

**Winchester District Local Plan Review**  
**Analysis of Representations on the Deposit Plan**

**CHAPTER 3: DESIGN & DEVELOPMENT PRINCIPLES**

**Summary of Representation.**  
***Change sought.***

**City Council's Response to Representation**  
***Change Proposed***

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**Issue 3.1**  
**Chapter 3 (General)**

**Representation:**

**East Hampshire District Council (1437/1)**

Support the strategy and objectives of the Plan which follow the principles of sustainable development and place the emphasis on a design led approach.

***Change sought – none.***

**J Hayter (138/19)**

Welcome the bringing together of design requirements but suggest various changes to make it clearer where Plan users should look for information, to simplify requirements for smaller scale developers, to eliminate duplication and to improve clarity.

***Change sought –***

*A: include additional text in introductory paragraphs to clarify application of design criteria (detailed text suggested):*

*B: re-order the Proposals to differentiate between smaller scale developments and larger developments:*

*C: include in the accompanying text advice to consult officers where there may be doubt whether 'smaller scale' applies.*

**Bishop's Waltham Society (212/2)**

Welcome the approach of bringing together all the design requirements and the information applicants must provide. Concerned that a difficult balance has to be struck between avoiding the need for greenfield development and not creating social and environmental problems due to over-crowded development and the design principles are not sufficiently definitive to fix where that line is being drawn.

The non-planning policies and resources have not been committed to ensure that the reduced parking provisions can be met without unacceptable environmental and traffic flow impacts on the streets. Certain key requirements have been omitted. Commend the suggestions made by J Hayter to simplify this Chapter, particularly for smaller scale schemes.

**City Council's Response to Representation**

The support is welcomed.

It would be very difficult to produce different sets of guidance for small and large-scale developments without introducing an unnecessary level of duplication. Even then, some specific floorspace/unit sizes would be needed to define what is small or large-scale. These are likely to be arbitrary and to introduce complication whilst not achieving any significant advantages. Instead the Plan gives guidance that distinguishes, where necessary, between small and large-scale developments and the requirements of them (e.g. paragraphs 3.11-3.15). The Plan is already clear that its design requirements and design-led approach should apply to all new development and this approach is considered the most appropriate. If the complication of differentiating between small and large-scale sites is not added into the Plan, there will be no need to include a reference suggesting that people consult officers for advice on how to interpret it.

It is accepted that the balances that the Plan has to strike are difficult ones, and they will ultimately have to be made in determining individual planning applications. Given the variety of circumstances likely to be involved in determining the many applications that will be received over the Plan period, it is concluded that the Plan goes as far as is realistic in specifying how these balances should be drawn.

Whilst the increased levels of traffic on rural roads and the damage this can cause to rural character are of concern, these cannot be a justification for resisting change in rural (or urban) areas. Respondent 1216 suggests that development should only be approved if there is adequate capacity on the principal road network. Whilst it may be ideal if traffic used only principal roads, it will not be possible to show that most developments in rural areas have any discernible impact on principal roads, let alone justify refusal if the nearest principal road does not have adequate capacity. In any event, most principal roads have more than adequate capacity at most times and it is often only in occasional circumstances or peak periods that traffic diverts from main roads onto rural roads in any quantity.

It is accepted that a reference to the Government's companion guides to PPG3 would be useful and it is proposed that references be added in paragraph 3.6.

***Change Proposed – paragraph 3.6:***

*Such an approach can be most successful when principles of townscape and landscape-driven design are applied to individual sites, rather than by the use of general planning standards, which are subject to varying interpretation and, in previous plans, have required adaptation in their application to particular 'character areas'.*

*Government advice (PPG3: Housing) emphasises the importance of good quality design and layout and imaginative designs that do not compromise the quality of the environment. The Government has produced several 'companion guides' to accompany PPG3, including "By Design" and "Better Places to Live", which provide useful guidance which developers should follow.*

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***Change sought – not specified.***

**P S Middleton (1216/1)**

No provision has been made in the Design and Development Principles Chapter to recognise the damaging effects of increased rural road use by traffic generated by new development. Adequate capacity on the principal road network should be the test to be satisfied before consent is granted.

***Change sought – not specified.***

**GOSE (261/17)**

To foster urban renaissance and promote good quality design, the Plan should include a reference to the Companion Guides to PPG3 entitled 'By Design' and 'Better Places to Live'.

***Change sought – not specified.***

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**Issue 3.2**  
**Paragraph 3.4**

**Representation:**

**Littleton & Harestock Parish Council (1439/5)**

Support paragraph 3.4.  
***Change sought – none.***

**Holmes & Sons (287/11)**

The first bullet-point at Paragraph 3.4 should be expanded to include reference to the need to meet the Structure Plan (Review) housing target for the district.

***Change sought - amend paragraph 3.4, to introduce a reference to meeting Structure Plan requirements.***

**Berkeley Strategic Land (210/7)**

The Plan's Strategy of concentrating development within the built-up areas is not sustainable and, as well as causing a loss of certain open areas and other significant features, will overload urban roads, public transport, services and facilities.

***Change sought – revisions to ensure a more fully sustainable utilisation and protection of resources.***

**City Council's Response to Representation**

The support is welcomed.

The Plan's obligation to meet the housing requirements of the Hampshire County Structure Plan (Review) is already stated quite clearly, in the Strategic Requirements section of the Housing Chapter, in Proposal H.1 and in the Plan's Strategy (paragraph 2.18).

The main aim of the Plan's development strategy is to contribute to sustainable development by avoiding the wasteful use of land, natural resources and energy and by carefully controlling the amount, type and location of development. An important aspect of this strategy is to make the best use of land and buildings in the District's built-up areas as well as putting an increasing emphasis on accessibility to local services and facilities, education and employment and to the public transport network. Such a strategy, which is based on the "concentration" of new development, as opposed to its further "dispersal", is also based on the objective of maintaining and, wherever possible, enhancing the usefulness and viability of local services and facilities.

***Change Proposed – none.***

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**Issue 3.3**

**City Council's Response to Representation**

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***Change sought.***

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<p><b><u>Paragraphs 3.3 – 3.15</u></b></p> <p><b>Representation:</b></p> <p><b>P Warner (1249/1)</b> Support paragraphs 3.3-3.15. <b><i>Change Sought – none.</i></b></p> <p><b>Estates Practice, Hampshire County Council (1434/7)</b> Support paragraphs 3.5-3.10. <b><i>Change Sought – none.</i></b></p> <p><b>Bewley Homes (386/3)</b> The decision not to include a protective policy proposal, along the lines of Proposal EN.1 in the adopted Plan, undermines the strategy of a “design-led” approach and would, therefore, be contrary to Government Guidance contained in PPG.1 &amp; PPG.3. <b><i>Change sought – reappraise the character areas currently subject to Proposal EN.1 and include a proposal which carries forward this type of designation.</i></b></p> <p><b>GOSE (261/6)</b> In order to make clear the policy approach which is being adopted, paragraph 3.5 should be amended to make clear that this is a “design-led” policy approach. <b><i>Change sought – not specified.</i></b></p>	<p>The support is welcomed.</p> <p>The proposed policy approach which the Plan contains is necessary in order to increase the use of previously developed land, particularly in relation to housing. However, to balance this by achieving high standards of design and the integration of new development, the Plan also incorporates a design-led approach to ensure that every development proposal, of whatever scale, responds positively and sympathetically to the particular characteristics of its site and surroundings, whilst re-enforcing local distinctiveness and environmental quality.</p> <p>Against such a policy framework it is considered inappropriate to designate special policy areas in the District's built-up areas, within which preferential standards of design or development density would apply. Neither is this an approach promoted by Government guidance, which seeks high quality design generally.</p> <p>Paragraph 3.5 follows the sub-heading ‘Design-led approach’, which is also referred to within the text of the paragraph. It is, however, accepted that there could be some clarification of the design-led basis for the Plan's policy approach and a change to paragraph 3.5 is proposed to achieve this.</p> <p><b><i>Change Proposed – paragraph 3.5:</i></b> <i>The <del>proposed</del> design-led policy approach is needed to realise the potential to increase the use of previously developed land....</i></p>
<p><b><u>Issue 3.4</u></b> <b><u>Paragraph 3.8</u></b></p> <p><b>Representation:</b></p> <p><b>GOSE (261/7)</b> In referring to “development densities” and “appropriate locations”, the wording of paragraph 3.8 should be amended to be consistent with the residential development requirements set out in Proposal H.7 (iii). <b><i>Change sought – not specified.</i></b></p>	<p><b>City Council's Response to Representation</b></p> <p>The need for consistency in relation to development requirements and residential densities is accepted. The Plan should, therefore, be amended to bring such references in paragraph 3.8 more explicitly into line with the Government guidance contained in PPG3: Housing.</p> <p><b><i>Change Proposed – paragraph 3.8:</i></b> <i><del>Net</del> Residential densities generally should be in the range 30-50 dwellings per hectare <del>net</del> (see Planning Policy Guidance Note 3: Housing). In locations where there is greater accessibility to public transport and services / facilities, good “permeability” for pedestrians and cyclists, and where it is appropriate to the locality, <del>higher densities may be acceptable</del> development should utilise the potential for higher densities, allowing more efficient use of land.</i></p>
<p><b><u>Issue 3.5</u></b> <b><u>Paragraphs 3.9 - 3.10</u></b></p>	<p><b>City Council's Response to Representation</b></p> <p>The Plan's design and development principles are intended to provide for a more sustainable and design-led approach to all new development and redevelopment. Their aim, therefore, is to promote a</p>

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<p><b>Representation:</b></p> <p><b>Berkeley Strategic Land (210/8)</b> The Plan's design and development principles should also make clear how its housing strategy will deal with the public response, and possible resistance to, the planned intensification of development in the built-up areas. <b><i>Change sought – not specified.</i></b></p> <p><b>T Radcliffe (1245/6), Mr &amp; Mrs T Stephenson (343/6), St Giles Hill Residents Association (313/3), A Rich (254/4), W Pollock (1251/2), J Hurcom (1376/5).</b> Support for the inclusion of a reference to 'neighbourhood plans' in paragraph 3.10, but suggest that more explicit encouragement should be given to residents and local community groups to participate in the preparation of these. <b><i>Change sought – not specified.</i></b></p>	<p>high quality of design whilst incorporating greater efficiency in the use of resources, thereby limiting harmful consequences for the environment.</p> <p>With regard to the Plan's housing strategy and, in particular, the anticipated delivery of sites within the District's built-up areas and the extent to which these can contribute towards the required housing development, such matters are more fully dealt with in the responses relating to Chapter 6: Housing.</p> <p>The Plan's recognition of the value and importance of village design statements and neighbourhood plans is made clear in paragraph 3.10. It is accepted, however, that the Plan could be helpfully amended, to make reference to the involvement of local communities in the preparation of such supplementary guidance.</p> <p><b><i>Change Proposed – paragraph 3.10:</i></b> <i>....Where appropriate the Plan proposals will be complemented by 'supplementary planning guidance', including 'planning briefs' for individual sites and, in instances where they have been produced and adopted, 'village design statements' and 'neighbourhood plans'. The City Council will encourage and support local communities in the preparation of such guidance documents and will adopt them as supplementary planning guidance where they supplement the development plan and have been subject to public consultation.</i></p>
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**Issue 3.6**  
**Paragraph 3.13**

**Representation:**

**Environment Agency (253/1)**  
In the light of recent flooding and to reflect current Government guidance, paragraph 3.13 should contain an additional requirement where there is a known, or perceived, "flood-risk", for all development applications to incorporate a "Flood-Risk Assessment".  
***Change sought – add new 'bullet point' to indicate the circumstances in which a Flood Risk Assessment will be required.***

**City Council's Response to Representation**

The importance of assessing flood-risk in identified areas where there are known to be potential problems of this sort is accepted. Although paragraph 3.13 is principally concerned with the design of development it is accepted that this could be affected by the need to address flood risk. The Plan should, therefore, be revised in order to specify the need for an appropriate risk-assessment to be made in advance of submitting applications for development proposals, where this particular circumstance applies.

***Change Proposed – paragraph 3.13:***

Add new bullet point at end:

- *the consideration given to flood risks, especially in the case of planning applications within, or adjacent to, an Indicative Floodplain, or where there are known local flooding problems.*

**Issue 3.7**  
**Proposal DP.1**

**Representation:**

**English Heritage (250/1)**  
Support Proposal DP.1.  
***Change Sought – none.***

**Environment Agency (253/2)**

**City Council's Response to Representation**

The support is welcomed.

The importance of watercourses as significant elements in the external environment is accepted. However, watercourses would be covered by the term 'landscape features' which is already contained within DP.1(ii) and there may be a number of features that fall within this definition. To highlight only watercourses could imply other features are of lesser importance. It is concluded that the Plan should not, therefore, be revised to include specific reference to these.

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As significant natural features, "water courses" should be included among those elements to be subject to detailed site survey, as required by Proposal DP.1 (ii).  
***Change sought*** – add a specific reference to "water courses" in Proposal DP.1, criterion (ii).

***Change Proposed – none.***

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**Issue 3.8**  
**Proposal DP.1**

**Representation:**

**GOSE (261/8)**

The scale of 'larger' sites, or circumstances where a proposed development will significantly affect its locality, are not fully defined in Proposal DP.1. The 'reasoned justification' should indicate the parameters for such criteria.  
***Change sought*** – not specified.

**City Council's Response to Representation**

Proposal DP.1 is intended to cover a wide variety of circumstances where development proposals will vary both in their magnitude and potential impact. It is not possible to be more specific about what may be a 'sensitive' site as this will depend not just on its size but also the nature of the site and its surroundings. However, it is accepted that it would be helpful if the Plan was amended to indicate a size threshold for those application sites that would be regarded as 'large', in terms of their area.

***Change Proposed – Proposal DP.1:***

*....Particularly in the case of more sensitive sites, those exceeding 0.5 hectare in size larger or more sensitive sites, or development proposals which have a significant impact on the local area, design statements should include a full site analysis identifying, as appropriate, the following:....*

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**Issue 3.9**  
**Proposal DP.1**

**Representation:**

**English Nature (251/6), A. Archard (886/1) (Former Councillor)**

Object to the omission, under the criteria listed for site analysis, of any reference to wildlife and habitat considerations.

***Change sought*** – add a reference to wildlife habitats and species in Proposal DP.1(ii).

**City Council's Response to Representation**

Proposal DP.1(i) refers to 'natural features and designations', which is intended to include nature conservation interests. To highlight only nature conservation interests could imply other features are of lesser importance. It is concluded that the Plan should not, therefore, be revised to include specific reference to these. The Plan's Countryside Chapter contains a series of proposals dealing with nature conservation areas of varying levels of importance and it is proposed that these be strengthened in response to various representations (see responses to issues in Countryside Chapter – Issue 3).

***Change Proposed – none.***

**Hampshire Wildlife Trust (330/1)**

Concerned that interests of nature conservation have not been accorded attention in Proposal DP.1, although these are of equal importance, when compared to considerations such as archaeology, landscape, townscape etc.  
***Change sought*** - not specified.

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**Issue 3.10**  
**Proposal DP.1**

**City Council's Response to Representation**

The Plan's proposed design-led approach is aimed at improving environmental quality and achieving the proper integration of all new

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***Change sought.***

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***Change Proposed***

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**Representation:**

**J Hayter (138/20)**

Proposal DP.1 and its supporting text should be clearer that only 'sufficiently comprehensive' information should accompany each development application and that the onus for assembling this should be with the applicant.

***Change sought*** – revise Proposal DP.1 to contain alternative survey and assessment criteria, requiring the submission of no more than "sufficient information" for the proper evaluation of the development proposal.

*Complementary revisions to the supporting text are also suggested, placing increased emphasis on the role of local communities, including Parish Councils and local amenity societies.*

**Town Planning Consultancy (324/2)**

Whilst accepting that good design is an important material consideration, a "design statement" will not, in every case, be the correct mechanism for assessing a development proposal. The Plan should, therefore, reflect this.

***Change sought*** – not specified.

**Shedfield Society (1439/5)**

Proposal DP.1 does not make it clear under which circumstances the design statement will be required as part of the development application. There should be a clearer definition although such statements should be necessary in the case of all development.

***Change sought*** – not specified.

**B Jezeph Consultancy (373/2)**

It is unreasonable to require a "design statement" in the case of all development applications. Proposal DP.1 should require these only for operational development that would have a significant impact.

***Change sought*** – amend to make it clear that design statements will only be required where a developed proposal involves operational development likely to have a significant impact on the surrounding development.

development. It is important, therefore, that sufficient information should accompany every planning application, to show that a proper assessment has been made and that the proposals respond to the site, the locality and the Plan's policy framework. However, as the Plan makes clear, "for straight forward or small-scale proposals" only sufficient information to illustrate the proposal in its context will be required. In such instances, a short accompanying statement may well be adequate.

The explanatory text of the Plan already gives considerable information about the level of detail that should be submitted with different types of application (see paragraphs 3.11 – 3.15) and it is not considered that the addition of a requirement for 'sufficiently comprehensive' information will make the Plan any clearer. It is also clear that the onus for submitting information is on the applicant.

The proper involvement of local communities and their representative bodies is welcomed and, indeed, is provided for as an integral part of the City Council's overall function as local planning authority. However, the focus of this Chapter and, in particular Proposal DP.1, is to ensure that all new development contributes towards the conservation and enhancement of the character, vibrancy and economic well-being of the District.

It is considered that development involving changes of use may well have a significant impact and justify the submission of a design statement. It would not, therefore, be appropriate to limit the requirement only to 'operational' development.

***Change Proposed*** – none.

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Summary of Representation.  
*Change sought.*

City Council's Response to Representation  
*Change Proposed*

**Issue 3.11**  
**Proposal DP.2**

**Representation:**

**Bewley Homes PLC/ R C H Morgan-Giles (227/1), Estates Practice, Hampshire County Council (1434/8)**  
Support Proposal DP.2.  
*Change sought - none.*

**Church Commissioners (224/2)**

The effect of Proposal DP.2 on major landowners is unreasonable. The requirement for them to produce long-term plans should be replaced by encouragement.

*Change sought - reword DP.2 to refer to "encouragement" for the production of long-term plans.*

**Ministry Of Defence (306/1)**

Proposal DP.2 should more closely reflect the wording of paragraph 3.16, by encouraging the production of Master Plans. Their production, or otherwise, should not be the basis for granting or refusing planning permission.

*Change sought- not specified.*

**Sparsholt College (353/7)**

It is contradictory to require Master Plans for large landholdings, including educational establishments, where these are situated beyond the built-up areas and, therefore, subject to generally restrictive countryside policies.

*Change sought – amend DP.2 to permit sites requiring a Master Plan, to be designated a defined 'built-up area', settlement or put into a separate category, such as that of "educational institution".*

**Mr & Mrs Terry (367/1)**

The need to provide a Master Plan for what may be a relatively minor development proposal is disproportionate and, therefore, unreasonable. The requirement should relate to the scale of the development not the size of the landholding.

*Change sought – DP.2 should only apply where the proposal is closely related to the use or development of a*

**City Council's Response to Representation**

The support is welcomed.

It is considered reasonable for the Plan to seek an appropriate amount and quality of supporting information, in order to be able to assess development proposals against the framework of any longer-term plan or wider management strategy which may exist for large landholdings. The Proposal and its supporting text are, therefore, premised on the basis of 'encouraging' such forward thinking. Ministry of Defence land holdings within the District are given specific and detailed attention in the Plan's Employment Chapter (Proposals E.5 and E.6).

Proposal DP.2 seeks better control over incremental or "creeping" development. It is considered valid for the Authority to consider these schemes in the context of a plan or strategy, which gives expression to an anticipated future development pattern for the entire holding. The production of such a plan should be of benefit to the landowner, as well as the planning authority, as it will enable the full merits and impacts of proposals to be addressed and any associated (possibly off-site) benefits or compensating measures to be spelt out.

Although unrelated to the size of the land holding, as such, the Proposal is intended to have regard to the full extent of this. However, it is accepted that the Proposal should be clarified to make it clear that it deals with contiguous and significant land holdings, although any resultant plans or strategies would be expected to take account of the land holding's physical relationship to neighbouring land.

The wording of Proposal DP.2 and its accompanying text does seek to 'encourage' masterplans but, in order to be a 'land use' proposal that can guide whether planning permission should be granted, it must state whether development will or will not be permitted.

Proposal DP.2 applies throughout the Plan area, including in areas subject to countryside policies. This is entirely appropriate; indeed many of the District's largest landholdings include substantial areas of countryside. There is no justification for including these areas within settlement boundaries or promoting special categories for them such as 'educational institution'. However, in response to other representations from Sparsholt College it is proposed to introduce a general proposal in the Town Centres, Shopping and Facilities Chapter to deal with development proposals at such establishments.

Proposal DP.2 is not solely concerned with whether development will prejudice development of adjoining land. Proposal DP.3(vi) is aimed at achieving this.

**Change Proposed – Proposal DP.2:**

*In order to encourage major landowners/users within the District to produce long term master plans for their contiguous land holdings, proposals for ~~incremental~~ significant development will not be permitted in the absence of such plans, or where the wider implications or cumulative benefits are not apparent or cannot be secured.*

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*much larger area, or the landholding as a whole, and where a permission may have significant consequences for the operation of that holding.*

**Strutt & Parker (877/1)**

Proposal DP.2 is unclear and over-prescriptive. It should be replaced by a proposal which requires landowners to demonstrate that the development potential of adjoining land would not be prejudiced by the development proposal.

**Change sought** – *replace DP.2 with a proposal to ensure that development proposals would not frustrate the development of adjoining land.*

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**Issue 3.12**  
**Proposal DP.3**

**Representation:**

**Compass Roadside (206/6)**

Proposal DP.3 should be amended to reflect the needs of transport users and the requirements of trunk road service areas.

**Change sought** – *amend DP.3 to: 'Development which accords with other relevant proposals of this Plan, will be permitted, provided that, where appropriate it:'.*

**Church Commissioners (224/3)**

Object to the implication in Proposal DP.3 that all development proposals need to meet all of the listed criteria.

**Change sought** – *amend Proposal DP.3 to: 'development which accords with other relevant proposals of this Plan will be permitted, provided it meets the following criteria as appropriate:'*

**J Hayter (138/21)**

Proposal DP.3 is over-complex and embraces too broad a range of development types and scales. The policy requirements are, therefore, too difficult to interpret and apply.

**Change sought** – *re-structuring of Chapter 3 of the Plan, in order to simplify both its content and application.*

**City Council's Response to Representation**

The needs of transport users, with specific reference to trunk and service areas, are most appropriately dealt with in the Plan's Transport Chapter.

In terms of relevant design and development criteria, Proposal DP.3 is intended to apply to all new developments. It is, therefore, considered inappropriate to introduce further qualifications in the manner suggested. Clearly some criteria of Proposal DP.3 will only be applicable to certain types of development and, therefore, it may not be necessary for some development proposals to meet every requirement. Nevertheless, it is considered entirely legitimate to expect development proposals to meet all of the criteria that are relevant to the type of scheme proposed.

The form and content of this Chapter are intended to produce a logical and well-reasoned explanation of the Plan's design-led approach to all new development. The principles detailed in Proposal DP.3 and its supporting text have been devised to provide a consistent approach to the design of development proposals and are, therefore, intended to apply throughout the District. They are fully consistent with the requirements of current Government guidance and it is not accepted that this Proposal, or its explanatory text, are over-complicated or fail to present a robust framework against which development proposals can be assessed.

**Change Proposed** – *none.*



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**Issue 3.13**  
**Proposal DP.3**

**Representation:**

**Bishops Waltham Society (212/3)**  
**Bishops Waltham Parish Council (211/1)**

A number of issues are included in these representations, which focus on matters relating to traffic and parking, amenity, character and landscape.

***Change sought -***

- a) *transferring all elements relating to design of development, from the Transport Chapter to Proposal DP.3;*
- b) *refer in criterion (ii) to making a positive response to existing local character;*
- c) *amend criterion (iii) to amplify the basis by which on-street parking in association with residential development will generally be discouraged through good design;*
- d) *reword criterion (vii) to refer more specifically to the avoidance of unacceptable impacts and mutual loss of amenity within and between both new developments and existing, neighbouring development;*
- e) *add new criterion (ix), to refer to the provision of proper storage facilities for refuse and recyclables;*
- f) *add new criterion (x), to refer to the retention of landscape features and elements of historical importance;*
- g) *add new criterion (xi) to take over from Proposal DP.7, which could then be deleted from the Plan;*
- h) *add new criterion (xii), to refer to protecting the setting of settlements and, for developments in the countryside, takes account of more immediate impacts as well as any effects on longer-range views;*
- i) *add new criterion (xiii), which refers to the need to avoid the generation of inappropriate traffic;*
- j) *add to paragraph 3.19, to indicate that the potential for indirect environmental and traffic-flow consequences, resulting from reduced parking, has been addressed in policies and implementation strategies adopted*

**City Council's Response to Representation**

Whilst various individuals and groups may be able to suggest what they view as improvements to the way the Plan is laid out and the 'placement' of different proposals, on balance it is not considered that moving key transport elements to Proposal DP.3 would necessarily result in a more orderly or better-integrated suite of proposals. In considering objections such as this, it is proposed that the Council should only make changes (which may themselves lead to further objections) where this would result in a clear improvement, as well as overcoming the objection. It is not considered that this would be the case with a number of the suggestions made as part of this objection.

Proposal DP.3, criterion (ii), already makes it clear that development must respond in a positive way to the character of the local environment. This requirement specifically includes relevant aspects of both landscape and townscape.

It is accepted that criterion (iii) could be helpfully expanded to clarify those factors to be taken into account in keeping parking provision to a minimum. It is not, however, accepted that criterion (vii) needs to be made more explicit.

The issue of storage for refuse and recyclable materials, pending their collection, would benefit from additional guidance through the inclusion of a separate criterion within Proposal DP.3.

It is considered that sufficient recognition of the importance of protecting landscape features and elements of historic importance is already contained in Proposal DP3, specifically at criterion (ii), and in Proposal DP.5.

It is agreed that a suitably worded additional criterion to DP.3, at (ix), could address the issue of providing adequate private amenity space for those new residential developments where such provision would be appropriate. The inclusion of such a criterion would then obviate the need to maintain Proposal DP.7 as a separate Proposal.

Proposal DP.5 deals with townscape and landscape issues and would cover maintaining the setting of settlements. However, in relation to development in areas subject to the Plan's Countryside Proposals, it is considered that Proposal DP.5 could be amplified to refer to the need, in cases of new development in the countryside, to prevent unacceptable impacts both in the immediate vicinity and in longer-range views.

It is not considered that an additional criterion is needed within Proposal DP.3, in order to deal with the issue of inappropriate traffic generation, as these issues are adequately covered in the Plan's Transport Chapter.

***Change Proposed – Proposal DP.3:***

*....(iii) keeps parking provision to a minimum, taking into account the level of accessibility of the site by non-car modes, other parking available in the locality, and whether on-street controls are available or proposed (see Proposal T.4);....*

*....(ix) includes within residential development adequate private*

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<p><i>by the City Council;</i></p> <p>k) <i>add explanatory text to provide reasoned justification and explanation of what would amount to inappropriate volumes or type of traffic referred to in the suggested new criterion (xiii), above.</i></p>	<p><i><u>amenity space, appropriate to the size, design and residential function of the development and not unacceptably overlooked by neighbouring properties;</u></i></p> <p><i><u>(x) makes appropriate provision for the storage of refuse and recyclables.</u></i></p>
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**Issue 3.14**  
**Proposal DP.3(i)**

**Representation:**

**R L Stubbs & Clients (302/8)**

With regard to housing development, Proposal DP.3, criterion (i), is an unnecessary repetition of Proposal H.7(iii).

***Change sought – delete DP.3(i).***

**GOSE (261/9), Grainger Trust (214/2)**

In the context of Government guidance set out in PPG.3, references to development density in Proposal DP.3 (i) should more closely reflect the intentions expressed in the Plan's Housing Proposal, H.7(iii).

***Change sought – revise DP.3(i) to refer to achieving net residential densities of 30-50 dwellings per hectare whilst utilising the potential for higher densities on sites close to town centres or public transport corridors.***

**Berkeley Strategic Land (210/9)**

Proposal DP.3 should be made more explicit in regard to housing densities. Government guidance stipulates density of not less than 30 dwellings per hectare. This requirement should, therefore, be adhered to.

***Change sought – delete 'generally' from DP.3(i) and add 'unless special circumstances indicate otherwise' to the end of the sub-paragraph.***

**Bewley Homes/R C H Morgan-Giles (227/2)**

Object to the vague wording of Proposal DP.3 which gives rise to subjective interpretations and potential conflict i.e. between criteria (i) and (vii).

***Change sought – not specified.***

**City Council's Response to Representation**

The inclusion of criterion (i) of Proposal DP.3 is considered to be a valid statement of the Plan's intentions with regard to achieving greater efficiency in the use of land and buildings and will be applicable in all cases of new development, especially housing. The criterion also provides a direct link with the associated aim of achieving higher-density housing development within the defined built-up areas. This is fundamental to the overall strategy Plan and is, therefore, also set out in relation to housing at Proposal H.7. It is not considered necessary, or appropriate, to delete this important criterion.

The residential density 'thresholds' proposed are considered essential to carry forward the Plan's overall strategy of making the best possible use of land and existing buildings within the District's built-up areas and are entirely in accordance with Government guidance, in particular, the provisions of PPG3: Housing.

The urban design-led approach to all new development, which is an essential part of the Plan's development strategy, is specifically intended to integrate development to a high design standard, whilst meeting the housing targets contained in the Hampshire County Structure Plan (Review). Such a strategy is necessary in order to produce the most efficient and, ultimately, sustainable use of land and other resources, without having to rely on the unnecessary release of greenfield land for development.

Higher densities will inevitably result in some further concentration of development within the defined settlements, especially in those more urban locations where services, facilities and access to the public transport network are most developed. However, it is not accepted that, if implemented correctly, the density standards contained in Proposal DP.3 (i) will result in developments harmful to local environments or their established qualities.

On the contrary, abandoning the minimum density figure would be quite contrary to the Plan's intentions and Government advice and would not, of itself, ensure high quality in development design. Similarly, relying on "encouraging" higher densities within the built-up areas would introduce an unhelpful element of uncertainty, in terms of delivering the District's housing requirements for the Plan period. This would be very likely to create an ambiguous and confusing framework for the preparation and submission of future proposals for development. Nevertheless, it is accepted that the importance of seeking to conserve important features of a development site and its surroundings should be emphasised. Features that contribute to the wider area should be taken into account in calculating the density of a

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**Upper Itchen Valley Society (335/4)**

The minimum threshold for residential development density, as set out in Proposal DP.3(i), could result in a conflict with the requirement to respect local character and townscape/landscape quality, contained in DP.3(ii).

**Change sought** – *not specified.*

**Bewley Homes (386/4), Bryant Homes (397/2)**

Proposal DP.3 (i) should not require a minimum residential density in all instances. The aims of criterion (i) may conflict with those of (ii), especially in areas of special character. PPG.3 only 'encourages' such densities, to increase efficiency in the use of land.

**Change sought** – *revise Proposal DP.3 (i) to 'encourage' rather than 'require' a minimum density.*

**W Pollock (1251/1), H Watson (345/2), Mr & Mrs T Stephenson (343/7), H Mycock (313/7), I Fleming (346/2), P H Radcliffe (+ 29 other signatories) (1245/1).**

Pre-determined thresholds for residential densities are inappropriate in Conservation Areas and certain other townscape character areas. More flexibility should be allowed and densities only determined after trees and other important site features have been excluded from the calculation.

**Change sought** – *add, at end of DP.3 (i), " or such lower density as can be accommodated, in keeping with the character of the immediate area".*

**P Goodall (880/1)**

Proposal DP.3(i) should be revised to permit a more flexible approach to residential density. The Plan should, therefore, aim to satisfy Government requirements by achieving an overall 'average' density of 30 dwellings per hectare.

**Change sought** – *delete the words 'at least' from criterion (i).*

**Wonston Parish Council (1428/2), P Warner (1249/2)**

Proposal DP.3 should permit a more flexible approach to residential densities. Densities of at least 30 dwellings per

proposed development, by deducting the parts of the site that they occupy in undertaking the density calculation. These features may well contribute to the character of Conservation Areas, although there is no reason in principle why densities of the range promoted in Government guidance and the Local Plan cannot be accommodated within Conservation Areas.

The wording of Proposal DP.3(i) is intended to avoid uncertainty and it is not accepted that it is vague or that the density thresholds referred to are insufficiently explicit. The criterion sets out the parameters for residential development densities, in accordance with the terms required in current Government guidance. Nevertheless, it is accepted that criterion (i) could be helpfully amended to make clear the need to exploit the potential for further increases in density on sites closer to town centres or public transport corridors. Such a change would also bring the criterion's wording more closely into line with that of Proposal H.7 in the Plan's Housing Chapter.

**Change Proposed – Proposal DP.3:**

*....(i) makes efficient and effective use of land or buildings taking account of the requirements of criterion (ii) below and, in the case of new residential development, achieves a net density of 30-50 dwellings per hectare and the potential for higher densities on sites close to town centres or public transport corridors. residential densities generally of at least 30 dwellings per hectare Where the site contains features that contribute to the character of the wider area (whether natural or man-made) it may be appropriate to exclude these from the developable area for the purposes of calculating net density:....*

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hectare may not be appropriate in all settlements, particularly those in the rural parts of the District.

**Change Sought** – *in DP.3(i), after “per hectare”, add the wording: “unless this density could be deemed to be detrimental to the character of the settlement in which it is to be located.”*

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**Issue 3.15**  
**Proposal DP.3(ii)**

**City Council's Response to Representation**

The support is welcomed.

**Representation:**

**Winchester Landscape Conservation Alliance (333/1)**  
Support DP.3(ii).  
**Change sought** – *none.*

**M K Charrett (1370/4)**  
Support the requirement that development must ‘respond positively to the local environment’ but this must ensure that the protection given by the present Local Plan’s EN.1 is wholly maintained. Where large-scale development is proposed, planning briefs must be prepared for the whole area affected.

**Change sought** – *not specified.*

**P Goodall (880/1)**  
Proposal DP.3(ii) should give a clearer definition of “character” and this should also take account of access issues, especially in the case of private roads.  
**Change sought** – *not specified.*

**Grainger Trust (214/2)**  
Proposal DP.3(ii) should follow more closely the guidance set out in paragraph 56 of PPG3: Housing.  
**Change sought** – *revise DP.3(ii) to make clearer references to design and layout being “informed by the wider context”, having regard not just to any immediate neighbouring buildings but the townscape and landscape of the wider locality, thereby avoiding derivative design and undesirable repetition.*

**GOSE (261/10)**  
Proposal DP.3(ii) could usefully include reference to ‘responsible innovation’ or

In producing the review Plan, the current Plan’s Proposal EN.1 has been reassessed and it has been concluded that its retention would not be consistent with the aim of promoting design-led development across the whole District (rather than just in designated ‘special policy areas’), nor with the aims of PPG3. There are aspects of Proposal EN.1, in particular its references to the subdivision of plots, which may be seen as conflicting with the need to achieve the minimum densities specified by PPG3 and reflected in the Local Plan. However, other aspects of EN.1 are reflected in the Review Plan’s proposals, such as retention of tree cover (DP.5), building size, mass, etc (DP.3) and space around buildings (DP.3 and DP.6). Therefore, whilst it is not appropriate to carry forward the same wording as in EN.1, it is concluded that the Plan adequately seeks to maintain the character of existing areas, so far as this is consistent with other objectives such as the efficient use of land.

The Plan requires design statements for new development, especially larger or more sensitive sites (DP.1). The factors to be included in design statements include many that would be covered by a development brief. Whilst it is agreed that development briefs should ideally be produced for large developments, it is considered that the requirements of the Local Plan’s Proposals, including DP.1, provide a basis for such briefs to be sought where this can be justified.

With regard to the request for a clearer definition of ‘character’, it is considered that to attempt to more narrowly specify character would be inappropriate in the context of this Proposal. The Plan does make it clear that this particular attribute, whilst clearly variable in terms of its location, quality and depth, is of considerable importance in assessing and determining development applications. However, because of its necessarily location-specific nature, it is considered more appropriate to emphasise the importance of this particular criterion (as suggested in the changes proposed for criterion (i)) without attempting to measure or specify its contributory features.

Whilst the issue of taking proper account of the “wider” context is important in dealing with many development proposals, the suggestion that this should be referred to in criterion (ii), in order to avoid derivative designs, is considered unnecessary. Criterion (ii) does mention ‘the local environment’ and ‘features important to...the area’, so is not seeking merely to replicate the features of the application site or its immediate neighbours. This issue again, is a matter which is closely related to the scale, significance and potential

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'creativity' in the design process, as already indicated in paragraph 3.19 of the explanatory text.  
***Change sought – not specified.***

**A Carruthers (484/1)**

Proposal DP.3(ii), should require information as to the 'height' of a proposed new development. This factor may have a significant impact on the character of the surrounding area.

***Change sought – In DP.3 (ii), insert the word "height," between the words "design" and "scale".***

impact of a given development proposal. The "context" within which any application will be assessed should be determined by the particular circumstances concerning the proposal in question. However, it is considered inappropriate to refer to a potentially boundless "context" and this would not necessarily contribute further to achieving originality in design.

The suggestion that 'innovation' or originality in design should be more explicitly referred to in (ii) has been put forward. However, it is considered that there is already adequate reference to creative design in the explanatory paragraph 3.19.

Proposal DP.3(ii) refers to the assessment of development proposals in terms of "design, scale and layout". It is considered unnecessary to refer, additionally, to the issue of height. Scale, is referred to here in the three-dimensional sense and includes physical height and footprint, where applicable, as well as massing and silhouette. It is not therefore accepted that the Plan requires amendment.

***Change Proposed – none.***

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**Issue 3.16**  
**Proposal DP.3(iii), paragraph 3.19**

**Representation:**

**Winchester Landscape Conservation Alliance (333/1)**

Support DP.3 (iii).

***Change sought – none.***

**W Pollock (1251/7), H Watson (345/3), Mr & Mrs T Stephenson (343/5), H Mycock (313/5), P H Radcliffe (+ 31 other signatories) (1245/2).**

The Plan should permit adequate off-street parking within the curtilages of individual dwellings. This would help to avoid increased on-street parking, which can be damaging to the character of certain residential parts of Winchester.

***Change sought – delete DP.3(iii).***

**City Council's Response to Representation**

The support is welcomed.

The suggestion that the parking standards referred to in DP.3(iii) are unnecessarily restrictive and do not follow Government advice in PPG13 is not accepted. Nor is the submission that this criterion, together with its supporting text at paragraph 3.19, is in conflict with the adopted Hampshire Parking Strategy and Standards 2001. Criterion (iii) cross-refers to Proposal T.4, which follows the new maximum parking standards which have been set by Government and the Hampshire Authorities and are intended to minimise the amount of car parking provided in new developments, particularly where a site is fully accessible by a range of transport modes.

It is accepted that a balance may need to be struck between limiting on-site parking provision and avoiding cars being parked on-street, if this would harm the character of the area. However, in many cases it will be entirely appropriate to make use of available roadspace for parking and this need not harm the character of the area. This issue is addressed by the changes proposed to criterion (iii) at Issue 3.13.

***Change Proposed – none.***

**W M Morrison Supermarkets PLC (334/1)**

Object to the reference to parking provisions in criterion (iii), which is unclear and unnecessarily restrictive. It should follow more closely the advice contained in PPG13.

***Change sought – not specified.***

**Cala Homes (468/3)**

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Object to criterion (iii) and supporting text at paragraph 3.19. This criterion, as set out, may result in conflict with adopted Hampshire County Council Parking Standards.

***Change sought*** –delete DP.3(iii) and replace with “in accordance with adopted Hampshire County Council Parking Standards”.

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**Issue 3.17**  
**Proposal DP.3(iv) & (vi)**

**City Council's Response to Representation**  
The support is welcomed.

**Representation:**

**AONB Project Officer (1248/2), A Button (1254/6)**  
Support DP.3(iv).  
***Change sought*** – none.

The issue of ‘ransom strips’ and the potential for commercial agreement on this issue is an accepted part of normal business practice, but is not generally a planning issue. However, development proposals should take proper account of neighbouring land and, where it would not conflict with other policy aims of the Plan, make reasonable provision for the potential co-ordination of other development opportunities on adjacent sites.

**HCC Estates (1434/9)**

It is appropriate for DP.3(vi) to require that proposals for new development should indicate how these could, or would, also enable access to adjacent properties. However, the inclusion of this information should not be used to curtail normal opportunities for ‘ransom’.

***Change sought***– not specified.

In current Government guidance (PPG3) it is stated that “if the Government’s objectives for the more efficient use of urban land and re-use of previously developed sites are to be achieved, local authorities will need to take a more proactive approach to facilitating site assembly”. Ransom strips could be considered a threat to site assembly and part of the more proactive approach promoted by PPG3 could include action to seek to avoid them being created.

**Town Planning Consultancy (324/3)**

The Plan should recognise that certain forms of development and different development locations require varying levels of parking and public transport provision. This can justify permitting parking over and above the “maximum” standard. The provisions of DP.3 (vi) could also prejudice the arrangement of access and parking layouts, within the principal development site.

***Change sought*** – delete DP.3(vi).

However, the provisions of criterion (vi) are not intended to be applied inflexibly or to prejudice the design and proper layout of development on the principal site. The requirements may be met by facilitating access to adjacent and potentially developable, land or buildings but in doing so it is considered appropriate for the planning authority to seek to avoid restrictions on the implementation of development on adjoining land.

***Change Proposed*** – none.

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**Issue 3.18**  
**Proposal DP.3(vii) & (viii)**

**City Council's Response to Representation**  
The support is welcomed.

**Representation:**

**Winchester Landscape Conservation Alliance (333/3)**  
Support DP.3(vii) but would like to see the word “unacceptable” removed.  
***Change sought*** – delete “unacceptable”

The suggested deletion of the word “unacceptable” from DP.3 (vii) would remove the element of ‘reasonableness’, which is an essential requirement in decision-making. Without this qualification, the criterion would require development to have no adverse impact. This would not be a reasonable test and would not be supported by Government policy, which requires ‘demonstrable harm’ to be shown if a planning application is to be refused.

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*in DP.3(vii).*

**Environment Agency (253/3)**

Proposal DP.3(vii) should be amended to include considerations of 'environmental quality'.

**Change sought** – *Criterion (vii) be expanded to additionally to refer to avoiding adverse impacts on environmental quality.*

**GOSE (261/11)**

Criterion (viii) of Proposal DP.3 should be reworded to clarify the circumstances in which the provision of adequate recreation space will be required.

**Change sought** – *add "in the case of residential development" at the beginning of DP.3(viii).*

Similarly, to include a requirement that development has no adverse impact on "environmental quality" under this criterion would go beyond what could reasonably be required in development control terms.

Although it is considered that the wording of criterion (viii) makes it clear that the requirement for adequate recreational space to be provided is directly linked to proposals for residential development, the wording change proposed is considered acceptable and would overcome this objection.

**Change Proposed – Proposal DP.3:**

*....(viii) in the case of residential development, provides adequate recreational space for residential development, in accordance with the provisions and method of operation of Proposal RT.3;....*

**Issue 3.19**  
**Proposal DP.4**

**Representation:**

**CALA Homes (South) Ltd (468/5)**

Object to Proposal DP.4. This is a matter which should, more appropriately, be dealt with under the relevant Building Regulations.

**Change sought** – *delete Proposal DP.4.*

**Holmes & Sons (287/10)**

Question the need for Proposal DP.4, in the light of current Building Regulations. Object to the lack of a clear definition of the term "mobility housing."

**Change sought** – *delete Proposal DP.4, or clarify the term "mobility housing".*

**J Hayter (138/22)**

The wording of Proposal DP.4 should be consistent with the Disability Discrimination Act and with paragraph 3.24.

**Change sought** – *amend Proposal DP.4 to refer to "all development used or visited by the public".*

**K Storey (882/1)**

Object to the Proposal's references to "access" and "facilities", which are not sufficiently well defined.

**Change sought** – *Proposal DP. 4 should*

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Proposal DP.4 clearly recognises that, in terms of practical implementation, the provision of adequate access facilities for people with limited mobility is a matter primarily dealt with under the current Building Regulations. These, in turn, reflect the provisions of the 1995 Disability Discrimination Act. The main purpose of Proposal DP.4 is, therefore, to emphasise a legitimate planning interest in these issues, together with the associated provision of suitable facilities for those with other special needs. It is considered entirely appropriate for the Plan to make reference to these matters.

It is accepted that the intentions of the Proposal could be made clearer by including, within the Plan's Glossary of Terms, a definition of the expression "mobility housing," which has been included within the Proposal. However, it is not accepted that the terms "adequate access" or "appropriate facilities" are unclear, over-prescriptive or in need of a more elaborate definition. They are intended to be applicable in a broad range of development situations and their purpose is considered sufficiently clear to require no further change to the wording of the Plan.

With regard to the range of circumstances in which Proposal DP.4 would apply it is considered unduly specific and over-prescriptive to incorporate the additional requirements suggested by respondent 882. Some types of open areas may not involve development and, therefore, may not require planning permission. In such circumstances the matter of deciding whether or not to provide any particular visitor facilities would then fall to the discretion of the owning and/or managing body. Should facilities such as car parks be provided then, clearly, this could well require express planning permission and would, in that case, invoke the provisions of Proposal DP.4.

**Change Proposed – Glossary of Terms:**

Add a definition of 'mobility housing':

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*specify which facilities should be provided and make it clear that all developments, including outdoor amenity areas, should have adjacent parking facilities and wheelchair accessible paths.*

*Mobility Housing – housing which is purpose-built to meet the specific needs of occupiers with impaired mobility and which exceeds the requirement of the Building Regulations (Oct. 1999)(Access to Dwellings), which stipulate that all new dwellings should incorporate a reasonable provision for disabled persons to gain access to and use the building.*

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**Issue 3. 20**  
**Proposal DP 5, Paragraph 3.25**

**City Council's Response to Representation**

**Representation:**

The support is welcomed.

**P A Warner (1249/3), H Woodrow (333/4), I Jones (888/4), I Fleming (346/3), P Jones (887/1), T Foster (1373/2).**

Proposal DP.5 is not considered to be too generalised or “sweeping” in its approach. The supporting text, at Paragraph 3.26, makes it clear that the Proposal is intended to maintain or enhance those “important” features which, both individually and collectively, contribute to the character and quality of the District’s townscapes and landscapes. The word “important” is also used within Proposal DP.5 to qualify its requirements.

Support Proposal DP.5.

***Change sought – none.***

The wording of this Proposal is considered to be fully consistent with the Plan’s overall intentions, whilst not seeking to adopt an inflexible or over-prescriptive approach. It would seem more appropriate, therefore, for informed value judgements regarding elements that are of ‘importance’, to be made at the time of dealing with individual development proposals. The relative importance of various features of a site or location should be one of the issues considered by applicants when producing design statements to accompany applications, and by the planning authority in determining applications.

**P Warner (1249/3), T Foster (1373/2).**

Support Paragraph 3.25.

***Change sought – none.***

Similarly, the wording of the Proposal does provide scope for any degree of “loss” to be assessed, in terms of its significance, at the development proposal stage. This is considered to be a more practical approach and one which produces a control mechanism which can be more finely tuned to the circumstances of a given development site and the townscape and/or landscape which forms its context.

**Grainger Trust PLC (214/1)**

Proposal DP. 5 should be less ‘sweeping’ in its application.

***Change sought – revise DP.5 in order to focus only on “important” features of interest.***

It is inevitable that any assessment of the importance of various features and the weight to be given to their protection in determining a particular development proposal will be, at least to some extent, subjective. The Local Plan cannot remove this element of judgement no matter how it is worded. Neither can the Local Plan give statutory or non-governmental bodies any powers that they do not already have. This could only be achieved by changes to legislation or regulations, which the local planning authority is not able to effect.

**Church Commissioners (224/4)**

DP.5 criteria (ii), (iii), (v) and (vi) should make clear that the Proposal is not seeking to protect all such features indiscriminately.

***Change sought – rewording to make it clear that only “important features” will be protected.***

Although features of wildlife value are dealt with fully in Proposals C.8-C.10 and the changes that are proposed to those Proposals, it is accepted that there should be a brief reference to ecological features in DP.5, with a cross-reference to the Proposals in the Countryside Chapter. A slightly expanded criterion relating to ‘water features’ would also help to safeguard these aspects, which are often of wildlife importance.

**Berkeley Homes (386/5)**

Proposal DP.5 should define what is meant by “important” views, skylines and slopes.

***Change sought – rewording to clarify what constitutes “important” views, skylines and slopes.***

In response to objections summarised at Issue 3.13, it is proposed that Proposal DP.5 be amended to make more specific reference to

**A Ames (1371/1), K Storey (882/2)**

The subjective aspects of Proposal DP.5 should be removed, by defining the terms used. In addition, certain statutory and non-governmental bodies should be given a power of veto in regard to these issues.



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<p><b><i>Change sought</i></b> – <i>not specified.</i></p> <p><b>CALA Homes (South) Ltd (468/6)</b> Proposal DP.5 is too onerous. As drafted, it could restrict any development which happened to impinge on any view. <b><i>Change sought</i></b> – <i>delete Proposal DP. 5.</i></p> <p><b>Strutt &amp; Parker (877/2)</b> Proposal DP.5 is too prescriptive. <b><i>Change sought</i></b> – <i>the term “loss of” should be replaced by “significant loss of.”</i></p> <p><b>English Nature (251/7), H Woodrow (333/4)</b> Proposal DP.5 should make reference to elements of natural habitat and wildlife value. <b><i>Change sought</i></b> – <i>add new bullet-point: “(v) areas of semi -natural habitat and features of wildlife value.”</i></p>	<p>important views, both immediate and long-distance. However, it is also accepted that this should be qualified by referring to ‘public’ views and those that are recognised as being of importance. This is to avoid the danger of development being resisted due to the loss of private or unimportant views and would go some way to addressing some respondents’ concerns about DP.5 being too ‘sweeping’.</p> <p><b><i>Change Proposed – Proposal DP.5:</i></b> <i>....(i) important public views and skylines features, both in the immediate vicinity and long-range, where site analysis identifies these as being of recognised importance;....</i> <i>....(vi) water features, river corridors and other waterside areas;</i> <i>(vii) areas of ecological importance (see Proposals C.8-C.12).</i></p>
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**Issue 3. 21**  
**Proposal DP.6, Paragraph 3.33**

**City Council's Response to Representation**  
The support is welcomed.

**Representation:**

**P A Warner (1249/4)**  
Support Proposal DP.6 and paragraph 3.33.  
***Change sought*** – *none.*

**English Nature (251/8)**  
Support the sentiments contained in paragraph 3.33, but request that these should also be incorporated in the Proposal itself.  
***Change sought*** – *refer in DP.6 to “incorporating existing natural vegetation and features wherever possible” and at criterion (iii) reference also made to encouraging the use of native species and the creation of areas of natural vegetation.*

**St Michael's Development Company Ltd (415/1)**  
Proposal DP.6 requires clarification to overcome the implication that all development needs to provide on-site amenity open space.  
***Change sought*** – *reword Proposal DP.6 to set out more precisely, which types of*

In the interests of conciseness, it is not considered appropriate to reiterate in the Proposal the intention, clearly expressed in the supporting text (paragraph 3.33), to incorporate “existing natural vegetation and features wherever possible.” It is, however, accepted that the supporting text could be usefully amplified to refer to the encouragement that will be given to the use of native species.

Proposal DP.6 is intended to apply to any development where the provision of amenity open space would be relevant and necessary. The Proposal is, therefore, correct to imply that all forms of development may potentially require the provision of associated amenity space. However, it is clear from the wording of the Proposal, and its explanatory text, that the nature of this requirement will be related to the type and form of new development.

Amenity space appropriate to the scale and type of development, and the nature of the site, is expected and what will be “adequate” will inevitably depend on the circumstances of every individual proposal. It is not intended to rely on supplementary planning guidance standards.

It is not considered that references under criterion (iv) to the environmentally sensitive design and location of car parking, which may in certain instances be provided primarily for essential access or servicing needs, contains an encouragement to increase travel by private car. The reference is to car parking that may be provided to serve the development, not to serve the amenity open space. Proposal DP.6 does not seek to promote ‘hard’ landscaping where it would not be appropriate.

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***Change sought.***

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*development this would be applicable to.*

**GOSE (261/12)**

The meaning of "adequate" amenity space should be clarified or defined. If it is intended to rely on indicative standards contained in supplementary planning guidance, this should be made explicit.

***Change sought – not specified.***

**Grainger Trust (214/3)**

Proposal DP.6 should recognise that 'hard' landscaping will not be appropriate as part of all landscaping schemes and, at criterion (iv), that most amenity space is provided to serve only its local area. Additional travel by car should not, therefore, be encouraged in this way.

***Change sought – not specified.***

***Change Proposed – Paragraph 3.33:***

*... In submitting detailed drawings and specifications, planting plans should clearly indicate retained vegetation; the position, species, density and size of proposed planting (which should wherever appropriate use native species); means of protection; and management intentions....*

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**Issue 3. 22**  
**Proposal DP. 7**

**Representation:**

**R L Stubbs & Clients (302/5)**

No special considerations apply in Winchester to make this Proposal necessary. Provision of private amenity space should, therefore, be a matter for commercial judgement.

***Change sought – delete Proposal DP. 7.***

**J Hayter (138/23)**

Proposal DP. 7 is over-complex and unnecessary. The objection also applies in regard to paragraph 3.35.

***Change sought – delete Proposal DP. 7, together with its explanatory text (Paragraph 3.35).***

**GOSE (261/13)**

Proposal DP.7 should define or clarify "adequate" amenity space. If it is intended to rely on supplementary planning guidance standards this should be made clear.

***Change sought – not specified***

**Bewley Homes (386/6)**

The terms "adequate" and "appropriate" have not been defined.

***Change Sought – Proposal DP. 7 should refer to supplementary planning***

**City Council's Response to Representation**

Given the range and diversity of circumstances in which new residential development proposals are likely to be put forward, it is considered valid for the Plan to indicate its requirement for the provision of private amenity space. However, it is not considered necessary, or desirable, to specify particular standards or ratios for the provision of such space. Similarly, the Plan does not propose to rely on formal standards that have been adopted as supplementary planning guidance.

It is proposed in response to objections to Proposal DP.3 (see Issue 3.13 above), to incorporate the text of Proposal DP.7 into a new criterion to accompany Proposal DP.3. Proposal DP.7 should, therefore, be deleted, although its explanatory text is also relevant to DP.6 and should be retained.

***Change Proposed – Proposal DP.7:***

*Residential development which accords with other relevant proposals of this Plan will be permitted where adequate private amenity space is provided, appropriate to the size, design and residential function of the development and not unacceptably overlooked by neighbouring properties.*

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*guidance, which sets out amenity open space standards.*

**A Carruthers (484/2)**

In relation to paragraph 3.35 there should be a reference made to minimum garden length.

***Change Sought*** – add to paragraph 3.35, “A minimum rear garden length of 12 metres is sought for reasons of privacy. Where this distance is not required to provide for privacy a garden length of less may be acceptable.”

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**Issue 3.23**

**Proposal DP.8, Paragraphs 3.36-3.38**

**Representation:**

**Bewley Homes Plc & R C H Morgan-Giles (227/3)**

Support the need to make efficient use of resources in order to achieve sustainable patterns of development.

***Change sought*** – none.

**Energy Technology Support Unit of DTI (320/1)**

Welcome paragraph 3.37. To provide useful additional context, we suggest it should refer to the Government's 2010 national target for renewable energy generation and the findings of the South East Renewable Energy Assessment.

***Change sought*** – add references suggested.

**Energy Technology Support Unit of DTI (320/2)**

Welcome Proposal DP.8 which acknowledges that building design provides opportunities for linking development to renewable energy schemes.

***Change sought*** – none.

**T B Foster (1373/3)**

Support Proposal DP.8 and paragraph 3.38 to help prevent water resource depletion and summer shortages.

***Change sought*** – none.

**Berkeley Strategic Land Ltd, (210/10)**

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**City Council's Response to Representation**

The support is welcomed.

It is considered that, in order for sustainable development to be achieved, certain matters do require to be addressed, not just 'provided for'. No change is, therefore, considered necessary to paragraph 3.36 or Proposal DP.8 in response to this representation.

A number of respondents seek deletion or alteration of the Proposal so that it becomes advisory rather than mandatory. DP.8 seeks to promote various measures to encourage sustainable development, although it is accepted that planning powers may not currently enable all of these requirements to be enforced. It is therefore recognised that DP.8 needs to be applied sensibly, so as not to prevent acceptable developments from taking place.

However, the Local Plan will cover a 10-year period during which it can be expected that environmental controls and sustainable building practices will increase and the planning system's ability to require appropriately designed development may also grow. It is, therefore, concluded that Proposal DP.8 provides a useful basis for seeking sustainable development, now and during the life of the Local Plan.

A proposal, which sought only to encourage certain types of development, would not be a 'land use' proposal in terms of stating whether certain planning applications will be refused or approved. Nevertheless, there is some merit in adding an element of encouragement into Proposal DP.8, so far as this is likely to be compatible with the views expressed by GOSE on other 'encouraging' proposals.

***Change Proposed – Proposal DP.8:***

*In order to promote sustainable forms of development and avoid wasteful use of energy and natural resources, permission will be granted for development that accords with other proposals of this Plan where the Local Planning Authority is satisfied that it is appropriate in terms of:....*

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Object to DP.8 and paragraph 3.36 as sustainable development does not 'require' efficient use of resources it should 'provide' for it.

***Change sought – not specified.***

**Kris Mitra Associates (289/1)**

Object to DP.8 and paragraphs 3.39-3.40. While the general thrust of the policy is laudable, the prescriptive nature of its criteria would limit otherwise acceptable opportunities for development.

***Change sought – amend DP.8:***

*'In order to encourage sustainable forms of development applicants for planning permission should ensure that development proposals are not wasteful in their use of energy or through depletion of natural resources. All applications should be appropriate in terms of: ...'*

*Add 'normally' to show that circumstances may dictate a departure from the policy approach.*

**Grainger Trust Plc (214/4)**

DP.8 states that permission will be granted for development that accords with Plan Proposals and a range of criteria. It should also be recognised that these need to be balanced with good urban design and may not always be achievable. Criterion (vii), which states that consideration should be given to the planned life of the building and its adaptability, should be clarified. Elements of the above criteria, together with criterion (viii) are Building Control matters.

***Change sought – supplementary planning guidance, worded to encourage the recognition of energy exploitation, would be more appropriate.***

**Bryant Homes Ltd. (397/4)**

Object to DP.8 which is too restrictive and is likely to restrict housing supply.

***Change sought – delete Proposal DP.8 and replace with text encouraging rather than enforcing the provision.***

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**Issue 3.24**  
**Proposal DP.8(i)-(viii)**

**City Council's Response to Representation**

The wording of DP.8 is not so prescriptive as to require the use of sustainable urban drainage systems in all cases, regardless of

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***Change sought.***

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**Representation:**

**Environment Agency (253/5)**

Object to DP.8(iv). The Environment Agency suggests the word 'urban' be removed from Proposal DP8 (iv). The expression 'sustainable drainage systems' can be applied to both urban and rural locations, and is the term used in PPG25: Development and Flood Risk. ***Change sought – delete 'urban' from DP.8 (iv).***

**Southern Water (311/1)**

Support the text of paragraph 3.37, but DP.8 narrowly interprets this as 'sustainable urban drainage systems'. Object to SUDS type systems as a requirement for many developments as their failure can lead to surface water overloading the public sewerage system. National design standards have not been published which define the criteria against which their suitability can be measured effectively. Under current legislation SUDS are not acceptable as public sewers and we are concerned at implementation proposals in advance of any provision for maintenance. Our concern reflects our experience that the failure of drainage systems in private ownership leads to excess flows entering the public sewerage system with consequential surcharging and sewage flooding. ***Change sought – not specified.***

**CALA Homes (South) Ltd. (468/7)**

Object to Proposal DP.8. It is unreasonable to determine an application against the possibility of it being served by a renewable energy scheme that may, or may not be, provided elsewhere in the future (criterion i). It is not clear how the policy will be implemented, or how the criteria for assessing 'demonstrably wasteful' will be used (criterion iii). Whilst the need to minimise waste from new development is supported, it is unclear how a decision will be reached on what is an appropriate level for such minimisation (criterion v). Criterion (vii) does not allow an application to be determined on its individual merits. Certain forms of foundation result in unavoidable subsoil

whether this is suitable. DP.8 states 'permission will be granted for development that accords with other proposals of this Plan where the Local Planning Authority is satisfied that it is appropriate in terms of:...' (iv) sustainable urban drainage systems ...'

This allows flexibility over the need or otherwise for a particular type of drainage system. Also, criterion (iv) cross-refers to Proposals DP.10 and DP.11, which set out the requirements in more detail.

Whilst the legislative and practical issues raised by Southern Water are noted, they should not override the need for sustainable forms of development. It is to be expected that these matters will be resolved during the currency of the Local Plan.

However, it is accepted that the use of the word 'urban' suggests these solutions may only be appropriate in urban areas, whereas the Proposal requires them to be considered in any location. The wording should, therefore, be revised.

It is accepted that planning powers may be limited in relation to some of Proposal DP.8's criteria. It is also acknowledged that certain of the criteria can only be satisfied if this is feasible in the scheme concerned, e.g. linking to renewable energy schemes. Therefore DP.8 needs to be applied sensibly, so as not to prevent acceptable developments from taking place. At the same time, the Local Plan is making provision for substantial development, including two new Major Development Areas, and development of this scale provides a unique opportunity to achieve more sustainable forms of development.

It is considered that seeking to ensure that development is 'appropriate in terms of' the various criteria Proposal DP.8 quite properly promotes sustainable development whilst avoiding criteria which are so prescriptive of all development as to be unrealistic.

With regard to Criterion (viii), it is accepted that this should not apply only to 'sub' soil.

***Change Proposed – Proposal DP.8:***

*....(iv) sustainable ~~urban~~ drainage systems (see also Proposals DP.10 and DP.11);....*

*....(viii) measures to ensure that ~~sub~~-soil structure is not destroyed by compaction....*

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compaction and it is unrealistic to expect all built development to comply with criterion (viii).

***Change sought*** – *delete/amend various criteria.*

**Strutt & Parker (877/3)**

Criteria (ii-viii) do not relate to land use planning policy and should be deleted or relegated to lower case text as a statement of best practice.

***Change sought*** – *delete criteria (ii-viii).*

**Environment Agency (253/6)**

Object to DP.8(viii). The Proposal refers to sub-soil and not top-soil structure. If top-soil structure is compacted that can result in creation of an impervious 'top-pan' layer, preventing natural surface water drainage into the ground.

***Change sought*** – *delete 'sub' from DP.8(viii).*

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**Issue 3.25**  
**Proposal DP.9**

**City Council's Response to Representation**

The support is welcomed.

**Representation:**

**Southern Water (311/2)**

Support Proposal DP.9. It is imperative that the Environment Agency effectively enforce its adopted Groundwater Protection Policy to protect groundwater resources most at risk for the lifespan of the development.

***Change sought*** – *none.*

**Save Barton Farm Group (175/8)**

Object to Inset Map 45, which does not take into account the flooding problems that affected the land east of the Sir John Moore Barracks and the southern end of Barton Farm (closest to Park Road) for several months in autumn and winter 2000/1. The maps produced by the Environment Agency for the Draft Deposit Plan are demonstrably out-of-date. For example, Sir John Moore Barracks and the road opposite flooded extensively for the second time in three years, but this was not noted on the maps.

***Change sought*** – *not specified.*

Proposal DP.9 is concerned with groundwater protection, not flooding. Representations relating to flooding are dealt with in response to objections to Proposals DP.10 and DP.11. However, the Indicative Floodplain maps used in the Deposit Local Plan were the latest available from the Environment Agency at the time. As part of the further work to refine the location of the Winchester (North) reserve MDA, further investigation of flooding issues has been undertaken. The Revised Deposit Plan will indicate an indicative 'groundwater flood hazard area', following further investigation of flooding issues.

Specific protection is essential to protect the quality and sustainability of local water supplies. One way of helping to ensure protection of groundwater supplies is through the control of development. It is, therefore, considered appropriate for the Local Plan to include Proposal DP.9.

***Change Proposed*** – *none.*

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**CALA Homes (South) Ltd. (468/8)**

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Object to Proposal DP.9, which is considered unnecessary in light of other legislation specifically designed to protect such matters.  
***Change sought – delete DP.9.***

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**Issue 3.26**  
**Proposal DP.10**

**City Council's Response to Representation**  
The support is welcomed.

**Representation:**

**Southern Water (311/3)**

Support Proposal DP.10. Southern Water supports the Environment Agency's direction on assessing new development proposals in vulnerable floodplains, following the risk-based sequential approach described in PPG25.

***Change sought – none.***

**English Nature (251/9)**

Object to DP.10(i) 'runoff from the site will not be significantly increased'. The definition of 'significantly' is open to debate, suggest the substitution of the word 'measurably'. The Proposal is inconsistent with the sustainable development emphasis of the Plan and other proposals (DP.1(vi) and DP.8(iv)).

***Change sought – replace 'significantly' with 'measurably'.***

**CALA Homes (South) Ltd. (468/9)**

Object to the requirement of criterion (ii) in DP.10 that requires developers to provide access for civil infrastructure in times of emergency. This requirement has not been demonstrated as necessary in PPG25.

***Change sought – delete requirement for access for civil emergency infrastructure.***

**Bewley Homes (386/7)**

Proposal DP.10 is not clear and does not define what an adequate level of flood defences is in developed floodplains. The Proposal does not recognise that such sites may not be suitable for all forms of development. PPG25 requires that 'developers and local planning authorities should consider what types of new development would be appropriate to these circumstances'.

***Change sought – refer to supplementary***

The term 'measurably' suggested by respondent 251 instead of 'significantly' is not considered any more specific and may also be open to debate. A judgement will have to be taken in each case as to the degree of additional runoff likely to result from development and whether this would be acceptable given the nature of the area, subsoils, etc. Significance is also likely to be judged in terms of whether there will be an increase in flood risk. It is not possible to cover the range of circumstances that may be encountered in the Local Plan and specialist advice is likely to be needed in some cases.

The reference to civil emergency infrastructure (hospitals, fire stations, etc) derives from PPG25, which discourages their provision in areas liable to flooding and seeks to maintain access to them where they already exist, if flooding does occur. It is considered entirely reasonable and sensible to expect this to be incorporated as appropriate. The Environment Agency wishes to see the word 'low' deleted from criterion (ii), to make it clear that emergency infrastructure should not be located in any area of floodrisk, so as to be consistent with PPG25. The revisions to the wording of criterion (iv) suggested in discussion with the Environment Agency would help to clarify that, in developed floodplains, access should be maintained at times of emergency.

Proposal DP.10 can apply to various types of development. What is an 'adequate level of flood defence' will depend on the individual circumstances of each site and will vary with the type of development proposed. It is not, therefore, considered appropriate to attempt to be more prescriptive in Proposal DP.10. There is no supplementary planning guidance in existence at present to refer to in proposal DP.10.

The other changes suggested by the Environment Agency are also considered helpful and provide useful clarification of the criteria of DP.10. It is proposed that these changes should be made and this would also address the objections of respondent 889. It is, however, accepted that the sequential approach set out in Table 1 of PPG25 is not fully reflected in Proposals DP.10 and DP.11. Changes are, therefore, proposed to both proposals to make it clearer which provisions apply to various areas at risk of flooding

The Indicative Floodplain maps used in the Deposit Local Plan were the latest available from the Environment Agency at the time. These maps are continuously updated and, whilst the adopted version of the Plan will incorporate the latest maps available at the time, it is not realistic to update all the relevant Proposals/Inset Maps in the Plan at every stage. The Revised Deposit Plan will, however, show the

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*planning guidance on building design to prevent and resist flooding, specify that any development would not compromise future shoreline or river management options, specify that development will only be permitted in exceptional circumstances, specify what types of development would be inappropriate to such vulnerable locations.*

**Environment Agency (253/8)**

Object to the word 'prevent' in DP.10(iii), which suggests defending development from flooding. Using 'avoid' places the emphasis on locating development out of flood risk areas. In subsequent discussions about flooding issues the Environment Agency has suggested other detailed wording changes as set out below.

**Change sought** – insert 'the rate of' runoff in DP. 10(i);  
 delete 'low' in DP. 10(ii);  
 reword DP. 10(iii) to avoid development in 'dry' valleys;  
 add 'access is provided for essential civil infrastructure in times of emergency.' at end of DP. 10(iv).

**J D M White (889/1)**

DP.10 only refers to ground water flood risk in dry valleys. Recent years' ground water flooding experience at Meonstoke suggests the policy should be amended to refer to ground water flood risks.

**Change sought** – insert 'and other areas liable to ground water flood' between 'dry valleys' and 'buildings' in DP. 10(iii).

**Littleton and Harestock Parish Council (879/2)**

Object to Inset Map 45, which fails to identify the dry valley bottoms mentioned in paragraph 3.42 that are at flood risk. No account is taken of the flood problems that affected Littleton, the land east of Sir John Moore Barracks and the southern end of Barton Farm (closest to Park Road) which flooded for several months in autumn / winter 2000/1. The maps produced by the Environment Agency for the draft deposit Plan are out of date

**Change sought** – update Inset Map 45 to show flood risk to dry valley bottoms.

'groundwater flood hazard area' that has been defined at Barton Farm, following further work on flooding in this area.

**Change Proposed – Proposal DP.10:**

....(i) appropriate measures are taken to ensure that the rate of runoff from the site will not be significantly increased;

(ii) in all areas with low potential risk of flooding, access is maintained provided for essential civil infrastructure in times of emergency;

(iii) buildings are located away from in 'dry' valleys floors and other areas where there is a risk of groundwater flooding, buildings are positioned and designed to prevent and resist flooding, and do not add to flood risk up or down stream;

(iv) in already developed floodplains at high risk of flooding (1 in 100 years or greater), where an adequate level of flood defence already exists and can be maintained, buildings are designed to resist flooding, there are suitable warning and evacuation procedures existing in place, and development does not add to flood risk up or down stream. Civil emergency infrastructure will not be permitted in these areas, already defended but, where it exists, provision for continued access at times of emergency should be made.

In undeveloped or sparsely developed floodplains at high risk of flooding (1 in 100 years or greater), development will only be permitted where, exceptionally, there is an overriding need for the location proposed, such as for essential infrastructure.

**GOSE (261/18)**



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Although Policies DP.10 and DP.11 take account of issues of flood risk, the Plan does not fully apply the principles of the sequential test, as set out in Table 1 of PPG25.

***Change sought – not specified.***

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**Issue 3.27**  
**Proposal DP.11**

**Representation:**

**English Nature (251/10)**

DP.11 needs amendment to clarify the exceptional circumstances where development will be allowed in a floodplain. The development must be designed in such a way as not to compromise the functioning of the floodplain.

***Change sought – clarify DP.11.***

**Environment Agency (253/9)**

Only development listed within DP.11(ii) should be permitted within functional floodplains. Development under (i) would result in loss of functional floodplain which could increase flood liability putting occupiers at risk.

***Change sought – delete DP.11(i).***

**William Wheatley (Wickham) Ltd (472/1)**

Object to DP.11, particularly criterion (i). Development should be permitted if mitigation measures are applied. The policy is vague and does not accord with guidance offered in PPG25.

***Change sought – clarify 'social and economic blight' and allow development with mitigation measures. Change the requirement for an alternative site to 'a more sustainable alternative site'.***

**Bewley Homes (386/8)**

Reference to social and economic blight in criterion (i) is not directly applicable and also difficult to quantify.

***Change sought – delete reference to 'social and economic blight' and reword proposal to read 'there are exceptional circumstances and the local authority is satisfied that there is no alternative site.'***

**City Council's Response to Representation**

The purpose of Proposal DP.11 is to set out in general terms the exceptional circumstances where development may be allowed in a functional floodplain. Several respondents object to criterion (i) of DP.11. The objections range from the Environment Agency which wishes to see criterion (i) deleted (which would have the effect of making the proposal more restrictive), to development interests who wish to see it relaxed and in particular removal of the reference to 'social and economic blight'.

It is accepted that the removal of criterion (i) would make the proposal consistent with PPG25 Table 1 and, subject to the changes proposed to DP.10, would more fully reflect Government advice. It is also accepted that the reference to social and economic blight is unclear and not particularly relevant in this District. It is, therefore, proposed that DP.11 be retained, but modified. For the limited types of development that will be permitted in functional floodplains, the Proposal should make clear the need for appropriate safety measures and additional text is proposed to cover this.

PPG25 is clear that built development should be avoided in functional flood plains and emergency infrastructure should be avoided in any flood risk area if possible. The Proposal should not, therefore, exempt NHS development (or any other development) from its requirements, although if there is a particular local need for a health-related development in a floodrisk area the Planning Authority and Environment Agency would need to look at how this could be accommodated.

Changes to settlement boundaries should not be made in response to these representations. Where objections are made specifically on settlement boundaries, they are dealt with in the relevant sections (e.g. Issue 6, Housing).

In the case of the site-specific objection by Winchester College, Blackbridge Yard lies just outside the policy boundary for Winchester, so countryside policies which prevent development apply. The site is also unsuitable for housing use due to flood risks. It is understood that adjacent houses were badly flooded during winter 2000/1. The site is owned by the College so it is within the objector's control to make the site more attractive if it wishes.

***Change Proposed – Proposal DP.11:***

***Development or change of use in functional floodplains will not be permitted unless:***

***(i) the Local Planning Authority is satisfied that there is no alternative site and that the refusal of planning permission will lead to social and economic blight. In this instance particular attention must be paid to***

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**BT PLC. (305/1)**

Object to DP.11 as it does not adequately reflect PPG25. The guidance acknowledges areas in floodplains are subject to different levels of flood risk, and that it may be possible to accommodate development within floodplains with appropriate mitigation measures.

***Change sought*** – amend to show appropriate regard will be given to the likely flood risk - and to the required mitigation measures when considering development proposals.

*design, mitigation, warning and evacuation arrangements; or*  
~~(ii) the proposal is other than~~ for sport, recreation, amenity or conservation, or essential transport and utility infrastructure, in which case adequate warning and evacuation procedures should be in place; and. Such development should be designed to an appropriate standard of safety, to avoid increasing flood risk elsewhere or inhibiting the essential maintenance of the river system (including flood defences), and  
~~(iii) provided it should~~ accords with Proposal DP.3 and other relevant proposals of this Plan.

**NHS Executive SE Region (452/1)**

Proposal DP.11 goes beyond PPG25 advice which suggests that Environment Agency floodplain maps should not be used as the sole basis for decisions on where planning policies apply. Instead the guidance suggests a priority based approach, and that such areas 'may be suitable for residential, commercial and industrial development'.

***Change sought*** – amend to a criteria based approach to ensure that changes of use and extensions to existing uses in floodplains do not increase flood risk and in case of health care uses, changes of use will be permitted to less flood sensitive uses.

**Winchester College (884/1)**

Object to DP.11(i) in relation to Blackbridge Yard, College Walk. This is an unsightly site which has potential for sensitive development for housing or other uses but the Local Plan offers no encouragement to the owners to do other than leave it untouched.

***Change sought*** – In DP.11(i) add 'aesthetic' after '.. economic and social ...' The defined policy boundary (H2) should be extended to cover Blackbridge Yard.

**Issue 3.28**  
**Paragraph 3.45**

**Representation:**

**Environment Agency (253/10)**  
 Paragraph 3.45 states that the

**City Council's Response to Representation**

Whilst the legislative and practical issues raised by Southern Water are noted, they should not override the need for sustainable forms of development. The wording of paragraph 3.45 is not so prescriptive as to require the use of Sustainable Drainage Systems. Also it does not use the expression Sustainable 'Urban' Drainage Systems, and so avoids least some of the concerns over reference to those systems.

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***Change Proposed***

<p>Environment Agency may undertake sustainable drainage system work. This is incorrect as the Agency's powers to undertake work are limited to Main Rivers</p> <p><b><i>Change sought</i></b> – <i>replace the expression 'Environment Agency' with the term 'others'.</i></p> <p><b>Southern Water (311/4)</b>          Object to reference to SUDS type systems as a requirement for many developments, their failure can lead to surface water overloading the public sewerage system. National design standards have not been published and under current legislation SUDS are not acceptable as public sewers. Failure of drainage systems in private ownership leads to excess flows entering the public sewerage system with consequential surcharging and sewage flooding. The reference at paragraph 3.37, to measures for disposing of surface water drainage as close as possible to its source is adequate to address consideration of the appropriateness of sustainable drainage systems for development proposals.</p> <p><b><i>Change sought</i></b> – <i>delete first sentence of paragraph 3.45.</i></p>	<p>Discussions have been held with the Environment Agency about its concerns and various revisions to paragraph 3.45 are suggested as a result. In addition, it is proposed to move the first sentence of paragraph 3.45 to the end of 3.44 and alter it to encourage 'sustainable drainage and surface water disposal systems' where appropriate, rather than implying they will be sought in all cases.</p> <p>Since the publication of the Local Plan, discussions have been held with the Environment Agency about the flooding in Winchester, following concerns that the floods of winter 2000/2001 came close to causing widespread and serious flooding in the centre of Winchester. The Agency and the City Council clearly wish to ensure that development in and around the town, such as the Winchester City (North) MDA and the Broadway/Friarsgate development would not exacerbate flood risks, both on the development sites and elsewhere.</p> <p>As a result of these discussions, it seems that there may be a need to increase the capacity for water to pass through the river system in the town in times of exceptionally high flow, but the main conclusion is that further specialist studies are needed to determine the extent of the problem and what possible solutions there may be. The Environment Agency is considering the scope of these studies and has suggested partnership arrangements with the City Council and prospective developers to reduce flood risk constraints in an integrated and cost-effective way. The alternative would be for developers to carry out the studies themselves.</p> <p>If the studies result in works being proposed, the need for which can be wholly or partly attributed to proposed development, it would be appropriate to seek developer contributions towards the costs of such works. These can be sought under the terms of Proposal DP.12, but it would be appropriate to draw attention to the proposed studies and the possible need for developer contributions to these and resulting remedial works. This is proposed by adding a new paragraph after 3.45, with additional references in the New Communities (Winchester City North MDA) and Winchester (Broadway/Friarsgate) Chapters.</p> <p><b><i>Change Proposed – paragraph 3.44:</i></b>  <i>...The harmful results of such changes can often appear some distance from the development and could include increased risk of flooding, silting and pollution, damage to watercourses and their environments, and a reduction in river base flows and aquifer recharge capability. <u>The Local Planning Authority will encourage the provision of sustainable drainage and surface water disposal systems, where appropriate, in all new development.</u></i></p> <p><b><i>Change Proposed – paragraph 3.45:</i></b>  <del><i>Where possible the Local Planning Authority will seek Sustainable Drainage Systems in all new development. It may be necessary to provide flood protection measures, including the provision of long term monitoring and management. Under such circumstances, developers will be expected to identify, implement and fund the necessary measures, with advice as necessary from the Environment Agency and the City Council, as Land Drainage Authority. In some circumstances, these Authorities may need to undertake specialist work needed may best be undertaken by the Environment Agency. In</i></del></p>
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Summary of Representation.  
*Change sought.*

City Council's Response to Representation  
*Change Proposed*

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*such cases, the cost should be met by the developer.*

**Change Proposed – new paragraph:**

Add new paragraph (after 3.45):

*(3.46) Recent flooding events have highlighted the need in some areas for strategic or site-specific studies to be carried out to determine the causes and solutions to flooding problems. Such a study is proposed in Winchester due to the potential flooding threat to the town. In view of the large number of potential development proposals in the town (including potentially substantial developments), there are significant benefits in adopting partnerships to resolve flood risk constraints. Where proposed development contributes to the need for such studies, or where the need for flood defence or alleviation works can be attributed to proposed development, contributions may be sought from developers towards the costs involved, in accordance with Proposals DP.10, DP.11 and DP.12. Alternatively, developers will be expected to undertake appropriate studies themselves.*

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**Issue 3.29**  
**Proposal DP.11**

**Representation:**

**B Horn (497/2)**

Land west of New Cottages, Corhampton is incorrectly shown as indicative floodplain. Map contours show the land is higher than the floodplain and it has not flooded even during recent severe (winter 2000/1) flood events.

**Change sought** – delete the site from the indicative floodplain.

**C A Payne (883/1)**

Land to rear of Water Farm Cottages was severely flooded in winter 2000/1. HCC have increased their Highway drainage pipes to 30 inches diameter discharging all the village drainage into the Itchen Fields, increasing flood risk in these fields which should be added to the flood plain map.

**Change sought** – add fields and water meadows bordering Finches Lane and Churchfields to the mapped Itchen floodplain.

**D A Coates (1208/1), J C Richardson (1215/1), R M Rainsbury (1351/1), Mr & Mrs L A B Wessely (1352/1), J Harfield (1353/1), K S Golding (1354/1), Mr & Mrs P Wild (1355/1), I F Grant (1356/1), A McKenzie (1357/1)**

**City Council's Response to Representation**

The Local Plan reproduces the Environment Agency's Indicative Floodplain maps, using the latest version available at the time of publication. Only where detailed additional surveys have been undertaken would any change to these maps be appropriate (as has happened at West of Waterlooville where the results of detailed survey work is incorporated). Paragraph 3.43 notes that the indicative floodplain maps are under constant review and do not preclude the need for flood risk assessments. They do not therefore preclude development in a defined floodplain if an assessment indicates that development can be accommodated (in accordance with DP.10 and DP.11). Nor mean do they mean that development outside an identified floodplain is immune from flood risk or the need to carry out a risk assessment.

It is proposed to use the latest available Indicative Floodplain maps in the adopted version of the Plan. However, the Local Planning Authority is not in a position to change these maps and it would not be appropriate to identify different areas to the Environment Agency maps unless the Council is satisfied that this results from a full and competent survey (as at Waterlooville). Accordingly, it is proposed not to amend the Plan in response to objections in this section, although a response to each is set out below.

The site behind New Cottages does appear to be above the level even of the main A32 Meon Valley Road through the village, which in turn is above river level at this point. However, the road is also shown in the floodplain and the accuracy of the map should be taken up with the Environment Agency so that any changes needed can be incorporated in the next update.

The fields at Water Farm Cottages/Churchfields, Twyford appear to be above floodplain level and only at flood risk due to runoff from road drainage. Residents here are concerned about the possibility of house building on these fields but the land is outside the Twyford village boundary, so housing development would be resisted. The

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***Change sought.***

**City Council's Response to Representation**  
***Change Proposed***

The designated flood area for the River Itchen between the river and Churchfields is too small. Most of that area flooded in winter 2000/1, while most winters part of the area floods.

***Change sought – the identified flood area should be increased (specific area suggested).***

**M R W Evans (1358/1)**

The Twyford Surgery site should not be bisected by the village boundary, since that could prevent expansion of the surgery car park, which is needed as parking demand has risen. Also object to the shape of the Conservation Area boundary which encloses two open field parcels on the north side of the B3335 west of the surgery and so prevents their development. The Surgery might be caused to relocate if it cannot expand on its present site.

***Change sought – amend settlement and conservation area boundaries.***

**Estates Practice (Hampshire County Council) (1434/10)**

HCC has properties whose change of use would be restricted by DP.11. Chesapeake Mill, Wickham is on the Meon floodplain, the policy should allow for a viable new use where this existing building is to be conserved. St Bede's School, Winchester is shown within the River Itchen floodplain. It is to be reconstructed subject to appropriate measures to mitigate the risk of flooding.

***Change sought – word DP.11 so as not to restrict change of use of existing buildings in flood plains.***

accuracy of the floodplain map should be taken up with the Environment Agency so that any changes needed can be incorporated in the next update.

The comments made by respondent 1358 do not relate to matters relevant to Proposal DP.11 and the representation is also addressed in relation to objections to settlement boundaries (H.2). However, in response, the Twyford conservation area boundary is drawn to conserve the open setting between the two parts of Twyford village at this point. This attractive feature of the conservation area would be lost if development were allowed on this land.

The fields that are outside the Twyford settlement boundary at this point provide a very attractive open setting to the village. They form a very important open landscape when viewed from Hazeley Road to the east.

There is no identified need to release additional land for housing or other purposes. Proposal C.5 may exceptionally allow for development for essential services and this may allow the Surgery or its car park to be expanded beyond the settlement boundary if an overriding need to do so is proved. However, the settlement boundary should not be changed in response to this objection.

It is entirely legitimate for careful control to be exercised over development in defined floodplains. DP.11 relates to development in areas at high risk of flooding and in functional floodplains outside already developed areas. It would not therefore apply to the sites highlighted by the County Council and it is appropriate that it should be restrictive, to reflect PPG25. Proposal DP.10 would allow for development of these sites, as demonstrated by the fact that St Bede's School is to be rebuilt.

***Change Proposed – Proposals Map and Inset Maps:***  
Update adopted version of the Plan using latest available Environment Agency Indicative Floodplain Maps.

**Issue 3.30**  
**Proposal DP.12**

**Representation:**

**Southern Water (311/5)**

Southern Water supports a co-ordinated approach to development and timely infrastructure provision. We need to receive early notice of development proposals. Southern Water's ability to service new development must be considered by the Local Planning

**City Council's Response to Representation**

The support is welcomed.

The planning obligations that are sought when NHS land is developed are fully justified in the circumstances of each site and are no more onerous than those made of other landowners. Proposal DP.12 is intended to ensure the full range of physical and social infrastructure is provided and certainly covers health care provision.

It is agreed that liaison with NHS Trusts is important and this is being undertaken in planning for the Major Development Areas in the District. Proposal DP.12 provides the basis for seeking developer contributions towards infrastructure, including health care facilities, and this will be sought where the relevant providers can demonstrate

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**Summary of Representation.**  
***Change sought.***

**City Council's Response to Representation**  
***Change Proposed***

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<p>Authority when determining applications. <b><i>Change sought – none.</i></b></p> <p><b>Estates Practice (Hampshire County Council) (1434/4, 1434/11)</b> Support DP.12 and paragraph 3.47. All new residential development must contribute to educational and other services infrastructure on a roof tax basis on all dwelling units. The County Education Officer is preparing a consultation paper that identifies how this could be done. <b><i>Change sought – none.</i></b></p> <p><b>NHS Executive SE Region (452/8)</b> Support DP.12. The NHS suffers an imbalanced impact from planning obligations. In securing planning consent for the re-use of surplus land, the NHS has often been required to contribute towards the provision of transport infrastructure, affordable housing, etc but it is less likely the NHS benefits from planning obligations from development that may impact on the need for additional local healthcare provision. It is important that Councils liaise with the individual NHS Trusts and the Health Authority to identify the extent of provision required for health-care needs of all significant developments. <b><i>Change sought – amend DP.12 (or SF.5) to make clear that 'provision for social infrastructure' includes health provision.</i></b></p> <p><b>Bewley Homes Ltd. (386/9)</b> Object to DP.12 which is applicable to large scale developments and therefore conflicts with the Urban Capacity approach that the District Council have adopted which proposes small scale development. The Urban Capacity approach primarily provides for piecemeal contributions which cannot significantly improve social and physical infrastructure. <b><i>Change sought – it should not be assumed that the majority of sites identified in the Urban Capacity Study will come forward during the plan period and greenfield sites should be identified to meet this shortfall.</i></b></p>	<p>a need arising from the development and justify specific requirements.</p> <p>Paragraph 3.49, which follows DP.12, states that 'The requirements from Proposal DP.12 are not specified in detail, as they will vary from case to case.' Clearly a larger scale development, like a Major Development Area, will present more demand for health-care facilities than smaller forms and scales of development.</p> <p>The Urban Capacity Study provides a robust estimate of the number of new houses likely to come forward in built-up areas through the Plan period. Present market conditions provide an exceptional incentive to build and many sites are being presented by landowners for development which were not identified in the Urban Capacity Study. The rate at which infill approvals and completions take place will be monitored and estimates updated as necessary. It is not considered that additional greenfield sites need to be identified.</p> <p>Proposal DP.12 is not only applicable to large sites. The reference to large sites in paragraph 3.49 simply alerts developers of these sites to the need to ascertain likely obligations at an early stage. Infrastructure provision or contributions may be sought of sites of any size and systems are already in place or proposed to apply these to smaller sites (e.g. Open Space Funding System, affordable housing provisions of Local Plan Review, etc). Whilst greenfield sites may appear to offer more straightforward provision of certain facilities, they will not be sufficient in size, or necessarily in the right locations, to provide for all the needs imposed by a particular development. Even MDAs will rely on higher level services being provided off-site and will be expected to make a financial contribution to these in the same way as smaller scale development.</p> <p>Initiatives such as that by the County Education Officer to devise a system for seeking contributions towards education provision from individual developments (in a similar way to the Open Space Funding System) are to be welcomed. The emphasis must, however, be on service providers to establish what needs and pressures new development will create and to justify their requirements so that the Local Planning Authority can use its powers to control development to seek such provision. The Council is keen to engage with service providers to do this and has taken the lead in seeking to establish infrastructure requirements for the West of Waterlooville MDA. It may be appropriate to include reference to specific systems and requirements in the Local Plan, in a similar way to the Open Space Funding System, but at the moment none are sufficiently developed. However, Proposal DP.12 provides a general policy basis for seeking appropriate and justified contributions.</p> <p><b><i>Change Proposed – none.</i></b></p>
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**Summary of Representation.**  
***Change sought.***

**City Council's Response to Representation**  
***Change Proposed***

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**Estates Practice (Hampshire County Council) (1434/12)**

Paragraph 3.49 states that the requirements arising from Proposal DP12 are not specified in detail when they are not really specified at all. The Local Planning Authority must engage with providers of social infrastructure to ensure that the Local Plan spells out a broad programme of social objectives and programmes as far as possible, including additions to existing facilities. Request fuller debate on these issues and liaison between Health Authorities, Local Planning Authority and key landowners.

***Change sought – not specified.***

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**Issue 3.31**

**Proposal DP.13, Paragraph 3.52**

**Representation:**

**GOSE (261/15)**

Proposal DP.13 does not appear to accord with PPG23 advice which states that local plans should include site specific policies for potentially polluting development.

***Change sought – not specified.***

**Environment Agency (253/12)**

Proposal DP.13 should be amended to highlight need for developers to consider surface and ground water pollution at the design stage.

***Change sought – amend DP.13 to read 'surface water or groundwater pollution'. After 'standards of environmental quality and' add 'environment protection policies'. Add at end 'Where possible proposals should strive to show that statutory standards are not only achieved but preferably exceeded in quality and that all proposals contribute to sustainable development'.***

**Hawthorne Kamm Ltd. (374/9)**

Proposals DP.9, DP.13, DP.14, and DP.15 cover similar and interdependent issues though the Plan deals with them as separate matters. This creates a lack of clarity, with overlap which leads to conflicting aims.

**City Council's Response to Representation**

Proposal DP.13 addresses potentially polluting development. As that is not a major site-specific issue within Winchester District, there is no special site-specific proposal on polluting development within the Plan. Proposal DP.13 therefore, sets the policy background against which any specific development proposals can be assessed.

The changes proposed by the Environment Agency are generally helpful and appropriate. However, the suggestion that developers should show statutory standards are exceeded, whilst to be welcomed, may go beyond what could reasonably be required and would be more appropriate to the explanatory text.

Proposals DP.9 and DP.13-DP.15 are intended to be a suite of policies covering different aspects relating to pollution and environmental controls. Each proposal covers a different aspect and it is not, therefore, considered that they are unclear or have conflicting aims. To combine them into a single proposal would result in it being very long and complex, and less clear than the current proposals.

It is accepted that a reference to other advice being available from the Environment Agency could appropriately be added to paragraph 3.52.

It is accepted that the Plan does not address the issue of light pollution. This is an area that is increasingly being addressed in local plans. Therefore, a reference to light pollution should be added to Proposal DP.13.

***Change Proposed – Proposal DP.13:***

***Development which may generate air, land, light, or surface water or groundwater pollution, and which accords with other relevant proposals of this Plan, will only be permitted where the Local Planning Authority is satisfied that it has been designed to reduce the impact to an acceptable level. Proposals should comply with ~~the~~ statutory standards of environmental quality and environmental protection policies required by the pollution control authorities, and include a statement setting out how the requirements have been met in***

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**Summary of Representation.**  
***Change sought.***

**City Council's Response to Representation**  
***Change Proposed***

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***Change sought*** – *the policies should be consolidated and revised to ensure there is no overlap.*

**Environment Agency (253/11)**

Paragraph 3.52 advises developers of advice from the Environment Agency on water quality. Developers should also be informed of other advice available from the Environment Agency relating to pollution.

***Change sought*** – *add after 'water quality' at end of paragraph 3.52 ' waste disposal and contaminated land.'*

**J D M White (889/2)**

The Plan states the Winchester District is largely countryside but there is no reference to light pollution in the Plan despite this issue being covered in The Hampshire Landscape: a Strategy for the Future and Our Countryside: The Future.

***Change sought*** – *include policies to reduce existing light pollution by replacing existing lights with low light-polluting installations where feasible.*

*designing the proposal.*

***Change Proposed – paragraph 3.51:***

*....Guidance should be sought from the appropriate pollution control authorities on the standards of environmental quality required and features that need to be incorporated into the design process. Where possible proposals should strive to exceed statutory standards and show how they contribute to sustainable development.*

***Change Proposed – paragraph 3.52:***

*....Developers also should consult the Environment Agency for advice on standards of water quality (see also Proposal DP.9), waste disposal and contaminated land.*

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**Issue 3.32**  
**Proposal DP.14**

**Representation:**

**P E Jones (887/2), I W L Jones (888/2, 888/3)**

Support DP.14 and paragraphs 3.56 and 3.47.

***Change sought*** – *none.*

**P A Warner (1249/5)**

Support DP.14 and paragraph 3.55, a very sensible proposal

***Change sought*** – *none.*

**GOSE (261/15)**

Proposal DP.14 does not appear to accord with PPG23 advice which states that local plans should include site specific policies for potentially polluting development.

***Change sought*** – *not specified.*

**Hawthorne Kamm Ltd. (374/10)**

Proposals DP.9, DP.13, DP.14, and DP.15 cover similar and interdependent

**City Council's Response to Representation**

The support is welcomed.

Proposal DP.14 addresses potentially polluting development. As that is not a major site-specific issue within Winchester District, there is no special site-specific proposal on polluting development within the Plan. Proposal DP.14 therefore, sets the policy background against which any specific development proposals can be assessed.

Proposals DP.9 and DP.13-DP.15 are intended to be a suite of policies covering different aspects relating to pollution and environmental controls. Each proposal covers a different aspect and it is not, therefore, considered that they are unclear or have conflicting aims. To combine them into a single proposal would result in it being very long and complex, and less clear than the current proposals.

***Change Proposed*** – *none.*



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**Summary of Representation.**  
***Change sought.***

**City Council's Response to Representation**  
***Change Proposed***

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issues though the Plan deals with them as separate matters. This creates a lack of clarity, with overlap which leads to conflicting aims.

***Change sought*** – *the policies should be consolidated and revised to ensure there is no overlap.*

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**Issue 3.33**  
**Proposal DP.15**

**Representation:**

**Southern Water (311/6)**

Generally support DP.15 but odour sensitive development close to sewage works can give rise to complaints. PPG23 stresses need to control development close to potential pollution sources, LPAs should identify areas round treatment works in which other development should be subject to special consideration. This is particularly relevant in Winchester considering the locations presented for the MDAs in relation to existing treatment works.

***Change sought*** – *add new paragraph after 3.58: 'In order to safeguard the amenity of potentially sensitive adjacent land uses the City Council will identify areas around wastewater treatment works where other development will be subject to special consideration. Where appropriate, land surrounding treatment works, shown on the proposals map, will be restricted from sensitive development. This is particularly important to protect future residents of Winchester District's new communities.'*

**Hawthorne Kamm Ltd. (374/11)**

Proposals DP.9, DP.13, DP.14, and DP.15 cover similar and interdependent issues though the Plan deals with them as separate matters. This creates a lack of clarity, with overlap which leads to conflicting aims. Proposal DP.15 does not relate sufficiently to the supporting text in paragraphs 3.58 to 3.60.

***Change sought*** – *replace DP.15 with a policy that seeks to protect pollution sensitive development, not one that regulates against existing installations (DP.13 and 14 already cover that issue).*

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**City Council's Response to Representation**

The City Council does not have the resources to investigate and define 'exclusion zones' around the many waste treatment works in the District. In any event, this may not always be the most appropriate approach, as the minimisation of odour nuisance should be the starting point. It is, however, accepted that account needs to be taken of odours from waste treatment works when locating development and Proposal DP.15 provides the basis to do this. This issue may be particularly relevant to the possible Winchester City (North) MDA, where the Area of Search includes an existing waste treatment works.

It is not accepted that the Proposal is not sufficiently related to the explanatory text in paragraphs 3.58-3.60. However, the objections indicate that there has been some misinterpretation of Proposal DP.15, which relates to development that may be affected by existing pollution sources, not to the pollution sources themselves. Revised wording is, therefore, suggested to address this point.

With regard to septic tanks, it is not considered realistic to impose a limit on the number in any particular location, as this is likely to be an arbitrary figure that could not be justified. Proposals DP.13 – DP.15 provide the basis to resist development that would either cause, or be affected by, unacceptable levels of pollution.

***Change Proposed – Proposal DP.15:***

***Pollution-sensitive development which accords with other relevant proposals of this Plan will only be permitted provided the Local Planning Authority is satisfied that it achieves an acceptable standard of environmental quality and minimises levels of pollution affecting the development, both within buildings and in spaces around them.***

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***Change sought.***

**City Council's Response to Representation**  
***Change Proposed***

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**Strutt & Parker (877/4)**

Proposal DP.15 in its current form is meaningless, unclear and open to interpretation. It should be deleted or be relegated from policy to a statement of best practice

***Change sought – delete Proposal DP.15.***

**I Fleming (346/4)**

Generally support Proposal DP.15 and paragraph 3.59, but concerned about the potential scale of new housing in Sleepers Hill, which is served by septic tanks. This should be borne in mind when assessing planning applications and perhaps an upper limit should be considered on the number of new septic tanks allowed in one area.

***Change sought – not specified.***

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**Issue 3.34**  
**Proposal DP.16**

**Representation:**

**Kris Mitra Associates (289/2)**

It is suggested this policy be referenced to Proposal E.2 as most contaminated sites are those in present or past industrial use.

This policy takes too little account of environmental harm caused by existing commercial uses.

***Change sought – add reference to Proposal E.2.***

**Hawthorne Kamm Ltd (374/12)**

The second part of DP.16 allows polluting development in exceptional circumstances. This conflicts with Proposals DP.9 – 15, which do not allow for polluting development.

***Change sought – delete second part of DP.16.***

**Environment Agency (253/13)**

Object to the description of 'water bearing aquifers' in Proposal DP.16.

***Change sought – delete the words 'water bearing' in DP.16(ii)'.***

**Environment Agency (253/14)**

**City Council's Response to Representation**

As the DP.16 provisions would apply in all cases where development of contaminated land is proposed, it is not essential to make a special reference to Proposal E.2. Proposal E.2 provides for employment uses to be lost if they are causing overriding environmental objections or if the need for the proposed development outweighs the benefits of retaining the existing use. Both circumstances may apply if contaminated land is involved, so provision is already made for it to be taken into account.

The second part of DP.16 is an 'exceptions policy', allowing for development of a type that would otherwise not be permitted if this is needed to deal effectively with the problems identified and achieve the long term suitability of the site for its intended use. It does not allow for contaminating development and the respondent has misinterpreted the Proposal. This part of DP.16 is an important provision which should be retained in the Plan.

The Environment Agency's suggested detailed wording change is helpful and should be accepted. It is not, however, proposed that reference to the DEFRA Model Procedures be included in Proposal DP.16 itself, but they can be added to the explanatory text (paragraph 3.64).

***Change Proposed – Proposal DP.16:***

*....(ii) appropriate remedial measures are included to prevent risk to future users of the site, the surrounding area and the environment (including water supplies and ~~water bearing~~ aquifers);.....*

***Change Proposed – Paragraph 3.64:***

*To enable the significance of contamination and the associated risks to be assessed, advice will need to be obtained from the Environmental Health Service of Winchester City Council, the*

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**Summary of Representation.**  
***Change sought.***

**City Council's Response to Representation**  
***Change Proposed***

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Proposal DP.16 should be amended to include DEFRA's Model Procedures for the Management of Land Contamination, in order that developers are aware of these guidelines.

**Change sought – add at end of DP16(iii)**  
*'and the "Model Procedures for the Management of land Contamination", DEFRA'.*

*Environment Agency, or the Health and Safety Executive, as appropriate. The Government's Department of Environment, Food and Rural Affairs' publication "Model Procedures for the Management of Land Contamination" also contains relevant advice.....*

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**Issue 3.35**  
**Proposal DP.17**

**Representation:**

**Railtrack Property (298/3)**

Welcome DP.17, Railtrack's equipment is suitable for mast sharing potential, in areas where they do not interfere with the running of the railway network.

**Change sought – none.**

**P A Warner (1249/6)**

Support DP.17 and paragraph 3.68. The spread and location of mobile phone masts needs to be controlled and this proposal will be of value towards this aim.

**Change sought – none.**

**GOSE (261/14)**

Criterion (ii) of DP.17 does not fully reflect the revised PPG8 advice stating that while LPAs may wish to refuse consent on siting or appearance, they should understand the constraints faced by operators. Criterion (ii) uses the expression 'adversely affect', which does not provide certainty, as endorsed in PPG12.

**Change sought – not specified.**

**Orange PCS Ltd. (66/1)**

DP.17 is clear and thorough but suggest adding "where appropriate" in criterion (iv) and adding references to latest PPG8 and GPDO in paragraphs 3.60 and 3.70.

**Change sought – add 'where appropriate' at end of criterion (iv).**

**BT Plc. (305/2)**

DP.17(i) should be changed to say that regard will be had to technical 'and operational' considerations.

**Change sought – add 'and operational'**

**City Council's Response to Representation**

The support is welcomed.

It is accepted that telecommunications and other infrastructure has certain operational and practical requirements and constraints that need to be balanced against the matters included in DP.17's criterion (ii). It is, therefore, proposed to refer to operational requirements and to clarify the reference to 'adversely effect'. It is also accepted that the requirement in criterion (iv) for a landscaping/restoration scheme may not be relevant to all proposals and should therefore be qualified by adding 'where appropriate'.

None of the proposals in the Local Plan Review include the word 'normally', reflecting the most recent Government advice on the wording of development plan policies. This is a change from the adopted (1998) Local Plan, but should continue to be consistently applied throughout the Plan.

The City Council is developing a database and plan of existing and proposed telecommunications sites and equipment. Respondent 229's contribution to this is welcomed, but it is not considered necessary or appropriate to include this information on the Local Plan Proposals Map. However, the explanatory text should be amended to refer to the fact that this information is available and should be consulted by developers. As all proposals of the Local Plan could potentially be relevant to any particular application, it is not considered appropriate to amplify criterion (v) to specify particular proposals, other than DP.3, which provides general guidance for all new development.

Whilst a number of respondents refer to public health fears surrounding telecommunications development, these are not proven, as acknowledged by one of the same respondents. It is Government's responsibility to monitor the health effects of telecommunications equipment and to introduce appropriate legislation or regulations, as necessary. Local planning authorities have neither the technical knowledge nor the powers to do this and the planning system is not the appropriate mechanism to introduce controls that are more appropriately addressed through public health legislation/regulation.

Whilst there is undoubted public concern, there is no convincing evidence of health hazards upon which to base any restrictions. A policy based on unsubstantiated fears will be open to challenge and is bound to fail. In any event, restricting telecommunications

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<p><i>to_ criterion (i).</i></p> <p><b>Vodafone Ltd (885/1)</b>  The introduction of the replacement PPG8 necessitates the redrafting of paragraph 3.69.  The policy is little different from FS.4 in the adopted Local Plan, but the word 'normally' should be reinstated. The linkage between telecommunications and transport has not been taken into account in the supporting text.  Policy objectives should recognise that telecommunications can help overcome isolation and exclusion.  <b>Change sought</b> – <i>add new proposal to recognise the connectivity between telecommunications and transport and promote maximisation of access and choice in telecommunications.</i></p> <p><b>Crown Castle Ltd (229/1)</b>  DP.17 fails to provide an adequate policy framework to accommodate new telecommunications development and makes no provision for the growth of telecommunications. All large telecommunications installations and areas suitable for accommodating such installations should be shown on the Proposals Map. Criterion (v) is ambiguous and should list the proposals concerned. Paragraph 3.69 should be amended to take account of the revised PPG8.  <b>Change sought</b> – <i>revise DP.17 (detailed wording suggested).</i></p> <p><b>Itchen Valley Parish Council (286/4)</b>  For the reassurance of the general public it should be made clear that telecommunications equipment will not be sited within 500 metres of residential property, schools or hospitals.  <b>Change sought</b> – <i>add new criterion to DP.17:</i>  <i>(vi) the siting of telecommunications equipment within 500 metres of residential property, schools or hospitals will not be permitted.</i></p> <p><b>P Windsor-Aubrey (335/5)</b>  There appear to be concerns, as yet unproven, that radio masts could be a health hazard.  <b>Change sought</b> – <i>add at end of DP.17:</i></p>	<p>development to at least 500m from residential property, schools, etc is likely to lead to this development being in locations which are unsuitable both in environmental/landscape terms and operationally. It is a logical operational requirement that masts to serve the new 3<sup>rd</sup> Generation telecommunications equipment, which need to be provided at relatively close intervals, must be close to the main areas of population that they serve.</p> <p>The situation regarding planning appeal precedent and case law in relation to telecommunications is changing fast. At present appeal precedent suggests that health fears can be a material planning consideration but this is subject to legal challenge and may change. It would, therefore, be best not to be more specific in criterion (ii) about how impact may be minimised or what may adversely affect the amenities of a residential area, as there is a danger that the Local Plan could quickly become out of date. It is considered best to retain the more general statements currently in criterion (ii) so that it remains relevant, even if case law does move on.</p> <p>However, it is accepted that developers should be encouraged to take account of public concerns where they are relevant to planning considerations. The Proposal should incorporate a new criterion (xx) requiring the assessment of alternative sites, which is now commonly sought of applicants. There is also an opportunity to ask applicants to address the '10 commitments' produced by the telecommunications industry. Various changes are proposed to cover these new points.</p> <p>The text of the deposit Plan was approved prior to the latest version of PPG8 being published, although paragraph 3.69 did refer to the review being undertaken by Government. The changes proposed to DP.17 are considered to address objections about the Proposal not being in line with the latest PPG8, but paragraph 3.69 does need updating to reflect the latest position.</p> <p><b>Change Proposed – Proposal DP.17:</b>  <i>Public utilities or radio and telecommunications development will be permitted (where planning permission or 'prior approval' is required), provided that:</i>  <i>(xx) alternative sites have been examined and there is evidence that these are less suitable or not available;....</i>  <i>....(ii) having regard to essential operational requirements, the impact is minimised by appropriate routing, siting, materials and colour, particularly where development would affect listed buildings, Conservation Areas, the East Hampshire Area of Outstanding Natural Beauty, or sites of archaeological or ecological importance. Proposals that are unduly harmful to sensitive environments or would adversely affect the amenities of a residential area will not be permitted;....</i>  <i>....(iv) where appropriate, a satisfactory landscaping/ restoration scheme is included, including provision for management;....</i></p> <p><b>Change Proposed – paragraph 3.69:</b>  <i>Radio and telecommunications is a rapidly expanding industry and the requirements for fixed and mobile systems vary. Certain telecommunication masts, masts on buildings, antennae, satellite dishes and equipment cabinets are "permitted development" but</i></p>
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(vi) until such time as it is clearly established that radio telephone masts are, or are not, a health hazard, such masts should not be located close to housing.

#### **Sparsholt College (335/5)**

The proposal for permitting telecommunications developments needs to consider a wider range of potential harm, sensitivities or concerns. There are many on-going concerns and unproven issues surrounding telecommunications facilities, particularly related to young people.

There must be tighter control within planning policy than 'minimising impact' of public utilities and in more areas than just 'residential or sensitive environments'

**Change sought** – clarify 'minimising impact' and 'restrictions if residential areas are adversely affected'.

#### **J Pope (892/1)**

Clarification is needed in DP.17(ii) regarding proposals which adversely affect amenities of a residential area. It should include the fear of health risks from living next to mobile phone masts. Development should not be permitted in residential areas or close to schools, hospitals etc. In principle, masts in the countryside are more acceptable than those blighting residential areas.

**Change sought** – expand on 'the amenities of a residential area' to include the fear of health risks associated with biological effects of living next to mobile phone masts.

require "prior approval notification" to be given to by the Planning Authority for siting and appearance (refer to General Permitted Development Order, Schedule 2, part 24 [as amended] for specific criteria). However, Government guidance (Planning Policy Guidance Note 8: Telecommunications) is being reviewed and sets out the most recent Government policy on the subject. Ministerial announcements indicate that in future all mast proposals will now need to undergo the same publicity as a normal planning application, and with the period for determining prior approval notification applications will be extended to 8 weeks now 56 days.

#### **Change Proposed – paragraph 3.70:**

....To prevent the proliferation of various aerials, structures and masts, site sharing is generally strongly encouraged, subject to the visual impact of the proposal. The Local Planning Authority holds details of existing telecommunications equipment within the District, which prospective developers are encouraged to consult. Where new installations are essential, they should avoid the most environmentally sensitive parts of the District. The apparatus and structures tend to be very utilitarian, and their visual impact should be reduced wherever possible by appropriate use of materials and colours, appropriate design solutions, sensitive siting and landscaping.

Add new paragraph (after 3.70):

(3.71) Telecommunications masts in particular require sensitive siting, especially for new installations. Account should be taken of public concern about the impact of such development, where it is a relevant planning consideration, and the Federation of Electronics Industry's 'Ten Commitments for Best Siting Practice' should be followed. Planning applications and 'prior approval' submissions should include evidence that those commitments that are relevant have been met, particularly that local communities have been consulted where appropriate.

### **Issue 3.36**

### **Proposal DP.18, Paragraph 3.71**

#### **Representation:**

#### **DTI (Energy Technology Support Unit) (320/3)**

Welcome Proposal DP.18, which supports the development of renewable energy schemes.

**Change sought** – none.

#### **DTI (Energy Technology Support Unit) (320/4)**

### **City Council's Response to Representation**

The support is welcomed.

It is accepted that the addition of a reference to Government targets for increasing the proportion of energy derived from renewable sources would be relevant and helpful, at the start of paragraph 3.71. It is likely that the best opportunities for contributing to these targets in this District may lie with the largest new developments, e.g. the proposed MDA West of Waterlooville and the possible Winchester North MDA.

Hampshire has a particular opportunity with regard to renewable energy due to its location above a geothermal resource about 1 mile below the surface of the Hampshire Basin. It would be worthwhile to add in paragraph 3.71 that a further renewable energy source

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Welcome paragraph 3.71 stating your Council's intention to promote sustainable development and acknowledging sources of renewable energy that may be developed in the District. However, suggest this paragraph should refer to the government's national target for renewable energy generation (to meet 5% of UK energy requirements from renewables by the end of 2003 and 10% by 2010) and the findings of the South East Renewable Energy Assessment.

***Change sought*** – add reference to Government energy targets and South East Renewable Energy Assessment.

**GOSE (261/16)**

PPG22 advises that within Local Plans authorities should identify broad locations, or specify sites for various types of renewable energy installations. The plan does not appear to accord with this advice.

***Change sought*** – not specified.

**Hawthorne Kamm Ltd (374/13)**

DP.18(iii) is not clear as it makes reference to DP.2.

***Change sought*** - revise criterion (iii) to make reference to an appropriate proposal.

available for investigation throughout Winchester District is the underlying Wessex Geothermal Basin. Nevertheless, the City Council does not currently have the specialist or commercial knowledge to set out site- or location-specific proposals for renewable energy developments in the District and Proposal DP.18 should continue to be a general permissive proposal.

Respondent 374 is correct to identify that criterion (iii) of DP.18 cross-refers to DP.2 instead of DP.3, and this should be corrected.

***Change Proposed – paragraph 3.71:***

*The Government has a target of meeting 5% of electricity requirements from renewable sources by the end of 2003 and 10% by 2010. In order to promote sustainable development and contribute to meeting national and ~~take account of international obligations to reduce CO2 emissions and~~ regional targets for increasing the proportion of renewable energy consumption, the Local Planning Authority will encourage renewable energy schemes. Opportunities for renewable energy schemes in the District include combustion plants, biogas plants, wind turbines, geothermal sources and photovoltaic installations. Renewable energy schemes can have positive and negative impacts on:....*

***Change Proposed – Proposal DP.18:***

*....(iii) they accord with Proposal DP.23 and other relevant proposals of this Plan.*

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