

Winchester City Council EIP Further modifications Written submission on behalf of respondent 3440 – North Whiteley Consortium

Introduction

We write on behalf of our client, the North Whiteley Consortium (respondent no. 3340), to provide comment on the schedule of further modifications proposed by Winchester City Council (dated 12 November 2012) and the accompanying track changed Winchester District Local Plan Part 1, version 3. We confirm our position remains unchanged and previous representations and evidence submitted to the EIP remain valid and are not duplicated in full here.

We welcome a number of proposed modifications, there are however, a number of amendments / additional comments that we feel are necessary to improve the robustness of the Local Plan Part 1, whilst it is disappointing to note that a number of our previously suggested changes appear to have been overlooked.

Modification 2.1: Paragraph 2.11

We support the amendment to Paragraph 2.11, which reflects our suggested wording and the role of mitigation in helping to avoid any adverse impacts.

Modification 2.4: Policy DS1

We refer to paragraph 1.14 of our Matter 1 statement that confirms constraints analysis and sound master plan testing has suggested the North Whiteley site is capable of delivering more than 3,000 houses. Coupled with viability work undertaken to date we would suggest that the evidence base supports a revision to the policy to support about 3,500 new homes at North Whiteley.

Whilst we note flexibility is now incorporated within the WCC proposed wording, in light of the above our preference is for the wording proposed by the North Whiteley Consortium in our Matter 1 statement to be adopted, this sought:

- In relation to the South Hampshire Urban Area seeks for “two sustainable new neighbourhoods to provide **a minimum of 5,500 new homes...**”
- **There shall be an early review of housing targets** (together with inclusion of supporting text to justify policy recognizing NPPF and census data). The justification for this change is provided in our previous representations.

Modification 2.10: Paragraph 3.51 – Botley bypass

The revision to paragraph 3.51 to clarify the Council's position on the proposed Botley bypass is welcomed. However, we note that based on the current available evidence base there is no evidence to support the delivery of a Botley bypass.

Modification 2.12: Policy SH1

We note the alternative wording proposed by the Council at modification 53: “40% should be affordable” is significantly preferable to the Council's revision “40% is expected to be affordable”.

However, the Council's changes do not go far enough for the following reasons:

- As noted above we would suggest the evidence base supports a revision to policy to support about 3,500 new homes at North Whiteley site. We refer to paragraph 1.10 of our Matter 3 statement and the revised wording proposed for Policy SH1 by the North Whiteley Consortium which suggested the following replacement text: "A new community to the North of Whiteley consisting of **about 3,500 homes (to be guided by master planning), with a target of between 30% and 40% to be affordable (ultimate affordable provision to be informed by viability)**, which supports...."
- Policy SH1 should reflect the flexibility in Policy CP3 provided by the direct reference to viability: "***unless this would render the proposal economically unviable***". The Council is aware of the Consortium's position that 40% may not be achievable at North Whiteley as evidenced by the EC Harris viability report. The Council accepts this position and it is agreed that a planning application is the correct forum to examine such detail

Policy CP1

To ensure consistency with approach highlighted above the North Whiteley Consortium suggest a revision to Policy CP1 to support **about 3,500** new homes at North Whiteley and **early review of housing numbers**.

Modification 2.15: Policy SH3

2nd bullet of SH3:

We support this proposed modification, which adds flexibility to reflect that there may already be adequate provision for primary health care facilities. As we have previously advised, the evidence base confirms there is adequate GP capacity available at North Whiteley. It is therefore anticipated that no further health facilities will be required.

6th Bullet to SH3:

The North Whiteley Consortium notes the proposed modification to the 6th bullet point and considers that this provides certainty to the Highways Agency (HA) that the allocation will need to include an improvement scheme at J9 of the M27, to be agreed by both Hampshire County Council (HCC), as the Local Highway Authority, and the HA.

Technical discussions remain ongoing with HCC and the HA on the transportation evidence base to support the forthcoming planning application, which is expected to be submitted Q1 2013. This includes the transport strategy and associated infrastructure requirements, identified in the Access and Movement Strategy previously submitted to the EiP. Both HCC and the HA have confirmed their in-principle agreement to this document.

These technical discussions also include detailed traffic modelling and we have shared with WCC, HCC and the HA the forecast modelling, which includes:

- 3,500 dwellings at North Whiteley and associated community uses;
- Committed development (including that within Whiteley as well as Eastleigh and Fareham Boroughs); and
- The proposals contained within the Access and Movement Strategy, including the identified improvement scheme at J9 of the M27 (vehicular capacity enhancements, bus priority, and walk / cycle facilities across the M27).

These traffic modelling works are now largely agreed, with only minor residual points of clarification currently being discussed with HCC and the HA.

At the examination hearing, the HA stated that they required further detail on the queuing and delay at the junction before they could confirm that the proposed improvement would be acceptable to them. On this basis, PBA issued Technical Note 026 (M27, Junction 9 Capacity Assessment), to the HA, which set out this requested information. This Technical Note is appended to this representation.

The Technical Note demonstrates that, with full development at North Whiteley and implementation of the proposed scheme, there would be a significant improvement in the operational performance of the junction over the future base (without development or improvements at J9) with significantly reduced queuing on the slip roads and increased 'person capacity' with the bus priority, walking and cycling improvements. The proposals offer both capacity and safety improvements for all road users.

The proposed scheme mirrors that which the HA themselves have designed and tested (see the appended Technical Note 026), but with additional capacity due to the additional widening of the slips and wider benefits in terms of bus priority and wider accessibility.

The North Whiteley proposed scheme at J9 has been costed and included within the viability work undertaken by EC Harris and submitted to the examination.

At the Local Plan stage, both the NPPF (at Para 177) and the recently published HA Protocol ('The Highways Agency and the Local Plan Process: A Protocol for Local Authorities, Developers and the Highways Agency', Dec 2012, Page 3) state that there should be a *reasonable prospect* that planned infrastructure will be deliverable in a timely fashion.

The proposed infrastructure has been designed – It is deliverable.

The proposed infrastructure has been tested – It works.

The proposed infrastructure has been costed – It is affordable.

The proposed infrastructure is now identified within Policy SH3 – It is planned.

Additional comments on Policy SH3

To ensure the plan is sound the North Whiteley Consortium feel a number of further amendments (as highlighted previously) are necessary to improve the robustness of the Local Plan Part 1 these include:

- To ensure consistency with approach highlighted above revision to Policy SH3 to support **about 3,500** new homes at North Whiteley
- 10th bullet to SH3 – bullet should be deleted on the basis of lack of demonstrable need for clay resource and to ensure the delivery of the development at North Whiteley is not frustrated - justification provided by paragraphs 1.11 – 1.13 of our Statement to Matter 6.
- Paragraph 3.66 - As we have stated there is no evidence base to support the requirement for house types to be aligned to local employment opportunities at Solent Business Park. This reference in the plan should therefore be deleted.

Modification 2.16 and 2.44: Paragraph 3.73 and Appendix E

We strongly object to the additional text proposed at Paragraph 3.73 relating to the introduction of a new household waste-recycling centre. During the EIP hearing sessions it was confirmed that North Whiteley is not an appropriate location for this facility. The North Whiteley development will make a Section 106 contribution to waste facilities the same as any other development. It is therefore not appropriate for this text to be inserted at Paragraph 3.73 given that it is not specifically related to Policy SH3. The need for household waste provision is noted at Appendix E, which is the correct location. However given that it is a district wide need Whiteley should not be singled out.

Modification 2.17 and 2.46: Map 7 and Map 29N

The North Whiteley Consortium supports the amendment to Map 7 to amend the minor correction.

Modification 2.23 and 2.44: Paragraph 5.9 and Appendix 5

The table and housing trajectory should be updated to reflect the delivery of about 3,500 homes at North Whiteley

Modification 2.32: Paragraph 6.25

The North Whiteley Consortium notes the proposed modification to Policy CP10 and the included additional reference to the Transport Statement for Winchester District (Sept 2012). The North Whiteley Consortium confirms that its position remains unchanged from that identified within the previous submission in October 2012, as follows:

The North Whiteley Consortium supports Policy CP10. In relation to the North Whiteley development it is considered that the North Whiteley Access and Movement Strategy (AMS) submitted to the EIP sets out a robust strategy in line with the contents of this policy including:

- Locating / designing the development to reduce the distance needed to travel for all journey purposes.
- Encouraging non-car modes through a suite of measures including, transport management, new bus infrastructure, new walk and cycle infrastructure and travel planning.

- Improvements to existing highway infrastructure will be made where necessary to accommodate additional traffic and improve existing conditions.

The AMS for North Whiteley therefore provides a practical example of how Policy CP10 can support the NPPF and LTP in guiding the transport principles for sustainable development within the district.

Modification 2.33: Policies CP11

The North Whiteley Consortium object to the proposed modification to Policy CP11 for the following reasons:

The Government's consultation on the Building Regulations Part L (January 2012), section 197 states, "*there is no Government policy promoting any specific Code levels, let alone Code Level 6 (aside from Homes and Communities Agency funded schemes to be built at Code Level 3).*" It is also noted in the Building Regulation consultation "*In setting additional carbon policy aspirations relating to new housing, authorities need to take care to avoid confusing the Code and zero carbon policy.*"

A major problem with setting local requirements against Government zero carbon policy is that currently (December 2012) there are no up to date prescriptive **Government** definitions or metrics as to what constitutes as a zero carbon home.

The Government set up a quango known as the Zero Carbon Hub to research into various targets, metrics, approaches and costs to achieve 100% reduction in regulated energy demand (i.e. the demand regulated in the Building Regulations). The Zero Carbon Hub has presented a series of working papers, which recommend setting targets for fabric energy efficiency and concepts such as onsite carbon compliance level and allowable solutions.

The recent Building Regulation consultation in 2012 sets out future thinking on these issues. Such issues will be subject to consultation at an unknown date. Currently it is not known whether the Government are willing to commit to adopting such metrics and solutions that will add cost to developing new homes.

At this point setting a local authority policy against metrics that don't currently exist in national policy will mean the policy will become "out of date" as the Government's position becomes known. In addition to the above CP11 is based both on setting a high Code standard which is not a Government policy and significantly higher than the Government's future thinking of a zero carbon building standard. This appears to be contrary to the NPPF objectives.

To ensure that the policy is relevant against future Government changes we suggest the follow changes to Policy CP11:

All new developments are required to plan for future changes in the Building Regulations and Government's Zero Carbon Homes standards.

Planning applications are required to show how a new development has been designed in light of the energy hierarchy to reducing energy demand in the first instance, use energy more efficiently and finally supply low and zero carbon energy (where viable) to meet National standards set at the time of application.

In addition new homes are required to meet water efficiency standards of 105 litre / person per day.

Enc PBA Technical Note 026 (M27, Junction 9 Capacity Assessment)