

WINCHESTER LOCAL PLAN EXAMINATION

Stage 2 Hearing Statement

Representor ID: ANON-AQTS-329Q-8

Representor: Bloor Homes Limited

Matter: 14

**Biodiversity and the natural
environment**

Date: April 2025

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Examination of the Winchester District Local Plan 2020-2040 (the submitted Plan/the Plan)

Hearing Statement

**Prepared by tor&co on behalf of Bloor Homes
14 April 2025**

Introduction

This examination Hearing Statement has been prepared by tor&co on behalf of Bloor Homes (Representor ID: ANON-AQTS-329Q-8) in respect of **Matter 14 – Biodiversity and the natural environment** of the Winchester Local Plan examination in public.

The comments made within this Statement respond directly to the questions set out in the Planning Inspectors Stage 2 Matters, Issues and Questions (ED17), and are presented in the context of the ongoing promotion of Land at Mill Lane, Wickham (Draft Policy WK5 and SHLAA ref. WI02 and WI06).

This Statement should be read in conjunction with the Bloor Homes Homes Regulation 19 representations and Stage 1 Hearing Statements.

Matter 14: Biodiversity and the natural environment

Issue: Would the Plan's policy framework in relation to the protection and enhancement of biodiversity and the natural environment be effective and justified and would the individual policies be clear, justified and consistent with national policy, and would they be effective?

Policy NE16 Nutrient neutrality water quality effects on the Special Protection Areas (SPAs) Special Areas of Conservation (SACs) and RAMSAR Sites of the Solent and River Itchen

- 3. *Given requirements in the Levelling Up and Regeneration Act (LURA) for wastewater treatment works to be upgraded to the highest technically achievable limits by 2030, would the policy be justified, effective and consistent with national policy?***

It is noted from paragraph 7.113 that the council has received guidance from Natural England in 2022, affecting the way the council has to assess new overnight development across the whole district in terms of calculating the impact caused by the wastewater they produce.

It is important to note that the Government has sought to address nutrient neutrality through the Levelling Up and Regeneration Act (LURA), to require wastewater treatment works to be upgraded to the highest technically achievable limits. As such, the policy wording and supporting text should be updated to reference the LURA, which will supersede the requirement for individual schemes to demonstrate nutrient neutrality from 2030 (in the interim nutrient neutrality will need to be demonstrated). This ensures that the policy remains aligned with national legislation and reflects the upcoming changes in nutrient neutrality requirements. This is recognised in Nutrient

Neutrality Topic Paper, November 2024 (SD10h) alongside progress the Council has made in updating existing wastewater treatment works (WWTW) to package treatment plans but this is not included in the submitted plan. Confirmation is provided at paragraph 3.7 of the topic paper that all WWTWs are to be upgraded within Winchester district. As currently worded, the policy is not consistent with national policy, nor does it reflect the evidence set out in the topic paper.

6. *Would the policy provide appropriate clarity in relation to strategic nutrient solutions available to developers as part of the planning process, so as to ensure effectiveness?*

To ensure effectiveness, the policy must provide clear guidance on strategic nutrient solutions available to developers, helping them understand how to comply with requirements.

The supporting text of the policy has been revised from the regulation 18 policy to include 'nutrient budgets' and 'nutrient credits' as a means to offset developer impacts. However, while the policy emphasises the necessity of mitigation and compliance with Natural England's guidance, it lacks a structured or strategic framework for developers to follow. As a result, developers must rely on external guidance, and there is no clear indication within the policy or the supporting text of the Council's role in assisting developers with these solutions.

The Nutrient Topic Paper (SD10h) referenced in the supporting text for draft policy NE16 contains much supporting information related to the availability of nutrient credits and the importance of strategic solutions. However, there is only a brief mention in the final bullet point on page 4 that the Council has refreshed the webpage dedicated to nutrient neutrality to provide developers with more 'user-friendly information'. To improve the effectiveness of the policy, the wording of the supporting text should reference the link to these webpages, and the Council should take a more proactive role in assisting developers with these solutions.

The regulation 19 policy also introduces a specific requirement for making positive contributions to the Local Nature Recovery Network within criterion iii, which was not included with the regulation 18 policy. However, the supporting text lacks sufficient explanation of what is required. Further clarification is needed to guide development of such schemes.

Many of the larger brownfield sites which the Council is seeking to prioritise delivery of are affected by nutrient neutrality issues, including both nitrates and phosphates. Such sites are less likely to be able to easily achieve nutrient neutrality, in the first five years of the plans, pending the upgrading of wastewater treatment plants. Consideration should be therefore given to a more balanced approach to the location of development which allows greenfield sites which are less constrained by nutrient neutrality issues to come forward prior to 2030.

One such site is the draft allocation at Land at Mill Lane, Wickham (Policy WK5) which could be expanded to include site WI06, located at the junction of Mill Lane, Wickham. Bloor Homes is confident that there are a range of options which could be used to achieve nutrient neutrality for both the allocated site and a larger site.