

Winchester District Local Plan Part 2 – Development Management and Site Allocations

Examination – July 2016

Winchester City Council

Response to Inspectors Questions:

**Matter4: Development Management Policies
 Economic Prosperity DM6 - 12**

Library Reference: WCC FS 04



Matter4 : Development Management Policies Economic Prosperity

DM6 – DM12

Inspector's Questions:

- i) Are policies DM6 – 12 reasonable and realistic, clear and consistent with national policies/guidance and do they establish suitable and appropriate criteria?

Introduction and background:

1. LPP2 contains a suite of Development Management policies that provide detailed guidance for the assessment of development proposals in the Winchester District outside of the National Park.
2. The LPP1 (Joint Core Strategy) outlines the key principles and strategic policies of the Plan, together with a number of Core Policies. The development management policies proposed for LPP2 provide further details and interpretation of the Core Policies and development strategy where needed. Not all of the Core Policies require further development management policies in LPP2. The table at 1.15 of the LPP1 shows the main relationships between the LPP1 and LPP2 policies and proposals. Although the development management policies are grouped by the Strategic Objective themes of Active Communities, Prosperous Economy and High Quality Environment, there are overlaps between the policies at both the LPP1 and LPP2 levels, so policies should be read in conjunction with each other and the Local Plan should be taken as a whole.
3. The development management policies were developed by officer working groups, which took account of the advice of development management officers and technical advice where required, particularly in regard to the establishment of suitable and appropriate criteria. Consultation was undertaken as part of the Draft LPP2 including with statutory consultees and bodies.
4. The evidence base for the Development Management policies consists largely of the evidence behind the parent Core Policies of LPP1, updated as necessary. Additional work was undertaken on specific areas where new/updated evidence was required. The [Soundness Self-Assessment](#) indicates how the Development Management policies relate to specific sections of the NPPF on a topic by topic basis. Policies DM6 – DM12 relate to Economic Prosperity and cover:
 5. Building a strong, competitive economy
 6. Ensuring the vitality of town centres
 7. Supporting a prosperous rural economy
 8. Supporting a high quality communications infrastructure

9. The Council's summary of the representations made on the Draft LPP2 in respect of the Development Management section of the Draft LPP2 were presented at the Cabinet meeting of 30th March 2015 and are shown at Appendix 5 of [CAB2676 \(LP\) \(Library Ref WCC2\)](#). The representations were considered in full during the following months and the results presented in [CAB2721 \(LP\) \(Library Ref WCC4\)](#).
10. Appendix O of Cabinet Report CAB2721(LP) October 2015 (WCC4) analyses the draft Development Management section of LPP2. It includes an assessment of the proposed policies, the findings of the Sustainability Appraisal (SA) and consideration of representations made on the Draft LPP2. The policies were amended where appropriate to improve their soundness. Appendix O recommended a final strategy for LPP2, which was subsequently approved by the Council and comprises the Development Management Chapter of LPP2.

Key Issues Raised

11. Cabinet report CAB2721(LP) Appendix O contains an analysis of the key issues relating to the Development Management Chapter of LPP2. The issues related to the Economic Prosperity Section are at paras 69-113. The Council's response to these issues is generally given in CAB2721(LP) and therefore is not repeated in this note. It should be noted that due to the removal of the policy in relation to Gypsies and Travellers (DM4 in Draft LPP2) following the Draft stage, all DM policies following DM3 have been renumbered (ie DM5 in Draft LPP2 is now DM4, etc).
12. However, further representations have generally been received to these policies at Publication stage and in a limited number of cases further submissions have also been made as a result of the Inspector's questions. These are summarised below and where new issues have been raised a response is provided on behalf of the Council.

Town Centre Policies DM6 – DM8

13. A small number of representations were received to the town centre policies. 6 objections were received in respect of DM6 - Town, District and Local Centres. 5 of these were in relation to the Town Centre Boundary in New Alresford, which extends into proposed LPP2 site allocation NA2. The town centre area extends into The Dean in recognition of the commercial uses in that part of the site and its suitability for new town centre uses should they be proposed (as referred to under Nature and Phasing of Development in NA2 and in paragraphs 4.5.17 – 4.5.18). Paragraph 23 of NPPF makes it clear that residential development can also be part of town centres on appropriate sites and there is not considered to be a conflict between the town centre boundary and the NA2 designation.
14. The only other representation on Policy DM6 suggests that the town centre policies of the plan are in conflict with para 23 of NPPF by not

having a policy enabling expansion. A retail needs assessment was carried out as part of the development of the Local Plan, which found no need to expand town centres in the short term to medium term. The town centre boundaries have been reviewed for LPP2 and adjustments made where appropriate.

15. One representation was received in respect of DM7 and DM8, which requested that criteria should be included to protect the secondary shopping frontages from loss of prime retail space. Whilst it is appreciated that the aim of the representation is to protect the interests of independent businesses in the area, the suggested change would be contrary to government advice to encourage competition and consumer choice. Policies DM7 and DM8 are considered to strike a balance between protection of existing uses and encouragement of other town centre uses that could add to the vitality and viability of the centres and cannot be used to protect the interests of particular businesses.

Further Statements June 2016

16. One further statement has been received in respect of the town centre policies. John Hayter criticises the definition of the shopping areas in DM7 and DM8 and re-iterates earlier point that DM6 is contrary to NPPF. The Council considers that the boundaries of the shopping area reflect the findings of the Retail Studies and are appropriately defined and the NPPF point is considered above.
17. John Hayter further criticises the figures of the NLP 2014 Retail Study (EBT10) as being not consistent with the rest of LPP2 assumptions that do not assume a recession. The quantum of Local Plan development needs have been agreed in LPP1 and it would be for a future review of LPP1 to consider whether any adjustment in requirements is necessary.
18. John Hayter considers that the NLP study and LPP2 do not adequately consider the need for the full range of town centre uses listed in the NPPF. The NLP [Retail Study Update 2010](#) considered the need for a range of town centre uses in section 4 and considered that no allocations were required in respect of this.
19. The ranges of uses referred to by Mr Hayter are generally allowed for in the wider town centre (defined by policy DM6) and so no change to the policy is required. In relation to all of Mr Hayter's concerns, it is of note that the [2012 Retail Study Update](#) states at paragraph 1.3 that *"It is not considered necessary to update the findings of previous studies in relation to commercial leisure provisions, the network of centres, centre health checks and centre boundaries, because these remain relatively up to date and the conclusions remain robust"*.
20. No changes are proposed in respect of the town centre policies.

Rural Development DM9 – DM12

21. One representation was received in respect of DM10 - Housing for Essential Rural Workers, suggesting that when occupancy conditions are relaxed, the dwelling should be offered for rent to those with a local connection. The criteria in the policy consider whether there is a continuing need for rural workers dwellings in the local area, however the change suggested is considered to be too restrictive in relation to the open market and no change is proposed.
22. Two representations were received in respect of policy DM12 - Leisure and Recreation in the Countryside. Sport England considers that the policy should allow for all recreational activities subject to the criteria outlined in the policy. The policy allows for appropriate recreational uses where a countryside location is necessary, subject to specified criteria. Exceptionally other recreational and leisure uses may be permitted under DM9 - Essential Facilities and Services in the Countryside where they are necessary to fulfil a local need. It is considered that DM12 and DM9 taken together allow for a suitable range of leisure and recreational provision within the countryside and no change is proposed.
23. The National Trust seeks an amendment to the policy to allow for tourism facilities and the removal of the criteria relating to cumulative impacts. Paragraphs 173 and 174 of the NPPF are referred in this respect. LPP1 Policy MTRA4 - Development in the Countryside permits the development of low key tourist facilities to the extent to which the Council considers appropriate. The Trust's reference to the NPPF is a misunderstanding as these paragraphs refer to the cumulative impacts of local standards and their effects on viability, not on cumulative impacts of developments on the landscape and rural character which Policy DM12 addresses.

Response to Further Statements June 2016

24. One further statement has been received in respect of the rural development policies (DM9 – DM12).

DM9 - Essential Facilities and Services in the Countryside & DM10 – Housing for Essential Rural Workers

25. John Hayter criticises the definition of 'countryside' as being land outside settlement boundaries, however this reflects the definition in LPP1 policy MTRA4 which defines the countryside as *'land outside the built-up areas of Winchester, Whiteley and Waterlooville and the settlements covered by MTRA2 and 3 above...'*.
26. John Hayter criticises the lack of a policy for renewable energy facilities, mining and extraction, agricultural and sustainability and research and telecommunications. Renewable energy facilities are covered under LPP1 Core Policy CP12 - Renewable and Decentralised Energy. WCC is not the mineral planning authority for mining and extraction and there is an adopted Minerals and Waste Plan (2013). Major educational and research establishments in the countryside are covered by LPP1 policy MTRA 5 – Major Commercial and Educational Establishments in the Countryside and

by DM9 where locally required. Telecommunications are covered by policy DM21 -Telecommunications, Services and Utilities.

DM11 – Equestrian Development

27. John Hayter criticises the policy requirements in relation to pollution. Pollution and disposal of waste in relation to development in general are considered under DM16 – Site Development Principles which refers to drainage and sewage disposal and noise, smell, dust or other pollution. Pollution is also specifically covered in DM18 – Development and Pollution and DM20 – Contaminated Land.

DM12 – Leisure and Recreation in the Countryside

28. John Hayter proposes some additional criteria which it is considered would add unnecessary detail and requirements.
29. No changes are proposed in respect of the rural development policies.

Conclusion

30. The Council considers that the development management policies in relation to Economic Prosperity in LPP2 (DM6 – DM12) are sound. The policies are reasonable and realistic, providing detailed guidance on how the policies of the LPP1 Core Strategy will be interpreted in the consideration of applications for development. The policies are clear and consistent with national policies/guidance in the NPPF/NPG, as evidenced, and they establish suitable and appropriate criteria for assessing development proposals.