

**Winchester City Council
Winchester District Local Plan 2020-2040
Examination**

Matter 1: Procedural/legal requirements

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**KPPC
Macra Ltd
April 2025**

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

Duty to Cooperate

Question 1

- 1.1 With respect to the DTC, Winchester Council have produced a Statement of Compliance (Evidence Base Document 'Duty to Co-operate') ('SoC') which stands alongside signed Statements of Common Ground ('SoCG') prepared jointly with neighbouring planning authorities.
- 1.2 It is noted that Winchester City Council, has engaged with its neighbours as part of a co-operative partnership within the South Hampshire housing market area; known as the Partnership for South Hampshire (PfSH). It has been agreed with those parties that the WDLP shall seek to meet some of the unmet needs of its neighbouring authorities. Whilst it is clear that ongoing engagement has occurred, whether that engagement has been appropriately constructive such that the housing needs of those neighbouring authorities are being proactively met is questioned.
- 1.3 With respect to this unmet need, we note that Winchester City Council has not identified specific sites which will meet the unmet needs of its neighbours, the need is just to be met generally across the plan area. We question whether this will actively meet those local needs in the dispersed manner that is proposed.

Question 2

- 2.1 There is a significant emphasis placed upon authorities within the PfSH partnership area to work collaboratively to meet broader housing needs that cannot be sustainably met within the individual authority areas. In this context the Council has allowed for an uplift on its housing needs to address a level of unmet need from neighbouring authorities, amounting to a total of 1,900 homes.
- 2.2 We consider the imposition of this uplift to be appropriate on the basis of the SoCG which have been entered into with neighbouring authorities, and that this comprises an appropriately forward-thinking approach which properly reflects the requirements of the Duty to Co-operate. However, the Council have taken the decision, as Paragraph 4.54 of the Strategic Housing and Economic Land Availability Assessment (SHELAA) confirms, not to identify or allocate specific sites to meet this need. The Council direct that the additional housing is included as an 'overall buffer' applied to its housing need.
- 2.3 Whilst the Council has not identified specific sites to meet the unmet needs of other authority areas, it has proposed to allocate sufficient sites across the district as a whole to meet the overarching need of 15,465 homes. Whilst we support the meeting of unmet needs from neighbouring authority we consider this would be best met in a reasonable proximity of those authorities where the

need is located to ensure that it is actually addressing that specific need, and not simply a broader unaccounted need for housing growth.

- 2.4 The Council confirm that it is the 'southern parishes' which fall within the PfSH area, comprising the settlements of:
- Bishops Waltham;
 - Colden Common;
 - Denmead;
 - Wickham;
 - Swanmore; and,
 - Waltham Chase.
- 2.5 It is claimed that around 50% of the 1,900 homes, unmet housing need, is to be met within these settlements, with the rest of the need spread across the district as a whole. We do not consider that meeting this need more broadly across the District is reasonable. The need should be met within the southern parishes which are more proximate to where the need exists. For the delivery of housing to contribute towards meeting the needs of the Neighbouring Authorities, it should be in a location which is likely to continue to be serviced by and accessible to the urban areas within which there is a shortfall.
- 2.6 We would invite the Inspector to consider whether this is a reasonable stance having regard for the location of the housing need and whether it is realistic for this need to be met in the more northerly parts of the plan area, which bear no relation with those areas from which the unmet need actually arises.
- 2.7 We consider that a more sound approach to the meeting of unmet needs by the Winchester Local Plan would be through the allocation of sufficient sites within the PfSH to directly address this need. We invite the Inspector to consider whether additional sites should be allocated within the 'southern parishes' on this basis, and once again emphasise the availability of site *W124 'Land at Mayles Farm, Wickham'* to meet this need.

Sustainability Appraisal

Question 2

- 2.1 Winchester City Council have produced an Integrated Impact Assessment (IIA), which includes a Sustainability Appraisal (SA). The methodology of the SA is set out clearly with respect to the various objectives that are tested. There are several appraisal questions under each objective heading to assist this assessment.
- 2.2 Notwithstanding this however, there is inconsistency demonstrated in respect of the manner in which these objectives have been scored and moreover, with respect to specific policies of the Development Plan, it is clear that some have been excluded and are not present within the IIA report, including Policy WK3;

which does not feature within the SSA matrix at Table 2 of the IIA Non-Technical Summary. We consider this to comprise a clear oversight in this respect.

- 2.3 With respect to the specific development sites, it is noted that the SA matrix does not score these with respect to their contribution to Objective 6; provision of housing to meet needs within the district. This criteria is of explicit relevance in considering and scoring sites and their ability to meet the objectively assessed need should have been assessed.

Question 3

- 3.1 We consider that, having regard for the array of sites, in sustainable locations, that was available to Winchester City Council, that a higher growth option should have been considered. Particularly given that just 2,875 homes are proposed through new allocations, of the overall 15,000 homes need figure.
- 3.2 'Additional Option 1A' of the IIA states that *"an additional 2,000 dwellings have been added to the total being planned for, to take account of windfall projections"*. The delivery of additional allocations in favour of windfall development is expressly supported. There is no reason for the Council to rely on windfall allowances at some settlements and not others where there are reasonable opportunities to formally allocate development sites. Moreover, the Council whilst imposing windfall allowances, has not qualified that windfall development is capable of being brought forwards at all settlements. There is a generic methodology employed having regard for historic windfall trends, but this has not been sense checked against the specific constraints of individual settlements, despite a windfall allowance having been attributed to them.
- 3.3 With respect specifically to Wickham settlement, as an example, it is not considered appropriate to attribute a windfall allowance to Wickham having regard for the absence of deliverable sites within the settlement boundary to enable this to occur, and no realistic opportunity, to bring forwards development beyond this otherwise than in conflict with the proposed spatial strategy. This provides no certainty that local needs will be met. A higher growth option would have removed this issue entirely.
- 3.4 We fundamentally disagree with the tested scenarios of the WDLP in this respect as set out within the SA. The Council should have given consideration to a higher growth scenario to provide certainty that the assessed needs of the district will be met in full alongside those needs of neighbouring areas. We do not consider there is appropriate justification for reducing the level of development occurring within the South Hampshire Urban Area, as indeed these are amongst the most sustainable locations proximate to the major local urban centres at Southampton, Fareham and Portsmouth.

Question 4

- 4.1 The IIA, with respect to those settlements that are close to the plan area boundary, does not consider the availability of services and facilities which are positioned outside and within nearby settlements. This will include, but is not limited to, rail stations, more significant employment areas, retail opportunities, schools and other general services and facilities.
- 4.2 When considering the most sustainable locations to allocate growth, and indeed the opportunities, particularly those relating to meeting the needs of neighbouring authorities which are outside of the plan area boundary, the Council should have had regard for other services and facilities outside of the plan area which are in a reasonable proximity of the options assessed in order to determine which are most sustainable.
- 4.3 We consider this an unreasonable shortcoming of the IIA assessment which may well have resulted in underscoring of development options irrespective of the fact that the Council was cognisant of this limitation.
- 4.4 With reference more broadly to the scoring and conclusions within the SA, we do not consider that there have been reasonable or consistent with respect to the manner that the Council has considered sites.
- 4.5 We consider that the conclusions of the IIA are fundamentally flawed with respect to the sites assessed at Wickham and indeed this assessment has influenced the decisions taken with respect to those sites to select and formally allocate for housing development.

Question 5

- 5.1 In testing Option 1A, the Council have made clear that there are, in principle, additional sites which could be reasonably and sustainably allocated for development. Within the scope of this option, delivering upon the needs of the plan area as a whole, without the need to rely on windfall forms of development which deliver less certainty, is clearly beneficial to both residents and stakeholders and fulfils both the social and economic definitions of sustainable development. Moreover, a higher growth option could have provided opportunities to deliver larger sustainable communities which contribute more broadly towards a range of sustainability objectives including Options 1, 2, 3, 4, 5, 6, 7 and 8, through the delivery of well-designed communities including the necessary infrastructure to create walkable developments which reduce the need to travel and embrace sustainable design principles.
- 5.2 We do not consider that the SA has appropriately influenced the proposed approach to housing delivery, as indeed is reflected at Table 5.1 of the IIA, which considers the sustainability effects of Strategic Policy SP1, which sets out the 'Vision and Objectives' of the plan, including delivering '*homes for all*'. It is clear from the scoring of this element, that insufficient weight and

consideration has been given to the delivery of housing with respect to the IIA Objectives 2, 3, 4, 9 and 12. In this respect these matters are all scored neutrally, when the meeting of housing needs would contribute to the round to these aims and support the delivery of both other infrastructure in terms of services and facilities, reduce the need to travel and contribute towards the delivery of biodiversity enhancement through BNG and providing better access to recreation opportunities close to where residents live.

Question 6

- 6.1 The WDLP is not at present positively prepared on grounds that it does not seek to plan for its objectively assessed needs in full, but rather leaves to chance the delivery of 'windfall development' in settlements including Wickham, which have very limited, if any realistic opportunities which could come forwards in the plan period to deliver the quantum of homes suggested (50 homes). We do not consider this approach to be appropriately justified, and the proposed strategy will not be effective in meeting its objectively assessed needs. The Council has appropriate opportunities before it to allocate additional development to provide certainty in a manner which is unambiguous for the general public about how and where housing will be delivered.
- 6.2 The WDLP also does not demonstrate clearly that appropriate regard has been had for the direction of the Framework to ensure that local people have the chance to shape the future of their area, and indeed Wickham and Knowle Parish Council have appropriately sought to engage with the process in undertaking public consultation and seeking the opinion of local persons on where they consider Wickham settlement should be seeing growth and where opportunities exist to deliver a highly sustainable and connected community for the future.
- 6.3 The Parish Council have been clear that their preferred site is *Land at Mayles Lane, Wickham (W124)* and indeed have engaged with Winchester Council to seek appropriate changes to the WDLP to reflect this. There is clear justification for the Parish Council's approach, and the Council have offered no clear rationale why the site should not be progressed. Indeed, the delivery of *Land at Mayles Farm (W124)* would enable the Council to formally secure as publicly available green space a large swathe of land within the intended 'Welborne Open Space' open gap between the settlements of Wickham, Knowle and Welborne Garden Village and thus prevent their coalescence in perpetuity.
- 6.4 We consider that, with reference to Paragraph 32 of the NPPF, the Council could have considered a further alternative higher growth option which would eliminate the social impacts of not planning appropriately to meet at least the full housing needs of the district in full.

Community Involvement

Question 1

- 1.1 The proposed spatial strategy for meeting housing needs does not demonstrate proper consideration having been given to the detailed consultation and engagement undertaken by Wickham and Knowle Parish Council in relation to the opportunities for strategic development at Wickham settlement. The Council has in this regard dismissed the positive and effective engagement undertaken by the Parish Council with parishioners and other members of the public, who have made clear their preferred approach for the growth of Wickham, fundamentally comprising the support for the delivery of *Land at Mayles Farm, Wickham* in preference to the other strategic development opportunities. At Paragraph 1.11 of the SCI the Council confirm that where there is a “*consultation on draft plans and policies the council is obliged to consider the representations made*”. The Council's approach in this regard has been inconsistent.
- 1.2 Paragraph 16 of the NPPF does not require that Councils simply engage with local communities, organisations and statutory consultees, but it requires specifically that *‘plans should... be shaped by early proportionate and effective engagement’*. The expectation is one of more than simply giving the opportunity to make representation, but rather that local communities should have the opportunity to actually shape the future of their local area.
- 1.3 At the Regulation 18 Draft Winchester District Local Plan consultation stage, responses were submitted to the Council which stated that the development potential of Wickham, alongside the lower order settlement Sutton Scotney, should be reconsidered, and that it was inappropriate to rely upon windfall development alone for these settlements as the Council had previously intended to do, in a manner which was inconsistent; in respect of Wickham, with the other Larger Rural Settlements within the Council's settlement hierarchy.
- 1.4 Winchester Council subsequently reviewed the suitability of proposing allocations at both Wickham and Sutton Scotney and this is reflected within the WDLP. Notwithstanding this however, the Council have not appropriately had regard for the detailed consultation which was undertaken by Wickham and Knowle Parish Council, following the request of Winchester City Council, to determine the preferred approach of the Parish Council and local residents for the future sustainable growth of Wickham.
- 1.5 This is fundamentally opposed to the approach which has been taken for Sutton Scotney, whereby, despite comprising a lower order Intermediate Rural Settlement, the Council have produced an Evidence Base document titled ‘Sutton Scotney Site Selection Information August 2024’, which discusses the engagement had with Wonston Parish Council and the local ward members in relation to the site opportunities regarding the future development of the

settlement and evidences the decision making process in selecting the proposed strategic site, *Land at Brightlands (WO10)*.

- 1.6 Wickham and Knowle Parish Council undertook a call for sites exercise, whereby a range of potential strategic development sites were put forwards for consideration. In March 2022, the Parish Council narrowed down the list of site opportunities to a shortlist of five potential development sites.
- 1.7 A drop in event was arranged by the Parish Council on 18th May 2022 for local residents to review the five remaining potential development sites that had been put forwards by landowners and developers. Alongside this a survey was undertaken and its results reported to the 22nd July 2022 Parish Council meeting.
- 1.8 The Parish Council made clear that their preferred site was '*Land at Mayles Farm, Wickham*' Site ref. WI24. The consultation exercise was held on the premise that validation was being sought for the selection of this site as the preferred option. There was a very clear rationale for the Parish Council's identification of '*Land at Mayles Farm, Wickham*' as their preferred site. The site comprises the last piece of the puzzle alongside the Welborne SANG to form in essence a country park style area of around 100ha between this site, Welborne Garden Village and the proposed allocation at Ravenswood, Knowle. This would comprise a protected greenspace capable of being preserved as open in perpetuity and maintaining the 'open gap' between Wickham and the new settlement at Welborne.
- 1.9 The direction from Wickham and Knowle Parish Council in this regard was clear, however the Council dismissed the views of locals and instead of supporting their preferred approach, has taken the decision to allocate two alternative sites on the northern and eastern peripheries of the settlement, extending the village out into the landscape.

Other Matters

Question 1

- 1.1 We consider it should be possible to exclude duplicated sections of National Policy and simply reference National Policy in this regard to reduce the length of the plan.
- 1.2 Likewise, it should not be the case that there is significant duplication between the supporting text of policies and the policy text itself. This is unnecessarily unwieldy. It is acknowledged that, in the context of planning policies, the supporting text, including justifications or evidence, is considered part of the policy and can be used to interpret it. It is not necessary therefore for this to be replicated.