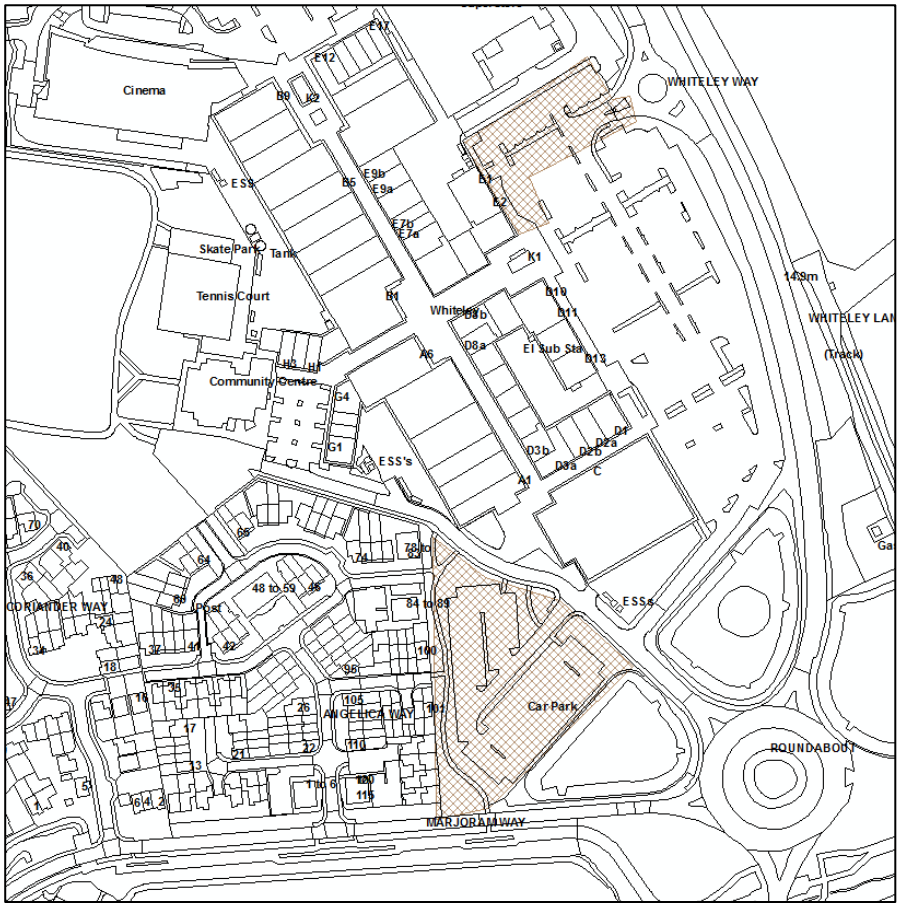
WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No:	19/01194/FUL
Proposal Description:	Proposed new multi-storey car park over 4 floors, a new 2 storey retail block (Use Classes A1; A2; A3; A4; A5 & D2) with space for provision of a mezzanine floor, external works with changes to existing surface car parking and landscaping (revised detail).
Address:	Whiteley Town Centre Whiteley Way Whiteley Hampshire
Parish, or Ward if within Winchester City:	Whiteley Town Council
Applicants Name:	The Whiteley Co- Ownership
Case Officer:	Mr Simon Avery
Date Valid:	30 May 2019
Recommendation:	Application permitted

Pre Application Advice: Yes



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General Comments

Application is reported to Committee due to the number of comments received contrary to the Officer's recommendation.

Amended plans have been received altering the design of the multi storey car park to try and reduce its impact on properties on Angelica Way and also removing the proposal to signalise the Tesco junction with Bluebell Way.

Site Description

The application relates to two sites within the Whiteley Shopping Centre. The shopping centre is located on the eastern edge of the town. It is surrounded by mainly residential development to the north, west and south with Whiteley Pastures woodland located to the east on the other side of Whiteley Way, the main spine road serving the town.

One of the sites proposed to be developed is the south car park which is a surface car park located immediately to the south of the shopping centre and to the east of residential properties on Angelica Way. The boundary of the car park adjoining the properties on Angelica Way is a 2.3 metre tall brick wall. Vehicular access to the car park is via the Leisure Centre access road from the Whiteley Way / Majoram Way roundabout. To the south of the car park is a balancing pond known as West Pond. South car park is well landscaped with a strong framework of trees and hedgerows. West Pond also has lines of trees along its northern edge adjacent to the car park. A footpath runs inside the northern boundary of the car park which links the shopping centre to Majoram Way to the south. The car park currently contains 187 parking spaces. The car park is roughly triangular in shape.

The other site within the centre proposed to be developed is part of the north car park. The north car park is located to the eastern side of the buildings in the shopping centre adjacent to Whiteley Way. This car park is accessed via a roundabout off Whiteley Way. The area proposed to be developed is adjacent to this access and to the south of the service yard of the Tesco Store.

Proposal

The proposals are for a multi storey car park (MSCP) and new retail unit.
Multi Storey Car Park

- The MSCP is proposed to be located in the south car park adjacent to the south eastern boundary next to West Pond on a North-East/South-West alignment.
- It will consist of 4 decks of parking providing a gross external floor area over these 4 levels of 10,680sqm. The height of the building varies from 10.8 to 12.5m in height and it is 83.5m in width and 32.5m deep. It would provide 441 new parking spaces over 4 levels but result in the loss of 112 of the existing 187 spaces in the south car park, leaving 75 existing spaces remaining.
- There will be staircases on the north and south corners with the one on the north corner also containing a lift. The vehicular access to the MSCP will be at the western corner.
- The building will be clad in vertical metal panels with varying profile depths from

the 1st to 4th floor on all elevations apart from the south west where a more solid cladding treatment will be provided for acoustic reasons. The staircase towers on the two corners will be clad in timber to match that in the main shopping centre. Climbing plants are proposed on the south west elevation.

- The existing footpath along the western edge of the south car park will be retained as will a substantial amount of planting along this edge. Additional planting is proposed along the western and northern edges of the car park.

Block J

- The proposed new retail unit (referred to as Block J) would be located at the northern end of the north car park adjacent to the service yard of the Tesco store. It would provide a gross external floor space area of 2,965sqm. Of this 988sqm would be ground floor but with enough height to allow the potential for a mezzanine space above this to provide a further 826sqm. This ground and potential first floor space would be to accommodate A1 to A5 Uses. Above this there is an upper floor which would provide another 1,151sqm and would be for possible use as a gym (D2 Use Class).
- The block will be 12.7m in height, 52.3m in width, and 22 m deep. The area around the block will be extensively landscaped to address levels, parking and planting requirements and will result in the loss of 56 car parking spaces.
- The block will be finished in materials to match the other retail units in the centre with timber cladding and large glazed openings.
- The construction of Block J would result in the loss of approximately 56 car park spaces in the north car park.

Overall Parking Provision

- The initial submission proposed a MSCP providing 457 spaces which would have given a net gain of 289 spaces when subtracting the spaces lost from the south car park (112) and from the north car park due to Block J (56). The revised scheme now proposes a MSCP providing 441 spaces giving a net gain of 273.

Relevant Planning History

10/02481/FUL - Redevelopment of Whiteley town centre. **PER 1st February 2011**

13/00157/FUL - Development comprising 9 screen multiplex cinema. **PER 17th May 2013**

Consultations

WCC Strategic Planning:

- The proposal relates to land which is within the settlement boundary of Whiteley and within the defined town centre.
- The proposal is for various town centre uses which are not out of scale with the centre, so the principle of development is acceptable, subject to design and other considerations.

WCC Landscape:

- There is no objection to these proposals providing all landscape and external works are carried out in accordance with the submitted suite of planting and general arrangement plans.

WCC Trees

- A more appropriate tree species has been requested for the new planting outside Block J.

WCC Ecology

- No objections subject to suitably worded conditions requiring the submission of a BMEP (Biodiversity Mitigation and Enhancement Plan) and a lighting plan.

WCC Environmental Protection

- No objections.
- The revised noise impact assessment has calculated the Lmax associated with door slams and vehicle manoeuvring from the multi-storey car park (MSCP) and has assessed that at the nearest residential dwelling the noise levels will be 45LAmax - this is considered a worst-case scenario as the acoustic model does not include the proposed acoustic barrier which will be constructed along the western façade of the MSCP and partly along the northern façade. The acoustic barrier will reduce noise levels from inside the MSCP further but it is not known at this stage how much noise attenuation the barrier will provide, nevertheless, the maximum and hourly predicted noise levels are within current guideline values and are therefore considered acceptable from an amenity perspective.
- The applicant has submitted a detailed lighting schedule which demonstrates that the proposed lighting will not have an adverse impact on the nearby residential dwellings.

WCC Sustainable Development

- The energy study shows a 5% reduction in CO2 emissions due to PV and an overall predicted CO2 reduction compared with building regulations of 32%, both of which will help to achieve the BREEAM target of ‘excellent’ standard.

WCC Drainage

- The site is within Flood Zone 1 and is at very low risk of surface water flooding.
- Foul drainage will drain to the sewer.
- Surface water drainage should be commented on by HCC, statutory consultee on surface water drainage for major developments.

WCC Archaeology

- The proposal raises no archaeological concerns and as such there are no objections to the proposal nor are any conditions required.

WCC Contaminated Land

- No objections but a condition should be attached to any consent to deal with the event of unexpected contamination being encountered during construction works.

Natural England

- There will be no significant impact on the Botley Wood and Everett’s and Mushes Copse SSSI due to increases in traffic and the associated increases in air pollution as a result of the proposal, and therefore Natural England has no objection to the application in regards to impacts on air quality.
- Natural England recommends that the application is supported by a Biodiversity Mitigation and Enhancement Plan (BMEP).

HCC Highways :

- No objections.

HCC Flood and Water Management

- No objections.

Southern Water

- Southern Water can facilitate foul sewage disposal to service the proposed development.
- Surface water drainage for the site is proposed via a watercourse.
- Southern Water can provide a water supply to the site.

Representations:

Whiteley Town Council

- Object: The Town Council supports the principle of providing additional car parking as it is urgently needed. However the proposed site will have significant negative impacts on the residential area that adjoins this part of the town centre due to its domineering presence at the entrance to Marjoram Way and its overbearing proximity to Angelica Way due to its height and bulk.
- The private service road to the proposed car park currently suffers congestion which results in poor air quality at peak times. This will be exacerbated if additional parking capacity is provided in this location.
- It is not clear how the proposals for the car park will seek to minimise the impact of noise, light and air quality for the adjoining residential area and pedestrian routes to the shopping centre during its proposed opening times. Further information is required if it is agreed to progress the scheme in this location.
- The proposal to signalise the junction with Bluebell Way is fully supported to ensure those leaving the shopping centre do not choose to turn left and left again through Thyme Avenue and the residential area to avoid waiting to turn right.

On Amended Plans:

- Comment: The applicant's responses to the Town Council's objections are noted.
- The Town Council maintains the views submitted in its previous response.

73 letters from 71 households letters received objecting to the application for the following material planning reasons:

- MSCP will attract Anti-social behaviour / crime.
- Increase in traffic and parking congestion.
- There should be no further development until road improvements are complete.
- An increase in workers will increase parking on local roads.
- Impact of construction works / traffic on residents.
- Overdevelopment / urbanisation of Whiteley / loss of green spaces.
- Loss of trees.
- Scale and height of MSCP excessive/ MSCP out of keeping with area.
- Unattractive building (MSCP) / negative visual impact of MSCP and Retail Unit on character and appearance of the area.
- Adverse impact on residential amenity of nearby properties through loss of outlook

and openness, overlooking, overshadowing and overbearing impact.

- The submitted plans do not provide an accurate visualisation of the overbearing impact of the development on properties on Angelica Way.
- Noise, light and air pollution.
- The submitted noise report is unsatisfactory / does not address impacts on Angelica Way adequately.
- Impact on wildlife.
- Lack of infrastructure, schooling and transport links.
- The new retail unit is not in a good position for footfall.
- The MSCP will not resolve congestion problems.
- There are more suitable locations for the MSCP.
- The community occasionally use the location for special events and this would again be disrupted or indeed could not be used at all.
- A Park and Ride scheme should be considered as an alternative.
- Allowing more retail would contradict a previous decision refusing expansion of Tesco and result in loss of parking spaces.
- No need for another gym.
- More sustainable means of transport should be provided.
- The proposals conflict with concerns about the environment / sustainability.
- Traffic lights on Bluebell Way are required to enable access to the centre.
- Whiteley is a small town with a shopping centre intended to support the local residential area and there is no need for a multi-storey car park.
- Impact on property values.

<u>Comments received following amended plans</u>:
Following amended plans a further 48 letters were received objecting to the application. Of these, 21 letters were received from 20 households who had already commented on the original plans and there were a further 27 letters from 24 households from people who had not commented on the original submission.
Most of the objections to the amended plans repeated the comments listed above but the following additional reasons were received:

- The separation distances mentioned in the Amenity Impact Document are not accurate.
- Impact of MSCP on light and the skyline of Whiteley.
- The environmental study doesn’t address impact of vehicles queuing to leave the shops.
- The proposals conflict with the original Whiteley Plan for Angelica Way which states that no buildings should be above 3 storeys.
- The proposals will increase flooding in the area by removing natural drainage.
- Precedent of another application in area overturned for similar reasons
- The landscaping to reduce impact is unsatisfactory.
- The existing ground car park provides the natural space and dividing point between residential and retail.

<u>1 letter of support received raising the following material planning reasons</u>:

- Need for additional parking in the shopping centre, however first roads need to be widened.
- The location is not ideal, as it will meet objections from the local residents.

In addition to this the applicant has collected and submitted 59 signatures of support for the proposals.

2 letters of comment received.

- Support for more parking and for businesses but concern that attracting more traffic could be detrimental to existing business.
- The MSCP should be built on the car park outside marks and Spencer's / the restaurants, not next to residential buildings.
- Most people also come to Whiteley as its free parking so hopefully this would still be the case.

Relevant Planning Policy:

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

- DS1 – Development Strategy and Principles
- SH1 – Development Strategy for South Hampshire Urban Areas
- CP8 – Economic Growth and Diversification
- CP10 – Transport
- CP11 – Sustainable Low and Zero Carbon Built Development
- CP13 – High Quality Design
- CP14 – Effective Uses of Land
- CP16 – Biodiversity
- CP17 – Flood Risk
- CP20 - Heritage and Landscape Character
- CP21 – Infrastructure and Community Benefit

Winchester Local Plan Part 2 – Development Management and Site Allocations (LPP2)

- DM1 – Location of New Development
- DM7 – Town, District and Local Centres
- DM15 – Local Distinctiveness
- DM16 – Site Design Criteria
- DM17 – Site Development Principles
- DM18 – Access and Parking
- DM19 – Development and Pollution
- DM20 – Development and Noise
- DM24 – Special Trees, Important Hedgerows and Ancient Woodlands

Supplementary Planning Guidance:

- High Quality Places March 2015

National Planning Policy Guidance/Statements:

- Revised National Planning Policy Framework (2019)

Planning Considerations

- Principle of development
- Impact on character of area
- Impact on residential amenity
- Landscape / Trees
- Highways / Parking
- Flood and Water Management

- Sustainable Development
- Biodiversity
- Planning Agreements / Obligations
- Conclusion

Principle of development

Paragraph 47 of the NPPF requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. The sites are within the defined settlement boundary of Whiteley (policy DM1 of the LPP2) and within the defined town centre (policy DM7), but outside the Primary Shopping Frontages (policy DM8). Policy DS1 of the LPP1 defines Whiteley as a town centre and promotes a 'town centres first' approach to retail and other town centre uses. Policy DM7 also seeks to locate town centre uses (including Classes A1-A5 and D2) within the centres defined on the policies map, including Whiteley.

The proposed uses are defined as town centre uses such as retail, restaurant or leisure uses or are appropriate to a town centre such as parking. Therefore, as the scheme is located entirely within the defined settlement and town centre boundaries of Whiteley, the proposals are acceptable in principle.

However, the explanatory text of policy DM7 also requires that proposals are not out of scale with the size/function of the centre in which they will be located (para 6.3.10). Given the scale of Whiteley and the growth proposed for the settlement, the modest increase in A1-A5 and D2 floorspace proposed in Block J is not considered to be 'out of scale'. However, the proposed multi-storey car park (MSCP) is a substantial building in a prominent position and a key consideration is whether this building would be out of scale in this context. This is considered further below along with other material planning considerations.

Impact on character of area

Policy CP13 of the LPP2, policies DM15-DM17 of the LPP2 and the Council's High Quality Places SPD (2015) require proposals to have an appropriate site layout and high quality design, reflecting local distinctiveness and making a positive contribution to the character of an area.

Multi storey car park

The proposed MSCP is a large building being approximately 80 metres wide and 30 metres deep and 12 metres in height. The scale of the building has been derived from car parking studies undertaken by the applicant within the town centre which have identified that approximately 300 additional spaces are required to prevent parking congestion at peak times within the car parks. The findings of these parking studies are accepted and it is acknowledged that additional parking is required in the centre to prevent congestion which also leads to overspill parking into the surrounding streets.

From wider views, the visual impact of the MSCP will be minimal as it will be screened from views from the south by woodland, and from views from the north and east by the existing shopping centre buildings.

The visual impact will however be more significant in closer views which are:

- approaching the roundabout at the junction of Whiteley Way and Majoram Way;
- along the service road which runs between the shopping centre and the south car park;
- on the first section of Majoram Way to the south of the site;
- from Angelica Way to the west;
- from within the existing car park itself.

In these views the MSCP will be quite prominent due to its scale and height. The impact of the proposed building on these particular views will however be mitigated to an extent by its design and by existing and proposed landscaping. Views from the approach to the south will be partly softened by existing trees along the edge of West Pond. Additional tree planting along the other edges of the south car park will soften views from Angelica Way, Majoram Way and the shopping centre. The applicant has sought to locate the building as far away from the boundary with Angelica Way as possible (within the constraints of the car park), and has also amended the design to taper the corner edge of the building nearest this boundary so as to reduce the visual impact when viewed from this residential area.

The overall design of the building is also considered to be of high quality mainly through the use of cladding and an interesting roofline. The cladding is proposed to be vertical, perforated metal, finished in bronze coloured tones. These are arranged vertically to echo the vertical tree trunks within the woodland setting and will incorporate varying profile depths, playing on light & shadow, to enhance this effect. Flashes of thin vertical colour bands are interspersed across the elevations to add interest. The two staircases are proposed to be clad in natural oak to match the Town Centre buildings and continue the natural woodland theme. Ground floor screening along the West Pond edge would be formed in vertical oak fins.

This carefully considered design will result in a building which has visual interest. The elements such as the natural oak cladding will also help identify the building as part of the overall architectural group of buildings that form the shopping centre.

Therefore, while the building will clearly change the character of this open surface car park and have a strong presence, it is considered to be an positive addition to the town centre development and in scale will be characteristic of the existing centre buildings. The strong planting framework of existing and proposed trees will help soften the impact of the building and complement the existing green character of the surrounding area.

In terms of scale and visual impact, the MSCP is therefore considered acceptable in the context of the town centre and surrounding views and uses. It will also benefit locality by reducing congestion and overspill parking which itself has an adverse impact on the character and function of the area.

Lighting of the MSCP deck and surface car park areas has also been carefully designed to avoid light pollution. The details include lighting within the car park deck linked to occupancy sensors, low level wall mounted lighting to be used around the perimeter edges of the deck and downward facing lamps where taller lighting columns are proposed within the car park.

Block J

The proposed new retail building (Block J) would be located in the north car park backing onto the service yard of the Tesco store. The fronts of the retail units would face south east looking across the car park. The scale and mass of Block J would be similar to the retail buildings within the existing town centre, although slightly taller than the nearby ones as it will accommodate an upper floor level (approximately 13m whereas the existing adjacent blocks are 10.5m). This greater height is considered acceptable as it will reflect the height of the M&S block at the opposite end of the car park but still sit comfortably in context with the nearby blocks. The design of Block J would follow that of the existing retail and restaurant blocks in the centre with tall glazed bays broken up by oak clad columns. The area around Block J will be re-landscaped with steps and a walkway to the front and a line of new trees planted in front of this. Through this treatment and by screening the rear of the Tesco service yard and providing an active frontage to this part of the north car park, it will actually improve the appearance and environment of this immediate area.

The proposals are therefore considered to be acceptable in terms of their impact on the character and appearance of the area and accord with Policies CP13 and DM15-DM17.

Impact on Residential Amenity

Policies DM17, DM19 and DM20 of the LPP2 require that development should not to have an unacceptable adverse impact on adjoining property or result in unacceptable levels of pollution to neighbours.

MSCP

The MSCP would be located at an angle of approximately 45 degrees to the western boundary with properties on Angelica Way. This means that the western corner of the MSCP would be in closer proximity to the residential properties. There is a semi detached house (101 Angelica Way) and 4 terraced houses (111 to 114 Angelica Way) on Angelica Way at this point with small rear gardens which either back onto the car park of sit side-on to the car park. No 101 Angelica Way does not have side windows facing the car park, but 111 to 114 all have rear ground and first floor windows facing in this direction. A key consideration therefore is whether the MSCP, due to its height and scale, would appear overbearing and visually intrusive when view from these gardens and properties.

The corner of the MSCP would be closest to No 111 Angelica Way. The ground floor level of the MSCP would be 12.1 metres from the rear boundary of this property. The house itself is then set back by a further 8.8 metres from this boundary. The height of the MSCP, when originally submitted, would have been 10.8m on this corner. There were concerns that this could have resulted in the MSCP appearing overbearing and oppressive when viewed from the rear garden of No 111 and the immediate neighbouring gardens.

In response to this, the applicant has amended the design of this corner of the MSCP. The corner of the car park has now been curved to reduce the amount of built form projecting towards the boundary and in addition to this the upper 2 levels on the corner are now proposed to be stepped back. The top level is set back along the entire length of the south western elevation and on the western corner. This level would now be 19 metres from the western boundary. The third level of the car park is also stepped back on the corner and would be 15 metres from the boundary. The lower two levels would

remain in the same position (apart from being curved on the corner) but these would be greatly screened from views from the neighbouring gardens and ground floors of these properties anyway by the brick wall enclosing the western boundary of the car park at an average height of 2.3m.

These changes mean that the mass of the MSCP, when viewed from the gardens or from further back inside the properties, would be significantly reduced. The corner of the MSCP would still be visible, but with the upper levels set back and the corner softened into a curve, it is not considered that it would appear unacceptable overbearing or intrusive. The other properties on the boundary with the car park further to the north include a mixture of houses and flats but due to the angled siting of the proposed MSCP in relation to this boundary these are much further away and it is not considered that these would be adversely affected.

The applicant is also proposing to enhance the tree planting along this edge which would provide benefit by partly screening views of the MSCP from these properties. The MSCP would still be visible above these trees (and through them in winter their leaves have fallen), but the planting will assist in softening views of the building. As well as tree planting the proposals include climbing plants on a strained wire system along the south west elevation of the MSCP which will further soften the appearance of the building.

Concern has been raised about loss of privacy for these properties on Angelica Way arising from the possibility of overlooking from the top levels of the car park. However, the MSCP has been designed to have a solid full height barrier for the upper levels behind the external cladding along the entirety of the southwest elevation, around the corner near the residential properties and along the northwest elevation for two bays. At the upper level of the car park deck this will include a 1.8m high perimeter parapet screen to prevent visitors to the MSCP being able to have direct views outwards over the properties to the west. Given these features it is not considered that the MSCP would result in any overlooking over these nearby residential properties.

The applicant has assessed the impact of the MSCP in terms of whether it would result in any overshadowing of these neighbouring properties. Due to the location and orientation of the buildings, the only possibility for such overshadowing would occur in winter months in the early morning but this would be limited and in fact may not result in any additional overshadowing than already occurs from trees along the edge of the car park. It is therefore not considered that the proposals would be unacceptable in this regard.

A concern raised by a number of local residents relates to the possible noise impacts from car door slams and vehicle manoeuvring within the MSCP. The application is supported by a noise report which has been assed by the Council’s Environmental Protection team. As noted above a solid full height barrier is to be installed behind the cladding on the southwest and part of the northwest elevations of the MSCP on the upper 3 levels. As well as preventing overlooking this will act as an acoustic barrier. Where the corner of the building is stepped at the upper levels, the stepped sections will have solid roofs to prevent noise escaping. The main access stair and lift are located away from the western boundary at the far eastern end of the car park. Both staircases are to be fully enclosed in solid construction so as to limit noise break out from these spaces.

The management of the car park will also help reduce any potential noise from visitors. Access to the upper car park levels will be prevented between the hours 8pm until 6am and this will be controlled by a timed automatic boom, which will lower to prevent any vehicle access into the upper two car park levels. This is the same arrangement that is currently used for the cinema surface car park which is also located close to adjacent existing residences.

The Council's Environmental Protection officer has assessed the noise impacts and concluded that the maximum and hourly predicted noise levels are within current guideline values and are therefore considered acceptable from an amenity perspective.

In terms of light spillage the solid barrier along the southwest edge and on the north corner will prevent any light from headlights spilling onto the nearby properties on Angelica Way. For the remainder of the upper levels, light from vehicle headlights parked against the perimeter of the parking deck and facing out towards properties will be prevented by the use of solid barriers mounted across the front of each perimeter parking bay. These will be set at a height which will accommodate a range of vehicles from standard to larger SUV types.

Lighting within MSCP and remaining surface car park has been designed to avoid light spillage that would affect properties on Angelica Way.

The Council's Environmental Protection officer is also satisfied that these measures are acceptable and demonstrate that the proposed lighting will not have an adverse impact on the nearby residential dwellings.

Noise and light spillage is not proposed to be mitigated against on the ground floor level which will not be enclosed. However, this will be no change from the existing open surface car park where the brick boundary wall enclosing properties on Angelica Way acts as a noise and light barrier.

Another general concern raised in letters of representation is of the potential for increased anti-social behaviour in and around the MSCP. However as noted above, there will be restrictions on the use of the MSCP and in general, the use of the shopping centre premises are subject to management controls which include on-site security staff. The applicant has advised that CCTV will be fitted to the decked car park, being under 24hr security review. The on-site security staff will include the deck within their regular patrol to ensure that any anti-social behaviour is deterred.

Concern has been raised about the potential for the development to increase pollution due to the generation of additional traffic. However, the proposed MSCP is designed to accommodate existing parking demand on site and is not forecast to result in an increase in traffic. An increase in traffic would be likely to occur due the new retail block which is forecast to generate a maximum of 128 additional trips in the Saturday peak hour (1200 to 1300) which is anticipated to be the busiest period of the week. The Highway Authority has not raised any concerns about this increase in traffic movements and it is not considered that this will have a material impact on vehicle emissions.

Furthermore, vehicle emissions are significantly worsened by congestion of the highway network when compared against free-flow emissions. Therefore, as the provision of additional parking through the MSCP should reduce traffic congestion on Whiteley Way

caused by vehicles queueing to enter the existing car park, the proposals should not result in a significant increase in vehicle emissions. The Council's Environmental Protection team monitor background NO_2 levels in Whiteley and the concentrations are not high enough to require further action so there is no underlying concern regarding traffic pollution in the vicinity, nor do they consider the proposals warrants further investigation with regards to air quality.

Natural England have separately assessed air quality in relation to potential impacts on the Botley Wood and Everett's and Mushes Copse site of special scientific interest (SSSI) on the eastern side of Whiteley Way. They have confirmed that they would not expect the development to bring about a significantly detrimental impact on air quality in the vicinity of the site.

Block J
Block J is proposed located on the eastern side of the shopping centre within the north car par. As such it would be some distance from any residential properties and also screened from these by the existing centre buildings. It would therefore have no impacts on residential amenity.

The proposals are therefore in accordance with policies DM17, DM19 and DM20.

Landscape/Trees
Policy CP20 of the LPP2 and policy DM24 of the LPP2 require that development preserves landscape character and safeguards important trees.

The MSCP and Block J would not result in any serious landscape harm as the setting is urban and they are to be located within the shopping centre. There is a strong existing landscape framework surrounding the shopping centre and within the various car parks. As the MSCP is located on a prominent corner of the site the landscape elements are important in ensuring that this building is softened and anchored into this setting. The existing planting is therefore proposed to be reinforced by additional tree planting and ground cover planting around the south car park and in the north car park to the front of Block J. The proposed planting is considered to be suitable and the new planting in the south car park will ensure a sufficient and robust landscape belt is created between the MSCP and Angelica Way.

The application is therefore in accordance with policy CP20 and DM24.

Highways/Parking
Policy CP10 of the LPP1 and DM18 of the LPP2 requires development to make appropriate provision for parking and access and manage existing transport capacity efficiently.

The scheme is supported by a Transport Assessment and this has been assessed by Hampshire County Council (HCC) as highway authority.

The Transport Assessment identifies that demand for parking spaces in the shopping centre exceeds the current parking provision 30% of the time. The addition of the MSCP which provides a net gain of 273 spaces would reduce this deficit to 4% of the time. HCC are satisfied with these findings and consider that the net increase in parking spaces would be of benefit to the town centre and local area given the established

demand for parking.

The Transport Assessment also considers trip generation. This includes a forecast of trips resulting from the development proposals and a forecast of likely cross-visitation (linked trips) between existing units at the town centre and the proposed additional units. As noted above, the main trip generator would be Block J which is forecast to generate a maximum of 128 additional trips at the busiest time (Saturday lunchtime). The highway authority accepts the forecast trip generation figures and is satisfied that the Whiteley Way/Marjoram Way Roundabout (known as R2) can accommodate the traffic generated by the proposed development once the wider improvement works have been carried out by the North Whiteley Consortium.

The highway authority have also recommended that an existing traffic calming feature within the private road which provides access to the southern car park and Meadowside Leisure Centre should be amended as its current layout could be misinterpreted as a crossing by visually impaired pedestrians. These works are to be secured via a Section106 legal agreement.

The original application included the proposal to signalise the existing Bluebell Way/Whiteley Town Centre (Tesco) junction. This was included within the development proposal as a response to concerns that that access and egress to and from the car park here results in congestion.

However, the highway authority has advised that the signalisation at this junction is not necessarily required to mitigate the impact of the proposed development itself. Furthermore, the submitted Transport Assessment does not identify this junction as over capacity. The introduction of signals at this junction would favour vehicles leaving a private car park which would cause delays on Bluebell Way which is going to become one of the main spine roads in the town. It could also actually worsen congestion on the internal shopping centre roundabout leading to congestion in the cinema and southern car parks.

For these reasons, the highway authority has not supported the signalised junction at Bluebell Way and in response to this the applicant has removed this from the proposals. A financial contribution proposed to fund these junction works is now recommended to be reallocated partly towards the Hampshire County Council Scheme at the R1 roundabout which will improve access to Whiteley including the Town Centre. It is also recommended that part of the contribution is retained and allocated to pedestrian and cycle improvements on Bluebell Way to ensure that these modes can safely and conveniently access the Town Centre in perpetuity.

HCC's request that the financial contribution be reallocated towards the R1 Scheme is consistent with other recent Developments in Whiteley which have provided similar contributions. These financial contributions can be secured via the Section 106 legal agreement.

The application therefore accords with policy CP10 and DM18.

<u>Flood and Water Management</u>

The site is within Flood Zone 1 and is at very low risk of surface water flooding. Foul drainage from the development is proposed to drain to the sewer and surface water

drainage is proposed to drain via a watercourse. These details have been assessed by HCC as the local lead flood authority and Southern Water and have been found to be acceptable.

The application therefore accords with CP17 of the LPP1 in that it will make suitable provision for water management.

Sustainable Development

Policy CP11 of the LPP1 expects non-residential development to be 'BREEAM Outstanding' from 2016, subject to the need for this to be practical and viable. BREEAM is used for the assessment of buildings that are designed to be occupied, therefore the MSCP does not fall under BREEAM, but Block J does.

The applicant has submitted a BREEAM pre assessment report in respect of Block J which estimates that achieving a BREEAM 'Excellent' rating is viable, but challenging as the assessment exhausts all available credits for the proposed development. Achieving a BREEAM 'Outstanding' rating was explored through BREEAM workshop meetings with the design team but deemed unfeasible. A BREEAM 'Excellent' rating is in line with the BREEAM standard achieved in main town centre and it is accepted that the applicant is seeking to achieve the lowest level of carbon emissions and water consumption which is practical and viable in line with policy CP11.

Conditions are attached requiring the developer to provide BREEAM interim and post construction certificates (conditions 6 and 15).

Biodiversity

Policy CP16 of the LPP1 supports development which maintains, protects and enhances biodiversity.

Whiteley Shopping Centre is in close proximity to ancient woodland with the Botley Wood and Everett's and Mushes Copse site of special scientific interest (SSSI) on the eastern side of Whiteley Way. It is also located approximately 1.7 km from the Solent and Southampton Water Ramsar / SPA and Solent Maritime SAC. The applicant has assessed potential impacts on these designated sites through an Ecological Assessment and a Habitats Regulations Assessment. These have concluded that the proposals would not have any significant adverse effects on any of the designated areas. This includes, as noted above, the impact on the adjacent woodland from vehicle emissions.

The areas proposed to be developed within the shopping centre are dominated by hardstanding and amenity landscape planting and so have the habitats are generally of low intrinsic ecological value. While not ideal for use by wildlife, the habitats may be used by foraging and commuting bats, common and widespread amphibian species, breeding birds, badgers and hedgehogs. Mitigation measures relating to the seasonal timing of works, and appropriate methods of site clearance are proposed as well as ecological enhancement measures intended to provide net gain in biodiversity. These include use of native and berry bearing species, and inclusion of bat and bird boxes.

The Council's Ecologist and Natural England are satisfied with the avoidance, mitigation and enhancement measures proposed. The proposals are therefore acceptable in terms of policy CP16.

Other Matters

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 Obligations/Agreements

The following planning obligations and financial contributions need to be secured through a Section 106 legal agreement:

- Provision of a full Travel Plan together with bond, approval and monitoring fees to be based on the agreed Framework Travel Plan.
- Highways works on the private access road as identified in principle on drawing 19873/5504/SK01.
- Provision of an agreed financial contribution towards the identified schemes.

In seeking these obligations / financial contributions 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.

Conclusion

The proposals are within the defined settlement and town centre boundaries of Whiteley and the proposed uses are acceptable this location.

The MSCP will be a prominent addition to the shopping centre but it is considered to be acceptable in terms of its impact on the character of the area and on residential amenity.

In highways terms the proposals will benefit the shopping centre and reduce congestion.

The proposals are acceptable in terms of landscape impact, flood and water management, sustainability and biodiversity.

The application is therefore recommended for approval.

Recommendation

Approval subject to the completion of a Section 106 legal agreement for the items listed above and subject to the following conditions:

Conditions

Timescale for Starting Development

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 implementation of the development hereby approved shall be carried out in accordance with the following approved plans and documents:

Application Plans by Corstophine and Wright

- Site Location Plan Existing 16146-0300 Rev 01
- Site Location Plan MSCP, Block J & Bluebell Way 16146-0310 Rev 02
- MSCP Site Plan & Ground Floor Plan 16146-0320 Rev 04
- MSCP First, Second & Third Floor Plans 16146-0321 Rev 02
- MSCP Elevations 16146-0322 Rev 04
- MSCP Sections 16146-0323 Rev 05
- MSCP Street Elevations 16146-0324 Rev 02
- MSCP Site sections 1 of 2 16146-0325 Rev 02
- MSCP Site sections 2 of 2 16146-0326 Rev 02
- Block J Site Plan 16146-0330 Rev 01
- Block J Ground Floor Plan 16146-0331 Rev 02
- Block J First Floor Plan 16146-0332 Rev 02
- Block J Roof Plan 16146-0333 Rev 01
- Block J South & East Elevations 16146-0334 Rev 01
- Block J North & West Elevations 16146-0335 Rev 01
- Block J Section 16146-0336 Rev 02
- Block J Site Plan - Highways Option 16146-0337 Rev 01
- Whiteley MSCP Design & Access Statement 16146-8000
- Parking Schedule MSCP & BLOCK J 16146 Rev 06

Landscape Plans and Documents by The Landscape Partnership

- *Overall Landscape GA Plan 901-2-001-P2*
- *Landscape GA Plan Block J 901-2-003-P2*
- *Landscape GA – MSCP 901-2-004-P4*
- *Tree Protection Removal Plan Block J 901-2-011-P1*
- *Tree Protection Removal Plan MSCP 901-2-012-P2*
- *Landscape Section C-CC Block J 901-2-022-P2*
- *Landscape Section D-DD Block J 901-2-023-P2*
- *Landscape Section E-EE - MSCP 901-2-024-P2*
- *Landscape Section F-FF – MSCP - 901-2-025-P2*
- *Planting Plan Block J 901-2-202-P4*
- *Planting Plan – MSCP - 901-2-203-P3*
- *Tree Protective Fence Detail 901-2-401-P1*
- *Tree Pit in Soft Detail 901-2-402-P1*
- *Tree Pit in Hard Detail 901-2-403-P1*

- *Landscape Visual Impact Appraisal 901-2-G524-P2*
- *Landscape Planning Addendum 901-2-G528 Rev A*
- *Landscape Strategy (part of DAS)*

Other Supporting Documents

- Design and Access Statement 16146-8000-01
- Planning Statement by Lucid Planning May 2019
- Town Centre Uses Policy Statement May 2019 Burnett's Planning
- Ecological Assessment May 2019 PBA
- Habitats Regulations Assessment: Screening Statement May 2019 PBA
- Transport Assessment May 2019 PBA
- Addendum Transport Assessment November 2019 PBA
- Noise Impact Assessment 19873-3004 Rev: 01 PBA
- Technical Note on Air Quality Forecast Impact PBA
- MSCP External Lighting Strategy November 2019 Insignis
- Block J External Lighting Strategy May 2019 Insignis
- Flood Risk Assessment Rev B May 2019 Evolve
- Drainage Strategy Rev B May 2019 Evolve
- Energy Strategy May 2019 Insignis
- Tree Survey 05112-TreeSurvey-2018 Rev A by Aspect Tree Consultancy
- Tree Constraints Plan 05112-Whiteley-TCP-2018 Page 01
- Tree Constraints Plan 05112-Whiteley-TCP-2018 Page 02
- Tree Constraints Plan 05112-Whiteley-TCP-2018 Page 03
- Tree Constraints Plan 05112-Whiteley-TCP-2018 Page 04
- Tree Constraints Plan 05112-Whiteley-TCP-2018 Page 05 Rev A
- Tree Constraints Plan 05112-Whiteley-TCP-2018 Page 06
- Arboricultural Impact Assessment Report 05112.AIA.19.09.2019 Aspect Tree Consultancy
- Urban Tree Soil Analysis TOHA/17/7042/SS Tim O'Hare Associates

Reason: To define the scope of this permission.

Conditions to be discharged before Development Commences

3 Prior to development starting on site, or other works such as demolition, clearance, groundwork or site preparation, a Construction Management 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, properties, footpaths and Highways.
- Provision for contractor's parking, construction traffic access, the turning of delivery vehicles within the confines of the site, lorry routing and a programme of work.

- Avoidance of light spill and glare from any floodlighting and security lighting installed.
- Pest control

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

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

4 Prior to development starting on site, or other works such as demolition, clearance, groundwork or site preparation, full details of the vehicle cleaning measures proposed to prevent mud and spoil from vehicles leaving the site shall be submitted to and approved in writing by the local planning authority. The approved measures shall be implemented before the development commences. Once the development has been commenced, these measures shall be used by all vehicles leaving the site and maintained in good working order for the duration of the development. No vehicle shall leave the site unless its wheels have been cleaned sufficiently to prevent mud and spoil being carried on to the public highway.

Reason: In the interests of highway safety.

5 Prior to development starting on site, or other works such as demolition, clearance, groundwork or site preparation, protective measures shall be installed in accordance with the Arboricultural Impact Assessment Report 05112.AIA.19.09.2019 by Aspect Tree Consultancy. The Council's Arboricultural Officer shall be informed once such protective measures have been installed to arrange a site inspection. All works shall be undertaken in accordance with this approved document.

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

6 Prior to development starting on Block J an interim BREEAM Certificate demonstrating that Block J meets BREEAM 'Excellent' rating shall be submitted to and approved in writing by the local planning authority. The development shall be built in accordance with these approved details.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2012 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

7 Prior to development starting on site, a detailed drainage strategy for the site, based on the principles within the Flood Risk Assessment and Drainage Strategy for Planning Rev B, shall be submitted and approved in writing by the local planning authority. The submitted details should include:

- Details of the proposed means of foul water sewerage disposal.
- A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment and Drainage Strategy.

- Detailed drainage calculations covering the entire drainage network as opposed to just storage provision and covering a range of storm return periods up to and including 1:100 + climate change.
- Information to demonstrate sufficient water treatment processes provided in accordance with the methodology in the Ciria SuDS Manual.
- Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.
- Maintenance schedules for the entire surface water drainage system including individual SuDS features for the lifetime of the development. This shall include a plan illustrating the organisation responsible for each element and a timetable for implementation.

The development shall be built in accordance with these approved details.

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

8 Prior to development starting on site, an Employment and Skills Plan shall 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.

Conditions to be discharged Prior to Construction above Slab Level

9 Prior to construction above slab level, samples of all the external materials of the buildings, walls and other structures and external hard landscaping surfaces shall be submitted to and approved in writing by the local planning authority. The development shall be built in accordance with these approved details.

Reason: To ensure that the external appearance of the building is of a high order on this sensitive edge of village site and in order to comply with the guidance in High Quality Places Supplementary Planning Guidance March 2015.

Conditions to be discharged prior to the Occupation / Use of the Buildings

10 The hard and soft landscaping of the development shall be undertaken in accordance with the following Landscape Plans and Documents RPS:

- *Overall Landscape GA Plan 901-2-001-P2*
- *Landscape GA Plan Block J 901-2-003-P2*
- *Landscape GA – MSCP 901-2-004-P4*
- *Tree Protection Removal Plan Block J 901-2-011-P1*
- *Tree Protection Removal Plan MSCP 901-2-012-P2*
- *Landscape Section C-CC Block J 901-2-022-P2*
- *Landscape Section D-DD Block J 901-2-023-P2*
- *Landscape Section E-EE - MSCP 901-2-024-P2*

- *Landscape Section F-FF – MSCP - 901-2-025-P2*
- *Planting Plan Block J 901-2-202-P4*
- *Planting Plan – MSCP - 901-2-203-P3*
- *Tree Protective Fence Detail 901-2-401-P1*
- *Tree Pit in Soft Detail 901-2-402-P1*
- *Tree Pit in Hard Detail 901-2-403-P1*

The hard landscaping associated with the relevant part of the application site shall be completed in accordance with the approved plans prior to the occupation of Block J or use of the multi storey car park. The soft landscaping of the relevant part of the application site 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 improve the appearance of the site in the interests of visual amenity.

11 Prior to the occupation of Block J or use of the multi storey car park, a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all public landscape areas, shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out in accordance with the approved details.

Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal, public or nature conservation significance.

12 Prior to the occupation of Block J or use of the multi storey car park, an Ecological Mitigation and Management Plan shall be submitted to and approved in writing by the local planning authority. This shall include details of how the enhancement features shall be managed and retained. Works shall be undertaken and maintained in accordance with these approved details.

Reason: In order to retain the special interest and biodiversity of the woodland.

13 Prior to the occupation of Block J or use of the multi storey car park, a Lighting Scheme shall be submitted to and approved in writing by the local planning authority. All lighting shall be installed, maintained and operated in accordance with the approved Lighting Scheme.

Reason: To prevent light pollution in the interests of the appearance of the area, biodiversity and residential amenity.

14 Prior to the occupation of Block J or use of the multi storey car park the roads, parking spaces, service areas, cycleways and footways within the relevant part of the application site shall be constructed, surfaced and marked out in accordance with the approved plans.

Reason: In the interests of safety and public amenity.

Conditions to be discharged Following Completion of the Development

15 Prior to 3 months after the date of the first occupation of Block J a post construction BREEAM certificate demonstrating that Block J meets BREEAM 'Excellent' rating shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2012 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

Development limits

16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with our without modification), the development hereby permitted in Block J shall be used only for purposes within Classes A1, A2, A3, A4, A5 and D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to those Classes in any Statutory Instrument revoking and re-enacting that Order with or without modification) and for no other purpose(s).

Reason: To promote sustainable development and retain appropriate uses in this local town centre.

17 Works shall be carried out in full accordance with the specific recommendations, mitigation measures and timetable as set out in Sections 6.0 of the Ecological Assessment Report 19873/3010 dated May 2019 by PBA.

Reason: in order to secure adequate ecological mitigation and enhancement, including with regards to protected species.

18 Development shall cease on site if, during any stage of the works, unexpected ground conditions or materials which suggest potential contamination are encountered, unless otherwise agreed in writing with the Local Planning Authority. Works shall not recommence before a site assessment 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. NB - potentially contaminated ground conditions include infilled ground, visual evidence of contamination or materials with an unusual odour or appearance.

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

19 Vehicular access to the upper car park levels of the multi storey car park shall not be available between the hours 8pm until 6am each day.

Reason: In the interests of residential amenity.

20 No unit occupied by an A3, A4, A5 or D2 use as set out in the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended, or in any provision equivalent to the Class in any Statutory Instrument revoking and re-enacting that Order with or without modification, shall be open to customers outside 0700 to 24.00 hours unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the occupiers of nearby residential areas.

21 Unless otherwise specified in the Travel Plan agreed as part of the Section 106 agreement for the development hereby approved, no commercial deliveries shall be taken at or dispatched from units in Block J except between the hours of 0700 and 2100 Monday to Saturday and 1000 to 1600 on Sundays, unless otherwise agreed in writing by the local planning authority.

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

22 Block J shall at all times be capable of accommodating no less than 4 separate users.

Reason: To promote sustainable development and retain appropriate uses and size of units in this local town centre.

23 Prior to the first occupation of any unit in block J, or any subsequent amalgamation of units, a plan showing the internal layout of block J demonstrating compliance with condition 21 shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure accordance with the requirements of conditions 21 and to provide a mechanism for ensuring compliance without requiring planning applications for changes of use or enlargement or subdivision of units in acceptable circumstances and to promote sustainable development through a locally focussed town centre with a suitable level of floorspace available for all types of typical town centre uses.

Informatives:

01. 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 applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this instance the applicant was updated of any issues after the initial site visit.

02. 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.

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

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

- DS1 – Development Strategy and Principles
- SH1 – Development Strategy for South Hampshire Urban Areas
- CP8 – Economic Growth and Diversification
- CP10 – Transport
- CP11 – Sustainable Low and Zero Carbon Built Development
- CP13 – High Quality Design
- CP14 – Effective Uses of Land
- CP16 – Biodiversity
- CP17 – Flood Risk
- CP20 - Heritage and Landscape Character
- CP21 – Infrastructure and Community Benefit

Winchester Local Plan Part 2 – Development Management and Site Allocations (LPP2)

- DM1 – Location of New Development
- DM7 – Town, District and Local Centres
- DM15 – Local Distinctiveness
- DM16 – Site Design Criteria
- DM17 – Site Development Principles
- DM18 – Access and Parking
- DM19 – Development and Pollution
- DM20 – Development and Noise
- DM24 – Special Trees, Important Hedgerows and Ancient Woodlands

Supplementary Planning Guidance:

- High Quality Places March 2015

National Planning Policy Guidance/Statements:

- Revised National Planning Policy Framework (2019)

04. 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.

05. 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.

06. 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

07. 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

08. It is important to ensure that the long-term maintenance and responsibility for Sustainable Drainage Systems is agreed between the local planning authority and the applicant before planning permission is granted. This should involve discussions with those adopting and/or maintaining the proposed systems, which could include the Highway Authority, Planning Authority, Parish Councils, Water Companies and private management companies. For SuDS systems to be adopted by Hampshire Highways it is recommended that you visit the website at: https://www.hants.gov.uk/transport/developers/constructionstandards for guidance on which drainage features would be suitable for adoption. Where the proposals are connecting to an existing drainage system it is likely that the authorities responsible for maintaining those systems will have their own design requirements. These requirements will need to be reviewed and agreed as part of any surface water drainage scheme

08. A formal application for connection to the public sewerage system is required in order to service this development. Please read the Southern Water New Connections Services Charging Arrangements documents via the following link https://beta.southernwater.co.uk/infrastructure-charges.

09. A formal application for connection to the water supply is required in order to service this development. For further advice, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119), www.southernwater.co.uk or by email at developerservices@southernwater.co.uk.

Appendix 1

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Comments from Whiteley Town Council:

Please return this form to the Case Officer: Simon Avery

From:	Whiteley Town Council
Case No	19/01194/FUL
Location	Whiteley Town Centre Whiteley Way Whiteley
Proposal	Multi-storey car park over 4 floors, a new 2 storey retail block (Use Classes A1; A2; A3; A4; A5 & D2) with space for provision of a mezzanine floor, new signalised junction works on Bluebell Way, external works with changes to existing surface car parking and landscaping.

Object: The Town Council supports the principle of providing additional car parking as it is urgently needed. However the proposed site will have significant negative impacts on the residential area that adjoins this part of the town centre due to its domineering presence at the entrance to Marjoram Way and its overbearing proximity to Angelica Way due to its height and bulk.

The private service road to the proposed car park currently suffers congestion which results in poor air quality at peak times. This will be exacerbated if additional parking capacity is provided in this location.

It is not clear how the proposals for the car park will seek to minimise the impact of noise, light and air quality for the adjoining residential area and pedestrian routes to the shopping centre during its proposed opening times. Further information is required if it is agreed to progress the scheme in this location.

The proposal to signalise the junction with Bluebell Way is fully supported to ensure those leaving the shopping centre do not choose to turn left and left again through Thyme Avenue and the residential area to avoid waiting to turn right.

Signed: N Oliver, Town Clerk

Date 25.7.19

Comments on amended plans:

Case No: 19/01194/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Please return this form to the Case Officer: Simon Avery

From:	Whiteley Town Council
Case No	19/01194/FUL
Location	Whiteley Town Centre Whiteley Way Whiteley
Proposal	Multi-storey car park over 4 floors, a new 2 storey retail block (Use Classes A1; A2; A3; A4; A5 & D2) with space for provision of a mezzanine floor, new signalised junction works on Bluebell Way, external works with changes to existing surface car parking and landscaping.

Comment: the applicant's responses to the Town Council's objections are noted. The Town Council maintains the views submitted in its previous response and requests that the application is heard by the Planning Committee if the officer is minded to grant permission using delegated powers.

Signed: N Oliver, Town Clerk

Date 9.1.20