

CABINET (LOCAL PLAN) COMMITTEE

16 September 2015

WINCHESTER DISTRICT LOCAL PLAN PART 2: DEVELOPMENT MANAGEMENT
& SITE ALLOCATIONS – APPROVAL OF PLAN FOR PUBLICATION

REPORT OF HEAD OF STRATEGIC PLANNING

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RECENT REFERENCES

CAB2429(LDF) Local Plan Part 2 Launch and Next Steps – Cabinet (LDF) Committee 17 December 2012

CAB2530(LDF) Local Plan Part 2 Update Report – Cabinet (Local Plan) Committee 27 Nov 2013

CAB2615 Draft Winchester District Local Plan Part 2: Development Management and Site Allocations, publication and consultation - 22 September 2014

CAB2656(LP) Draft Winchester District Local Plan Part 2: Development Management and Site Allocations, update following consultation 9 February 2015

CAB2670(LP) Draft Winchester District Local Plan Part 2: Development Management and Site Allocations, feedback on consultation responses 12 March 2015

CAB2676(LP) Draft Winchester District Local Plan Part 2: Development Management and Site Allocations, feedback on consultation responses 30 March 2015

EXECUTIVE SUMMARY

The overall strategic planning framework and development requirements are set out in Local Plan Part 1 – Joint Core Strategy (LPP1). The Local Plan Part 2 - Development Management and Site Allocations (LPP2) complements the LPP1 by allocating sites for development and providing detailed development management policies to replace the remaining policies saved from the Local Plan Review 2006. The LPP2 forms part of the 'Development Plan' for the District outside of the South Downs National Park.

Work began on the LPP2 in December 2012. Throughout 2013 and into 2014 Council officers worked with Parish Councils, communities and others to assess background data and evidence and to consider the issues and options for

development allocations to meet the needs set out in the LPP1. The resulting Draft LPP2 document was the subject of a six week consultation period during the autumn of 2014.

Following an initial feedback report (CAB2656(LP) refers) on the number and range of responses received, this Committee considered reports on 12 March (CAB2670 refers) and 30 March (CAB2676 refers), summarising the comments received on the different sections of the Plan. In some cases the recommended responses to the comments were agreed and in others it was acknowledged that further consideration of the issues raised was needed and that these would be reported back to a future meeting. Following further work, including the commissioning of additional evidence reports, liaison with a number of respondents, key agencies and Parish Councils, responses to the representations, and changes to the Plan where needed, are now set out for consideration.

This report summarises the process followed in preparing the LPP2; the key changes recommended in response to the representations, and the outcome of further supporting evidence studies.

The appendices to this report examine the responses received on some general parts of the Plan together with those for the settlements of Bishops Waltham, Colden Common, Denmead, Kings Worthy, Swanmore, Waltham Chase, Wickham, the South Hampshire Urban Areas, and the Smaller Villages and Rural Area (Appendices A-L) refer.

The next meeting on 6 October will consider reports relating to New Alresford, Winchester Town and the Development Management policies.

The report (at recommendation 4 below) also indicates the recommendations to full Council that the Committee will be asked to consider at the next meeting, at the end of its deliberations on various sections of the Plan. However, it is important to note that the contents of individual sections will be considered at the meeting when the individual sections are on the agenda – so the debate on the contents of Appendices A-L will take place at today's meeting and will not be subject to further debate at the next meeting.

This report also sets out the next steps needed to publicise the revised Plan before it is submitted for independent examination. The Cabinet (Local Plan) Committee is asked to agree the responses and to recommend to the Council that the Plan, as amended, be published for the statutory period for representations on its 'soundness', prior to being submitted to the Secretary of State for Examination.

RECOMMENDATIONS

- 1 That the responses to the representations, as set out in the attached papers, together with the outcome of the further evidence studies, be noted and taken into account in considering the Local Plan Part 2 - Development Management and Site Allocations.

- 2 That subject to any changes made at the meeting, the content of the Pre-Submission Local Plan, as recommended in Appendices A to L of this report, be approved for submission to full Council.
- 3 That authority be delegated to the Head of Strategic Planning, in consultation with the Portfolio Holder for Built Environment, to update the appendices to the Local Plan and make minor amendments to the Plan and accompanying documents prior to presentation to the Council and publication, in order to correct errors and format text without altering the meaning of the Plan.
- 4 That it be noted that at the next meeting of the Committee, it will be asked to consider the following recommendations to full Council:

“To Council:

5 That the Winchester District Local Plan Part 2 – Development Management and Site Allocations be approved for Publication (Pre-submission) and subsequent Submission to the Secretary of State, together with supporting documents including the Sustainability Appraisal and the Habitats Regulations Assessment, in accordance with the relevant statutory and regulatory requirements.

6 That the Head of Strategic Planning, in consultation with the Portfolio Holder for Built Environment, be authorised to submit the Plan and accompanying documents to the Secretary of State following the publication period, in accordance with the relevant statutory and regulatory requirements.

7 That the Head of Strategic Planning, in consultation with the Portfolio Holder for Built Environment, be authorised to make editorial amendments to the Local Plan and accompanying documents prior to submission to the Secretary of State, to correct errors and format text without altering the meaning of the Plan.

8 That the Head of Strategic Planning, in consultation with the Portfolio Holder for Built Environment /Leader, be authorised to make proposed changes to the Plan before, during and after the public examination process, in order to respond to matters raised through the consultation and examination process.

9 That approval be given to appoint a Programme Officer and undertake other work as necessary to prepare for and undertake the public examination (including agreeing to meet the Planning Inspectorate’s fees), provided this is within the allocated Local Plan budget/Reserve.”

CABINET (LOCAL PLAN) COMMITTEE

16 SEPTEMBER 2015

WINCHESTER DISTRICT LOCAL PLAN PART 2: DEVELOPMENT MANAGEMENT & SITE ALLOCATIONS – APPROVAL OF PLAN FOR PUBLICATION

DETAIL

1. Introduction

- 1.1 This report seeks approval for the Winchester District Local Plan Part 2 – Development Management and Site Allocations, to be recommended to the Council for publication for representations on ‘soundness’ prior to submission for examination. This is a ‘formal’ stage of local plan preparation as required by the Town and Country Planning (Local Plan) (England) Regulations 2012.
- 1.2 Following the period for consultation on the Draft LPP2, which took place from 24 October to 5 December 2014, this Committee received an update report and initial feedback on matters raised during the consultation at its meeting on 9 February 2015 (CAB2656(LP) refers). At its meeting on 12 March (CAB 2670(LP) refers), comments received in relation to Colden Common, Kings Worthy, Swanmore, Waltham Chase, Wickham and South Hampshire Urban Areas were considered and the meeting on 30 March (CAB2676(LP) refers) considered comments in relation to Winchester Town, Bishop’s Waltham, New Alresford, Denmead, smaller villages and the rural area, development management policies, Chapters 1 & 2, general comments and those on the maps, appendices, sustainability appraisal, implementation and monitoring.
- 1.3 Many representations related to the site allocations; suggesting alternative sites for development and/or changes to settlement boundaries, or raising issues with the proposed allocations or policy wording. The Committee agreed that those comments would require further work to assess the matters raised in detail and to seek further advice as necessary, and for officers to report back to future meetings. This work is now completed and the results are set out in the reports attached as Appendices A-K to this paper.
- 1.4 Also attached within appendices A-K are revised chapters of the Plan and Policies Map insets, indicating the changes that are recommended following further work. *NB Members may find it helpful to compare these with the Consultation Draft version of the Plan and are advised to bring their copy to the meeting.* The Plan is divided into sections for ease of Members’ consideration, with the appendices to this report covering Chapters 1 & 2 Introduction & Background and Meeting Development Needs, Chapter 4 Market Towns and Rural Area (except for New Alresford), Chapter 5 South Hampshire Urban Areas, and Chapter 7 Implementation and Monitoring. The next meeting on 6 October 2015 will consider Chapter 4 (New Alresford only), Winchester Town (Chapter 3) and the Development Management policies (Chapter 6).

- 1.5 The Plan is supported by a considerable number of background reports and studies which have been updated and supplemented where further evidence is necessary to respond to the issues raised in the representations. The housing supply data is updated to take account of the completions and permissions as at 31 March 2015 and the latest position regarding the deliverability of other available sites within the settlement boundaries. NB the Strategic Housing Land Availability Assessment (SHLAA) is being finalised and will be available by the next meeting (6th October) so the housing data tables may yet be subject to minor changes. Various other supporting documents are already published on the Council's website or will be available by the 6th October meeting.
- 1.6 The Plan is accompanied by a Sustainability Appraisal (and Strategic Environmental Assessment), which has been updated to take account of amendments made to policies, and also a Habitats Regulations Assessment Screening Report. These assessments are important requirements which Members should take into account in considering the revised Plan and can be viewed here: <http://www.winchester.gov.uk/planning-policy/local-plan-part-2/>
- 1.7 Following the formal publication period for representations the Plan, together with supporting documents, will be submitted for independent examination. Council will, therefore, also be recommended to give delegated authority for officers, in consultation with the Portfolio Holder for Built Environment, to submit the Plan for examination, to draft modifications to suggest minor changes if necessary in response to representations, and to respond to queries and draft modifications to assist the examination Inspector where necessary.

2 The Local Plan Process, Supporting Documents and Evidence Base

- 2.1 Previous reports (CAB2530(LDF) and CAB2615) refer to the extensive work that has been undertaken with local communities, particularly in identifying the sites to meet the development requirements of the larger villages and the involvement of the Town and Parish Councils, also the work on the Winchester Town area including the Town Forum and residents. The details of this, including the many and varied events that have been held to involve the local communities, are set out in the Consultation Statement (Parts 1 and 2) which is published on the Council's website: <http://www.winchester.gov.uk/planning-policy/local-plan-part-2/>
- 2.2 The Plan is accompanied by a Sustainability Appraisal (and Strategic Environmental Assessment), which has informed the amendments made to the policies and been updated itself to take account of these. The Sustainability Appraisal (SA) is an appraisal of the economic, environmental, and social effects of the Plan from the outset of the preparation process to inform policy development and ensure that the Plan accords with sustainable development. It also ensures that the formal requirements for an 'environmental report' (under Regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004) are met.
- 2.3 The Plan is also accompanied by a Habitats Regulations Assessment Screening Report. Under Article 6(3) of the Habitats Directive. An 'appropriate

assessment' is required where a plan or project is likely to have a significant effect upon a European site, either individually or in combination with other projects. The Screening Report concludes that none of the policies/allocations in the Local Plan Part 2 are likely to have a significant effect, either alone or in combination, on the identified European sites; therefore an Appropriate Assessment is not required (see summary at Appendix L)

- 2.4 The Local Plan evidence base is already extensive and continues to be expanded and refined to provide updates and is supplemented by new reports to address matters raised through the representations. A full list of the key background documents and evidence studies was included within Appendix C of the draft Local Plan. Specific mention is made here of the additional studies which have since been commissioned to support the recent revisions to the Plan.
- 2.5 It should be noted that as the LPP1 sets out the requirements in terms of the housing numbers that need to be met by the LPP2 it has not been necessary to undertake any further assessment of housing needs for the LPP2. The SHLAA considers the suitability of the sites that have been promoted for housing development to meet those needs, setting out those that are deliverable and developable (available and viable now or within the lifetime of the Plan). These were assessed in developing the draft Local Plan and the appendices to this report include updated evaluations of the sites proposed as allocations in the larger villages and others that have been put forward by their promoters ('omission' sites).
- 2.6 One of the 'tests of soundness' of the Local Plan is that it should be 'effective', including that the sites allocated for development are deliverable. In order to confirm the viability of the site allocations, 'light touch' viability studies have been undertaken. These have been produced for sites which have not been subject to planning applications or requests for pre-application advice – where these proposals have been put forward they have helped to confirm the viability of the sites involved and interest in developing them. Some of the studies have been undertaken by external consultants and others by the Council's Estates Team. The outcome of these studies has been taken into account in considering policy revisions and they are referred to in the reports of the responses; as necessary, and summaries of the studies are appended to the relevant reports for the main settlements.
- 2.7 Some representations have raised the issue of the accommodation needs of older persons and suggested that specific site allocations should be made for uses such as extra care homes. A specific study 'Specialist Housing for Older People in Winchester District', has been commissioned from consultants to examine the issues raised by these representations. It concludes that sufficient flexibility for developers to bring forward specialist housing for older people, including extra care schemes, already exists within LPP1 and LPP2. Indeed, greater flexibility for provision of all types of residential accommodation can best be maintained by keeping housing allocations non-specific with regard to residential use classes. The study is being finalised and will be available for the next meeting of the Committee.

- 2.8 Following the introduction of new national technical standards for housing a further study was also commissioned from the same consultants to consider the need to set local standards. These standards relate primarily to minimum, dwelling sizes and ensuring that new dwellings are accessible and adaptable and replace those for the former 'Lifetime Homes'. The new Nationally Described Space Standards deal with the internal space within new dwellings. The study therefore assesses whether and how to adopt the new technical standards in relation to space and accessibility within new build homes. The study found evidence from the scale and growth of the older population to indicate a need for about 20% of the housing stock to be accessible and adaptable in the future and that the vast majority of homes on the market (new properties and existing stock) already meet the national minimum space standards so that there may be a case for applying minimum standards to affordable housing and small flats. The study is relevant mainly to the Development Management policies so will be addressed in the relevant report to the next meeting of the Committee.
- 2.9 The LPP2 pages of the Council's website contain sections for each of the larger settlements with various studies, assessments and reports that were used to determine the requirements and proposed site allocations for each settlement. The Transport Assessments for the larger settlements (except Winchester, as new greenfield site allocations are not proposed there) have been updated to relate to the scale of development proposed by the draft Local Plan or alternative site promoters. The updated Assessments have been added to those pages.
- 2.10 Several of the larger settlements where site allocations are proposed are located close to the B2177 / B3354 / A334 transport corridor. This was raised as a concern in various comments on the draft Local Plan and in order to better understand the potential impact of the proposed level of development on this corridor, the consultants SYSTRA were commissioned to undertake a study to assess the cumulative impacts. The resulting 'B2177 / B3354 / A334 Corridor Cumulative Traffic Impacts' study concludes that this corridor generally has sufficient capacity to accommodate forecast growth up to 2031, including that expected at Welborne and on sites within Eastleigh Borough. Some specific junctions were identified where capacity is predicted to be reached or exceeded and where mitigation measures are likely to be required. Specific implications for site allocations in Wickham and at Colden Common are addressed in the relevant site allocation policies.
- 2.11 The Wickham Flood Investigation Report (2015) was commissioned by Hampshire County Council and has recently been published. It concludes that the causes of flooding in Wickham are complex, affect various parts of the village, and are caused by a combination of factors. The report makes a large number of recommendations for improvement options and areas for further study, both for specific parts of Wickham and more generally, rather than identifying a single 'solution'. Where these are specific to planning requirements, the study's recommendations have informed changes to the Wickham drainage infrastructure policy.

2.12 The Open Space Strategy 2014 has been reviewed in the light of representations received, in particular in relation to Policy DM5 - Protecting Open Areas. As Policy DM5 will be considered at the next meeting the updated Open Space Strategy will be reported on 6 October. The Policies Map Inset Maps for the settlements included with the appendices to this report, which show the locations to which Policy DM5 applies, may need updating as a result, and any significant changes will be reported to the next meeting.

2.13 The study to identify sites for permanent pitches for Travellers within the Winchester District, to meet the requirements identified in the Travellers Accommodation Assessment for Hampshire (2013), is being undertaken jointly with the South Downs National Park Authority and East Hampshire District Council. The Study has not been completed in time for sites to be included in the LPP2, as these must also be subject to consultation and sustainability appraisal. In addition, the Government issued a revised 'Panning Policy for Traveller Sites' on 31 August 2015, including a change to the definition of gypsies and travellers for the purposes of planning policy. The implications of this change require further consideration and they may require reconsideration of the level of need for traveller pitches. So that the LPP2 can progress to examination without further delay it is recommended that a separate development plan document (DPD) be prepared to cover this issue - details will be included in the revised 'Local Development Scheme' to be reported to the next meeting on 6 October.

3 Content of LPP2, key matters raised and changes made to Plan

3.1 **Chapters 1 & 2 - Introduction & Background and Meeting Development Needs.** These chapters set out the context for the Plan, explaining the LPP2's relationship with the LPP1 and other plans (the Denmead Neighbourhood Plan and the Hampshire Minerals and Waste Plan) which together form the 'development plan'. Chapter 2 explains the process, including the technical methodology and engagement with the local communities that led to the proposed sites for allocation, also the settlement boundary review. The comments made on these two chapters do not require any changes to the Plan other than amendments to bring Chapter 1 up to date regarding the evidence base, the Denmead Neighbourhood Plan (now adopted), the next stages and revised timetable. It is proposed that these Chapters are subject to general updating - see **Appendix A**.

3.2 **Chapter 4 – Market Towns and Rural Area.** This Chapter deals primarily with the site allocations at the market towns and larger villages to meet the housing targets set in LPP1 (Policy MTRA2). Each of the 8 larger rural settlements has a separate section, as described below. (NB New Alresford will be reported to the next meeting on 6 October). Some formatting changes have also been made to this section, with explanatory text moved to precede the relevant policy for consistency, and the background details of the evolution of policies removed as this is explained in the supporting documents.

- 3.3 **Bishop's Waltham.** There are four housing site allocations proposed along the southern edge of the settlement and an employment site to the west. The representations focused on the allocation of these sites for development, particularly in terms of access via existing residential streets, and raised concerns about the capacity of Winchester Road to accommodate more traffic. Landscape impact is raised by many, given the distribution of sites along the southern edge of Bishops Waltham, together with impact on open space and wildlife sites. Some refer to the lack of supporting infrastructure to accommodate more development. The key changes made to the policies and supporting text relate to clarification of the provision of green infrastructure to protect biodiversity interests and safeguarding of the Park Lug. Changes are also made to the uses and phasing references in the policy for the Tollgate Sawmill site. The issues raised by the representations, the responses to them and the revised section of the Plan for Bishop's Waltham are set out at **Appendix B.**
- 3.4 **Colden Common.** There are now two recommended policies allocating proposed housing development at Colden Common. Most of the representations received related to the proposal to allocate a site on Main Road for permanent occupation by gypsies and travellers. As reported previously, this site is no longer available, therefore it is recommended that the proposed allocation is removed from the Plan. The other representations concentrated on the housing allocation at the former Sandyfields Nurseries with some questioning the capacity of the site and offering other sites as alternatives. Some amendments to the policy and supporting text are made to overcome concerns. A new policy is also added to confirm and clarify the contribution to meeting development needs of the sites at Clayfields and adjoining Avondale on Main Road. An amendment is also proposed to one of the changes to the settlement boundary, which has been reconsidered in response to representations. The issues raised by the representations, the responses to them and the revised section of the Plan for Colden Common are set out at **Appendix C.**
- 3.5 **Kings Worthy.** Only one site allocation is proposed at Kings Worthy for housing and open space. Representations covered a range of matters, including significant support for the site at Lovedon Lane. Comments against the site expressed concerns regarding access and traffic, the impact on the Eversley Park recreation area and on the settlement gap; alternative sites were also suggested. The outcome of consultation on options for the layout of the site has resulted in revisions to the Policies Map regarding the location of the proposed housing and to the settlement boundary, to avoid any loss of playing fields at Eversley Park while protecting the settlement gap with Abbots Worthy. The number of dwellings proposed on the site is also justified by an updated assessment of the housing potential of other sites within the existing settlement boundary. The issues raised by the representations, the responses to them and the revised section of the Plan for Kings Worthy are set out at **Appendix D.**
- 3.6 **Swanmore.** This section now includes two policies rather than three, as development at Swanmore College has commenced and the policy for the allocation of housing and replacement playing pitches can be deleted.

Representations were made to the scale of development proposed at Swanmore and its impact, especially when combined with that proposed at Waltham Chase and Bishop's Waltham. Encroachment into the gap between settlements and impact on the adjacent countryside were included in the issues raised, in addition to more site specific comments relating to proposed development at The Lakes concerning access and transport, flooding and drainage, and impact on the Sites of Interest for Nature Conservation. Some changes are proposed to strengthen the policy and supporting text regarding these issues. The settlement boundary also generated representations that some minor proposed changes should not be made, or that changes should be made where none were proposed. The issues raised by the representations, the responses to them and the revised section of the Plan for Swanmore are set out at **Appendix E**.

- 3.7 **Waltham Chase.** Four policies at Waltham Chase propose five site allocations, including one on previously developed land within the existing settlement boundary. Some representations challenged the scale of development proposed for the village and objections to all the proposed allocations refer to access and traffic impact. Other comments refer to specific sites and raise concerns such as the impact on wildlife and drainage. Alternative sites are promoted, including one for extra care accommodation. Following reassessment of the proposed and alternative sites the only changes to policies that are considered necessary, other than a requirement regarding drainage, are clarification of the requirement for employment uses at Morgan's Yard being subject to viability, and some changes to the Forest Road allocations policy to overcome site specific objections concerning a Site of Special Scientific Interest and the Lower Chase Stream. The issues raised by the representations, the responses to them and the revised section of the Plan for Waltham Chase are set out at **Appendix F**.
- 3.8 **Wickham.** There are three policies; one concerning drainage infrastructure due to previous flooding issues and two allocating land for housing and open space. Many comments raise objection to the two housing sites proposed, with alternatives suggested. There are also many representations concerning transport, drainage and flooding issues, including the cumulative impact of the Welborne development. The Wickham Flood Investigation Report, commissioned by Hampshire County Council, has informed changes to the drainage infrastructure policy (WK1) including the need for a flood mitigation and management strategy. The B2177 / B3354 / A334 transport study has assessed the cumulative impact of development on transport, including Welborne. The housing allocation policies are amended to include requirements for improvements to the Winchester Road/ Titchfield Lane junction (Policy WK2) and archaeological investigation (Policy WK3). The issues raised by the representations, the responses to them and the revised section of the Plan for Wickham are set out at **Appendix G**.
- 3.9 **Denmead.** The LPP2 does not make any development allocations for Denmead as housing requirements and other issues are set out in the Denmead Neighbourhood Plan, which was adopted as part of the 'development plan' on 1 April 2015. Only a few representations were submitted in relation to

Denmead, primarily relating to alternative sites for development, but these are not an issue for the LPP2. The LPP2 does, however, set out various Development Management policies that apply in Denmead, including defining the village centre boundary and protected open spaces. The revised section of the Plan for Denmead to cover the making of the Denmead Neighbourhood Plan is set out at **Appendix H**.

- 3.10 **Smaller villages and rural area.** Representations were mainly concerned with promoting sites for development and / or questioning the lack of review of settlement boundaries and settlement gap boundaries to allow more development in some locations. This section of the Plan explains that there are no development allocations required in the smaller settlements, hence no need to review boundaries where these exist, and policies already allow for development to meet local needs where identified and supported by communities. Representations requesting the inclusion of Botley Bypass in LPP2 are considered under Chapter 5 - South Hampshire Urban Areas. The issues raised by the representations, the responses to them and the revised section of the Plan for the smaller villages and rural area are set out at **Appendix I**.
- 3.11 **Chapter 5 – South Hampshire Urban Areas.** Most of the development proposed in this spatial area is already committed through the LPP1 strategic allocations at West of Waterlooville (permitted) and North Whiteley (planning application pending), hence no further policies on these developments are needed and few representations were received. Of the issues that were raised, a key concern was the need for employment land to be protected and/or more to be allocated. Policies therefore cover areas and proposals remaining undeveloped from the 2006 Local Plan Review allocations, including two new policies safeguarding the Solent 1 and Solent 2 Business Parks as employment areas and an amendment to the Whiteley Green site regarding access, in response to representations. A policy safeguarding the route for the Botley Bypass is also added in this section of the Plan following representations from Eastleigh Borough Council and advice from Hampshire County Council as Highway Authority, arising from changed circumstances. Representations were also received for land to be allocated for development adjoining the bypass route, but it is not accepted that this is needed. These and other representations, the responses to them and the revised section of the Plan for the South Hampshire Urban Area are set out at **Appendix J**.
- 3.12 **Chapter 7 - Implementation and Monitoring.** This brief Chapter refers to the Monitoring Framework, which is included in the appendices to the Plan, also matters such as developer contributions and the Community Infrastructure Levy. Changes to the section covering the Solent Disturbance Mitigation Project and the need for contributions are updated to reflect the latest position on the associated Strategy. This is set out in **Appendix K**.
- 3.13 **Local Plan Appendices.** A series of appendices accompanied the draft Local Plan. These will need to be updated and corrected to address the few matters that were raised in the representations. It is proposed to delete Appendix B listing the remaining saved policies from the 2006 Local Plan Review since

these will all be deleted upon adoption of the LPP2. Delegated authority is sought to complete the minor updates needed for inclusion of the remaining appendices in the published LPP2, as follows:

- Appendix A – Glossary – update terms, abbreviations and explanation.
- Appendix C (change to B) – update the list of Plans and Policies – the key policy, guidance and evidence documents supporting the LPP2.
- Appendix D (change to C) – Criteria for Local Listing of Heritage Assets – as referenced in Policy DM31.
- Appendix E (change to D) – update Monitoring Framework as necessary to reflect new, deleted, changed policies.

3.14 **Maps.** The Plan must be accompanied by a ‘Policies Map’ which shows on an Ordnance Survey map base where the policies apply. The Policies Map consists of an overall District map with inset maps at a larger scale for those settlements with settlement boundaries. At this stage it is also helpful to indicate how the adoption of the LPP2 will make changes (deletions and additions) to the existing Policies Map and these are illustrated by the inset maps attached to each of the settlement reports (Appendices B – J below).

4 Next Steps

4.1 A further meeting of this Committee is scheduled for 6 October 2015 to cover the remaining issues relating to New Alresford, Winchester Town and the Development Management policies.

4.2 The Development Plan Regulations require that before submitting a Plan to the Secretary of State the local planning authority (LPA) must make a copy of the Plan and other supporting documents available for inspection and invite representations for a period of not less than 6 weeks. Subject to the agreement of the Council at a special meeting on 21 October, this period will commence as soon as practicable following the printing of final versions of documents and issuing of public notices and be concluded prior to the Christmas and New Year holidays. It is anticipated that the period for representations will run from Friday 6 November to Monday 21 December 2015.

4.3 The earlier stages of plan preparation included a considerable amount of public consultation on the proposals of the Plan and the wording of the policies. Representations made at the forthcoming stage must relate to whether they consider the Plan is legally compliant, sound and complies with the Duty to Cooperate. This is explained in guidance provided by the Planning Inspectorate that will be made available along with the representation forms. Therefore the priority is to publicise the opportunity to make formal representations and there is no need for exhibitions or public meetings at this stage.

4.4 Legal compliance refers to matters of process and includes: whether the preparation of the Plan has followed the stages set out in the Local Development Scheme and the requirements of the Regulations; whether public consultation has generally accorded with the strategy for involving the community as set out in the Statement of Community Involvement and whether

the policies of the plan reflect the outcome of the Sustainability Appraisal; also that the Plan has had regard to the Sustainable Community Strategy.

4.5 “Soundness” means that the Plan is:

- Positively prepared - based on a strategy that seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- Justified – the most appropriate strategy when considered against reasonable alternatives, based on proportionate evidence;
- Effective – deliverable and based on effective joint working on cross-boundary strategic priorities;
- Consistent with national policy – delivers sustainable development in accordance with the National Planning Policy Framework.

4.6 The publication of the Plan will therefore be accompanied by a raft of documents that demonstrate this compliance and that the Plan is considered by the Council to be sound. Following the close of the period for representations the Council must submit the Local Plan and supporting documents for examination, together with the representations received and a summary of the main issues raised by the representations.

4.7 As the Plan that is published for representations should be the one that the Council would expect to adopt, i.e. it should be the Council’s final version of the Plan, there is no requirement to comment on the representations and further changes to the Plan should not be necessary. However the statutory provisions allow for modifications to be made under certain circumstances provided they are subject to appropriate consultation and sustainability appraisal. These may be needed before the Plan is submitted for examination but are more likely to emerge during the course of the examination through discussion and debate at the hearings. Delegated authority is sought to enable officers to respond to these matters, in consultation with the Portfolio Holder for Built Environment, as necessary. Formal approval would be sought for any significant modifications if the timescale of the examination allows for this.

4.8 Once the Plan is submitted for examination the Inspector will begin the examination by looking at legal compliance, and by reference to the representations will decide what matters he/she considers would merit discussion at hearing sessions. The Inspector will set the agenda for the hearings and who may be invited to participate in the round table debate led by the Inspector. Everyone who has made representations, including those who are not invited to participate at the hearing sessions (anyone can attend to hear the debates) are able to make written representations. This report therefore also seeks delegated authority for officers to submit the Plan for examination and to prepare for the examination, including any written statements, and to suggest changes to assist the Inspector where these would address matters of soundness raised by the Inspector.

- 4.9 The examination concludes when the Inspector submits their report to the Council. The time taken for this will depend on a number of factors including the need for any further evidence, the need for modifications and consultation on these and the need for a Pre-Hearing Meeting. A Pre-Hearing Meeting may be held to explain the procedures associated with the examination, but may not be needed if written explanatory notes of the process are considered sufficient.
- 4.10 Throughout the examination the arrangements for the hearings and all liaison with the Inspector is undertaken by a Programme Officer appointed by the Council but independent from the Council's officers. Authority is therefore sought for the appointment of the Programme Officer to carry out these tasks.
- 4.11 The Local Development Scheme refers to the Pre-Submission version of LPP2 being programmed for publication in June 2015, which was the original intention. Due to the need for further work, including the commissioning of additional evidence reports in order to fully consider and respond to the representations, that timetable has not been met. Although changes to the plan preparation timetable have been published on the Council's web site and in the LDF e-bulletin, the Local Development Scheme must be revised to also include the timetable for a Gypsy and Traveller Site Allocations DPD (development plan document). Although it was intended that the LDS be brought to this meeting, due to the need for more time to consider the implications of the revised 'Planning Policy for Traveller Sites', a separate report on the revised Local Development Scheme will be included on the agenda for the next meeting on 6 October.
- 4.12 The National Planning Policy Framework sets out that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the National Planning Policy Framework. The Planning Practice Guidance that accompanies the NPPF states that refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination. However it indicates that there are circumstances where it might be justified, i.e. where the granting of planning permission may undermine the plan-making process by pre-determining decisions about the scale, location or phasing of new development that are central to the emerging local plan. Thus as the emerging Plan indicates the direction of travel and is more up to date with regard to consistency with the NPPF, especially where policies have little or no objection raised to them, the Plan can be regarded as a material consideration in decision making.
- 4.13 It is not possible to give a definitive guide as to how much weight the emerging Plan will have in comparison to saved policies or other guidance, so each case will need to be considered on its merits. Planning and legal officers will advise Planning Development Control Committee as appropriate, having regard to the stage of the process reached, the level of objection to particular policies, and other material considerations.

OTHER CONSIDERATIONS

5. COMMUNITY STRATEGY AND PORTFOLIO PLANS (RELEVANCE TO)

- 5.1 The Local Plan is a key corporate priority and will contribute to achieving the Community Strategy and implementing several aspects of Portfolio Plans. That the Plan has had regard to the Community Strategy is a requirement for legal compliance.

6. RESOURCE IMPLICATIONS

- 6.1 The key resources for undertaking work on LPP2 have been approved as part of the budget process, consisting primarily of an annual sum of £36,700 and an earmarked reserve which stood at £172,759 at 1 April 2015. This budget and earmarked reserve are used for ongoing consultancy requirements, ensuring resources are available to deal with major expenditure at key stages, e.g. examination which is estimated at up to £155,000 to include the Planning Inspectorate's fees and the appointment of the Programme Officer. This funding is expected to be adequate for the foreseeable future, subject to progress with LPP2, any changes in government requirements and the need to review plans.

7. RISK MANAGEMENT ISSUES

- 7.1 The steps undertaken in preparing the Plan have all be done with consideration for minimising the risks that the Plan may not pass examination or could be delayed in its adoption. This is to ensure that the development plan is up to date, that a five year supply of housing sites can be demonstrated and not put the Council at risk of development being determined through the appeal process. The Local Development Scheme sets out a more detailed risk assessment of the Local Plan Part 2.

8. BACKGROUND DOCUMENTS

- 8.1 None.

9. APPENDICES

Due to their size, the appendices have been attached for Cabinet and invited Councillors only, together with the Chairman of The Overview and Scrutiny Committee. Councillors for the Wards covering the settlements listed in Appendices B – H & J have also been supplied with the Report and relevant appendix.

A complete copy is available in the Members' Library and can be viewed online: <http://www.winchester.gov.uk/meetings/ou/4/>

Appendix A Chapters 1 & 2 - Introduction & Background and Meeting Development Needs

Appendix B Bishops Waltham

- Appendix C Colden Common
- Appendix D Kings Worthy
- Appendix E Swanmore
- Appendix F Waltham Chase
- Appendix G Wickham
- Appendix H Denmead
- Appendix I Smaller villages and rural area
- Appendix J South Hampshire Urban Area
- Appendix K Chapter 7 – Implementation & Monitoring
- Appendix L Habitat Regulations Assessment Scoping Report Summary