

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

Examination – July 2016

Winchester City Council

Response to Inspector's Questions:

Matter 15 **Winchester Town
Policies WIN5-11
Question i) and ii)**

Library Reference: WCC FS 15



Matter 15: Winchester Town Policies 5- 11

Inspector's Questions:

- i) Are the policies and proposals for growth and change in this area appropriate and justified, including in relation to the NPPF/PPG, and in terms of environmental, economic and social impacts?
- ii) Are they clear and deliverable, including in respect of the associated infrastructure requirements?

Introduction and background:

1. This paper covers matters raised in relation to Winchester Town under Matter 15, which cover policies WIN 5 to 11.

Policies WIN 5-7; Station Approach

2. The policies to redevelop this area form part of the Council's and the Winchester Town Forum's vision to develop and diversify the town's economy and make the best and most sustainable use of key sites. The broad development principles which cover the area as a whole are set out in policy WIN 5. The two main development sites within the area, both of which are largely within the Council's ownership, are commonly known as the Carfax site, which is the subject of the more detailed policy WIN 6, and the Cattlemarket site which is covered by WIN7. The former Conservative Club is also covered by WIN7, but this is not in the Council's ownership and not covered by the current development proposals.
3. To help bring the sites forward for development the Council commissioned the 'Winchester Station Approach Development Assessment'; Tibbalds - November 2013 and September 2014 (ref; EBWT 6 and 7). This helped provide the basis for policies WIN 5, 6 and 7. The aim is to develop a mixed use development of around 150 new dwellings and around 16,000 sq. m gross of B1 floorspace, together with some limited retail. The aim was also to re-provide any public car parking lost through development, and provide sufficient additional parking to serve the new development. To ensure that the project realises its full potential a number of public realm and accessibility improvements have been identified. These are set out in the Station Approach Transport Accessibility Background Report (ref EBWT18). To help implement these improvements a £5 million bid has been made to the M3 LEP for local growth funding to improve the public realm and accessibility in the area around the Station, including improvements to links from the station to the town centre.
4. To test the feasibility and viability of developing this site, a Design Brief was prepared (ref- EBWT17), which was the subject of a limited design competition. Two sets of final proposals were submitted, which met the

brief and were independently verified as being viable, (for more details of this process see Cabinet Report CAB 2802 dated 8.June. 2016 ref-WCC6). The winning scheme would provide about 164 new dwellings, 13,077 B1a net internal floorspace, and around 529 sq. m of retail floorspace (all on land within the Council's ownership). The outcomes of the design competition have clearly demonstrated that Policies WIN 5- 7 are both viable and deliverable, as this was one of the criteria against which the proposals were judged.

Policies WIN 8, 10 and 11; Stanmore, Abbots Barton, and Winnall

5. Planning Frameworks have been prepared for all three areas (Stanmore September 2013; ref- EBWT 9; Abbots Barton February 2013; ref- EBWT 10, and Winnall June 2015; ref- EBWT 11) The Planning Frameworks were commissioned to help identify opportunities to improve the physical and social fabric of these areas, and in the case of Stanmore and Abbots Barton to explore their development potential, especially for providing affordable housing. It should be noted that the Council is a significant landowner in all three areas. The Frameworks were prepared following an inclusive process of evidence gathering and community/stakeholder consultation. They reflect community and business priorities in the areas concerned, and contain several priorities/objectives which go beyond what would be appropriate for inclusion in a local plan.
6. The Frameworks have all been approved by the Council and it is therefore appropriate that LPP2 should adopt the relevant parts of the Frameworks which relate to land use planning and incorporate them into policies WIN 8, WIN10, and WIN11, to ensure that the area based spatial planning requirements are given sufficient weight in future Council decision making.

Policy WIN 9; Houses in Multiple Occupation

7. The Stanmore Planning Framework identified the increasing numbers of houses in multiple occupation, especially student housing, as a major issue. The policy recognises that this issue is not confined solely to Stanmore and is capable of being applied to any part of Winchester where this may become an issue. While HMOs meet a specific need, it is often at the expense of 2-3 bedroom family housing which the SHMA has identified as being the type of accommodation where there is the greatest need.
8. The policy therefore seeks to strike a balance between meeting the needs of students and other members of the community for smaller shared accommodation with the need to retain a significant percentage of family housing in the town. It also aims to maintain diversity within particular areas, rather than seeing them dominated by a particular type or tenure of housing. To help implement this policy an Article 4 direction has been adopted by the Council, and which covers a large

part of the Stanmore Area to help control the spread of HMOs (for the direction itself and a map showing the area covered see ref- EBWT15)

Response – specific to Inspector’s questions and any relevant matters raised through representations

Policies WIN5- 7; Station Approach

9. Several respondents have questioned whether the policies for the Station Approach area of the town are realistic, viable and deliverable within the plan period. The Design Competition (see Cabinet Report CAB 2802 dated 8.June. 2016 ref WCC6) set the requirement that the schemes should be commercially viable, and be of the highest standard of sustainable design. In line with the rules on procurement, the two submitted schemes were independently evaluated against their design qualities and their financial viability. The outcome of this process has demonstrated that a viable and deliverable scheme which meets policies WIN 5-7 can be achieved. It is for the Council as landowner of the majority of the area to determine the most appropriate means and timescale for bringing forward these sites for development. Whilst the other significant landownership (the Conservative/Winchester Club) has indicated that it is considering the potential future development of its site, the development of the Cattlemarket site is not dependant on this land coming forward, so there are no landownership issues or other major constraints which would seriously delay the development of either site. As the report to Cabinet (paragraph 8.3 ref- WCC6) points out there are a number of existing businesses who are currently looking for the type of Grade A office floorspace that the development would provide, so there is no reason to believe that these sites will not come forward in the early part of the Plan period.
10. The issue has been raised as to whether parking and traffic generation have been properly addressed, and whether the policies take full account of other transport strategies in the town. The wider transport and air quality issues are addressed in the Council’s response note to Matter 14a (ref- WCC FS14a). The policies for the Station Approach Area recognise that this is an important ‘gateway’ into the town, and require that any future development proposals should comply with the Council’s adopted parking strategy, and enhance the pedestrian environment to encourage walking and cycling from the station area to the town centre. It should be noted that, as with any development proposals of this nature and scale, a full transport assessment of the detailed schemes will be required to be submitted at the planning application stage. It is expected that in developing the detailed proposals for this site a full programme of community engagement will be undertaken, this will include further consideration of transport issues on and adjoining these sites.
11. Several responses suggest that the policies should be more prescriptive and set clearer guidance on floorspace / land-use

requirements; and be clearer on the urban design objectives. However, given the scale of this site, and the potentially different design approaches which might successfully be adopted, the Council considers that it would not be appropriate to be too prescriptive in setting the design parameters. Policy WIN5 is clear that the area should be subject to employment-led development, but the requirement for a viable scheme of high design quality means that the exact mix of uses should be flexible. The policies provide the appropriate balance in setting out what is required/ expected on the sites without stifling innovative and sustainable designs. The main urban design principle which underpins the policies is the requirement that any proposals coming forward must respect the historic context of the area.

12. One respondent considered that the policy should require community facilities to be included in the list of potential land-uses in WIN5, and might be provided on the Carfax site as part of the development. The policies seek to provide a commercially led mixed use development, with the main emphasis on creating employment floorspace to expand and diversify the town's economy, and in doing so provide a range of job opportunities. LPP1 policy CP3 expects any housing development to provide affordable housing and the scheme also has to re-provide the existing public car parking on the site, which is expected to mean putting it underground. All this has a high cost and will impact on viability, and it could therefore be challenging to require the development to provide significant community facilities. However, adding community facilities to the list of potential uses in policy WIN5 would at least ensure that this type of facility would be given due consideration in developing proposals for the site. A minor modification is therefore proposed to policy WIN 5 which would allow for this.
13. The suggestion has also been made that the existing Registry Office on the Carfax site should be retained, potentially for some form of community use. Whilst the policy (WIN 6) requires that consideration should be given to the feasibility of retaining this building, its retention is not a policy requirement. The building is of local interest only and not of 'listable' quality, so WIN6 expects proposals to test its retention but, having done this, neither scheme submitted as part of the Design Competition found a way to retain the building that worked in urban design terms and was viable.

Policies WIN8- Stanmore; 10- Abbots Barton; 11- Winnall

14. There are no substantive issues in respect of these policies, other than those outlined below in respect of Winnall, the main concerns raised were in respect of the status of the Planning Frameworks which underpin the policies and whether the policies themselves are sufficiently clear. The Frameworks were the subject of full and extensive public participation to identify the concerns of the communities about their local area, and to develop opportunities to address these issues. It is important to emphasise that the Frameworks have a much broader remit than spatial planning and are expected to

influence a range of Council decision making, including for example housing policy. They cannot therefore be adopted as Supplementary Planning Guidance, especially as they do not yet have an adopted 'parent' policy, however they do contain a number of spatial policy recommendations which have been incorporated in LPP2.

15. The current position in respect of implementing the Frameworks is that full planning permission has now be granted for the development of 13 new Council homes for affordable rent at Hillier Way in Abbots Barton. The contract for construction has been awarded by the Council and building will start in July 2016. The development of 21 Council homes for affordable rent at New Queens Head Stanmore was completed early in 2016. Planning permission has now been granted for a scheme of 5 Council homes at Bailey Close. Tender documentation has been issued and development is due to commence this year. As part of its New Homes Programme and Asset Management Strategy, the Council is actively considering how other elements of the Frameworks will be brought forward. The Council's Further Statement on Winchester General Matters (ref- WCC FS 14a) considers the contribution of these areas to land supply in more detail.

16. The Winnall Planning Framework reflects the two distinct characters within the area. A significant part of Winnall is residential and provides large amounts of social housing. The residential area is of a relatively high density, and suffers from limited amounts of open space. The Framework, therefore, was not specifically required to find new opportunities to provide additional housing in the area. Nonetheless it makes recommendations on improvements to the social fabric of the area, and contains longer term community aspirations which will help shape Council policy in future decision making, but which are not strictly land-use planning matters. Therefore policy WIN 11 concentrates on the other significant part of Winnall, the commercial/employment area.

17. Concerns have been raised that policy **WIN 11** in respect of Winnall is not in conformity with the NPPF, and should be more flexible in respect of allowing other uses in the area. Winnall is the largest employment area in the town, and is thriving with relatively few vacant properties. It is therefore providing the right type of employment floorspace in the right location, which is entirely consistent with the NPPF. The policy seeks to retain the bulk of the employment floorspace whist ensuring that there is a degree of flexibility to accommodate other employment generating uses.

18. Winnall is located close to junction 9 of the M3 and the junction with the A34, the main north-south route from the ports of Southampton and Portsmouth to the Midlands, but it is also within easy walking distance to the town centre. So it is in a highly sustainable location and provides a range of employment opportunities for Winchester town and the surrounding area.

19. The NPPF specifically requires Local Planning Authorities to help achieve sustainable development, by *'contributing to building a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right places to support growth and innovation'* (NPPF, para 7); it also requires local authorities to identify *'priority areas for economic regeneration, infrastructure provision, and environmental enhancement'*. (para 21).
20. Following the analysis and engagement with local businesses which were undertaken as part of the development of the Winnall Planning Framework, four distinct employment areas were identified. Area 1 (see Appendix A proposed Inset Map) is the core of the employment area, where every effort should be made to retain premises in employment uses, consistent with policy CP9 in the LPP1. A more flexible approach will be taken in Area 2, which recognises the existing retail/wholesale and other sui generis uses, together with the need to improve the appearance of this important corridor and entrance to the town. In Area 3 there will be strong encouragement to provide accommodation for smaller to medium size businesses, which again is consistent with the existing land use patterns in the area. And finally Area 4 will allow for a more flexible approach which recognises that there are a number of different uses within the area, including a number of recent residential developments.
21. Whilst it is recognised that Permitted Development Rights might mean the loss of some of these employment uses to residential, the overall commercial character of this area should limit this. If necessary, an Article 4 Direction could be promoted and WIN11 would strengthen the policy basis for this. The Council considers that policy WIN 11 strikes the right balance between ensuring the economic prosperity of the town is maintained, whilst being sufficiently flexible to recognise the changing nature of employment in the local area.
22. Concerns have been raised that there was insufficient consultation with businesses on the Winnall Planning Framework, however every effort was made to contact all businesses in the area which included;
 - A regularly updated information box accessed from home page of www.winchester.gov.uk
 - A series of press releases at each stage of the project, inviting attendance at stakeholder events in Winnall, feedback via two e-surveys and opportunities to view and comment on the exhibition panels (at Winnall Tesco and the Tourist Information Centre)
 - Posters for front-loading consultations were displayed on local noticeboards
 - Twitter was used extensively to remind businesses and others about opportunities to get involved and complete the surveys.

- The Chamber of Commerce Area Committee for Winchester was updated regularly about the project
- Businesses were initially contacted by hard copy letters for the 'front loading' consultation and a copy of the letter went to every business premises in the study area. At that time the Council did not have named contacts with the businesses and a number are believed to have disregarded the letter. WCC then developed an e-mail database for the businesses that responded and they were directly sent information/links.
- There were two open sessions at Basepoint specifically to address business interests in the Framework to which every business was invited.

23. A number of minor modifications are appended to this response note to help clarify certain aspects of the policy and the Policies Map. These modifications are in response to an objection to the Plan from one of the major landowners in the area.

Policy WIN9 Houses in Multiple Occupation (HMOs)

24. The main issue raised in response to this policy is whether it provides a balanced approach which recognises the need for this type of accommodation. The University of Winchester commented on the policy, and while they recognise the issue, they are concerned that the demand and supply of purpose build student accommodation has not been given adequate and up-to-date consideration in the Plan. They wish to see a balanced approach to the HMO issue with controls introduced on the one hand and on the other, the identification of additional sites for purpose-built student accommodation. The policy which does not seek to impose a 'blanket' ban on HMOs across the town, seeks to achieve the correct level of flexibility, and the Council will continue to work with the two Universities to find more permanent student accommodation. A minor modification is proposed to the supporting text to clarify that the monitoring of the number of HMOs in an area will be to assess whether the relevant thresholds have been exceeded.

Conclusion

25. That with the exception of minor modifications proposed to policy WIN 5- Station Approach to include community on the list of potential uses and WIN7 to reflect the Statement of Common Ground agreed with Historic England. Also to make a minor amendment to the supporting text of WIN9- HMOs to clarify that the monitoring will determine whether the number of HMOs in an area exceeds the threshold, and finally minor modifications are proposed to policy WIN11- Winnall to clarify what the policy sets out to achieve, that no further modifications in respect of policies WIN5- 11 are required to make them sound.

Appendix A: Proposed Modifications to Policies WIN5; WIN7;WIN11 plus proposed inset map

Policy WIN5 – Station Approach Area – Development Principles

Land in the Winchester Station area, as shown on the Policies Map, is suitable for an employment-led mixed use development comprising:

- offices, and other employment generating uses
- car parking
- open spaces
- leisure/culture/community
- small-scale retail
- residential, including exploring the potential to provide accommodation aimed at meeting the needs of older persons
- student housing on suitable sites
- hotel as part of a mixed use development.

Policy WIN7 – The Cattlemarket Mixed Use Site

Land at the Cattlemarket site, as shown on the Policies Map, is allocated for a mixed use development comprising offices (Use Class B1a) and other commercial uses, residential accommodation, and car parking. Planning permission will be granted provided that detailed proposals accord with the Development Plan and:

- (i) proposals should demonstrate a full understanding of the site constraints, context of the area, and show how the designs have responded to it;
- (ii) any proposals to develop part of the site should clearly demonstrate a comprehensive approach to ensure that the development of part of the site does not compromise the development of the remainder;
- (iii) provide a fitting entrance to this part of the town, by improving the public realm, improving pedestrian and cycling access, including through the site;
- (iv) proposals should include a high quality creative design response to the junction of Andover Road and Worthy Lane;
- (v) define the extent and significance of any archaeological remains and provide for their preservation or recording, as appropriate include an archaeological assessment to define the extent and significance of any archaeological

- (vi) **remains and reflect these in the proposals;**
ensure that the scale of the development respects and is not overbearing for nearby residential and other properties.

Policy WIN9 supporting text

- 3.7.40 The number of HMOs in any area covered by an Article 4 Direction will be monitored regularly and the data from the Annual Monitoring Report will be used to assess whether the relevant thresholds have been ~~met~~ exceeded.

Policy WIN11- Winnall

Within the Winnall area, as shown on the Policies Map, the Council will continue to apply policy CP9 with the expectation that it will remain as the main employment area in Winchester Town. Planning permission will be granted for proposals which are in accordance with the Development Plan and the approach for Winnall, as set out below and within the Winnall Planning Framework:

- **in sub area 1, which is the core employment area in Winnall focussed on Moorside Road, there is a presumption in favour of the retention of 'B' Use Classes to ensure this area continues as a centre for more traditional employment opportunities.**
- **in sub-area 2, along Easton Lane, the Council will adopt a more flexible approach in allowing employment generating uses outside of the B1, B2, and B8 Use Classes. Where feasible all new development, including changes of use, along this corridor will be expected to:**
 - (i) provide a range of employment opportunities;**
 - (ii) provide tangible improvements to the public realm;**
 - (iii) wherever feasible to provide an attractive, active frontage which properly addresses the street and avoids bland rear / side elevations onto Easton Lane;**
 - (iv) provide parking for staff and commercial users to meet the requirements of the proposed development;**
 - (v) where new trade or retail use is proposed, provide evidence to show that the use requires an out-of-centre location and that a 'sequential approach' has been applied to demonstrate that the use could not reasonably be accommodated in the town centre, edge of centre or a sequentially-preferable location.**
- **in sub-area 3, the Council will encourage the sub-division and development of units to create provision for start up businesses and small to medium enterprises (SMEs). Non-Use Class 'B' uses**

in this area will only be allowed where required to make the retention of employment sites viable, and should be compatible with and proportionate to the business space being retained or created.

- **in sub-area 4 applications for non-Use Class 'B' uses will be considered against the requirements of policy CP9, in the context of adjoining land uses.**

Where feasible and appropriate all proposals should seek to maximise opportunities to:

- **create or improve pedestrian/cycle links with the surrounding area;**
- **create or improve recreation and greenspace opportunities in the area, including the provision of community and green infrastructure.**

WINNALL INSET MAP

Insert new Inset Map following policy WIN11 to identify the boundaries of the four sub-areas more clearly, based on the following areas:

