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

Inspector: R Barrett MRTPI IHBC

Programme Officer: Ms Jill Taylor

Address: Winchester City Council Local Plan Examination, Winchester City Council Offices, Colebrook Street, Winchester, Hampshire, SO23 9LJ

Email: Programmeofficer@winchester.gov.uk

Telephone number: 07980 732035

Examination web pages: [Local Plan Examination - Winchester District Local Plan](#)

Inspector Note 16

Actions required following hearing sessions.

Introduction

As I indicated at the conclusion of the examination hearings on Friday 6 June 2025, I am writing to set out my thoughts on the Winchester District Local Plan 2020-2040 (the District Plan/the Plan) at this stage, and the way forward for the examination. My comments are based on all that I have read, heard and seen to date. However, I emphasise that the examination is not yet concluded and consultation on main modifications (MMs) is still to take place. Therefore, these comments are without prejudice to my final conclusions on the Plan.

I would like to take this opportunity to thank the Council for its help through the hearings, and to the other participants, which has ensured that I have been able to deal with matters efficiently. I would also like to thank the Council for its patience whilst I have evaluated and concluded on the matters in relation to the soundness of the Plan.

Overall, I consider that, subject to MMs, the Plan is likely to be capable of being found legally compliant and sound. I will set out my reasoning for this in my final report which will also include the other significant matters which arose during the hearings which are not covered in this letter.

The Process

The Council produced a list of its suggested MMs [SD14a], plus appendices. Appendix 1 to that document includes a list of suggested associated changes to site allocation plans (to include the South Downs National Park (the National Park) boundary) [SD14b] and associated changes to the policies map [SD14c]. Those were discussed at the hearings.

Given discussion at the hearings, the Council has updated those documents and provided a list of suggested and proposed MMs (those agreed with me) for my consideration [SC14a dated 11 June 2025].

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Annex 1 to this Note sets out my comments on the list of MMs [SD14a]. That list will need to be updated to include the MMs set out in this letter, and any consequential changes that might be required in connection with any other necessary MMs.

Additional Modifications (AMs) are changes made by the Council on adoption of the Plan which do not materially affect the policies in the Plan (such as factual updates). Those should be set out in a separate document from the MMs.

I have a hard copy version of AMs dated 29 April 2025, but this is not on the examination website. This should be rectified and given an examination document [ED] reference. If the Council intends to publicise or consult on any AMs it should be made clear that such changes are not a matter for the Inspector.

Similarly, further changes to the policies map should also be published for consultation. I am not examining the policies map and therefore this should be made clear in the Council's consultation.

Consideration of MMs

The views expressed in the hearing sessions and this letter on the Council's suggested MMs and related policies map changes are based on the evidence before me, including the discussion that took place at the hearing sessions. However, my final conclusions on soundness and legal compliance will be provided in my report which I will produce after the consultation on my recommended MMs has been completed. In reaching my conclusions, I will take into account any representations made in response to the MM consultation.

Recommended MMs and Advice

Legal compliance

I am broadly satisfied that the Council has complied with the legal requirements for plan making.

Soundness

In the section below I set out my views on some of the matters discussed at the hearing sessions that I have taken away for further consideration. I set out the **MMs** which I consider are necessary to deal with these (and I am minded to recommend) and other matters that also arise from the hearing sessions and the Council's suggested MMs.

In annex 1 to this note I have set out my comments on the Council's list of suggested MMs. The comments below should be read alongside those comments.

Local Housing Need (LHN) and housing requirement

Table H1 in the preamble to policy H1 sets out Local Housing Need (LHN) for the plan period of about 13,565 (2020-2040). It includes an updated LHN calculation for the first five years of the Plan period with the most recent calculation being in 2024. I consider that the Council's calculation of LHN accords with the standard method and is therefore sound.

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However, I am not convinced by the way in which the Council has derived the Plan's housing requirement from LHN. The Plan's most recent calculation of LHN was in 2024. The Plan's housing requirement as set out in policy H1 runs from 2020-2040. The Plan's housing requirement therefore includes completions since the start of the Plan period. It therefore includes completions that took place before the latest calculation of LHN.

The calculation of LHN is a forward-looking assessment of housing needs. From the point at which LHN is calculated it takes account of what has happened in previous years. The National Planning Practice Guidance (PPG) confirms that in calculating LHN using the standard method, the affordability adjustment is applied to take account of past under delivery. Whilst the PPG refers to past under delivery in this light, and is silent on over-delivery, I take a common-sense approach on this matter. For this reason, past supply prior to the latest calculation of LHN (2024) should not be taken into account in deriving the Plan's housing requirement due to the effect of the affordability ratio in the standard method.

I accept the Council's position that the level to which housing supply and completions directly impact affordability is unknown. I am also aware that there is little difference in the standard method calculations 2020-2024 and that the latest 2024 calculation is below the 2020 LHN calculation.

The alignment of the Plan's latest LHN calculation and its housing requirement was discussed at length at examination hearings. At my request the Council provided a note [ED25] which set out the implications for the Plan of changing its start date, in terms of its housing requirement, trajectory and five year housing land supply on adoption. It also provided a note on the implications for the Plan of a housing requirement start date that aligns with the latest calculation of LHN i.e. 2024 [ED34a and b] with regard to the same matters. Representors who commented on the matters raised in those notes at Regulation 19 stage have had the chance to provide comment on those notes. In coming to my overall findings on this matter, I have taken all views into account.

The Council confirms [ED34b and Plan table H1] that on the latest calculation of LHN (2024) using the standard method results in a LHN of 10,816 dwellings.

Plan table H2 sets out the Plan's housing requirement. The Plan's housing requirement is the same as its housing provision. Council note ED34b confirms that correcting the Plan's housing requirement to run from the latest calculation of LHN results in a Plan housing requirement of 11,106 dwellings (from the period 2024-2040). On that calculation the Plan would meet its LHN in full, with a contribution of 290 dwellings to the unmet need in neighbouring authorities. The Council should prepare an **MM/MMs** to address this matter.

Unmet Need in Neighbouring Authorities

NPPF11b sets out that strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within the neighbouring area, as established through Statements of Common Ground (SoCG).

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SoCG [SD08E0e and SD08i] between the Council and Portsmouth City Council (Portsmouth) and Havant Borough Council (Havant) confirm agreement for a contribution towards their calculated unmet needs. That is based on an apportionment of the Plan's housing provision above LHN of 30% to meet the unmet need in Portsmouth and 70% to meet that in Havant. Those SoCG acknowledge that the agreement would be subject to change should the unmet need allowance change during the course of the examination. Such an approach would broadly accord with the Partnership for South Hampshire Position Statement (2023) which indicates a two stage approach to addressing 'yet unplanned for need'.

I am aware that the Plan's unmet needs allowance would significantly reduce as a result of adjustment to ensure a sound housing requirement. Housing supply above LHN in 2023-2024 will have provided some contribution to unmet needs in the wider area. The 2023-24 AMR [ED03b Table 3] confirms 1,000 dwellings delivered against a LHN of 676. In addition, as a matter of fact, in the early years of the Plan period, although not part of the housing requirement of this Plan, supply above LHN will also have contributed to the unmet needs in the wider area.

Taking all matters into account, I find the Plan's approach sound in dealing with the uncertainty during Plan preparation regarding the amount of unmet needs in the wider area. Ultimately unmet needs in the wider area, will need to be addressed by the Partnership for South Hampshire in accordance with its Position Statement (2023) through all relevant Councils' local plan preparation. That will include a future review of this Plan.

South Downs National Park Allowance

The calculation of the Plan's housing requirement table H2 includes an allowance of 350 dwellings for the part of the District included in the National Park. The Council's note with regard to the implications of aligning LHN and housing requirement (starting 2024) [ED34b] includes supply of 312 dwellings within the National Park. The Council's SoCG with the National Park Authority (SD08j) indicates a figure of 250 dwellings to be more realistic.

In its response to my focussed consultation on ED25, 34a and b, the Authority confirms that its position is unchanged as it progresses its Local Plan, which is currently at Regulation 18 stage working towards Regulation 19. Given that the Authority's Local Plan is still in preparation and has not been subject to examination, and the uncertainty regarding planned housing delivery that results, I find the Council's approach to include a 350 dwelling contribution from the National Park sound. If there is a shortfall then Plan supply above LHN could contribute to this.

Neighbourhood Plans

During the examination it was brought to my attention that changes in Government support for neighbourhood plans may have implications for new neighbourhood plan preparation. Whilst this may not affect neighbourhood plans already in preparation, it could affect progress on those yet to commence preparation. To address this uncertainty, the Council should prepare an **MM** to confirm that in the event that

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neighbourhood plans do not come forward in the Plan period, any shortfall against area targets set out in the Plan will be addressed in a Plan review. This will relate to New Alresford policy NE3, Denmead policy DEN1 and Hursley policy HU1. Any consequential **MMs** should also be made.

Strategic policy H2

This policy phases development of allocated sites with the intention to prioritise those previously developed. This would not accord with national policy to significantly boost the supply of housing. For this and other reasons that I will set out in my report, strategic policy H2 should be deleted. The Council should prepare an **MM/MMs** to address this.

Housing supply

Any adjustments to site capacities of site allocations are included in annex 1 to this note.

Five Year Housing Land Supply.

Taking into account all evidence before me on the deliverability of sites and their inclusion in the Council's five year supply and applying the NPPF glossary definition of deliverable and developable, the Council's five year housing land supply calculation should be amended as below. My full reasons for this will be set out in my report.

The following sites should be deleted from the Council's five year housing land supply:

Policy W9 Bar End Depot
Policy W2 Sir John Moore Barracks

The following sites should be included within the Council's five year housing land supply:

Policy SH2-Additional dwellings at Bluebell Way

Conclusions on LHN, housing requirement and supply

My conclusions on this matter will have implications for the supply of housing across the three Plan areas (Winchester, South Hampshire Urban Area and the Market Towns and Rural Areas), as well as over the Plan period. However, LHN would still be met with a much reduced contribution to as yet unmet needs in the wider area. In addition, I find the Plan's assessment of capacity of site allocations and expected delivery reasonable and on the whole on the conservative side. That gives some flexibility/headroom. Overall, with the recommended **MMs** I find the Plan sound in this respect.

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Plan Trajectory

The Plan does not include a detailed housing trajectory. In accordance with NPPF75 strategic policies should include a trajectory illustrating expected rates of delivery over the Plan period. The Council produced a housing trajectory included as appendix A to the Housing Topic Paper Update January 2025 [ED02]. That informed the examination hearings. The Council should now amend that trajectory to reflect all my other findings, the alignment of the latest calculation of LHN and housing requirement, deletion of strategic policy H2 and any other findings in relation to individual site allocations. That should form the basis of an **MM** to address the absence of a Plan housing trajectory.

Plan Period

In terms of the Plan period, there is nothing in national policy or guidance to indicate what a plan period start date should be. The Plan start date aligns with the availability of evidence base documents and early rounds of public consultation. In this regard, I consider no adjustment to the Plan start date is required for the purposes of soundness.

I am assuming that the Council will wish to adopt this Plan by the end of this year or early in 2026. That would result in its strategic policies looking ahead just short of a minimum 15 year period on adoption. However, given the benefits of getting a Plan in place in a plan led system, even if the Plan were to be considered to be inconsistent with the strict wording of NPPF22, taking a common sense approach it would be consistent to the overarching aim in NPPF15 to have a genuinely plan led planning system. In any event, the period over which the new housing requirement would apply I consider to be justified and overall, the Plan is sound in this respect.

Settlement Gaps Policy NE7 and Associated Site Allocations (policies W2 and WK3)

The Settlement Gap Review Topic Paper [BNE29] sets out the methodology employed to review the settlement gaps. The use of consultants for such studies is not uncommon or necessarily a soundness issue. Whilst the methodology did not involve site visits on the ground, officer review informed the study's conclusions. Overall, I find the methodology employed to be logical, proportionate and justified.

However, the review was applied to only 7 of the 9 existing settlement gaps. It excluded the Knowle/ Wickham/ Welborne and Littleton/ Winchester settlement gaps. I address this below.

Knowle/ Wickham/ Welborne Settlement Gap

In respect of the Welborne Gap, the Council explained that the Welborne development at Fareham has planning permission. That is outside but very near to the boundary with the Plan area. The Welborne development is now being built out.

The importance of maintaining a settlement gap between the Welborne development and existing settlements, particularly Knowle and Wickham has been recognised within the Fareham Local Plan Part 3: The Welborne Plan [RP03]. Part, but not all, of

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land within the settlement gap nearest to Welborne is recognised as having potential to provide green infrastructure (GI) and open space in association with that development, the details of which are explained in the section dealing with policy WK3. Given that matter, in association with the location and scale of development at Welborne, I accept that the existing settlement gap designation and planning framework ensure that the separation and integrity of Knowle and Wickham are maintained. Therefore, a review of this settlement gap would be very unlikely to result in any alteration at this stage. In this respect the study carried out is proportionate and sound.

Policy WK3 Welborne Open Space

This policy includes land which sits within the Knowle, Wickham and Welbourne settlement gap. That is subject to the protections provided by policy NE7 in relation to settlement gaps. The Welborne Plan policy WEL5 includes green buffers within the Welborne development which will contribute to the protection of the settlement gap and in particular the sensitive edges of the settlements of Knowle and Wickham nearest the Welborne development (the entrance to Knowle and Ravenswood Hospital and the string of development along Hoads Hill/Wickham Road). The preamble to Policy WEL29 sets out the potential for some GI and open space to be located adjoining the development including within the settlement gap referring again to the Knowle Triangle and Dashwood.

At the hearing the Council explained the genesis of this policy to be in extant policy SH4, with a purpose to deliver potential provision of GI and open space in association with the Welborne development, as well as to maintain the settlement gap between that development and those settlements nearby including Knowle and Wickham. The Welborne Plan sets out the potential for open space and GI to be located on part of the settlement gap land (Knowle Triangle (22ha) and Dashwood (38ha)). Whilst I appreciate that the Welborne development is under construction at present and matters could change, there is no evidence before me to suggest that land outside those two parcels would be used in association with the Welborne development. Therefore, given the existing protections for this land under policy NE7 relating to settlement gaps, and the limited areas expected to provide GI for the Welborne development, the Council should prepare an **MM** to amend this site allocation to include land within the Knowle Triangle and Dashwood only. This is necessary to ensure that the allocation is justified.

The policies map should also be updated to include this policy within a site allocation.

Littleton/ Winchester Settlement Gap

The Council explains that the Littleton/ Winchester gap was excluded from this review as the master planning work for the Sir John Moore Barracks site allocation (policy W2) was underway. That site allocation sits within the settlement gap and includes a fairly extensive area of built development. The design work, including the master planning for that site allocation is progressing and will determine the extent of built development within the gap. That in turn will inform any future review of the settlement gap. That could involve changes to the settlement gap, either extensions or deletions. Given these considerations, I find the Council's approach justified.

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There is a clear logic that analysing the settlement gap as part of the study underpinning this Plan would be premature.

Policy W2

Policy W2 is the site allocation relating to the Sir John Moore Barracks site. That allocation will be assessed against the requirements of policy NE7 which seeks to protect settlement gaps. I am, on balance, convinced that the approach that the Council is taking to defer a review of this settlement gap until the extent of built development proposed in the gap (if any) is defined, to be a sound and justified approach.

Once the built development at Policy W2 is confirmed and the Welborne development is built out any future review of the Plan should include a review of these two settlement gaps. The Council should prepare an **MM** to address this.

Carbon Neutrality (policy CN1 and CN3)

Policy CN3 introduces local energy efficiency standards that go beyond current or planned building regulations. In addition, it expresses those using the Energy Use Intensity metric. The Plan's rationale for doing this includes to meet the Council's 2030 carbon neutral target and to reduce energy bills for its residents. The Council's analysis indicates that proposals under Part L 2021 and Future Homes Standard consultation do not currently go far enough to meet the reduction in emissions required to achieve Net Zero emissions in 2030.

Reducing carbon emissions and supporting the transition to net zero forms a central part of national policy as expressed at NPPF8c, 157 and 159b, in line with the objectives and provisions of the Climate Change Act 2008. The Planning and Energy Act 2008 allows local planning authorities to set energy efficiency standards in their development plans that exceed the energy efficiency requirements of the building regulations. However, such policies must not be inconsistent with relevant national policies and should use standards that are nationally endorsed.

The written ministerial statement (WMS) dealing with energy efficiency standards published on 13 December 2023 advises that changes to energy efficiency building regulations are planned for 2025 meaning that homes built to that standard will be net zero ready. In that context the Government does not expect local plans to set local energy efficiency standards that go beyond current or planned building regulations. Any planning policies that do propose higher energy efficiency standards should be rejected at examination if they do not have a well-reasoned and robustly costed rationale that ensures that:

- development remains viable, and the impact on housing supply and affordability is considered; and
- the additional requirement is expressed as a percentage uplift of a dwelling's Target Emission Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP).

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In this respect, having regard to the Council's viability evidence, including the requirements of the emerging Future Homes Standard and other Plan policy requirements that influence viability, in the round, I find the application of policies CN1 and CN3 would be unlikely to impose a significant financial burden on the Plan's planned development or have a significant effect on its affordability. Affordability is aided of course by the provisions of policy H6, in relation to affordable housing, that includes the potential for an exception to that policy on the basis of viability evidence.

The WMS also requires that any additional energy efficiency requirements be expressed as a percentage uplift of the TER. The Council proposes to deviate from this and use an alternative metric, the Energy Use Intensity. Its sets out a number of advantages of its use, which include that it represents regulated and unregulated energy use, it is based on predictive modelling results and is focussed on minimising energy use in the first place. Overall, it contends that it is a simpler metric, easy to understand by the development industry, residents etc. and can be used as a proxy for energy costs.

The WMS is a material consideration but needs to be read in the context of national policy and legislation. Evidence is presented to indicate that achieving net zero using the metric proposed is both technically and financially feasible. I recognise that one of the objectives of the WMS is to prevent the proliferation of varied local standards, which can add to cost and complexity. National applied standards provide clarity and consistency for the development industry to invest and prepare to build energy efficient homes.

However, no matter how energy efficiency is proposed to be measured, the environmental outcome, to mitigate climate change and contribute to the net zero obligation, will remain the same and it will meet the over arching aim of national policy. Therefore, based on the evidence before me, I find the Council's approach in policy CN1 and CN3, subject to the MMs proposed consistent with national policy, justified and effective. It is therefore sound.

Other Matters

The Council, through the programme officer, should publish, on the examination website, the note passed to the Inspector dated 6 June 2025 in relation to the progression within the Plan period of policy BW3.

Modifications required to a number of policies/appendicies

The Council should prepare the following MMs:

- Ensure that non tested documents such as SPD are appropriately referred to in policy wording throughout the Plan
- Ensure that any geographic area referred to in policy is tied to the policies map.

Next Steps

I am assuming that the Council would be content to adopt the Plan subject to the running list of recommended MMs, those referred to above and any consequential

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changes to the Plan required. Therefore, I would be grateful if the Council would prepare a revised composite schedule of MMs that takes account of the further changes I have indicated. Should this not be the case, the Council should advise me of its position as soon as possible.

To aid the Inspector's considerations, it would be very helpful if the Council provides a version of the final table of proposed MMs that sets out a reason for each, going further than just referring to the test of soundness addressed by the MM.

It would also be helpful if the Council could let me know via the programme officer its timetable to produce the information requested through to adoption of the Plan, taking account of consultation, the production of any additional studies and its Council committee cycles.

The subsequent version of the schedule of proposed MMs should be provided to me for agreement prior to public consultation. A separate schedule of the changes that are necessary to the policies maps to reflect the policy changes should also be prepared and consulted upon.

The proposed MMs should be subject to further Sustainability Appraisal and Habitats Regulation Assessment as necessary. These addendums should be published as part of the MM consultation, and I would appreciate sight of any drafts of these prior to the consultation.

When I am satisfied with the schedule of proposed MMs, in accordance with the Procedural Guide for Local Plan Examinations¹, it will be subject to at least a six-week period of public consultation which should be undertaken in accordance with the Council's Statement of Community Involvement. It should be made clear that the consultation relates solely to the proposed MMs.

Representations about the proposed MMs and changes to the policies maps should be sent to the Council. At the end of the period, the Council should forward the representations to the programme officer along with a summary of the main issues raised and the Council's brief response to those main issues. I will then consider all of the representations about the proposed MMs before finalising my report. Normally, all issues arising from the consultation on the MMs should be capable of being considered through the written representations procedure. Further hearing sessions will only be necessary exceptionally.

The list of suggested AMs which has been prepared is a matter solely for the Council (unless I consider any further additions to the list should be defined as MMs). To enable me to do that the AM schedule should be sent to me at the same time as the final MM schedule and policy map changes. If the Council intends to publicise the AM schedule it should be made clear that I will not be considering them.

Conclusion

As previously stated, you should note that these comments do not represent my full findings on these matters, which will be set out in my final report (considering any

¹ Updated 28 August 2024

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representations made). The Council should respond to this letter providing an indication of a timetable for the necessary outstanding work and MM process. I am not inviting comments from anyone else at this stage. Should the Council have any queries, or require further clarification, please contact me through the programme officer. A copy of this correspondence should be published on the Examination website.

R Barrett
INSPECTOR 10 September 2025