made on the Planning Inspectorate statement in 2017, "taking into account presently estimated abnormal cost, including land remediation, of around £2.5m." This estimation appears to have been provided by the owners, rather than from an independent source. At the same time, the Inspector was told that the land to the east of the school was available. In actual fact, this is incorrect.

General

To date, a total of 101 objections have been made by members of the public. Shedfield Parish Council has submitted 22 reports and has received expert guidance from Planning Consultants.

It is Shedfield Parish Council's firm belief that the site, in its current proposed state, is **NOT** fit for purpose; should be rejected by WCC Planning Committee and replaced with a more appropriate development, which provides the additional amenities required for a development on this scale.

Thank you for your consideration of these points.

Best wishes

Ailsa Duckworth, Assistant Clerk
On behalf of Shedfield Parish Council