

**WINCHESTER DISTRICT LOCAL PLAN REVIEW INSPECTOR'S  
RECOMMENDATION, PARAGRAPH 6.10.11(B)  
REPLACEMENT OF POLICY H.3**

COMMENTARY ON INSPECTOR'S RECOMMENDATION

The Inspector has recommended the replacement of Proposal H.3, including the list of settlements and defined frontages in the Draft Plan to which the Proposal applies, with a criteria-based policy for limited infill development within areas of the District that lie outside the boundaries of the Proposal H.2 settlements.

The Inspector based the recommendation on his conclusion that the selection of the Proposal H.3 settlements, and also the particular areas within them to which the Proposal relates, is somewhat arbitrary. In particular he considered that the distinction between the Proposal H.3 settlements and other settlements, which lie within the area designated as countryside in the Draft Plan and that are therefore subject to very much more restrictive policies, pays insufficient regard to sustainability objectives.

The Inspector infers in his report that the criteria-based replacement policy he recommends will provide a stricter degree of control over development outside of the Policy H.2 areas than was provided for in the Revised Deposit Draft Plan. Planning Policy Statement 7 "*Sustainable Development in Rural Areas*" (PPS7) was published in 2004. It has been interpreted as providing for a greater restriction on housing development in rural areas. The reports of other Local Plan Inspectors issued since the publication of PPS7 follow the same line, particularly in respect of settlements that are not considered to be sustainable. The Inspector also recommends the preparation of a Supplementary Planning Document (SPD) to amplify the Local Plan policy. It will therefore be important that the detailed criteria to be adopted in the SPD are carefully drafted so that they do not permit a scale of development that is contrary to the guidance in PPS7 that new building development outside towns and identified service centres should be strictly controlled.

There are few examples of purely criteria-based infill development policies in current local plans, although such a policy was in operation throughout most of Hampshire up until the 1980s. The Fareham Local Plan, adopted in 2000, contains a similar policy to the earlier Hampshire-wide document. However neither the Fareham policy, nor others that we have examined, include references to sustainability factors, nor are they backed up by SPD.

The Inspector acknowledges that the identification in the Plan of frontage development areas provided users of the Plan with a degree of certainty that would not be the case with a criteria-based policy.

Notwithstanding these concerns, it is considered that the Inspector's recommended new policy accords with current Government policy advice on development within rural areas and that it is capable of being operated satisfactorily in conjunction with carefully drafted SPD. There will of course be the opportunity to review the policy as part of the preparation of the Local Development Framework documents for the District.

### STAKEHOLDER INVOLVEMENT IN THE CONSIDERATION OF THE REPLACEMENT PROPOSAL H.3

A total of three stakeholder meetings have been held to enable interested parties, including parish councils, amenity societies and development interests to contribute to the discussion on the principle of the Inspector's recommended new policy, the drafting of that policy and the criteria to be included in the supporting Supplementary Planning Document (SPD). The Inspector's recommended new Local Reserve sites policy was also the subject of discussion at the meetings.

The first two meetings took place on 17 November 2005. The morning meeting was attended by a total of 24 people (mainly representing development interests); the evening meeting by a total of 12 (mainly Parish Council and amenity group representatives). Some City Council Members were also present at both meetings. The main purpose of these meetings was to explain the background to the Inspector's recommendation and discuss the main issues relating to the proposed new policy.

A single meeting was held on 28 November 2005 to bring together all of the interested parties, to feed back the outcome of the first round of meetings and to consider possible criteria that could be included in the SPD. A summary of the comments made at the first two meetings was also posted on the Council's website in advance of the 28 November meeting, together with discussion notes for the latter. There were a total of 24 attendees at this latter meeting, of whom some two thirds were Parish Council and amenity group representatives.

While the sessions were organised to discuss both the new Local Reserve Sites policy and the revisions to Proposal H.3, it was clear from the meeting that the majority of attendees, particularly Parish Council representatives, were there to discuss Proposal H.3 matters. Of particular concern to those attendees were: the uncertainty that the deletion of the H.3 frontage development areas would entail; the potential for the opening up of the policy to settlements currently excluded; and the difficulty in assessing the impact on the character of small settlements. It should be noted that the Council's Development Control officers had expressed similar concerns in the discussions that the Consultant had had with them prior to the stakeholder meetings.

The criteria to be included in the supporting SPD are intended to give clear guidance to the users of the Local Plan on how the new policy will be operated in practice. More

detailed work is required on these before the SPD can be drafted for Members' consideration in January 2006. The broad content of the SPD criteria is set out in the recommended explanatory text relating to the new policy, which will form part of the Local Plan. The policy wording is as recommended by the Local Plan Inspector. The recommended explanatory text to replace paragraphs 6.29 and 6.30 of the Draft Plan incorporates the Inspector's recommended wording with additional amplification.

RECOMMENDED NEW LOCAL PLAN POLICY AND EXPLANATORY TEXT  
(PROPOSED MODIFICATION 6.15)

***Outside the built-up areas of settlements listed in Proposal H.2, schemes for limited infill residential development will only be permitted where the proposal accords with other relevant policies of the Plan and satisfies all of the following criteria:***

- (i) the site is well related to an existing village or settlement in that at least one side would adjoin an existing residential boundary;***
- (ii) the principle of development on the site and the scale and form of the proposal would not harm the rural character and appearance of the area and that of the existing village or settlement to which it relates;***
- (iii) the development would be consistent with the Council's objectives for the promotion of a sustainable pattern of development of the area.***

Explanatory text

1 Housing development that relates to existing development in the countryside or that has a need to be there is described in Proposals C.18 – C.26 in Chapter 4. Policy H.... provides for the development of 'Local Reserve' sites as extensions to Policy H.2 settlements if considered necessary to meet the housing provision required under Proposal H.1. Housing development elsewhere outside the defined policy boundaries of the settlements listed in Proposal H.2 will need to be strictly controlled to protect the countryside and to prevent intrusive development which fails to conform to the overall housing strategy described above.

2 Notwithstanding this strict control of residential development in the countryside, Policy H.3 also recognises that there may be some scope for limited infilling in the villages and settlements in the designated countryside outside the settlement policy boundaries of Policy H.2. The criteria listed in Policy H.3 will ensure that any proposal is consistent with Government guidance in PPS7: "Sustainable Development in Rural Areas" in that it meets local needs but does not harm the character of the countryside or result in the formation or consolidation of unsustainable patterns of development. Policy H.3 should be read in conjunction with the Council's Supplementary Planning Document (SPD) which assists in the interpretation of the policy. The number of dwellings permitted under this Proposal is expected to be limited and will be the subject of annual monitoring.

3 Infill development is defined in the Glossary to the Plan and is further amplified in the SPD for the purposes of implementing this Policy. The Local Planning Authority will expect applicants seeking planning permission for development covered by this Proposal to demonstrate how their applications will meet **all** of the criteria included in the Policy, as amplified below and set out in greater detail in the SPD.

4 In determining whether a settlement is a sustainable location for infill development, particular consideration will need to be given to the range of facilities either within the settlement, or within safe and convenient distance of the proposed site by means of transport other than the private car. Alternatively, there may be instances where a particular local need for the form of development proposed has been identified in a Parish Plan, which has been endorsed by the Local Planning Authority, that is sufficient to outweigh the lack of local facilities or services in or within easy reach of the settlement.

5 In considering the size of sites where 'limited infill' development may be permissible, consideration will be given to the width of typical nearby dwelling plots. The SPD also sets out the circumstances in which the redevelopment for housing of non-residential buildings on infill sites, and where the intensification by redevelopment of residential properties, may be permissible.

6 Proposals for terraced or denser dwelling layouts, especially where they make provision for smaller households, will be permitted where they reflect the character of the area or would enhance the street scene. However, the frontage development character of many of the settlements in the countryside will generally limit the opportunities for in-depth development.

7 In determining whether or not a proposal would harm the rural character and appearance of the area and that of the existing village or settlement to which it relates, particular consideration will be paid to the content of Conservation Area Appraisals and adopted Village Design Statements, including the identification of any gaps or natural features that should be retained because of their importance to the character of the area.

8 The provisions of this Policy would not justify an exception to Proposal C.4 to allow for residential development within the Strategic and Local Gaps. Development within the East Hampshire Area of Outstanding Beauty (AONB) or the proposed South Downs National Park, or other statutorily designated areas, would need to be the subject of very careful consideration. The landscape and scenic beauty of the AONB and the proposed National Park are of national importance and these areas are therefore subject to particular protection.

9 The Policy H.2 boundaries denote the areas within which appropriate development can acceptably be accommodated. Conversely, the development of sites adjoining but outside of those boundaries would be harmful to the character of the settlements, intrusive in the countryside, or be contrary to other policies of the Plan, and will not therefore be permissible under Policy H.3.