

Session 4 – Housing - Policies CP2-CP7

- i) Is Policy CP2 reasonable and realistic and does it provide sufficient flexibility, if viability is an issue for a particular scheme?

CALA's concern, which is relatively minor, relates to the third paragraph of the policy, which requires a majority of homes to be in the form of 2 and 3 bed family homes.

While we have no evidence to challenge the Council's contention that there is a significant need for family homes or that the provision of such accommodation should be a key housing priority (JCS paragraph 5.14), we question whether 2-bedroom dwellings would actually meet that need insofar as it arises.

Occupier demand surveys carried out by Savills suggest that barely 10% of families live in 2 bedroom accommodation, while there is an abundance of anecdotal evidence showing that new homes of this size are purchased predominantly by single people and couples. We therefore have some difficulty in accepting that 2-bedroom homes would actually meet the need for family housing.

Moreover, there is a danger that the policy adds to the public's perception that new homes are too small. We are very wary of, and not at all convinced of the need for, planning policies that seek to constrain the size of market housing, either by reference to floor space, number of habitable rooms or, as in this case, number of bedrooms. Such policies serve to reinforce this perception, as well as placing unjustified and potentially counter-productive pressures on developers to build homes that may not meet customer requirements.

While it is accepted that the policy incorporates the proviso "*unless local circumstances indicate an alternative approach should be taken*", thereby providing for exceptions to the rule, this nevertheless still places the burden of proof on the applicant and is open to interpretation by the decision maker. Where there is disagreement between the applicant and the local planning authority regarding an appropriate mix for the market housing component of a site it may also prolong the decision-making process to the detriment of boosting housing supply.

In practice, the policy could have unhelpful consequences for both large and small sites. A mix of dwelling types and sizes is of course inherently more difficult to achieve on small sites and may render such unviable or undesirable for a variety of market, design or locational reasons. On strategic sites, such as Barton Farm, Winchester, where new communities are created we agree that it is entirely appropriate to make provision for a wide range of accommodation. However, we believe it is unnecessary and potentially detrimental to have such a prescriptive policy. Given that this site's capacity is expected to be around 2,000 dwellings, at least 1,000 would, under the policy, have to be 2 or 3-bedroom houses which in our view seems rather arbitrary and inadequately justified.

We note at paragraph 5.15 of the JCS, the Council refers to evidence provided by the Strategic Market Housing Assessment 2011 which states:

“It is estimated that overall around 65% of new demand will be for 2 and 3-bedroom homes to cater for small families, newly forming households and people looking to downsize...”

(Our emphasis)

Taking into account the evidence base, it would therefore appear that the justification for the Policy is to provide a large number of 2 and 3-bedroom dwellings to meet identified needs, which includes, but is not limited to providing accommodation for families. If this is the objective the policy should be amended simply by deleting the word ‘family’, which would retain the thrust of the policy, and be consistent with paragraph 5.15 and the evidence base.

Alternatively, if the Council’s objective is for at least 50% of all new dwellings to be in the form of family accommodation then we suggest, for the reasons given above, that the policy is changed to refer to 3 or more bedrooms. Either way, the inconsistency between the wording of the policy and paragraph 5.15 should be resolved.

However, notwithstanding the above, we consider the third paragraph of the policy is unduly prescriptive, particularly given the timeframe of the JCS, which is to prescribe policy to 2031. Accordingly it should be deleted so that developers/applicants have flexibility to adapt to changing market conditions over this period.

CALA Homes has no duly made representation of any other policy under discussion in this session.

WINCHESTER DISTRICT LOCAL PLAN PART 1 – JOINT CORE STRATEGY
Statement by CALA Homes

Session 7 – Barton Farm, Winchester – Policy WT2

- i) Are the policies and proposals for growth and change in this area appropriate and justified, including in relation to the NPPF, and in terms of environmental, economic and social impact?

The Inspector will be aware that CALA Homes has made no representations in respect of policies DS1, WT1 or CP1 which set out the JCS's broad development strategy; strategy for WinchesterTown and housing provision and distribution. We leave it for the Council to justify its approach to these very important matters.

However, we wish to make clear that we support unequivocally the identification of Barton Farm as the Strategic Housing Allocation to help in meeting Winchester's housing needs and we believe Policy WT2, subject to our detailed concerns addressed below, is entirely appropriate and justified. The quantum of housing proposed for the District as a whole, and for WinchesterTown specifically is, we consider, the absolute minimum necessary to respond to the level of need and demand established by the evidence base. Barton Farm is also without question the most suitable and sustainable location for development.

We are aware, from correspondence between the Inspector and the Save Barton Farm Group (SBFG), that he does not intend that the examination focuses on the principle of WT2 now that planning permission has been granted for Barton Farm. We agree that this matter is now settled and need not, indeed should not, be reconsidered.

Barton Farm has been identified as a potential strategic housing site for many years and has been scrutinised extensively on numerous occasions during this time, including by three independent Planning Inspectors. On each occasion the site was considered to be entirely appropriate. The recent appeal decision provides yet another endorsement of the principle of the allocation and confirms the site's long-recognised sustainability credentials. It also makes clear that the allocation of the site aligns fully with the NPPF although, having regard to the Inspector's advice, we do not elaborate any more on this except insofar as it is pertinent to the detailed provisions of the policy.

We can also confirm that the approved scheme accords, with limited exceptions, with the provisions of Policy WT2, and understand that the Council concurs with this view.

- ii) Are they clear and deliverable, including in respect of the associated infrastructure requirements?

The answer to this question is “predominantly, yes”. CALA supports Policy WT2, subject to two significant caveats.

a. Sequence of development

The policy sets out criteria to be met by any scheme in a series of bullet points:

The second of these states:

“the proposal should follow an organic sequence of development radiating from the southern urban edges of the site, with the timely provision of infrastructure and community facilities to the benefit of the new community at the earliest possible time;”

This particular element of the policy was the subject of numerous changes prior to submission of the JCS and we have a number of concerns with the wording in its current form. It is also now the case that it has been rendered largely irrelevant by the Secretary of State’s recent decision to approve development at Barton Farm.

Condition 2 of the decision sets out the plans and drawings that are authorised by the permission; Plan PL05 (Rev.B) prescribes the phasing of the masterplan, which shows the development commencing within the northern half of the site, with initial access taken from Wellhouse Lane. Phases 1A and 1B include the first 300 dwellings and the primary school site. The second phase then builds out from the site’s southern edge, with access from the Andover Road.

Condition 7 of the decision also requires reserved matters for Phase One of the development, including the primary school site located to the north of the ridge, to be submitted within two years of the date of the permission. Therefore an imperative exists within the terms of the permission to commence with implementation expeditiously, and having undertaken a lengthy and expensive promotion process, which has now culminated in planning permission we can confirm it is CALA’s intention to expedite delivery of the approved scheme.

It is therefore clear that the terms of the permission require the development to be sequenced in accordance with the authorised phasing plan. Accordingly the second criterion of Policy WT2 is therefore unimplementable and unnecessary. The policy should be amended to reflect the authorized phasing plan.

This plan is based on practical considerations associated with timely and practicable infrastructure provision. It aligns with the authorised masterplan which is based on the construction of a new road running north-south through the site that will accommodate through traffic currently using Andover Road, with this route being downgraded for use by local traffic only. The new highway will form the spine of the development, running virtually the whole length of the site and will, out of necessity

need to be completed at an early stage. To this extent, development will effectively start from both the north and the south rather than spread northwards from the south.

Moreover, the infrastructure to be provided is concentrated not only in the early stages of development but also towards the centre and north of the site. For example, the park and ride facility will, of necessity, be sited on the northern boundary, while the primary school, to be delivered as a component of the first phase, is located in the northern half of the site. Other facilities, notably the community centre, doctors' surgery and pre-school nursery, will be accommodated in the local centre, located to the north of the central ridge.

Moreover, we consider that, for the reasons given above, this element of the policy conflicts with the NPPF, notably paragraph 154 which requires local plans to be aspirational but realistic, and paragraph 173 which seeks viability and deliverability in plan-making. The Harman Review: Viability Testing Local Plans, expands on this theme.

The Council is aware of these concerns and we will seek to liaise with officers over the possibility of a revised wording to the criterion of the policy in the light of the appeal decision.

b. Green infrastructure

The seventh bullet point refers to the need for provision of publicly accessible land to the east of the railway line to help meet the requirements for green infrastructure.

The approved scheme again renders the provisions of this criterion largely irrelevant. The environmental infrastructure within the approved scheme provides sufficient areas of open space on land within the main development site and on land to the east of the railway line. The masterplan and overall development strategy have been subject to intense scrutiny and have been approved. The development of this site will therefore proceed in accordance with the schedule of authorised plans that delimit the area of supportive 'green infrastructure' to the east of the railway line. Given that the impacts associated with delivery of the scheme have been assessed fully and a mitigation scheme has been approved, the Local Plan – JCS policy should now accord with the terms of the approval. To require otherwise cannot be justified. We therefore object to the extent of the green infrastructure area identified on Map 4 as excessive and unjustified.

Finally, we would respectfully point out that, in the light of the appeal decision the Council is unable to impose or justify any greater provision.

We therefore request that the necessary changes are made to Map 4 to overcome this and again will be discussing this point with the Council ahead of the hearing.

WINCHESTER DISTRICT LOCAL PLAN PART 1 – JOINT CORE STRATEGY
Statement by CALA Homes

Session 9 – Environment – Policies CP11-CP14

- i) Are the policies consistent with the NPPF and/or justified by clear and robust local evidence and if not, what needs to be changed and why?

This statement responds only to Policy CP11 (Sustainable low and zero carbon built development).

Support for the transition to a low carbon future in a changing climate is one of the core planning principles of the NPPF (paragraph 17). Paragraph 93 emphasises that planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions while paragraph 95 goes on to advise planning authorities to:

- *Plan for new development in locations and ways which reduce greenhouse gas emissions;*
- *Actively support energy efficiency improvements in to existing buildings ; and*
- *When setting any local requirement for a building's sustainability, to do so in a way consistent with the Government's zero carbon buildings policy and adopt nationally described standards.*

This statement will focus on the third of these requirements but we would highlight that in allocating Barton Farm, Winchester under Policy WT2, the JCS certainly fulfils the first criterion; as explained in our statement on this policy, Barton Farm is a highly sustainable location where development will provide the opportunity for local people to live close to a high concentration of jobs in the city centre and to where they will be able to travel by sustainable means, be it on foot or bicycle or by bus.

However, CP11, in requiring new residential developments to achieve Level 5 for the energy aspect and Level 4 for water use of the Code for Sustainable Homes, clearly fundamentally conflicts with the NPPF insofar as this would be wholly inconsistent the Government's current policy and national standards. This is expanded upon below.

- ii) Are the targets for renewable energy in Policy CP11 appropriate, reasonable and realistic, in the light of national policy?

Firstly, the Code is a voluntary set of national standards (for private sector development) rather than a mandatory requirement. That said, and while our view is that such matters are best addressed through the system of building regulations rather than planning policy, we do not object to the application of the Code in Winchester; indeed CALA has pledged to exceed the energy efficiency provisions in the Code in its proposals for Barton Farm. However, we do have serious reservations about the Council's attempts, through its JCS, to impose more onerous requirements on new residential development. While this will not affect Barton Farm since planning

permission has now been granted, we feel obliged to draw to the Inspector's attention, to the clear conflict of Policy CP11 with the NPPF.

The JCS points to the District's high level of carbon footprint (paragraph 7.4) although it does not explicitly use this fact to justify its departure from the Code, from the NPPF or from government guidance. Indeed, there is no compelling justification, or in fact any justification at all, for the higher standards imposed by CP11.

The examination of numerous Core Strategies has highlighted that local construction standards must be justified in relation to the tests set out in the supplement to PPS1, and of course more recently in the NPPF. There is simply no evidence in either the JCS itself or the submitted supporting documentation that the Council has provided this.

In terms of the financial implications of meeting the requirements of CP11, we note that the Council has instructed Adams Integra to prepare a Viability Report in which Code level 5 is assumed. We do not wish to comprehensively critique this study but suggest to the Inspector that it under-estimates the costs of level 5 compliance quite considerably. We understand that other hearing participants will be expanding on this premise.

Moreover, when considered in the context of other policy requirements, notably 40% affordable housing, and future CIL payments, CP11 appears likely to render many sites, particularly those in the south of the district, and especially brownfield sites, unviable. Again, we believe this will be addressed in more detail by others.

At Barton Farm, where it is accepted that land values are relatively high, the comprehensive package of infrastructure works and financial contributions agreed with the Council contribute to an overall average development cost far higher than might otherwise be expected on a smaller site. While we do not suggest the scheme for which planning permission has been granted is unviable, it should be noted that these proposals envisage, and planning conditions require us to meet Code Level 4. Any higher, or more onerous, provision, would necessitate a re-assessment of costs and viability.

Finally, we would point out that DCLG are in the process of fundamentally reviewing the Code and the climate change agenda as it relates to new development. It would seem that the Council are somewhat out of step with the general direction of travel on this issue and that Policy CP11 should be modified to accord with the NPPF and, as far as possible, incorporate sufficient flexibility to accommodate inevitable changes to national policy in the near future.

Session 10 – Environment – Policies CP15-CP20

CALA's interest at this session is limited to Policy CP18 on Settlement Gaps and our comments below should be considered accordingly.

- i) Are the policies consistent with the NPPF and/or justified by clear and robust local evidence and if not, what needs to be changed and why?

It is accepted that Policy CP18 is not inconsistent with the NPPF. Paragraph 157 advises that local plans should identify where development would be inappropriate and we agree that the identification and protection of important gaps between settlements is a legitimate policy objective.

However, such an exercise must be set undertaken in the context of the planning authority's strategic priorities for the area, most importantly including addressing the District's development needs by allocating specific development sites, or indeed broad locations, sufficient to meet the whole of the identified housing requirement. The JCS does not do this; identifying only three strategic housing allocations, and leaving 3,500 homes to be found on as yet unidentified sites (or more depending on the level of housing provision ultimately required in the adopted document). It must therefore be questionable whether the JCS strategy can at this stage robustly include such a policy, given that it is conceivable that identified gaps may come under pressure subsequently to accommodate new housing. This matter is further addressed below.

- ii) Is policy CP18 suitable in principle for a CS and does it define appropriate gaps? If not, what needs to be changes and why?

This policy is in effect a continuation, or roll over, of the old adopted Local Plan policy CE.2, the intention of which was to define settlement gaps as part of a comprehensive strategy, which included allocating sufficient land to deliver the strategic housing requirements of the Plan. The gaps were certain and permanent, within the life of the document, because there was no requirement to defer housing allocations to other policy documents.

The JCS takes a different approach, as noted above, seeking to establish only the strategic housing allocations, and leaving a significant number of new homes to be found on as yet unidentified sites. Moreover, there is acceptance within the supporting text that there is insufficient previously developed land within settlements to accommodate the residual housing requirement. While this may not lead to pressure on all of the gap sites, there can be no absolute certainty that none would come under pressure during subsequent stages of plan preparation.

We therefore cast doubt on the efficacy of this policy at this stage. It would seem logical to coordinate any review and possible continuation of the local gap policy with the identification of sites to meet the District's development needs. Alternatively the

JCS could retain the policy, provided that it includes greater certainty in respect of the specific or broad locations required to accommodate the District's overall housing requirement. This approach would be particularly important in the rural areas (MTRA) of the District where there is both little certainty as to where housing will be accommodated and where gaps between small settlements and the larger towns may be more important to maintain.

Notwithstanding this procedural concern, we suggest that the Winchester – Kings Worthy/Headbourne Worthy gap is in any case incorrectly defined, and at this point we cross refer to our comments in respect of Policy WT2 (Session 7).

While we acknowledge the Council's desire to retain a gap between, and prevent the coalescence of, Winchester and Headbourne Worthy, we are of the view that its boundaries have been erroneously drawn and do not confirm to their own stated guidelines. Specifically, we suggest that the gap does not meet the criteria established in the PUSH Policy Framework for Gaps and adopted in the JCS at paragraph 7.41:

- *“the open nature/sense of separation between settlements cannot be retained by other policy designations”;*
- *the land to be included in the gap performs an important role in defining the settlement character of the area and separating settlements at risk of coalescence;*
- *“in defining the extent of a gap, no more than is necessary to prevent the coalescence of settlements should be included having regard to maintaining their physical and visual separation.”*

In respect of the first of these criteria, Policy WT2 and accompanying Map 4 identify land to the east of the railway line for green infrastructure, to be delivered as part of the Barton Farm strategic housing allocation. It is evident therefore that, to the extent that this land is also included within the settlement gap as well, there is an unnecessary duplication of policy.

As to the second criterion, as noted above, we agree with the principle of a gap in this general location. However more land than is necessary has been included to meet the objectives of the policy and satisfy this criterion. The perception of a gap between the settlements is acquired primarily as one travels along Worthy Road; although there are mature hedgerows along both sides of this road, there are open fields behind and, moving northwards, one senses that Winchester has been left behind and that Headbourne Worthy/Kings Worthy is a distinct settlement.

However, land to the east of Courtenay Road, to which we refer in our statement on Policy WT2, cannot be seen from Worthy Road and, although also an open field, does not contribute to the sense of separation between the settlements. Indeed, now that Barton Farm (on the other side of the railway line but clearly visible from the land in question) has been granted planning permission, development there will further add to the enclosure of the area, eroding any perception of extensive open countryside.

We submit that the gap starts at the existing northern boundary of Abbots Barton, and thus excludes land alongside Courtenay Road, a contention that is endorsed by the allocation of and development of land at Francis Gardens which extends the settlement boundary on the other side of Worthy Road to this point.

These points apply equally to consideration of the third criterion mentioned in paragraph 7.41.

In summary, therefore, while we do not take issue with Policy CP18, we question whether it should be included in the JCS or deferred to a subsequent DPD where its objectives and gap boundaries can be more comprehensively assessed in the context of meeting Winchester's development needs. In respect of the Winchester-Kings Worthy/Headbourne Worthy gap more land than is necessary is included to meet the policy's objectives and criteria set out in the accompanying text in the JCS. Specifically, land to the west of Worthy Road is already designated as green infrastructure under Policy WT2 and will be retained as open space, thereby conflicting with the first criterion, while land between the railway line and Abbots Barton cannot be considered to meet the second and third criteria and should therefore be excluded from the gap in any event.