

Winchester Local Plan Examination, April – June 2025

Hearing Statement on behalf of Defence Infrastructure Organisation

Sir John Moore Barracks, Winchester

ANON-AQTS-32SB-K

April 2025

Matter 14 – Biodiversity and the Natural Environment

**Policy NE 2 – Major Commercial, Educational and MoD Establishments in the
Countryside**

Policy NE 5 – Biodiversity

Policy NE 7 – Settlement Gaps

Policy NE 14 – Rural Character

Policy NE 15 – Special Trees, Important Hedgerows and Ancient Woodlands

Prepared by: Robert Gardner

Status: Final

For and on behalf of Avison Young (UK) Limited

1. Policy NE2 - Major Commercial, Educational and MoD Establishments in the Countryside

Question 1 *Would policy NE2 serve a clear purpose, be clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?*

Response

- 1.1 The DIO notes that a specific policy has been included in the emerging Local Plan which supports the retention and development of existing major commercial, educational and MOD establishments that occupy rural locations in the district, where this will help them continue to contribute to the district's economic prosperity. The DIO supports this approach.

2. Policy NE5 – Biodiversity

Question 1 *Would the policy serve a clear purpose, avoiding unnecessary repetition of national policy, in accordance with NPPF paragraph 16f?*

Question 2 *Would there be robust local evidence to justify a requirement above 10% BNG?*

Question 3 *Would the policy supporting text be up to date and accurate in reflecting on the 'current and new Local Plan'? Would it unnecessarily repeat national policy in relation to the application of the Habitats Regulations?*

Question 4 *For the purposes of soundness, would the policy need to provide further clarification on compensatory habitats, recreational disturbance and the requirements for functionally linked land in relation to designated sites?*

Response

- 2.1 The DIO supports the objective of Policy NE5 to enhance and protect the natural environment and biodiversity. The DIO notes that the supporting text to this policy refers to the requirement in the Environment Act to deliver a net gain in biodiversity of ten percent. The supporting text to this policy references the Defra Biodiversity Metric.
- 2.2 The DIO continues to maintain that it would also be preferable to clarify this within the policy wording and has requested the following amendment.

*"The Local Planning Authority will permit development that maintains, protects and enhances biodiversity across the district, delivering a minimum of 10% measurable net gain in biodiversity to be maintained for a period of 30 years in accordance with the Environment Act, **as calculated using the Defra Biodiversity Metric**"*

3. Policy NE7 - Settlement Gaps

Question 1 *What is the robust evidence to justify an approach to define settlement gaps, given the absence of national policy or guidance in this regard?*

Question 2 *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?*

Question 3 *What is the robust evidence to assess 7 of the 9 existing settlement gaps in the Settlement Gap Review Study 2024?*

Question 4 *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?*

Question 5 *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?*

Question 6 *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?*

Question 7 *Would paragraph 7.64 be accurate in relation to definition of the gap between Wickham, Knowle and the proposed Welborn development in Fareham being defined by the Welborne Plan?*

Question 8 *Should policy NE7 provide a clear link to the policies map for the purpose of effectiveness?*

Response

- 3.1 The issue of Settlement Gaps and the "Harestock / Littleton" gap in particular has arisen in the context of emerging Policy W2. The DIO's statement in respect of Policy W2 addresses the issue.
- 3.2 The DIO supports the broad approach to retain the open and undeveloped nature of defined settlement gaps and notes that the policy establishes a policy presumption against large scale development within them.
- 3.3 The "Littleton / Winchester Gap" is bounded by Harestock Road to the south east, Stockbridge Road to the south west, the south eastern edge of the built up area of Littleton to the north west and by an undefined boundary that crosses the SJMB site to the north. Part of the settlement gap within the SJMB site accommodates large buildings. This area has been developed extensively and is not open.
- 3.4 WCC has commissioned a review of its settlement gaps. The Settlement Gap Review (the Review) was prepared by LUC and published in July 2024. The Review states the following at para 1.8;

"The Littleton/Winchester settlement gap has not been analysed in the Settlement Gap Review due to the ongoing master-planning for the Sir John Moore Barracks allocations. This master-planning process will determine the extent of built development, which will in turn inform any future review of the settlement gap, so analysing the settlement gap now would be premature."
- 3.5 The above indicates WCC's intention to review Settlement Gap boundaries in due course.
- 3.6 The DIO has requested that the settlement gap between Littleton and Winchester should be re-drawn. Our suggested revision to the settlement gap is illustrated on the attached plan at **Appendix A**. The drawing shows that the existing green infrastructure to the western SJMB boundary with Littleton, and to the southern SJMB boundary (including an existing SINC) would be retained and would continue to perform a buffer function to these adjoining settlements. The proposed revisions would then correctly align the policy framework with the site allocation and would provide an appropriate policy to maintain a settlement gap between Littleton and Winchester. As a minimum, the settlement gap should be amended to remove the part of the site that already has numerous large substantial buildings on it.

4. Policy NE14 – Rural Character

Question 1 Would policy NE14 serve a clear purpose, avoiding unnecessary duplication of national policy and other Plan policy requirements?

Question 2 In wording policy NE14 in the negative, would it be effective?

Question 3 How would policy NE14 interact with strategic policies D1, T1 and policy H8?

Question 4 Would the policy be clearly written and unambiguous, so it is evident how a decision maker should react to development proposals, in particular the phrase ‘... development should not detract from the enjoyment of the countryside...’ (10th paragraph)?

Response

- 4.1 The DIO notes the objective of Policy NE14 which seeks to protect the rural character of the countryside within the District. The DIO’s Reg 19 reps include a request to amend the proposals maps to exclude all of the SJMB site from the current ‘countryside’ designation. The DIO has also requested that the site be included within the boundaries of a defined settlement.
- 4.2 If the SJMB allocation is not to be removed from the countryside and included within a settlement boundary, the DIO maintains that Policy NE14 should be amended to ensure that there is no conflict with Policy W2.
- 4.3 The proposed wording of Policy NE14, first paragraph (P.173), as suggested in the DIO’s Reg 19 reps is as follows:

*“Outside defined settlement boundaries, **the Council will support development within the Countryside where this accords with Site Allocations within this Plan. For land that is not allocated for development,** development proposals outside defined settlement boundaries which accord with the Development Plan will be permitted where they do not have an unacceptable effect on the rural character of the area, by means of visual intrusion, the introduction of incongruous features, the destruction of locally characteristic rural assets, or by impacts on the tranquillity of the environment.”*

5. Policy NE15 Special Trees, Important Hedgerows and Ancient Woodlands

Question 1 Would policy NE15i accord with national policy at NPPF paragraph 186c in relation to the removal of protected trees, groups of trees, woodland or hedgerows?

Question 2 What is the robust justification for a minimum 15 metre buffer zone between development and ancient woodland or veteran trees? Would it provide appropriate guidance in this regard and in relation to tree removal and replacement for the purposes of soundness?

Question 3 For the purposes of soundness should the Plan include a definition of ancient trees, special trees and distinctive ground flora or any other specific terms used in the policy?

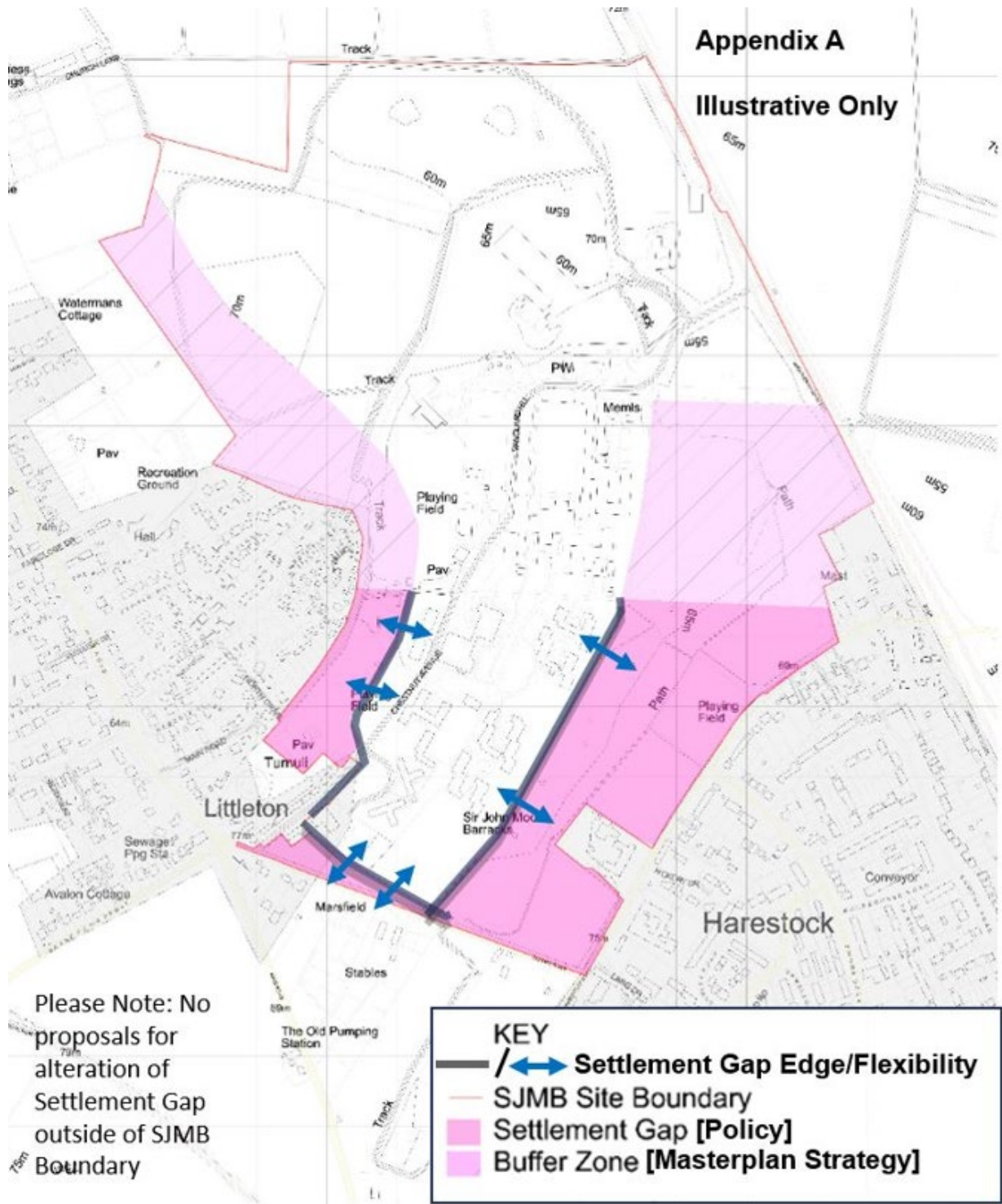
Response

- 5.1 The DIO support the broad policy objective to protect special natural features and their setting, to retain visual amenity, biodiversity and heritage value.

- 5.2 The DIO has raised some concerns that the nomenclature and definitions used by the draft policy are either ambiguous or do not align with definitions used in Government guidance and regulations.
- 5.3 The following amendments to definitions are set out in the DIO's Reg 19 representations:
- Paragraph 7.107 should make a distinction between 'Ancient Woodland' (which should also be capitalised in the policy text) and trees of significance. Ancient Woodland is defined within the NPPF as follows and this Paragraph should include this definition i.e.: *"An area that has been wooded continuously since at least 1600 AD. It includes ancient semi-natural woodland and plantations on ancient woodland sites (PAWS)".*
 - Paragraph 7.107 should include a specific definition of 'special trees' which, in our view, should be defined as *'Trees protected by a Tree Preservation Order'*.
 - Paragraph 7.108 should include a specific definition of 'important hedgerows' which should refer to the Hedgerow Regulations definition.
 - A specific definition should also be included for "distinctive ground flora" which, in our view, should be defined as "typical woodland ground flora assemblage that is associated with the Ancient Woodland and Important Hedgerows".

Appendix A

Illustrative Only



Contact details

Enquiries

Rob Gardner
07919 047 959
Robert.Gardner@avisonyoung.com

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[avisonyoung.com](https://www.avisonyoung.com)