

WINCHESTER LOCAL PLAN EXAMINATION

Stage 2 Hearing Statement

Representor ID: ANON-AQTS-3B5A-4
Representor: Blenheim Strategic
Partners

Matter: 14
Biodiversity and the Natural Environment

Date: April 2025

tor
&co

1.0 Introduction

- 1.1 This examination Hearing Statement has been prepared by tor&co on behalf of Blenheim Strategic Partners (BSP) (Representor ID: ANON-AQTS-3B5A-4) in respect of **Matter 14 – Biodiversity and the Natural Environment – (Land at Fairthorne Grange)**, of the Winchester Local Plan examination in public.
- 1.2 The comments made within this Statement respond directly to the questions set out in the Planning Inspectors Stage 2 Matters, Issues and Questions (ED17).
- 1.3 This Statement should be read in conjunction with the BSP Regulation 19 representations.

2.0 Response to the Inspectors Questions

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?

Strategic Policy NE7 (Settlement Gaps)

Q1. What is the robust evidence to justify an approach to define settlement gaps, given the absence of national policy or guidance in this regard?

- 2.1 BSP acknowledge that strategic and local gap designations have been used across Hampshire as a tool to assist in minimising the potential for coalescence between built-up areas. However, given the scale of growth required, including unmet need from the wider sub-region, and national planning policy guidance, it is now increasingly questionable as to whether such an approach remains necessary and justified, noting that it provides an additional layer of policy constraint against otherwise sustainable development opportunities.
- 2.2 As acknowledged in the Settlement Gap Review Study, *‘the Government’s National Planning Policy Framework (NPPF) does not provide specific policy on the use of settlement gaps in local plans, nor are settlement gaps explicitly defined within the NPPF. There is also no reference to gaps within Planning Practice Guidance (PPG). In addition, there are no specific requirements within NPPF to identify settlement gaps as part of the plan-making process.’*
- 2.3 Equally, in the PfSH Policy Framework for Gaps, settlement gaps are defined as *‘spatial planning tools designed to shape the pattern of settlements – they are not countryside protection or landscape designations.’* Accordingly, the purpose of the settlement gap should be solely to prevent coalescence, and should not be used as a tool to protect what are considered to be sensitive landscapes or particular landscape character areas. The current draft wording of Policy NE7 notably goes beyond this requirement, with wording such as *‘any development should threaten the generally open and undeveloped nature of the gap.’* The inclusion of more land than is necessary within identified gaps, in order to prevent coalescence, is not justified, evidence-led or aligned with the definition of settlement gaps within the PfSH policy framework. Consequently, BSP question the basis for having this policy.

- 2.4 Should a settlement gap policy be included in the plan, then it needs to be based on a thorough review of existing gaps in order to ensure it is robustly evidence based. This review should identify whether the land originally designated for this purpose continues to fulfil this function, or whether parts of the gap are no longer required, to ensure that any remaining gap includes no more land than is strictly necessary. It is not apparent that a review of this scope and extent has been undertaken, and critically not all existing settlement gaps have been reviewed as part of the draft local plan.
- 2.5 Accordingly, it is not considered that there is a robust evidence basis to justify the proposed approach outlined within draft policy NE7. As outlined further under Q2, there are also considered to be fundamental concerns regarding the methodology contained within the Settlement Gap Review Study, which consequently undermines the basis and assumptions underpinning policy NE7 as currently drafted.

Q2: The Settlement Gap Review Study (BNE29) assesses 7 of the 9 existing settlement gaps and recommends alterations to them. Is the methodology used proportionate and robust? Are the outcomes logical and evidence based?

- 2.6 The proposed approach and methodology is not considered either proportionate or robustly based. Fundamentally, the basis for not assessing all the existing settlement gaps is not considered sound, and is inconsistent with the approach taken by other local authorities in this regard. WCC have justified this partial review on the basis that they consider that the settlement gaps are established through Policies WEL5 and WEL29 of the Welbourne Plan (2015). It is clear from the Welbourne Plan however that the extent of the buffers only relates to small strips of land included within the Fareham Plan Area which are illustrated in Appendix B.3 of the Fareham Plan. Policy WEL29 of the Welbourne Plan relates to on-site open space and does not relate to settlement buffers. WCC's understanding and interpretation of the policy context therefore is not considered accurate nor does it constitute a sound basis for not reviewing all existing settlement gaps.
- 2.7 Critically, there are also considered fundamental concerns regarding the methodology and approach of the Settlement Gap Review Study, which are set out in further detail in the Regulation 19 response, and outlined as follows:
- The study recommendations currently do not relate back to the key PfSH guidance or LUC initial evaluation process of settlement/physical and visual separation/urbanising influences. The LUC Review uses different sub headings of '*gap strength*' and or '*key characteristics of settlement gap*' or '*gap strength and key characteristics.*' Overall there is a lack of response to the original scope of the review which was to '*consider evidence to support the definition of settlement gaps and the potential for alterations of the gap boundaries.*' No commentary or reassessment has been carried out of the previous settlement assessments undertaken to inform Policy CP18 of the 2013 Local Plan.
 - The report does not clarify whether all or part of the current settlement gaps perform in accordance with the '*definition*' of a settlement gap in order to make judgements as to whether the boundaries should be adjusted, either expanding or reducing.

- The definition (of evaluation of the appropriateness) of a settlement gap should be judged against the criteria set out in PfSH. For example, the Eastleigh Settlement Gap study attempted to do this with a criteria check table.
- There is not a comprehensive summary of the source material referenced to inform the assessment.
- There are also several issues with the methodology adopted. The apparent absence of any fieldwork and supporting plans/photographs to verify the desk-based findings is considered to be a significant flaw in the assessment process, and raises material concerns regarding the validity of the key findings. In ensuring that the local plan is soundly based, and specifically in the context of draft Policy NE7, is prepared on the basis of an accurate evidence base, this needs to be reviewed and updated as a priority.

2.8 Accordingly, the Settlement Gap Review Study has not been based on a robust or evidence-led methodology, and its inconsistencies fundamentally undermine the proposed wording and approach of Policy NE7.

Q3: What is the robust evidence to assess 7 of the 9 existing settlement gaps in the Settlement Gap Review Study 2024?

2.9 Carrying forward existing settlement gaps without a comprehensive review of all gaps is considered neither sound or robust as the basis for Policy NE7, and progressing the new local plan. Furthermore, in the context of the Settlement Gap Review Study, it has not been demonstrated that NE7 has been based on a robust evidence.

2.10 There is a critical disconnect between the assumptions and approach of the Settlement Gap Review Study, and the PfSH policy framework for such gaps. Whereas the Settlement Gap Review refers to settlement gaps as a means of identifying and protecting local landscapes, the PfSH policy framework conversely refers to settlement gaps as *‘spatial planning tools designed to shape the pattern of settlements – they are not countryside or landscape designations.’* Accordingly, the purpose of the settlement gap should be solely to prevent coalescence, and should not be used as a tool to protect what are considered to be sensitive landscapes or particular landscape character areas.

Q4: Would the Plan represent the consistent application of that methodology, particularly in the approach to defining settlement gap boundaries some of which would be defined through site allocation requirements e.g. policy W2?

2.11 Notwithstanding the fundamental concerns regarding the methodology itself, a consistent application of the methodology would apply to all existing settlement gaps, and not just seven of them. Undertaking no review of the remaining gaps, including that at Wickham and Knowle, which directly informs how settlement gap boundaries have been defined, does not represent a sound basis to progress the local plan as currently drafted.

Q5: Would policy NE7 strike the right balance between ensuring planned growth is delivered and protecting the District's character and appearance, in particular the open nature and sense of separation between settlements?

- 2.12 Policy NE7 as currently drafted, both in terms of its current wording, and its reliance on the Settlement Gap Review Study, which is considered both unsound in its methodology, and incomplete in that it excludes two existing settlement gaps, does not represent the right balance. The role of the settlement gap (as noted in Q6) is to shape the pattern of settlements, which is reflected in the PfSH policy framework definition. Its role is not to restrict or constrain sustainable development opportunities where there is sufficient gap to ensure there is no coalescence between settlements. The application of settlement gaps and the current wording of Policy NE7 does not strike the right balance and therefore represents an unnecessary barrier to development, which goes against NPPF paragraph 11 which states that *'plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change.'*

Q6: Given that settlement gaps are a spatial planning tool designed to shape the pattern of settlements, for the purposes of soundness, would the policy be a good fit in the biodiversity and natural environment chapter of the Plan?

- 2.13 No comment.

Q7: Would paragraph 7.64 be accurate in relation to definition of the gap between Wickham, Knowle and the proposed Welbourn development in Fareham being defined by the Welbourne Plan?

- 2.14 No comment.

Q8: Should policy NE7 provide a clear link to the policies map for the purpose of effectiveness?

- 2.15 No comment.