

COUNCIL

14 April 2004

WINCHESTER DISTRICT LOCAL PLAN

REPORT OF CITY SECRETARY AND SOLICITOR

Contact Officer: Chris Ashcroft 01962 848284

RECENT REFERENCES:

WDLP 48 – Pre-Inquiry Changes to the Local Plan Review: Analysis of Representations and Further Proposed Changes

EXECUTIVE SUMMARY:

Attached to this report are the minutes of the meeting of the Winchester District Local Plan Committee held on 8 April 2004. Council is requested to determine the minute relating to the Pre-Inquiry Changes to the Local Plan Review, and to receive the remaining minutes.

RECOMMENDATION:

1. That the minute of the meeting of the Winchester District Local Plan Committee held on 8 April 2004 relating to the Pre-Inquiry Changes to the Local Plan Review be approved and adopted.
2. That the remainder of the minutes of that meeting be received and noted.

OTHER CONSIDERATIONS:

CORPORATE STRATEGY (RELEVANCE TO):

To help look after the built and natural environment for the benefit of present and future generations, and to promote a thriving local economy in the District.

RESOURCE IMPLICATIONS:

Within current resource levels

BACKGROUND DOCUMENTS:

Representations on the Deposit and Revised Local Plan held on file in the Planning Department

APPENDICES:

Minutes of Meeting of Winchester District Local Plan held on 8 April 2004

CL19

WINCHESTER DISTRICT LOCAL PLAN COMMITTEE

8 April 2004

Attendance:

Councillors:

Bidgood (Chairman) (P)

Bailey (P)
Bennetts (P)
Chamberlain
Davies (P)
Hutton (P)

Jeffs
Pearson (P)
Porter (P)
Read (P)
Sutton (P)

Deputy Members:

Councillor Busher (Standing Deputy for Councillor Chamberlain)
Councillor Wright (Standing Deputy for Councillor Jeffs)

Others in attendance and Speaking:

Councillors Campbell (Leader of the Council), Cook (Portfolio Holder for Environment, Economy and Development) Lipscomb and Verney

Others in attendance and not Speaking:

Councillors Beveridge (Portfolio Holder for Transport and Access), Hiscock (Portfolio Holder for Housing), Craig, de Peyer, and Mitchell

Officers in attendance:

Mr S Opacic (Forward Planning Team Manager)
Mrs M Kirby (Planning Officer)
Mr S Whetnall (City Secretary and Solicitor)

1. **APOLOGIES**

Apologies were received from Councillors Chamberlain and Jeffs.

2. **MINUTES**

(Report CAB833 refers)

RESOLVED:

That the minutes of the previous meeting of the Committee held on 26 February 2004 be approved and adopted.

3. **PUBLIC PARTICIPATION**

At the invitation of the Chairman, Mrs Edwards of the City of Winchester Trust recommended a pre-Inquiry change to the Local Plan to delete the word “approximately” in reference to the 2000 dwellings that would be built at the Winchester City North Major Development Area (MDA), if it were triggered. Mrs Edwards considered that use of “approximately” could lead to the development of fewer than 2000 dwellings and therefore a less sustainable development. However, following a discussion, the Committee agreed to retain “approximately” to reflect the reality that the final MDA may be a few dwellings more or less than the required 2000.

Comments from Mr Hayter of the Bishops Waltham Society were considered under Report WDLP47, later on the agenda.

4. **SCRUTINY WORK PROGRAMME**

The Committee considered an update on the work programme and Mr Opacic explained that the Council would inform everyone who had objected to the Plan of any Further Proposed Changes, but that due to limitations of time, any further comments they may have should be dealt with directly by the Inquiry. It was also noted that the Further Changes would be publicised on the Council’s website.

5. **PRE-INQUIRY CHANGES TO THE LOCAL PLAN REVIEW: ANALYSIS OF REPRESENTATIONS AND FURTHER PROPOSED CHANGES**

(Report WDLP48 refers)

The report set out the representations made on the Pre-Inquiry Changes to the Local Plan Review and one of the significant changes recommended in the report concerned the provision of affordable housing. To that end, the Chairman welcomed to the meeting Mr Jenkins and Mr Dixon from Adams Integra, who had been appointed by the Council to assess the viability of the proposed affordable housing proportions and thresholds in the Local Plan Review.

The Local Plan Review had proposed that within the larger settlements (with populations above 3000) 35% of new developments of five units or more should be affordable housing units. For smaller settlements (whose populations were less than 3000) the Local Plan Review sought 50% affordable housing units on development sites of two or more units.

However, Mr Dixon advised that, having calculated the value of the land, it was likely that the proposed policies would result in fewer sites coming forward. Adams Integra had projected that the effects of the proposed policies would reduce the land values in larger settlements by between 50% and 80% and in the smaller settlements by between 80% and 90%. The effects of these policies would be heightened by the more relaxed affordable housing policies of neighbouring authorities. However, Members noted that the method of calculation used by the consultants could only be regarded as a snapshot and would require regular updating, as it was based on a number of assumptions and variables such as interest rate levels. Mr Dixon also clarified that the cost calculation of the affordable homes had assumed that the only profit for the developer would be related to the build costs.

Mr Dixon therefore suggested that the level of development activity was less likely to be depressed by seeking 35% of dwellings on developments above five or more units in the

larger settlements (other than in the Winchester Town area). He recommended that the unique strength of the house prices in the Winchester Town area could sustain a proportion of 40% affordable housing units on developments of five and above. In regard to the smaller settlements, off-site contributions towards affordable housing should be sought on developments of between two and five units, but should be sought on-site, at a proportion of 35%, on developments of at or above five units.

The Adams Integra study had also recommended that where the mathematics of the 35% requirement resulted in a fraction of a house, this should be rounded down (and not up as the Local Plan Review sought) to the nearest dwelling and that the remainder be collected as an off-site contribution.

In conclusion, Mr Dixon explained that the suggested changes to the affordable housing policies would still be demanding for developers, but together with a flexible and open-door approach from the Council, he anticipated that these policies would produce the greatest number of affordable units.

At the invitation of the Chairman, Councillor Campbell thanked the consultants for their work and stated that one of the strategic priorities of the Council was to maximise the number of affordable houses. She also underlined the Council's preference for on-site provision, so that new affordable housing could be fully integrated with other developments.

Also at the invitation of the Chairman, Councillor Lipscomb spoke in support of the need to increase the number of affordable houses, but advised caution to ensure that the Local Plan contained the policy which would maximise the number of units bought forward.

In response to Members' questions, Mr Opacic explained that the results of the Adams Integra Study would be presented, along with the Housing Needs Survey, as evidence at the Inquiry in defence of the need for policies which maximise the amount of affordable housing achieved.

In response to another question, Mr Dixon stated that the suggested Local Plan policies would not prescribe the type of tenure available at affordable homes, but that his calculations had assumed a mixture of tenures. The details of tenure type would continue to be negotiated on a site-by-site basis between the Council and the developer.

The Committee considered the proposals for off-site contributions. Mr Dixon suggested that the Council could use the money to buy back properties that had been sold under the right-to-buy scheme, as they came available or they could convert existing properties or build new ones. Another option was to use the finance to assist the development of affordable housing on Council or Housing Association owned land. Where off-site contributions had been collected, it was noted that these should be spent within the locality of the original development and where there was a proven housing need.

In response to comments, it was agreed that information should be presented to the Housing Performance Improvement Committee on the progress of off-site contributions.

In relation to the remainder of the recommended changes and responses within the report, these were considered and agreed in turn as set out in the report except for the following alterations:

- (Within the covering report – paragraph 6.4, bullet point 4 to be deleted: “Paragraph 6.52: an amendment to PIC 06.12, to reflect the conclusions of the economic analysis.”)

- Page 35 (paragraph 6.41) and Page 38 (paragraph 6.45): To clarify that “Winchester” means the built up area of the town.
- Page 55, Issue 12.03 Recommended Response – replace “no change” with “none.”
- Page 45, paragraph 6.54: To replace “less” with “fewer” than 5 dwellings...
- Page 58, Issue GLO.01: To insert “Recommended change – None.”
- That in the final published version of the Plan all maps relating to the Local Plan be dated.

With regard to the proposed changes that related to the West of Waterlooville MDA, Mr Opacic recommended that these be subject to any further changes arising from the West of Waterlooville Forum meeting on 15 April 2004. During the debate, the Committee noted the effects of the developer’s Masterplan on the hospice, the location of the employment sites to the west of the electricity pylons, and the deletion of the urban park. In response to comments, Mr Opacic explained that it was likely that the Inspector would be asked to publish his findings on the MDA prior to the remainder of the Plan, so as to assist Members in the determination of the MDA’s planning application.

At the conclusion of the debate, Mr Opacic tabled a list of how the requirements of the Town and Country Planning (Development Plan) Regulations 1999 had been satisfied during the Local Plan Review process and the Committee agreed to these as set out in Appendix A to these minutes.

RECOMMENDED:

- 1. THAT THE CONTENT OF THE SCHEDULE “ANALYSIS OF REPRESENTATIONS AND RECOMMENDED RESPONSES”, ATTACHED AS APPENDIX 1 TO THE ABOVE REPORT, BE APPROVED AND ENDORSED AS REPRESENTING THE COUNCIL’S RESPONSE TO THE REPRESENTATIONS ON THE PRE-INQUIRY CHANGES TO THE REVISED DEPOSIT LOCAL PLAN, SUBJECT TO THE ABOVE AMENDMENTS.**
- 2. THAT THE PROPOSED CHANGES TO THE LOCAL PLAN, AS SET OUT IN THE SCHEDULES AT APPENDIX 1 AND AT PARAGRAPH 4.4 OF THE ABOVE REPORT (IN RELATION TO THE WEST OF WATERLOOVILLE MDA), AND THEIR PUBLICATION AS FURTHER PROPOSED CHANGES, BE APPROVED.**
- 3. THAT THE DRAFT WEST OF WATERLOOVILLE MASTERPLAN LAYOUT BE ENDORSED FOR PUBLICATION WITH THE FURTHER CHANGES, SUBJECT TO ANY AMENDMENTS NECESSARY FOLLOWING THE WEST OF WATERLOOVILLE FORUM ON 15 APRIL 2004 AND THAT THE DIRECTOR OF DEVELOPMENT SERVICES, IN CONSULTATION WITH THE CHAIRMAN AND THE PORTFOLIO HOLDER FOR ENVIRONMENT, ECONOMY AND DEVELOPMENT, BE AUTHORISED TO AGREE ANY SUCH AMENDMENTS PROVIDED THEY ARE MINOR IN NATURE AND DO NOT ALTER THE POLICIES IN THE DOCUMENT**

4. THAT THE STATEMENT OF COMPLIANCE WITH THE REQUIREMENTS OF THE 1999 TOWN AND COUNTRY PLANNING (DEVELOPMENT PLAN) REGULATIONS (ATTACHED AS APPENDIX A TO THE MINUTES OF THE MEETING) BE ENDORSED.

6. **HOUSING REQUIREMENTS AND ISSUES**

(Report WDLP47 refers)

The report set out the increasing importance that regional and strategic planning guidance had placed on the delivery of housing targets and the general need to increase the level of housing provision. It anticipated that future housing provision targets would be significantly higher than those of the current Regional Spatial Strategy.

As a consequence of this, Mr Opacic explained that it was recommended that officers should be permitted to offer further, non site-specific, guidance at the Inquiry as to general locations in which omission sites could be released, as outlined in paragraph 4 of the report, in accordance with the principles of sustainable development as set out in the Local Plan and in national planning guidance. The advice would also have reference to the housing 'sustainability matrix' previously agreed by this Committee. Following a debate, the majority of Members agreed that this advice should be provided, but only if requested by the Inspector.

During the debate it was suggested that the release of some omission sites could help some small communities retain some of their facilities such as shops and schools. The Committee also discussed the availability of windfall sites, whether land would become available following the Ministry of Defence Land Review and the capacity of the building trade to complete the housing targets. Mr Opacic stated that greatest threat to satisfying housing provision targets was likely to come from delays at the Waterloo MDA.

The Committee considered the Action Plan within the report and noted the relatively small sums that would be available from changes to the Second Homes Council Tax Discount but agreed that more should be done to demonstrate examples of good design to alleviate residents' fears of PPG3.

At the invitation of the Chairman, Mr Hayter of the Bishops Waltham Society raised his concerns at the rate of housing provision in the District and the Committee noted that these concerns were likely to be further considered at the Inquiry.

RESOLVED:

That it be recommended to Cabinet:

1. That the local authority actions contained in the Action Plan at Appendix 1 be endorsed, subject to the addition of reference to examples of good design, but indicate its objection to the GOSE/ODPM actions that refer to pressing for the release of reserve or greenfield sites through the Local Plan Inquiry.

2. That officers should present a robust case to the Local Plan Inquiry indicating that there is no need for the release of additional housing sites.

3. That officers should offer guidance to the Inspector, as outlined in paragraph 4 of the report, if requested, on the selection of such sites should the Inspector reach a different conclusion in respect to the release of additional housing sites.

The meeting commenced at 2.00pm and concluded at 5.10pm.

Chairman

WDLP48 – Pre-Inquiry Changes to the Local Plan Review: Analysis of Representations and Further Proposed Changes

It is proposed that the sections below will be presented to the Local Plan Inquiry Inspectors to indicate how the requirements of the Town and Country Planning (Development Plan) Regulations 1999 have been satisfied.

Regulation 20(2) requires the local planning authority to have regard, when formulating policies in a local plan, to the matters set out in Section 12(6), and Regulation 20(1). In preparing the plan, the Council has had regard to these matters, as set out below:-

Reg 20(1):-

- (a) Economic, environmental and social considerations;

Economic, environmental and social considerations are at the heart of the local plan process, impacting as they do on virtually all of the policies which are included in the plan. Such considerations have therefore played a central role in formulating the policies, and responding to representations submitted (many of which are concerned with these considerations)

- (b) The national waste strategy;

Waste matters are primarily a matter for the County Council. However, in preparing the Review Local Plan, the City Council has had regard to the principles of the National Waste Strategy where appropriate. Proposals in the Design and Development Principles Chapter are particularly relevant to the Strategy.

- (c) The objectives of preventing major accidents and limiting the consequences of such accidents; and
- (d) The need:-
- (i) In the long term, to maintain appropriate distances between establishments and residential areas, areas of public use and areas of particular sensitivity or interest; and
- (ii) In the case of existing establishments, for additional technical measures in accordance with Article 5 of the Directive so as not to increase the risks to people.

(c) and (d) It is not thought that there are any premises in the Council's area which fall within the terms of the Directive

Section 12(6):-

- (a) any regional or strategic planning guidance given by the Secretary of State to assist in the preparation of plans;

RPG9 and Planning Policy Guidance Note 12 has been taken into account in preparing the plan.

- (b) current national policies;

Relevant Planning Policy Guidance Notes and circulars have been considered when drawing up the plan.

- (c) the resources likely to be available;

The Implementation Chapter (Chapter 14) explains how the Council considers the plan's proposals may be implemented, and sets out the resources which might be available to achieve such implementation.

(d) [such other matters as may be prescribed or directed]

Regulation 20(3) requires the reasoned justification of the policies formulated in a local plan to contain a statement of:-

- (a) The regard which the local planning authority have had to the matters [set out above];
- (b) The reason for any inconsistency between the policies and proposals and the National Waste Strategy *(the City Council does not consider that there are any inconsistencies between the Review Plan and the National Waste Strategy)*;
- (c) The account which has been taken of any enterprise zone scheme in the area *(there are no such zones in the area)*.