

SNPL262227

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Dear Jeff

**APPLICATION FOR NON-MATERIAL AMENDMENT TO PLANNING APPLICATION
10/02862/OUT and APP/10/00828**

(APPLICATION UNDER SECTION 96A TCPA 1990)

I write on behalf of West Waterlooville Developments/ Grainger Plc, hereafter referred to as Grainger. Please find attached the following information submitted in support of a Non Material Amendment (NMA) to Planning Application 10/02862/OUT and APP/10/00828.

This letter sets out the context of the existing consent, the nature of the proposed amendments and the rationale and necessity for the change.

In addition to this letter, the application submission consists of:

Application form
Updated parameter plans
Fee of £266.20

Application Context

Berewood Major Development Area

The Berewood development (or West Waterlooville MDA as it was known) was allocated in the Winchester and Havant Local Plans for a neighbourhood of approximately 2,550 dwellings and associated uses, including retail and employment uses, two primary schools, community uses and open space. The application has subsequently been taken forward in the Winchester City Council Local Plan Part 1 (2013) and Havant Borough Council Local Plan (Allocations) document in 2013.

A hybrid application, including parameter plans for the site, as submitted to Winchester City Council and Havant Borough Council, was formally approved in March 2012, following the signing of the section 106 legal agreement (referenced 10/02862/OUT and APP/10/00828 respectively).

The approved parameter plans comprised Land Use, Residential Density, Movement, Open Space, and Phasing parameters.

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Proposed Amendments

The scope of the proposed amendments comprises an amendment to the Land Use, Building Density, and Building Heights Parameter plans to lawfully allow for the development of residential development to be developed within the school expansion land and within Phase 7, under the parameters of the outline consent.

School Extension Land

In conversations with HCC Education, it has been confirmed that the Northern Primary School Extension Land will not be required for use by the school. As such, in accordance with the requirements of the Berewood S106 agreement (clause 25.1 onwards) the land can be confirmed for release to the developer. On this basis, Grainger wishes to pursue a reserved matters application for residential development on this parcel of land. I attach appendix 3 of the S106 which identifies the extent of this land.

The school extension land sits adjacent to the approved Redrow residential development of phase 9. The proposed dwellings will be accommodated within the approved 2,550 dwellings of the outline consent (2,650 as tested in the ES) and will accord with all other parameters of the outline consent in terms of density, along with meeting design code requirements. The updated parameter plans have therefore been amended to allow for residential development in this location, whilst retaining the reference to its use as school extension land so as not to require amendments to any other documents of the approved outline consent.

It is evident in conversations with the Council over recent years, that there was an intention for residential dwellings to be developed on the school extension land should it not be needed for education use, with high-level capacity testing carried out during the preparation of the outline application to assist in informing the masterplan work for the extant outline consent. Furthermore, the site forms a logical extension to the residential parcels of Phase 9.

The Building Density and Building Heights parameter plans have been updated to align the school expansion land with the density and heights agreed upon for the adjacent Phase 9 development. As with the updates proposed to the Land Use parameter plans, the amendments are made to ensure lawful development of the school extension land can be carried out within the parameters of the outline consent.

Phase 7

Upon review of the approved parameter plans it was noted that whilst Phase 7 (Plant Farm) is identified on the residential density parameter plan and the phasing parameter plan as accommodating residential development, the land use parameter plan refers to the parcel as being for leisure use only. Therefore, in order to correct this error the land use parameter plan has been updated to reference both leisure and residential use for phase 7.

It is evident in all of the outline submission documents that there was an intention for residential development to be developed within Phase 7 and as such, it is considered likely that full consideration of the impacts of residential development in this location was fully considered at the time the original ES was written and the consent approved. This has been confirmed by the relevant consultants in the Statement of Conformity to the Environmental Statement, as below.

No other changes are proposed.

Statement of Conformity with the Environmental Statement

Grainger's consultant team has confirmed that the proposed amendments to the parameter plans as described in this letter do not change the conclusions of the outline Environmental Statement. As such, following the approach of this NMA, all future Reserved Matters applications will be in full accordance with the Environmental Statement submitted with outline applications 10/02862/OUT and APP/10/00828.

Summary

The land use, building density and building heights parameter plans as appended to the Environmental Statement of applications 10/02862/OUT and APP/10/00828 have been updated to reflect the required changes to the scheme, as detailed in this letter.

The applicant understands that the definition of non-material is the responsibility of the planning authority to determine. Indeed, the judgment on 'materiality' in any particular case is one of fact and degree. In this case, it is maintained that the changes to the consented scheme do not constitute 'material' amendments and sit comfortably within the intent of the original consent.

The NMA will not necessitate a change to the description of the outline consent and reflects the principles and retains parameters of the outline consent, and the intent set out within the S106 document to allow the school expansion land to be released for development should it not be required for education purposes.

There is a strong delivery rationale for these limited revisions (or corrections) to the consented development. Further, the proposed amendments will not materially change the scale or nature of the approved development. As such, it is appropriate in these circumstances to consider them as non-material amendments to the approved outline consent under section 96A of the TCPA.

Submitted plans

Approved Drawing Reference	Updated Drawing Reference
Land Use Parameter Plan – SK16 Rev F	Land Use Parameter Plan – SK16 Rev H
Building Heights Parameter Plan – SK19 Rev D	Building Heights Parameter Plan – SK19 Rev G
Building Density Parameter Plan – SK20 Rev D	Building Density Parameter Plan – SK20 Rev E
Movement Parameter Plan – SK17 Rev D	N/A
Open Space Parameter Plan – SK18 Rev E	N/A
Strategic Phasing Parameter Plan – P25 Rev A	N/A

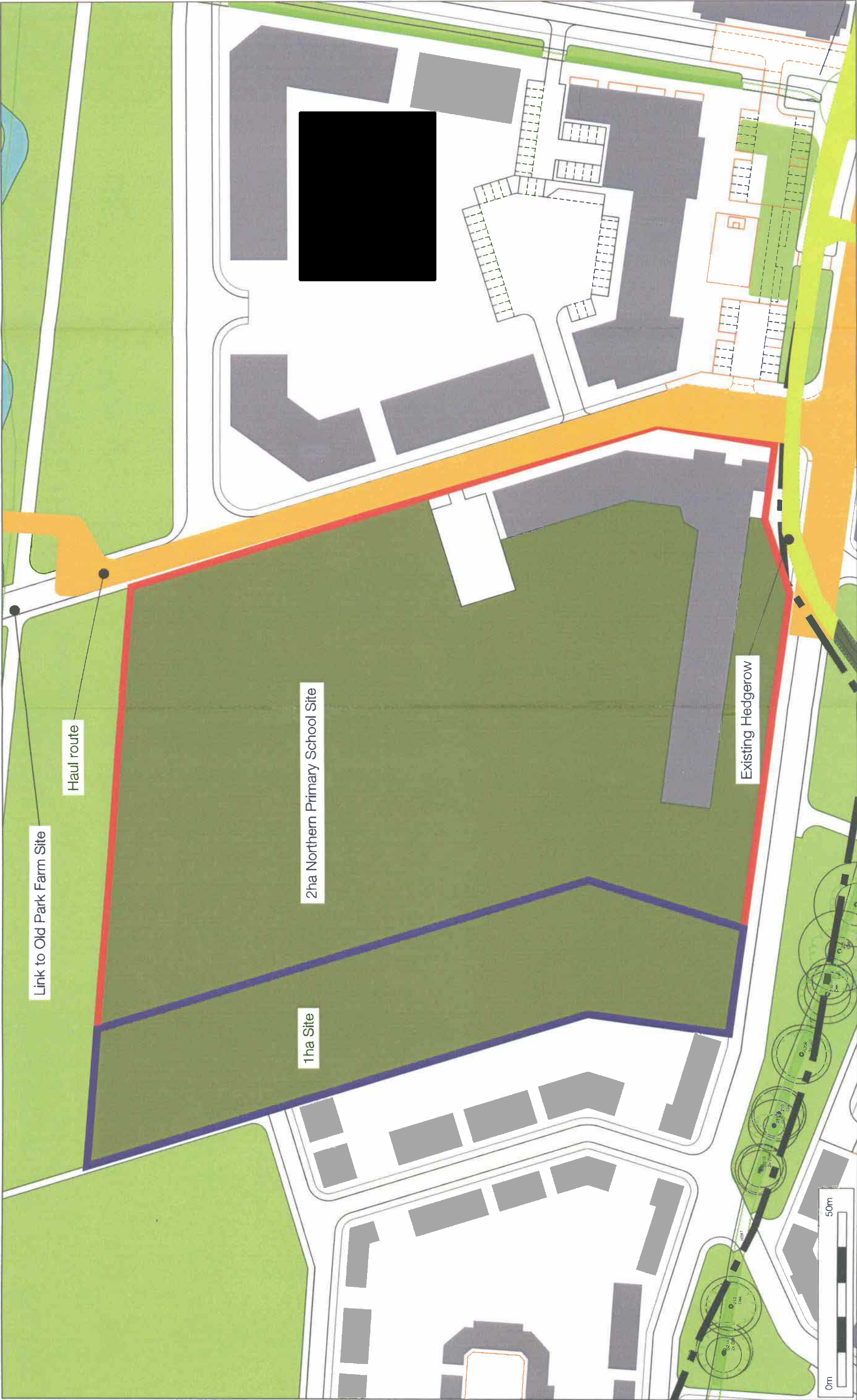
If you require any information regarding this application, please do not hesitate to contact me.

Yours sincerely



Bryony Stala
Savills Planning

Encs



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job no.	SNUD 183989
drawing no.	S106/5
scale	1:1000 @ A3
date	25/08/2011
drawn by	AP
check by	PF

Northern Primary School

