

REPORT TITLE: LOCAL PLAN REGULATION 18 CONSULTATION

18 OCTOBER 2022

REPORT OF CABINET MEMBER: Cllr Jackie Porter, Cabinet Member for Place and the Local Plan

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WARD(S): All (to the extent that they are not within the South Downs National Park)

PURPOSE

The new Local Plan is an opportunity to set out a new vision and framework for future development of the district (which lies outside the South Downs National Park) up to 2039.

It will address local housing need, the economy, environmental considerations including the climate emergency, which sits at the heart of the draft plan, community infrastructure, as well as strategic infrastructure needs, and it has a key role in supporting the council's wider objective of a carbon neutral district by 2030.

The Plan comprises a new vision (the character of the area and what the district should look like in 2039), seven key topics which include Strategic Policies and Development Management policies, along with site specific allocations, which are needed in order to accommodate the levels of growth identified for our district over the next 17 years.

The publication of the draft Regulation 18 Local Plan for public consultation is the next important stage on the council's journey towards developing a new plan that will ultimately replace the current adopted plan.

The purpose of this report is to recommend that the council continues to take forward a new local plan for the district and therefore agrees to consult on its draft Regulation 18 Plan for a period of 6 weeks commencing 2<sup>nd</sup> November 2022 along with the Integrated Impact Assessment.

**RECOMMENDATIONS:****That Cabinet:**

1. **Approve the draft Regulation 18 Local Plan consultation document as attached to this report at Appendix 1 (subject to any changes required and authorised under recommendation 3), its publication and a 6-week public consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for a period of 6 weeks commencing on 2<sup>nd</sup> November until 14<sup>th</sup> December 2022.**
2. **Approve the Integrated Impact Assessment at Appendix 2 for publication and consultation for the same period.**
3. **Delegate authority to the Strategic Planning Manager, in consultation with the Cabinet Member for Place and the Local Plan, to undertake any updating, drafting of amendments and the graphic design of the draft Regulation 18 Local Plan prior to publication and consultation on the document.**

## IMPLICATIONS:

### 1 COUNCIL PLAN OUTCOME

- 1.1 It is a statutory requirement for the council to have an up to date Local Plan which will, when it is adopted, contribute to achieving the outcomes that are expressed in the Council Plan (2020 – 2025). The production of the draft Regulation 18 Local Plan is an important stage in the process of preparing the new Local Plan. The Local Plan will affect the way we live, work and play, as well as future investment in the district, over the next 17 years and beyond.

#### Tackling the Climate Emergency and Creating a Greener District

- 1.2 The draft Regulation 18 Local Plan has a key role to play in moving the district towards Carbon Neutrality by 2030, and creating a greener district, and these aims sit at the centre of the new plan and underpin its strategic and development management policies.
- 1.3 Work has been undertaken to assess the cost implications associated with meeting net-zero carbon for new residential dwellings through energy standards that have been established by the London Energy Transformational Initiative (LETI). Incorporating the LETI energy standards for residential development, and the Building Research Establishment Environmental Assessment Method (BREEAM) energy standards for non-residential development into the Plan, will help support the aim of achieving carbon neutrality. Full details of this approach, which also promotes an energy hierarchy, renewable energy, low carbon energy development and energy storage can be found in the policies set out under the topic Carbon Neutrality and Designing for Low Carbon Infrastructure.
- 1.4 The Plan, and its development strategy defined by Policy SP2, Spatial Strategy and Development Principles, directs new development in the most sustainable locations in the district (Winchester, market towns and larger rural settlements) and prioritises brownfield sites over greenfield land. These policies, in combination with a number of policies covering other topics, promote sustainable development and travel. For example, the Sustainable Transport and Active Travel topic incorporates the principle of 15-minute neighbourhoods, which ensures good access to facilities and services, and this is complimented by the High Quality and Well-Designed Places and Living Well topic which underlines that a key element of achieving good design is ensuring development is permeable and well connected to surrounding areas. These policies, which shape the location and nature of new development, sit alongside a range of other policies which are intended to protect and enhance the attributes which make the district such a varied and attractive place including the countryside, natural environment and biodiversity (green and blue infrastructure).

### Homes for all

- 1.5 The Local Plan has a key role in determining where and how much residential development should be located in the district, outside the South Downs National Park, in accordance with the number of new homes we need to plan for, which is set by the government by its 'Standard Method'. The government requires all authorities in the country to have a five-year rolling supply of housing land. The Plan includes a development strategy and identifies the quantum of housing that will be required predominantly in Winchester, the market towns and larger villages, to meet the government target for our district of 715 dwellings per year. A buffer has also been included to allow for any increase in the overall number of new homes required resulting from a higher annual figure being needed for the district (the Standard Method is recalculated each year and is not fixed until the Regulation 19 stage of the plan), meeting a wider unmet need in neighbouring areas (duty to cooperate – please refer to paragraph 3.2 below) and to provide headroom should any of the sites allocated in the plan become unavailable in future. More detail regarding the buffer is set out in paragraphs 14.29 – 14.31 below. A policy on affordable housing is also included (Policy H6) which sets minimum requirements for affordable accommodation, as a proportion of market housing developments, that reflects the work carried in the Local Plan Viability Assessment taking into consideration all of the costs of the policies that have been included in the Local Plan. It also covers a range of specialist housing including student accommodation and Gypsy and Traveller accommodation.

### Vibrant Local Economy

- 1.6 This plan sets out how we will enable Winchester District to continue to have a vibrant economy by providing opportunities for new purpose-built employment space, the sustainable consolidation and expansion of existing businesses, and preservation of current employment floor space whilst seeking to protect and enhance our town and other centres which provide a range of facilities and services. These places support local communities and align with the plan's aim of ensuring new development is sustainable by providing good access retail, leisure and other uses thereby minimising the need to travel.
- 1.7 Our evidence base to inform the policies has also taken into account the likely longer-term effects of the COVID-19 pandemic and the changing nature of how people work, shop and live.

### Living Well

- 1.8 An important function of the new Local Plan is that it needs to fully consider and address how development can help meet the needs of our residents including age ranges, genders and ability. The Local Plan has a key role to play in meeting this objective in terms of promoting active travel, physical activity and creating attractive and connected green infrastructure. These matters need to be fully considered and are an integral part of the design

process which is comprehensively covered by new policies set out in the High Quality and Well-designed Places and Living Well topic.

- 1.9 The key outcome in this topic is that design should follow a sound and logical process. Good design will rarely be achieved where an iterative and inclusive process has not been undertaken from the beginning, setting pre-determined outcomes at the outset of the project, before community engagement and proper site and contextual analysis has started.

#### Your Services, Your Voice

- 1.10 A key part of the plan making process is to seek early and open engagement on the content and shape of the draft Local Plan. At the heart of any new plan is the development strategy for the district and options were consulted upon as part of the Strategic Issues & Priorities Document (SIP) in 2021, along with a number of specific topic areas, and the feedback received has been used to inform the draft Regulation 18 Plan.
- 1.11 The Plan-making process seeks to engage with the widest possible audience and a key part of this is making a document that is not only accessible but also visually interesting and appealing so that it stimulates and encourages people to read and comment on it. This is really important and is something that Officers have worked hard to develop further after the SIP won the Royal Town Planning Institute's Planning Excellence award for Plan making and was the overall Regional winner for the South East.
- 1.12 In recognition that the government wants to allow people to access material online, a number of changes have been made to the stand-alone Local Plan website in order to improve its functionality. Work has also taken place on a range of measures to really encourage people to submit their comments on the draft Plan using the Council's consultation portal (Citizen Space) in an accessible and user-friendly way that greatly assists Officers to be able to group together key issue/common points and identify what changes need to be made to the Plan at the next stage of its journey towards adoption.

## 2 FINANCIAL IMPLICATIONS

- 2.1 The resources for the preparation of the various elements of the Local Plan have been approved as part of the budget process.
- 2.2 The Local Plan had an earmarked reserve at the start of 2019/20 of £290,000. The current forecast external expenditure of approximately £473,229 for the period of 2022/23 to 2024/25 is within existing budget projections and supported by the Local Plan budget. This is in addition to the in-house resources to increase the Local Plan team's staffing capacity. An additional £60,000 per annum has been approved from 2023/24 to address the resources in the Strategic Planning team. Funding for 2022/23 is already available to support the staffing costs.

- 2.3 The government wants local planning authorities to move away from static PDF documents on websites to optimise the way people research and access a range of data. Whilst the City Council has a GIS system, and has made improvements to the stand-alone local plan website, investment is needed in order to deliver the new technology. This will need to be considered moving forward.

### 3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 The Local Plan must be prepared in line with the process set out in national legislation/regulations and can only be adopted by the council if it is found to be legally compliant and sound by a Planning Inspector that is appointed by the Secretary of State to conduct a public examination.
- 3.2 Under the current system, local planning authorities need to comply with the Duty to Co-operate, which was created in the Localism Act 2011, as amended by the Planning and Compulsory Purchase Act 2004. It currently places a legal duty on district/borough councils, county councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters. In other words, neighbouring authorities must look to support each other where housing numbers cannot be reached in any one area.
- a) A failure to comply with the Duty to Co-operate can result in a plan being found unsound. Such an outcome would most likely require the Local Plan to be withdrawn and this would delay adoption of the plan. A full record of the actions taken to comply with the Duty and of any necessary agreements with relevant bodies (in the form of Statement of Common Grounds) will be published alongside the submission version of the Local Plan (Regulation 19).
- b) Our commitment to our duty to cooperate in this plan is explained in more detail below in paragraph 14.31 – 14.32 which, in particular, cite the work which is being undertaken on the wider unmet housing needs of neighbouring authorities with Partnership for South Hampshire (PfSH). This work remains on-going.
- 3.3 The draft Regulation 18 consultation needs to follow a formal statutory process and the document has been prepared to take into consideration the feedback that was received from our award-winning engagement process that took place on the SIP consultation which concluded in April 2021.
- 3.4 The council must also comply with its own statutory Statement of Community Involvement, which was adopted in December 2018. Officers have reviewed the ways that the council engaged with the public and other stakeholders on the Strategic Issues and Priorities document and has built on this knowledge and feedback to develop the approach that will be taken to consultation on this version of the Plan.

- 3.5 We used consultants to prepare the evidence base to support the drafting of the new local plan (Regulation 18). Procurement for these consultants followed procurement policy and process.

#### 4 WORKFORCE IMPLICATIONS

- 4.1 The Strategic Planning Team leads the preparation of the Development Plan Documents (DPDs) and associated documents that are included in the Local Development Scheme (the Local Plan timetable), commissioning consultants and working with colleagues across the whole of the council, neighbouring local planning authorities under the Duty to Co-operate, statutory agencies (Natural England, Historic England and the Environment Agency *et al*) and the Partnership for South Hampshire (PFSH).
- 4.2 The resource available to the team will be kept under review, particularly following the completion of the Regulation 18 consultation, to ensure the plan process remains on track culminating in adoption of the new plan in August 2024.

#### 5 PROPERTY AND ASSET IMPLICATIONS

- 5.1 Once the Local Plan has been adopted, it will be the statutory Development Plan which means that any applications that come forward that are made by council, or involve land in our ownership, will need to be assessed against the policies and proposals in the Plan. There are a number of previously developed sites that have been allocated for future development in the Plan inside Winchester that are wholly or partly in the council's ownership (Station Approach Regeneration Area, Central Winchester Regeneration, Bar End depot and St. Peter's car park for example).

#### 6 CONSULTATION AND COMMUNICATION

- 6.1 Summary table of discussion and engagement to inform draft plan is as follows:

Date	Event	Audience
27 June 2021	All Member briefing on Vision	All Members
1 July 2021	Local Plan Advisory Group (LPAG)	LPAG Members (all Members invited, held

		in public)
27 September 2021	LPAG	LPAG Members (all Members invited, held in public)
20 October 2021	Local Plan design workshop	Agents, interest groups and Members
5 November 2021	Local Plan design workshop	Public and Members
16 November 2021	Local Plan Design Workshop	Public and Members
24 November 2021	LPAG	LPAG Members (all Members invited, held in public)
13 December 2021	LPAG	LPAG Members (all Members invited, held in public)
4 March 2022	All Member briefing – spatial strategy and housing distribution	All Members
9 March 2022	LPAG	LPAG Members (all Members invited, held in public)
March to May 2022	Meetings with Parish Councils and Ward Councillors – SHELAA Sites	Parish Councils and Ward Members
27 June 2022	All Member briefing – Local Plan timetable	All Members
6 July 2022	Member drop-in session - Local Plan Policies	All Members
11 July 2022	Member drop-in session - Local Plan Policies	All Members
1 August 2022	Members drop-in session – Local Plan	All Members



	allocations	
21 September 2022	All Member briefing – Regulation 18 Consultation	All Members
29 September 2022	Scrutiny Committee & Local Plan Advisory Group	Members of this committee, group and other interested parties. Held in public.

6.2 Consultation on the draft Regulation 18 Local Plan needs to be undertaken in accordance with the Council’s updated Adopted Statement of Community Involvement (SCI) <https://www.winchester.gov.uk/planning-policy/statement-community-involvement/>. In order to ensure that the council is reaching out to as many people as possible a Local Plan Engagement Strategy sits alongside the SCI and will take account of other work undertaken by the council, including the Winchester 2030 Vision commissioned by the Town Forum, and SIP.

### 6.3 THE SCRUTINY COMMITTEE/LOCAL PLAN ADVISORY GROUP

6.4 At a meeting on the 29<sup>th</sup> September 2022 the Scrutiny Committee/LPAG meeting reviewed the draft Regulation 18 Local Plan and made a broad and extensive range of comments and recommendations regarding various aspects of the draft plan. A full copy of the Overview and Scrutiny/LPAG recording can accessed here <https://democracy.winchester.gov.uk/ieListDocuments.aspx?CIId=348&MIId=4145> and the comments and recommendations made by the committee, and points raised by the public speakers that addressed the meeting, are attached at Appendix 3 along with the responses by Officers, including any changes made to the plan, that is appended to this report and for which approval is sought to undertake public consultation.

6.5 This report has also been up-dated to address key points raised at the meeting including:

- Additional detail regarding reasons why the London Energy Transformational Initiative (LETI) energy standards for new housing at 14.12 have been chosen.
- Clarification of the revised approach to parking provision for new development at 14.20
- More information in the section now headed Level of Housing Need, Provision & Partnership for South Hampshire to explain in greater

depth the inclusion and size of the housing buffer, work with PfSH on wider unmet housing need and potential green belt designation across the broader south Hampshire area (see paragraphs 14.29 – 14.31). The buffer has also been referred to in the risk section below (see Achievement of Outcomes) along with any changes to national policy/process relating to plan making.

- Detail regarding the relationship between the council and South Downs National Park Authority relating to the relative timing of plan production and implications for parishes which straddle the park boundary (see paragraphs 14.32 – 34 below).
- Up-dated information has been incorporated in the draft plan regarding data relating to gypsy and traveller and travelling showpersons accommodation including sites, pitches and plots. These details have been reviewed and up-dated in the draft plan where necessary.
- Consideration has been given to whether it would be reasonable for the council to replace “should” with “will” (or similar) in the plan with a view to strengthening policies. It is considered that the plan is policy rather than legislation, is still in draft form, and whilst still being directive, use of the word “should” will generally allow for a sufficient degree of discretion and flexibility in decision making based on taking appropriate account of all material considerations including relevant plan policies compared with applying more categorical or absolute wording.

## 7 ENVIRONMENTAL CONSIDERATIONS

- 7.1 The Local Plan must comply with the requirements of planning legislation and the need to deliver sustainable development which encompasses all considerations in relation to the built and natural environment.
- 7.2 The council has appointed consultants to undertake a Sustainability Appraisal (SA), Habitats Regulations Assessment and Equality Impact Assessment (EIA) which have been prepared alongside, and feed into, key stages of the Local Plan making process under the umbrella of the Integrated Impact Assessment (EqIA and SA). The IIA will be made available for public comment alongside the consultation on the draft Regulation 18 Plan. This information is important in supporting the decisions that are made in relation to content of the Local Plan.
- 7.3 The council’s declaration of climate emergency is a defining issue of the draft Regulation 18 Local Plan in terms of how the Plan is able to support the objective of dramatically cutting the district’s emissions, with the aim of the council being carbon neutral by 2024 and the district being carbon neutral by 2030. Given that this is such a key area for the council, the discussions around the content of the carbon neutrality and how the Local Plan can support the Carbon Neutrality Action Plan have involved the Cabinet Member

for the Place and Local Plan, Cabinet Member for the Climate Emergency and Officers from the climate emergency team. Further details regarding the draft policies impact on the Climate are set out in paragraphs 14.10 – 14.12.

8 PUBLIC SECTOR EQUALITY DUTY

9 Undertaking an Equality Impact Assessment (EqIA) is a key part of preparing a 'sound' Local Plan. The Local Plan process needs to ensure that the issues and options that are considered during the process do not lead to unlawful discrimination (direct and indirect), and that they should advance equality of opportunity and foster good relations between those with a 'protected characteristic' (race, age, sex, disability, sexual orientation, gender reassignment, religion or belief and pregnancy or maternity) and all others.

9.1 The same consultants have been appointed by the council to undertake an EqIA and Health Impact Assessment, alongside the Sustainability Appraisal and the Habitats Regulations Assessment cited above, under the umbrella of the Integrated Impact Assessment (IIA) for the SA and EqIA which is attached at Appendix 2 to this Report.

10 DATA PROTECTION IMPACT ASSESSMENT

11 Any comments that are submitted will be taken into account but must include people's name and contact details. The council will publish names and associated representations on its website, but it will not publish personal information such as telephone numbers, full postal addresses or email addresses.

12 In accordance with the General Data Protection Regulations (GDPR) information will only be kept for the necessary period of time required. The council has an updated privacy policy which can be viewed on the website.

13 RISK MANAGEMENT

<b>Risk</b>	<b>Mitigation</b>	<b>Opportunities</b>
Financial Exposure	Funding for ongoing Project costs are anticipated to broadly fall within the existing budget and funding for Local Plan Review is expected to be covered by the earmarked reserve. As this is an	Joint commissioning research with neighbouring Local Planning Authorities may reduce costs.

	important corporate project additional funding will be allocated if this is required.	
Exposure to challenge	Ensure the Plan making process follows national regulations and addresses any subsequent changes to the Government guidance that may come into force before the Local Plan is adopted. Furthermore, the draft Local Plan has been subject to review by counsel.	There is great opportunity through the Local Plan making process to engage with a wide range of people on the future development of the district
Innovation	Ensuring that the council is creative in the way that it engages with as many people as possible and reaching out to hard to reach groups is a key part of the Local Plan process. Publicity and the methods of Local Plan engagement will be a key component of this.	The opportunity has been taken to change the presentation of the Local Plan to make it more appealing and interesting to a wide range of audiences. A number of changes have been made to the stand-alone Local Plan website to support the branding 'Your Place, Your Plan' building upon the earlier success of the SIP consultation.
Reputation	It will be necessary to	Developing a new Local Plan and engaging with the local community is a real opportunity as it will clearly set out the council vision for the district up to 2039 bringing with it certainty and investment to the area.
Achievement of outcome	The Plan needs to go through various statutory stages and it will be	The council has declared a climate emergency and there is a great

	<p>necessary to ensure that all of the appropriate steps are undertaken in order to provide a 'sound' Local Plan.</p> <p>Incorporate a housing buffer in the plan to allow for future increases in housing numbers resulting from changes to the figure produced by the Standard Method, duty to cooperate (accommodating wider unmet need) and sites in the plan which subsequently become unavailable.</p>	<p>opportunity to provide leadership in terms of not only the presentation and policies of the Local Plan, which seek to reduce/minimise the impact of new development on the environment, but also how the council engages with the local community and other interested parties.</p>
Property	n/a	n/a
Community Support	<p>Develop a Local Plan programme that allows sufficient time for the consultation and assessment of responses to the draft plan consultation (Regulation 18) and other subsequent key stages that require further consultation.</p> <p>The Local Plan process is required to comply with several statutory stages of publication. Officers will learn from the previous consultation and identify a range of different engagement methods that reach out to the widest range of people and stakeholders, local community groups.</p>	<p>Ensure that the communication methods used for consultation are relevant to the task and ensure those interested in the plan making process are kept up-to-date and are provided with opportunities to participate building on recent work undertaken by the council such as the Winchester Vision 2030 and the SIP.</p>
Timescales	<p>Ensure that there is sufficient capacity in the Strategic Planning team to be able to progress the Local Plan and timings</p>	<p>It will be necessary to keep the LDS up-to-date and adjust timescales if necessary.</p>

	<p>are realistic as set out in the Local Development Scheme (timetable for the plan).</p> <p>Use additional temporary resources to assist with the processing and analysis of representations on the Regulation 18 and Regulation 19 stages of the Local Plan in order to keep the project timetable on track if required.</p> <p>Continue to progress the plan as quickly as possible as Government has proposed reform of the planning system whilst encouraging authorities to progress plans under the current system.</p> <p>The plan making approach being followed can be reviewed if changes are introduced before it is adopted in 2024.</p>	
Project capacity	Ensure that the necessary resources are in place to progress the project. See above commentary on Timescales and Financial Exposure.	Work with colleagues, neighbouring authorities through joint commissioning of evidence studies including , for example, the work on PfSH.

14 SUPPORTING INFORMATION:

Background

- 14.1 Producing a Local Plan is one of the most important undertakings for the council. Local Plans set out a long-term vision and strategy for how an area will evolve and grow in the future, with policies that will shape development across the district outside the South Downs National Park. They address a wide range of issues, from strategic planning matters that affect the whole of the Local Plan area, right down to finer details on the design of development on individual sites.
- 14.2 The government currently requires each local planning authority to produce a Local Plan, and then review it at least once every five years, to ensure that it is kept up to date. Plans which are out of date make managing development difficult and can result in unplanned development being permitted where it is not possible to demonstrate a 5-year housing land supply.
- 14.3 The Local Plan covers the period from 2019 through to 2039 and sets out the policies and proposals that will guide and manage the future development of the district over that time. The draft Regulation 18 Local Plan identifies where future development will take place, and allocates land for housing, employment, mixed-use and other development, and includes Strategic Policies and Development Management policies. Once the new Plan is adopted, it will replace the current local plan, and will be used to assess the planning merits of development proposals. It protects the most important characteristics of the district by preserving our unique natural and historical assets and environments from damaging development. It also has a key role to play in assisting the council's ambition to have a district that is carbon neutral by 2030.
- 14.4 This Plan has been prepared in the knowledge that the government has published the Levelling-up and Regeneration Bill and there will be a number of government consultations that will propose changes to the town and country planning system which may impact Plan-making. However, it is important that we continue to progress our new Local Plan, so we have up-to-date planning policies that are fit for purpose, taking us up to 2039. It is, therefore, appropriate to maintain momentum and to continue to develop a Local Plan under the current statutory regime.

#### Content of the plan

- 14.5 Consultation on the draft Regulation 18 Local Plan is an opportunity for a wide range of people to become involved in the next important stage of a conversation about how our area should grow over the next 15 years or more.
- 14.6 The content of the draft Regulation 18 Local Plan is based upon evidence studies about the economic, social and environmental needs of the district that have been completed. This includes undertaking a Sustainability Appraisal under the umbrella of an Integrated Impact Assessment and a Habitats Regulations Assessment) all of which are available on the Winchester City Council website. The Local Plan has been divided up into 7

interlinking topics that reflect the SIP document which was consulted on last year (apart from the inclusion of an additional topic on 'High Quality and Well Designed Places and Living Well).

- 14.7 A copy of the draft Regulation 18 consultation plan is attached at Appendix 1 as amended [by Officers] taking into consideration the feedback provided at the Scrutiny/Local Plan Advisory meeting held 29<sup>th</sup> September 2022 (see Appendix 3 for details). .

#### Local Plan Vision and Objectives

- 14.8 The Regulation 18 draft Local Plan includes a new 'vision' for the district that covers the period to 2039 and a set of objectives in terms of how the vision will be implemented.
- 14.9 The vision and the accompanying development strategy is based upon the feedback from the Strategic Issues & Priorities consultation and discussions with LPAG. The development strategy in the Plan broadly aligns with the approach in the adopted Local Plan which focuses development towards sustainable locations (i.e. Winchester Town (5,670 new homes), South Hampshire Urban Areas (5,700 new homes), Market Towns and larger villages with services and facilities (4,250 new homes)). For further details on the location sites that have either been carried forward or are new sites please refer to the topic 'Development allocations that are needed to deliver the deliver the development strategy'.

#### Carbon Neutrality and Low Carbon Infrastructure

- 14.10 Mitigating and adapting to climate change and designing for low carbon infrastructure are vitally important and defining issues at the heart of the Local Plan. This is because the plan has a key role in assisting the council with meeting its net zero target by 2030.
- 14.11 The Planning & Energy Act 2008 gives Local Planning Authorities the power to set local energy efficiency standards in their Local Plans subject to assessing the cost of these measures through the Local Plan Viability Assessment.
- 14.12 Policy CN3 in the Plan, which is based on the London Energy Transformational Initiative (LETI), requires residential development to have a total energy use of <35 kWh/m<sup>2</sup>/year and to be net-zero carbon and for non-residential development to meet BREEAM Excellent standard. The LETI standard has been chosen because it is ambitious and it has been incorporated in the draft plan in recognition of the importance of addressing the climate emergency and supporting the council's objective of having a net zero district in 8 in years' time. Key elements of the standard are need for low energy use, low carbon energy supply with no use of fossil fuels for heating, cooking and maximising the opportunities for on-site renewable electricity generation. There are a number of other policies in this topic that address climate change and adaptation which are considered by Officers to be much



stronger than the policies in the current adopted Local Plan. The key message is that climate change and adaptation measures need to be addressed as part of the design process and this is an important component of the policies in the topic covered in the paragraphs below (14.13 – 14.17)

### High Quality Well-Designed Places and Living Well

- 14.13 Achieving high quality well-designed places is a critical part of place making and an integral component of tackling climate change, and the council's journey towards net zero, as well as supporting improved health and well-being of our population.
- 14.14 Good design means delivering high quality and sustainable places. In order to be successful in achieving this, the design process for all new development needs to amongst other things:
- Respond positively to local distinctiveness and to have engaged with stakeholders and interested parties;
  - Have active frontages as well as providing strong connections to existing communities;
  - Be designed around ensuring that there is access to public transport links, walking and cycling routes that promote, where feasible, the concept of 15-minute neighbourhoods; and
  - Enhance the natural environment and address the challenges of climate change and overheating.
- 14.15 In order to raise the bar on design a new topic has been included in the Plan, on 'High Quality Well Designed Places and Living Well,' which has built on the feedback from the Design South East Local Plan workshops that took place in autumn 2021. Discussions have also taken place with the Town Forum about how the Local Plan can be used in a positive way to raise the standard of design in the city. The plan will also enable the policy hooks for subsequent production of local areas design codes and frameworks in the city, and other settlements in the district, which may be community led and drafted working alongside council Officers. Historically this has been the case with village design statements for example but there is scope for further work in this area in the context of recent national design guidance and policy.
- 14.16 This topic is based around fundamental concept that good design comes out of a sound design process and this is a defining point that flows through the content of the whole of the Regulation 18 Local Plan.
- 14.17 For the larger strategic sites (for example, Sir John Moore Barracks and Station Approach Regeneration Area) they have a specific policy requirement that a masterplan needs to be prepared for these sites which has involved and engaged with a number of stakeholders and interested parties. Any application will need to relate to the whole of the site and, if less, should not in any way prejudice the implementation of the masterplan for the whole site.

### Promoting Sustainable and Active Transport

- 14.18 The council's climate change targets for the district and objectives of the City of Winchester Movement Strategy, Air Quality Action Plan and Carbon Neutrality Plan will only be met by ensuring that we prioritise development that benefits from sustainable modes of travel which includes safe and accessible means of transport, with an overall low impact on the environment, such as walking, cycling, ultra-low and zero carbon emission vehicles, car sharing and public transport.
- 14.19 In order to achieve the above step change the Local Plan has a key role to play in promoting sustainable transport modes of travel. The Local Plan can be used to promote the concept/principles of 15-minute neighbourhoods and focus new development in the most sustainable locations with high quality infrastructure to promote active travel and access to public transport (buses and trains) which help to connect neighbourhoods, facilities and services. Policies in this topic concentrate on using the design process to focus upon, and prioritise, sustainable transport over the private car but, because of the rural nature of the district, it will not be possible to completely rule out the use of the private car in certain areas.
- 14.20 Another key change in the Plan is the move away from setting defined car parking standards and instead Policy T2 requires developers to, as part of the design process, demonstrate why they are planning for the number of car parking spaces in their developments and to be able to demonstrate how their proposal is linked to bus stops, Public Rights of Way and cycle routes and not just within the site boundary. This approach means that in sustainable locations development will be able to provide little or no parking whilst acknowledging that, in other areas which have more limited access to goods, services and public transport, parking can be included at a level which ensures that operational needs are met thereby avoiding creating problems on the highway network and for existing local residents.

### Biodiversity and the Natural Environment

- 14.21 A high-quality natural environment is a key contributor to sustainable development and can support a wide range of biodiversity and contributes to human health and wellbeing.
- 14.22 Whilst the current Local Plan has been largely successful in preventing development that adversely affects the countryside, and protected sites, by restricting the type of development that can take place there, some additional challenges for the Plan have been identified. On one hand, increased levels of development, and in particular housing, are needed to meet the targets set

by government, but there are also changes in legislation (some still awaited) which require more of our district to be safeguarded and used to meet the needs of biodiversity net gain, the multi-use of green infrastructure, open spaces and to help development achieve nutrient neutrality.

The Local Plan has a key role to play in resolving the many competing demands made on the natural environment and biodiversity and ensure any unavoidable impact caused by development is mitigated on site, or offset as a last resort, or where local conditions indicate that this would be the most beneficial approach. The policies in this topic support and reinforce each other with Green and Blue Infrastructure and Biodiversity Action Plan requirements for new developments reducing the impact on the environment and providing Biodiversity Net Gain. They will also ensure that open space (Policy NE3), Biodiversity Net Gain (Policy NE5), Nutrient Neutrality (Policy NE16) are provided when new developments are granted planning permission.

### Historic Environment

- 14.23 The historic environment is an irreplaceable resource that needs to be protected and enhanced for the benefit of current and future generations. The historic environment of Winchester District has a wealth of iconic heritage assets that are a major cultural and environmental strength of the district and are important in terms of defining the character and significance of the area, local distinctness, and cultural identity of the individual settlements.
- 14.24 This particular topic includes a number of policies on Historic Environment (both designated and non-designated assets), Conservation Areas and Registered Parks and Gardens that have been developed in close consultation with Officers from the council's Historic Environment team and Historic England. Protecting our built heritage does not mean preventing change but rather ensuring, through our new policies, that it is managed in a sustainable way that doesn't compromise the value and integrity of our historical assets. For example, one of the key changes in this Regulation 18 Local Plan, compared to the adopted plan, is the inclusion of Policy HE14 which deals with energy efficiency improvements to listed buildings and non-designated buildings in order to align this topic with the council's climate emergency.

### Homes for All

- 14.25 One of the key requirements of the Plan is to identify land to accommodate housing growth the quantum of which is set out in the government's standardised housing methodology. The current figure is 715 dwellings per annum. This calculation is carried out each year, so the number may change in 2023 (it is unlikely to decrease but may grow) and will not be 'fixed' for our Local Plan until the Regulation 19 version is submitted for a Local Plan Examination.

- 14.26 The Local Plan is required to plan for at least the level of housing established using the Standard Method, and to take account of the housing needs of other authorities that cannot meet their own needs in full, under the Duty to Cooperate. It is for the Local Plan to establish a sustainable strategy for accommodating this level of development. Taking account of the response to the SIP consultation, the Sustainability Appraisal of the options, the evidence base and updated information on housing requirements and supply, the Plan has identified a development strategy, as set out in Policy SP2, which is primarily based on Approach 1 in the Strategic Issues & Priorities document, which mirrors the development strategy in the existing Local Plan, but has been updated and modified to include elements of Approaches 2 (focus development on Winchester itself and other larger and more sustainable locations) and Approach 4 (dispersing development around the district largely in proportion to the size of the existing settlement). The number of new homes planned for the period up to 2039 is set above at 14.9.
- 14.27 The Plan carries forward a number of housing sites that are either partly under construction, have the benefit of planning permission, or are existing Local Plan allocations, but where either work has not yet started on site or development is still underway (e.g. Barton Farm Major Development Area). In the section called 'Local Plan Allocations, which deals with the delivery of our development strategy, there are a number of new site allocations in Winchester Town, the South Hampshire Urban Area and the Market Towns and rural area (Policy H3).
- 14.28 The Plan also includes a section on the needs for Gypsy and Travellers based on the finding of the updated Gypsy and Traveller Accommodation Needs Assessment and Pitch Deliverability Assessment with a permissive policy that allows for development to meet established need on suitable sites (Policy H12). Issues were raised at the Scrutiny/Local Plan Advisory Committee regarding the terminology, accuracy and consistency of some of the information set out in the plan in respect of data relating to gypsy and traveller and travelling showpersons accommodation including sites, pitches and plots. This has been reviewed and amended by Officers where appropriate (see Appendix 3 for details).

#### Level of Housing Need, Provision & Partnership for South Hampshire

- 14.29 Winchester's own housing need, as set by the Standard Method, is currently 14,178 dwellings for the district over the Local Plan period to 2039. Within Southern Hampshire, work being undertaken by Partnership for South Hampshire (PfSH) indicates that a number of authorities appear unable to meet their Standard Method housing need in full. These authorities may therefore ask the council to assist them in planning for growth within our district, which they are unable to accommodate themselves inside their own

areas, under Duty to Co-operate which is part of the plan making process prescribed by government. These authorities may raise this issue in response to the Regulation 18 consultation. It should be noted at this point that, whilst there is a requirement to work with neighbouring authorities, it is a matter for the council to decide how much development required to meet a wider need is considered appropriate for inclusion in our Local Plan.

14.30 PfSH is looking to establish the scale of any shortfall in provision and to develop a Joint Strategy to address this, but this has not been completed in time to inform this draft Regulation 18 Local Plan. Therefore a 'buffer' is provided for several reasons. It is designed to cater for potential future increases in the Standard Method for our district, as the housing figure may change, secondly to help contribute towards the PfSH shortfall and thirdly to allow headroom should any of the sites allocated in the draft plan subsequently become unavailable or undeliverable. In the spirit of cooperation required by government policy, this iteration of the Plan makes provision for about 1,450 homes more than is currently required by the Standard Method to provide a buffer for changes to the Standard Method in 2023, when our annual figure will be updated and is more likely to rise than decrease, contribute towards wider unmet needs and to provide resilience should circumstances change in relation to sites included in the Regulation 18 plan. If no buffer were provided there is a substantial risk that the plan could be delayed, if the council needed to find new or additional sites to accommodate a higher number of new homes than originally planned for, before reaching the next stage in the plan making process. As mentioned above it is important to recognise that whilst there is a Duty to Co-operate the council would need to decide what provision it ultimately makes in its Plan for any wider unmet housing need. The figure of 1,450 is considered a reasonable buffer, based upon Officer's understanding of the current picture, and how housing numbers could grow before we get to the next stage in the plan making process.

14.31 PfSH has also commissioned work to establish whether there is a case for a green belt which would likely include land within the southern area of the district. Again, as is the case with housing need across the sub-region, this work has not yet been concluded, but options other than green belt are also being explored. In these circumstances it is considered that there would be no sound basis for Winchester to propose a green belt as part of its Regulation 18 Plan. Green belts are a strategic planning tool which, in this case, would include land in a number of authorities' areas and national policy sets a very high bar in relation to making new designations. This being the case it is considered that it would not be sound for the council to unilaterally try to designate a new green belt now, prior to the completion of the PfSH work, notwithstanding whether this could be considered an appropriate policy approach for the district.

## South Downs National Park

- 14.32 It is the nature of the national planning system that local planning authorities are rarely able to fully align the timing of the production of their local plans. This means that neighbouring authorities in Hampshire and beyond will usually be at different stages in their plan making process and this is the case with the council and South Downs National Park Authority (SDNPA).
- 14.33 As mentioned above, to ensure that authorities liaise with one another when drafting local plans, there is a requirement, under the Duty to Cooperate, to address cross-boundary and other wider planning issues. The council has a constructive working relationship with the SDNPA, including in relation to planning policy, and has already been liaising with their officers about our new Regulation 18 Plan. It is anticipated that this will also be the case when the SDNPA reviews their own local plan.
- 14.34 The working relationship that we have with the SDNPA, regarding the development and content of our Local Plan, will be encapsulated in a Statement of Common Ground, which will be published alongside the Regulation 19 Local Plan next year. It is not expected that the difference in timing of the preparation of our respective plans should cause any significant issues including for those parishes that lie partly inside the park boundary. However, if any issues do arise, council Officers will work hard with their colleagues in the SDNPA to resolve such matters and will strive to reach agreement wherever possible.

## Affordable housing

- 14.35 Delivering affordable housing remains a key priority and is one of the greatest challenges facing the district. Providing affordable housing as part of schemes which propose market homes impacts significantly upon development costs and therefore viability. Work has been undertaken as part of the Local Plan Viability Assessment (which forms part of the Evidence Base for the Local Plan) to assess the cost of all of the policies that have been included in the draft Plan as well as other cost that all developers have to factor in when bringing forward a housing scheme. This study is important as the expectation now of government is that these matters should be settled by local plan policy which can include a requirement for affordable housing provision. This is opposed to having policy which includes a target, as the current plan does, but enables the exact proportion to be negotiated on a case by case basis, at the planning application stage, when viability matters will be addressed.

As result of this assessment, developers will be expected to provide at least 40% of the total number of new homes as affordable housing (Policy H6) unless exceptional other factors, which impact upon viability, apply. In recognition of the increased development costs associated with schemes in certain parts of the district, and the nature of the site in question including costs of land, the proportion of affordable housing will be no less than 30% on previously developed land. At least in the short term, where development is required to mitigate the impact of additional phosphates on the River Itchen SAC (see Policy NE16), the proportion of affordable housing will be reduced to no less than 35% on greenfield sites and 25% on previously developed land. It will be possible to adjust these policy requirements for the next stage of the Local Plan (Regulation 19 Plan), as our understanding of this relatively new issue improves, and the costs related to nutrient mitigation reduce as anticipated over time

#### Neighbourhood Plans

- 14.36 In terms of Neighbourhood Plans (NPs) New Alresford Town Council, Hursley Parish Council and Denmead Parish Council are in the process of preparing NPs. Policy NA3 makes the provision for the New Alresford Town Council NP to find land for about 100 dwellings (Policy NA3) and Policy D1 makes provision for the Denmead Parish Council NP to find land for about 100 dwellings. The settlement of Hursley has not been given a housing target but is able to, as part of their Neighbourhood Plan process, allocate land for small scale sites for housing development within or adjacent to the existing settlement.

#### Vibrant Economy

- 14.37 The Plan rolls forward some of the existing employment allocations that have not yet come forward for development (e.g. Bushfield Camp) but which are still needed/relevant and considered deliverable.
- 14.38 This topic also takes into account amongst other matters:
- The changing nature of people's shopping habits;
  - National changes to the Use Classes Order and national policy on changes to Permitted Development Rights;
  - The growth of internet shopping and the impact that this has had on the nature of the high streets and local centres
  - Opportunities to include policies in the Plan that support and encourage the rural economy; and
  - How the Local Plan can be used to help to support and deliver the Green Economic Development Strategy which is being developed into a more detailed series of actions which will be reflected in the Plan where they are relevant and available before the Regulation 19 Submission Stage.

### Weight of the emerging new Local Plan in development management decisions

- 14.39 As the new Local Plan's preparation moves forward, the document has more weight in development management decisions as each key stage is reached ultimately leading to its adoption which is intended to be August 2024. At this point the new Plan would replace the current adopted plan. However, following the publication of the draft Regulation 18 Local Plan, the Plan will only have limited weight when making planning decisions and the starting point will still be the policies in the current adopted plan and national policy/guidance. More weight is afforded when the Local Plan is submitted to the Secretary of State for a Local Plan Examination and an Inspector's report is received. Full weight is given after adoption of the new Local Plan.
- 14.40 Once therefore the new Local Plan has undergone all of its statutory stages and it is adopted by the council it will replace the Winchester District Local Plan Part 1 Joint Core Strategy (March 2013), Winchester District Local Plan 2: Development Management and Site Allocations (April 2017) and the Winchester District Gypsy, Traveller and Travelling Showpeople Development Plan Document (February 2019).
- 14.41 Any Supplementary Planning Documents (SPD's) that have been adopted against existing Local Plan policies (for example, the High Quality Places SPD and the Central Winchester Regeneration SPD) will have to go through a formal process of being adopted in line with any 'parent' policies once the new Local Plan has progressed through all of the statutory stages.

### Consultation requirements

- 14.42 The proposals that are contained in the draft Regulation 18 Local Plan must be published for consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012, which requires the following:
- (1) A local planning authority must—*
- (a) notify each of the bodies or persons specified in paragraph (2) of the subject of a local plan which the local planning authority propose to prepare, and*
- (b) invite each of them to make representations to the local planning authority about what a local plan with that subject ought to contain.*
- (2) The bodies or persons referred to in paragraph (1) are—*
- (a) such of the specific consultation bodies as the local planning authority consider may have an interest in the subject of the proposed local plan;*



*(b) such of the general consultation bodies as the local planning authority consider appropriate; and*

*(c) such residents or other persons carrying on business in the local planning authority's area from which the local planning authority consider it appropriate to invite representations.*

*(3) In preparing the local plan, the local planning authority must take into account any representation made to them in response to invitations under paragraph (1).*

#### Next steps - presentation and consultation

- 14.43 A key part of the consultation on the draft Regulation 18 Local Plan is to ensure that it is presented in a way that creates interest across a wide range of audiences that may have an interest in, or be affected by, its policies. We want to engage in a way that actively encourages people to read and respond to this consultation which is an important stage in the plan making process. The plan has been designed to include eye catching images, visualizations, icons, and creative illustrations in order to bring the document to life and to give the plan a strong Winchester brand identity which will be carried through the whole plan-making process to adoption.
- 14.44 The council's updated Adopted Statement of Community Involvement (SCI) sets out the expected minimum methods of community involvement for Local Plan. At the Local Plan Examination, it will be necessary to demonstrate to an Inspector that the Council has met the minimum requirements that have been set in the SCI but there is an opportunity and desire to go much further than the minimum requirements.
- 14.45 In order to reach out to as many people as possible, Officers have reviewed how we engaged with people on the SIP in 2021, including understanding which methods were most effective, and what additional methods of engagement could be used at this key formal stage of the Plan-making process. As a result of this the proposed engagement strategy will amongst other things include:
- Relaunching the new Local Plan website which will include all of the key information about the public consultation;
  - Press Releases/Press adverts;
  - Posters and information sent to Parish/Town Councils and posters on display at all Council car parks/Park & Ride sites;
  - Information about the public consultation in Parish Connect, along with a parish/town council/Town Forum briefing, and details sent to major business and universities;

- Emails sent to Parish/Town Councils/Town Forum and anyone on the Local Plan database;
- Use of radio advertisements to help raise awareness of the public consultation and how to get involved in the process;
- Use of paid social media (Twitter, Instagram and Facebook) to encourage people to become involved in the consultation and send in their feedback;
- Arrangement/attendance by Officers at online events and face to meetings at designated time slots;
- Information available about the Local Plan consultation at local libraries;
- Information about the council's consultation portal (Citizens' Space) to encourage people to view the documents and submit comments on the draft Regulation 18 Local Plan document online; and
- A video to show people how to use Citizens' Space in order to encourage as many people as possible to submit their comments online rather than in an email/letter format. A link to this video will be sent out with the email alert and this video will be in a prominent position on the Local Plan website. There will still be opportunity to review the consultation material, and respond to it, using more traditional methods, as not everyone may have access to digital channels, or may prefer to provide comments in this way. However, there will be a real push to encourage people to submit comments on Citizens Space as this greatly assists Officers with making sure that comments are grouped together to enable feedback from this consultation to be reported back to LPAG in an expedited manner.

14.46 Officers also recognise the role councillors can play in promoting awareness the new Plan and would value their support and involvement in helping to spread the message about the consultation and how people can become involved in the Local Plan and provide their comments via Citizens Space

14.47 Any responses that are received as a result of the consultation process will be taken into account in preparing a Regulation 19 Local Plan which is the next key stage in the plan making process. It is expected that, subject to the approval of the attached draft Regulation 18 Local Plan document, Members will be updated on the outcome of the consultation in early summer 2023.

## 15 OTHER OPTIONS CONSIDERED AND REJECTED

15.1 The government is very clear that in order to be effective plans need to be kept up-to-date. The National Planning Policy Framework states policies in Local Plans and Spatial Development Strategies, should be reviewed to assess whether they need updating at least once every 5 years, and should

then be updated as necessary. Current guidance is that Local Plans should cover a minimum of 15 years from the date of adoption. The plan period that our Local Plan covers therefore needs to align itself with the above requirements or any changes arising from new local plan requirements (2019 to 2039).

- 15.2 The government continues to make it clear that it wants all councils to have an up-to-date Local Plan by 31<sup>st</sup> December 2023. It is acknowledged that there were delays at the start of the Local Plan process, which was due to the government consulting on significant changes to the planning system, and revisions to the Standardised Method for the number of homes that the council needs to plan for (the latter subsequently reverted back to the original formula). However, it is intended that the Plan will be adopted by late summer 2024 and it is not envisaged that this timeframe should pose significant risks in terms of planning decision making.
- 15.3 Under the current Local Plan timetable, the date of the adoption of the new Plan is August 2024. Failure to make progress with the Local Plan is not considered an option as the council may not be able to demonstrate a 5 year Housing Land Supply for example, and policies in the existing Local Plan will be given less weight in the determination of planning applications and at appeals, the older they become particularly if they are not consistent with national policy. In these circumstances, decisions on development proposals would have to be made in the context of the National Planning Policy Framework. There is also a risk of government intervention if it is considered that the council is not making significant progress with developing a new Local Plan. Hence the council needs to adhere to the agreed timetable and have a new Local Plan in place by 2024.

#### 15.4 BACKGROUND DOCUMENTS:-

##### Previous Committee Reports:-

CAB3278 - Cabinet Report on the Strategic Issues & Priorities consultation document

CAB3226 – Revised Local Development Scheme

##### Other Background Documents:-

The Local Plan is supported by a range of evidence base that is available on the Local Plan website. [Local Plan 2039 – Evidence Base - Winchester City Council](#)

##### APPENDICES:

Appendix 1 – Draft Reg 18 Local Plan consultation document

Appendix 2 – Integrated Impact Assessment

Appendix 3 – Recommendations from the Scrutiny/Local Plan Advisory Group meeting on the 29<sup>th</sup> September 2022 and Officers' responses including where changes to the plan for consultation have been made.