

CABINET (LOCAL PLAN) COMMITTEE

6 October 2015

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

REPORT OF HEAD OF STRATEGIC PLANNING

Contact Officer: Linda Jewell Tel: (01962) 848086 ljewell@winchester.gov.uk

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

CAB2711(LP) Winchester District Local Plan Part 2: Development Management and Site Allocations, approval of Plan for Publication - 16 September 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.

This report follows on from that presented to the Cabinet (Local Plan) Committee on 16 September 2015. It should therefore be read in conjunction with that report which summarised the process followed in preparing the LPP2 and the outcome of further work and supporting evidence studies commissioned to assist consideration of the representations made on the Draft Plan. Following from the further 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 New Alresford, Winchester Town and the Development Management policies. Appendices M-O to this report summarise the representations and explain the reasons for the recommended changes to the Plan text, policies and maps as shown in the appendices.

The report (at recommendation 4 below) also sets out the recommendations to full Council that the Committee is asked to make at this meeting, at the end of its deliberations on various sections of the Plan. It should be noted that the debate on Chapters 1 and 2 Introduction & Background and Meeting Development, most of Chapter 4 Market Towns and Rural Area (parts for the settlements of Bishops Waltham, Colden Common, Denmead, Kings Worthy, Swanmore, Waltham Chase, Wickham, the Smaller Villages and Rural Area of the Plan), Chapter 5 South Hampshire Urban Areas, Chapter 7 Implementation and Monitoring took place at the meeting on 16 September 2015 and will not be subject to further discussion on the 6 October (other than any outstanding matters that are referred to in this report).

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.

Any changes to the text of the revised Plan, agreed by the Cabinet (Local Plan) Committee, will be incorporated in an updated version of the Plan and circulated to all Members for the full Council meeting on 21 October 2015. All tracked changes in this draft final version will be removed for ease of reading.

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 M to Q 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 the following be recommended 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

6 OCTOBER 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. 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, but it should be noted that the saved policies from the Local Plan Review 2006 will remain in force for the National Park part of the District until the National Park Authority adopts its own local plan.
- 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 for Winchester, New Alresford and the Development Management Policies are set out in the reports attached as Appendices M-O to this paper (the meeting of this Committee on 16 September considered all other parts of the Local Plan, CAB2711(LP) refers).

- 1.4 Also attached within appendices M-O are the 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.*
- 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. Most of these were reported to the last meeting on 16 September (CAB2711(LP) refers). 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. At the time of the meeting on 16 September the Strategic Housing Land Availability Assessment (SHLAA) was being finalised and it was indicated that there may be minor changes to the housing data tables within the settlement chapters of the Plan for the market towns and larger villages considered at the last meeting. In fact no changes need to be made to the housing supply tables in the appendices considered at the last meeting as a result of the updated SHLAA, which together with other the supporting documents is published on the Council's website.
- 1.6 The Plan is accompanied by a Sustainability Appraisal (and Strategic Environmental Assessment), which has been updated to take account of amendments recommended to policies, and also a Habitats Regulations Assessment Scoping 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.
- 1.8 At the meeting of the Cabinet (Local Plan) Committee on 16 September 2015 consideration was given to references in some site allocation policies of the need for a masterplan to indicate the disposition of land uses, where larger sites include mixed uses, are complex in nature or have mixed ownership. For consistency, proposed revised policy wording is attached at Appendix P. It is proposed that this will be incorporated within relevant site allocation policies (BW3, BW4, BW5, CC1, KW1, NA2, NA3, SW1, WC1, WK2, WK3), modified as necessary to reflect any specific requirements for the site concerned.

2 The Local Plan Process, Supporting Documents and Evidence Base

- 2.1 Previous reports in March 2015 (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 (SA) (and Strategic Environmental Assessment), the purpose of which was reported to the last meeting. The SA update indicates that the changes proposed in the Appendices to this report do not significantly affect the findings of the previous SA on the draft Plan.
- 2.3 The Plan is also accompanied by a Habitats Regulations Assessment (HRA) 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. The HRA Scoping Report Update, as reported to the meeting on 16 September (Appendix L to CAB2711(LP) refers), considered the proposed changes, deletions and additions to the Plan and found that overall they do not significantly affect the findings of the previous HRA work. A further update for the new and amended policies for New Alresford, Winchester and Development Management also found that an Appropriate Assessment is not required.
- 2.4 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).
- 2.5 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. A number of additional studies which have since been commissioned to support the recent revisions to the Plan were reported to the

meeting on 16 September (CAB2711(LP) refers). Mention is made here of the reports that serve as further evidence in support of the specific sections of the Plan that are to be considered on 6 October.

- 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 summaries of the studies regarding The Dean and Sun Lane sites at New Alresford are appended to the report at Appendix N.
- 2.7 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 Assessment for New Alresford has been updated and the consultants SYSTRA were commissioned to undertake a study to assess the allocation and omission sites proposed for the Local Plan, to undertake a comparison with the alternative strategy proposed by the Alresford Professional Group, and to identify the relevant transport impacts of each. This includes traffic impact comparisons, i.e. forecast traffic increases on routes and junctions in and around the town and also takes account of transport sustainability in terms of distances to schools, local facilities and bus routes. The study also included an appraisal of the need for and feasibility of building a new junction with the A31 for the site at Sun Lane, concluding that viable options exist to accommodate a new access to the A31.
- 2.8 The Winnall Planning Framework was commissioned (in association with Hampshire County Council) from Parsons Brinkerhoff; two rounds of community engagement events, together with on-line opportunities to comment, were held during early 2015. While the Framework Plan remains in draft, with the final version expected to be published for consideration by the Cabinet. The consultation outcome and draft report has nonetheless informed the drafting of a new policy for Winnall in the Winchester Chapter. The report relating to Winchester (Appendix M) includes a Winnall Planning Framework Note that sets out the planning justification for the new policy proposed (WIN11).
- 2.9 The overall conclusion of the study "Specialist Housing for Older People in Winchester District", as reported to the last meeting on 16 September is 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.

- 2.10 The study “Standards in New Homes in Winchester District”, referred to at the last meeting, assesses the need to adopt the new national 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, although there is a case for applying minimum standards to affordable housing and small flats. The study has informed the Development Management policies, so is addressed in Appendix O to this report.
- 2.11 The Open Space Strategy 2014 has been reviewed in the light of representations received, in particular in relation to Policy DM5 - Protecting Open Areas, and changes are noted in the next section covering the changes proposed to the policy. As a result of finalising the Strategy some of the Policies Map Inset Maps for the settlements included with the appendices to the report of 16 September, which show the locations to which Policy DM5 applies, need updating and these are set out at Appendix Q Bishop’s Waltham, Colden Common, Denmead, and Kings Worthy.
- 2.12 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 ‘Planning 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, but it appears they will 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 are included in the revised ‘Local Development Scheme’ which is reported as a separate item on this meeting’s agenda.

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

- 3.1 **Chapter 3 – Winchester Town.** This Chapter sets out the proposed development strategy for Winchester, based on the Vision for Winchester and the spatial strategy in Local Plan Part 1. It needs to be read in conjunction with LPP1, which contains the spatial strategy for Winchester and the strategic allocations of Barton Farm and Bushfield Camp. It refers to, but does not repeat, the content of LPP1, so does not aim to be a comprehensive ‘plan’ for Winchester. Its policies deal mainly with adding detail to the policies for Winchester in LPP1, or setting out site-specific policies and allocations.
- 3.2 Comments were received on all of the policies and some changes are proposed, follows:

- Policies WIN1 and WIN2 on the vision for the town generally, and the town centre particularly, are proposed to be strengthened with regard to the references to economic prosperity, creativity and culture, promotion of the town centre, and heritage.
- Policy WIN3 on views and roofscape is proposed to be edited to be more comprehensive.
- Policy WIN4 - Silver Hill - is proposed to be amended so that it provides the necessary guidance to ensure the implementation of a high quality scheme.
- Policy WIN5 – Station Approach Area – is proposed to be amended to add cultural uses to the range of use classes specified, to include reference to a landscape framework, and to clarify all those issues that will need to be addressed through the preparation of development proposals covered by the policy
- Policy WIN6 – Carfax – an additional bullet point is proposed to be inserted on the need to retain key buildings and spaces, and to respect the scale of adjacent properties.
- Policy WIN7 – Cattlemarket – further references in the supporting text to the archaeological interest of the site are recommended, Policy WIN8 – Stanmore - changes are proposed to the policy and the supporting text to clarify the status of the Stanmore Planning Framework.
- Policy WIN9 – Abbots Barton – changes to the policy and its supporting text are recommended to clarify the purpose and status of the Abbots Barton Planning Framework and that the policy is renumbered WIN10).
- Policy WIN10 – Houses in Multiple Occupation – no changes but it is recommended that the policy and text follows after the Stanmore policy and is renumbered WIN9.
- Policy WIN11 – Winnall – following community engagement and the preparation of a draft planning framework for Winnall a new policy with supporting text is recommended.

3.3 Representations were also received on the scale and location of housing at Winchester, including some omission sites being promoted by developers and landowners. The updated table setting out the various components of housing supply to meet the outstanding requirements taking account of provision within the LPP1 confirms that no further site allocations outside of the settlement boundary are needed. This is explained, together with the issues raised by the representations, the responses to them and the revised section for Winchester in **Appendix M**.

3.4 **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 in the LPP2. All were considered at the meeting on 16 September ((CAB2711(LP) and Appendices B-I refer) except for New Alresford which is for consideration on 6 October. Some formatting changes have also been made to Chapter 4, with the explanatory text being moved to precede the relevant policy for consistency, and the background details of the evolution of policies removed as this is explained in the Plan's supporting documents.

- 3.3 **New Alresford** – The assessment of the capacity for housing within Alresford’s settlement boundary has been updated and two housing sites are proposed (400 dwellings total) as site allocations. One is on the edge of the centre at The Dean (about 75 dwellings) through the relocation/redevelopment of an employment area for mixed uses, and the other is a large site at Sun Lane comprising housing (about 325 dwellings), open space and employment allocations to the east of the settlement. A policy is also included to safeguard the existing town centre car parks from development, as these sites are leased and there is concern about their loss given their importance to Alresford’s commercial centre. The large ‘Sun Lane’ site has proved very controversial throughout the Plan preparation period with a competing ‘alternative plan’ for a range of smaller sites being proposed through representations by the Alresford Professional Group. Following consideration of this and other representations, and in the light of the outcome of further studies on viability, transport and access, the proposed Local Plan allocations are still considered to be the best way to provide for development needs, as the most suitable, viable and deliverable option.
- 3.4 Recommended changes include the following:
- Policy NA1 - on car park provision is proposed to be amended to allow for development essential to the operation of Alresford Station or Perins and to specify the range of spaces (50-100) to be provided in association with the redevelopment at The Dean or other suitable locations.
 - Policy NA2 - The Dean housing allocation - is proposed to be amended to include a requirement for a masterplan and be more flexible and less prescriptive with regard to the need for the inclusion of employment uses, following consultation with existing businesses and advice regarding viability. Requirements are also proposed in relation to contamination and drainage.
 - Policy NA3 – Sun Lane – This policy allocating a substantial area for public open space and other green infrastructure alongside housing and employment uses is largely unchanged from that in the draft Plan, other than revising the requirements for a masterplan, adding a requirement to provide a connection to the nearest point of adequate capacity in the sewerage network and reference to the Groundwater Protection Zone..
- 3.5 The issues raised by the representations, the responses to them and the revised section for New Alresford are set out in full at **Appendix N**.
- 3.6 **Chapter 6 – Development Management.** This Chapter contains various policies which it is recommended should provide the future basis for determining planning applications. It is important to note that these are not the only policies that may apply as the LPP1 also contains various development management policies (hence the highlighted box which stresses the need to take account of all relevant policies). The policies are grouped by the 3 Community Strategy themes, in the same way as LPP1, as follows:
- 3.7 **Active Communities** – various key policies are already contained in LPP1 (e.g. the proportion of affordable housing required, open space standards,

criteria for travellers' sites, etc), but there is also a need to cover other development management issues or to provide more detailed guidance on some matters covered in LPP1. For example, policy DM2 covers dwelling sizes in more detail than policy CP2 in LPP1. Policy DM4 sets a target for pitches for gypsies, travellers and travelling showpeople; although work by consultants to assess potential sites remains on-going therefore site allocations will need to be determined through a separate development plan document. Policies DM5 and DM6 carry forward the protection of important open spaces and provide more detail of requirements for open space provision on development sites.

- 3.8 **Prosperous Economy** – LPP1 contains three policies under this heading, on employment development, loss of employment sites and transport. There is a need to cover some matters in more detail in order to replace current 'saved' policies, so the draft LPP2 therefore contains a number of policies under the prosperous economy heading. Town centre policies DM7-DM9 largely replace policies of the 2006 Local Plan, having regard to current Government advice and the updated Retail Study. Various types of development related to the rural economy are covered in policies DM10-DM13, including replacement dwellings, agricultural workers' housing, equestrian development, and leisure/recreation development. These largely replace policies in the 2006 Local Plan, while combining some matters to reduce the number of policies and cover some issues in more detail where necessary.
- 3.9 **High Quality Environment** – the LPP1 policies on this theme cover broad aspects of the environment, such as renewable energy, biodiversity and flooding. There is also a need for more detailed development management policies to provide guidance and requirements regarding matters such as design, landscape and heritage. Design and access issues are dealt with by policies DM14-DM18, covering masterplans for large landholdings, local distinctiveness, site design criteria, development principles, and access/parking. Environmental protection policies DM19-DM22 cover pollution, noise, contaminated land and utilities carrying forward similar policies from the 2006 Local Plan Review. Policies DM23-DM24 cover landscape and trees and Policies DM25-DM34 relate to various heritage aspects and replace the series of historic environment policies in the 2006 Local Plan. Policy DM31 provides the basis for the development of a 'local list' of heritage assets.
- 3.10 The most significant changes recommended from the Draft Plan relate to the Active Communities policies. These and some other more minor changes are summarised as follows:
- Policy DM2 – Dwelling Sizes – amendments are proposed to the policy and supporting text resulting from new national technical standards, including internal space, accessibility and adaptability, and the requirement to justify the adoption of such standards. The study "Standards in New Homes in Winchester District" provides some evidence to apply minimum space standards and to adopt the nationally described space standards for affordable dwellings.
 - Policy DM4 - Gypsies, Travellers and Travelling Showpeople – is proposed to be deleted as the proposed allocation at Ashbrook Stables, Colden

Common is no longer available and the overall need for pitches will have to be re-assessed following changes to the definition of travellers. The explanatory text refers to the proposed new DPD on gypsies and travellers.

- Policy DM5 – Protecting Open Areas – Changes to the explanatory text are proposed to clarify the reason for the protection of some open spaces within settlement boundaries, even though they may not be publicly accessible (because they make a substantial contribution to the character, visual amenity and appearance of the locality) in accordance with the assessment in the updated Open Space Strategy. The updated Strategy also indicates that Protected Open Areas need only apply to sites within the settlement boundaries, as these are the most valuable but vulnerable sites (because of the presumption in favour of development within defined settlement boundaries). As countryside policies will protect important open space, sports and recreation sites where they lie outside the settlement boundary and in the countryside, consequential changes are proposed to remove DM5 notation from such sites on the Policies Map.
- Policy DM7 – Town, District and Local Centres - Changes to the explanatory text and policy are proposed to clarify the definition of town centre uses.
- Policy DM16 - Site Design Criteria - The text accompanying the policy is amended to refer to the High Quality Places Supplementary Planning Document which was adopted by the Cabinet on 18 March 2015 (CAB2669 refers).
- Policy DM17 – Site Development Principles – Proposed addition to policy seeking high speed broadband connection to new residential and business properties.
- Policy DM18 – Access and Parking – Proposed changes to refer to “relevant standards” and cycle parking.
- Policy DM28 – Demolition in Conservation Areas – Additional criterion proposed to ensure that redevelopment would enhance or better reveal the significance of the Conservation Area.
- Policy DM29 – Heritage Assets - Changes to the explanatory text and policy are proposed to strengthen the policy with regard to the loss of heritage assets.
- Policy DM31 - Proposed changes to remove the criteria for local listing from the policy as these are set out in the Appendix to the Plan.

3.11 The issues raised by the representations, the responses to them and the revised section for Development Management are set out in **Appendix O**.

3.12 **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 M and N below). In finalising the Open Space Strategy some corrections have been identified relating to areas subject to policy DM5 for the Inset Maps already considered

by this Committee on 16th September (for Bishops Waltham, Colden Common, Denmead and Kings Worthy). It is recommended that the revised Inset Maps at Appendix Q be approved to replace those agreed at the last meeting.

4 Next Steps

- 4.1 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.
- 4.2 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.
- 4.3 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.
- 4.4 “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.
- 4.5 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.

- 4.6 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 received 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.
- 4.7 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.
- 4.8 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.
- 4.9 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.
- 4.10 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 Local Plan e-Newsletter, the Local Development Scheme must be revised to also include the timetable for a Gypsy and Traveller Site Allocations

development plan document (DPD). Following consideration of the implications of the revised 'Planning Policy for Traveller Sites', a separate report on the revised Local Development Scheme is included on the agenda for this meeting.

- 4.11 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.
- 4.12 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 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 and 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 been 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.
- 7.2 The Government recently announced its intention to require that local plans are put in place quickly, so it is important that progress is maintained on adopting LPP2. The revised timetable for the LPP2, which envisages adoption of the Plan by November 2016, should avoid the risk of government intervention. While the threat by the government to arrange for a plan to be written where no local plan has been produced by 2017 is unclear, Winchester City Council has already adopted the LPP1 since the National Planning Policy Framework came into force. The LPP1 was considered by the Inspector at the Local Plan Examination to be compliant with the NPPF.

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 M and N 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/details/1489>

Appendix M Winchester

Appendix N New Alresford

Appendix O Development Management Policies

Appendix P Proposed Revised Policy Wording for Site Allocations Where a Masterplan is Needed

Appendix Q Policy Map Insets for Bishops Waltham, Colden Common, Denmead and Kings Worthy (illustrating revised DM5 notations)