



DRAFT PORTFOLIO HOLDER DECISION NOTICE

PROPOSED INDIVIDUAL DECISION BY THE PORTFOLIO HOLDER FOR PLANNING & TRANSPORT

TOPIC – DRAFT WEST FULFLOOD & ORAM’S ARBOUR NEIGHBOURHOOD DESIGN STATEMENT

PROCEDURAL INFORMATION

The Access to Information Procedure Rules – Part 4, Section 22 of the Council’s Constitution provides for a decision to be made by an individual member of Cabinet.

In accordance with the Procedure Rules, the City Secretary and Solicitor, the Chief Executive and the Director of Finance are consulted together with Chairman and Vice Chairman of the Principal Scrutiny Committee and all Members of the relevant Scrutiny Panel (individual Ward Members are consulted separately where appropriate). In addition, all Members are notified.

Five or more of these consulted Members can require that the matter be referred to Cabinet for determination.

If you wish to make representation on this proposed Decision please contact the relevant Portfolio Holder and the following Committee Administrator by 5.00pm on Tuesday 27 February 2007.

Contact Officers:

Case Officer: Steve Opacic, Tel: 01962 848 101, Email: sopacic@winchester.gov.uk

Committee Administrator:

Frances Maloney, Tel: 01962 848 155, Email: fmaloney@winchester.gov.uk

SUMMARY

A draft Neighbourhood Design Statement (NDS) has been produced for the West Fulflood and Oram’s Arbour area of Winchester. In order for this document to carry weight in the planning decision-making process it needs to be adopted by the City Council as a ‘Supplementary Planning Document’. The procedures for adoption require formal consultation on draft Neighbourhood Design Statements and this decision relates to the approval of the draft West Fulflood & Oram’s Arbour NDS for consultation.

The draft NDS has been produced with some assistance from consultants (Atkins), appointed by the City Council and funded from Planning Delivery Grant, to assist local groups in producing VDS/NDSs.

PROPOSED DECISION

That the Portfolio Holder for Planning authorises the publication of the draft West Fulflood & Oram’s Arbour Neighbourhood Design Statement for public consultation, such consultation to accord with the relevant requirements of the Town & Country Planning (Local Development) (England) Regulations 2004.

REASON FOR THE PROPOSED DECISION AND OTHER ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

The City Council encourages the production of Village Design Statements and Neighbourhood Design Statements by local communities so as to improve the quality of development in local areas and public involvement in the planning process. In order to carry weight in determining planning applications, such Statements need to be adopted by the City Council as Supplementary Planning Documents (SPD). The Town and Country Planning (Local Development) (England) Regulations 2004 set out various requirements which must be followed when producing and adopting SPD, including in relation to public consultation on draft proposals. Failure to meet these requirements could either prevent the City Council from adopting the Neighbourhood Design Statement as SPD or lead to its validity being challenged.

An alternative to formal adoption as SPD would be for the Council to informally adopt or endorse the NDS. This approach has been adopted for certain site-specific briefs/plans such as the Old Station Yard Sutton Scotney Development Brief and the Cathedral Close Masterplan. However, an informally adopted document will be a less weighty material consideration in determining planning applications and appeals, as the formal adoption processes required of SPD have not been followed. While this may be an acceptable approach for a site-specific brief/plan such as those mentioned above, which have been produced by landowners/prospective developers, it would not confer sufficient weight to a document such as a NDS, which aims to influence planning applications and decisions by others, and to be a robust source of guidance for use, where necessary, in planning appeals. The option of informal adoption or endorsement is, therefore, not considered appropriate for Village Design Statements or Neighbourhood Design Statements.

This draft NDS has been produced by a group of local people, in consultation with residents, officers and Councillors. The group has also has some assistance from the Council's consultants, Atkins, and City Council officers. The NDS has been through several drafts and is now in a form which officers are able to recommend for consultation. Because of the size of the document, copies of the draft NDS are available to view on the website at www.winchester.gov.uk

The draft NDS generally accords with, and supplements the policies of, the newly-adopted Winchester District Local Plan. It has a particular emphasis on conserving the character of the area. It meets the various requirements for Supplementary Planning Documents, for example through the inclusion of a community involvement statement and a Sustainability Appraisal.

FURTHER ALTERNATIVE OPTIONS CONSIDERED AND REJECTED FOLLOWING PUBLICATION OF THE DRAFT PORTFOLIO HOLDER DECISION NOTICE

N/A

DECLARATION OF INTERESTS BY THE DECISION MAKER OR A MEMBER OR OFFICER CONSULTED

None

DISPENSATION GRANTED BY THE STANDARDS COMMITTEE

N/A

Approved by: (signature)

Date of Decision

Councillor Keith Wood – Portfolio Holder for Planning & Transport