

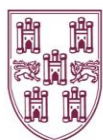
# **YOUR PLACE YOUR PLAN.**

Winchester District Local Plan

## **Winchester City Council Local Plan Examination**

### **Hearing Statement Matter 1: Procedural/legal requirements**

April 2025



**Winchester**  
City Council

## **Matter 1: Procedural/legal requirements**

**Issue: Whether all Statutory and Regulatory requirements have been met?**

### **Contents**

Duty to Cooperate .....	3
Sustainability Appraisal .....	8
Habitats Regulations Assessment (HRA) .....	19
Local Development Scheme .....	20
Community Involvement.....	21
Climate Change .....	22
Equalities.....	24
Superseded Policies.....	24
Other Matters .....	25
Appendix 1 – WCC response to the BDBC Regulation 18 Local Plan. ....	27

Key:

ED = Examination Document

SD = Submission Document

# Duty to Cooperate

## **1. Is there clear evidence that the Council has engaged constructively, actively and on an ongoing basis with neighbouring authorities and prescribed bodies in accordance with section 33A of the 2004 Act, in respect of strategic matters with cross-boundary impacts considered through the preparation of the Plan?**

WCC response:

- 1.1 Yes, the city council has a long history of working collaboratively with neighbouring local authorities and bodies both at an officer and Councillor level in order to fulfil the Duty to Cooperate. The city council considers that it has engaged constructively, actively and on an ongoing basis with neighbouring authorities and prescribed bodies in accordance with section 33A of the Planning and Compulsory Purchase Act 2004, in respect of strategic matters with cross-boundary impacts throughout the preparation of the Plan. The Council considers the duty to cooperate has been discharged in a manner consistent with the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG). The Council has demonstrated throughout the course of the Plan-making process that it has carried out effective and ongoing collaborative working with relevant prescribed bodies and neighbouring Local Planning Authorities in order to produce a positively prepared and justified strategy.
- 1.2 In line with Section 33A of the Planning and Compulsory Purchase Act 2004 the city council has cooperated and used a wide variety of mechanisms to discuss and engage with all relevant bodies in order to maximise the effectiveness of the preparation of the Local Plan. [The Duty to Cooperate Statement of Compliance \(SD06\)](#) and [the Soundness and Legal Compliance Statement \(SD15\)](#) outlines the different ways which the city council has engaged effectively with representatives under the Duty to Cooperate that are prescribed in the relevant legislation, as well as how the outcomes of this cooperation have directly informed the formalisation of the policies and have helped to shape the proposals that have been included in the Local Plan. In addition to the individual discussions that have taken place with specific organisations, Officers have attended and have had constructive discussions via the Hampshire & Isle of Wight Development Plans Group. This Group consists of planning policy officers from across Hampshire that meet on a quarterly basis every year and provides a forum for LPAs to update and share best practice on key strategic issues and where necessary, commission cross-boundary studies or work.
- 1.3 The Local Plan has been the subjected to four separate stages of public consultation –
  - Launch of the Local Plan (2018);
  - Strategic Issues and Priorities (2021);
  - Regulation 18 Local Plan (2022); and

- Proposed Submission Local Plan (Regulation 19).

1.4 This includes two additional stages of public consultation beyond what is required in the legislation. At each stage of the process and as part of the development of the Local Plan there has been active engagement on an ongoing basis with neighbouring authorities/DtC partners and prescribed bodies in accordance with Section 33A of the 2004 Act throughout the preparation of the Local Plan.

1.5 The Council has cooperated with the prescribed bodies under the DtC in a number of ways in order to maximise the effectiveness of plan making, namely:

- Preparation of joint evidence base studies with the Partnership for South Hampshire (PfSH) that led to the agreement of a PfSH Spatial Position Statement and various background studies such as whether there was the need for a Green Belt;
- Pro-active engagement with DtC bodies and responding to feedback received at each stage of the preparation of the Winchester Local Plan;
- Pro-actively engaging in the development of neighbouring authorities' Local Plans and supporting evidence base; and
- Engagement through formal groups and forums to share information and discuss cross boundary issues, as set out in paragraph 3.2- 3.14 of the DtC Statement of Compliance (SD06).

## **DtC Statement of Compliance**

1.6 The DtC Statement of Compliance ([SD06](#)) sets out in paragraph 5.1 the strategic matters addressed through the Local Plan, as specified in paragraph 24 of the NPPF (2024). As mentioned in paragraph 1.2 DtC meetings have taken place with all of the neighbouring Local Planning Authorities and the Statutory agencies during the process of preparing the Local Plan. Meetings were arranged with neighbouring Local Planning Authorities and the Statutory agencies before the close of the Regulation 19 public consultation in order to understand if there were any immediate concerns arising from the content of the Proposed Submission Local Plan (Regulation 19) and to discuss and agree any Proposed Modifications.

1.7 Following the submission of air quality work in relation to the Bushfield Camp site allocation (Policy W5) Natural England have withdrawn their objection to the Local Plan – [ED04](#). From the representations received, it is evident that no local authority or prescribed body has concluded or indicated that the duty to cooperate has not been met. Statement of Common Grounds have been updated as appropriate and currently consist of:

[SD08a Basingstoke & Deane SoCG, August 2024;](#)

[SD08b East Hampshire SoCG, August 2024;](#)

[SD08c Eastleigh Borough Council SoCG, September 2024;](#)

[SD08d Fareham Borough Council SoCG, August 2024;](#)

[SD08e Havant Borough Council SoCG, October 2024;](#)

[ED19 Updated Statement of Common Ground with Natural England, March 2025](#)

[SD08g National Highways SoCG, October 2024;](#)

[SD08h Partnership for South Hampshire SoCG, September 2023;](#)

[SD08i Portsmouth City Council SoCG, October 2024;](#)

[SD08j South Downs National Park SoCG, August 2024;](#)

[SD08k Southern Water SoCG, November 2024;](#) and

[SD08l Test Valley SoCG, August 2024.](#)

1.8 The above demonstrates how the Council has proactively engaged on an ongoing basis on strategic matters under the DtC on the preparation of its Local Plan, particularly on cross boundary issues, sharing evidence bases and the development of policies which has all been documented in agreed Statements of Common Grounds and the post submission Statement of Common Ground with Natural England ([ED19](#))

1.9 The city council, therefore, does not accept the comments that have been made in some of the Regulation 19 representations that the Council has failed to meet the DtC requirements. The DtC is not a duty to agree. Statement of Common Grounds can only be agreed with statutory agencies/neighbouring Local Planning Authorities once the Local Plan is at an appropriate stage. Statement of Common Grounds were published and available at the time of the Scrutiny/Cabinet/Full Council meetings on the Proposed Submission Local Plan (Regulation 19) which took place before the Proposed Submission Local Plan (Regulation 19) was consulted on.

**2. In particular in relation to the unmet housing need in Partnership of South Hampshire area (PfSH) and individual adjoining Councils, especially Portsmouth and Havant and Basingstoke in relation to the establishment of a new community at the Popham Airfield and Micheldever Station?**

WCC response:

**PfSH**

1.10 The city council has been a member of PfSH since 2004 and Officers regularly

attend PfSH Planning Officer Group meetings. PfSH is overseen by a Joint Committee who are the decision making body for PfSH. The membership consists of the leaders (or nominated representative) of the twelve councils, supported by their chief executives and the PfSH executive director. The Joint Committee is currently chaired by Councillor Keith House, the Leader of Eastleigh Borough Council. The Joint Committee meets approximately four times a year. Meetings of the Joint Committee are open to members of the public and its agenda, papers and reports are published on the [PfSH website](#) five working days in advance of the scheduled meetings.

- 1.11 Alongside the Joint Committee, an Overview and Scrutiny Committee has been established to complement and, where necessary, make recommendations to the Joint Committee with regards to PfSH business. The Committee comprises a nominated councillor from each of the PfSH member local authorities.
- 1.12 Paragraphs 3.12 – 3.14 of the [Dtc Statement of Compliance \(SD06\)](#) outlines all of the work that has been undertaken with PfSH including agreeing a [PfSH Spatial Position Statement \(December 2023\)](#) (PSH01). The Spatial Position Statement was produced collaboratively by the constituent authorities that make up PfSH. The Spatial Position Statement aims to provide guiding principles for local plans to help deliver sustainable development within South Hampshire. The Spatial Position Statement is not an upper tier plan (i.e. a Spatial Development Strategy produced by a Mayor) with which future local plans will need to conform. It is important to note that it does not have the status of a development plan document but it does, however, help inform the preparation of and strategic co-ordination of local plans but it is not intended to be a statutory strategic plan for South Hampshire.
- 1.13 Whilst it will help guide local plans in terms of cross-boundary issues, it is not intended to be prescriptive or to contain requirements that local plans have to meet. Local Plans will need to undertake the processes associated with statutory plan-making including consultation, consideration of options, strategic environmental assessment, habitat regulations assessment and formal examination. The Spatial Position Statement represents the situation at a point-in-time and the intention at the time of agreeing it was that it would be updated in future years to reflect progress in Local Plans and other development plan documents.
- 1.14 While PfSH was producing annual Statement of Common Ground updates (originally published in 2020 and then updated in 2021, 2022 and 2023), these only gave a broad indication of the likely level of unmet need across the area, which varied significantly year by year. PfSH did not agree a new '[Spatial Position Statement](#)' until December 2023 and this set out strategic principles and potential growth locations but did not apportion specific housing requirements to each authority. By this stage of the process the preparation of the Local Plan was at an advanced stage and work had already commenced on for example, assessing site allocations using highway data in the Strategic Transport Assessment, the Local Plan Viability Assessment and the IIA/HRA.

- 1.15 Matters relating to the unmet housing needs of neighbouring areas are dealt with in detail in the Housing Topic Paper ([SD10g](#)) and the Housing Topic paper Update ([ED02](#)). The Local Plan includes an 'unmet needs allowance' to help address these needs in accordance with the PfSH Spatial Position Statement's strategy (Table 1 on page 28 of the [PfSH Spatial Position Statement](#)). Neighbouring authorities have supported this approach in their representations and there has been further cooperation on this matter between Winchester City Council, Portsmouth City Council and Havant Borough Council.

### **Portsmouth City Council (PCC)**

- 1.16 PCC are unable to meet their own housing needs due to the lack of land availability. Whilst ongoing discussions have taken place between the two councils for a number of years, two meetings were held between the authorities on 21/09/23 and 07/12/23 whereby topic points for discussion concerned: Plan Review update; formally agreeing the position regarding Gypsy and Traveller accommodation needs; confirming a housing position; an employment allocation at Portsdown Hill; Employment needs update; discussion surrounding Nutrient Neutrality and the Council's response; and issues for inclusion in the SoCG. It was agreed a SoCG would be produced that would agree the positions outlined in the correspondence between the authorities. Following this, PCC approached the city council in the form of sending a formal request for assistance in meeting their unmet housing needs on 11/01/2024. The city council responded by letter sent on 22/05/2024. Following further discussions and drafting, there was an agreed SoCG dated 27/08/2024. The SoCG with PCC ([SD08i](#)) was updated in October 2024 following the publication of the Proposed Submission Local Plan (Regulation 19).
- 1.17 Portsmouth City Council were intending to submit their Local Plan to the Planning Inspectorate for examination by the 12<sup>th</sup> March 2025. However, we understand that Portsmouth City Council are now seeking legal advice and they are considering the way forward for their Local Plan following a negative IROPI decision (Imperative Reasons of Public Interest) on draft policy PLP3: Tipner West & Horsea Island East. Portsmouth City Council are now working toward the government's deadline of 12<sup>th</sup> June 2026 for the adoption of a new Local Plan.

### **Havant Borough Council**

- 1.18 Havant Borough Council are at the early stages of their plan-making process having withdrawn an earlier plan at the examination stage. They have indicated that they were unable to meet the standard method in the NPPF. An initial SoCG was agreed with Havant Borough Council prior to the public consultation on the Proposed Submission Local Plan (Regulation 19). The city council updated the SoCG with Havant Borough Council in October 2024 ([Sd08e](#)). The updated SoCG's with PCC and Havant Borough Council agreed an approach regarding duty-to-cooperate and the unmet housing need allowance that has been included as a proposed modification to the WCC

Local Plan (SD08e and SD08i).

### **Joint agreed position with PCC and Havant Borough Council**

- 1.19 Proposed Modification (PM60) which has been included in the Schedule of Proposed Modifications ([SD14a](#)) has been agreed with PCC and Havant Borough Council:
- 1.20 Add footnote to unmet needs allowance figure of 1,900 (\*\*) as follows:

“\*\* It has been agreed that to reflect the total unmet need in the housing market area would necessitate the following;

- To Portsmouth City Council: 30% apportionment of the unmet need housing allowance in the Winchester District Local Plan;
- To Havant Borough Council: 70% apportionment of the unmet need housing allowance in the Winchester District Local Plan; (based upon the unmet need allowance of 1,900 homes, this would equate to 570 homes for Portsmouth City and 1,330 homes for Havant Borough).“

### **Basingstoke and Deane Borough Council**

- 1.21 Ongoing engagement has taken place with Officers from Basingstoke & Deane Borough Council (BDBC) on a range of issues including the development of the Local Plan and the proposals for a new hospital. Prior to the government changing the housing requirements, BDBC were intending to meet their own housing need and they did consult on a Regulation 18 Local Plan that did include a housing allocation at Popham airfield (3,000 dwellings).
- 1.22 The city council did respond to the BDBC Regulation 18 public consultation which included a response to Popham airfield/Micheldever station. A copy of the city council's response to BDBC Regulation 18 Local Plan is attached at Appendix 1. At a recent meeting with Officers from WCC/BDBC (24/02/25) it was confirmed that due to the government's increase in housing numbers BDBC are now undertaking a further 'Call for sites' and will be repeating their Regulation 18 Local Plan consultation in accordance with their updated [Local Development Scheme](#) dated February 2025. As this is the case, no decision has been made by BDBC on the future of Popham airfield but Officers understand that BDBC are intending to meet their own new housing need.
- 1.23 BDBC has not requested assistance from WCC to meet any unmet general housing needs in its area. The city council is not promoting development at Micheldever Station and there is no decision by BDBC as to whether Popham airfield will be included in its local plan. It has not, therefore, been necessary to consider any unmet housing needs from BDBC nor to work jointly on these areas.

## **Sustainability Appraisal**

**1. The Council has carried out an Integrated Impact Assessment (IIA). That comprises a Sustainability Appraisal (SA) incorporating Strategic Environmental ED13 2 Assessment (SEA), Health Impact Assessment (HIA), and Equalities Impact Assessment (EqIA).**

WCC response:

1.24 Yes, the Council can confirm that the Integrated Impact Assessment (IIA) comprises the Sustainability Appraisal (SA) incorporating Strategic Environmental ED13 2 Assessment (SEA), Health Impact Assessment (HIA), and Equalities Impact Assessment (EqIA).

**2. In particular, does the SA adequately assess whether the emerging Plan's objectives are fully compatible with and actively contribute towards each of the sustainability objectives set out in the Sustainability Framework? Are the conclusions robust and justified by the evidence?**

WCC response:

1.25 The IIA has been undertaken over a number of stages of the Plan-making process as follows:

- Integrated Impact Assessment Scoping Report – 5 week initial consultation with the statutory agencies on the intended scope and level of detail of the SA July 2020 ([IIA01](#));
- Integrated Impact Assessment – (Regulation 18), Strategic Issues & Priorities (SIP) Paper, February 2021 ([CON05](#));
- Integrated Impact Assessment – (Regulation 18), September 2022 ([IIA02](#), [IIA03](#), [IIA04](#), [IIA05](#), [IIA06](#), [IIA07](#), [IIA08](#)); and
- Integrated Impact Assessment – (Regulation 19), July 2024 ([SD02a](#), [SD02b](#), [SD02c](#), [SD02d](#)).

1.26 The Council considers that the various iterations of the SA are accurate and robust as they have been determined by the application of a rigorous methodology that has been consistently applied. The methodology is set out and explained in Chapter 2 of the IIA Report ([SD02a](#)). The relevant policy context (Chapter 3 and Appendix C of the IIA Report) was considered alongside the key sustainability issues facing the district, identified by the collection and review of baseline information (Chapter 3 and Appendix D of the IIA Report). This helped to inform the development of a set of sustainability objectives (the 'IIA framework', from paragraph 3.113 of the IIA Report) against which the effects of the plan and reasonable alternatives were assessed. The development of an IIA framework is not a requirement of the SEA Regulations but is a recognised way in which the likely sustainability effects of a plan can be transparently and consistently described, analysed and compared.

1.27 The IIA framework was drafted to ensure that all 11 of the SEA topics were covered and comprised 14 IIA objectives as follows:

- IIA objective 1: To minimise the District's contribution to climate change through a reduction of greenhouse gas emissions from all sources and facilitate the aim of carbon neutrality by 2030
- IIA objective 2: To reduce the need to travel by private vehicle in the District and improve air quality
- IIA objective 3: To support the District's adaptation to unavoidable climate change
- IIA objective 4: To improve public health and wellbeing and reduce health inequalities in the District
- IIA objective 5: To support community cohesion and safety in the District
- IIA objective 6: To provide housing of a decent standard to meet needs in the District
- IIA objective 7: To ensure essential services and facilities and jobs in the District are accessible
- IIA objective 8: To support the sustainable growth of the District's economy
- IIA objective 9: To support the District's biodiversity and geodiversity
- IIA objective 10: To conserve and enhance the character and distinctiveness of the District's landscapes
- IIA objective 11: To conserve and enhance the District's historic environment including its setting
- IIA objective 12: To support the efficient use of the District's resources, including land and minerals
- IIA objective 13: To protect the quality and quantity of the District's water resource
- IIA objective 14: To manage and reduce flood risk from all sources

1.28 All elements of the Local Plan (vision, objectives, policies and site allocations) and all reasonable alternatives were appraised against the IIA objectives, making use of the associated appraisal questions. The appraisal questions were drafted to act as prompts when considering the potential effects of the Local Plan (note that they were not intended to be exhaustive and not all appraisal questions were relevant to all elements of the plan that were appraised). The IIA Report ([SD02a](#)) sets out the appraisal questions below in relation to the relevant IIA objectives from paragraph 3.114.

1.29 The application of the IIA framework to the appraisal of the site options considered for potential allocation by the Local Plan was informed by a set of site assessment criteria (Appendix E of the IIA Report ([SD02a](#))). These criteria set out clear, mostly spatial, parameters within which defined effects would be recorded, based on factors such as the distance of site options from sensitive environmental receptors (e.g. designated biodiversity sites or areas of higher landscape sensitivity) and distance to key services and facilities (e.g. service centres or public transport links). This approach helped to ensure that site

options were assessed on a consistent basis and provided transparency in the assessment process.

1.30 Chapter 6 of the IIA Report ([SD02a](#)) presents the cumulative effects of the policies and site allocations included in the Proposed Submission Local Plan (Regulation 19). This section of the IIA describes the total effects of all elements of plan considered together and key findings were as follows:

- When considering the levels of development provided by the plan together with the mitigation provided by the various topics-based policies, significant positive effects are expected in relation to IIA objectives 1: Climate change mitigation, 3: Climate adaptation, 6: Housing and 8: Sustainable economic growth.
- Significant positive effects are also expected in relation to SA objectives 2: Transport and air quality, 4: Health and wellbeing, 5: Community cohesion and safety and 7: Access to services, facilities and jobs. However, these effects are expected in combination with minor negative effects. The negative effects reflect the relatively high level of development set out in the plan area, which could result in some overburdening of existing services and facilities as well as increases in air pollution. They also reflect the distribution of a small proportion of development to the less developed parts of Winchester from which residents will likely need to travel to access employment and certain types of services and facilities.
- A mixed significant negative and minor positive effect is expected in relation to IIA objective 9: Biodiversity and geodiversity. This reflects the environmental sensitivities of the plan area which contains numerous international and national designations and the land take required over the plan period, as well as the policy requirements for mitigation and enhancement to be achieved as development occurs.
- Mixed minor positive and minor negative effects are expected in relation to IIA objectives 10: Landscape and character, 11: Historic environment, 12: Natural resources, 13: Water resources and 14: Flood risk. The mixed effects identified reflect the policy requirements set out in the plan in relation to these topic areas. They also recognise the potential for the relatively high level and distribution of development provided by the plan to have adverse impacts on:
  - sensitive landscapes (including those that providing setting for the South Downs National Park);
  - heritage assets (many of which are found with Winchester's larger settlements);
  - greenfield land and higher value soils;
  - water resources including those within Source Protection Zones; and
  - flood risk, given that some development could occur within areas more prone to flooding and on greenfield land, which would increase the area of impermeable surfaces in the District.

1.31 The plan objectives were also assessed throughout the IIA process. In common with the Local Plan policies and site allocations and reasonable

alternatives, the IIA objectives provided the framework against which to appraise the plan objectives.

- 1.32 The appraisal findings for the plan objectives, as included in the Proposed Submission Local Plan (Regulation 19), are summarised alongside the appraisal findings for the Local Plan vision in Table 5.1 of the IIA Report ([SD02a](#)). Explanation of the effects identified in relation each of the Local Plan objectives in turn is provided below Table 5.1.
- 1.33 The table shows that the Local Plan vision and objectives contribute positively to most of the IIA objectives. Given their high level and aspirational nature, mostly positive or negligible effects were recorded in the IIA Report for the vision and objectives. The exception to this is for the objectives 'homes for all' and 'vibrant local economy' for which potential minor negative effects were identified in relation to biodiversity (IIA objective 9), landscapes (IIA objective 10), historic environment (IIA objective 11) and natural resources including high value soils (IIA objective 12). This reflects the land take required to support housing delivery and economic growth in the plan area and the likelihood that this could have implications for ecological networks, landscape character, settings of heritage assets and require the development of large areas of greenfield land. For the objective 'vibrant local economy', the minor positive effect recorded in relation to climate change (IIA objective 1) in combination with a minor negative effect reflects the potential to reduce the need to travel by supporting local job provision but also the increase in carbon emissions that new businesses will likely generate. Increasing economic growth in the plan area could also contribute to increases in air pollution (IIA objective 2) in Winchester including areas already affected by this issue (i.e. AQMAs within the district) and therefore a minor negative effect is also recorded for this IIA objective.
- 1.34 The identification of minor negative effects in relation to a number of the IIA objectives does not imply that the plan's objectives are not compatible with sustainable development. Rather, it serves to illustrate some of the inherent trade-offs between objectives when planning for development at this scale. The findings for the plan objectives were considered alongside those for all other elements of the plan in assessing the effects of the Local Plan as a whole. As described in Chapter 6: Cumulative Effects, many of the potential negative effects of the development provided for by the plan will be avoided or reduced by the requirements of other plan policies. Where negative effects remain when considering the plan as a whole in relation to each IIA objective, these are accompanied by positive effects.
- 1.35 The Council considers that the conclusions of the IIA are robust and justified by the evidence. Paragraph 5.557 of the IIA Report sets out how the IIA findings have been taken into account in the plan making process. The policies and sites within the Local Plan have been subject to appraisal through the IIA throughout their development, along with reasonable alternative options. The IIA has helped to ensure that the likely significant social, economic and environment effects of the plan have been identified and appraised. The IIA Report for the

Proposed Submission Local Plan (Regulation 19) includes the appraisals of policy options and reasonable alternatives considered (including options for the spatial strategy for development in the plan area) and numerous site options; as well as for each policy taken forward into the Local Plan. The appraisal of various options for the topic based policies is included in the IIA Report that accompanied the SIP document in February 2021. Where negative effects have been identified mitigation measures have been proposed to avoid, or where that is not possible, minimise such effects. Where positive effects have been recognised, measures have been identified that would enhance such effects.

1.36 In this context, the IIA process has supported the Council's selection of preferred options relating to the distribution of growth (spatial strategy), quantum of housing and site allocations. It has also helped inform the ongoing refinement of plan policies as part of an iterative process where IIA Reports have been produced to accompany each stage of consultation on the Local Plan.

**3. The SA tested five spatial strategy options: a development strategy based on the adopted Local Plan, focussing development on Winchester and the larger more sustainable settlements; a strategy based on a new strategic allocation/new settlement; a strategy based on dispersing development around the District largely in proportion to the size of existing settlements; and, a variation of option 1, known as option 1A, which provides for a higher total number of dwellings. It takes account of existing commitments, windfall allowance and has the effect of reducing development in the South Hampshire Urban Area and increasing it in Winchester and the Market Towns and Rural Areas. Given national policy<sup>1</sup> that strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas should an option with a higher growth target have been considered?**

WCC response:

1.37 When considering the need to test differing amounts of development for the Plan area the Council decided that there were no exceptional circumstances identified which would justify an alternative approach to the Standard Method as set out in national policy, set out in the IIA report ([SD02a](#), page 587). It has, therefore, followed the Standard Method at all stages of the Plan-making process. The Standard Method was introduced to reduce debate about the scale of local housing need by ensuring that all authorities use a consistent methodology to determine their 'local housing need'. The NPPF expects the Standard Method to be followed but does not require it to be exceeded other than to help meet unmet needs in neighbouring areas (NPPF paragraphs 61 and 67). All unmet needs for general housing fall within the Partnership for South Hampshire (PfSH) area and the PfSH authorities have worked cooperatively to quantify and address the unmet needs over several years.

- 1.38 PfSH did not agree a new 'Spatial Position Statement' until December 2023 and this set out strategic principles and potential growth locations but did not apportion specific housing requirements to each authority. However, the City Council planned positively and proactively by including a 'buffer' for unmet housing needs and potential increases in the Standard Method (1,450 dwellings above the Standard Method, see Regulation 18 Local Plan Table H2). This was increased to an 'unmet needs allowance' of 1,900 dwellings in the Proposed Submission Plan (Regulation 19), aimed specifically at helping to meet unmet needs in PfSH. This was tested through the IIA Report (from page 396), The Housing Topic Paper Update, January 2025 ([ED02](#), Chapter 4) sets out the relative chronology of the Local Plan and PfSH work and explains why it was not realistic to specify the PfSH unmet need or test options at an early stage of the Local Plan process.
- 1.39 In view of the early stage of work reached by PfSH it was not possible to include a figure for this in the SIP / IIA and any figure at this stage would have been pure guesswork and misleading, and this was documented in the supporting IIA at the time ([IIA09](#)). The consideration and assessment of reasonable alternatives is set out primarily in the Regulation 18 Local Plan IIA ([IIA02](#)) and the Proposed Submission Plan (Regulation 19) IIA ([SD02a](#)). Both documents set out the overall approach to identifying and appraising reasonable alternatives for the spatial distribution of growth in the district and for the potential site allocations at Chapter 2: 'Methodology', under 'SA Stage B: Developing and refining options and assessing effects'. These sections describe the alternatives assessed and the reasons for this.
- 1.40 Issues relating to the housing requirement are addressed in response to Matter 4, including potential increases above the Standard Method and unmet housing needs. In particular Matter 4 Question 2 (Calculation of Local Housing Need) makes reference to planning for a higher housing need figure in relation to Paragraph 10 of the PPG (Reference ID:2a010-20201216). The Housing Topic Paper, July 2024 ([SD10g](#), Chapter 3) considers potential reasons for increasing the Standard Method figure and why these were not included, and the Housing Topic Paper, July 2024 ([SD10g](#), Chapter 4) and Housing Topic Paper Update, January 2025 ([ED02](#), Chapter 4) describe in detail how unmet housing needs have been addressed.
- 1.41 The Council, therefore, consider that the only reason to test a higher housing need figure would be to help address unmet housing needs, but that it was not possible to quantify and test these needs through the IIA at the early stages of the Local Plan, due to the early stage of the PfSH work. The PfSH Spatial Position Statement was not agreed until December 2023 and, following this, the Proposed Submission Plan (Regulation 19) includes an unmet needs allowance for the PfSH area (PfSH Spatial Position statement stage 1) at Table H2 and reference to a 'Broad Area of Search for Growth' to the east of Botley (PfSH Spatial Position statement stage 2) at paragraph 9.17.

**4. In terms of assessing site selection, data relating to services and facilities was only available at the District level (i.e. for areas within the boundaries of Winchester District only) and this is noted as a limitation. In this regard, are the scoring and conclusions reached in the SA reasonable, sufficiently accurate and robust to inform the Plan?**

WCC response:

1.42 The appraisal of access to services and facilities from development sites was based on the presence or absence of key services and facilities. The assessment was based on datasets held by the Council in relation to existing services and facilities in the plan area. This was available for the plan area only. This approach to assessment of site options is considered proportionate to the strategic level required for the IIA.

1.43 Consideration of the capacity of individual, existing facilities was not considered proportionate to the strategic level assessment being undertaken as this is more appropriately considered via the Infrastructure Delivery Plan. The IIA assumes that if an existing facility lacks sufficient capacity to serve an allocated site then additional capacity will be provided via an appropriate combination of developer contributions and other funding mechanisms.

1.44 The Council therefore consider that the scoring and conclusions reached in IIA of site options are accurate and robust in informing the Plan. Furthermore, while the IIA informed decisions on which site options to take forward for allocation in the Plan, these decisions also took into account wider considerations such as the findings of the Council's Strategic Housing and Economic Land Availability Assessment (SHELAA).

**5. How has the SA informed the development of the Plan, including housing delivery and any mitigation measures? How has it informed the selection of strategic options, the development of policies and the selection of sites, all of which aim to identify sustainable development outcomes for the District?**

WCC response:

1.45 The IIA was undertaken as an iterative process, allowing it to inform the preparation of the Plan, having regard to the flowchart in the Planning Practice Guidance paragraph 11-013-20140306. Chapter 2 of the IIA Report (SD02a) describes the IIA work carried out at each of the stages set out in the Planning Practice Guidance flowchart. Key opportunities that this iterative IIA process afforded the Council to take into account IIA findings and thereby avoid or reduce potential adverse effects are outlined below. The assessment of alternative policy approaches and allocation sites through the IIA process has helped to shape the Local Plan and identify the most balanced and sustainable approach.

1.46 The IIA Report for the SIP Paper (February 2021) ([IIA09](#)) appraised four options for the spatial strategy and informed the development of the overall

preferred spatial strategy for the Plan. As part of the iterative development of the draft (Regulation 18) Local Plan, the Council subsequently worked up a hybrid option for the distribution of development (Option 1A) and this was provided to LUC for appraisal in Spring 2022. Each of the options were appraised against the IIA framework. The appraisal of the options is presented in Chapter 4 of the IIA Report for the Regulation 18 Local Plan (September 2022) (IIA02) and Chapter 4 of the IIA Report for the Proposed Submission Local Plan (Regulation 19) (July 2024) (SD02a). The appraisal of the options in relation to each of the IIA objectives sets out mitigation measures that could be included within policies in the Local Plan to help address the adverse effects identified. These were part of the IIA work for the SIP document.

- 1.47 Reasonable alternative site options for potential allocation or re-allocation, were identified by the Council as part of the preparation of the draft (Regulation 18) Local Plan. As part of this process of identifying sites, the Council undertook a 'Call for Sites' from Spring 2021 (following the publication of the SIP document) to help to identify land that could help to deliver a variety of accommodation and community needs. This work updated the 2020 list of Strategic Housing and Economic Land Availability Assessment (SHELAA) sites. A small number of sites were also identified from the Council's 'Brownfield Register'. Sites that were submitted through the Call for Sites and identified from the Brownfield Register were subject to assessment through the SHELAA by the Council and were taken forward for appraisal through the IIA. All sites were considered by the Council to be viable options for development and as such they comprised the reasonable alternative site options and were appraised through the IIA process. Based upon the Council's engagement with the promoters of undelivered allocations, those rolled forward to the Local Plan and remain deliverable and developable. Although these locations were already tested via the SA for the adopted Local Plan, each site rolled forward was tested again alongside those identified as viable options for the new Local Plan in the IIA for the emerging Local Plan to reflect the updated baseline context.
- 1.48 The IIA has tested around 400 site options for potential allocation as part of the appraisal work for the Draft and Proposed Submission Plan (Regulation 19) documents. This work is presented in Chapter 4 (from paragraph 4.265) of the Proposed Submission Local Plan (Regulation 19) IIA Report (SD02a). Site options were considered grouped within relevant spatial areas, providing a comparative assessment to inform plan-making.
- 1.49 The appraisal of site options was undertaken based on an agreed set of site assessment criteria. These are set out in Appendix E to the IIA (SD02b) and were used to apply the IIA framework to the appraisal of site options. The site assessment criteria were subject to a focussed consultation with statutory consultation bodies issued in December 2021. No changes were made to the criteria following this consultation. The criteria ensured a consistent and transparent approach to the assessment of site options.

1.50 The appraisal of individual site options was undertaken based on the principle of development for the specified use within a defined site boundary and without taking into account opportunities to mitigate potential negative effects by, for example, providing new social infrastructure, by development design that seeks to minimise effects, or by site layouts that avoid sensitive environmental receptors within the site boundary. This approach serves to highlight potential effects on the environment and potential gaps in existing services, facilities and sustainable transport links. It also provides a more consistent basis for assessment than reliance on indicative site masterplans or offers of infrastructure provision that some site promoters may have made, given that this information was not available for all site options.

1.51 The site assessment scores for site options were revisited for sites included as proposed allocations in the draft Local Plan. At this stage the appraisal work was updated to reflect the plan's site-specific policy requirements. For example, where a policy included a requirement for development to incorporate mitigation, consideration was given to whether a previously identified adverse effect might be reduced or entirely avoided. This work is presented Chapter 5 of the IIA Report (from paragraph 5.282).

1.52 Chapter 5 of the IIA Report ([SD02a](#)) also presents the appraisal of topic based policies that the Council worked up to guide development in the plan area. Each policy was also appraised against the IIA framework set out in the IIA. This appraisal work is presented in Chapter 5 (from paragraph 5.5) of the IIA Report. As part of the IIA Report for the draft (Regulation 18) Local Plan, a number of recommendations were provided to the Council by LUC to help strengthen the positive effects identified and mitigate negative effects identified for the topic-based policies included in that version of the plan. Each of these recommendations and the Council's response to these (including any changes to policy text) are detailed from paragraph 5.821 of the Proposed Submission Local Plan (Regulation 19) IIA Report. Chapter 6 of the Proposed Submission Local Plan (Regulation 19) IIA Report identifies the cumulative effects of policies in the Local Plan.

**6. In overall terms does the Plan meet the legal requirements of Section 19(5) of the 2004 Act and accord with National Planning Policy Framework (NPPF) paragraph 32 and the Planning Practice Guidance (PPG) in this regard?**

WCC response:

1.53 The Planning and Compulsory Purchase Act 2004 Section 19(5) of the 2004 Act requires that "the local planning authority must ...

- carry out an appraisal of the sustainability of the proposals in each [development plan document];
- prepare a report of the findings of the appraisal"

- 1.54 All sections of the Local Plan (vision, objectives, topic-based policies and site allocation policies) have been appraised individually, in Chapter 5 of the Integrated Impact Assessment (IIA) Report ([SD02a](#)). The appraisal of the contents of the Local Plan in the IIA Report has been presented to follow the order of the policies and site allocations in the plan. The cumulative effects of the policies and site allocations included in the plan are presented in Chapter 6.
- 1.55 The IIA Report and related appraisal findings (presenting the likely sustainability effects of the policies included at each stage of plan making) have been updated as plan making has progressed. Following the preparation of the IIA Scoping Report, the following iterations of the IIA Report were prepared to align with the various stages of plan making:
- IIA Report for the SIP Paper, (February 2021);
  - IIA Report for the Regulation 18 Local Plan (September 2022); and
  - Integrated Impact Assessment – (Regulation 19), July 2024 (SD02a, SD02b, SD02c, SD02d).
- 1.56 Paragraph 32 of the NPPF requires that “Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains).” The reference in paragraph 32 to relevant legal requirements relates to the requirement for Strategic Environmental Assessment (SEA)
- 1.57 The Local Plan has been subject to a comprehensive and integral Sustainability Appraisal (SA) which has incorporated the requirements for SEA under the umbrella of the IIA. Requirements to carry out SA and SEA are distinct, although it is possible to satisfy both using a single appraisal process. This is the approach advocated in the PPG (Ref ID: 11-001-20190722), whereby users can comply with the requirements of the SEA Regulations through a single integrated SA process. This was the approach followed for the IIA of the Winchester Local Plan. The IIA also comprises wider findings relating to Health Impact Assessment (HIA) and Equalities Impact Assessment (EqIA).
- 1.58 The PPG (Ref ID: 11-018-20140306) requires that the SA work appraises all reasonable alternatives and sets out the reasons for their selection as well as reasons for rejecting options not taken forward and reasons for selecting the preferred approach. The IIA work has involved the appraisal of a range of reasonable alternative options throughout the various stages of plan making. This includes any reasonable alternatives for the spatial strategy for growth in the plan area and any reasonable alternative site options, which are appraised in Chapter 4. The IIA was carried out in a staged way, with reporting aligned with key decisions by the Council in terms of the spatial strategy and site selection, as well as with consultation on the emerging plan. The reasons for

selecting the reasonable alternative options appraised in relation to the spatial strategy for growth in the District and the site options for allocation are set out in Chapter 2 of the IIA Report from paragraphs 2.24 and 2.43, respectively. The IIA Report also sets out the reasons for choosing the Proposed Submission Local Plan (Regulation 19) in light of the reasonable alternatives considered from paragraph 5.557. Furthermore, the cumulative effects reported in the IIA (Chapter 6) took into account the findings of the HRA that was undertaken for the Proposed Submission Plan (Regulation 19), a further requirement of the PPG (Ref ID:11-011-20140306).

- 1.59 The PPG (Ref ID: 11-019-20140306) also requires that the likely significant effects on the environment of the plan's policies should be identified, described and evaluated and that a non-technical summary of the information within the main report should be prepared. As described earlier in the response to this question, Chapter 5 of the IIA Report describes the likely sustainability effects (including any significant effects) of all contents of the Local Plan. Furthermore, the IIA Report for the Proposed Submission Local Plan (Regulation 19) is supported by a Non-Technical Summary (NTS) document (SD02d). The NTS provides a summary of the information required by the SEA regulations.
- 1.60 Text from paragraph 1.24 of the IIA Report for the Proposed Submission Local Plan (Regulation 19) IIA Report explains where the remaining SEA requirements are met within the IIA Report.
- 1.61 Overall, the Council considers that the Plan meets the legal requirements of Section 19(5) of the 2004 Act and accords with NPPF paragraph 32 and the PPG.

## Habitats Regulations Assessment (HRA)

- 1. In relation to the HRA, Natural England has raised concern regarding air quality impacts and nutrient impacts. The Council has produced a revised Nutrient Neutrality Topic Paper and Air Quality Assessment aimed to address Natural England concerns. It intends to update the HRA through an Addendum and produce a revised Statement of Common Ground (SoCG) with Natural England. When will the Addendum and SoCG be available?**

WCC response:

- 1.62 The Council published a further Supplementary HRA ([ED20](#)) which assesses the impacts of air pollution on the SAC Compensatory Habitats and incorporates Air Quality Assessment on 17th March 2024. The updated Natural England and Winchester City Council Statement of Common Ground ([ED19](#)) was also published on the Examination website on 17th March 2024. The updated Statement of Common Ground sets out the areas of common ground between Winchester City Council and Natural England following Natural

England's Regulation 19 comments. The Statement of Common Ground supersedes [SD08f](#).

**2. Given the above, has the HRA been undertaken in accordance with the Conservation of Habitats and Species Regulations 2017?**

WCC response:

1.63 The Council has undertaken the HRA (SD03) in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) as well as recent case law. This includes an initial screening of likely significant effects and a subsequent Appropriate Assessment, reserving consideration of mitigation to the Appropriate Assessment stage in line with the People Over Wind and Sweetman v Coillte Teoranta (European Court of Justice case C-323/17), considering the impacts of the plan in combination with that of other plans and projects, and consulting Natural England on the assessment.

1.64 Chapter 1 of the HRA provides the background to HRA and sets out the legislative basis. Chapter 2 of the HRA provides background to the Winchester Local Plan. Chapter 3 provides the methodology for both stages of the HRA undertaken (screening of likely significant effects and Appropriate Assessment). Chapter 4 provides the screening of likely significant effects and where these effects cannot be ruled out they are subject to Appropriate Assessment in Chapter 5. The Appropriate Assessment includes quality features and conservation objectives of designated sites and consideration of the Winchester Local Plan in combination with other plans and projects. Chapter 6 provides conclusions and policy recommendation.

1.65 A separate addendum to the HRA (SD04a) to address Natural England's comments on the Proposed Submission Plan (Regulation 19) has been produced and was submitted for Examination.

## Local Development Scheme

**1. Is the Plan compliant with the Council's Local Development Scheme (LDS) in terms of its form, scope and timing?**

WCC response:

1.66 Yes, the city council believes that the content and timescale for the preparation and public consultation on the WCC Local Plan has been undertaken in accordance with the latest version of the Local Development Scheme (LDS) which was in effect at the relevant time. The LDS was produced in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

1.67 The public consultation of the Proposed Submission Plan (Regulation 19) and the submission of the Local Plan was in accordance with the LDS that was in effect at the time (August 2023) [SD11](#). The WCC Proposed Submission Local Plan (Regulation 19) was submitted for examination on 15 November 2024.

## Community Involvement

### 1. Has the Council complied with the requirements of section 19(3) of the 2004 Act with regard to conducting consultation in accordance with the Statement of Community Involvement?

WCC response:

1.68 Yes, the city council believes that public consultations have been undertaken in accordance with the Statement of Community Involvement that was in force at the time. The Regulations provide flexibility about how local planning authorities carry out public consultations. There is no evidence that any of the Local Plan consultations have not been robust.

1.69 The SCI was updated in January 2024 ([SD12](#)) to take into account new consultation techniques and lessons that were learnt from COVID in terms of new ways of consulting with people. The city council believes that the public consultations have met all of the requirements of Section 19(3) of the Planning and Compulsory 2004 Act. In fact, the Council exceeded the number of times that it engaged with local residents as there were four stages of community consultation on the Local Plan instead of the two formal stages of engagement.

1.70 Public consultation on the submitted Proposed Submission Local Plan (Regulation 19) is therefore considered to have met and gone beyond the relevant statutory requirements, which has all been set out in the Regulation 22 Statement of Consultation (Part 1) ([SD07a](#)) and the Regulation 22 Statement of Consultation (Part 2) ([SD07b](#)). For ease of reference the key stages have been set out in the table below including the number of comments that have been received as part of the extensive Local Plan public engagement process that has been followed.

Key stage	Date	Number of comments received
Launch of the Local Plan consultation	24 July 2018 – 21 September 2018	247
Strategic Issues and Priorities Consultation	15 February 2021 – 12 April 2021	2,202
Regulation 18 Local Plan consultation	2 November 2022 – 14 December 2022	3,438

Proposed Submission Local Plan (Regulation 19) consultation	29 August 2024 – 13 October 2024	473
<b>Total</b>		<b>6,360</b>

1.71 Specifically, the Strategic Issues and Priorities (SIP) public consultation, which was undertaken during a national lockdown, won two Royal Town Planning Institute (RTPI) awards for the engagement process that the City Council followed. The public consultation on the SIP won the RTPI Excellence award for Plan making and was the overall Regional winner for the South East. Gareth Giles FRTPI, Chair of RTPI South East judging panel, said: *“Winchester’s Local Plan Consultation project demonstrated excellence in engagement and a willingness to actively learn from, and improve its processes to reach as many people as possible. It is a shining example of innovation in a pandemic context, as well as making use of new technological innovations. Local authorities should look to this as an example of best practice for consultations in their own areas”*

## Summary of Engagement

1.72 The Council’s Regulation 22 Statement of Consultation clearly sets out how the Council has undertaken public consultation and stakeholder involvement in the production of the Local Plan, including at the Regulation 18 and Regulation 19 stages, in accordance with the Council’s adopted SCI that was in force at the time. The statement also sets out how consultation has shaped the Plan, along with the main issues raised by representors and the Council’s response. Overall, it is considered that consultation efforts have been met and indeed exceeded those that have been set out in the Council’s SCI.

## Climate Change

**1. Are the policies of the Plan, as a whole, designed to secure that the development and use of land contribute to the mitigation of, and adaptation to, climate change in accordance with Section 19(1A) of the Act?**

WCC response:

1.73 Yes, the city council believes that the Proposed Submission version of the Local Plan – Regulation 19 ([SD01](#)) meets and has fully addressed the statutory requirement to secure that the development and use of land contribute to the mitigation of, and adaptation to, climate change in accordance with Section 19(1A) of the Act.

1.74 The largest contributor to carbon emissions in the district is transport, and the second largest is domestic energy. The Local Plan should address these issues and put in place the appropriate policies on energy and transport to reduce

carbon emissions. The Local Plan therefore plays a critical role in the Council being able to achieve its ambitious target in its [climate emergency](#) to be a carbon neutral district by 2030.

1.75 In view of this a key objective of the Proposed Submission Local Plan (Regulation 19) (paragraph 2.11 and the diagram on page 18 of the Local Plan) is to actively respond to the climate and ecological emergencies whilst securing sustainable development. This objective is reflected and has been one of the key driving forces that has informed the development of the Local Plan.

1.76 As part of the preparation of the Local Plan the city council has considered the evidence and representations received in relation to climate change, which has led to policies which seek to fulfil the aims of both National Planning Policy and Guidance, as well as other national legislation and what are understood to be the communities' aspirations. In view of this the Proposed Submission Local Plan (Regulation 19) includes the following policies that directly and indirectly contribute to the mitigation and adaptation of climate change:

- Strategic Policy CN1 – Mitigating and Adapting to Climate Change
- CN2 – Energy Hierarchy
- CN3 – Energy Efficiency Standards
- CN4 – Water Efficiency Standards in New Development
- CN5 – Renewable Energy and Low Carbon Schemes
- CN6 – Micro Energy Generation Scheme
- CN7 – Energy Storage
- CN8 – Embodied Carbon
- Strategic Policy D1 – High Quality, Well Designed and Inclusive Places
- Policy D6 – Previously Developed Land and Making the Best Use of Land
- Strategic Policy T1 – Sustainable and Active Transport and Travel
- Strategic Policy NE1 – Protecting and Enhancing Biodiversity and The Natural Environment in the District.

1.77 One of the key policies is Strategic Policy CN1 – Mitigating and Adapting to Climate Change that will ensure that development proposals address climate change and adaptation as part of the design process (Strategic Policy D1 – High Quality, well Designed and Inclusive Places). Policy CN1 includes the requirement for developers to submit an Energy and Carbon Statement so that there is a transparent way of recording the decisions that have been made that has helped to inform the site layout and design of the development.

1.78 Policies CN2 – CN7 address a range of other matters that are related to mitigating and adapting to climate change. CN8 deals with embodied carbon and requires developers as part of the design process to consider and report on embodied carbon.

1.79 Combined, Policy CN1 – CN6 and the other policies in a number of other topics in the Proposed Submission Local Plan (Regulation 19) are considered to be the most appropriate approach for achieving a positive strategy for addressing climate change at a local level. They will seek to ensure development in the

district contributes to the mitigation of climate change impacts through the reduction/elimination of the full spectrum of carbon emissions associated with development. The policies will also seek to ensure development contributes to adaptation to climate change by requiring development to be designed for adaptation to the key impacts of a changing climate, including increasing temperatures and the resulting increased risk of overheating, as well as the greater frequency of extreme weather events and the resulting increased risk of flooding.

## Equalities

**2. In what way does the Plan seek to ensure that due regard is had to the three aims expressed in s149 of the Equality Act 2010 in relation to those who have a relevant protected characteristic?**

WCC response:

1.80 The Plan seeks to ensure that due regard is had to the three aims expressed in s149 of the Equality Act 2010 in relation to those who have a relevant protected characteristic by following a formal process of completing an Equalities Impact Assessment, as set out in Appendix B of the IIA ([IIA03](#)). For each protected characteristic, an assessment has been made as to how each of the Plan's topic policies contribute towards this characteristic in meeting the three main duties set out in the Equality Act 2010 as set out in Tables B.4 – B.11 of Appendix B ([IIA03](#)). All of the policies within the Local Plan have been designed and drafted to deliver the plan's stated overarching aim/objective to achieve inclusive and sustainable growth and development addressing the needs of everyone in the district. They seek to eliminate discrimination or advancement of equality or the fostering of good relations between people.

## Superseded Policies

**1. The submitted Plan in paragraph 2.7 explains that it will replace the adopted Local Plan Part 1- Joint Core Strategy, Local Plan Part 2-Development Management Policies and Site Allocations and the Gypsy and Traveller and Travelling Showperson Development Plan Document in their entirety. In this regard, is the Plan clear in identifying the policies of the existing development plan which would be superseded by the Plan consistent with Regulation 8(5) of the 2012 Regulations?**

WCC response:

- 1.81 The city council notes that Regulation 8(5) of the 2012 Regulations states: “Where a local plan contains a policy that is intended to supersede another policy in the adopted development plan, it must state that fact and identify the superseded policy.”
- 1.82 The Winchester Local Plan replaces the adopted Local Plan Parts 1 & 2 and the Gypsy and Traveller and Travelling Showperson Development Plan Document in their entirety, effectively superseding all of the policies contained within these development plan documents. Nonetheless, the table in Appendix II states whether a policy supersedes a specific policy(ies) in these development plan documents and identifies the superseded policies that this applies to in accordance with Regulation 8(5) of the 2012 Regulations.
- 1.83 The city council is proposing to make this position clearer by means of a Proposed Modification to paragraph 2.7 of the Plan to include a reference to the table in Appendix II where specific superseded policies are listed [SD14a-Schedule-of-Proposed-Modifications-.pdf](#) (PM 168).
- 1.84 The table in Appendix II requires updating by the addition of the site allocation policies. The introductory text also requires updating from the Regulation 18 version of the Plan. Accordingly, the Council are proposing two additional modifications to this effect. [SD14a-Schedule-of-Proposed-Modifications-.pdf](#) (PM 169 & 170).

## Other Matters

- 1. The Plan provides a great amount of background, detail of processes employed, and in places repetition between supporting text and policy. Policy in places repeats national policy. In this regard, would the Plan provide the necessary clarity to enable consistent implementation so as to accord with NPPF paragraph 16, when read as a whole? That states that policies should be clearly written and unambiguous, so it is evident how a decision maker should react to development proposals and that Plans should serve a clear purpose avoiding unnecessary duplication of policies that apply to a particular area, including policies in the NPPF, where relevant.**

WCC response:

- 1.85 Yes, the city council believes that the Proposed Submission Local Plan (Regulation 19) provides a clear understanding of where positive and sustainable growth is directed and how development will be encouraged, whilst recognising the need to safeguard the district’s rich heritage and the natural environment. The wording of policies in the Proposed Submission Local Plan (Regulation 19) have been informed through ongoing discussions with statutory agencies, neighbouring Local Planning Authorities, feedback from the four separated public consultations. Officers have tried to not repeat the wording in the NPPF and city council believes that the policies have been clearly written

and are unambiguous, so it is evident how a decision maker should react to development proposal.

- 1.86 A number of Proposed Modifications were agreed with the statutory agencies as part of the public consultation to the Proposed Submission Local Plan (Regulation 19) to improve the clarity and interpretation of the policies - these have been included in document [SD14a](#) and document [SD14b](#).

# Appendix 1 – WCC response to the BDBC Regulation 18 Local Plan.

## **Officer Response to the Basingstoke & Deane Regulation 18 Local Plan**

Thank you for the opportunity to comment on the Basingstoke & Deane Local Plan Update Draft Regulation 18 Consultation. Officers from Winchester City Council would like to make the following comments in relation to cross boundary issues:

### **Housing numbers**

Notwithstanding any concerns regarding specific allocations, WCC welcomes the aspirations of the Spatial Strategy and Policy SPS1 Scale and Distribution of Development to accommodate all of the required housing need within the Borough, including an additional 10% buffer. WCC are also able to meet all of our required general housing needs within the Winchester District and have therefore not asked BDBC to accommodate any unmet housing needs.

WCC will continue to keep the matters of housing requirements and supply under review via ongoing meetings, the formal Duty to Cooperate process and consideration of this issue within the Statement of Common Ground.

### **Policy HSG9: Gypsies, Travellers and Travelling Show People**

WCC supports the aspiration of Policy HSG9 to meet all of the identified needs for gypsy and traveller pitches, mostly within the boundaries of strategic development sites; whilst recognising that the extent of need has yet to be identified.

Officers from BDBC will be aware from our correspondence that WCC does not have sufficient capacity to fulfil the identified need for gypsy traveller pitches and we would welcome any contribution that BDBC may be able to make towards fulfilling these needs. To this end WCC has already formally requested help with meeting Winchester's unmet needs. In the response BDBC indicated that it was not currently in a position to make any provision for the gypsy and traveller pitches of WCC.

WCC will continue to work with BDBC on the identification and fulfilment of required needs through ongoing cooperation under the Duty to Cooperate mechanism. This issue is expected to form part of the Statement of Common Ground between the two authorities.

### **Policy ENV4 - Nutrient Neutrality**

The Council supports the aim of Policy ENV4 to require measures to address the nutrient impact of new developments. WCC shares the Test and Itchen catchment area with BDBC and we will continue to work with BDBC on this issue through the Duty to Cooperate. This issue is expected to form part of the Statement of Common Ground between the two authorities.

### **Policy ENV11: Energy Standards**

Officers from WCC support Policy ENV11: Energy standards that includes Energy Use Intensity (EUI) measurements and we would be keen to encourage joint working between Officers at WCC and BDBC on this key policy area in light of the Government's Written Ministerial Statement on Local Energy Efficiency Standards.

#### **Policy SPS5.4 Southern Manydown**

The Council notes the substantial proposal at this location for 7,500 new homes in total (2,400 over this plan period) and a significant amount of other development including a new hospital and health campus. The location of this site is immediately north of junction 7 of the M3 with a principal access proposed from the A30 (which becomes the A303 further west, leading to Popham and the Winchester District beyond).

Before BDBC progresses to the Regulation 19 stage, it is essential that further work is undertaken on this long-term complex strategic site which must be supported by a comprehensive transport assessment and travel plan that includes consideration of wider impacts including on links to the Winchester administrative area. Opportunities to support the development of public transport links that extend to the wider area will need to be fully explored before BDBC progress to the Regulation 19 stage, particularly around the proposed new hospital which is intended to serve some of the health needs of Winchester residents.

#### **Policy SPS5.5 Popham Garden Village/solar farm**

It is extremely disappointing that we are not aware there has been of any specific engagement has taken place with WCC Officers, WCC Ward Councillors or Micheldever Parish Council regarding the wording of the supporting text and the site allocation policy given that the site is located directly adjacent to the WCC administrative boundary. This should of, in our opinion, taken place before the Reg 18 stage.

As this site allocation is directly adjacent to the WCC administrative area, in line with the Duty-to-co-operate, meaningful discussions about this site should have taken place prior to the publication of the Regulation 18 Local Plan. The site allocation is completely silent on the fact that the Popham Garden Village is located immediately adjacent to the WCC administrative boundary which is a considerable oversight.

#### **Background to development in this area**

BDBC will be aware that there have been proposals for a new settlement at Micheldever Station have a very long history as a new settlement was first put forward in 1980s and early 1990's. It was vigorously promoted for 5,000 dwellings at the Examination in Public of the Hampshire County Structure Plan in 1991. The proposal was rejected by the Examination in Public (EIP) Panel, which concluded that there was no requirement for a new settlement. The Secretary of State endorsed this view and the proposal was, not therefore, included with the Structure Plan, which was adopted in 1994.

The proposal was again promoted by Eagle Star in relation to the Hampshire County Structure Plan Review during 1990s for 3,000 dwellings. The site was not included in the Structure Plan Review which was adopted by HCC in March 2000.

The Micheldever Station site was promoted for 12,500 dwellings in the South East Plan. The site was again rejected by the EIP Panel Report which gave full consideration to this option but concludes by listing various reasons why such a proposal would not be appropriate, sustainable or consistent with the Plan's strategy (paragraph 26.33 of the EIP Panel Report). The conclusions of the EIP Panel were very clear that the new settlement at Micheldever Station were not sustainable and the site was not included in the South East Plan.

It is important to add that despite the site being rejected in the South East Panel's Report, the site promoters (Eagle Star) put the Micheldever Station site forward for 12,500 dwellings as part of the Government's invitation for "Eco Towns" in December 2007. Not surprisingly, given the unsustainable nature of the scheme, as noted in the EIP Panel Report, the site was not shortlisted by the Government as an Eco Town and the proposal was rejected by the Government in April 2008. There was a subsequent challenge to the adoption of the Winchester City Joint Core Strategy which was upheld and the Micheldever Station site was not allocated for development in the WCC's Joint Core Strategy.

One of the key differences between the proposals for a new settlement at Micheldever Station and Popham Garden Village is that this site is even more isolated and the railway station is located via an underpass on the opposite side of the A303.

In view of the above, WCC **objects** to the allocation of the Popham Garden Village in the BDBC on similar grounds to the EIP Panel Report which are:

- This is a remote rural location that cannot support this level of development;
- Due to the level of infrastructure that would be required, the proposal would be unable to make any significant contribution to meeting need for housing for a number of years;
- When the site is compared to other SHEELA options that are located within the BDBC administrative area, it would be an isolated location choice and there are more sequentially preferable locations that could be allocated for development; and
- The scale of the development (which is less than the Micheldever Station proposals) would not create a sustainable community.

As mentioned above, WCC believes that for the same reasons that the Micheldever Station site has been rejected for a number of years by different Inspectors/Ministers the site allocation at Popham should also be rejected on similar grounds.

The isolated nature of the site has been specifically highlighted in the BDBC's own Sustainability Appraisal (page 900) which states that "*The railway station at Micheldever Station which is located to the south west beyond the A303, which is likely to deter regular access by pedestrians and cyclists. The parking facilities at this railway station are already significantly over subscribed leading to on-street parking*

*concerns etc*". The report goes on to state *"School Travel: HCC Childrens Services state that the isolated location of this site will result in significant levels of additional traffic and additional costs for home to school transport"*.

WCC have the same concerns that have been identified in the BDBC Sustainability Appraisal as this site allocation appears an isolated site that is facing towards WCC administration area rather than being directly related to the needs of Basingstoke in terms of the location of main access road and the reliance on the services and facilities in Micheldever Station. The services and facilities in Micheldever Station are limited and Micheldever is in any event, a considerable distance away from the site and in the planning administration of WCC. In view of this we would question the sustainability of this particular site allocation which appears to not be related to any other development in Basingstoke. The location of the access roads would also encourage people to use their private motor vehicles and we would question the principle of an isolated development in this rural location.

We would also question the suitability of the Micheldever Station to Overton Road to be able to accommodate any planned active travel improvements to the Micheldever Railway Station (which is within the administrative area of WCC). Allied to this, given the rural nature of the Micheldever Station to Overton Road it is also very unlikely in our opinion that people would walk/cycle to the railway station given that this involves walking/cycling underneath the A303 which is often prone to flooding and there is very limited lighting along this route.

The station car park (which is also within the administrative area of WCC and has been highlighted in the BDBC Sustainability Appraisal as having capacity issues) has limited and over subscribed car parking capacity, no disabled access arrangement and is very restricted in terms of being able to expand. We are also aware that the railway station and the train service have capacity issues and railway station has short platforms. As all of the above planned active travel improvements, which fall within the WCC administrative planning area, question the suitability of this site to be able to accommodate 3,000 dwellings.

## **Nutrients**

Officers understand that the Popham Garden Village site is located within the River Test catchment area and as a result of this, the site allocation would need to demonstrate nutrient neutrality for total nitrogen. Paragraph 5.7 of the Addendum to the Water Cycle Study states that this is to be achieved through on-site mitigation measures. WCC has not received any information as to how the on-site mitigation will be provided or evidence of the site nutrient mitigation strategy as highlighted on page 920 of the Integrated Impact Assessment Appendices.

## **Summary**

In summary, Winchester City Council does not consider this to be an appropriate location for 3,000 homes. It is extremely disappointing given the fact that site directly adjoins the administrative boundary of Winchester/Basingstoke that no specific engagement has not taken place about the appropriateness of this site allocation and

the infrastructure that would need to be delivered to support it (which is largely in Winchester City administrative area).

WCC has commissioned HCC Trading Arm to produce a Strategic Transport Assessment to support the Winchester City Council Regulation 19 Local Plan. Any cumulative impact on the highway network will need to use the highway data for this study.

In view of the above, WCC would like to reiterate its objection to the Popham Garden Village site allocation. It will be essential that Basingstoke & Deane demonstrates and fully justifies before progressing to the Regulation 19 stage, that this site allocation is not only a suitable and in a sustainable location for future development but other more sequentially preferable sites have been fully explored and exhausted.