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**By email:** rmorton@winchester.gov.uk

Our Ref: 20120045  
Your Ref: 30063

Date: 12 October 2012

Dear Ms Morton

## **WINCHESTER DISTRICT LOCAL PLAN PART 1 – JOINT CORE STRATEGY EXAMINATION IN PUBLIC STATEMENT BY LONDON AND HENLEY (WINCHESTER) LIMITED**

Further to the pre-examination meeting on 12 September we set out below representations on behalf of our client. These should be read alongside, and in addition to previous representations submitted in March and July.

Please note that our client does not now wish to be represented at any of the hearing sessions, and is content for all their submissions to be treated as written representations.

### **Policy WT1**

We have previously commented on this policy and supporting text, in particular the evidence underpinning the policy approach in respect of retail capacity / need (see letter of 28 July).

From a position in 2010 of having identified a need for an additional 19,703sq.m. (net sales area) comparison floor space in Winchester's urban area by 2026 (an increase of 65% on existing City Centre floor space), in 2012 the City Council's retail consultant (Nathaniel Lichfield and Partners – NLP) reduced the estimate for 2026 to only 2,924sq.m., a reduction of 85%. For the reasons set out in our 28 July letter we consider such a dramatic reduction as being highly unlikely, and not credible. Evidence subject to such dramatic shifts cannot be the basis for a sound plan.

20120045 Winchester - JCS Final Submission - 12.10.2012

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Both the 2010 and 2012 estimates included the Silver Hill scheme in central Winchester as a commitment. That scheme, as granted planning permission in 2009, would deliver a modest 4,614sq.m. (net) additional comparison floor space. It is notable this would be the only new shopping floor space of any significance constructed in the City Centre since the Brooks Centre (circa 1990).

Given the magnitude of the NLP 2010 retail capacity / need identified as necessary by 2026 (well within the plan period of 2031), particularly when compared with Silver Hill, one would have expected the Council to seek to plan via the draft plan i.e. identify and allocate sites. The Council did not do so. Rationally, any such review would have included looking again at the policy approach to Silver Hill, a scheme conceived more than a decade ago.

One might say it is fortunate for the Council that the NLP 2012 assessment differs so markedly from their 2010 results, and in a way that correlates much more closely with the Council's policy position of not having reviewed at all the retail needs of the City, nor positively identifying new locations for retail development around the City Centre. Our view is that the 2012 work is seriously flawed, which renders the approach to the City Centre unsound.

### **Related Matters**

Since Policy WT1 sets out a policy approach based upon the evidence of retail capacity / need for the City, it follows that the policy approach selected should have been the subject of SA / SEA. From a review of the earlier drafts of the SA / SEA available on the Council's website it is clear that no such assessment was undertaken.

This is particularly notable (and serious) since throughout the period autumn 2010 to spring 2012, during which time versions of both the draft plan and SA / SEA were produced, the only evidence available was that substantial growth in comparison retail need was expected over the plan period. Notwithstanding, no attempt at assessment was made to consider, let alone produce, appropriate policy responses.

Although the matter was, finally and very briefly, addressed in the submission version SA / SEA (see pp.97 of the main report) this was essentially a 'retrofit' of the updated (2012) retail capacity evidence to the long-established draft policy approach adopted by the Council; an inadequate response. Of course, if the data upon which such a policy approach (in this instance retrospectively) is founded is not reliable, as we say it is not, then the policy must be found unsound, and not in conformity with the NPPF.

Our view is that the failures in the SA / SEA process would be grounds for a challenge to a plan containing an untested version of the present policy approach.

### **Summary**

Accordingly, we ask that the Inspector finds the draft plan unsound in respect of Policy WT1 and the approach to future retail development in the City. As the NPPF requires, the Council should (have) review the needs of the City Centre as a whole, should accommodate retail needs in full, in the most appropriate locations, and should do so now as part of this plan process.

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Should you require any further information please contact Bruce Hartley-Raven of this office in the first instance.

Yours faithfully,

**Prime Planning & Development Limited**