

Winchester District Local Plan

Local Plan Examination

April 2025

Prepared on behalf of: Blenheim Strategic Partners LLP

Date: 4 April 2025

Representor personal reference number:	BHLF-AQTS-3267-B
Matter	Matter 3 – Plan vision and strategic policies SP1, SP2 and SP3
Relevant questions	General Matters: 1, 2 Policy SP1: 1 Policy SP2: 1-3 Policy SP3: 1-5

Ref. RM/KW/EiP/01

Matter 3 – Plan vision and strategic policies

Issue: Whether the spatial strategy and distribution of development is positively prepared, justified, effective and consistent with national policy

1. General matters

Question 1

Having regard to NPPF 21, does the Plan make clear which policies should be regarded as ‘strategic policies’ and would they constitute a clear strategy for the pattern, scale and quality of development in the District?

- 1.1 The plan explicitly refers to policies SP1-SP3, CN1, D1-D5, T1, NE1, HE1, HE5, H1-H3, E1-E4, as strategic policies.
- 1.2 Policies SP1, SP2 and SP3 refer to the vision and objectives, spatial strategy, development principles and development in the countryside. Policy SP1 seeks to achieve high quality, sustainable and inclusive development focused on sustainable modes of transport, which is in line with the intentions of the NPPF.
- 1.3 Policy SP2 sets out the required scale of new residential development and also refers to economic and community development, albeit with no indication on scale of economic or community needs and supply. The policy sets out the spatial strategy, including the split of housing provision in Winchester Town, South Hampshire Urban Areas and Market Towns and Rural Area. The policy sets out its expectations in relation to the quality of the natural and built environment, including sustainability measures, transport, design standards, community benefits and infrastructure.
- 1.4 Policy SP3 addresses development in the countryside by restricting development to specific uses and indicates the scale and pattern of development. It does not, however, provide a strategic approach to the quality of development. This policy is generally set out in a restrictive manner rather than being prepared positively as set out in Section 3 NPPF. Furthermore, the terminology used can create a level of uncertainty and ambiguity, including (v) “low key tourist accommodation” and (vii) “infilling of existing settlements without a settlement boundary”. A clear definition of ‘low key’ and ‘infilling’ should be provided to avoid uncertainty in the decision-making process, as this has impacts on the pattern, scale and quality of development.

Question 2

What is the justification for the Plan period of 2020 to 2040?

- 1.5 The plan period 2020-2040 represents a 20-year period, with a plan period from adoption (expected 2025) of 15 years, which is the minimum as outlined in para 22 NPPF.
- 1.6 In light of the scale of the larger site allocations coinciding with para 22 NPPF in that these can be defined as “significant extensions to existing villages and towns”, the limited plan period is not considered to be justified, as set out in the Regulation 19 (ref. BHLF-AQTS-3267-B/3/H1) response.
- 1.7 It is expected that the council needs to provide robust justification for:
 - Beginning of the plan period in 2020 which backdates the plan period by five years

- The minimum 15-year plan period from adoption, in consideration of the risk of delays should the plan be adopted only in 2026

2. Policy SP1

Question 1

The Plan sets out a vision and objectives to tackle climate and nature emergencies and create a greener District, living well, homes for all and a vibrant local economy. Those are given effect through Policy SP1. In so doing would that Plan be effective? Should the Plan objectives be incorporated within the Plan's strategic policies?

- 2.1 The vision and objectives are set out in consideration of the three core principles of sustainable development as set out in the NPPF. These set out an overarching framework for the strategic policies and their subservient non-strategic policies. The vision and objectives are considered throughout the draft local plan within strategic and non-strategic policies.
- 2.2 Strategic policies should inform non-strategic policies, the latter of which should be used to assess planning applications in the decision-making process. Therefore, development proposals should not be assessed directly with the vision and objectives of the plan, as these should inform the non-strategic policies which would in turn be used to determine planning applications. This approach would be more effective and provide less ambiguity.
- 2.3 Therefore, whilst plan objectives should be incorporated into policy SP1, development proposals should not be expected to be assessed directly on the basis of the vision and objectives. Policy SP1 should be reworded accordingly.

3. Policy SP2

Question 1

Given the transitional arrangements set out in NPPF December 2024 paragraphs 234-236) would a modification requiring a Plan review within a stated timescale be clear and effective? Given the above national policy would such a modification be necessary for soundness?

- 3.1 The Housing Topic Paper Update (ED02, para 2.6) acknowledges that the council's housing requirements meets less than 80% of local housing need (based on the 12 December 2024 standard method), whereby para 236 NPPF expects the LPA to commence its new plan "*as soon as the relevant provisions are brought into force in 2025*" to address the shortfall.
- 3.2 The LPA has two choices:
 - meet the requirement of 80% of LHN by including additional sites as preferred site allocations to increase its housing land supply
 - commence an immediate local plan review
- 3.3 Whilst para 236 NPPF does not set a clear timescale for the review, para 78 c) NPPF should be strongly considered, whereby a 20% buffer to its five-year housing land supply is required where the average housing requirement is 80% or less of the most up to date LHN from 1 July 2026. This means that there is a realistic

risk that the council may not be able to demonstrate a sufficient five-year housing land supply within the first five years of its new local plan.

- 3.4 In light of this, a modification requiring an immediate plan review, meaning commencement upon adoption of this local plan and publication of a new Local Development Scheme setting out the timescales for the local plan review, should be incorporated. Otherwise, the plan is not considered to be sound in accordance with para 36 NPPF, whereby the local plan would not be effective should the housing land supply be insufficient within its first five years of adoption.

Question 2

To accord with national policy at NPPF paragraph 60, to boost significantly the supply of homes, should the numbers expressed in policy SP2 be stated as minimums?

- 3.5 No. This would provide justification for the council's ineffective (and therefore unsound) approach to plan for a LHN less than 80% of the LHN when compared to the new standard method, accepting that the shortfall will be dealt with in a subsequent local plan review, and does not provide certainty on housing targets.
- 3.6 Rather, to comply with para 60 NPPF (2023), the council should increase its numbers set out in policy SP2 in line with the new standard method, or at least avoid falling short of the 80% LHN requirement set out in para 236 NPPF 2024.

Question 3

Policy SP2 sets out housing targets for the three spatial areas in the District. In so doing, does it provide appropriate support for employment uses to meet local needs?

- 3.7 No. Policy SP2 in-principle supports economic development. However, it does not set out its spatial strategy with a specific target for each of the three spatial areas and does not make reference to strategic policy E1 (vibrant economy).
- 3.8 It is recommended that policy SP2 is amended to provide more clarity in terms of employment requirements and supply, similar to the approach taken for housing targets.

4. Policy SP3

Question 1

Does the policy strike the right balance between protecting the countryside and promoting development to meet local needs? Should the policy explicitly recognise the sustainability of locations immediately adjacent to existing settlement boundaries or previously developed land;

- 4.1 Policy SP3 sets out a restrictive approach to residential development in the countryside and does not promote development to meet local needs. This has been made clear in the Regulation 19 Representation (ref. BHLF-AQTS-3267-B/1/SP3) submitted on 11 October which has not been taken into account prior to submission of the draft Local Plan for examination on 15 November 2024 due to the limited timescales.
- 4.2 As set out in Section 3 of the Regulation 19 Representation (ref. BHLF-AQTS-3267-B/1/SP3), this approach does not allow for potential development in locations directly adjacent to settlement boundaries (greenfield or brownfield land) and that may additionally be sustainably located (i.e. with access to public transport and/or nearby facilities and services within the adjacent settlement).

- 4.3 This is particularly of concern should the council be unable to demonstrate a five-year housing land supply during the plan period, whereby potentially sustainable development could contribute to the council's supply but may be refused on the basis of the restrictive strategic policy SP3. Para 3.11 of the Regulation 19 Representation (ref. BHLF-AQTS-3267-B/1/SP3) therefore proposed an additional subsection ii (in red) to provide the requisite flexibility:

“ii. Exceptionally further development beyond allocated sites will only be permitted where the council's monitoring of housing delivery across the District cannot be maintained at the anticipated rate. Proposals must be accompanied by evidence demonstrating how the site can be delivered in a timely manner and fulfil the following criteria:

a. Be located within or adjacent to the existing settlement boundary as defined in the local plan or a made neighbourhood plan

b. Not lead to coalescence with any neighbouring settlement

c. Be of a scale and in a location in keeping with the existing form of the settlement and not adversely affect its character and appearance

d. Respect and retain natural boundaries

e. Not have any adverse environmental impacts, including landscape, historic environment, biodiversity, open space, watercourses and green infrastructure

f. Provide appropriate and sufficient infrastructure such as waste water drainage and highways

iii. (...)”

- 4.4 Whilst the sustainability of locations immediately adjacent to existing settlements should be considered and, if proposed development is sustainably located with good access to public transport, facilities and services, this should be afforded significant weight. Equally, as set out in para 83 NPPF 2024, housing should be located “*where it will enhance or maintain the vitality of rural communities*” to promote sustainable development in rural areas, with a view to new development supporting local services.
- 4.5 Notwithstanding the above, para 89 NPPF recognises that rural areas adjacent to (or beyond) existing settlements may not be well served by public transport, whereby development may still be acceptable particularly where there are opportunities to make a location more sustainable.
- 4.6 Therefore, the sustainability of locations should be afforded greater weight when assessing development proposals, but this should not be the main assessment factor, as suggested in the above amendment.

Question 2

Would policy SP3 accord with NPPF paragraph 89, which states that ‘... The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.’?

- 4.7 No. As outlined in Question 1 and set out in the Regulation 19 Representation (ref. BHLF-AQTS-3267-B/1/SP3), flexibility needs to be included in support of development that may be located outside of the settlement boundary but is physically well-related to the built-up area of a settlement as defined in Policy H4.

- 4.8 Para 89 NPPF encourages policies (and decisions) to recognise that “*sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport*”. Having good access to public transport, facilities and services or sites with potential to enhance links for pedestrians and/or cyclists to local facilities and services would be beneficial and should be weighed positively as also encouraged by para 89 NPPF.
- 4.9 Therefore, it is suggested to provide additional flexibility in the policy with a new subsection (ii) which would allow for development in the countryside on land adjacent to existing settlements.
- 4.10 It is essential that potentially important development is not precluded by this strategic policy, particularly as the draft local plan housing requirement is less than 80% of the new local housing need figures based on the new Standard Method which may require further sites to come forward in the future.
- 4.11 There is a realistic risk that the council’s housing land supply will not sustain throughout the limited plan period (15 years post adoption), which is further exacerbated as detailed in the Housing Topic Paper (ED02, para 6.6). This accepts that a 20% buffer will need to be applied from 1 July 2026 on.
- 4.12 It is clear that policy SP3 needs to provide flexibility to allow for additional sites to come forward that may not be allocated, may be in the countryside, but may be well-related to existing built-form and settlements.
- 4.13 Therefore, the suggested additional subsection ii as outlined in the Regulation 19 Representation (ref. BHLF-AQTS-3267-B/1/SP3) should be considered.

Question 3

Should the countryside designation afforded by policy SP3 remain on sites allocated for development in the Plan?

- 4.14 No. There is a risk of uncertainty that could be avoided, as allocated greenfield sites would then nonetheless be regarded as land in the countryside which could potentially be afforded some weight against development due to the restrictive and negative policy wording, along with the informative text in para 3.9. The narrative suggests that countryside development consists of smaller sites linked to an essential need to be located in the countryside, small-scale development or re-use of existing buildings; none of which would be applicable in that scenario.
- 4.15 Furthermore, a site allocation is not a “*type of development*” but rather preferred development land that has been allocated via the plan making process.
- 4.16 It is therefore suggested that subsection (i) is removed, and the following amendment of the overarching provision included (shown in red) as follows:

“In the countryside, defined as land outside the settlement boundaries, outside site allocations as set out in this plan or outside any allocations in made Neighbourhood Plans, the Local Planning Authority will only permit the following types of development: ...”

Question 4

Does policy SP3 provide for the particular locational needs of essential infrastructure such as water and waste water infrastructure in accordance with PPG? Should it state that development should not increase flood risk and assessed any potential loss of the best and most versatile agricultural land?

- 4.17 No, policy SP3 does not provide for essential infrastructure, refer to flood risk or agricultural land. However, it is noted that ref. PM4 of the Schedule of Proposed Modifications proposes to incorporate these modifications. With these modifications, it is considered that policy SP3 aligns with PPG.

Question 5

To ensure the policy promotes biodiversity should it align with the Local Nature Recovery Strategy?

- 4.18 Whilst it could be sensible to align policy SP3 with the overarching LNRS in principle to promote biodiversity, Hampshire County Council is still in the process of preparing its LNRS with its publication targeted for Q4 2025. However, any proposed policy amendment would need to be carefully worded to avoid restricting development that may be able to incorporate a suitable balance of developable land and enhancements to biodiversity.
- 4.19 For example, a residential development of a suitably located greenfield site which partially includes a Local Wildlife Site with potential for significant enhancements should not be refused in-principle due to the wording of policy SP3. It should rather be supported due to the additional benefits that could arise on balance.