

CABINET (LOCAL DEVELOPMENT FRAMEWORK) COMMITTEE

20 OCTOBER 2009

CORE STRATEGY PREFERRED OPTION - FEEDBACK ON CONSULTATION
(CHAPTERS 1-3)

REPORT OF HEAD OF STRATEGIC PLANNING

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RECENT REFERENCES:

CAB 1568 – Winchester District Local Development Framework – Core Strategy Issues and Options (Cabinet (Local Development Framework Committee) - 6 December 2007

CAB 1696 – Winchester District Local Development Framework – Core Strategy Issues and Options – Initial Feedback on Consultation (Cabinet (Local Development Framework Committee) - 15 July 2008

CAB 1728 - Winchester District Local Development Framework – Core Strategy Issues and Options – Feedback on Consultation (Cabinet (Local Development Framework Committee) – 21 October 2008

CAB 1743 - Winchester District Local Development Framework – Core Strategy Issues and Options – Feedback on Consultation (Cabinet (Local Development Framework Committee) – 12 November 2008

CAB 1772 - Winchester District Local Development Framework – Core Strategy Issues and Options – Feedback on Consultation (Cabinet (Local Development Framework Committee) – 16 December 2008

CAB 1783 - Winchester District Development Framework – Core Strategy Issues and Options – Feedback on Consultation (Cabinet (Local Development Framework Committee) – 28 January 2009

CAB 1799 - Winchester District Development Framework – Core Strategy Issues and Options – Feedback on Consultation (Cabinet (Local Development Framework

Committee) – 6 March 2009

CAB 1823 – Winchester District Development Framework – Recommended Core Strategy Preferred Option Document (Cabinet (Local Development Framework Committee) – 25 March 2009

EXECUTIVE SUMMARY:

This is the first in a series of reports that reports back on the consultation responses received on the Core Strategy Preferred Option which was subject to consultation during May – July this year. This report covers responses to Chapters 1-3 of the document, and suggests a recommended way forward given the advice received from the Planning Inspectorate and the need for further technical work to be undertaken before the Core Strategy can proceed to the next stage. The remainder of the responses will be dealt with through subsequent reports to this Committee.

RECOMMENDATIONS:

That this Committee notes the responses to the comments received to Chapters 1-3 of the Core Strategy Preferred Option consultation and agrees the Recommended Approach, to enable the matters raised to be taken into account when preparing the next stage of the Core Strategy.

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DETAIL:

1 Introduction

- 1.1 Local Planning Authorities are required to produce a 'Local Development Framework' (LDF) setting out the spatial planning and land use policies for their area. Government advice is that the 'Core Strategy' is the lead document of the LDF which sets the overall vision and strategic direction for the District over a 15 year period and beyond. The Core Strategy will implement those aspects of the Sustainable Community Strategy which require land allocations or planning policies. Once adopted, the Core Strategy will set the direction for other documents within the Local Development Framework, which will be required to be 'in conformity' with it. It is therefore a critical element of the LDF.
- 1.2 Preparation and production of the Core Strategy started with 'front-loading' consultation during early 2007, under the title of 'Live for the Future'. This extensive public engagement exercise used workshops and other methods to seek views on the main issues and changes that would need to be addressed in the District over the plan period. The key issues were identified and options for dealing them were included in the 'Issues and Options' document, which was published for consultation during January and February 2008. A further period of consultation was undertaken during May – July 2009 on the 'Preferred Option' version of the Core Strategy, following approval by this Committee and Council on 22 April 2009 (CAB 1832 and CL55). This was the first time that the whole Core Strategy had been considered and expressed as a series of strategic planning policies.
- 1.3 This report sets out the initial feedback from the Preferred Option consultation which ran from 14 May until 3rd July 2009, together with how the next stage will proceed given the advice received since the close of the consultation.

2 Public and Stakeholder Consultation

- 2.1 Following approval by Council on 22 April (CL55), the Core Strategy was published on 14 May 2009 for a seven week consultation period. Various forms of publicity were used to raise awareness of the consultation and the availability of the document, including press releases, e-newsletters and a

public notice in the local press. It was also the lead item on the Council's website for a number of weeks during the consultation period, with direct links to both the document and the on-line consultation form.

- 2.2 Those who had previously commented on the Issues and Options version were notified of the Preferred Option consultation, statutory consultees were formally notified. Copies of the document were placed in libraries including on the mobile library service. Given the relationship of the Core Strategy and the Sustainable Community Strategy, members of the LSP and its partners were briefed on the consultation.
- 2.3 Comments were received via various mechanisms, including a pre-prepared comment form which could either be posted or e-mailed to the Council. An on-line consultation form was specifically created for the Preferred Option and over 500 people chose to use this format.
- 2.4 To raise awareness of the Core Strategy and to explain the proposed development strategy, exhibitions were also held around the District. The following table lists the locations and how many people attended:-

Date	Venue	Attendance (approx)
6th June	Alresford	44
8 th June	Whiteley	28
9 th June	Winchester (United Church)	22
11 th June	Denmead	62
11 th June	Bishops Waltham	150 +
12 th June	Colden Common	47
13 th June	Winchester (Brooks Centre)	77
15 th June	Wickham	99
16 th June	Kingsworthy	13
16 th June	Badger Farm	47
20 th June	Waterlooville (held in conjunction with Havant)	Approx 25-30 re West of Waterlooville

- 2.5 The exhibition was also available to view on the Council's website and nearly 500 people took advantage of this facility.
- 2.6 In total about 900 responses were received by the close of the consultation on 3 July 2009, raising just over 4000 specific comments.

3 Sustainability Appraisal

- 3.1 A key requirement of Government guidance and planning legislation is for LDFs to be subject to Sustainability Appraisal (SA) process. Consultants were

appointed to undertake this task at the commencement of Core Strategy preparation in 2007.

- 3.2 Sustainability appraisal is a systematic process that is designed to evaluate predicted social, economic and environmental effects of development planning. European and UK legislation also require that LDFs are subject to a Strategic Environmental Assessment (SEA), a process that considers the effects of development planning on the environment.
- 3.3 The SA/SEA processes for Winchester have been undertaken together in accordance with Government guidance. Each stage of Core Strategy production to date has been appraised systematically using the agreed SA objectives and framework. The outcomes of the Issues and Options appraisal were used to inform the preparation of the Preferred Option, which has also been subject to appraisal, the detailed results of which can be viewed on the Council's website.
<http://www.winchester.gov.uk/EnvironmentAndPlanning/Planning/LocalDevelopmentFramework/SustainabilityAppraisals/>
- 3.4 The appraisal assessed the draft Core Strategy policies in terms of their likely effect and, whilst the majority of policies were found to have significant positive sustainability benefits, some negative sustainability effects were also identified. Both these outcomes are highlighted in the appraisal report. An important role of the SA process is to recommend potential mitigation measures of the negative effects. These can then be carried forward when the policies are re-examined in light of any further changes that may be required to improve them. This is particularly the case for Winchester where the Planning Inspectorate (PINS) has provided some very useful advice in terms of how to express policies.
- 3.5 Consequently the findings of the Preferred Option SA together with the PINS advice will form a firm basis on which to review the precise expression of the Core Strategy policies.
- 3.6 In addition to Sustainability Appraisal/Strategic Environmental Assessment, the Council is required to undertake an assessment of the impacts of the emerging Core Strategy policies on sites designated under European Directive (92/43/EEC) on the Conservation of Natural Habitats and Wild Flora and Fauna (the Habitats Directive) for their ecological status. The assessment (also known as the Appropriate Assessment) will also be used to inform the development of the Core Strategy policies, particularly those that will be allocating strategic sites for development. The scoping and screening reports undertaken on the Core Strategy can also be viewed on the Council's website at
<http://www.winchester.gov.uk/EnvironmentAndPlanning/Planning/General.asp?id=SX9452-A784BDF2&cat=6550>.

4 Reporting Responses

- 4.1 This report is the first in a series that will examine the responses received and suggest a course of action in preparation of the next version of the Core Strategy – ‘Publication’. Given the advice received from the Planning Inspectorate and the proposed amendment to the Core Strategy timetable as discussed elsewhere on this agenda (CAB1905(LDF) refers), it is not possible at this stage to give a firm view as to the precise amendments to be made to the Core Strategy policies or supporting text in response to comments. This will depend on the outcomes of the range of additional technical work being undertaken over the next few months.
- 4.2 However, given that the SA/SEA process is a critical part of policy evaluation and subsequent formulation, the schedules appended to this and subsequent reports include a summary of the SA/SEA results for that section of the Core Strategy, to highlight where the policies may need to be amended to reduce any identified negative sustainability effects. Where relevant the schedules will also include reference to the assessment under the Habitats Regulations.
- 4.3 The schedules follow the order of the Core Strategy and include the following detail:-

Chapter title		
Sustainability Appraisal/Strategic Environmental Assessment – extract of SA/SEA report on Core Strategy Preferred Option:		
<i>The summary of the SA/SEA report is included where the policy has been subject to SA/SEA.</i>		
Respondent Number/Name	Key points (common issues are grouped)	WCC Officer Response and Recommended Approach
<i>Each respondent is listed by their user number – if they are a statutory consultee/councillor then the name of the organisation/elected member is added after their user number e.g 87 (GOSE).</i>	<i>A brief summary is provided to all the points raised under a chapter or section. This is broken down by paragraph or policy if relevant. Comments are not attributed to specific individuals or organisations as the summary may combine comments from several sources.</i>	<i>A brief officer response is given, also picking up advice from PINS/GOSE, together with the results of the SA/SEA, followed by a - <u>Recommended Approach:</u></i>

- 4.4 The following table suggests the chapters that will be reported to this and subsequent committees, subject to confirmation of dates :-

Chapter number	Title	LDF Cabinet Committee
1 -3	Introduction and Background The Winchester Core Strategy Spatial Planning in Winchester District	20 October 2009
4 – 7	The Spatial Strategy Spatial Strategy – Winchester Town Spatial Strategy – South Hampshire Urban Areas Spatial Strategy – Market Towns and Rural Area	December 2009
8 - 16	Core Policies and Appendices	February 2010

- 4.5 Therefore, the schedules appended to this report summarise the issues raised for the first three chapters only of the Preferred Option, in order of paragraph reference. A recommended approach is suggested to address the points raised, for inclusion when the next version of the Core Strategy is being prepared.

- 4.6 All representations can be viewed in full on the Council's web site at <http://documents.winchester.gov.uk/preferredoption/Default.aspx>. These web pages allow responses to be searched either by chapter, policy, paragraph number or by name of respondent.

5 Next Steps

- 5.1 In parallel with reporting the responses on the Preferred Option and suggesting a way forward, officers will be undertaking a range of additional evidence in light of the advice of the Planning Inspectorate and that received via PAS Spatial Planning Peer Information Sharing. This will involve the need for both new evidence and updating existing reports, given the length of time from when some of these were originally prepared and when the Core Strategy will now be submitted for examination.

- 5.2 Officers will continue to liaise with key partners in moving matters forward and colleagues from neighbouring local authorities to ensure a consistent approach.

OTHER CONSIDERATIONS:

6 SUSTAINABLE COMMUNITY STRATEGY AND CORPORATE BUSINESS PLAN (RELEVANCE TO):

- 6.1 As part of progressing effective spatial planning of the District, the Core Strategy is one of the key implementation mechanisms for the Council's Sustainable Community Strategy. To this extent the Core Strategy reflects the outcomes of the Sustainable Community Strategy and strategic planning policies have been expressed to cover these where there is a land use planning requirement for their delivery.

7 RESOURCE IMPLICATIONS:

- 7.1 The key resources for undertaking work on the LDF have been approved as part of the budget process. However, the nature and scale of the LDF will require shared resources in terms of utilising skills and expertise from other divisions within the Council, this is now even more critical given the emphasis on delivery and viability of development schemes.
- 7.2 Meetings of the Cabinet (LDF) Committee can be serviced from within existing resources in the Democratic Services Division.

8 RISK MANAGEMENT ISSUES

- 8.1 CAB(1905)LDF elsewhere on this agenda identifies the need to extend the preparation time of the Core Strategy to take on board the advice received following the PINS advisory visit. Whilst this amendment delays the timescale, there is less risk in following the PINS advice and undertaking additional work at this stage of Core Strategy preparation than in proceeding as originally planned and potentially having the whole Core Strategy deemed as 'unsound' at examination.
- 8.2 Such an outcome would in the longer term create greater risk through having an extended period of aging policy guidance and would require further resources to enable the Core Strategy to be redrafted and for certain stages to be repeated, prior to it being re-submitted for examination.

BACKGROUND DOCUMENTS:

None

APPENDICES:

Appendix A : Schedule of Responses to Chapter 1- 3 of Preferred Option

Chapter 1- Introduction and Background		
Respondent Number/Name	Key points (common issues are grouped)	WCC Officer Response and Recommended Approach
13 (Denmead PC), 33 (South Wonston PC)	General support for approach promoted through the Preferred Option	Noted
23 (Littleton and Harestock PC), 87 (GOSE), 10037, 10259, 10026, 10423, 3198, 3135, 10440 (Cllr K Learney, Liberal Democrat Group), 2515	<p>Range of general comments on the document as a whole covering the following points :-</p> <ul style="list-style-type: none"> • Some elements conflict with government guidance and would be more effective if expressed in terms of local challenges and local distinctiveness • lacks detail • Need to refer to the adopted South East Plan • Question whether there is flexibility to respond to economic or political changes? • Need to address issue of airport policy within the document • Lack of reference to students throughout the document • The green economy should be the driver new for companies and new jobs • Need to refer to which local plan policies are being replaced by the core strategy at next stage • Must plan for 15 years from adoption of the CS not just up to 2026 • Refer to adjacent LA strategies and South Downs National Park in para 1.10 	<p>PINS has given detailed advice as to the content and expression of policies to be included in the Core Strategy, therefore a number of these general matters will be dealt with through the re-drafting necessary to address these points. This is also the case for the reference to flexibility, which is a key requirement of LDFs to be able to respond to changing circumstances.</p> <p>Further elements of the Core Strategy will need to be updated, which will include references to the adopted SEP.</p> <p>Officers will assess the requirement for policy guidance on airports, but this does not appear to be a Core Strategy issue and is covered by an existing 'saved' Local Plan policy.</p> <p>References to the green economy will be addressed alongside comments on the 'Economic Prosperity' section. The comment regarding students is also relevant to this section, although the issues raised were not identified as a key issue during early consultation and are not therefore a matter which</p>

		<p>needs to be considered through the Core Strategy.</p> <p>It is acknowledged that the Local Plan policies to be replaced should be listed in the next version of the Core Strategy and that this needs to cover a 15-year period from adoption. There also needs to be a clearer/updated reference to other authorities' plans and the South Downs National Park.</p> <p><u>Recommended Approach :</u></p> <p>To amend the Core Strategy to update it as necessary (refer to adopted SE Plan, South Downs National Park, etc) and to revise the policy wording in accordance with PINS advice on policy expression ('what/where/when/how') and flexibility.</p>
<p>Chapter 2 – The Winchester Core Strategy</p>		
Respondent Number/Name	Key points (common issues are grouped)	WCC Officer Response and Recommended Approach
3009, 10046, 2515	<p>Comments on para 2.1 :-</p> <ul style="list-style-type: none"> • Not enough emphasis on infrastructure to support new development • Specific comments to retain Bushfield Camp as green space • The SCS vision misses the opportunity to create a better and distinctive place. 	<p>This section of the CS describes the relationship of the CS with the Council's Sustainable Community Strategy and purely reflects the vision and outcomes of that document, which a separate strategy and was not subject of this consultation.</p> <p><u>Recommended Approach:-</u></p> <p>These comments need to be taken into account when the SCS is reviewed but the Core Strategy</p>

		<p>cannot change that document. Where they relate to planning matters these can be taken forward when the spatial vision and strategic objectives are reviewed in conjunction with other comments made on Section 3 of the CS.</p>
<p>10037, 25 (New Alresford Town Council), 1230, 10270, 10440 (Cllr K Learney, Liberal Democrat Group), 1996</p>	<p>Comments on para 2.3:-</p> <ul style="list-style-type: none"> • Need to nurture the education capacity of Winchester • The statements concerning climate change should be strengthened to bring this document in line with WCC's and HCC's published aims. • objective is not carried through into creating a modern and creative approach to business. • Must force traffic to slow down in residential areas • The strategy seems to assume that economic growth takes priority over the environment – this needs to be challenged - Economic development is possible without major housing expansion or use of green space 	<p>This section of the CS describes the relationship of the CS with the Council's Sustainable Community Strategy and reflects the vision and outcomes of that separate document.</p> <p><u>Recommended Approach:-</u></p> <p>These comments need to be taken into account when the SCS is reviewed but the Core Strategy cannot change that document. Where they relate to planning matters these can be taken forward when the spatial vision and strategic objectives are reviewed in conjunction with other comments made on Section 3 of the CS.</p>

Chapter 3 Spatial Planning in Winchester District		
Sustainability Appraisal/Strategic Environmental Assessment – extract of SA/SEA report on Core Strategy Preferred Option:		
<p>‘A strategic compatibility analysis of the Core Strategy Vision and Objectives was carried out using the SA framework in April 2009. On the whole, the Core Strategy vision and objectives perform well against the majority of SA objectives. Some of the key sustainability issues are addressed through the objectives, such as the protecting and enhancing the character and quality of the landscape of the District and the promotion of health and well being through the promotion of more sustainable modes of travel, and the timely provision of infrastructure and services. SA objectives that do not appear to be particularly well addressed relate to protection and improvement of the water resource, although this is implicit in spatial planning objectives addressing environmental quality.’</p>		
Respondent Number/Name	Key points (common issues are grouped)	WCC Officer Response and Recommended Approach
2191, 10037, 10413, 2198, 2229, 10439, 10448, 10451	Support Spatial Vision	Noted
10058, 10412, 87 (GOSE), 2198, 2229, 10178, 10413, 10439, 10448, 10451, 10455	<p><u>Comments on para 3.1 spatial Planning Vision:</u></p> <ul style="list-style-type: none"> the role of the market towns should be recognised both in the vision and the Spatial Strategy as places where more local sustainable developments can be located vision does not refer to the characteristics of the area or key issues should refer to the importance of providing access to a decent home the Vision and Spatial Planning Objectives are not locally distinctive and could apply anywhere 	<p>PINS advice on the vision and spatial objectives emphasises the need to express local issues and to be more locally specific, particularly with reference to how the District will change over the plan period. However, the SA/SEA results suggest that the vision performs well when assessed against the majority of SA objectives.</p> <p><u>Recommended Approach:-</u></p> <p>To take into account the PINS advice about being more locally specific when this section of the CS is redrafted, which will also address most of the other comments raised. This needs to take into account the SA/SEA results and</p>

		the need to maintain the emphasis on achieving sustainable development.
2191, 3199, 10412, 10413, 10455, 10043, 10440 (Cllr K Learney, Liberal Democrat Group), 10451. 10037, 3198	Support spatial planning objectives	Noted
87 (GOSE), 2198, 10064, 84 (SEERA), 2592 (Forestry Commission), 86 (Environment Agency), 90 (English Heritage)	<p><u>Comments on para 3.2- 3.6 Spatial Planning Objectives:</u></p> <ul style="list-style-type: none"> • It is noted that the objectives are not prioritised. Giving equal weight to the various objectives is supported. However this should be made explicit in the accompanying text. References to housing need should be widened to refer to the housing needs of the District's resident and working population. • Need to cross reference these to the main text/policies to demonstrate whether they are deliverable • The objectives should be quantified where possible so that they are measurable and include milestones, e.g. build x dwellings by 2016, provide y affordable homes by 2026, etc • support the need to identify biodiversity / wildlife interests within this section but other aspects are not given equal weight (i.e. adaptation and mitigation to Climate Change, sustainable land management, etc) 	<p>The spatial planning objectives need to be reviewed in light of PINS advice, particularly with regard to the need to make these more local distinct and if necessary settlement specific. In addition both SEERA and GOSE advise that these objectives should also be quantified where possible to aid monitoring and implementation. This level of detail will need to be informed by the various additional technical studies to be undertaken.</p> <p>A review of the objectives will also provide the opportunity for these to be updated and expanded to pick up a number of the specific points raised in the responses. In particular the issues highlighted through the SA/SEA process in relation to water resources, which is also raised by the Environment Agency, a key environmental consultee.</p> <p>The suggestion to provide cross referencing to demonstrate the linkages between the vision, objectives and policy is a</p>

	<ul style="list-style-type: none"> the objectives need to be more explicit about protection and enhancement of ground and surface water resources protection and enhancement of the environment should extend beyond the 'most valuable' assets. 	<p>valid point, which will need to be emphasised when the CS text is redrafted.</p> <p><u>Recommended Approach:-</u></p> <p>To amend the spatial objectives to reflect the issues raised in responses to the CS consultation and the results of the SA/SEA, particularly to expand the objectives to make them more locally specific with quantities of development types and the general location of development.</p>
<p>86 (Environment Agency), 3071, 3135, 91 (Natural England), 2191, 86 (Environment Agency), 10451</p>	<p><u>Comments on SA/SEA/HRA;</u></p> <ul style="list-style-type: none"> Natural England agrees that an Appropriate Assessment (AA) is required, and would need to see evidence that the continual assessment process is informing the evolution of the Core Strategy The SA/SEA is inconsistent with the Core Strategy which is not consistent with the SE Plan. In particular it has no policy to reduce carbon emissions or reduce travel demands Serious concerns that the preferred option is not accompanied by a Habitat Regulations Assessment (HRA) or a Sustainability Appraisal (SA) and believe the Core strategy to be unsound without these key documents 	<p>LDFs are required by Government guidance and planning legislation to be supported by a Sustainability Appraisal, Strategic Environmental Assessment and assessments under the Habitats Regulations. These have been undertaken by consultants commissioned by the Council at the commencement of preparation of the Core Strategy and accompanied the Preferred Option.</p> <p>Both the SA/SEA and HRA have been undertaken on the Preferred Option of the Core Strategy and the results are on the Council's website. A number of detailed comments were received on the results of the SA/SEA and these have been forwarded to the Council's consultants who will assess these as appropriate when</p>

		<p>undertaking the SA/SEA of the next stage of the assessment when the CS is Published under Regulation 27. The SA/SEA and HRA are part of the evidence base for the CS and are key tools to ensure that the emerging policies deliver sustainable development without any unnecessary negative impacts.</p> <p>The CS will be required when Published (Regulation 27) to also be sent to South East Partnership Board (formally SEERA) under (Regulation 29) for assessment as to its conformity with the adopted South East Plan.</p> <p><u>Recommended Approach:</u></p> <p>To take into account the comments raised where these can be used to enhance the SA/SEA/HRA assessments and outcomes.</p>
<p>36 (Swanmore PC), 2269, 10395, 25 (New Alresford Town Council), 86 (Environment Agency), 90 (English Heritage), 10451</p>	<p><u>Comments on para 3.13</u></p> <ul style="list-style-type: none"> • amend the key drivers with regard to climate change and the provision of public transport and other forms of transport that reduce the need to travel by car • is no mention of light industry, the need for new industrial and business premises • water and wastewater disposal should be identified as key issues • refer to the issue of 	<p>The Key Drivers are the main challenges that have been identified as impacting on the Winchester District over the Plan period i.e. up to 2026, and that can be dealt with through the planning system. They are therefore set out as a series of broad questions rather than providing comprehensive answers. The schedule at para 3.13 however refers to a series of draft CS policies that could be applied to</p>

	<p>accommodating development within a high quality environment, whilst maintaining local character and distinctiveness. This would give a clearer link between vision, objectives and policy.</p>	<p>address the stated challenges.</p> <p>The responses made to this section raise very detailed matters, which go beyond the purpose of this section - that is to highlight the main challenges to be addressed through such a strategic document as the CS.</p> <p>However, given the PINS advice to be more locally specific, the matters raised may be a pragmatic means of demonstrating some very local issues affecting the Winchester District.</p> <p><u>Recommended Approach:</u></p> <p>To revise and update the key drivers expressed at para 3.13 to be more locally specific where relevant and where the matters raised can be addressed through the planning system.</p>