

Appendix 3 – Recommendations from Scrutiny and LPAG meeting of 29 September 2022 and officer response including where changes to Plan for consultation have been made.

The following table sets out the recommendations from Scrutiny Committee to Cabinet following their meeting of 29 September 2022. The references to page numbers, paragraphs and diagrams refer to the papers for that meeting of Scrutiny Committee, which is available on the Council website at <https://democracy.winchester.gov.uk/ieListDocuments.aspx?CId=348&MId=4145&Ver=4>

There were a number of additional minor points and amendments made to the document.

| Scrutiny Comments | Officer Response | Proposed change (if any) |
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| Comments on Cabinet Report | | |
| 1. An explicit and clear statement on why the Council was using the London Energy Transport Initiative (LETI) would be useful. | As outlined at the meeting, in terms of energy efficiency standards, the choices are fairly limited in terms of: <ul style="list-style-type: none"> - Building Regulations (existing and proposed); - BREAAM; - LETI energy efficiency standards. | No change. The LETI report, which is part of the Local Plan Evidence base, sets out the difference energy performance standards and running costs. |
| 2. Could paragraph 14.42 be amended to allow Parish councils to be better briefed and consulted in future stages? | Agree. | The Cabinet Report has updated to include a briefing for the Parish/Town Councils and Town Forum. |
| 3. Page 19, under the heading of “Reputation”, complete the sentence following the words “It would be necessary”. | Agree. | The formatting of the Report has been addressed so that the text is now visible. |
| 4. Page 18, Risk Management to include a specific risk regarding a change in national planning policy. | Agree. | The Risk Management section has been updated to reflect that the fact that there could be changes in national planning policy before the Local Plan is adopted. |
| 5. Could the flexibility in the revised | The whole idea is to not have prescribed car | No change. |

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| policies around the provision of car parking spaces be misinterpreted and enable a developer to reduce the number of spaces provided? | parking standards and for the developers to clearly demonstrate through the design process the number of car parking spaces. It is accepted that in certain areas, it may not be possible or desirable to reduce the number of car parking spaces as these areas have limited public transport. | |
| 6. Paragraph 14.19, consider changing the wording from “may not” to “would not” | Agree. | Paragraph 14.19 has been updated. |
| 7. That an update be provided in the report to set out the council's work with the Partnership for South Hampshire (PFSH) regarding the Green Belt and housing allocations. | Agree. | Paragraph 14.31 has been updated with more information on the work that is being undertaken by PFSH. |
| 8. Explain the “buffer” within the cabinet report, its purpose, how it was arrived at etc. | Agree. | Paragraph 14.30 has been updated in relation to the purpose of the buffer and more explanation. |
| 9. Two sets of page numbering could make the document difficult to follow. | This point is unfortunately, unavoidable. | No change. |
| 10. Review the document to strengthen wording i.e. instead of could, should, use will, would etc. | Advice from the legal department is that the Local Plan is policy not legislation, is still in draft form, and whilst still being directive, “should” will generally allow for a sufficient degree of discretion/flexibility in decision making based on taking appropriate account of all material considerations compared with more categorical/absolute wording. | No change. |
| Comments on Local Plan Introduction | | |
| 1. That both the Winchester City Council (WCC) and the South Downs National Park | Noted. | Paragraphs 14.42 – 14.34 now includes details of the discussions that have taken place with |

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| (SDNP) Local Plan timetables be included in either the Local Plan document or the Cabinet Report. | | Officers from the South Downs National Park Authority and confirmed that a Statement of Common Ground which will be agreed and published at the same time as the Regulation 19 Local Plan. |
| 2. It was noted that some members whose wards included parts of the South Down National Park felt that they did not have all the information required regarding the SDNP local plan process. Members were advised to take these matters up with officers at the SDNP and Councillor Tod advised that he would take up any specific issues if required. | | It was agreed at the meeting that Cllr Tod would follow this point up. |
| 3. Regarding page 61, policy SP2, it was recommended that an additional comment be included regarding the placement of Sir John Moore Barracks and Kings Barton with the "Winchester Town" allocation. | The Spatial strategy focuses on the places, rather than administrative areas. It is considered clearer to ensure that the individual site allocations make it clear `which parish the allocations fall within. For example, in the case of Sir John Moore Barracks paragraph 12.22 makes it clear that the site is situated in the Parish of Littleton and Harestock. | No change. |
| Comments on Carbon Neutrality and Designing for Low Carbon Infrastructure, | | |
| 1. Put in a specific reference to the use of LETI due to its importance to the plan. | Agree the Plan should be clearer in terms of what LETI energy are. | Paragraph 4.24 moved to follow 4.14 – bringing the introduction of LETI further forward in the Plan document. |
| 2. Consider whether policy CN1 could be applied to extensions. | Paragraph 4.28 notes that the measures set out in policy CN1 are in some situations more problematic in conversions and extensions than in new build. It would not be possible for a conversions and extensions to meet all of the requirements of Policy CN1 hence why they have been specifically excluded. | Move paragraph 4.28 to follow 4.22. |

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| | <p>The text in para. 4.28 outlines the approach to be taken in the case of householder extensions (i.e. examine through the design process what measures have been explored and taken), and increasing the prominence of this paragraph should make it clearer.</p> | |
| <p>3. Review how to measure CN3 after the consultation.</p> | <p>It is envisaged there will be an electronic form to complete post-completion to monitor Policy CN3.</p> | <p>Policy CN3 in the monitoring schedule has been updated to note this proposed approach.</p> <p>The electronic form will be prepared once the Plan is adopted.</p> |
| <p>4. Consider whether policy CN5 could be amended; to articulate the balance between the use of land for food production and the use of land for renewable or low carbon energy schemes, that the right metrics were used in grading agricultural land and the enforcement of conditions that were attached to developments such as solar farms.</p> | <p>NPPF defines best and most versatile agricultural land as grades 1, 2 and 3a. Whilst imperfect this is still the best starting point for planning decisions. It is considered additional criteria that were referred to at the meeting will improve the policy.</p> | <p>Policy CN5 changed as follows:</p> <ul style="list-style-type: none"> • assess the potential loss of best and most versatile agricultural land; • new text in criterion v to require a land management plan to identify opportunities for environmental/wildlife; and • a new criterion has been added for proposals to submit an emergency plan for battery storage. |
| <p>Comments on High-Quality Well-Designed Places and Living Well</p> | | |
| <p>1. Consider greater emphasis and provide additional instruction regarding the importance of community engagement being undertaken much earlier in the design process.</p> | <p>Noted. Community engagement is a requirement of the adopted Statement of Community Involvement and specific criterion for developers to follow in all sub-areas of the Plan in policies D2, D3 and D4. But the</p> | <p>Diagram on page 55 has been amended to highlight the important role of community engagement in the design process.</p> |

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| | <p>accompanying diagram could make this clearer.</p> | |
| <p>2. Page 59, the table of characteristics should refer to the “City of Winchester” vision not the “Winchester” vision.</p> | <p>The “one big win” work to date has always referred to the “Winchester Vision”. Nonetheless the Local Plan should make clear it is referring in these cases that it is referring to that work, rather than the overarching Local Plan Vision for the Plan area. Wording amended to state Winchester Town vision, in line with other uses throughout the Plan.</p> | <p>References to the Winchester Vision now amended to clarify.</p> |
| <p>3. Recommend that conversations continue with the Town Forum regarding policy D1.</p> | <p>Noted. It is also considered helpful at this stage to confirm the envisaged status of the material set out in pages 60 to 69 of the draft consultation document.</p> <p>It is noted that the City of Winchester Trust considers that the Plan should contain a commitment by the Council to prepare a city wide urban design framework in due course. It is not considered that this action is necessary or technically the most appropriate way forward. The Plan as worded would allow that to take place or alternatively, as Winchester Town covers a large geographical area with a many different urban design characteristics the preference would be to encourage local communities to prepare Local Design Codes/Design Statements for each of the Neighbourhood Character Areas.</p> | <p>New paragraph added to follow 5.47 setting out the expectations regarding the use of this material is planning documents such as design codes.</p> |
| <p>4. Consider whether policy D4 should only refer to “up to date” Village Design Statements etc and if so, define what was meant by up to date</p> | <p>The draft policy does refer to “relevant aspects” identified in these documents, which will enable a judgement to be made at the time whether any identified aspects etc are no</p> | <p>No change.</p> |

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| | longer up to date. | |
| 5. Consider whether Conservation Area Appraisals be included in policy D4. | Agree. | Conservation Area Appraisals added to criterion 2 of policy D4 (and D2 for consistency). |
| 6. Regarding policy D9, consider whether retrospective measures could be applied under this policy. | It is considered unreasonable to require this consideration for householder applications. It is considered better to assess applications to bring forward measures to prevent overheating in existing buildings on a case by case basis. With the rising costs of energy bills this will be more at the forefront of everyone’s minds. | No change. |
| 7. Review policy D11 regarding internally lit signs. | Noted. This is a point that can be addressed in any update to the SPD. | None at this stage of the process. |
| Comments on Sustainable Transport and Active Travel | | |
| 1. Consider a reference in 6.4 to the District Local Cycling and Walking Infrastructure Plan. | Agree. | Text in para. 6.8 updated to reflect the status of these documents. |
| 2. Regarding policy T2, recommend that officers review the requirements for visitor parking as part of this policy as these were often used for residential parking. | Agree. | Text of criterion ii amended to note provision of parking for visitors |
| Comments on Biodiversity and the Natural Environment | | |
| 1. Policy NE1, review whether Swift towers hedgehog highways etc should be referenced. | Agree. | New text added to end of paragraph 7.23 to outline how these measures could be used to deliver the aims of policy NE1. |
| 2. Policy NE2 – should say that a planning application will be refused if it is not accompanied by a masterplan. | Whilst the policy advises that a masterplan is expected to accompany for major commercial, educational and MOD establishments in the countryside, a planning application could not be refused if it was not provided. The vital part is that communication and engagement takes | No change. |

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| | place with organisations/stakeholders in advance of any planning application. | |
| 3. Policy NE7 - could Wickham be added to the first grouping of settlement gaps | The Bishop’s Waltham – Swanmore-Waltham Chase- Shedfield – Shirrell Heath Gap does not currently extend to Wickham (though one is identified to the south of the village). We do not have the evidence to suggest that extending the gap would be justifiable on planning grounds. | No change. |
| 4. Review whether the settlement gap relating to Oliver's Battery and Otterbourne be reviewed and extended. | We do not have the evidence to suggest that extending the gaps would be justifiable on planning grounds. | No change |
| 5. Review whether Policy NE12, paragraph 7.94 conflicts with the final paragraph of NE12. | Agree – the wording as drafted could be clearer. | Text of final paragraph of policy NE12 revised to be clearer. |
| 6. Policy NE13. Regarding dog walking, felt that fields being used were becoming a problem with noise, and visual intrusion. It was unclear whether this activity was considered leisure activity or rural economy and whether it should be included as part of paragraph 7.96. | It is considered that dog exercise (e.g. enclosed areas, agility, and other bespoke facilities) fall within the scope of this policy, and the Plan could make this clearer. | Paragraph 7.96 amended to include reference to dog exercise. |
| 7. Preview policy NE16 and the wider document for the use of the terms “phosphates/phosphorus and nitrates/nitrogen” | Natural England have been contacted and confirmed correct language is nitrogen and phosphorus. | References amended in Policy NE16 and elsewhere in the Plan. |
| Comments on The Historic Environment | | |
| 1. Policy HE7 refers to the results of investigations that “should” be published, it was suggested that this wording be strengthened. | Consideration has been given to the use of “should” rather than “must” or some other phrase. “Should” is considered more appropriate for the reasons outlined previously. | No change. |
| 2. Consider taking a more receptive approach to measures taken on non-designated | Non designated assets are not subject to the same considerations and constraints and | No change. |

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| historic buildings to reduce their carbon footprint | designated ones. The draft policies in the Historic Environment topic have been discussed with Historic England and the Council's Heritage Manager. It is considered that the Plan already takes an appropriate response to such proposals. | |
| Comments on Homes for All | | |
| 1. The committee felt that the hierarchy updates could have been done better and consideration should be given to how these could be improved and updated. | The points raised have been taken into account and the revised Settlement Hierarchy document that has been published as part of the evidence base. People can comment on this document at the Regulation 18 stage. | No change. |
| 2. Page 208, table H3, it was understood that the proposed allocation of 485 for Hursley was not correct. On the same table, Swanmore and Sutton Scotney should be separated out. | Agree. The 1380 and 200 figures should be moved up a row. | Amendments made. |
| 3. Policy H5 and dwelling sizes, reconsider criteria three to guard against sites being underused. | Draft policy D6 already sets out the proposed approach to secure best use of land and therefore prevent underuse. Policy H5 also allows for the specific circumstances of sites to be taken into account. However, the query has raised the point regarding smaller sites and part dwellings which it is thought worth clarifying. | Amendment to policy added clarify that part dwellings should be rounded up. |
| 4. Policy H5, consider explicitly stating that self-build development should be priced at below market values | Advice has been sought from the Council's viability consultants Dixon Searle on this point. Any update on this, including any implications for the proposed text of the draft Plan, will be reported to Members. | No change proposed at present. |
| 5. Policy H5 separate out custom build and self-build | Advice has been sought from the Council's viability consultants Dixon Searle on this point. Any update on this, including any implications | No change proposed at present. |

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| | for the proposed text of the draft Plan, will be reported to Members in due course. | |
| 6. That paragraph 9.36 be amended as follows “be provided by the council or a Registered Provider” | Agree. | Paragraph 9.36 amended. |
| 7. Policy H6 how do we assess whether applicants/developers really could not afford to contribute to affordable housing | The proposed policy follows current national policy and guidance. Applicants must demonstrate why viability considerations should apply in this case, and then detail what those implications are. This is considered appropriate detail for the Local Plan. | No change in response to comment. Text split into bullet points to aid legibility. |
| 8. Policy H7 consider making a specific reference to community support in the bullet points | Agree. | Policy amended to include requirement that all such schemes should be community driven. |
| 9. Policy H13, recommend consistency in either using the term “pitches” or “plots” | Agree. The relevant term for Gypsy and traveller is ‘Pitches’. The term for Travelling Showpeople is ‘Plots’. | Document updated in policy H13 and elsewhere for consistency. |
| 10. Policy H13, amend the table on pages 226 and 228 and 9.94 and review the column headings to ensure clarity for example using the word “Authorised” concerning the number of pitches, also ensure pitch numbers were accurate | The tables have been reviewed and it is agreed that some additional clarification would be helpful. | Column titles amended to confirm correct terminology for pitches and plots and note that the reference is to authorised pitches and plots. Figure for Carousel Park corrected to 9 for consistency with paragraph 9.94. |
| Comments on Creating a Vibrant Economy | | |
| 1. Reconsider paragraph 10.133, within policy D8 and review whether the wording could be strengthened to support the continuation of community services. | It is agreed that it would be helpful to set out the role that community ran facilities can play in the continuation of services. The appropriate price should also be clarified. | Reference to “appropriate price” removed form paragraph 10.133. New paragraph added to paragraph 10.134. |
| Comments on Winchester Site Allocations | | |
| 1. Page 272, to change the number in the table regarding the Central Winchester | Agree. | Figure amended. |

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| Regeneration from 400 to 300 and update total to 5,671. | | |
| 2. Regarding site W1, - diversion of the Andover Road. | The text at para. 12.10 makes it clear that the reference to the potential re-routing of Andover Road relates the proposals that were granted at the outline planning application stage. | No change. |
| 3. Site W2, bullet point 4, consider providing further clarification of previously developed land and clarify why the green area to the north of the site was not included in the master plan. | The redevelopment of this site is dependent on and will be informed by the masterplan process which is currently underway. At this stage of the process, as this work is still underway, it is not possible to make this change. However, additional text has been added to the first criterion in Policy W2 to refer to green spaces and settlement gaps. | The first criteria in Policy W2 has been updated to refer to green spaces and settlement gaps. |
| 4. Site W3 St. Peter's car park, concern that this area floods and so would prevent development | Agree that this concern should be addressed in the proposed policy. The car park itself is outside of the flood risk area but the land adjoining the site is within a flood risk area. | Criterion added. |
| 5. Site W5, believed that this site was within the Compton Street local gap (and greenfield land) and so how would the gap be safeguarded? | Agree site falls within the gap as defined. The policy does require detailed consideration of design and layout including landscape considerations, but it could usefully refer to Gap considerations. | Reference now added to the need to address the Winchester / Compton Street Gap. |
| 6. Look at whether site W5 would also impact businesses in areas such as Oliver's Battery. | Criterion iv is concerned with any impacts upon the nearby identified town centre. It is thought helpful to clarify this. | Reference to Winchester town centre hierarchy added to criterion iv. |
| 7. To provide further clarification, add in the adoption date of the Central Winchester Regeneration (CWR) Supplementary Planning Document (SPD). | Agree reference needs to be made to the adopted SPD. | Reference added to adopted SPD. |
| 8. Review the text in paragraph 9.61 and | Agree. | Clarification added to paragraph 9.61 to make it |

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| clarify regarding non-residential use of site W10. | | clear student housing is not envisaged on the River Park site. |
| Comments on South Hampshire Urban Areas Allocations | | |
| 1. Officers to check the sites within the Havant Borough Council draft Regulation 18 to understand any impacts on the City Councils' proposals concerning Newlands and West of Waterlooville developments. | Officers from Havant BC have been contacted. Their Regulation 18 consultation is a first stage, and involves a high level consultation with limited detail on sites. Upon first review, the Havant consultation raises no fundamental issues of principal which would prevent the delivery of the allocations proposed in the emerging new Winchester Local Plan. This position will be reviewed and finalised as part of the formulation of the WCC response to that consultation. | No change. |
| Comments on Market Towns and Rural Areas Allocations | | |
| 1. Site NA1, to note that the documented 50 spaces of public car parking was believed to be 42. | Agree - the proposals that are currently under consideration are for 42 spaces. However, "about 50" is considered more appropriate for the Local Plan, and in this case it is envisaged that a higher number than 42 would be welcomed. | No change. |
| 2. Site CC1, paragraph 14.50, instead of "arrangements should be made for safe crossing points", the word "should" be replaced with "would". | See response under HE box 1 above | No change. |
| 3. Site KW2, regarding the B3047 having a poor safety record, officers were asked to liaise with Hampshire County Council on this. | Noted, the policy includes a requirement to rearrange the junctions to provide safe access. Officers have already sought initial advice from HCC highways and it is understood that the site promoters have also been in discussion with HCC Highways. | No change. |

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| 4. Site WK4, concerns were expressed about the suitability and sustainability of this site, the lack of footpaths/pavements and the potential security issues of Ravenswood and the impact on neighbouring housing. | The comments are noted. However, the proposed allocation of this site reflects the status of the planning application 18/01612/OUT for development of this site for 200 homes which considered these aspects. | No change. |
| 5. Policy O1 is considered to be a sensitive site and recommended that feedback from the Parish Council be considered/included before the consultation. | Agree. | Parish Council comments have been reflected in the site name and detail of policy OT01. The policy has been renamed for clarity. |
| 6. That feedback from Sutton Scotney and Boarhunt suggest that they would welcome some local housing but that the infrastructure did not support this at this time. | Noted. | No change. |
| Comments following public participation | | |
| 1. That key documents such as the Movement Strategy and the Winchester Town Vision be attached as an appendix to the Local Plan. | Noted. These documents are available to the public but it will make it easier for those responding to the consultation if they are gathered in one place. | Documents (or links) will be added to the Local Plan evidence page on the Council’s website and the Local Plan website prior to the consultation commencing. The Winchester Movement Strategy has been added to diagram of the documents that form part of the Local Plan Evidence Base. |
| 2. That policy CN5 be reviewed to consider whether the term “unacceptable impact” could be better communicated and understood. | Noted. The policy is worded in this way to give some flexibility as it all depends on the scale and location of the development. | No change. |
| 3. That data regarding gypsy and travellers be checked for accuracy. | Agree. | Changes made to correct policy H13 and Table H4. |
| 4. How could the council consult on a document or plan that would inevitably change | The Council is required under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 to consult on the contents of emerging local plans prior to the | No change. |

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| | <p>prior to the finalisation of a proposed submission plan. This serves to ensure that the final Plan submitted to the Planning Inspectorate for Examination is informed by the results of that consultation, and it is considered that changes to emerging Plans following such consultation are fully expected and an integral part of that process.</p> | |
| <p>5. Regarding South Wonston, the following points were made:</p> <p>It doesn't have the Vision and Characteristics etc as advised in National Planning Policy Framework (NPPF)</p> <p>Its allocations contain a site that was outside of the settlement boundary</p> <p>It was unclear why the settlement hierarchy for South Wonston scores the same as Winchester on public transport.</p> <p>That the concerns of South Wonston parish were being ignored.</p> | <p>There is a legal requirement that a Local Plan includes vision for the whole of the Winchester District. The vision that is included in the Regulation 18 Local Plan also sets out a vision for the market towns and rural area. There is no specific requirement to set out a vision for South Wonston – this can be set out in other documents such as Parish Plan.</p> <p>In order to meet the housing requirements that is set by Government, this will mean that land will have to be identified in this Local Plan that is currently outside of the settlement boundary.</p> <p>The settlement hierarchy has been updated as a direct result of feedback from Parish Councils. A copy of the updated settlement hierarchy is available on the Local Plan evidence base which is on the WCC website.</p> <p>The draft Regulation 18 Local Plan is going to be consulted on for a period of 6 weeks and any feedback will be taken into account as part of the Regulation 19 Local Plan. There will then be</p> | <p>No change.</p> |

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| <p>Sought reassurances that 3-story townhouses would not be built.</p> | <p>a second opportunity for anyone to make any comments (Reg 19 stage) and an independent Local Plan Examination. We would encourage as many people as possible to provide us with comments</p> <p>The type and style of housing on any of the sites that have been allocated for development will need to meet the requirements of the policies in the Local Plan (this includes design and landscape policies).</p> | |