

Winchester District Local Plan Review

Analysis of Representations on the Proposed Modifications

Chapter 12: MAJOR DEVELOPMENT AREAS

Summary of Representation.
Change sought

Recommended Response to Representation
Recommended Change

WEST OF WATERLOOVILLE MDA

MOD 12.28 Policy NC.2 (v)

Representations:

- **Objections:**

Grainger Trust Plc (214/2)

Support the change to at least 2000 dwellings as the eventual development may result in a higher figure. However, the Structure Plan requirement for the reserve provision is 1000 dwellings. The words 'up to' and the wording referring to a reduction in size if higher densities are achieved in the first phase of the MDA should be deleted, as they are in conflict with the Structure Plan policy (deleted wording proposed).

Change sought – amend wording as suggested

Recommended Response to Representation

The support from the respondent for the Proposed Modification is welcome.

The respondent suggests that the wording in respect of the reserve provision of 1,000 dwellings should be amended by the deletion of the wording 'up to' and the consequent reference to potential changes to Inset Map 41, should a reduced area be required.

The reserve provision is a requirement of policy H4 in the Structure Plan, and this policy requires the local plan to identify a reserve housing provision of 'up to' 14,000 dwellings with a reserve of 1,000 dwellings at West of Waterlooville.

The proposed modification is therefore consistent with the wording of the Structure Plan and the modifications recommended by the Inspector in para 12.4.3 of the Inspector's Report

Recommended Change:

None

MOD 12.31 Paragraph RD12.20

Representations:

- **Objections:**

Grainger Trust Plc (214/3)

The objection should be read in conjunction with that to MOD 12.28. For the same reasons, the wording in this paragraph would be in conflict with the Structure Plan policy. A restriction on the reserve element of the MDA would prejudice the ability to deliver a comprehensive sustainable development should it be needed. Suggest that the wording is changed

Recommended Response to Representation

This response puts forward a similar argument to the respondent's comments on MOD 12.28. The wording of paragraph RD 12.20 is consistent with both the Structure Plan and the Inspector's recommendations and the wording 'may be reduced' gives sufficient flexibility to respond to the need for the MDA to deliver a comprehensive sustainable development.

Recommended Change:

None

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Recommended Response to Representation *Recommended Change*

to:
"The Inset Map also indicates the ~~maximum~~ extent of the Reserve site for up to 1000 dwellings, which may be reduced in size if higher densities than currently envisaged are achieved in the Baseline allocation".

Change sought – amend wording as suggested

MOD 12.35 Paragraph RD12.32

Representations:

- **Objections:**

George Wimpey UK Ltd (236/2)

As a result of the County Council's recent decision, the reference to the 'Recovery Park' could helpfully be dropped from the text.

Change sought – amend wording as suggested

Recommended Response to Representation

While it is acknowledged that there will be on-going negotiations during the development of the masterplan, which could change the nature and location of the proposed waste facilities, the requirement to provide for some form of household waste recovery facility will still pertain. It is not considered that the wording of paragraph RD 12.32 is unduly prescriptive and therefore further changes would not be helpful at this stage

Recommended Change:

None

MOD 12.37 Paragraph RD12.36

Representations:

- **Objections:**

Havant Borough Council (265/2)

For consistency, the wording concerning the location of the proposed junction of the Southern Access Road with the A3 London Road should be amended to use the same wording as in the adopted Havant Borough District Wide Local Plan. It should therefore read "from, or in the close vicinity of, the Ladybridge Road Roundabout" to accord with Havant's Policy MDA 3.

Recommended Response to Representation

The junction to which the respondent refers lies entirely within the Havant Borough, therefore it would not be expedient for the Winchester Local Plan to be prescriptive as to its exact location, which in any event is yet to be determined. It is therefore considered that the term 'in the vicinity of' ensures sufficient flexibility in identifying the exact location of the junction, and is not in conflict with the wording in the Havant Local Plan

Recommended Change:

None

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Change sought

Recommended Response to Representation
Recommended Change

Change sought – amend wording as suggested

MOD 12.38
Paragraph RD12.39

Recommended Response to Representation

Representations:

- **Objections:**

Grainger Trust Plc (214/4)

Concerned that the proposed wording implies that there will be a specific requirement for vehicular links from the new employment area to the existing Brambles Business Park, and that this will involve third party land. Consider that the wording of the policy could prejudice the implementation of the employment areas (wording change suggested).

Change sought – amend wording as suggested

The paragraph concerned does not specifically require a vehicular link with Brambles Business Park. It states that ‘there will be vehicular, pedestrian and cycle links to the main new employment areas to integrate them with the existing Brambles Business Park’. It is worded to ensure that the business areas within the MDAs are properly integrated within the MDA and the adjoining business park, and consequently do not operate as isolated employment areas. The links between the MDA and Brambles Business Park are intended to provide permeability between the two, the exact location and nature of that link would be effectively determined through the masterplanning process.

Therefore, the additional wording proposed by the respondents which seeks to achieve vehicular, pedestrian and cycle links through ‘the masterplanning process’ is superfluous. As with many spatial requirements of the MDA it is axiomatic that they will be developed through the masterplanning process.

Recommended Change:

None

MOD 12.39
Paragraph RD12.40

Recommended Response to Representation

Representations:

- **Objections:**

Grainger Trust Plc (214/5)

The Inspector accepted PIC 12.04, which does not allow access from Purbrook Heath Road, but maintain that it is possible for junction arrangements for the Southern Access Road to involve Purbrook Heath Road. Therefore maintain objection that Purbrook Heath Road should be excluded from the list.

Purbrook Heath Road is acknowledged by the Inspector to be unsuitable for access to the MDA. The exclusion of this road as a suitable means of access to the MDA is however not considered prejudicial to the requirement for a southern access ‘in the vicinity of the Ladybridge Roundabout’

Recommended Change:

None

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Summary of Representation.
Change sought

Recommended Response to Representation
Recommended Change

Change sought – amend wording as suggested

MOD 12.40
New paragraph following
RD12.40

Recommended Response to Representation

The support for this Proposed Modification is welcomed.

Representations:

- **Support:**

Highways Agency (2276/2)

- **Objections:**

Grainger Trust Plc (214/5)

The proposed wording is too broad as it is not clear whether these would directly relate to the development, and whether they would be on- or off-site. Maintain that land outside the developers' control cannot be included, but the wording suggests it might be. Suggest wording should end at "access routes to the development".

The respondent objects to a reference to possible improvements to the trunk road network being provided secured and paid for by the developers. It is standard practice that any off-site measures required to mitigate any adverse traffic impacts identified through the Transport Assessment should be provided and paid for by the developers. The Inspector was satisfied that only works attributable to the MDA development will be capable of being required under a planning obligation in accordance with circular 1/97 (para. 12.10.16 Inspector's Report)

Recommended Change:

None

Change sought – amend wording as suggested

WINCHESTER CITY (NORTH)
RESERVE MDA

Recommended Response to Representation

MOD 12.46
Policy NC.3

Representations:

- **Objections:**

B D Porter (64/1), A Gossling (174/1), Save Barton Farm Group (175/1), A J Waldegrave (342/1), C Sealey (348/1), Eagle Star Estates Ltd (352/9), L Clarke (923/1), R I L

The Local Plan Inquiry considered in detail the need for the Local Plan to identify a site for a reserve MDA and the suitability of Barton Farm to fulfil that role. The Inspector concluded in his Summary letter that 'the fact remains that the designation emanates from the approved Structure Plan (Review), with which the local plan must comply'. He further concluded that there 'is no preferable available alternative'. Many of the objections to the Proposed Modifications seek to re-open this debate on the principle of the MDA. However, these issues have been comprehensively and effectively dealt with through the Inquiry and the proposed modifications do not re-open them. Therefore, it is not considered appropriate to treat these aspects of the responses as 'duly made' objections to the Proposed Modifications.

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Howland (1113/1), M J Maidens (1184/1), C Bradshaw (1224/1), J Balfour (1294/1), H L Garfarth (1301/1), P Slattery (1447/1), C Berry (2270/1), Highways Agency (2276/2), P & M McManus (2305/1), E R Allen (2370/2), J Honey (2430/1), M W Wilson (2520/1), P & J Ludgate (2521/1), R Pitt (2522/1), S McKinlay (2523/1), B Stimpson (2524/1), D M & L G Rutherford (2525/1), T J Fell (2526/1), A P Helliwell (2529/1)

Other responses refer to the Section 78 Inquiry and the subsequent decision. Again they are not directly relevant to the policy in the Local Plan Review. The Inspector at that inquiry did not challenge the substance of the policy, and again these comments cannot be considered as duly made objections into the Proposed Modifications.

- Object to additions to criterion (i) as the masterplan has been rejected by the community / the original statement was acceptable (64/1), (174/1), (175/1), (348/1), (923/1), (1113/1), (1224/1), (1301/1), (1447/1), (2270/1), (2305/1), (2370/2), (2430/1), (2521/1), (2522/1), (2524/1), (2525/1)
- An acceptable masterplan should be prepared using a community forum if the site is triggered (64/1), (174/1), (175/1), (923/1), (1113/1), (1447/1), (2270/1), (2305/1), (2521/1), (2522/1), (2525/1), (2526/1)
- The revisions to criterion (i) are inconsistent with the Council's case at the recent appeal and contradicts their evidence. The grounds on which the appeal was dismissed remain valid, the policy should be deleted until the criteria for changing from the current position can be identified (64/1), (174/1), (175/1), (342/1), (348/1), (352/9), (1184/1), (1224/1), (1294/1), (2270/1), (2430/1), (2520/1), (2521/1), (2522/1), (2523/1), (2524/1), (2525/1),

The respondents refer to the requirement for a masterplan to be endorsed by the local planning authority. This would be undertaken as part of the determination of any planning application. The community would therefore be consulted on the masterplan as part of the process of determining any future planning application.

Several respondents have mistakenly inferred that the wording of the Proposed Modification 'a masterplan has been prepared' specifically refers to the masterplan submitted as part of the planning application to develop Barton Farm, considered at the recent S.78 Inquiry. In fact, it refers to the need for a masterplan to be prepared and endorsed by the Council prior to granting planning permission for the development of the MDA, and subsequent to the site being triggered for development. The Proposed Modification should therefore be read in the context of the preceding paragraph of Policy NC.3.

If the site is triggered for development then the community would be fully consulted on any subsequent planning application in accordance with the adopted procedures set out in the council's Statement of Community Involvement. However the exact nature of any future consultations cannot be determined at this stage and it would be inappropriate to set out a consultation procedure in the Local Plan.

Proposed Modification MOD 12.46 is entirely consistent with the approach adopted by the Council at the recent Section 78 Appeal. The requirement is that, if or when the site is released for development, a masterplan will need to be prepared and endorsed by the Council. The masterplan will need to be prepared and submitted in the light of the circumstances and planning advice pertaining at that time.

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- (2526/1), (2529/1)**
- The outline planning application was premature / the S 106 Agreement prepared for the appeal inquiry would need to be re-assessed if the site is triggered **(64/1), (175/1), (923/1), (1113/1), (1447/1), (2270/1), (2305/1), (2521/1), (2522/1), (2524/1), (2525/1)**
 - The proposed modifications to Policy NC.3 were not prepared with public consultation **(1301/1)**
 - Object to proposed modification as PIC 12.06 does not form part of it (addition of text to paragraph RD12.65 to amplify requirements of Policy NC.3) **(2276/1)**
 - Reference should be made to the South East Plan, which indicates that this site will not be needed up to 2026, and therefore Barton Farm will not be included as a reserve MDA in the District's LDF **(64/1), (175/1), (923/1), (1113/1), (1224/1), (1447/1), (2270/1), (2305/1), (2523/1), (2524/1), (2525/1)**
 - The reserve MDA is not needed as there are a number of large housing sites being developed in the City / housing completions will exceed the requirements to 2011 / 2000 houses could not be built by 2011 **(64/1), (174/1), (175/1), (348/1), (352/9), (923/1), (1113/1), (1184/1), (1224/1), (1294/1), (1447/1), (2270/1), (2305/1), (2521/1), (2522/1), (2524/1), (2525/1), (2526/1), (2529/1)**
 - There is no need for a
- The Proposed Modifications do not refer or relate to the Section 106 Agreement agreed in connection with the above Inquiry. The respondents are correct that this S106 Agreement would in fact need to be reassessed at such a time as the site was to be triggered for development, as part of the process of determining any subsequent planning application.
- The Proposed Modifications to Policy NC.3 are the result of the Inspector's consideration of representations made to him through the Local Plan Inquiry, and as such have been subject to public consultation and scrutiny.
- The Highways Agency object to the Proposed Modifications on the basis that a Pre-Inquiry Change (PIC12.06) has not been included in schedule of Proposed Modifications. This would have added the words to RD 12.73 'and safeguard the operation of the A34 as a trunk road'. This Pre- Inquiry Change was not discussed at the Inquiry and the Inspector seems to have omitted to make any recommendation on it. However, as this is a minor change to the wording of this paragraph, which would not materially change the requirements of the Plan, and as no one objected to this wording at the Inquiry, it is recommended that paragraph RD 12.73 is amended accordingly.
- There is no reference in the current Regional Planning Guidance for the South East RPG 9 to Barton Farm not being needed up to 2026. The emerging South East Plan has yet to be subject of an Examination in Public, so would carry little weight in respect of the Winchester District Local Plan Review, which has to be in conformity with the current Structure Plan.
- The issue as to whether the Council is required to identify a reserve site for an MDA at Winchester City (north) was the subject of considerable debate at the Inquiry. The Inspector agreed with the Council that, to be in conformity with the Structure Plan, a reserve provision of 2,000 dwellings would need to be identified; that the provision should be in the comprehensive form of an MDA; and that the location must be in or close to the north of the city of Winchester (Inspector's Report para 12.15.4). The question of whether there are currently sufficient housing completions in the District or County is not therefore relevant to the identification of a reserve site. However, Policy NC.3 makes it clear that the site will not be released for development unless the monitoring of housing supply in the county provides a compelling justification to trigger its release.

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<p>masterplan for a reserve site. The comparable reserve site at West of Waterlooville is not the subject of a masterplan. (175/1), (923/1), (2270/1)</p> <ul style="list-style-type: none">• The site is subject to countryside protection and is not suitable for development for a number of reasons / suitability will need to be demonstrated through an assessment of the impact of the development (64/1), (174/1), (175/1), (348/1), (923/1), (1113/1), (1184/1), (1224/1), (1301/1), (1447/1), (2270/1), (2305/1), (2430/1), (2520/1), (2521/1), (2522/1), (2523/1), (2524/1), (2525/1)• It has not been satisfactorily demonstrated that the SAC would not be adversely affected by development. It cannot therefore be assumed that the scale, location and form of the proposed development is acceptable (175/1), (923/1), (2270/1)• There are access issues and Winchester's traffic system could not cope with the development (64/1), (174/1), (175/1), (1113/1), (1184/1), (1224/1), (1301/1), (1447/1), (2270/1), (2305/1), (2370/2), (2430/1), (2521/1), (2523/1), (2524/1), (2525/1) <p>• <i>Changes sought – vary modification and/or delete the Winchester City (North) reserve MDA</i></p>	<p>The need for a reserve site and the suitability of Barton Farm were therefore confirmed by the Local Plan Inspector, and the objections in this respect are seeking to re-open arguments which do not relate to the detail of the Proposed Modifications, and have been comprehensively addressed through the Local Plan Inquiry.</p> <p>The impact of the MDA on the highways network and on nature conservation interests would need to be thoroughly assessed through the development control process, which is the appropriate time to consider such detailed issues.</p> <p>The development of the MDA West of Waterlooville requires a comprehensive masterplan to be produced; the same requirement would apply if and when the reserve site at West of Waterlooville was triggered.</p> <p>Recommended Change:</p> <p>That RD 12.65 is amended in accordance with PIC 12.06 to include the wording 'and safeguard the operation of the A34 as a trunk road'</p>
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MOD 12.46/47 **Paragraph 12.93**

Representations:

- **Objections:**

Recommended Response to Representation

The respondents are incorrect in stating that both the appeal Inspector and the Secretary of State concur that the reserve MDA will not be needed in the Plan period. Their conclusion was that there is no compelling justification to release the site

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Recommended Change

Eagle Star Estates Ltd (352/10)

The proposed modification does not reflect the wider argument presented by the objector and others, including the appeal Inspector and the Secretary of State, that the reserve MDA allocation at Winchester City (North) is not needed in the Plan period. The Policy and supporting text should be deleted.

Changes sought – delete the Winchester City (North) reserve MDA

'at this time'. Whether or not a compelling justification to trigger the release of this site arises at some time during the Plan period, the Local Plan must identify a reserve site for 2,000 dwellings at Winchester City (north) to be in conformity with the Structure Plan.

Recommended Change:

None.