



PORTFOLIO HOLDER DECISION NOTICE

INDIVIDUAL DECISION BY THE PORTFOLIO HOLDER FOR PLANNING & TRANSPORT

TOPIC – DRAFT OLIVER’S BATTERY VILLAGE DESIGN STATEMENT

PROCEDURAL INFORMATION

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

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

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

Contact Officers:

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

Committee Administrator:

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

SUMMARY

A draft Village Design Statement has been produced for Oliver’s Battery Parish, on the edge of Winchester. In order for this document to carry weight in the planning decision-making process it needs to be adopted by the City Council as a ‘Supplementary Planning Document’. The procedures for adoption require formal consultation on draft Village Design Statements and this decision relates to the approval of the draft Oliver’s Battery VDS for consultation.

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

DECISION

1. That the Portfolio Holder for Planning and Transport authorises the publication of the draft Oliver’s Battery Village Design Statement for public consultation, such consultation to accord with the relevant requirements of the Town & Country Planning (Local Development) (England) Regulations 2004.

REASON FOR THE DECISION AND OTHER ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

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

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

This draft VDS has been produced by a Village Design Statement Working Group (including Parish Council representatives), in consultation with residents, the Parish Council and City Council officers. The VDS has been through several drafts and is now in a form which officers are able to recommend for publication as a consultation draft. The final published VDS is also likely to include photographs, but these are essentially for illustration and do not require approval by the City Council.

The draft VDS includes several 'Transport Objectives' (Appendix C), which would not be adopted as part of the SPD as they tend to be aims and aspirations, rather than design guidance. The draft VDS's Design Guidelines generally accord with, and supplement the policies of, the recently-adopted Winchester District Local Plan Review. It has a particular emphasis on conserving the character of the area by ensuring that changes and development are sympathetic. It meets the various requirements for Supplementary Planning Documents, for example through the inclusion of a community involvement statement and a Sustainability Appraisal.

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

N/A

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

None

DISPENSATION GRANTED BY THE STANDARDS COMMITTEE

N/A

Approved by: (signature)

Date of Decision

Councillor Keith Wood – Portfolio Holder for Planning & Transport