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# **Report to Winchester City Council**

**by Nigel Payne BSc Hons, Dip TP, MRTPI, MCMI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Date 31 January 2017**

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Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

## **Report on the Examination of the Winchester District Local Plan Part 2 – Development Management and Site Allocations**

The Plan was submitted for examination on 23 March 2016

The examination hearings were held between 12 and 20 July 2016

File Ref: PINS/L1765/429/6

## **Abbreviations used in this report**

AA	Appropriate Assessment
AMR	Annual Monitoring Report
DtC	Duty to Co-operate
EA	Environment Agency
GTAA	Gypsy and Traveller Accommodation Assessment
HCC	Hampshire County Council
HE	Highways England
LDS	Local Development Scheme
LEP	Local Enterprise Partnership
LP	Local Plan
MM	Main Modification
NE	Natural England
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
PPTS	Planning Policy for Traveller Sites
PUSH	Partnership for Urban South Hampshire
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SEA	Strategic Environmental Assessment
SDNP	South Downs National Park
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SINC	Site of Interest for Nature Conservation
SPA	Special Protection Area
SPD	Supplementary Planning Document
SSSI	Site of Special Scientific Interest
WLP	Winchester (District) Local Plan
WMS	Written Ministerial Statement

## **Non-Technical Summary**

This report concludes that the Winchester District Local Plan Part 2 provides an appropriate basis for the planning of the area, provided that a number of main modifications [MMs] are made to it. The Council has specifically requested me to recommend any MMs necessary to enable the Plan to be adopted.

The MMs all concern matters that were discussed at the examination hearings. Following the hearings, the Council prepared schedules of the proposed modifications and carried out sustainability appraisal of them. The MMs were subject to public consultation over a six-week period. I have recommended their inclusion in the Plan after considering all the representations made in response to consultation on them. In some cases I have amended their detailed wording where necessary for soundness and/or clarity.

The Main Modifications can be summarised as follows:

- include a firm commitment from the Council to start a full review of the Winchester District Local Plan no later than 2018, with the intention of adoption during 2021;
- update the Housing Trajectory for the district over the plan period to take account of recent delivery rates and remaining requirements from Local Plan Part 1, as well as realistic build rates on strategic sites (Appendix F);
- confirm that on the adoption of this plan various policies of the former Winchester Local Plan (2006) will be superseded (Appendix E);
- re-instate former policy DM4 from the consultation draft Local Plan Part 2 to define the present local need for new gypsy and traveller and travelling showpeople accommodation, so as to comply with national policy/guidance;
- increase the number of dwellings from about 60 to about 100 at Morgan's Yard, Waltham Chase to enhance delivery prospects, including in relation to improved primary school facilities (policy WC 1);
- amend para 4.5.24 relating to Sun Lane, New Alresford (policy NA 3) to clarify access requirements from the A31 by-pass route;
- delete policy CP 2 relating to restrictions on maximum sizes of new houses;
- revise and clarify various policies in response to Statements of Common Ground with Historic England and Hampshire County Council, as well as to make clear the number of new dwellings expected on some allocated sites.

## Introduction

1. This report contains my assessment of the Winchester District Local Plan Part 2 – Development Management and Site Allocations in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (NPPF) (para 182) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The Winchester District Local Plan Part 2 – Development Management and Site Allocations, submitted in March 2016, is the basis for examination and it is the same document as published for public consultation in November 2015.

## Main Modifications

3. In accordance with Section 20(7C) of the 2004 Act the Council requested that I should recommend any main modifications [MMs] necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. My report explains why the recommended MMs, all of which relate to matters that were discussed at the examination hearings, are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2**, **MM3** etc, and are set out in full in the Appendix.
4. Following the examination hearings, the Council prepared a schedule of proposed MMs and carried out sustainability appraisal of them. The MM schedule was subject to public consultation for six weeks. I have taken account of all the consultation responses in coming to my conclusions in this report and in this light I have made some amendments to the detailed wording of the MMs where these are necessary for soundness, consistency and/or clarity. None of the amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and sustainability appraisal that has been undertaken. Where necessary I have highlighted these amendments in the report.

## Policies Map

5. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map includes the set of plans identified as inset maps and set out in the WLP 2.
6. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. However, a number of the published MMs to the Plan's policies require further corresponding changes to be made to the policies map. These further changes to the policies map were published for consultation alongside the MMs.

7. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed in the WLP 2 and the further changes published alongside the MMs, incorporating any necessary amendments identified in this report.

## **Assessment of Duty to Co-operate**

8. Section 20(5C) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by Section 33A in respect of the Plan's preparation. It is a requirement that the Council engages constructively, actively and on an on-going basis with the County Council, neighbouring local authorities and a range of other organisations, including Highways England (HE), the Environment Agency (EA) and Natural England (NE). All relevant bodies listed in Regulation 4 have been engaged, albeit some more than others depending on the extent of their involvement in the plan's proposals.
9. In the Duty to Co-Operate Statement (SUB 8) (March 2016) and elsewhere, including in paras 1.13 and 1.14 of the plan itself, the Council has satisfactorily documented where and when co-operation has taken place, with whom and on what basis, as well as confirming that these discussions have influenced the plan preparation process, following on from the adopted Local Plan Part 1 (WLP 1). The Council has established effective and on-going working relationships with neighbouring and nearby local planning authorities, particularly through the Partnership for Urban South Hampshire (PUSH).
10. This includes regular contacts with Hampshire County Council (HCC), the South Downs National Park (SDNP), the two Local Enterprise Partnerships (Solent and M3) (LEP) and Fareham and Eastleigh Borough Councils, amongst others, the outcomes of which demonstrate constructive engagement by the Council on a continuing basis, including in relation to the proposed modifications and on future development prospects in the district and wider sub-region. Overall, and bearing in mind that strategic level matters were very largely addressed in WLP 1, I am satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of this Plan also, and that the duty to co-operate has therefore been met.

## **Assessment of Soundness**

### **Background**

11. The Winchester District Local Plan Part 1 – Joint Core Strategy (WLP 1) was adopted in March 2013 and sets out the overall vision, objectives, spatial strategy and strategic policies for the district. This includes the allocation of three large strategic scale sites for new housing at Barton Farm, Winchester, West of Waterlooville and North of Whiteley. This WLP Part 2 Plan therefore seeks to follow on from the joint core strategy through a number of new and revised development management policies, in addition to those in WLP 1. It also makes further land allocations at the non strategic level to help deliver the overall development requirements of the district over the plan period, particularly for the Market Towns and Rural Areas outside the South Downs National Park (SDNP) that are expected to provide around 2,500 new homes between 2011 and 2031.

12. After the examination hearings on this plan in July 2016, I issued a Note of Initial Findings (IN 004) to clarify certain matters for all concerned. First, I confirm that, in my opinion, the City Council (the Council) has met all the statutory requirements, notably those arising from the Duty to Co-operate (DtC) and those regarding legal compliance, including in relation to public consultation.
13. Second, I consider that, given that WLP 2 is seeking to implement the adopted WLP 1, there is no necessity or requirement arising from the NPPF or NPPG, or for any other reason, to revise or reassess the objectively assessed needs of the district for new housing and employment over the plan period as part of the WLP 2 process, as these are clearly established in WLP 1.
14. Third, notwithstanding the acknowledged delays to the delivery of the three main strategic new housing sites in WLP 1 (and the revised housing trajectory that results), the Council has satisfactorily demonstrated, including in Background Paper 1 – Housing Requirements and Supply (OD 15), that a five year supply of deliverable housing land is available across the district. Thus, there is no current need to allocate additional or reserve new housing sites in WLP 2 over and above those identified in both parts of the plan for this reason.
15. This conclusion is consistent with those made in my report on the examination of the WLP 1 (EBT 2 – Feb 2013), as it continues to be the case that the necessary reliance on the three large strategic sites to sustainably deliver around two thirds of the overall housing requirements over the plan period (para 60 EBT 2) means that currently the “Sedgefield” method of meeting local affordable housing needs over the first five years is not appropriate or realistic in Winchester district (para 58 EBT 2). Similarly, there is no firm or compelling evidence of a significant failure to deliver new housing in the district over recent years such as to justify a requirement for a further 20% (rather than 5%) buffer of available land for new housing to be added into the five year supply at present (para 47 NPPF).
16. However, whilst the five year housing land supply position is more than adequate at present, it is at risk if there are further delays to delivery on the three strategic sites, which are due to provide around two thirds of the overall requirements to 2031. Consequently, I fully endorse the Council's firm intention to commence a full review of the whole WLP no later than 2018. This includes the intention of adopting it no later than 2021, to “roll forward” the plan to 2036 at least. It would naturally include a new Strategic Housing Market Assessment (SHMA), preferably in co-operation with neighbouring authorities, taking into account the latest population and household projections available at that time.
17. I consider that a main modification (**MM 43**) is needed to WLP 2 to confirm this intention as a firm commitment by the Council, with a clear timetable for implementation now in the October 2016 Local Development Scheme (OD 11a). Moreover, I also endorse the Council's updated new housing delivery trajectory in the 2016 Annual Monitoring Review (AMR), better reflecting the current position, including revised prospects for delivery on the strategic housing sites, (albeit still only a snapshot in time), to assist clarity, improve effectiveness and facilitate monitoring/implementation (**MM 44**) (Appendix F). As this is essentially just a limited factual update of the trajectory in the

adopted WLP 1, it has not been necessary to seek comments from representors on its detailed contents, particularly as it was effectively common ground at the hearings that it should be updated to assist monitoring.

18. This now includes a more realistic assessment of likely delivery rates at North Whiteley, which were considered to be somewhat over optimistic as submitted and not fully reflective of the likely prospects of new housing provision on this large strategic site. Amendment is also necessary in respect of Silver Hill, Winchester in the light of the latest available information. However, such changes are not of such a scale as to materially affect the above conclusions, including in respect of the 5 year housing land supply position. This is supported by the fact that, based on the recent granting of permissions and discussions at the hearings, several of the allocations in this Plan now seem very likely to be delivered more quickly in practice than was assumed by the Council in the most recent AMR (Dec 2015) available at submission.
19. In respect of Winchester itself, I am essentially satisfied that there is, as yet, no urgent necessity to review and/or materially amend the present settlement boundary to allow for further peripheral development on sites on the current edge of the existing built up area, given the supply of land for new housing (and employment etc) already available, that should prove sufficient to meet the requirements of WLP 1, including at Barton Farm and Bushfield Camp.
20. Nevertheless, I also agree with those who say that there is scope for some new development in sustainable locations around the town in the event that monitoring reveals a material failure to deliver the level of new housing (and employment) needed under WLP 1. In any event I consider that the proposed review of the WLP (see above) should include a full and comprehensive examination of the Winchester urban boundary to consider all reasonable opportunities to enhance provision when the plan is "rolled forward" to 2036 (or later) in the interests of sustainable development. It is also necessary for this Plan to confirm, on adoption, which policies of the former Winchester District Local Plan Review (2006) will be superseded (**MM 1**).

## **Main Issues**

21. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, I have identified sixteen main issues upon which the soundness of the Plan depends. Under these headings my report deals with the main matters of soundness rather than responding to every point raised by representors.

### **Issue 1 – Evidence Base and Sustainability**

*i) Is the Plan supported and justified by clear and robust evidence ?*

22. It is not necessary or appropriate that this Plan should seek to review or reconsider the vision, objectives or strategy of the adopted WLP 1, nor to revise the evidence that underpinned it. This includes the SHMA and the overall levels of new development sought over the plan period, particularly in the light of a failed High Court challenge to the total new housing requirements in WLP 1, which were found to be entirely consistent with the relevant legislation and national policy/guidance.

23. Accordingly, the implications, if any, of the review of the (non statutory) South Hampshire Spatial Strategy by the PUSH for the levels of new housing in Winchester district will be a matter for the forthcoming review of the WLP, rather than this Plan. Otherwise, the Council has provided an extensive evidence base for WLP 2. This includes the up to date Strategic Housing Land Availability Assessment (SHLAA) (EBT 8/8a), the Sustainability Appraisal (SA) (SUB 4), the Habitats Regulations Assessment (HRA) (SUB 5) and a number of detailed studies of individual settlements that have been used to inform site identification and selection, where appropriate.
24. Other technical assessments, such as in relation to open space (EBT 11), have also been undertaken to supplement the above, to inform public consultation and also to respond to matters raised in representations, for example the Specialist Housing for Older People Study (EBT 17). In particular, the Council has compiled considerable settlement specific evidence, including data profiles and assessments of windfall trends and potential, that have materially assisted their ongoing work with individual communities in identifying suitable sites to meet local requirements over the plan period.
25. In addition, the consultation statements (OD 2 + 5) set out clearly how an inclusive and wide ranging consultation process has been undertaken, including in Winchester itself, which is un-parished. Taken together the Council has demonstrably provided a clear, robust and suitably comprehensive evidence base to justify the policies and proposals in WLP 2.

*ii) Will it satisfactorily and sustainably deliver the new development needed over the plan period to implement the objectives and requirements of WLP 1 ?*

26. As referred to above, the Council has properly based this Plan on the development requirements set out in the adopted WLP 1 and with the main purpose of facilitating the implementation of its vision, objectives and strategy. In particular, this relates to the market towns and larger villages of the district, that are subject to policy MTRA 2 of WLP 1, as well as the remaining rural area outside the SDNP and the delivery of around 2,000 or so new homes in Winchester itself, in addition to Barton Farm. It includes provision for about 500 additional dwellings at both Bishop's Waltham and New Alresford and around 250 new homes at each of Colden Common, Denmead, King's Worthy, Swanmore, Waltham Cross and Wickham. Denmead already has a "made" Neighbourhood Plan that provides the necessary allocations there.
27. In each of the above settlements (except Denmead) the Plan allocates sufficient, and in some case more than sufficient, sites for new homes to meet these requirements over the plan period, once recent completions, dwellings under construction and firm commitments, mostly in the form of extant planning permissions, are taken into account. Essentially, the same is true for new employment provision and for other needs such as open space and retail.
28. Accordingly, the comparative merits of the selected sites and of the alternatives put forward by representors are considered later in this report in the respective sections covering the individual settlements where allocations are made, whereas the sustainability of the Plan as a whole is dealt with under issue 1 iv) below. Overall, I conclude that the Plan is likely to deliver the new



development needed to meet the requirements of WLP 1 over the plan period and in accord with the policies and guidance of the NPPF/NPPG.

*iii) Are any policies or proposals inconsistent with national policies in the NPPF and, if so, is there a local justification supported by robust and credible evidence ?*

29. It is not necessary for WLP 2 to repeat the policies of WLP 1, either for consistency with the NPPF or for any other reason, as they both form part of the development plan for the area and must be taken together in providing direction and guidance for new development in the area. This includes on issues such as climate change and carbon emissions, bearing in mind that the policies and proposals of WLP 2, including the selection of new site allocations, has been subject to a full, iterative, SA/SEA process.
30. Moreover, policies DM 15 – DM 17 deal adequately with relevant matters such as energy efficient design, safe and secure environments and the needs of cyclists and walkers, whilst policies DM 18 – DM 20 cover environmental protection. Given that the Council also now has an adopted Supplementary Planning Document (SPD) on High Quality Places (EBT 24), including guidance on sustainable urban design and passive/active solar gain, the plan's policies and proposals are considered to be consistent with the NPPF in respect of these matters. Overall, I conclude that there are no policies or proposals that are inconsistent with the NPPF.

*iv) Has the Plan been the subject of suitably comprehensive and satisfactory sustainability appraisal (SA), strategic environmental assessment (SEA) and habitats regulations assessment (HRA) ?*

31. In line with para 165 of the NPPF, the Council has provided clear and robust evidence, including in the SA/SEA report itself (SUB 4), that sustainability appraisal of the Plan has been undertaken on a comprehensive basis and at all the relevant stages of the plan preparation process. The outcomes have also been taken into account at each subsequent stage, as required. This includes in respect of the appraisal methods, which are consistent with those used for WLP 1, and in relation to all reasonable alternatives regarding the selected sites in settlements that are allocated in the Plan for new development.
32. Accordingly, the extensive number of site allocation options considered through a detailed comparative appraisal on a settlement by settlement basis has provided sufficient evidence on sustainability impacts to properly inform the overall decision making process. Each site was tested against the requirements of the SA framework, with all sites put forward by representors considered on a similar basis. It is therefore reasonable to conclude that the SA/SEA process was essentially suitable and satisfactory to provide the necessary inputs, given that it was not and could not be the sole basis for decision making, as other evidence such as on viability, delivery and consultation feedback, was also relevant, of course.
33. In relation to HRA, the overall level and distribution of growth in the area to 2031 has been determined through WLP 1, without any adverse effects on the integrity of any European sites (HRA Report 2012) being identified. This included an assessment of potential impacts on the New Forest Special Protection Area (SPA), as well as the Solent (SPA). Therefore, in the absence of any clear or robust new evidence indicating that development in the plan

area is having in combination effects on the New Forest SPA, or a mitigation strategy being published, I agree with the Council and NE that no modifications are required to WLP 2 in this respect. Should the above emerge there are already policy mechanisms in place to enable the Council to suitably address the matter, as referenced in the supporting text to policy CP 21 of the WLP 1, with a plan review due soon.

34. On the Solent SPA, NE have confirmed that the implementation of the Solent Recreation Mitigation Strategy, as referred to in paras 1.11 and 7.11 to 7.14 of the Plan, satisfactorily addresses the conclusions of the HRA on this matter and that no further modifications are necessary. I endorse that judgement.

## **Issue 2 – Meeting Development Needs**

*i) Does the Plan demonstrate that there will be a deliverable supply of developable new housing and employment land in appropriate locations over the plan period, with suitable infrastructure provision, in accordance with the NPPF/NPPG and WLP Part 1 ?*

35. In respect of new housing this matter is addressed above in the Background to the Plan, as well as under parts i) and ii) relating to Issue 1 of this report. Based on the whole of the Council's evidence base and taking WLP 1 fully into account, I conclude that the Plan demonstrates that there will be a suitable supply of developable and deliverable new housing land in appropriate locations over the plan period in accord with the NPPF/NPPG. This is most recently confirmed in the Council's 2016 AMR.
36. Regarding employment, the strategic allocation at Bushfield Camp, Winchester meets the need for 20 ha of new land over the plan period identified in policy CP 8 of WLP 1. This took into account that there are also significant existing commitments in South Hampshire that remain available, including at the Solent Business Parks and Waterlooville. Land at Station Approach and at other central locations in Winchester is also identified in the Plan, under policies WIN 4 – WIN 7 inclusive, for employment generating uses as part of mixed redevelopment schemes. Additionally, the Council has allocated sites for employment in both Bishop's Waltham and New Alresford to complement the new housing growth proposed there.
37. In the light of all of the above, there is no need for further allocations of employment land to meet strategic requirements at present, albeit any specific smaller scale proposals to meet identified local needs can continue to be considered on their own merits in relation to the policies of both WLP 1 and this Plan. I therefore conclude that the Plan's policies and proposals are sound in respect of meeting the district's employment needs to 2031.

*ii) Is there clear evidence suitably demonstrating how and why the allocated sites were selected, including in terms of appropriate consultation with the public, representative bodies, neighbouring authorities, service providers and other interested parties ?*

38. Together with the Housing Site Assessment Methodology (EBT 4), paras 2.11 to 2.35 of the Plan provide a clear explanation of the site assessment and selection process undertaken throughout the Plan's preparation. This includes details of public consultation and engagement with relevant representative

bodies and interested parties. All the available evidence indicates that this has been open and transparent in all respects at all stages. Moreover, appropriate opportunities have been available for those promoting the allocation of specific sites to present evidence, information and comments before any final decisions have been taken. This has included in relation to development viability and implementation prospects at various times, including finally on the Council's proposed main modifications.

39. The assessment process itself is clearly evidenced as having been sufficiently comprehensive, moving from initial site sieving, identifying constraints such as national and historic designations and availability, through settlement based analysis, including transport and landscape impacts, to the emergence of preferred sites. It was also consistent in terms of the application of standard key considerations, including opportunities for the mitigation of potential constraints at a viable cost.
40. The fact that the process was carried out with the full and continuing engagement of all Town and Parish Councils materially strengthens the validity of the overall process and its suitability for the task. The soundness of the sites eventually selected for allocation is also reinforced by the appropriate application of sustainability appraisal techniques in each settlement at various stages, helping to identify the likely significant economic, social and environmental effects of particular proposals.
41. Overall, the process is inevitably iterative, to a degree, and involves the exercise of elements of planning judgement at times, such as in relation to deliverability, rather than being entirely based on SA scoring systems or the strict ranking of sites; albeit they also provide relevant inputs. In such circumstances, I am satisfied that, whilst not perfect, as improvements are nearly always possible, the site selection process used in this Plan has been essentially suitable for the purpose and sound in its application to each of the seven settlements where sites have been allocated.

*iii) Does the Plan deal appropriately and sustainably with the likely development needs of the smaller villages and rural area ?*

42. Policy MTRA 3 of the adopted WLP 1 supports development and redevelopment within the 40 or so smaller settlements in the plan area that are not covered by policy MTRA 2 to meet their local needs. Policy CP4 of WLP 1 also allows for affordable housing on exception sites where a genuine need for such provision exists. As there is no particular housing target identified in WLP 1 for those settlements and the district's needs are fully capable of being met elsewhere, the fact that these settlement boundaries are not being extended in this Plan is an entirely sound approach and consistent with the NPPF/NPPG.

*iv) Should the Plan address contingencies/alternatives, including in relation to site allocations, in the event that development does not come forward as expected ?*

43. I have concluded elsewhere in this report (see Issue 16 below) that the proposed monitoring of this Plan, together with that of WLP 1, should be sufficient to identify any significant failures of implementation of the overall plan's policies and proposals at a suitable stage for appropriate action to be taken. Bearing in mind that the Council is now firmly committed to a review of the WLP, to be completed by 2021, there is no need for this Plan to specifically

address potential detailed contingencies in the event that development does not proceed as presently envisaged, nor to identify particular alternative, additional and/or "reserve" sites for that eventuality. Moreover, at this stage, any such process would either materially delay the adoption of this plan and thus potentially the implementation of its allocations, and/or be overtaken by events as the Council commences work on the WLP review and therefore serve no good purpose.

### **Issue 3 – Active Communities (Policies DM 1 – 5)**

*i) Are policies DM 1 – 5 reasonable and realistic, clear and consistent with national policies/guidance and do they establish suitable and appropriate criteria ?*

44. The development management policies of the Plan provide detailed guidance for the assessment of specific schemes and build on those of the adopted WLP 1, notably CP1 setting the overall level of new housing, CP 3 regarding affordable housing and CP 7 on open space. Policy DM 1 confirms the location of new development within the defined boundaries of all the listed settlements, with policy MTRA 3 of WLP 1 allowing infill in other settlements as listed and countryside policies such as MTRA 4 of WLP 1 applying to all areas outside the settlement boundaries.
45. Bearing in mind that a 5 year supply of available and deliverable sites for new housing currently exists and that, as modified, the Plan would include an up to date trajectory for new housing delivery across the district over the plan period, there is no necessity for a further review of the defined settlement boundaries to seek additional and/or reserve land allocations at present. Nor is it necessary to revise the terms of policy MTRA 4 of WLP 1 through this Plan in order to facilitate more development on sites outside current settlement boundaries for the same reasons.
46. In the case of "brownfield" sites, including those outside but on the edge of existing boundaries, there are suitable policies in place in WLP 1 and WLP 2 together to enable any specific proposals to be properly considered on their own merits. This applies in respect of non-residential uses as well as new housing. Where potential significant boundary revisions have been put forward by representors as alternatives and/or additions to sites allocated in the Plan, these are considered later in this report in relation to each particular larger settlement, where relevant. In the light of all of the above, I conclude that policy DM 1 is sound as submitted and does not require any main modifications to the policy wording or its depiction on the Policies/Inset Maps.
47. In order to ensure minimum living space and in an area of generally high house values, it is necessary to apply the "nationally described space standards", including that all new dwellings, including affordable housing, should have a minimum gross internal floor area of 39 sq. m. However, as submitted, policy DM 2 also sought to impose maximum dwelling sizes on all new 2 and 3 bedroom homes. There is no support for such a policy restriction on new market housing in the national standards, nor in the NPPF or PPG, as numerous representors have pointed out during the consultation processes.
48. Moreover, there is no firm evidential justification for the introduction of such a restriction on the operation of the local housing market, particularly when the majority of such units under construction appear to be below the maximum

levels proposed in any event. Whatever the detailed impact on the economic viability of new 2 and 3 bedroom homes arising from such a policy, it would be very difficult to implement in practice, due partly to the complexities of definition of usable floor space in each unit, through the development management process, as well as requiring a disproportionate level of resources to monitor effectively and especially to enforce, if necessary.

49. Accordingly, the second part of policy DM 2, as submitted, is neither reasonable nor realistic and should be deleted, together with paras 6.2.7 – 6.2.10 inclusive of the supporting text and changes to paras 6.2.5 and 6.2.6 (**MMs 28/29**), as it is unclear and not consistent with national policies/guidance, with insufficient local justification for a departure. The first part of the policy also needs minor rewording and an addition to refer to Part 4 of the Building Regulations in respect of affordable housing, for clarity and to assist implementation (**MM 29**).
50. Policy DM 3 is sound, as submitted, and requires no modification.
51. Regarding gypsy and traveller accommodation, discussions at the examination hearings confirmed the need for the former policy DM 4 of the consultation draft to be added back into the Plan, following the preparation of a new GTAA jointly with adjoining authorities that establishes up to date local needs. This now also takes into account the Government's recent (2015) Planning Policy for Traveller Sites and, together with policy CP 5 of WLP 1, provides clear guidance on the levels of need across the district over the plan period, as well as suitable and appropriate criteria for the consideration of proposals. As confirmed in the latest LDS (Oct 2016), this is to be followed by a Gypsy and Traveller Site Allocations Plan, to be adopted in 2018 and on which work has already commenced.
52. Whilst less than ideal, in that the allocation of new sites has not been possible in this Plan and must wait for a new Site Allocations Plan, I am satisfied that, with these modifications, the overall policy framework will be sufficient to enable swift progress to be made on the new plan and for any relevant applications to appropriately processed in the interim in the light of the newly defined current local needs. Accordingly, subject to the necessary revisions to paras 6.2.19 and 6.2.20 of the supporting text (**MM 30**), the reintroduction of a suitably amended policy DM 4 (**MM 31**), containing the required details of local needs, enables this part of the Plan to be consistent with national policies/guidance and thus sound. Note - due to the re-introduction of policy DM 4 all subsequent policies in this section of the Plan will require renumbering in the adopted version, but I have retained the existing numbers in the remainder of this part of the report and in the Appendix.
53. Policies DM 4 (new DM 5) and DM 5 (new DM 6) relating to open space protection and provision respectively are both clear and consistent with national policies, with suitable and appropriate criteria to facilitate the consideration of proposals in each instance. It follows that both are sound with no modifications needed.

#### **Issue 4 – Economic Prosperity (Policies DM 6 – 12)**

*i) Are policies DM 6 – 12 reasonable and realistic, clear and consistent with national policies/guidance and do they establish suitable and appropriate criteria ?*

54. The plan's policies relating to the economy follow on from the strategic framework set by WLP 1, notably policies CP 8 on business development, CP 9 regarding the loss of employment land and buildings and CP 10 on transport. In addition, policy DS 1 of WLP 1 sets out the hierarchy of retail centres in the district, with Winchester at the top as a sub-regional centre, followed by the new town centre at Whiteley and then the three district centres at Bishop's Waltham, New Alresford and Wickham.
55. In line with the above, policy DM 6, together with the relevant policy map insets, defines the extent of the centres, including primary shopping frontages to which policy DM 7 applies and a secondary shopping frontage for Winchester alone, to which policy DM 8 applies. In the absence of any identified need for the expansion of existing town centres in the district (Retail Study Updates 2012 - WLP 1 and 2014 - EBT 10), in the short to medium term at least, these policies are essentially sound in principle and consistent with the NPPF/NPPG.
56. However, clarification of the policy wording is necessary in respect of "the boundaries of defined centres" to assist implementation in practice (**MM 32**), as well as minor changes to the primary and secondary shopping frontages in Winchester (Policy Maps 25 + 26) (**MM 33**), without which the retail policies themselves would not be fully sound. With these amendments, I am satisfied that, together with the relevant policies of WLP 1, policies DM 6, 7 and 8 provide a suitable framework for the consideration of town centre and related schemes, striking an appropriate balance between protecting existing retail uses where necessary and encouraging other uses that could add to the prosperity of the local centre economy overall, where appropriate.
57. Policy DM 9 on essential services and facilities in the countryside adds to policy MTRA 4 of WLP 1 by providing further details of the tests to be applied to justify any such schemes outside settlement boundaries, including in defined gaps (policy CP 18 of WLP 1). It is sound and no modifications are needed.
58. New dwellings proposed in the countryside to support agriculture or forestry would be necessarily subject to the strict and detailed criteria set out in policy DM 10, for consistency with national policy and guidance. It is also sound with no need for modification.
59. In relation to equestrian development, policy DM 11 lists a number of specific criteria to be met by all schemes, including the expansion of existing establishments. These are entirely reasonable and realistic, as well as consistent with national policy, with no changes required.
60. Policy DM 12 allows appropriate leisure and recreational uses to be located in the countryside, if necessary, and subject to specific criteria, including that they fulfil an identified local need. Together with policy DM 9, it provides a suitable policy framework for the consideration of such proposals that is in line with national policies and the plan's strategy in terms of enhancing open space, leisure and recreational facilities across the district. It does not discriminate in favour of any particular leisure or recreational uses, nor does it misapply the guidance in the NPPF in any respect. Accordingly, it is sound and no modifications are required.

## Issue 5 – High Quality Environment (Policies DM 13 – 33)

*i) Are policies DM 13 – 33 reasonable and realistic, clear and consistent with national policies/guidance and do they establish suitable and appropriate criteria ?*

61. Policy DM 13 says that the Council will seek the preparation of masterplans on sites occupied by major landowners/users when new schemes come forward, in the interests of sustainable development and to increase certainty and provide long term benefits for all. It follows on from policy MTRA 5 of WLP 1, which requires such plans for specific significant rural establishments for essentially the same reasons. In the above circumstances it represents a reasonable requirement and a realistic expectation by the Council when new proposals emerge. However, it does not need to apply to small sites or to the specific sites allocated in this Plan for particular uses, not least because it risks creating uncertainty in those circumstances in comparison with the development details and criteria listed in the respective policies. Consequently, an addition at the end of the first part of the policy is needed to make this clear (**MM 34**). Otherwise, the policy is sound as submitted.
62. The general design criteria for all new development set out in policies DM 14 to DM 17 must be read alongside other plan policies also referring to key design principles, such as CP 13 and CP 14 of WLP 1, as well as the Council's High Quality Places SPD (EBT 24) and other policies concerning historic heritage, for example, in order to consider the full picture of expectations for new schemes. There is no need for repetition or duplication in these circumstances, nor for the imposition of higher standards of renewable energy provision and carbon emission reduction in a Part 2 plan, when this would not be consistent with current government policy and guidance.
63. Regarding local distinctiveness, policy DM 14 provides an appropriate list of criteria to be met in the design of all new schemes so that the significant positive characteristics of the local area are respected in each instance. Accordingly, the policy is suitable and satisfactory as submitted.
64. Similar conclusions apply in respect of policy DM 15 dealing with site design and DM 16 setting out site development principles, albeit a change is necessary to the start of point ii) of the former to refer to a more realistic expectation of permeability through a site (**MM 35**) for clarity and ease of implementation. With this amendment both policies are sound as it is reasonable for the Council to seek, as distinct from require, high speed broadband connections, or provision for future connections at least, on new development sites.
65. Notwithstanding that the Council is presently undertaking a review of its detailed access and parking standards, with HCC amongst others, the wording of policy DM 17 is suitable to set out the general requirements for new schemes in accord with national policy and guidance. However, a clarification of part iv) is necessary to ensure that it also covers the movements of pedestrians and cyclists within each site, as well as to and from (**MM 36**).
66. Policies DM 18, 19 and 20 concerning environmental protection and dealing respectively with pollution, noise and contaminated land are each carefully worded, as submitted, to reflect current best practice and the requirements of national policy and guidance in the NPPF/NPPG. They need no amendment.

67. Clarification of the wording of policy DM 21 on services, utilities and telecommunications has been agreed as necessary by the Council following comments from Historic England, notably in respect of criterion ii) and this change is endorsed for accuracy and to facilitate its application in practice (**MM 37**).
68. On landscape and related matters, policy DM 22 on rural character reinforces others in the Plan and in WLP 1 by listing the most relevant factors to be taken into account when possible new development outside defined settlement boundaries is considered. This includes potential visual intrusion, physical impacts and traffic generation, amongst others, and overall it provides suitable and appropriate criteria to assist the determination of such schemes. It is positively worded, in principle, and does not need to be any more flexible as all proposals are always considered on their individual merits. The policy is therefore sound.
69. Similarly, in respect of trees, hedges and woodlands, policy DM 23 provides reasonable and realistic details, alongside other plan policies, to enhance protection of special trees, important hedgerows and ancient woodlands, in accord with national policies and guidance. Accordingly, it too is sound.
70. Turning to heritage, policy DM 24 on historic parks and gardens properly reflects the national position in regard to their protection and, where possible and practical, enhancement. Such requirements are reasonable and realistic in respect of such historic assets, as endorsed by Historic England (SCG 01) and the policy needs no changes.
71. On archaeology, the wording of policy DM 25 is clear and consistent with national policies/guidance, with appropriate detailed criteria, albeit a clarification of the first point is necessary to refer to "desk based assessment" to avoid any misunderstandings (**MM 38**).
72. In relation to conservation areas the same can be said for the wording of policy DM 26, although here it is point d) at the end that needs an amendment to refer to "has an acceptable impact on character" for clarity (**MM 39**). Otherwise, it is sound.
73. Demolition in conservation areas is the subject of policy DM 27 and, again, the contents and criteria to be met by any such schemes are reasonable, realistic and in line with national expectations in this regard. No changes are required.
74. Policy DM 28 deals with heritage assets in general and, whilst the listed criteria are entirely appropriate and suitable for their purpose, modification of the first part is essential for clarity and to facilitate its application in practice in respect of higher grade heritage assets (**MM 40**). Again, this reflects comments made by Historic England and with this change the policy is sound.
75. Regarding changes of use of listed buildings, policy DM 29 sets out relevant criteria that are justified in relation to the NPPF/NPPG and provide suitable tests against which schemes could be judged. However, part iii) needs amendment to make clear that the building should be "capable of accommodating the proposed change of use" without the loss of its special interest (**MM 41**).



76. In a similar way, policy DM 30 on locally listed heritage assets is essentially consistent with the national position on such matters. It would be sound with just one change to the first part to use the phrase "have been identified as a locally significant heritage asset" for clarity and improved certainty of application in individual cases (**MM 42**).
77. Policy DM 31 deals with undesignated rural and industrial heritage assets and provides suitably defined and detailed criteria to materially assist the development management process in relation to potential changes of use and conversions. Accordingly, it is sound, as submitted.
78. Shopfronts and signage are the subjects of policies DM 32 and DM 33 respectively and each lists relevant specific matters to be taken into account when all forms of alterations and replacements of this nature that require approval are considered. Both are clearly worded, as submitted, with no changes necessary for consistency with national guidance. In this context nor is there any need to apply different criteria for tourism signage as such, whether in Winchester itself or elsewhere in the district.

### **Issue 6 – Bishop's Waltham (Policies BW 1 – 5)**

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

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

79. Under policy MTRA 2 of WLP 1, Bishop's Waltham is expected to provide around 500 new dwellings over the plan period. As a market town it is a thriving, sustainable location for growth, with an historic centre and the SDNP to the north, east and west. In common with all other settlements, the Council has assessed the further housing development needs by first taking account of completions since April 2011 (the start date of WLP 1) (49), outstanding permissions (55) and SHLAA sites within the existing settlement boundary (24), to leave a requirement for another 372 units on new sites by 2031, with no allowance for windfalls.
80. This scale of new housing will also require improvements to the local infant and junior schools, as well as in open space provision and for other community facilities. The Council's viability and deliverability evidence shows that it is realistic to expect reasonable contributions to be made by new housing schemes in the town to assist in the delivery of such things at appropriate times, as well as necessary services. This is also the case for all other settlements having new housing allocations in this Plan.
81. Given the SDNP to the north, east and west of the town, together with the settlement gap and a SSSI to the east separating it from Waltham Chase and Swanmore, the Council's selection of the south as the direction for growth is both logical and essentially the most sustainable. This includes in terms of proximity to the town centre, with its range of local services and facilities as well as retail provision.

82. It is reinforced by the Council's evidence in respect of potential landscape impact, with land nearest to the present edge of the settlement being generally less sensitive to the effect of new built development than land further away, as might be expected. This factor has also influenced the proposed distribution of uses within the allocated sites, such as BW 3 and BW 4, notably in regard to open space location.
83. Understandable local concerns over the cumulative impact of development on traffic generation and movement, notably along the B2177/B3354 corridor, have been considered in a recent study (EBT 19), which has concluded that there is sufficient capacity to cater for the forecast growth up to 2031. This includes in respect of junctions in or close to Bishop's Waltham and the Council and HCC as local highway authority are both satisfied that no specific highway mitigation measures for the corridor need to be required from any of the individual land allocations proposed in the Plan. Nevertheless, each policy contains appropriate site specific requirements to ensure that safe and suitable access arrangements are delivered as part of the development.
84. Policy BW 1 allocates around 4.8 ha of land at Coppice Hill for new housing. The site is relatively close to the town centre, with direct access to the B2177 and essentially would not materially extend built development any further to the south east, whilst capable of establishing firm new boundaries to the settlement, as well as being visually contained. Accordingly, it is a sustainable location and policy BW 1 is appropriate in principle.
85. With some rewording for clarity (**MM 13**), the policy requirements should ensure that there are no harmful impacts arising on the Park Lug or Pale, an important heritage asset and key local landscape feature, as sought by Historic England, the Moors SSSI nearby, in accord with relevant NE and EA guidance, or the settlement gap to the south/east. Practical difficulties for implementation indicate that the specific access provisions in relation to the development of this site need to be amended, so that whilst the opportunity for enhancing pedestrian links on the south side of Coppice Hill should be investigated as part of the scheme, the delivery of improvements is not an absolute requirement (**MM 13**). With these changes, policy BW 1 is sound.
86. At Martin Street, close to the town centre, policy BW 2 identifies approximately 2.7 ha of land as suitable for around 60 new homes with the opportunity to provide improved cycle and pedestrian links, as well as on site open space. This is an entirely sustainable location where all necessary services and facilities can also be readily provided alongside development and the policy is therefore sound in all respects.
87. Land at the Vineyard/Tangier Lane, amounting to 7.4 ha, including a Site of Interest for Nature Conservation (SINC), has also been selected as a suitable site for new housing, for around 120 dwellings. This would include the retention of the SINC as natural green space, as well as further open space provision and the creation of a substantial new landscaped boundary on this sloping land. Policy BW 3 sets out reasonable and realistic criteria to be met through the site's development in the main, including improved pedestrian and cycle links. However, there is no necessity for three points of vehicular access when two would be sufficient to provide safe and satisfactory highway

arrangements in the vicinity. The policy wording needs to be amended accordingly to facilitate implementation (**MM 14**).

88. Recognising the concerns of local residents relating to the specific access arrangements, notably to Tangier Lane which is not well suited to any significant increase in vehicle usage without improvement, the policy also properly expects not only a comprehensive master plan for the whole scheme, but also that traffic management measures should be capable of safely and satisfactorily addressing possible problems at junctions or on site. Taking these requirements into account there is no necessity for any further modifications to policy BW 3.
89. Policy BW 4 allocates land at Albany Farm, extending to around 11.8 ha for new housing and open space provision. Although slightly further from the town centre than other allocations, it is well related to the existing settlement and capable of creating a new edge to the built up area, as well as significant new open space and links to adjacent sites. Nevertheless, it is not reasonable that the establishment of such links, such as to Tollgate Sawmill (policy BW 5) should be a pre-requisite of the scheme proceeding and the policy wording needs amendment accordingly (**MM 15**). As with policy BW 1, clarification is also required regarding the Park Lug and its historic significance (**MM 15**).
90. The estimated number of new homes in the policy is consistent with a recent application for 120 units that has a resolution to grant consent subject to legal agreements and is therefore realistic. Whilst, depending on density and other design factors, there may well be some scope for more homes at the detailed design stage, the estimate allows some flexibility in any event and is reasonable. This is so at least until the required comprehensive master plan satisfactorily demonstrates whether somewhat higher numbers could reasonably be accommodated, taking all relevant factors including traffic generation and open space provision into account.
91. None of the Plan's policies would necessarily preclude such a scenario if all the other relevant requirements of policy BW 4 are met. However, in the absence of any identified need for more housing to be provided by 2031, either in Bishop's Waltham itself or the plan area as a whole, to meet the requirements of WLP 1, no further policy modification is justified at present.
92. As one of the larger settlements in the plan area, the Council's overall strategy seeks to maintain the town's role as an employment centre. To that end, and in order to help balance with the housing growth planned, a site of around 2.6 ha is identified in policy BW 5 at Tollgate Sawmill where new, B class, employment is encouraged as an intensification of the existing use to provide more local jobs. For viability reasons, it is envisaged that a small amount of new housing would also be needed as part of a comprehensive scheme.
93. Given the location, adjacent to the Albany Farm site (policy BW 4), and on the edge of the settlement with reasonable access to the road network, this is a suitable and appropriate site for such uses, subject to the requirements of the policy. This includes the preparation of a plan to co-ordinate development and help to ensure that the necessary infrastructure is available at the appropriate time, as well as creating an appropriate relationship between B class uses and

nearby housing. On this basis the proposals for this site in policy BW 5 are considered to be sound in principle.

94. However, changes to the policy wording are necessary relating to the Park Lug, just as for policies BW 1 and BW 4, for clarity and to remove the reference to linkages to Albany Farm being a pre-requisite of the scheme, again as for policy BW 4. In addition, it is necessary to make clear the likely number of new dwellings, up to 10, to provide a greater element of certainty for all concerned (**MM 16**). With modifications to address these points, the policy is reasonable and realistic, as well as clear and deliverable.
95. The sites allocated are sufficient in total to deliver the number of new homes needed in the town by 2031 and each is viable and deliverable in accord with the requirements of the respective policies. Thus it is not necessary to consider in detail any further or replacement proposals for new housing in Bishop's Waltham.

### **Issue 7 – Swanmore (Policies SW 1 – 2)**

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

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

96. At Swanmore, in common with all the other settlements that have new housing delivery expectations identified in WLP 1, the Council has reasonably and realistically assessed the outstanding dwelling requirement for the plan period after excluding recent completions and firm commitments. In this case the figure is about 146 new homes, with no allowance for windfalls, due partly to the tight existing boundary definition. Having considered all the local SHLAA sites using the established method, including SA, and taking into account the results of public consultation, the Council has selected a strategy involving the vast majority of new development in one place on the southern edge of Swanmore.
97. In comparison with alternatives such as dispersing growth onto a number of smaller peripheral sites and/or choosing sites in the SDNP, the boundary of which effectively forms the edge of the settlement to the north and east, this is clearly the most sustainable option here. It has the additional advantages of enabling a comprehensive scheme with the provision of significant new areas of open space, as well as creating a firm new boundary to the built up area of the settlement on its southern edge.
98. Accordingly, the allocation of around 11.6 ha of land at the Lakes under policy SW1 for around 140 new homes, open space and related development is suitable, appropriate and properly justified by the available evidence, with the overall environmental, economic and social impacts being largely positive for the village. In the light of all of the above, no additional or alternative site allocations are necessary to meet the requirements of WLP 1 in Swanmore and none of the "omission" sites put forward by representors is a more sustainable or suitable location for new development than those allocated in the Plan.

99. Notwithstanding the above, there are some constraints to be properly addressed in respect of new development at the Lakes, including an area of archaeological potential, flood zones 2 and 3 affecting parts of the site and adjoining SINC's to be retained and, if possible, improved. In order to fully reflect concerns expressed by the EA, it is necessary to make it clear that built development must essentially be avoided in areas liable to flood, through inclusion under the environmental requirements of the scheme.
100. It is also necessary to clarify that, whilst retention of the SINC's is essential, their potential improvement and future "best practice" management cannot reasonably be an absolute requirement of the scheme. It is however most likely to be best achieved through a comprehensive masterplan for the whole site, rather than a series of piecemeal schemes. Therefore, limited rewording of policy SW1 is required to facilitate implementation (**MM 18**).
101. Given the multiple ownerships involved and the consequent uncertainty that all of the allocated land will prove to be available for development within the plan period, the Council has taken a deliberately cautious approach to the overall total of new dwellings to be delivered on this site. The fact that planning permission has been granted (March 2016) for 91 new homes on just under 5 ha of the site and to an established developer who is willing and able to proceed provides some reassurance in this regard. It is also quite possible that the ultimate number of dwellings provided, at densities that would be generally consistent with site's character and location, could be materially higher than the "about 140" stated in the policy.
102. Nevertheless, not only does the word "about" give some flexibility in practice, there is no urgency for all the new dwellings to be built in the early part of the plan period, allowing time for the resolution of this matter to emerge during the masterplan process that policy SW1 properly and reasonably requires. In the event that a materially higher number of homes proves to be realistically deliverable and environmentally acceptable, in accord with all the other necessary elements of the policy, then it would not seem reasonable for permission to be refused solely on the grounds of a small technical breach of the policy number alone. As a result, the policy requires no further modification in respect of this matter.
103. A small area of land (1.1 ha) at Lower Chase Road on the western side of the settlement is allocated as public open space, principally to provide allotments, for which a local need has been identified. A very limited number of new dwellings are required to ensure viable delivery as part of a comprehensive scheme in this edge of village location that presently lies within a defined settlement gap between Swanmore and Waltham Chase. In all of the above circumstances it is appropriate in principle that the allocation is made in the Plan, taking into account that the location is sustainable in relation to the main built up area of the village and that the scheme would be readily deliverable.
104. However, there is no justification for any increase in the number of new dwellings proposed in policy SW 2 as the main housing requirements for the village over the plan period are capable of being met elsewhere (policy SW1) and bearing in mind the small scale of the site and its relatively sensitive position on the edge of Swanmore and in the current settlement gap. It is

however necessary for the policy to identify the number of homes (up to 5) expected and their siting, for clarity and certainty for all concerned (**MM 19**).

### **Issue 8 – Waltham Chase (Policies WC 1 – 4)**

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

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

105. Waltham Chase is a relatively large village with considerable modern development in a largely rural setting. It has a requirement from WLP 1 to provide around 250 new homes by 2031. With few recent completions or outstanding permissions the Council has assessed the local need as for land to provide about 174 new dwellings, but the close knit nature of the settlement is such that there is little scope for infill schemes or “windfalls” to come forward. Consequently, there is a requirement for allocations on greenfield sites on the edges of the present built up area in addition to the identified potential of a redevelopment site within the currently defined boundary at Morgan’s Yard (policy WC 1).

106. Policy WC1 allocates Morgan’s Yard, which is quite close to the village centre with access from the B2177, as a site where a mixed use redevelopment, including some new employment, should be permitted on around 2.8 ha. It also has the potential to provide additional facilities for the adjoining local primary school as part of a comprehensive scheme. However, the site suffers from contamination; a legacy of previous employment uses, and evidence has been presented, with which the Council now concurs having taken relevant professional advice, that a scheme involving around 60 new homes is unlikely to prove viable in the foreseeable future, taking into account presently estimated abnormal development costs, including land remediation, of around £2.5 million.

107. It is also effectively common ground that the primary school’s facilities require significant improvement if the village is to satisfactorily absorb the planned growth of around 250 new homes in total. Consequently, the Council, having consulted the relevant landowners, Parish Council and HCC as education authority, is now proposing to modify policy WC 1 to increase the number of new homes from around 60 to about 100 and to allocate land to the east of the present school site for the additional facilities needed, including playing fields/outdoor play space. All parties directly involved have indicated that this change should enable the project to proceed and the policy needs to be clear that this is now the expectation, rather than leaving it unresolved.

108. Both the policy and supporting text in paras 4.7.14 to 4.7.17 inclusive therefore need rewording to fully reflect the above, with corresponding changes to the Policies Map. This includes the need for a masterplan covering the whole site to ensure the implementation of a comprehensive scheme that delivers the necessary associated infrastructure and to ensure that the integrity of the adjoining SSSI will not be harmed in any way, as sought by NE (**MM 20**).

109. Under policy WC 2, an area of about 0.8 ha at Clewers Lane is allocated for new housing on the northern edge of the village and is considered capable of providing around 30 new homes. It represents a reasonable "rounding off" of the built up area of the settlement, without materially extending development into the open countryside, in a sustainable location and is clearly deliverable. Therefore the policy is sound.
110. Similarly, on the western side of Waltham Chase and east of Sandy Lane, a larger site of around 3.2 ha would also be entirely suitable for new housing. It is capable of providing about 60 new homes, together with open space and landscaping, including retention of the existing hedge along the western boundary to reinforce a logical and defensible new boundary to the settlement. Policy WC 3 is therefore appropriate and the proposals for this site reasonable and realistic, including in respect of associated infrastructure requirements. However, it is not necessary or reasonable to specify that an access must be provided from Curdrige Lane and this should be deleted (**MM 21**).
111. North and south of Forest Road two sites on the eastern edge of the village totalling almost 4 ha are also proposed for new housing under policy WC 4. Whilst both would extend the built up area of the settlement into the present Waltham Chase/Swanmore gap, they are also quite well contained in visual terms and their local impact is readily capable of mitigation through the judicious siting of the necessary open space provision and also peripheral landscaping. Together they have the potential to deliver around 85 dwellings, with all the necessary infrastructure provision to support them on a viable basis. Accordingly, the policy is sound and the proposals reasonable and realistic to provide around half of the new homes needed in Waltham Chase over the plan period.
112. All of the allocated sites in the village are in generally suitable and sustainable locations and the Council's evidence is sufficient to show that each is likely to prove deliverable as proposed, albeit with some modification required in respect of Morgan's Yard (policy WC 1). As stated elsewhere in this report, it is clear from the Council's evidence that all "omission" sites put forward at the various stages of the plan preparation process were considered by the Council on a generally comparative basis to inform the choices made on site allocations and that there has been no failure of due process in this regard.
113. As a result, there is no necessity to identify additional or alternative new housing sites here, as none are more sustainable and/or with materially greater public benefits arising than those allocated in the Plan. Moreover, sites WC 2, WC 3, and WC 4 have all been granted planning permission. Nor is there any need to find sites for more than about 250 new homes in Waltham Chase to meet the overall requirements for the district to 2031 set out in WLP 1, as referred to earlier in this report. Small scale employment schemes on the edges of the built up area of the settlement are capable of being considered on their own merits in relation to all the relevant policies of both WLP 1 and this Plan without the need for a revised boundary definition, especially if concerning previously developed land.

## **Issue 9 – New Alresford (Policies NA 1 – 3)**

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

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

114. As a prosperous small market town and therefore an essentially sustainable location for growth, New Alresford is earmarked for about 500 new homes in WLP 1, in order to make a fair and reasonable contribution to the needs of the district over the plan period commensurate with its size and status. The Council has estimated, by deducting recent completions, outstanding permissions and SHLAA sites, but not “windfalls”, that there is a remaining requirement for land to be identified in this Plan for 400 or so new homes.

115. Additional employment land is also needed to maintain a balance of growth to 2031, as well as improved open space and additional central car parking provision where possible, as also evidenced by the Winchester District Car Parking Strategy. The justification for the new jobs needed locally largely derives from the 500 or so new homes and policy MTRA 2 of WLP 1, as well as from the Council's evidence base (EBNA 12 and 13). It is not affected by an error in respect of an earlier local population projection for Alresford.

116. Regarding car parking and bearing in mind that two well used existing locations are on leased land, policy NA 1 seeks to deliver an extra 50 – 100 public car parking spaces as part of redevelopment at The Dean (see policy NA 2), and/or elsewhere that is convenient for the town centre. Given its distance from the town's main retail units, land at Arlebury Park, albeit adjacent to the local sports centre, is not likely to fulfil this requirement, even if car parking remains free. Therefore, taking into account current local circumstances, policy NA 1 is sound and requires no modification.

117. Policy NA 2 identifies just over 2 ha of land at The Dean, in a central location to the north west of the town centre, for mixed use redevelopment, including new housing, commercial uses and parking provision. It is presently occupied by various employment uses and buildings, some of which are vacant and with others in need of refurbishment. As such it is a suitable and sustainable site for some new housing, as well as other potential uses, in principle. However, given the current and former uses, with a potential for contamination, doubts have been raised over the economic viability of redevelopment, as well as concerns relating to the loss of employment and the relocation implications for small businesses arising from the Council's proposals.

118. Notwithstanding, there are current and emerging schemes for new housing on significant parts of the site, including care accommodation for the elderly, that would amount to nearly 100 dwellings, compared to the policy's estimate of 75 in total. This helps to justify the Council's confidence in the realistic delivery of the scheme, in addition to the recent viability evidence (WCC 4, App N4), which indicates that redevelopment for employment/commercial use only is not likely to be feasible. Partly to provide a local alternative for existing businesses but mainly to enhance employment provision in the town in general, in line with the planned housing growth, the Council proposes to



allocate a new site on greenfield land to the south east of the present built up area (policy NA 3 – Sun Lane).

119. Moreover, there is no indication that compulsory purchase is envisaged at The Dean or that all of the land identified must be included to make the scheme work, as the number of new dwellings listed is based on a cautious estimate of the overall potential of the full site and it would be practical for some smaller areas to remain outside any redevelopment scheme(s). Accordingly, policy NA 2 is sound in principle with reasonable prospects of delivery over the plan period, not least in respect of the 75 or so new homes anticipated, whilst allowing for a mixed use scheme retaining or replacing some employment uses and with some public parking provision in addition.
120. Nevertheless, whilst not strictly part of my remit in relation to this Plan, I agree with the near consensus that emerged at the hearings that in order to materially assist the delivery of policy NA 2, there would be considerable merit in the Council first producing an overall masterplan for the disposition of the various uses proposed at The Dean, perhaps as an SPD. This would seek to co-ordinate matters, including the proposals that are emerging on the various parcels of land that make up the site and which are in a number of different ownerships at present. I am pleased to note that at the time of writing a draft masterplan has been published by the Council for public comment.
121. The Plan envisages that the majority of the new development needed in New Alresford should be on the south east side of the town, to the east of Sun Lane. Policy NA 3 allocates around 30 ha in total, of which 10 ha would be for housing to the north, 5 ha for business uses to the south and 15 ha for public open space on the central and highest part of the land that is most prominent in the local landscape hereabouts. Fundamental to the overall scheme is the creation of a new "all moves" road junction with the A31 by-pass to the south of the site and the town, to be funded entirely from the development.
122. A number of respondents criticise this large scale proposal, particularly the new by-pass junction, and advocate instead a more dispersed pattern of growth to meet the town's needs, rather than concentration in one location. However, few oppose the principle of some residential development on the northern part of the site, which is reasonably close to the town centre, particularly as the alternative sites put forward are not sufficiently large to meet the local need, even taken together. The same is true of the significant provision of public open space in the central area, which is an integral part of the scheme. Both elements are clearly deliverable and in sustainable locations relative to the existing settlement framework of the town.
123. As referred to above, it is important for the balance of growth in the town as a sustainable location and for its continuing economic prosperity that new jobs are provided here as well as new homes, if it is not to become a mainly dormitory settlement for larger centres nearby and risk losing at least some of its local services and facilities as a result. Land at the south end of the NA 3 site adjoins the by-pass and is well situated for new business development once a new road junction is provided, as the policy requires.
124. The Council recognises that it is not a particularly good position for new offices (B1a class uses), but many other forms of employment, including all other B

class types, are likely to find it an attractive location, without the need for larger service vehicles to travel through the town. In principle at least this would include firms relocating from The Dean (policy NA 2) and 5 ha as proposed should prove sufficient to meet such needs, as well as providing new jobs for the town in line with the housing growth.

125. The Council's evidence has considered the viability of the Sun Lane scheme and concluded that it is realistic and deliverable, including in respect of the costs of the new road junction and of policy compliant affordable housing provision. When the significant new open space provision in the centre of the site and the good prospects of improving school parking and access facilities are also taken into account, the public benefits of concentrating the majority of new development at Sun Lane very clearly outweigh any arising from the alternative growth strategy involving dispersal of new development to smaller sites around the town. Accordingly, policy NA 3 is essentially sound.
126. The proposals are suitably justified, sustainable and realistically deliverable, with the requirements to be met reasonable and sufficient to ensure that the new road junction is provided at an early stage of development and the various public benefits are also delivered at appropriate times. However, for clarity and to assist implementation it is necessary to amend the wording of para 4.5.24 to reflect the most up to date position regarding the new access with the A31 by-pass (**MM 17**).
127. This is based on the agreement in principle of HCC, as local highway authority, on the essential form of the junction, albeit full design details remain to be resolved and will need to fully take into account such vital factors as the safety of traffic movements along the A31, as well as noise, landscape impact, air quality, proximity of listed buildings and the need for new planting, amongst others. In this context it is important to remember that this Plan is allocating the required amount of land for various forms of development in each settlement in principle and not granting full planning permission for any part of the development, let alone approving construction design details for the new road junction on the A31.
128. That is why in this case it is not necessary to have a full detailed design available to be able to conclude that, on all the current evidence, there are realistic prospects that a safe, suitable and satisfactory junction can be achieved to enable the scheme to come forward as envisaged in the submitted Plan. The fact that the Council and HCC as local highway authority are confident that it will prove possible to provide such a junction meeting National Highway Design Standards, despite the slopes on the A31 carriageways, without excessive cost or materially harmful environmental impact, reinforces this judgement. The developers are also keen to proceed on this basis, presumably considering that the scheme is essentially viable despite the costs of a new A31 junction meeting all necessary design standards, as does the Council.
129. Notwithstanding, the proposals, including the detailed junction design and the potential specific implications arising for future traffic movements in and around the town will need to be subject to a full Transport Assessment, including a safety audit, as part of any planning application that will be open to public consultation and comment in the normal way at the relevant time.

The fact that the site is identified for new development in the Plan in principle does not alter these essential matters in any way.

130. Land at New Farm Road on the western edge of the town is in a less sustainable location than Sun Lane, not least due to its distance from the town centre but also local primary/junior schools. Land at Arlebury Park is closer to the town centre and would not involve the loss of any existing sports pitches (as mistakenly reported in the initial SA process). However, it would be within an area included on the local Hampshire Register of Historic Parks and Gardens, having originally been part of the historic parkland associated with Arlebury Park House. Major development here would seem likely to result in some material harm to the landscape setting of the house, former parkland and town respectively, including in relation to The Avenue with its important trees, boundary walls and existing small accesses.
131. Neither site is therefore a more suitable or sustainable location for new housing than Sun Lane or The Dean. Nor is it necessary for either site to be allocated for new housing in this Plan, given that the majority of the town's needs are capable of being met in a sustainable location at Sun Lane through a comprehensive scheme under policy NA 3. Similar conclusions apply in respect of other alternative/additional sites put forward in New Alresford.

#### **Issue 10 – Colden Common (Policies CC 1 – 2)**

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

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

132. Colden Common is a large, thriving village with a wide range of local facilities and the SDNP to the north, east and west. It is broadly defined by a triangle of roads, including the B3354 and B3335, which help provide good links to nearby larger towns. Taking account of completed and anticipated schemes on exactly the same basis that the Council has done elsewhere leaves a local requirement for 165 more dwellings from the MTRA 2 policy requirement in WLP 1 of around 250 net new homes by 2031.
133. Incorporating a long process of local public consultation, largely undertaken by "Commonview", a community engagement group established by the Parish Council, the selected strategy for new housing settled on the concentration of new housing on one main new site, plus another smaller one, rather than a more dispersed pattern of growth, under policies CC 1 and CC 2. The latter is a partly "brownfield" site, within the present settlement limits and identified in the SHLAA.
134. The main site would be at Sandyfields Nursery, on the south eastern edge of the village, a significant proportion of which also constitutes developed land by virtue of its permitted use for touring caravan storage and related activities, albeit currently outside the village boundary. In putting forward other peripheral sites as additional and/or alternative allocations for new housing a number of representors have criticised the choice of concentrating new housing on only two sites, including in respect of the public consultation and

SA processes, as well as the practical deliverability of all of the proposals in policy CC 1.

135. In Colden Common, as in all other places with a housing requirement under policy MTRA 2 of WLP 1, the Council has applied a consistent methodology (EBT 4) in identifying sites for allocation. This has used location specific evidence on relevant matters such as transport/accessibility, landscape sensitivity, open space and historic environment, as well as an initial sustainability appraisal (SA 5c) considering the comparative impacts of reasonable alternatives. The Council has also reasonably taken on board public consultation outcomes as one but only one of the many relevant considerations in site selection and without giving it excessive priority or greater relative weight than other material factors (as evidenced in WCC 3).
136. In this village public views have consistently favoured the Sandyfields allocation (policy CC 1) over all others outside the current settlement boundary. Whilst no such process can be perfect, the very minor flaws suggested in the consultation process in Colden Common, including the limited participation levels, are realistically not so significant as to be likely to have led to an entirely different outcome in favour of a dispersed, rather than concentrated, pattern of growth to meet the village's remaining needs. Nor do they imply that the relevant factors pertaining to the CC 1 site and justifying its selection above others would or could have been materially different had the process been operated differently in practice.
137. What the Council has done here, and elsewhere in this Plan, is to exercise reasonable planning judgement in respect of the selected sites, taking all the relevant factors into account. In Colden Common this includes that it is simply not necessary to take any presently undeveloped peripheral greenfield sites for new development when already partly developed land can realistically provide the necessary number of new dwellings by 2031. Overall, I consider that the Council's approach has been in accord with national policy and guidance in this respect.
138. Policy CC 1 allocates around 5.6 ha of land at Sandyfields Nursery on the south east edge of the present built up area for new housing and related development, with an expectation that it is capable of providing all of the 165 new dwellings to meet the MTRA 2 policy requirement. The majority is currently in use for touring caravan storage and related uses, as well as a former nursery, 3 dwellings, a few agricultural buildings and an undeveloped plot which once also had permission for caravan storage. Unlike other possible sites, it is not therefore largely undeveloped land, or in the open countryside clearly outside the existing built up area.
139. Whilst not so well related to the main concentration of local facilities as the CC 2 site for example, or some other potential allocations, due to its peripheral position (EBCC 1/2), it is nevertheless within a reasonable distance and a fairly flat walk or cycle from the vast majority and relatively close to those on Main Road itself. In all of the above circumstances, the site is in a generally sustainable location for new housing development, with good access to the road network that does not involve the extra vehicle movements generated necessarily travelling through the main residential part of the settlement.

140. The Council's evidence on deliverability confirms that there are willing landowners and a developer seeking to proceed, as shown by a recent Council resolution to grant outline permission, subject to a legal agreement and the finalisation of highway junction design details. Although both the proposed total and density of 30 dwellings per ha has been queried as too high for the site and location, an indicative layout suggests that it would be realistically achievable and not incompatible with its surroundings in design terms. Nor would it preclude the on-site provision of sufficient public open space to meet the requirements of policies CP7 of WLP 1 and DM 5 of this Plan.
141. This would be so without reliance on the use of the adjoining ancient woodland (Strattons Copse) in connection with the scheme. Nevertheless, it would be a clear benefit for that land to be transferred into public ownership as proposed. It is then likely to be managed in closer accord with the preservation and enhancement of its nature conservation interest as a SINC in the long term. This would include habitat enhancement for protected and removal of invasive, species, with limited public access and interpretation.
142. Proximity to the SDNP is capable of being satisfactorily addressed through design and layout, including suitable boundary treatment alongside Strattons Copse, whilst similar conclusions apply in respect of archaeology, footpath links and service provision, as required by the relevant criteria set out in policy CC 1. In particular, the requirement for a comprehensive masterplan should materially assist the resolution of such matters and also implementation, including in respect of a single main point of vehicular access off Main Road.
143. The minimal loss of employment from cessation of the existing uses on the site would not be significant bearing in mind the overall benefits for the village arising from the scheme as a whole. All in all policy CC 1 is sound and the Sandyfields Nursery site is a suitable, satisfactory and sustainable site for new housing to serve the needs of the village over the plan period.
144. At Clayfield Park, policy CC 2 allocates land amounting to 2.7 ha for new housing for the expected provision of some 53 or so new homes, as counted in the SHLAA. The site lies within the presently defined boundary of the village, with frontage to Main Road, and in a fairly central and highly sustainable location in the settlement. It also partly comprises previously developed land. Subject to the possible retention of some existing commercial facilities as part of a mixed use scheme, it is readily available and deliverable over the plan period. Accordingly, policy CC 2 is sound with no modifications necessary.
145. As a result, there is no necessity to examine in detail the relative advantages and disadvantages of each and every one of the alternative/additional sites promoted in this report. It is sufficient that the available evidence does not demonstrate that any one or more are more sustainable or preferable in overall terms or is likely to provide a materially superior form, nature and location of development to the selected sites, including in respect of the associated impacts and benefits arising. Accordingly, there is no need for further or different sites to be allocated in this Plan in Colden Common.
146. Turning to the settlement boundary, in the absence of any need to extend it to provide any more land for development over the plan period, suggestions for changes have been considered on their own merits. However, where such

proposals are very unlikely to lead to the implementation of any new development by 2031 in any event, due to the clear opposition of a majority of landowners to any change, such as to the rear of Main Road, the present boundary may remain in place without affecting the soundness of the Plan.

### **Issue 11 – Kings Worthy (Policy KW 1)**

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

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

147. Set between a main rail line to the west, the A34 to the south west and Basingstoke Road to the south east, Kings Worthy is a reasonably large village with a historic core and more modern peripheral housing estates. Based on an overall requirement of 250 units from WLP 1, the Council estimates there to be a residual requirement for land for only around 51 more new homes after taking account of recent completions, extant permissions and SHLAA sites within the present settlement boundary. However, unique among the district's villages, the Council has also assumed that about 70 new dwellings will come forward by 2031 on "windfall, as yet unidentified" sites in this settlement in order to reach this conclusion.
148. The justification for this judgement is based largely on local historical rates, whereby such sites have come forward on a regular basis, but also that the recent government policy change to expectations for affordable housing provision on smaller sites (10 units or less) is very likely to encourage more to come forward. This evidence indicates that it is reasonable for the Council to rely on such contributions continuing, albeit at a lower rate than previously partly to reflect the fact that those in former residential gardens are no longer counted. Given that the settlement has significant areas of medium to low density housing, by today's standards, it is realistic to anticipate that around 70 dwellings might well be built on presently unidentified sites within Kings Worthy over the whole plan period as it equates to only 5 a year from 2017. Whilst not counted in the exercise to establish the remaining need, as they are on "exception" sites outside the presently defined settlement boundary, it is also relevant to note that around 50 new affordable homes have recently been built or permitted on the edge of the village.
149. Based on this relatively low need for additional sources of new housing land, policy KW 1 allocates a single site of approximately 6.8 ha at Lovedon Lane for around 50 dwellings. This would be in a sustainable location on the south east edge of the current built form of the village and within a logical new settlement boundary. It would also provide a significant area of open space to help meet identified local shortfalls in a number of respects. In this context the requirements of the policy, including the expectation of a comprehensive masterplan to facilitate implementation, are appropriate and require no modification.
150. As in all other settlements having new housing site allocations, all reasonable alternatives to Lovedon Lane have been examined on a comparative basis, including in terms of such factors as landscape impact, flood risk, agricultural

land quality and access to local facilities in the historic village centre. They have also been consulted upon locally at appropriate times. The outcomes have clearly favoured the allocated site over others, as now reflected in a recent grant of planning permission. Deliverability is also demonstrated by a start to construction having been made. For these reasons, policy KW 1 is considered sound and the allocation suitable and appropriate to meet identified local needs.

151. None of the alternative/additional sites suggested is materially more sustainable than Lovedon Lane, including in respect of factors such as landscape impact and access to the village centre. In the light of all of the above there is no clear need for further housing land allocations in the village at this time and thus no requirement to assess the competing merits of the "omission" sites put forward by representors in detail.

### **Issue 12 – Wickham (Policies WK 1 – 3)**

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

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

152. Wickham is an attractive historic village with a thriving retail centre that is destined for around 250 new dwellings under policy MTRA 2 of WLP 1. It has a remaining requirement of about 196 homes when recent completions and outstanding permissions are first deducted, as in all other larger settlements in the district. Given its position on the River Meon with Wickham Water Meadows and Meon Valley Meadows (all SINCs) within or adjoining the village, it is perhaps not surprising that drainage issues are very important locally. This has been evidenced recently by "localised but serious" flooding problems, including at the lower end of Bridge Street.

153. Following discussions at the hearings, taking into account the submissions of representors and the recent publication of a Drainage Area Plan (DAP) for the Wickham catchment by Southern Water, in consultation with other relevant bodies, including HCC as lead local flood drainage authority, the Council has now prepared modifications to the wording of paras 4.8.16 – 4.8.18 inclusive to update the current position. These revised paras now also refer to a Drainage Strategy Framework being produced on a multi-party basis to help address the present problems in the village and are necessary to provide greater clarity for all concerned (**MM 22**).

154. Policy WK 1 relates specifically to drainage and is partly intended to ensure that further action is taken to fully understand the local causes of flooding in the village and to promote continued multi agency collaboration to secure improvements on the present position. However, as submitted, the policy and its supporting text would effectively impose an embargo on any significant new development, including on the two sites allocated in this plan (WK 2 and WK 3), neither of which is in Flood Zones 2 or 3, until solutions have been found to existing local drainage problems.

155. This is not reasonable or in accord with national policies and guidance in the NPPF/PPG, such as in paras 100, 102 and 109 of the former. For these reasons some changes to the text of both policy WK 1 and para 4.8.18 from that prepared by the Council, which was subject to public consultation on the proposed main modifications, are required. Specifically, I have deleted the first sentence of para 4.8.18 and the first part of criterion i) of policy WK 1 to comply with the above, to achieve soundness in relation to the NPPF and to accord with the present legal position relating to foul and surface water drainage needs arising from new development, as confirmed in an Ofwat letter of 6 June 2016 (Appendix 1 to Main Mods response 373519391).
156. As Southern Water made clear at the hearings, new development in Wickham may proceed provided it can be clearly shown that it would not increase the existing risk of local flooding and is capable of providing the necessary drainage infrastructure to safely and satisfactorily cater for all foul and surface water drainage likely to arise from the scheme at its own expense. Therefore, the policy needs to be rewritten so that it does not raise false expectations of what can be achieved through planning policy alone in relation to the existing drainage problems in the village. This needs to be entirely clear for all with an interest in this important matter and to facilitate the implementation of policies WK 2 and WK 3 subject to the legitimate requirements of WK 1 being met (**MMs 22/23**).
157. Policy WK 2 identifies two sites north east of Winchester Road and totalling approximately 4.2 ha for housing, with an expectation of around 125 new homes, as well as the provision of new sports pitches and related facilities on land east of Mill Lane in the same ownership. With direct access from the A334 and reasonably close to the Square, where the majority of local services are focussed, this is a sustainable location for new development.
158. Subject only to clarifications of policy wording regarding the new junction arrangements necessary to deliver the scheme and that the required facilities to serve the new sports pitches need not necessarily be in the form of a pavilion (**MM 25**), as well as that appropriate allotment provision could be made on adjoining land (**MM 24**), the policy and supporting text are sound and the allocation suitable and satisfactory in all respects, including in terms of viability and deliverability.
159. At the Glebe on the south eastern edge of the village, policy WK 3 allocates almost 6 ha of land, of which half is for informal public open space and the remainder new housing to provide about 80 new homes. Albeit on the outskirts of the built up area the site is in a sustainable location and quite well related to the village's main community services. This would be so provided that a satisfactory vehicular access is created at the A32/A334 junction, with safe crossing facilities for cyclists and walkers, as required under the policy.
160. To this end it is necessary to extend the site allocation to the south along the main road frontage sufficiently to enable a safe and suitable junction to be designed and built. Without this change the proposals would not be sound as the allocation would not include all of the land necessary to implement it (**MM 26**). Otherwise the policy is sound in all respects with the keen interest from a prospective developer helping to confirm that it is viable and readily deliverable in accord with all the policy requirements.



161. The Council's evidence is clear that both of the allocated sites for new housing are viable, taking into account the requirements of the relevant policies, and the strong interest of prospective developers in bringing them forward quickly helps to demonstrate that they are likely to prove deliverable. Policy CP 2 of WLP 1 requires the provision of a mix of size and type of units on larger sites and, given their respective sizes, both should therefore also be readily capable of providing the number of new homes anticipated in policies WK 2 and WK 3.
162. As both are in sustainable locations there is no necessity for additional or reserve sites to be allocated in Wickham in this Plan as the total requirements of WLP 1 seem likely to be met by 2031 on the allocated sites. In all of the above circumstances, the merits or otherwise of alternatives put forward by representors do not need to be considered in detail. Nevertheless, it is relevant to record that none are clearly preferable to WK 2 and WK 3 in locational terms in relation to either the existing built form of the settlement or its main local services and facilities. Nor would any be able to deliver a significantly greater level of public benefits alongside new development.
163. This includes land at Wickham golf course, including some loss at least of sporting facilities, and at Mill Lane, which would potentially lead to an over concentration of growth to the north of the village. In both these locations there are also material concerns relating to access that do not apply to the same extent in respect of the WK 2 and WK 3 sites. Accordingly they are not preferable or more sustainable locations than the sites allocated in the Plan.

### **Issue 13 – South Hampshire Urban Area (Policies SHUA 1 – 5)**

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

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

164. As referred to earlier, it is not appropriate and there is no overriding need for this Plan to reconsider, amend or add to the strategic land allocations at North Whiteley and West of Waterlooville in WLP 1. However, the housing trajectory does need to be updated to reflect what has happened since that plan was adopted to facilitate the proper monitoring of new housing delivery in the district over the plan period (**MM 44**) (Appendix F), in accord with the expectations of the NPPF/PPG.
165. As set out in para 5.6 of this Plan, and based on figures to April 2016, it remains likely that the requirement of WLP 1 for circa 6,000 net new completions will be achieved in that part of Winchester district within the South Hampshire Urban Area (SHUA), with 2,500 new homes at West of Waterlooville and 3,500 at North Whiteley. At the former, construction is well under way, with 4 national house builders presently on site, whereas the Council remains confident that construction will commence very soon at the latter and there is no firm evidence to indicate otherwise.
166. Nevertheless, in order to recognise other commitments and to provide some further flexibility and choice within the local housing market, the Council has allocated land at Whiteley Green under policy SHUA 1 for around 75 new

dwellings. This reflects a previous permission and the fact that the present school use is temporary and shortly to be replaced by permanent facilities at North Whiteley. Accordingly, the allocation is appropriate and deliverable and the policy is sound with no need for modification.

167. Regarding employment, development at the Solent 1 Business Park at Whiteley is not yet complete, with opportunities remaining for new and expanding businesses to create more local jobs. Therefore, policy SHUA 2 logically continues to allocate the land for B1 class employment uses. A similar situation exists at the Solent 2 Business Park, albeit a wider range of employment, including all B class uses, is considered suitable for this location and there is no reason to disagree with the Council's proposals for this land under policy SHUA 3.
168. Land at Little Park Farm has been previously allocated for employment development and adjoins a larger site for similar uses in Fareham Borough. All the available evidence indicates that it remains viable and deliverable and it is therefore reasonable and realistic for the allocation to continue under policy SHUA 4.
169. Concerning the proposed Botley by-pass, amended wording that more accurately reflects the present position has been agreed between the Council, and HCC as the local highway authority (SCG 02). Given that neither the funding nor the delivery of the scheme is as yet fully resolved, despite a willingness from all main parties to proceed, it remains reasonable and realistic that policy SHUA 5 of this Plan continues to safeguard the land likely to be needed.
170. It is equally appropriate that it should require funding to be in place for the full length of the new road before construction starts, to avoid piecemeal development and possible harmful, if unintended, consequences in respect of traffic movements locally. Accordingly, the agreed revised wording needs to be included to provide greater clarity and certainty for all involved and to assist delivery of the full scheme (**MM 27**).
171. Relating to the Botley by-pass scheme, proposals have been put forward by representors for additional employment on adjacent land at Sherecroft Farm, where part of the site has been previously allocated, to help bring it forward. However, there is no shortage of employment land available in the locality at present, as partly evidenced by policies SHUA 2 and SHUA 3, nor is there any firm commitment as yet to the delivery of the by-pass. It remains possible that the present indicative alignment may change, for whatever reason, including potential design/construction constraints. As a result, it is not yet clear what land alongside the new road would remain available for development once it is built.
172. In such circumstances and in the absence of any clear evidence as to how new employment on adjacent land could help bring forward delivery of the road in viability terms, there is no justification for an additional allocation to be made in this Plan. Nevertheless, the position is capable of review once a detailed road design has been completed and a firm commitment on the start of construction exists.

173. Similar conclusions apply in respect of proposals for employment uses and a care home/village facility either side of the new road, when the residential requirements of WLP 1 are being met in full elsewhere. Moreover, the Council's evidence, including a specific study of such needs (EBT 17), has concluded that it is not necessary to allocate additional specific sites for housing for elderly persons. In the light of all of the above there is no current justification for the additional allocation suggested.
174. The Whiteley settlement boundary in this locality is firmly established as running along Whiteley Lane, despite some sporadic development to the east. It also defines the Meon Gap, which has been described in a recent PUSH position statement (EBSH 5 - S1) as the only gap in the area that is of sub-regional strategic significance, which needs to be protected from inappropriate development. Whilst gap boundaries have needed to be reassessed elsewhere in the district to help meet local development needs, there is no such current requirement in Whiteley.
175. Therefore, there is no justification for changing the extent of a gap of sub-regional significance simply to accommodate an additional dwelling. This is so despite the presence of other housing on three sides of the site particularly as it adjoins an SSSI and is covered by a group Tree Preservation Order, which reflects the presence of semi natural ancient woodland on the majority of it. I therefore conclude that no further modifications are necessary to policies SHUA 1-5 or to the Whiteley settlement boundary for soundness.

#### **Issue 14 – Winchester Town (Policies WIN 1 – 4)**

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

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

176. Winchester needs 4,000 new homes by 2031 under WLP 1, of which 2,000 are committed with construction underway at Barton Farm on the northern edge of the town. The start on site was materially delayed from the original estimates and some representors now question whether all the new units can be built within the plan period, not least because only one major developer is currently involved. However, the local housing market in and around Winchester in this very prosperous part of the country is generally buoyant and seems unlikely to change significantly in comparative terms, at least for the foreseeable future. In the absence of any further constraints that might limit delivery rates, I share the Council's view, albeit optimistic but endorsed by the developer, that the Barton Farm scheme is likely to be at or very near completion by 2031.
177. In accord with WLP 1 and also the "Vision for Winchester" (EBWT 13) (2012), the local planning strategy expects that the other 2,000 new dwellings will be achieved through development and redevelopment within and adjoining the presently defined built up area of the settlement, in order to make the most efficient use of land, including that which has been previously developed, in line with the NPPF.

178. The Council has assessed this requirement as being met through outstanding permissions excluding Barton Farm (1,156), SHLAA sites inside the existing settlement boundary (310), net new dwellings arising from 3 non statutory planning frameworks for specific parts of the city (132) and a windfall allowance (910). The latter is largely derived from an average of 118 units a year in the recent past, but represents a cautious forward projection of that trend equivalent to just less than half that figure annually. Accordingly, it is a reasonable and realistic estimate of the likely delivery of new housing in Winchester from that source, which is justified by the available evidence, in accord with the NPPF.
179. Whilst all references in the Plan, including at para 3.2.4, need to record that the 3 planning frameworks in place are "non statutory", for clarity (**MM 3**), there is nothing to indicate that these schemes are not realistically capable of implementation in their respective areas of the city. They are therefore likely to make the net level of contributions to new housing supply that the Council has estimated and it is reasonable that they are taken into account. The same applies to SHLAA sites within the settlement boundary as it now stands for the same reason, albeit the timing of delivery may be spread over more of the plan period than just the next 5 years or so.
180. As a result the overall new housing requirement for Winchester to 2031 can be met without the need for any additional greenfield sites to be found outside the presently defined urban limits. Bearing in mind that the identified sources exceed planned requirements by around 850 units, or about 20%, there is a suitable degree of flexibility available to account for some slippage or non delivery of some sites across the area without prejudicing the overall delivery position. Nor is there any necessity for any "reserve" sites to be sought, particularly as the Council is formally committed to an early review of the WLP. This conclusion is not materially affected by the latest limited revisions to the total number of units expected to be delivered on some particular sites, such as at the former Police Headquarters and Silver Hill, in the town centre.
181. In the light of the above, it is not necessary to assess in detail, or even compare and contrast in general, the sustainability credentials, deliverability, viability or other potential merits or demerits of the alternative/additional sites put forward by representors around Winchester in this context. None are needed at present to meet the requirements arising from WLP 1.
182. Nevertheless, as stated in my Initial Note of Findings (IN 004), I consider that there is scope for some new development in sustainable locations around the town in the event that monitoring reveals a material failure to deliver the level of new housing needed under WLP 1, including at Barton Farm. I also consider that the forthcoming review of the WLP should include a full and comprehensive examination of the boundary to consider all reasonable opportunities to enhance provision as necessary to meet the plan's housing requirements when these are "rolled forward" to 2036 (or later). Based on all of the above, as submitted, policy WIN 1 provides suitable guidance and appropriate criteria for the consideration of development proposals in and around Winchester during the plan period and does not require any modifications in order to achieve the new housing delivery envisaged in WLP 1.

183. For Winchester town centre, at the top of the district's retail hierarchy, policy WIN 2 follows and expands on policy WT 1 of WLP 1 and policies DM 7 and DM 8 of this Plan, including by defining both primary and secondary shopping frontages. The latter is intended to help maintain the range of smaller, speciality, shops that provide an important distinctive element of the centre's retail offer and contribute much to its vitality and viability. The policy is sound, as submitted.
184. Policy WIN 3, referring to views and roofscape, reflects Winchester's location in a natural bowl of the landscape, with the Cathedral as the most important single building in visual and townscape terms. The policy, endorsed by HE as part of the strategy for conserving and enhancing the town's historic environment, ties in with the Council's recent High Quality Places SPD (2015) which provides detailed guidance on materials, roofshapes and rooflines, amongst other things. On this basis it is sound with no need for modifications.
185. At Silver Hill in the town centre policy WIN 4 identifies an opportunity for substantial improved retail floorspace, as part of a mixed use redevelopment to complement the existing centre. This is capable of providing much of the town's new retail needs, as set out in WLP 1, over the plan period. The policy carries forward an allocation from the 2006 Local Plan, but, as submitted, requires some changes to acknowledge the recent complex planning history of the site, as well as the Council's recent decision to prepare a SPD by June 2018 to help overcome the reasons for the delays in the scheme coming forward to date.
186. As revised to acknowledge the sensitive location within a conservation area and part of an historic town centre dating back to Anglo Saxon times, the variety of land ownerships and the need for community/civic uses to be included in the overall scheme, the policy would be sound (**MM 6**). Similar changes are also required to para 3.6.9 to further explain the present position regarding community facilities (**MM 4**) and to para 3.7.12 to provide the background to and justification for the new SPD for this site (**MM 5**).

## **Issue 15 – Winchester Town (Policies WIN 5 – 11)**

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

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

187. Policies WIN 5, 6 and 7 relate to the same part of the town centre, known as Station Approach, with the former setting out broad principles for the redevelopment of the two main areas within it, known as the Carfax (WIN 6) and the Cattlemarket (WIN 7) sites respectively. Both are largely within the Council's ownership. The aims and objectives of the proposals, set out in paras 3.7.13 to 3.7.17 inclusive of the Plan, are entirely reasonable and logical, bearing in mind the opportunities available.
188. This includes that both should be employment led mixed use schemes, focussing first on B1a (office) uses, given the highly sustainable location close to the main rail station. However, to be deliverable each scheme must be

economically viable and the Council has provided an extensive evidence base to justify their reasonable estimates of the levels of offices, housing and other uses likely to come forward.

189. Nevertheless, as discussed in some depth at the hearings, it is also important that the Council helps to implement the spatial vision for Winchester set out in WLP 1 "by providing development to meet the needs of the whole community" (WLP 1 para 4.5) through the specific proposals for these two prominent opportunity sites in the town centre. This is particularly so when there are known local needs, such as for new religious facilities, and such sites are likely to be few and far between across the town centre over the plan period. As a result, the Council has acknowledged that a new sentence needs to be added at the end of para 3.7.21 to refer to "the opportunity to provide new leisure, cultural, civic and community uses" in this location and that "/community" also needs to be added after "leisure/culture" in the list of mixed uses in the first part of policy WIN 5 (**MMs 7/8**).
190. The Council's Access and Parking Strategies are shortly to be reviewed. It is also the case that specific schemes for these sites will be subject to a full Transport Assessment, no doubt focussed on taking advantage of the very good opportunities for non car modes of travel, in order to reduce congestion and improve air quality locally, amongst other objectives. In such circumstances the reference to the Parking Strategy in part viii) of policy WIN 5 should be deleted, so that there is greater scope for bespoke transport solutions, specific to this area, to be devised as part of detailed proposals in the interests of sustainable development (**MM 8**).
191. In relation to the Carfax site and policy WIN 6, the references to the retention of the Hampshire Record Office and Station Buildings and the potential for retention and re-use of the former Registry Office building are directly related to the modifications made to policy WIN 5 and para 3.7.21 set out above. With these changes to the overall aims for the area, policy WIN 6 is sound as submitted and requires no further modifications itself.
192. Similar conclusions apply in respect of the policy WIN 7 concerning the Cattlemarket site, although there it is also necessary to make clear in part v) that an archaeological assessment will be required to define the extent and significance of any remains (**MM 9**). Otherwise, the policy is sound.
193. Policies WIN 8 – 11 relate to particular parts of the city and are partly related to the Council's recently approved Planning Frameworks for each. However, as these documents have a larger remit than the land use/spatial planning process and have not been subject to independent examination, it is necessary to make clear throughout the Plan that they are "non – statutory", with all the relevant development plan policies therefore having greater weight in the determination of applications (**MM 10**). With that clarification, it is appropriate and reasonable that each of the area policies should be linked to the key principles therein, as they have been approved by the Council after extensive public consultation and each of the policies is sound in their own right. Accordingly, policy WIN 8 for Stanmore is sound with no changes required.
194. In Stanmore the percentage of dwellings in multiple occupation (about 20% at present), mainly for student housing, has led the Council to introduce an

Article 4 direction. This removes permitted development rights for changes of use from a house (Class C3) to a shared house (Class C4), so that new applications would be subject to the criteria set out in policy WIN 9. Article 4 directions may also be sought in other areas of the city over the plan period, where similar issues arise, when policy WIN 9 would also apply.

195. In the light of the above the policy criteria against which conversions would be considered is reasonable and not in conflict with the NPPF or NPPG in any particular respect. Notwithstanding, part i) requires a change so that it is clear and operates as the Council intends, with development needing to avoid conflict with either one of the two elements of the criteria, rather than that both have to be met for a scheme to be permitted (**MM 11**). With that change the policy is sound and should be capable of implementation through the development management process.
196. At Abbots Barton policy WIN 10 also seeks to reflect the aims of a recently approved Planning Framework, including the provision of additional affordable housing. It is sound with no change necessary.
197. Policy WIN 11 relates mainly to the largest local employment area at Winnall and seeks to help retain its core in B class uses, amongst other things. However, given its size and the differing nature of its constituent parts, the application of a slightly different policy emphasis in the four identified sub areas is reasonable and realistic. It provides a degree of flexibility in those locations where some changes might be expected over the plan period without material harm to the character, appearance and/or continuing economic prosperity of the location for employment related uses.
198. Some amendments to the policy wording are however necessary to properly reflect the above, provide clarity and facilitate implementation through the determination of applications. These include the addition of the qualification "where feasible" at certain points, as well as clarification of the application of the "sequential approach" for greater consistency with the NPPF (**MM 12**). Subject to the above, the policy is sound and should materially assist in delivering the objectives of the Winnall Planning Framework.

## **Issue 16 –Implementation and Monitoring**

*i) Bearing in mind the funding required, is the plan economically viable and practically achievable in the timescales envisaged and in the ways proposed ?*

199. In circumstances where the level of new housing completions has fallen below that required in WLP 1 over the first few years of the plan period, the importance of satisfactory monitoring and particularly implementation of new housing delivery cannot be overstated. Moreover, the very challenging new housing targets set by the Plan up to 2031 will require significant increases in delivery in future years. That being so, it is appropriate in this particular local context that housing land supply should be measured against the housing trajectory, rather than just the simple annualised target. Otherwise there would be little point in having a specific trajectory at all.
200. The housing numbers in the plan are not intended to operate as a cap or upper limit, and there are no generalised phasing restrictions on the delivery timing of any of the allocated sites, whether of strategic scale or not, with the

numbers set out in the plan acting as aids to monitoring only. Accordingly, scope exists for some sites to come forward more quickly than might otherwise be the case in the event of unforeseen problems arising regarding implementation on any particular one, including on the larger scale strategic sites allocated in WLP 1. Whilst further permissions on un-allocated sites may have to be part of the response to non-delivery of some allocated sites in the future, should it occur, there is no particular reason or need for this to be specifically referred to in this Plan.

201. In line with the guidance in para 173 of the NPPF, the Council has tested the economic viability of each of the proposed new housing allocations in the Plan, including in respect of the likely infrastructure contributions required to mitigate the impact of the development, Community Infrastructure Levy payments and the mechanisms relating to the Solent Recreation Mitigation Strategy, where relevant. The necessary supporting evidence has been provided in the updated Infrastructure Delivery Plan (SUB 7), which has been the subject of consultation with the relevant service providers. This satisfactorily demonstrates that all the new housing allocations are likely to prove viable and deliverable over the plan period.

202. In respect of mixed use sites more detailed analysis has been necessary, together with an assessment of the level of new market housing needed to facilitate the viability of the overall scheme. This resulted in the introduction of greater policy flexibility in respect of policies BW5 and NA2 and now, in the light of the most recent evidence on remediation and infrastructure costs, an agreed modification to policy WC1 increasing the number of new houses from about 60 to about 100, partly to facilitate the provision of suitable improvements to the local primary school's facilities as part of the overall scheme. Taken together with policies CP21 and CP3 of WLP 1, there would therefore be sufficient flexibility in the Plan to take proper account of the cumulative impacts of infrastructure requirements on development viability.

203. Regarding implementation, the Plan acknowledges the importance of achieving key outcomes, consistent with the guidance in para 152 of the NPPF. It also includes sufficient detail in relation to the monitoring of indicators to ensure that appropriate triggers will apply in the event that planned outcomes are not being secured over time. Overall, the Plan is essentially sound in respect of this issue.

ii) *Will the monitoring proposed be sufficiently comprehensive and informative ?*

204. As now amended by the Council (WCC FS 16), Appendix D of the Plan provides a suitable and sufficiently comprehensive approach to monitoring the delivery of the Plan's policies and outcomes over time. It also incorporates the monitoring of requirements from the SA/SEA (SUB 4) and includes a mechanism for identifying if policies are not delivering as anticipated, as well as corrective action should that occur, which may need to involve a review of the Plan. On this basis it may be concluded that the monitoring proposed should prove effective over the plan period and is therefore sound, with no need for further modifications.



## Assessment of Legal Compliance

**205.** My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The Winchester Local Plan Part 2 has been prepared in accordance with the Council's latest LDS of October 2016.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in July 2007. Consultation on the submission Plan and on the MMs has complied with its requirements.
Sustainability Appraisal (SA)	SA has been carried out, including in respect of the MMs, and is adequate.
Habitats Regulations Assessment (HRA)	The Habitats Regulations Assessment Report of September 2015 set out why the plan may have had some negative impact and that a full assessment has therefore been undertaken. Natural England supports the conclusions of the report and confirms that the submission Plan is sound in this respect.
National Policy	The Local Plan Part 2 complies with national policy, except where indicated and MMs are recommended.
2004 Act (as amended) and 2012 Regulations.	The Local Plan Part 2 complies with the Act and the Regulations.

## Overall Conclusion and Recommendation

206. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.

207. The Council has requested that I recommend main modifications to make the Plan sound and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the Winchester Local Plan Part 2 satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

*Nigel Payne*

Inspector

This report is accompanied by an Appendix containing the Main Modifications.