
Site Address:	Grainger Development Site Land West of, London Road, Waterloooville		
Proposal:	Non Material Amendment Changes relating to APP/10/00828 (and 10/02862/OUT) for land use, building heights and density parameter plans.		
Application Type:	Non-material change		
Application No:	APP/23/00122	Expiry Date:	15/03/2023
Applicant:	Mr Kayani West Waterloooville Developments/Grainger Plc		
Agent:	Ms Bryony Stala Savills	Case Officer:	Arleta Miszewska
Ward:	Waterloo		

Recommendation: **GRANT PERMISSION**

1 Site Description

Grainger Development Site Land West of, London Road, Waterloooville

- 1.1 The application site forms a part of wider development site in West Waterloooville area.
- 1.2 The development was granted an outline planning permission for approximately 2,550 dwellings in 2012. The permission was granted subject to conditions and a legal agreement.
- 1.3 Subsequently, a number of reserved matters applications have been since approved and development is advanced on site.
- 1.4 This application refers to land to the west of the Berewood Primary School and is approximately 1ha in size. The land was identified on the submitted plans and Design and Access Statement as land to be used for educational purposes in association with the Berewood Primary School.
- 1.5 However, at the outline stage it was also recognised that the land may not be required by HCC Education for the expansion of the school. This is reflected in the signed legal agreement associated with the outline permission and in particular clauses 25.21 onwards referring to the Northern Primary School Extension Land and the release of the land to the developer for purposes other than educational, in certain scenarios.

2 Relevant Planning History

APP/10/00828 - Outline application for the development of approx 2,550 no. dwellings including the construction of a new access from Ladybridge Roundabout, Milk Lane and completion of Maurepas Way access, a local centre (comprising retail, community building, land for health care, land for elderly care) public house, land for 2 primary schools, land for a nursery, land for employment uses, associated amenity space along with substantial green infrastructure, SuDS, land for allotments, main pumping station, land for cemetery, restoration of River Wallington, together with landscape structure planting (Matters for Approval Access only). Full planning application for the

development of Phase 1 comprising 194 no. dwellings, internal roads, garages, driveways, pathways, boundary treatment, substation, pedestrian/cycle ways, including to Maurepas Way, associated parking spaces, flood attenuation ponds, temporary play provision, associated amenity space and hard and soft landscape works. Full planning for engineering operations associated with infrastructure requirements and service provision for the detailed Phase 1 application, the temporary closure of Havant Footpath No 11 and Southwick and Widley Footpath No 30, with suitable alternative route provided (approved 18/04/2012).

APP/12/00008 - Application for Third and Fourth Phases of residential development (219 dwellings, comprising 178 houses and 41 apartments) along with 17 live/work units (Reserved Matters application under outline planning condition 7 with relevant part clearance of outline planning conditions 6, 21, 22 and 24 of outline Permissions 05/40000/000 (Havant) and 05/00500/OUT (Winchester) which provide for the development of land for residential (450 units), live/work (24 units), employment (7.1 ha including B1, B2 and B8 and a Household Waste Recycling Centre), mixed use including retail, food and drink, financial/professional & health, open space/recreational purposes & the construction of two accesses from Hambledon Road). , PERM,28/06/2012

APP/14/00032 - Reserved Matters Application for 246 residential dwellings, phase 2 of the Berewood development within the West of Waterlooville MDA development (to meet the requirements of Condition 6), together with discharge of Conditions 3 (Compliance with outline documents), 4 (Compliance with Design Code), 11 (noise mitigation) and 16 (Construction Management Plan), of Outline permission APP/10/00828., PERM,24/06/2014

APP/14/00061 - Reserved Matters Application for landscaping of Phase A of the Town Park (under Condition 6(i)d), together with discharge of Condition 6(ii)(f)(ecological mitigation) and condition 3 (Compliance with outline documents) of Planning Permissions APP/10/00828., PERM,22/07/2014

APP/14/01234 - Application for Non-material changes to Planning Permission APP/10/00828 relating to substitution of Dark Heather roof tile to Heather Blend and request to amend proposed dormers on plots 16-19 from flat roof to pitched., PERM,19/12/2014

APP/15/01399 - Application for non-material change to Planning Permission APP/10/00828 Design Code relating to kerb stones (Employment Hub only) and carriageways (site wide)., PERM,12/01/2016

APP/16/01211 - Reserved Matters Application for approval of details relating to access, layout and landscaping of Phase A of the Town Park under Conditions 6(i) (a), (c) and (d) of Planning Permission APP/10/00828 and WCC 10/02862/OUT (revision to scheme previously approved under reference APP/14/00061 and WCC 14/00092/REM)., PERM,30/05/2017

APP/16/01260 - Application for non-material amendment to APP/10/00828 and related Design Code 2013 to allow minor changes to the fenestration and door materials. , DEL,

APP/16/00969 - Application for non-material change to Planning Permission APP/14/00032 relating to eave break feature on front elevation of Block B and E., PERM,14/05/2018

APP/18/00483 - Outline application for the development of approx 2,550 no.dwellings including the construction of a new access from Ladybridge Roundabout, Milk Lane and completion of Maurepas Way access, a local centre (comprising retail, community building, land for health care, land for elderly care) public house, land for 2 primary schools, land for a nursery, land for employment uses, associated amenity space along with substantial green infrastructure, suDs, land for allotments, main pumping station, land for cemetery, restoration of River Wallington, together with landscape structure planting (Matters for Approval Access only). Full Planning Application for the

development of Phase 1 comprising 194 no. dwellings, internal roads, garages, driveways, pathways, boundary treatment, substation, pedestrian/cycle ways, including to Maurepas Way, associated parking spaces, flood attenuation ponds, temporary play provision, associated amenity space and hard and soft landscape works. Full planning for engineering operations associated with infrastructure requirements and service provisions for the detailed Phase 1 application, the temporary closure of Havant footpath No 11 and Southwick and Widley Footpath No 30, with suitable alternative route provided., UNK,21/05/2018

APP/18/01317 - Reserved Matters Application for Access, Landscaping and Layout, pursuant to outline application APP/10/00828 for approval of landscape detail, access and levels at Berewood Town Park Phase B. (Winchester City Council Outline Application reference 10/02862/OUT and Reserved Matters reference 19/00008/REM), PERM,17/04/2019

APP/19/00302 - Application for non-material change to Planning Permission APP/14/00032 relating to change of house type of Plot 1 from Tower house type to Shaftesbury house type and associated double garage., PERM,12/04/2019

APP/20/01055 - Reserved Matters Application for Town Park Phase B, under 6 (i) a), b), c) & (d) conditions 3, 4, 6 (ii) a) b) e) f) i), 7, 10 and 11 of planning consents APP/10/00828 (and WCC 10/02862/OUT) and in accordance with section 9 (Open Space) of the S106., DEL,

APP/21/01259 - Reserved Matters Application for development within Berewood Phase 3b comprising 122 dwellings in total (20 of which are located within the Borough of Havant) associated amenity space, access, garages, parking, internal road, pathways and associated landscaping (matters of layout, appearance, access, landscape and scale) pursuant to application ref: APP/10/00828.

Discharge of conditions 3, 6, (ii) a, b, d, e, f, h, l, j, k, l, m, n, 7, 11, 16 and 1. Request to discharge condition 5 (20.10.22). Request to discharge condition 4 (10.1.23). , PERM,13/10/2022

APP/22/01123 - Formation of a construction access for a temporary period of 5 years, to facilitate construction for the West of Waterlooville Development approved under planning ref: APP/10/00828., DEL,

3 Proposal

- 3.1 Non Material Amendment relating to APP/10/00828 for land use, building heights and density parameter plans.
- 3.2 The application seeks permission to amend parameter plans (including Land Use, Residential Density, Movement, Open Space, and Phasing plan) approved under an outline planning permission for the development of approx 2,550 no. dwellings (APP/10/00828).
- 3.3 The amendment would allow for the land currently shown on the approved plans as land allocated for the Berewood Primary School expansion to be developed for residential purposes under the parameters of the outline consent.

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS9 Housing
CS17 Concentration and Distribution of Development within the Urban Areas
CS18 Strategic Site Delivery

Havant Borough Local Plan (Allocations) July 2014
AL1 (Presumption in Favour of Sustainable Development)

Listed Building Grade: Not applicable.
Conservation Area: St Johns

5 Statutory and Non-Statutory Consultations

5.1 HCC Education

No further comments to make.

5.2 Winchester City Council

No response received.

6 Planning Considerations

- 6.1 This application has been submitted under Section 96A of the Town and Country Planning Act which allows a local planning authority to make a change to any planning permission if they are satisfied that the change is not material. The Government has advised that the requirements for design and access statements, publicity and consultation, and to take reasonable steps to identify unknown owners, would have applied to the original application if relevant. Therefore, those requirements do not apply to this type of application. The Government have advised that Local Planning Authorities must have regard to the effect of the change when determining where the proposal is a 'non-material' amendment.

(i) Principle of development

- 6.2 The principle of the development has been established by the outline planning permission for the development, the residential part of which is located within Havant Borough Council area.
- 6.3 The future possibility of the application site being used other than for educational purposes was considered acceptable at the outline stage. This is reflected in the accompanying legal agreement that includes clauses predicting scenarios where the HCC Education department no longer required the land to be used for a school expansion. In particular, clause 25.21, which states that:

25.21 The Developer agrees that the Northern Primary School Extension Land shall be kept free from encumbrances and development from the date hereof until the earlier of:

25,21.1 the date on which the Southern Primary School has been opened as a Primary School; or

25,21.2 the date on which the County Council confirms in writing that it no longer requires use of the Northern Primary School Extension Land

PROVIDED THAT nothing in this Clause shall prevent the Developer granting to the County Council the lease or licence contemplated in Clause 25.21.

- 6.4 The current submission states that HCC Education have confirmed this land is not required to be used by the school. HCC Education have been consulted on this

application and raised no concerns. It is noted that the Design and Access Statement submitted with the outline planning permission shows the land in question as educational. However, it is also noted that Condition 3 imposed on the outline permission requires detailed development (reserved matters) to be carried out in "substantial accordance with the Design and Access Statement". Therefore, it is concluded that the principle of the proposal is acceptable, and the wording of Condition 3 allows a degree of flexibility to accommodate the amendment.

- 6.5 Finally, in the context of the entire development approved at the outline stage, the Local Planning Authority is satisfied that the proposed change can be considered as a 'non-material' amendment.

(ii) The impact of the land being used for residential development

- 6.6 The proposal would result in land currently allocated for educational development to be developed for residential purposes under the parameters of the outline consent. The submission confirms that the residential use proposed on the land would not result in an increase of the overall number of the originally approved dwellings on the entire application site. Furthermore, the submission includes a statement of conformity with the Environmental Statement submitted with the outline application APP/10/00828, which assessed a development consisting of 2,650 dwellings. It is also noted that the possibility of this land being developed for residential purposes has been addressed in the associated legal agreement.
- 6.7 Based on the information submitted, it is considered that the proposed amendment would not result in demonstrably harmful impacts on educational provision, natural environment or highway safety in Havant. Other impacts, such as the effects of a residential development on the amenity of adjacent neighbouring properties can be addressed through design and appropriately worded planning conditions at a reserved matters stage.
- 6.8 Therefore the proposed non-material amendment is considered to be acceptable and is recommended for approval.

7 Conclusion

- 7.1 Overall, the proposed use of the educational land for residential purposes would not increase the overall number of dwellings on the site and is considered not to result in a material change to the extant planning permission. HCC Education have raised no objection to the release of educational land for residential development. Therefore, the proposed change is recommended for approval.

8 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/23/00122 subject to the following conditions:

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Land Use Parameter Plan – SK16 Rev H
Building Heights Parameter Plan – SK19 Rev G

Building Density Parameter Plan – SK20 Rev E

Reason: - To ensure provision of a satisfactory development.