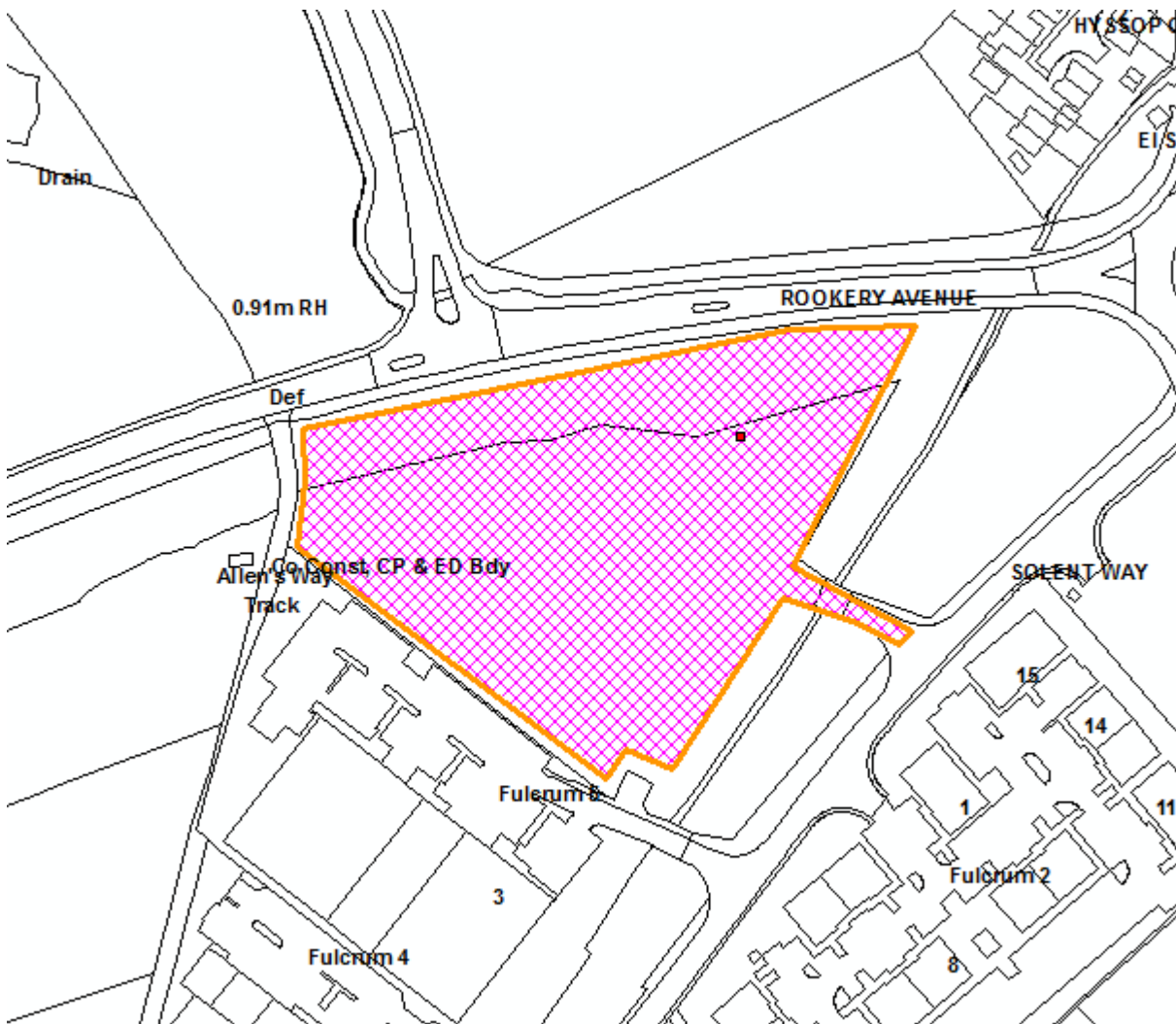


WINCHESTER CITY COUNCIL
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Case No: 18/02879/FUL
Proposal Description: Development of business park units for B1(c) light industry, B2 general industry and/or B8 storage and distribution uses, together with associated landscape and infrastructure.
Address: Fulcrum 6 Solent Way Whiteley Hampshire
Parish, or Ward if within Winchester City: Whiteley
Applicants Name: Mr Nick Brooks
Case Officer: Robert Green
Date Valid: 19 December 2018
Recommendation: Application Permitted

Link to Planning Documents : <https://planningapps.winchester.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PJVSYFBP0UT00>



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General Comments

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

The application is also reported at the request of Whiteley Town Council and Councillor Achwal, whose comments are attached as an appendix to this report.

Site Description

The application site sits to the south of Rookery Avenue which is separated by a band of trees. To the south of the site, the industrial units which form Fulcrum 5 sit the other side of their associated parking facilities. To the east, the prepared existing access to the site cuts across an area of open space and leads to Solent Way, the main route which serves the other 5 Fulcrum business sites.

The site is currently undeveloped and contains grassland and mounds of soil. The trees which surround the site have been retained.

The immediate character of the area is supported by the open space between the roadway and the trees which surround the site. The wider area is characterised by business and industrial buildings which sit either side of the Solent Way roadway. Opposite the site, a Lidl supermarket has been recently constructed and an application for a KFC Drive-Thru Restaurant is also under consideration at the time of writing under application 18/02163/FUL.

Proposal

The proposal is to construct 3 business park units to supply premises for a class B1(c) (light industrial), B2 (General Industry) and B8 (Storage and Distribution) use, alongside the landscaping and infrastructure required to support the units.

Individual units have not yet been assigned a use so this application seeks consent for the potential use of the 3 use classes across the site and this has been assessed accordingly.

The proposal would use the existing access which serves the site from Solent Way. Upon entering, parking and HGV access points sit to the south in front of the two larger units. To the north, the smaller 3rd building is surrounded by associated parking facilities which largely border the landscape buffer on the northern edge of the site.

Relevant Planning History

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93/01133/OLD - Construction of a Business Park (B1 use) including development plots, distribution road, infrastructure, landscape and greenway in accordance with the approved Whiteley Area 12 Development Brief (Outline) – Approved 26.07.1993

16/03553/OUT - Residential development of the site by the erection of 44 dwellings with access and open space – Refused 24.03.2017

Consultations

WCC Engineers: Drainage:

- Site is within Flood Zone 1 and is at low risk of surface water flooding.
- An allowable discharge rate has been stated and the proposed flows do not exceed this.
- Surface water is to be attenuated to greenfield runoff rates with storage available.
- Condition to request further details recommended.

WCC Engineers: Highways:

- From a layout point of view there is a significant number of parking spaces.
- The layout is acceptable and there is provision for the parking and manoeuvring of HGVs within the site.

WCC Head of Environmental Protection (Contamination)

- Agree with conclusions of the submitted report and is satisfied that no additional investigation or remedial measures are required.
- Further details were submitted by the applicant regarding unexpected contamination.
- No objection raised subject to the inclusion of a condition.

WCC Head of Environmental Protection (Noise and Amenity etc.)

- Comment originally concerned regarding the B2 element of the proposals with a recommendation for refusal until sufficient information has been submitted.
- Further details were submitted and a condition has been recommended ensuring that noise assessment are submitted prior to the occupation of any of the units for a B2 use.
- No objection subject to the inclusion of conditions.

WCC Head of Landscape (Trees):

- No objection raised subject to the inclusion of conditions.

WCC Head of landscape (Ecology)

- The submitted Ecological reports contain suitable recommendations.
- No objection subject to the submission of further detail by condition.

WCC Head of Strategic Planning:

- Development is in accordance with policy SHUA3 and will complete the Solent 2 employment allocation which is supported.

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Hampshire County Council (Highways)

- Concerns raised during the course of the application which were discussed with the applicant. Additional Transport notes received.
- Safe access and exit from the site can be achieved.
- Concerns originally raised regarding the Parkway South roundabout with regards to queuing and delays.
- Improvements are being made to the roundabout and the highway authority and applicant has agreed a financial contribution of £60,000 toward the Parkway South scheme and this provides suitable mitigation of the development's impact.
- Junction assessments show that the new roundabout scheme which is due to commence Summer 2019 will be capable of accommodating the traffic generated by the development site.
- No objection raised and a unilateral undertaking secures the payment of the contribution.

Highways England

- No objection raised.

Southern Water:

- Advise regarding distances to infrastructure.
- SW can provide foul and water supply to the site.
- Conditions recommended.

Fareham Borough Council

- No objection.
- Comments raised regarding traffic generation and car parking and ecology.

HCC Flood and Water Management Team

- Further information requested during the course of the application.
- Submitted information addresses concerns raised and no further queries or comments made.

WCC Head of Economic Development

- The Economic Development team at WCC support the application as it is in line with Council's economic strategy's vision to maintain employment land for the purpose of providing space for business and other employers.
- An Employment and Skills Plan is required to obtain details of measures taken to provide local employment and apprenticeships.

Representations:

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Whiteley Town Council

- Objections to the timing of the scheme ahead of planned highways improvement works.
- Application likely to exacerbate parking situation on Solent Way.
- Repeats resident's concerns re ecology, trees, noise and air pollution.

108 letters received objecting to the application for the following reasons:

- Increase in vehicular traffic
 - Lack of needed road improvements
 - Small road access to it and to Lidl
 - Not the infrastructure to accommodate
- Increase in pollution levels
 - Air pollution
 - Noise pollution
 - Pollution to wildlife
 - Light pollution
- Reduce quality of life and health of residents
 - Increase noise for residents
 - "Emergency vehicles not meeting response times"
 - Residential amenity
 - Loss of green space
 - A health issue
 - Local services struggling
- Lack of parking provision for nearby businesses
 - Not enough parking allocated
- Poor local public transport services to help mitigate
- Increased risk to pedestrians and cyclists
- Not knowing the usage of the units causes concern
- Loss of habitat

Letter received from Councillor Vivian Achwal objecting to the application for the following reasons:

- Lack of current road infrastructure.
- The road network is at capacity and further development at present is not acceptable
- Reported several car accidents on Whiteley Way which is near the site.
- No further development should take place until the completion of proposed road

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infrastructure is completed.

Letter received from George Hollingbery MP:

- Supports the concerns raised by residents

1 letter received neither objecting or supporting the application:

- Potential gridlock, filter lane is required at Junction 9 or widen Solent Way

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy

- DS1 – Development Strategy and Principles
- SH1 – Development Strategy for South Hampshire Urban Areas
- 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, Flood Risk and the Water Environment
- CP20 – Heritage and Landscape Character
- CP21 – Infrastructure and Community Benefit

Winchester Local Plan Part 2 – Development Management and Site Allocations

- SHUA3 – Solent 2 Employment Allocation
- DM1 – Location of New Development
- 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

National Planning Policy Guidance/Statements:
National Planning Policy Framework 2018

Planning Considerations
Principle of development

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The application site is within the settlement boundary of Whiteley and is within an area of land which is allocated for employment uses under policy SHUA3 of the Local Plan Part 2 where the principle of development for employment uses within Classes B1, B2 or B8 are acceptable.

The majority of the other allocated sites have been built out and the application site is the final remaining undeveloped plot of business land.

The proposed development of the site for employment uses is in accordance with policy CP8 of LPP1 which supports economic growth and diversification across the District.

The infrastructure for the business park has already been implemented and the access onto this site constructed in accordance with the plans and legal agreements which formed part of the original consent for the wider site.

Policy SHUA3 also requires the layout and design of the buildings to address this gateway site, a strong landscaping scheme which respects the biodiversity value of the adjoining SINC and a contribution to infrastructure needed to make the development acceptable in planning terms. As detailed further in this report, these requirements have been met and the principle of development is therefore acceptable.

Design/layout

A requirement of policy SHUA3 of LPP2 is that *the layout and design of the new buildings should address this important gateway site.*

Key to this objective is the retention of the strong landscape buffer which surrounds the site on the Rookery Avenue and Solent Way boundaries. This is achieved through the proposed layout and by the location of the buildings within the site, the two larger units run parallel to existing built form whilst the remainder of the site contains the smaller building and car parking. Prominent views into the site from the Rookery Avenue roundabout and Yew Tree Drive would therefore retain an open and vegetated nature.

The larger building on the site (forming 2 units) runs parallel to the southern boundary of the site. This responds to the common layout of larger buildings in this area which extend from the roadway toward the outer edge of the site at a right angle to Solent Way.

The smaller building which is located closer to the centre of the site turns at a right angle to the access route. The use of a smaller building in this location is an acceptable approach to take given the site's location on the outer edges of the wide Business Park.

Parking and HGV access has also been strategically located within the site to surround the buildings and sits between the structures and the retained landscape buffer. This also leaves further green spaces surrounding the site. The layout of the site therefore responds to the context of the area and the landscaped characteristics of the site.

All 3 units use a similar form of design and external appearance using metal cladding with windows surrounded by a green coloured metal cladding. The buildings exhibit a shallow roof and grey aluminium gutter fascias. This design reflects the existing

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buildings at Fulcrum 5 (to the south of the application site), albeit with larger windows.

The final layout, design and external appearance of the buildings reflects the commercial use and is in keeping with the surrounding uses providing sufficient landscaping to integrate the development into the area and accords with the objectives of policy SHUA3 of LPP2.

Impact on character of area and neighbouring property

The character of the area is characterised by the commercial and industrial buildings which form the Business Park. The south-eastern side of Solent Way contains a denser pattern of mostly office development which sits close to the roadway and use a similar design form. The character of the area has been altered recently by the construction of the Lidl supermarket opposite the site, which introduces a large single building into this area.

On the north-western side of the road (where the application site sits), larger buildings of an industrial design are common. These are set back from the roadway with an area of open space and a buffer of trees.

The design and layout of the building follows the established development pattern in this area and retains the open space between the roadway and the tree buffer. Therefore, the development is considered to reflect and respond to the existing character of the area and is considered acceptable.

The nearest residential properties are on the outer reaches of Hyssop Close. The distance between the closest properties and the smaller unit 3 of the proposed development is approximately 100m, and this is separated by the landscape buffer surrounding the site, Rookery Avenue and a band of trees between the roadway and Hyssop Close.

Whiteley Primary School sits to the west of the site within the jurisdiction of Fareham Borough Council. The distance between Unit 2 of the proposal and the centre of the School site is approximately 220 metres. This is divided by the landscape buffer surrounding the site, the Rookery Avenue roadway and a large area of trees which sit between the roadway and School site.

A Noise Impact Assessment has been submitted with the application and this has been assessed by the Council's Environmental Health Officer (EHO).

Originally, the EHO raised no objection to the B1(c) or B8 uses on the site, but did raise concern regarding the B2 element of the proposals as the accompanying noise impact assessment had not fully assessed the potential noise impact from a 24-hour industrial use, particularly on the nearest residential dwellings during the night-time and the daytime impacts on the nearby school and adjacent commercial uses.

This concern was addressed by the applicant and their noise consultant. To allow flexibility, it has been agreed that a condition would be placed on the consent which ensures a full acoustic assessment must be submitted to and approved by the Local
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Planning Authority prior to the occupation of any of the units for a B2 purpose. This allows the authority to obtain an assessment of the noise impacts and the mitigation measures proposed if a more intensive industrial use is proposed for the units in order to protect the amenities of the occupiers of surrounding buildings.

The physical construction of the buildings does not cause adverse overlooking, overshadowing or overbearing impacts on surrounding properties.

Therefore, through appropriate assessments and the use of planning conditions, the proposal does not create adverse harm or conflict with surrounding alternative uses.

Landscape/Trees

The site is surrounded by a band of trees which play an important role in the characteristics of the area. These trees, and the entire Solent Business Park site form part of a Tree Preservation Order (TPO) Area. Arboricultural information has been submitted with the application and this has been assessed by the Council's Tree Officer.

The Officer raises no objection to the proposal and agrees with the conclusions of the submitted information. Conditions 04 to 12 have therefore been included to ensure works are undertaken in accordance with the submitted details and a pre-commencement meeting is undertaken with the Council Tree Officer to inspect protection measures.

Highways/Parking

As a strategic application, the Highways department at Hampshire County Council (HCC) have been consulted throughout the application. Originally, concern was raised by HCC regarding the source of accident data, and aspects of the submitted Transport Assessment. These responses requested further information regarding the tracking movement of vehicles into the site and parts of the Travel Plan which had been submitted with the application.

The above concerns were discussed with the agent of the application and the client's transport consultant. A supplementary Transport Note and further tracking analysis were submitted and HCC consulted further.

A key concern raised is the impact on the wider highway network as a result of the development, particularly on the Parkway South roundabout, with criticisms that further development should not be allowed until the surrounding infrastructure is upgraded.

It is noted that this site has received outline consent for a business park use. However, it is also acknowledged and accepted that traffic conditions have changed significantly and will continue to change with the North Whiteley Major Development Area. Improvement works are to be undertaken under a joint initiative between Highways England and Hampshire County Council to improve Junction 9 of the M27 and Parkway South/Whiteley Way/Rookery Avenue Roundabout and these works are due to commence in Summer 2019.

Through discussions with the applicant, it has been agreed that the developer will make a contribution of £60,000 to Hampshire County Council which will be provided for the Parkway South improvement works. The final response from HCC concludes that this

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provides suitable mitigation of the development's impacts; this has been considered against the appropriate Community Infrastructure Levy guidelines for contributions and is in accordance with policies CP10 and CP21 of LPP1 and SHUA3 of LPP2 which seek contributions to infrastructure needed to make the development acceptable in planning terms.

It has been demonstrated (through junction assessments) that the upgraded HCC Improvement scheme will be capable of accommodating the traffic generated by the development site and a contribution to this scheme will be secured through a unilateral undertaking or section 106 agreement.

As a result, HCC Highways Authority raises no objection to the application.

Concern has been raised regarding the timing of the submission of this application, with comments quoting that the infrastructure should be completed prior to any further development. Whilst this point is acknowledged, the Planning Authority cannot prescribe the timing of the submission of an application or the precise commencement period (other than ensuring commencement starts within 3 years).

Notwithstanding this, the Highways Authority response states that works are due to start on the highway improvement scheme in Summer 2019. If Members are minded to approve the application, the case remains subject to the formation of a legal agreement and a number of conditions which require approval prior to the commencement of any work taking place on the site. It is therefore likely that works may be taking place simultaneously alongside the highway improvement works. In addition the Construction Traffic Management Plan as requested by condition 05 will secure an appropriate arrangement for traffic management over the construction period.

In addition, the WCC Highways Engineer has assessed the internal arrangements of the proposal. From a layout point of view, there are an adequate number of spaces provided and the layout is acceptable. There is also provision for the parking and manoeuvring of Heavy Goods Vehicles within the site. A Travel Plan (which seeks the submission of a Plan which details how occupants will encourage sustainable transport methods and discourage single car use) is also requested by condition 12. The internal arrangements are therefore acceptable and the Engineer raises no objections.

Other Matters

Ecology

Ecological Appraisals and Phase 2 surveys have been submitted in support of the application and these have been assessed by the Council's Ecology Officer.

A receptor site has been created on the edges of the site which forms part of the Whiteley Meadow SINC. The Ecology Officer recommends a section 106 agreement which will include details of the management plan for this area to ensure that the area is safeguarded in perpetuity as a suitable reptile habitat.

The Officer concludes that the submitted information contains suitable recommendations which shall be adhered to and conditions 07 to 09 have been

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included to ensure compliance with the submitted information and to obtain further details including a Construction Environmental Management Plan, a lighting strategy and Biodiversity Enhancement Measures. Therefore, no objection is raised from an Ecological perspective.

Contaminated Land

A Land Quality Assessment has been submitted with the application and the Contaminated Land Officer agrees with the conclusions. The standard condition which requires development to cease on site if unexpected ground contamination is identified was recommended. In response, the applicant submitted further details in the form of a 'Discovery Strategy' and the Officer was reconsulted. The proposed strategy is considered suitable and condition 13 has been included to ensure it is complied with throughout the course of the development.

Economic Development

The Economic Development team at WCC support the application as it is in line with Council's economic strategy's vision to maintain employment land for the purpose of providing space for business and other employers.

The Council has adopted the Construction Industry Training Board's approach for large scale planning applications and requires an Employment and Skills Plan to secure a range of local employment, volunteering, apprenticeship, training and development activities during the construction phase.

A draft Employment and Skills Plan has been submitted by the applicant and this has been assessed by the Economic Development team. Although the plan is well advanced, the plan does not yet include the name of the contractor for the site so condition 03 has been included to obtain the final version of the Plan which will be assessed by the Economic Development team at that stage.

Planning Obligations/Agreements

In seeking the planning obligation(s) and financial contributions for highway infrastructure improvements and ecological mitigation the Local Planning Authority has had regard to the tests laid down in para 204 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.

Recommendation

Application Permitted subject to

(a) the completion of a unilateral undertaking or section 106 agreement to achieve:

- A financial contribution of £60,000 to Hampshire County Council
- An Ecological Management Plan.

(Note: If the Legal Agreement is not completed within 6 months then the application may be refused without further reference to Committee)

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and

(b) subject to the following conditions:

Conditions

Time Limit

1. 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).

Approved Plans

2. The development hereby approved shall be constructed in accordance with the following plans

Location Plan received 05.12.2018

Cut and Fill Calculations [drawing 18-087/600] received 05.12.2018

Landscape Masterplan [drawing 825-MP-01 Rev A] received 05.12.2018

Site Plan [drawing KP-217-TP-01 Rev D] received 05.12.2018

Units 1 and 2 Ground and First Floor Plans [drawing KP-217-TP-02 Rev A] received 05.12.2018

Units 1 and 2 Roof Plan, Elevations and Section [drawing KP-217-TP-03 Rev A] received 05.12.2018

Unit 3 Floor Plans, Elevations and Section [drawing KP-217-TP-04 Rev A] received 05.12.2018

Air Quality Assessment

Noise Impact Assessment Report [reference 26100/NIA1] dated 15 November 2018 and received 05.12.2018

Supplementary Landscape Information dated November 2018 and received 05.12.2018

External Lighting Layout [drawing 9132/100] received 05.12.2018

External Lighting Installation dated 15.11.2018 and received 05.12.2018

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Incoming Electricity Services [drawing 9132/500] received 05.12.2018

Incoming Gas Services [drawing 9132/501] received 05.12.2018

Incoming Water Services [drawing 9132/502] received 05.12.2018

Tree Protection Plan [drawing 18248-BT1] received 05.12.2018

Drainage Strategy [drawing 18-087/300 Rev P5] received 05.12.2018

Further Tracking Diagram [drawing 4076-TR-02] received 06.03.2019

Arboricultural Assessment and Method Statement [reference 18248-AA-MW] received 05.12.2018

Drainage Strategy [drawing 18-087/300 Rev P2] received 05.12.2018

Drainage Statement [reference 18-087R_003] received 05.12.2018

Ecological Appraisal and Phase 2 Surveys updated November 2018 and received 05.12.2018

Energy Statement [reference CHBS-MH-18042-2-A] received 05.12.2018

Flood Risk Assessment [reference 18-087R_001] received 05.12.2018

Framework Travel Plan [reference ADL/LRJ/4076/30A] dated November 2018 and received 05.12.2018

Incoming British Telecom Services [drawing 9132/503] received 05.12.2018

Land Quality Assessment [reference 18-087R_002] received 05.12.2018

Reptile Mitigation Strategy dated November 2018 and received 05.12.2018

Manual for Managing Trees on Development Sites received 05.12.2018

Site Investigation Report [reference 10266/KOG/JRCB] dated 9th August 2018 and received 05.12.2018

Transport Assessment [reference ADL/LRJ/4076/30A] dated November 2018 and received 05.12.2018

Summary of Utility Company Assets [reference IJ/BM/9132] received 05.12.2018

Project Technical Memorandum dated 27th February 2019 and received 27th February 2019

Drainage Maintenance Schedule [reference 18-087R_005] received 06.03.2019

Reason: In the interests of proper planning and for the avoidance of doubt.

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Pre-Commencement Conditions

3. Detailed proposals for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water before the commencement of the development hereby permitted.

In regards to the use of Sustainable Urban Drainage Systems (SUDS), the details must:

- Specify the responsibilities of each party for the implementation of the SUDS scheme
- Specify a timetable for implementation
- Provide a management and maintenance plan for the lifetime of the development including arrangements for adoption by any public authority or statutory undertaker and other arrangements to secure the operation of the scheme throughout its lifetime.

The approved details shall be fully implemented before the development is occupied.

Reason: To ensure satisfactory provision of foul and surface water drainage.

4. Prior to the commencement of development, a finalised Employment and Skills Plan must be submitted to and approved in writing by the Local Planning Authority. The Plan must include the contractor for the development and must be adhered to for the duration of the construction phase of the development

Reason: The Council has adopted the Construction Industry Training Board's approach for large scale planning applications and requires an Employment and Skills Plan to secure a range of local employment, volunteering, apprenticeship, training and development activities during the construction phase.

5. Protective measures, including fencing and ground protection, in accordance with the Arboricultural Impact Appraisal and Method Statement reference 18248-AA-MW written by Mark Wadey of Barrell tree consultancy and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site

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 18248-AA-MW . Telephone 01962 848403

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The Arboricultural Officer shall be informed prior to the commencement of construction of special surfacing under tree canopies so that a pre commencement site visit can be carried out. Telephone 01962 848403

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.

A pre-commencement meeting will be held on site before any of the site clearance and construction works begins. This will be attended by the site manager, the Arboricultural consultant and the LPA tree officer.

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

6. Prior to work commencing on the site, including demolition, a Construction Management and Traffic Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include the following details:

- Development contacts, roles and responsibilities
- Public communication strategy, including a complaints procedure.
- Dust suppression, mitigation and avoidance measures.
- Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- Use of fences and barriers to protect adjacent land, footpaths and highways.
- Details of parking and traffic management measures.
- Avoidance of light spill and glare from any floodlighting and security lighting installed.
- Pest Control
- Provision to be made on site for contractor's parking,
- construction traffic access

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- the turning of delivery vehicles within the confines of the site
- lorry routing
- programme of works

The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction.

Note to applicant: Further information and guidance for developers on the bullet points above can be found on the Winchester City Council website:

<http://www.winchester.gov.uk/environment/pollution/construction-sites/>

Reason: To ensure that all demolition and construction work in relation to the application does not cause materially harmful effects on nearby land, properties and businesses.

7. Prior to the commencement of development hereby permitted, written documentary evidence demonstrating that the development will achieve at minimum 'Very Good' against the BREEAM Standard, in the form of a design stage assessment, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the development contributes to sustainable construction in accordance with policy CP11 of the Local Plan Part 1 (Joint Core Strategy)

8. Prior to the commencement or preparatory works, the following must be submitted and approved in writing by the Local Planning Authority:

- An updated badger survey.
- A Construction Environment Management Plan which details measures taken to protect surrounding Ecologist during the Construction Period.

Reason: In the interests of local biodiversity and in compliance with policy CP16 of the Local Plan Part 1 (Joint Core Strategy).

9. Prior to the commencement beyond foundation level of the development hereby permitted, details of biodiversity enhancement measures, including bat/bird roosting/nesting provision, shall be submitted to the LPA for approval.

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Reason: In the interests of local biodiversity and in compliance with policy CP16 of the Local Plan Part 1 (Joint Core Strategy).

10 Prior to the commencement of development, a non-licensed method statement and mitigation strategy must be submitted to the LPA for approval. This statement must also include details for the protection of the buffer for the woodland habitat which supports the local dormouse population.

Reason: Due to the proximity of a local dormouse population combined with connectivity to the suitable habitat on site, a non-licensed method statement and mitigation strategy shall be submitted to the LPA for approval. This same woodland habitat needs to be sufficiently buffered and protected and details of this buffer shall be submitted to the LPA for approval. With Gull Coppice, Round Coppice Little Park Copse and Ashley ancient woodlands and SINC's surrounding the site, this makes the retention, protection and enhancement of Fulcrum 6's woodland most important.

Pre-Occupation Conditions

11. Prior to the occupation of each B2 use of each of the units hereby approved, and each following hereby approved B2 use, a full acoustic assessment shall be submitted to, and approved in writing by, the Local Planning Authority. Any mitigation measures shall be carried out and completed in full before the associated unit is occupied. The agreed scheme shall be retained at all times during the operation of the associated approved use.

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

12. Within 6 months of an individual unit being first brought into use, written documentary evidence proving that the development has achieved at minimum Very Good against the BREEAM Standard in the form of post construction assessment and certificate as issued by a legitimate BREEAM certification body shall be submitted to the Local Planning Authority for its approval.

Reason: To ensure the development contributes to sustainable construction in accordance with policy CP11 of the Local Plan Part 1 (Joint Core Strategy)

13. Prior to the occupation of each unit, a Travel Plan must be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority.

The Plan must includes measures taken to reduce the number of people travelling to the site by car alone and plans to increase the number of people using active and sustainable travel modes including the nomination of persons within the organisation responsible for implementing the plan.

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The development must then continue in accordance with the Approved plan.

Reason: To encourage sustainable methods of transport in compliance with policy CP10 of the LPP1.

Other Conditions

14. No arboricultural works shall be carried out to trees other than those specified and in accordance with the Arboricultural Impact Appraisal and Method Statement 18248- AA-MW

Any deviation from works prescribed or methods agreed in accordance with the Arboricultural Impact Appraisal and Method Statement 18248-AA-MW shall be agreed in writing to the Local Planning Authority.

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

15. Development should proceed and be completed in accordance with the approved Discovery Strategy (Bradbrook Consulting Reference 18-087R_001, dated 28 January 2019) to address any unexpected contamination as may be encountered during the development. The site shall not be brought into use until an Environmental Close Out Report, for the purpose of certifying adherence to the agreed Discovery Strategy, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the additional information submitted is complied and to secure a satisfactory development and in the interests of the safety and amenity of future occupants.

16. The soft and hard landscaping must be completed in accordance with drawings 825-MP-01 Revision A and KP-217-TP-01 Revision D unless otherwise agreed in writing by the Local Planning Authority.

All hard and soft landscape works shall be carried out in accordance with the approved details.

Hard landscaping works shall be completed prior to the use of the proposal hereby permitted.

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The soft landscaping shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner.

If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the submitted landscaping plans are implemented in the interests of the visual appearance of the site.

17. No machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site except between the hours of 0800 and 1800 Monday to Saturdays and at no time on Sundays and recognized public holidays, unless otherwise agreed in writing by the Local Planning Authority.

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

18. Before externally mounted equipment is installed and operated on the premises, a full acoustic report (with a scheme of attenuation measures) shall be submitted and approved in writing by the Local Planning Authority. The equipment shall be installed and maintained in accordance with the approved scheme.

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

19. No works shall take place outside the building unless otherwise agreed in writing by the Local Planning Authority

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

20. No paint spraying shall be carried out except in a properly constructed part of the building, to which filtration equipment has been fitted in accordance with details submitted to and approved in writing by the Local Planning Authority. Such equipment shall thereafter be maintained and operated in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent a nuisance to nearby occupiers

21. No materials shall be burnt on site, unless agreed in writing by the Local Planning Authority.

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Reason: To protect the amenity of occupiers of nearby premises and in the interest of public health.

22. The recommendations contained within the Ecological Appraisal and Phase 2 Surveys updated November 2018 and received 05.12.2018 must be adhered to

Reason: In the interests of local biodiversity and in compliance with policy CP16 of the Local Plan Part 1 (Joint Core Strategy).

23. Prior to the use of lighting on the site, a lighting strategy in compliance with ILP and BCT Guidance 08/18 must be submitted to and approved in writing by the Local Planning Authority. Lighting must then be carried out in accordance with the approved details.

Reason: In the interests of local biodiversity and in compliance with policy CP16 of the Local Plan Part 1 (Joint Core Strategy).

23.

Informatives:

1.

In accordance with paragraph 38 of the NPPF (July 2018) , Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:

- offer a pre-application advice service and,
- update applicants/agents of any issues that may arise in the processing of their application, where possible suggesting alternative solutions.

In this instance a site meeting was carried out with the applicant.

2.

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

Winchester Local Plan Part 1 – Joint Core Strategy

- DS1 – Development Strategy and Principles
- SH1 – Development Strategy for South Hampshire Urban Areas
- 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

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- CP15 – Green Infrastructure
- CP16 – Biodiversity
- CP17 – Flooding, Flood Risk and the Water Environment
- CP20 – Heritage and Landscape Character
- CP21 – Infrastructure and Community Benefit

Winchester Local Plan Part 2 – Development Management and Site Allocations

- SHUA3 – Solent 2 Employment Allocation
- DM1 – Location of New Development
- 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

3.

This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out above, 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.

4.

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. 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.

5.

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.

6.

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, please refer to the Construction Code of Practice

<http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-considerate-practice>

7.

Please be advised that Building Regulations approval may be required for this development. Please contact WCC Building Control Department for more information (T: 01962 848176, E: buildingcontrol@winchester.gov.uk)

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8.

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.

The submitted details should be clearly marked with the following information:

- The name of the planning officer who dealt with application
- The application case number
- Your contact details
- The appropriate fee.

Further information, application forms and guidance can be found on the Council's website - www.winchester.gov.uk.

9.

A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

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Appendix 1 – Whiteley Town Council

Please return this form to the Case Officer: Robert Green

From:	Whiteley Town Council
Case No	18/02879/FUL
Location	Fulcrum 6 Solent Way Whiteley
Proposal	Development of business park units for B1(c) light industry, B2 general industry and/or B8 storage and distribution uses, together with associated landscape and infrastructure

Object:

The history of the site and its current allocation in Local Plan part 1 under Policy SHUA3 is acknowledged however there are objections to the timing of the scheme ahead of planned highways improvements works.

Hampshire County Council as the Highways authority acknowledges that the surrounding roads are operating beyond capacity. This is confirmed in a recent project appraisal for the M27 J9 and Parkway South Roundabout Scheme dated 15.1.19

Extract <http://democracy.hants.gov.uk/documents/s28395/Report.pdf>

2.2 The M27 is a critical, strategic corridor in southern Hampshire which helps to keep the economy moving but at peak times queues caused by congestion at Junction 9 can extend back several kilometres along the motorway. The Scheme is essential to improve traffic flow and journey times in the area. Both junctions currently experience severe congestion in the morning and evening peak periods and traffic queuing on the motorway off-slips at Junction 9 causes operational and safety issues on the M27 mainline. Furthermore, in the morning peak hour, congestion at Parkway South Roundabout can regularly block back to Junction 9, while in the evening peak hour congestion at Junction 9 frequently blocks back to Parkway South Roundabout.

2.3 The congestion is judged to be detrimentally impacting business attraction and retention in two large regionally significant adjacent Business Parks, Solent and Segensworth, located to the north and south of Junction 9 respectively.

Until the planned highways improvements have been completed no further development should be permitted. The historic nature of the planning allocations in Whiteley do not take account of the much higher intensity use of office space today compared to when the developments were planned in the 70s and 80s. This together with the redevelopment of Whiteley Shopping Centre has created a far higher demand on the highways network than originally envisaged. The parking provision is correspondingly inadequate.

The extreme congestion in and around peak times is unacceptable to our residents.

The proposed development is adjacent to a key pedestrian route for those accessing the two primary schools and the Yew Tree Drive local centre. Pedestrian use is likely to increase with the opening of Lidl. At present there are no safe crossing points on Solent Way or Rookery Avenue and this needs to be urgently addressed.

Solent Way suffers from dangerous on-street parking due to inadequate provision throughout the business park, this also results in parking in residential areas which is unacceptable to residents, this application is likely to exacerbate this problem.

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Residents' concerns about the impact on the ecology of the local area, trees, noise and air pollution, particularly for Whiteley Primary School, are noted and the views of the relevant consultees are awaited.

Request that the application is heard by the Planning Committee if the officer is minded to use delegated power to grant permission.

Signed: N Oliver, Town Clerk

Date 21.1.19

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Appendix 2 – Cllr Achwal

Comment Details

Commenter Type: District Councillor

Stance: Customer objects to the Planning Application

Comment Reasons:

- Noise
- Traffic or Highways

Comment: I wish to object to this planning application due to the lack of current road infrastructure.

The road network in Whiteley is currently at capacity and any further development at present is not acceptable.

There have been several recorded car accidents on Whiteley Way which is near this site and HGVs which will use this route will increase the prospect of more accidents.

No further development should take place in Whiteley until the completion of the proposed future road infrastructure is completed.

I ask that this proposal to be heard at the planning committee and that meeting to be held in Whiteley.