

REPORT TITLE: WINCHESTER DISTRICT PROPOSED SUBMISSION LOCAL PLAN (REGULATION 19)

16 SEPTEMBER 2024

REPORT OF CABINET MEMBER: Cllr Jackie Porter, Cabinet Member for Place and 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 2040. The Local Plan has been developed through the lens of the City Council's climate emergency and nature conservation emergency. It promotes sustainable well-designed places and healthy lifestyles that are centred around public engagement and high quality design that responds positively to its local context.

This report sets out further detail on the Local Plan preparation process, summarises the proposals in the Winchester District Proposed Submission Local Plan (Regulation 19), including changes that have been made following consultation on the Regulation 18 Local Plan and updates to the Local Plan evidence base.

This report proposes that the Winchester District Proposed Submission Local Plan (Regulation 19), the accompanying Integrated Impact Assessment and Habitats Regulations Assessment are also published for a period of 6 weeks consultation anticipated to start on XXXX before the Winchester District Proposed Submission Local Plan (Regulation 19) is submitted to the Secretary of State for an independent examination.

The Council's adopted Local Development Scheme (the timetable for preparing the Local Plan) will need to be slightly adjusted to align with the planned consultation and submission of the Winchester District Proposed Submission Local Plan (Regulation 19).

Once the new Plan is adopted, it will replace the current Local Plan (Local Plan Part 1 – Joint Core Strategy, Local Plan Part 2 – Development Management and Site Allocations and the Gypsy, Traveller and Travelling Showpeople Development Plan Document). When it has been adopted, it will be the Council's statutory Development Plan that will be used to assess the planning merits of development proposals.

## RECOMMENDATIONS:

Cabinet recommends to Council that it resolves that:

1. The Winchester District Proposed Submission Local Plan (Regulation 19) (Appendix 1) and the accompanying Integrated Impact Assessment (Appendix 2) and Habitats Regulations Assessment (Appendix 3) are approved for Publication for a period of 6 weeks anticipated to start on XXXX;
2. Following Publication, the Winchester District Proposed Submission Local Plan (Regulation 19) and supporting documents be submitted to the Secretary of State for Examination, together with the Regulation 19 representations and a summary;
3. Authority be delegated to the Strategic Planning Manager in consultation with the Cabinet Member for Place and Local Plan to prepare an addendum to the Plan that may be necessary to address soundness issues raised by representations received in response to the Regulation 19 public consultation and submit this addendum along with the Local Plan to the Planning Inspectorate
4. Authority be delegated to the Strategic Planning Manager in consultation with the Cabinet Member for Place and Local Plan to agree to any Main Modifications and to undertake a 6 week public consultation on any Main Modifications that arise out of the Local Plan examination process and for this information to be forwarded to the Planning Inspectorate
5. Authority be delegated to the Strategic Planning Manager in consultation with the Cabinet Member for Place and Local Plan to make any necessary editorial changes and minor amendments to the Winchester District Proposed Submission Local Plan (Regulation 19), Integrated Impact Assessment and Habitats Regulations Assessment, prior to Publication, Submission and during the Examination, to assist with consistency, explanation, graphic design and presentation.
6. The timetabling in the Council's adopted Local Development Scheme is adjusted as and when needed to align with the planned consultation and submission of the Winchester District Proposed Submission Local Plan (Regulation 19) in these recommendations.

## IMPLICATIONS:

### 1 COUNCIL PLAN OUTCOME

- 1.1 Tackling the Climate Emergency and Creating a Greener District
- 1.2 The Local Plan has a key role to play in moving the district towards Carbon Neutrality by 2030, the City Council's Nature Emergency declaration and creating a greener district. All of these key 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 Low 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 and the accompanying Carbon Neutrality and Embodied Carbon Topic Paper which is available on the Local Plan website.
- 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 concept of 20-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).
- 1.5 Homes for all
- 1.6 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 through its 'Standard Method'. The government requires all authorities in the country to have a five-year rolling supply of housing land.

- 1.7 The Plan includes a development strategy and identifies the quantum of housing that will be required predominantly in Winchester, the 3 strategic site allocations, and the market towns and larger villages, to meet the government advisory target ('Standard Method') for our district which is now 676 dwellings per year. On top of the Standard Method housing figure to meet our own housing need, the Local Plan has also included an 'unmet need allowance'. This 'unmet need allowance' has been included to help meet a wider unmet need in neighbouring areas (duty to cooperate – please refer to paragraph 11.62). More detail regarding the unmet need allowance, is set out in paragraph 11.64.
- 1.8 The Local Plan includes a policy on affordable housing (Policy H6) which sets minimum requirements for affordable accommodation, as a proportion of market housing developments, that reflects the work carried out 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 the need for Gypsy and Traveller accommodation.
- 1.9 Vibrant Local Economy
- 1.10 The Local 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.
- 1.11 Our evidence base to inform the policies on retail and employment in the Vibrant Economy Topic the wording of the supporting text and the policies have been updated in order to take into account longer-term effects of the COVID-19 pandemic and the changing nature of how people work, shop and live. Paragraphs 11.37 – 11.56 provide more details about the updated studies.
- 1.12 Living Well
- 1.13 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.

- 1.14 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 and stakeholder engagement and proper site and contextual analysis has started. Ensuring the developers follow a 'design process' has been integrated into a number of policies throughout the Local Plan. This topic also refers to the Concept Masterplan approach that has been agreed by Cabinet for major development sites.
- 1.15 Your Services, Your Voice
- 1.16 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 the public consultation that has directly informed the Winchester District Proposed Submission Local Plan (Regulation 19).
- 1.17 The council's journey on preparing a new Local Plan involved engaging with Ward Councillors (through Member drop-in sessions), residents, Parish and Town Councils and local community organisations and statutory agencies. This started in 2018 with the Launch of the Local Plan and was then followed with public consultation on the Strategic Issues & Priorities Document (SIP) in 2021 during a national lockdown. The SIP public consultation was recognised by the Royal Town Planning Institute as award winning. This was then followed by a further round of engagement and consultation in the form of draft Regulation 18 Local Plan at the end of 2022. Officers have used all of this invaluable feedback from the various public consultation and engagement events to directly informed the wording of the Winchester District Proposed Submission Local Plan (Regulation 19) .
- 1.18 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. In recognition that the government wants to allow people to access material online Officers have created a dedicated Local Plan website [Home - Winchester District Local Plan](#)
- 1.19 Throughout the various stages of public consultation, Officers have strongly encouraged people to submit their comments on the draft Plan using the Council's consultation portal (Citizen Space). It is extremely important that the engagement on the Local Plan is undertaken in an easily accessible and user-friendly way. By actively encouraging people to submit their comments via the consultation portal, this 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. In line with

the City Council's TC25 agenda Officers will be looking at further ways to enhance digital engagement on the Winchester District Proposed Submission Local Plan (Regulation 19) and what methods can be used to engage with the widest possible audience.

## 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. The Local Plan earmarked reserve has a draft balance of £798k at 31 March 2024 and a forecast revenue spend of £254k in 2024/25, to the end of the current Local Plan. Utilising the current baseline revenue budget of £37k gives a forecast 2024/25 closing reserve balance of £581k to be used towards the next Local Plan.

## 3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 The Local Plan must be prepared in line with the process set out in national legislation/regulations which is outlined below. The Local Plan 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 The Levelling Up and Regeneration Act has introduced a number of significant changes to the way that Local Plans need to be prepared. Under the new requirements that have been included in the Levelling Up and Regeneration Act, Local Planning Authorities will have 30 months to prepare a Local Plan. The government has confirmed that the final date that a Local Planning Authority can submit a Local Plan to the Planning Inspectorate under the current regulations is 30th June 2025.
- 3.3 Under the current regulations, local planning authorities need to comply with the Duty to Co-operate, which was created in the Localism Act 2011, which amended 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 and other issues for example, the provision of Gypsy and Travellers, 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 to be not 'legally compliant', meaning that an Inspector cannot continue to examine its soundness. Such an outcome would most likely require the Local Plan to be withdrawn and further work and consultation to be undertaken, 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 11.62 which, in particular, refers to the work which has been undertaken on the wider unmet housing needs of neighbouring authorities with the Partnership for South Hampshire (PfSH).
- 3.4 In order to be able to satisfy the current Duty to Co-operate requirements, Officers have been working with a range of statutory organisations, utility companies and neighbouring Local Planning Authorities to agree a number of Statement of Common Grounds. These will be available on the Local Plan website [Winchester District Local Plan](#) alongside the Regulation 19 public consultation. Each Local Planning Authority has a legal requirement to do this in order to be able to demonstrate to an Inspector that they had met the requirements of the Duty to Co-operate.
- 3.5 The preparation and engagement progress that the city council must follow needs to be in accordance with its own statutory Statement of Community Involvement <https://www.localplan.winchester.gov.uk/LibraryAssets/attach/172/Statement-of-Community-Involvement-2024.pdf> which was adopted in January 2024. Officers built on the knowledge and feedback from previous public consultations to develop the approach that will be taken to consultation on this version of the Plan.
- 3.6 Officers have used consultants to prepare much of the evidence base to support the drafting of the new local plan (Regulation 19) and to assist them with some of the analysis of the representations that were submitted to the Regulation 18 Local Plan. Procurement for these consultants followed procurement policy and process.

#### Regulation 19 consultation

- 3.7 The Regulation 19 consultation needs to follow the formal statutory process set out in the relevant legislation. The Regulation 19 consultation is the last stage of public engagement before the city council submits the draft plan to the Inspectorate for examination. This is a formal process that is set out in the NPPF that requires comments to focus on the soundness and legal compliance of the plan (see paragraph 11.9 for the tests of soundness). The Planning Inspector will be sent any representations that are made during this Regulation 19 public consultation. Any comments should specify the matters to which they relate and the grounds on which they are made relating to Legal Compliance, Soundness and Meeting the Duty to Cooperate.



## Local Plan examination

- 3.8 Section 20(2) of the Planning and Compulsory Purchase Act specifically states that a Local Planning Authority must not submit the plan unless they consider that it is ready for independent examination. Having considered the Regulation 19 consultation responses, the Local Planning Authority should only submit a Plan if they consider it to be sound and there will not be long delays during the examination because significant changes or further evidence work are required. It must not be assumed that examinations can always rectify significant soundness or legal compliance problems. Before submission, the Local Planning Authority must do all it can to resolve any substantive concerns about the soundness or legal compliance of the plan, including any raised by statutory undertakers and government agencies.

## 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 support and involvement of colleagues across the whole of the council, neighbouring local planning authorities under the Duty to cooperate, statutory agencies (Natural England, Historic England and the Environment Agency *et al*) and the Partnership for South Hampshire (PfSH). The public consultation on the Local Plan is supported by Officers working in the City Council's communication team.
- 4.2 The resource available to the team will continue to be kept under review, particularly following the completion of the Regulation 19 consultation, to ensure the plan process remains on track to ensure that the council meets the Government's deadline of the 30<sup>th</sup> June 2025.

## 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 the 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 There is a statutory requirement to consult during the Local Plan process but the council has gone beyond this to fully engage and seek the views of residents, businesses and communities. A number of briefing sessions have been held with members to ensure that councillors understand the content and the legality of the local plan process as a decision will be made at full council to proceed to Reg19 public consultation.

6.2 At a meeting on the 29 July 2024 the Scrutiny Committee reviewed the Proposed Submission Local Plan (Regulation 19) and made the following comments...

6.3 A full copy of the Scrutiny recording can accessed here and key actions arising from this meeting are attached at Appendix 5 (to be completed post Scrutiny).

6.4 There has been a significant amount of consultation and communication regarding the development of the new Local Plan. Below is summary table of the discussions and the engagement that have directly informed the Winchester District Proposed Submission Local Plan (Regulation 19):

<b>Date</b>	<b>Event</b>	<b>Audience</b>
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 allocations	All Members
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
8 <sup>th</sup> March 2023	LPAG	LPAG Members (all Members invited, held in public)
10 <sup>th</sup> August 2023	Local Plan Committee – Local Development Scheme	Local Plan cabinet committee, Members (all Members, held in public)
1 <sup>st</sup> November 2023	Member drop-in session – changes to Local Plan Topics following the Regulation 18 public consultation	All Members

30 <sup>th</sup> November 2023	Member drop-in session – changes to Local Plan Topics following the Regulation 18 public consultation	All Members
5 <sup>th</sup> December 2023	Member drop-in session – changes to the site allocations following the Regulation 18 public consultation	All Members
7 <sup>th</sup> December 2023	Member drop-in session – changes to the site allocations following the Regulation 18 public consultation	All Members
24 <sup>th</sup> January 2024	Cabinet – Adoption of the Statement of Community Involvement	Cabinet and All Members, held in public.
23 <sup>rd</sup> July 2024	All Member Briefing – Local Plan update	All Members

- 6.5 As referred to in paragraph 3.5, consultation on the draft Winchester District Proposed Submission Local Plan (Regulation 19) , needs to be undertaken in accordance with the Council’s updated Adopted Statement of Community Involvement  
<https://www.localplan.winchester.gov.uk/LibraryAssets/attach/172/Statement-of-Community-Involvement-2024.pdf>
- 6.6 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 which was commissioned by the Town Forum, consultation on the Strategic Issues and Priorities and the Regulation 18 Local Plan. More detail on the award-winning public engagement process is set out in paragraphs 11.12 – 11.14.

## 7 ENVIRONMENTAL CONSIDERATIONS

- 7.1 The Local Plan must comply with the requirements of the relevant legislation and the need to deliver sustainable development which encompasses all considerations in relation to the built and natural environment.
- 7.2 The council's declaration of climate and nature emergency are defining issues of the Winchester District Proposed Submission Local Plan (Regulation 19) . 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 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 11.74 – 11.78.
- 7.3 The council has appointed consultants (Land Use Consultants) to undertake a Sustainability Appraisal (SA), Equality Impact Assessment (EqIA) and Health Impact Assessment. This work has been prepared alongside and has fed into key stages of the Local Plan making process under the umbrella of the Integrated Impact Assessment (IIA). The Local Plan has also been prepared alongside and been informed by the Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA). The SA is an integral part of the process and is used throughout the development of the new Local Plan. It assesses the significant social, environmental and economic effects of the plan to ensure that decisions are made that contribute to achieving sustainable development. The SA assessed individual sites, proposed policies and different delivery options to address the overall housing need.
- 7.4 The same Consultants have been appointed to prepare a Habitats Regulations Assessment which has also been used to directly inform the Winchester District Proposed Submission Local Plan (Regulation 19). The HRA identifies whether any aspects of the plan would cause Likely Significant Effects on, or adverse effects on the integrity of internationally designated nature conservation protected sites and demonstrates that where significant impacts have been identified on nature conservation these will be avoided or mitigated.
- 7.5 It is a legal requirement that the Winchester District Proposed Submission Local Plan (Regulation 19) and the IIA and the HRA need to be made available for public comment alongside the consultation on the Regulation 19 Plan. This information is important in supporting the decisions that are made in relation to content of the Local Plan. Whilst it is fully accepted by Officers that the IIA is an extensive and technical document, the document has been prepared to meet the legal requirements that are in place at this moment in time.

7.6 The Levelling Up and Regeneration Act has introduced a new environmental assessment requirement known as Environmental Outcome Reports (EOR). Environmental Outcome Reports will replace the existing system of Sustainability Appraisals (SA), Strategic Environmental Assessments (SEA) and Environmental Impact Assessments (EIA). It is intended to make the process simpler, using more consistent data and focussed on measuring environmental effects against improving environmental outcomes. However, as the Local Plan is being prepared under the current regulations there is still a requirement to produce an IIA and HRA.

#### Impact on air quality

7.7 A key part of the Plan-making process has also been to assess the impact of air quality on human health and the impact of additional traffic on the natural environment. The City Council, will in Winter 2024 have a new air quality strategy and it is important that the work on the Local Plan has helped to inform the contents of this strategy.

7.8 In order to address the impact of air quality on human health a Local Plan Topic Paper on Human health has been prepared and is available on the Local Plan website [Winchester District Local Plan](#)

7.9 The impact of air quality on nature conservation has been assessed under the HRA as this is a requirement of the Conservation of Habitats and Species Regulations 2010 (as amended 2017). The HRA also assesses the impacts of the Local Plan policies on sites designated under the European Directive (92/43/EEC The Habitats Directive). For the development of the Local Plan, this assessment has been an iterative process as the HRA has, in turn has been used to inform the development of planning policies in the Local Plan.

7.10 The sites and species designated under The Habitats Directive are also known as the 'Natura 2000' sites and include:

- Special Areas of Conservation (SAC)
- Special Protection Areas (SPA)
- Ramsar sites (which support internationally important wetland habitats listed under Ramsar Convention) are also included in the sites protected through these regulations.

7.11 For further details of the assessment process that has been undertaken and has been informed by the outputs from the Strategic Transport Assessment please refer to the HRA which is attached at appendix 3.

## 8 PUBLIC SECTOR EQUALITY DUTY

- 8.1 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 do not lead to unlawful discrimination (direct and indirect), against the protected characteristics identified in the Equalities Act 2010. Any proposals 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.
- 8.2 Consultants have also been appointed by the council to undertake an EqIA and a Health Impact Assessment, alongside the Sustainability Appraisal and the Habitats Regulations Assessment cited above, under the umbrella of the Integrated Impact Assessment (IIA). The EqIA which, is included in the IIA, is attached at Appendix 2 concludes that most policies are expected to have either a positive, mixed or neutral relationship with regard to all of the protected characteristics. The EqIA is therefore considered to be generally compatible with the three main duties of the Equality Act 2010.

## 9 DATA PROTECTION IMPACT ASSESSMENT

- 9.1 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.
- 9.2 Copies of any representations that are submitted to the city council as part of the Regulation 19 stage will be forwarded to the Local Plan Inspector, via a Programme Officer. The Programme Officer will be employed by city council but they will report directly to the Inspector that has been appointed by the Secretary of State to conduct the Local Plan Examination.
- 9.3 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.

## 10 RISK MANAGEMENT

- 10.1 Undertaking a Local Plan has involved bringing together a number of different workstreams and a wide range of studies. This work has been undertaken alongside numerous changes to the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) on how Local Plans need to be prepared. The project management of the Local Plan has its own risk assessment which is closely monitored on a regular basis by the Local Plans Strategic Planning Manager and is reported regularly to the PAC Board.

<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 is expected to be covered by the earmarked reserve. As the preparation of the Local Plan is corporate Tier 1 project additional funding will be allocated if this is required.	Joint commissioning research with neighbouring Local Planning Authorities may reduce costs.
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 preparation of the Local Plan has been subject to review and dialogue with 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 Officers in the Strategic Planning team continue to look at creative ways that engages with as many people as possible and reaching out to hard to reach groups is a key part of the Local Plan process.	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. The stand-alone Local Plan website is kept under review and



	Publicity and the methods of Local Plan engagement will be a key component of this.	this is supported the branding 'Your Place, Your Plan' building upon the earlier success of the both the SIP and Regulation 18 public consultation.
Reputation	The Local Plan website and the Local Development Scheme (timetable for the plan) are both kept up to-date in order to ensure that the council communicates when people can get involve and provide feedback on the Local Plan.	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 2040 bringing with it certainty and investment to the area.
Achievement of outcome	<p>The Plan needs to go through various statutory stages and it will be necessary to ensure that all of the appropriate steps are undertaken in order to provide a 'sound' Local Plan.</p> <p>Incorporating an 'unmet need allowance' in the plan to help accommodate wider unmet need helps to meet the Duty to Cooperate and ensure the Plan is 'legally compliant'.</p>	The council has declared a climate and nature emergency and there is a great 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.
Property	n/a	n/a
Community Support	Develop a Local Plan programme that allows sufficient time for the consultation and assessment of responses to the Winchester District Proposed Submission Local Plan (Regulation 19), and other subsequent key stages	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-dated and are provided with

	<p>that require further consultation.</p> <p>The Local Plan process is required to comply with several statutory stages of publication. Officers continue to learn from the previous consultations and are open to different and new ideas in order to reach out to the widest range of people and stakeholders, local community groups.</p>	<p>opportunities to participate building on recent work undertaken by the council such as the Winchester Vision 2030, the SIP and the Regulation 18 public consultation.</p>
Timescales	<p>Ensure that there is sufficient capacity in the Strategic Planning team to be able to progress the Local Plan and timings are realistic as set out in the Local Development Scheme (timetable for the plan).</p> <p>Use additional temporary resources, if required, to assist with the Regulation 19 stages of the Local Plan in order to keep the project timetable on track.</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. Ensure that the city council meets the government deadline of 30<sup>th</sup> June 2025.</p>	<p>It will be necessary to keep the LDS up-to-date and adjust timescales if necessary.</p>
Project capacity	<p>Ensure that the necessary resources are</p>	<p>Continue to work with colleagues, neighbouring</p>

	in place to progress the project. See above commentary on Timescales and Financial Exposure.	authorities through joint commissioning of evidence studies including , for example, the work on PfSH.
Other: New Government mandate.	Please see Appendix 4.	

## 11 SUPPORTING INFORMATION:

### Introduction and Background

- 11.1 Producing a Local Plan is one of the most important undertakings for the council. The council has a statutory duty to prepare a Local Plan under section 19 of the Planning and Compulsory Purchase Act 2004. The planning system in this country is plan-led and statute states that decisions on planning applications must be taken in accordance with the development plan unless material considerations indicate otherwise. The Local Plan is a Development Plan Document that sets out the vision, framework and policies for guiding new development in Winchester district over the next 20 years. 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.
- 11.2 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.
- 11.3 The Winchester District Proposed Submission Local Plan (Regulation 19) covers the period from 2020 through to 2040 and sets out the policies and proposals that will guide and manage the future development of the district over that time. The Winchester District Proposed Submission Local Plan (Regulation 19) identifies a range of matters such as where future development will take place, and allocates land for housing, employment, mixed-use and other development, open space, Green Gaps and both Strategic Policies and Development Management policies. Once the new Plan is adopted, it will replace the existing 'Development Plan' (apart from the Hampshire Minerals Local Plan) that currently consists of Local Plan Part 1 – Joint Core Strategy, Local Plan Part 2 – Development Management and Site Allocations and the Gypsy, Traveller and Travelling Showpeople Development Plan Document. When the city council submits the new Local Plan for a Local Plan examination, it gains 'planning weight' and it will become a material planning consideration that can be referred to the assessment and

determination of planning applications. Once it has been adopted by the City Council, it will be used to assess and determine the planning merits of development proposals. At this stage of the process, it will then have full Development Plan status, in terms of being the starting point to assess and determine planning applications.

- 11.4 The Winchester District Proposed Submission Local Plan (Regulation 19) 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.
- 11.5 The Levelling-up and Regeneration Act has now been published and there are a number of proposed changes to the town and country planning system which may have an impact on Plan-making. The government has confirmed a deadline of the 30<sup>th</sup> June 2025 which is the last date that a Local Plan can be submitted to the Planning Inspectorate for a Local Plan Examination under the current regulations.
- 11.6 In view of the above it is extremely important that the city council continues to progress with work on our new Local Plan, so we have up-to-date planning policies that are fit for purpose, taking us up to 2040. It is, therefore, essential that the momentum is maintained and city council meets the governments deadline of 30<sup>th</sup> June 2025. If this deadline is not met Officers will need to start work right from the beginning of the process on a process that has not yet been fully developed (and could change further following the General Election). This will not only result in considerable cost (as the delay would mean that the Local Plan Evidence Base would be out of date) but would also seriously put at risk the Council's 5 year Housing Land Supply and could lead to planning by appeal.

#### The Local Plan process

- 11.7 The Local Plan must currently be prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. This requires the Local Plan to be (amongst other things), subject to public consultation; submitted to the Secretary of State to undergo an independent examination; and subject to a Sustainability Assessment / Habitats Regulation Assessment to test the impacts of the Plan throughout its preparation.
- 11.8 Section 20(2)(b) and 5(b) of the Planning and Compulsory Purchase Act 2004 require that the plan submitted by a local authority for examination is one that it considers to be 'sound'.
- 11.9 The NPPF paragraph 35 sets out the tests of soundness against which a plan will be tested. In line with the Local Plan Regulations the proposed submission Local Plan consultation will focus on specific questions of soundness and whether it meets legal and procedural requirements. These will test whether the plan is:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common grounds that will be published alongside the public consultation on the Local Plan; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

Consultation and engagement that has informed the preparation of the Winchester District Proposed Submission Local Plan (Regulation 19)

- 11.10 As members are aware the preparation of the Local Plan has been underway for several years. The council have embarked on three previous consultations on the contents of the Local Plan. In 2018 work on the Local Plan commenced with the Launch of the Local Plan. Work was paused on the publication of the Strategic Issues and Priorities consultation document for a period of 5 months as the government consulted on a number of fundamental changes to the way that Local Plans needed to be prepared and changes to the standard method. The proposed changes to the standard method would have had serious implications for the number of homes that the city council needed to plan for. Under the government proposals our housing requirement under the Standard Method would have nearly doubled. However, following a public consultation and comments submitted by the city council and other Local Planning Authorities, the proposed changes to the standard method were later withdrawn by the government and the standard method figure reverted to previous levels.
- 11.11 As part of the preparation of the new Local Plan, the city council has undertaken a significant amount of consultation and engagement with the local community and key stakeholders in accordance with the Council’s Statement of Community Involvement [Statement of Community Involvement - Winchester City Council](#).

### Strategic Issues and Priorities public consultation

- 11.12 In February 2021 the city council undertook a 6 week public consultation on the Strategic Issues and Priorities (SIP) document. As the public consultation was undertaken during a national lockdown, the city council had to develop new and innovative ways of engaging with a wide range of organisations and individuals which ranged from radio advertisements, posters on bus stops and supermarkets and a number of online interactive events using SLIDO software. The public consultation on the SIP won the Royal Town Planning Institute's Planning (RTPI) Excellence award for Plan making and was the overall Regional winner for the South East. Gareth Giles FRTPI, Chair of RTPI South East judging panel, said: *"Winchester's Local Plan Consultation project represented demonstrated excellence in engagement and a willingness to actively learn from, and improve its processes to reach as many people as possible. It is a shining example of innovation in a pandemic context, as well as making use of new technological innovations. Local authorities should look to this as an example of best practice for consultations in their own areas"*.
- 11.13 A summary of the main outcomes from the SIP consultation is contained in this document

<https://www.localplan.winchester.gov.uk/LibraryAssets/attach/146/Local-Plan-SIP-Consultation-Report.pdf>

### Local Plan Regulation 18 public consultation

- 11.14 After reviewing all of the comments that have been submitted on the SIP, in November 2002, the city council undertook a further 6 week public consultation on the draft Regulation 18 Local Plan [Regulation 18 Consultation - Winchester District Local Plan](#) which included the sites that had been identified for future development. This public consultation generated over 3,400 comments from individuals, organisations and statutory agencies. There were in fact significantly more as comments often spanned a number of individual points. A summary of the main outcomes from this public consultation is available in this document

<https://www.localplan.winchester.gov.uk/LibraryAssets/attach/145/Regulation-18-Consultation-Report1.pdf>

### Engaging with the widest possible audience

- 11.15 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 the public consultation that has taken place in order to shape and inform the content of the Local Plan. The Plan-making process has engaged 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 the city council has worked hard to develop. In recognition that the government wants to allow people to access material online and in order to try and engage with a younger demographic, the Local Plan has dedicated website [Home - Winchester District Local Plan](#)
- 11.16 At each stage of the Plan-making process considerable effort has been made to engage and reach out to as many people and organisations as possible. Throughout the various stages of public consultation Officers have really encouraged people to submit their comments on the draft Plan using the Council's consultation portal (Citizen Space). It is extremely important that the engagement in the Local Plan proves it is undertaken in an easily accessible and user-friendly way. By actively encouraging people to submit their comments via the consultation portal this greatly assists the Local Plan team 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. In line with the City Council's TC25 agenda further ways to enhance digital engagement on the Winchester District Proposed Submission Local Plan (Regulation 19) will be explored and what methods can be used to engage with the widest possible audience.

### Supporting Parish and Town Councils

- 11.17 The city council has also encouraged and supported Parish and Town Councils with undertaking their own engagement and public consultation with their local communities on which sites should be allocated for development to meet the housing target that had been set by the City Council, The details of this Parish and Town engagement with their local communities is set out in the Local Plan Topic paper on the Site Selection Process. Officers from the city council are currently working with three Parish/Town Councils to produce their own Neighbourhood Plans. A request has recently been received from Curdridge Parish Council to designate a Neighbourhood Plan area which is currently being assessed by Officers.
- 11.18 At each stage of the Plan-making process considerable effort has been made to engage and reach out to as many people and organisations as possible. Consultation on the Winchester District Proposed Submission Local Plan (Regulation 19) will be the 4<sup>th</sup> time that people are able to provide comments on the Local Plan before the Local Plan is submitted to the Planning Inspectorate for an independent examination. It is important to note that under

the current regulations there is only the legal requirement to consult on the Local Plan at two stages (Regulation 18 and Regulation 19) which means that the city council will have given two additional opportunities for people to comment on the Local Plan.

#### Further engagement with Parish Councils

11.19 As a result of representations received to the Regulation 18 Local Plan specifically regarding whether site(s) should be allocated for development in the Submission version of the Local Plan further engagement has taken place between Officers and Wickham and Knowle Parish Council and Wonston Parish Council – further details about this engagement and how this has been incorporated into the Winchester District Proposed Submission Local Plan (Regulation 19) are outlined in paragraph 9.115 (Sutton Scotney) and paragraph 9.119 (Wickham).

#### Evidence base and the supporting documents that have been updated since the Regulation 18 Local Plan public consultation

11.20 Since the Regulation 18 Local Plan was consulted the following work has been undertaken:

- Analysed and responded to over 3,500 representations that were submitted on the Regulation 18 Local Plan and making a series of changes to the wording of the Local Plan to address the issues that have been raised;
- Progressed with work and identifying deliverable solutions to nutrient neutrality which has now been addressed in a Nutrient Neutrality Topic Paper which is available on the Local Plan website;
- Commissioned new evidence in response to representations that were submitted to Regulation 18 Local Plan;
- Held two Planning Inspectorate Advisory (PINS) meetings;
- Entered into discussions on the Duty to Co-operate and in the process of agreeing with a wide range of stakeholders Statements of Common Ground; and
- Held four separate member drop-in sessions where Officers were available to talk to members about the recommended track changes to the policy wording and supporting text. There was an opportunity at these drop-in events for members to provide feedback on the changes to wording of policies and supporting text on the 7 Topics and the site allocations. All of the feedback from these drop-in events has been reviewed and where appropriate, taken into account in consultation with the Cabinet member.



## Integrated Impact Assessment, Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA)

- 11.21 Under the current Planning and Compulsory Purchase Act 2004 Local Plans are subject to an SA. The purpose of SA (which has been produced under the umbrella of an Integrated Impact Assessment) is to ensure that the plan preparation process maximises the contribution that a plan makes to sustainable development and minimises any potential adverse impacts. The SA process involves appraising the likely social, environmental and economic effects of the policies and proposals within a plan from the outset of its development.
- 11.22 The SA incorporates the requirements of the Strategic Environmental Assessment (SEA) process. The SEA Regulations require the formal assessment of plans and programmes which are likely to have significant effects on the environment and which set the framework for future consent of projects requiring Environmental Impact Assessment (EIA). SEA and SA are separate processes but have similar aims and objectives. SEA focuses on the likely environmental effects of a plan whilst SA includes a wider range of considerations, extending to social and economic impacts.
- 11.23 A key part of the SA process is an assessment of 'reasonable alternatives', to enable an assessment to be undertaken to find the most sustainable approach to each issue. The SA appraisal of the different spatial option in terms of where future development should be focussed was carried out prior to and was used to inform the Strategic Issues and Priorities consultation and was consulted upon. The SA has been used as part of the Plan-making process to inform the decision on preferred options, but is not the sole determinant on which options should be adopted. Other factors, such as the views of stakeholders and the public, and other evidence base studies, also help to inform the decision. The SA is an iterative process with initial conclusions of the assessment being used to refine the policies in the draft Local Plan at Regulation 18 stage and subsequently at the Regulation 19 stage.
- 11.24 Consultation is required on the IIA alongside consultation on the various stages of the Plan's preparation. Comments were received in response to the draft IIA at Reg 18 consultation stage. These has been considered and a commentary has been provided in the IIA on these recommendations. The recommendations of the draft IIA have been incorporated, where appropriate, into the Winchester District Proposed Submission Local Plan (Regulation 19) and the IIA has been updated to assess the new and updated policies in the Regulation 19 Local Plan. The IIA is provided at Scrut2 to this report, and in accordance with the regulations, it will be subject to further consultation alongside the Winchester District Proposed Submission Local Plan (Regulation 19) .

## Habitats Regulations Assessment

- 11.25 Under the current Habitats Regulations 2017 (as amended) Local Plans are subject to a Habitats Regulation Assessment (HRA). The HRA is a separate document to the IAA as it provides an assessment of the potential effects of a development plan on one or more European sites, including Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) and Ramsar sites. The overall purpose of the HRA is to conclude whether or not a proposal or policy, or the whole development plan, would adversely affect the integrity of the European site in question either alone or in combination with other plans and projects.
- 11.26 In order to initiate the search of European sites that could potentially be affected by the Local Plan, it is established practice in HRAs to consider European sites within the local planning authority area covered by a plan, and also within a buffer distance from the boundary of the plan area. A distance of 15km has been used in the HRA as a starting point to identify European sites likely to be affected by impacts relating to development within the Plan area. In addition to this, consideration has also been given to European sites connected to the plan area beyond this distance, for example through hydrological pathways or emissions from major roads.
- 11.27 Impacts from development in areas outside of the European site boundaries may also occur where habitat contributes towards maintaining the interest feature for which the European site is designated (known as 'functionally linked land'). This includes land which may provide offsite foraging and roosting habitat for birds.
- 11.28 Within the Local Plan area there are three European sites:
- River Itchen SAC;
  - Solent & Southampton Water SPA and Ramsar site; and
  - Solent Maritime SAC.
- 11.29 The city council is currently in discussions with neighbouring Local Planning Authorities regarding extending the period of time that Solent Recreation Bird Mitigation Strategy covers [Our strategy - Bird Aware Solent](#) (which currently ends in 2034). A review of the strategy, which is currently in the process of being agreed through PfSH and then by individual Local Planning Authorities, would include both winter and summer birds.
- 11.30 A draft HRA was prepared and consulted upon at the time of the Regulation 18 consultation, and comments were received. These comments have been addressed in the HRA that is attached at Appendix 3.

## Nutrients

- 11.31 On the 16 March 2022, the council received new guidance from Natural England which affected the way that the council has to assess new proposals across the whole district in terms of calculating the impact caused by the wastewater they produce. In the case of the river catchment for the Itchen SAC, which is a significant part of the district, the guidance advises that phosphorous and nitrogen are causing environmental effects. Previously only nitrogen was considered to need mitigation. This was a very significant change and it meant that the council was only able to grant planning permission for new residential development, which potentially affects this catchment area, where the phosphate as well as the nitrate impact can be appropriately addressed.
- 11.32 The Local Plan team been working with the support of the Partnership for South Hampshire to identify deliverable solutions for nutrients. The Partnership for South Hampshire (PfSH) Strategic Environmental Planning Team (SEPT) are in receipt of £9.6 million of funding from the Local Nutrient Mitigation Fund (LNMF). In order to be able to demonstrate to a Local Plan Inspector that the city council has a Local Plan that meets the requirements of the HRA a Local Plan Topic Paper on Nutrient Neutrality is available on the Local Plan website that includes more details on nutrients.
- 11.33 The HRA has concluded that is no adverse effects on integrity will occur to European sites subject to the mitigation measures which are set out in the HRA.

## Equality Impact Assessment:

- 11.34 As referred to in paragraph 7.1 of this report an Equality Impact Assessment (EIA) of the Regulation 19 Submission Local Plan has been carried out under the umbrella of the IIA, with due regard for the need to provide for the needs and interests of all residents of the district. This Assessment examines the policies and proposals of the Winchester District Proposed Submission Local Plan (Regulation 19) against the nine Protected Characteristics in accordance with the Public Sector Equality Duty, as set out in section 149 of the Equality Act 2010.
- 11.35 No negative impacts have been identified. The EIA has been included in Appendix 2.

## Local Plan Evidence Base

- 11.36 The Local Plan is supported by a robust and extensive evidence Base which is available on the Local Plan website [Winchester District Local Plan](#) Since the publication of the Regulation 18 Local Plan the following Local Plan Evidence has been updated:

## Employment and Retail

- 11.37 It has been necessary to update the 2020 Employment Land Review (ELR) and the 2020 Retail, Leisure & Town Centre Uses Study (RLTCUS) to take account of the coronavirus pandemic, the changing economic situation and recent legislative changes. The update identified a need for between 27.6ha–38.9ha of employment land over the plan period to 2040, no demand for strategic warehousing sites and indicated that employment development is continuing to come forward within rural areas.
- 11.38 In respect of town centre uses, the update limited need for additional retail floorspace over the Plan period and that the hierarchy of town centres was generally appropriate. It suggested minor technical amendments to the proposed policy on town centres.
- 11.39 The Employment and Town Centre Uses Study 2024 (ETCUS) has now been published and the results of the updated work are reflected in the policies of the Local Plan. It has been decided to amend the boundary of the Stockbridge Road Local Centre to focus upon the retail and town centre uses. This amended boundary has been identified on the Policies Map that is available on the Local Plan website.

## Focussed Strategic Housing Market Assessment (SHMA)

- 11.40 In recognition that the SHMA was produced in 2020 it did not take into account the latest 2021 Census data, consultants were appointed to prepare a Focussed SHMA. The Assessment included the following:
- Affordable Housing Need – the affordable housing needs analysis has broadly a 5 year lifespan and has been updated to take account of changes in housing costs and market circumstances.
  - Older Persons & those with Disabilities / Support Needs – update the need for specialist housing from a growing older population
  - Mix & Sizes of Homes Needed – to inform the mix and sizes of homes needed, provide an updated baseline position on existing housing stock (by type, tenure and size) and consider how this has changed since 2011 Census.
- 11.41 The key findings from this Assessment:
- Updated assessment of affordable housing need. 360 rented affordable homes required per year in the plan area. 30-75% should be social rented.
  - The affordable home ownership need for up to 140 homes per year.

- A need for 2 bedroom homes. For rented affordable housing there is a need for a mix of homes, including 40% 3 bedroom homes.
- Clear justification for the inclusion of accessible and adaptable homes in the Local Plan (Part M4(2 and 3) of Building Regs) subject to viability and site suitability.
- A need for retirement/sheltered housing in the market sector, housing with care (e.g. extra-care) in the market and affordable sectors and additional nursing/residential care bedspaces.
- A need for additional children's homes but this is managed on a County Council basis.

### Strategic Flood Risk Assessment

11.43 In order to address a response to a representation that was submitted by the Environment Agency AECOM were appointed by the city council to prepare a Stage 2 Strategic Flood Risk Assessment (SFRA). This work has involved:

- Assessing a list of potential development sites against the flood risk datasets using the Council's Level 1 Strategic Flood Risk Assessment;
- Preparing a database of the Reg 18 Local Plan site allocations with a flood risk analysis for the sites; and
- Undertaking a high-level review of the risk of flooding along key access routes from rivers and surface water. This identifies any sites that are at low risk of flooding on the site itself but may have constraints regarding access to/from the site.

11.44 A copy of the Stage 2 SFRA Report and the city council's site sequential and exception test which have been agreed by the Environment Agency are available on the Local Plan website.

### Review of Settlement Gaps

11.45 Land Use Consultants were appointed to undertake a review of the existing settlement gaps in the District. Part of this work involves the Consultants reviewing recent appeal decisions, particularly in the south of the district. This work has concluded that:

- In the cases where sites have been allocated in Regulation 19 Local Plan that are of a relatively small scale (site KW2 – land adjacent to the Cart and Horses junction in Kings Worthy and site W4 – land to the west of Courtney Road, Winchester) it is recommended that these areas of land are removed from the existing settlement gaps; and
- Minor changes to the wording of the Policy NE7,

11.46 The supporting text to Policy NE7 should refer to the named key characteristics and sensitivities important to maintaining a sense of separation between neighbouring settlements, as the key factors to be considered when making and determining planning applications within and in the immediate vicinity of each settlement gap and minor changes to the gap boundaries.

### Strategic Transport Assessment

11.47 The trading arm of Hampshire County Council (HCC) were appointed to prepare a Strategic Transport Assessment. The Strategic Transport Model (STA) is provided by the County Council but required a recalibration of the transport model to take account of new travel trends post pandemic.

11.48 The work involves undertaking transportation modelling and subsequent report – it covers sites with existing planning permission and sites that are being built out and includes:

- A baseline transport model run (no site allocations, the baseline position);
- A 'do-minimum' transport run (with site allocations but with no mitigation); and
- A 'do-something' transport run (with site allocations and associated mitigation).

11.49 It not only covers roads but will put a clear focus on sustainable transport options in accordance with HCC's recently adopted Local Transport Plan 4.

11.50 The Habitats Regulation Assessment, that accompanies the Winchester District Proposed Submission Local Plan (Regulation 19), has quantified the likely impacts and confirms which roads within 200m of a European site that could experience significant increases in traffic.

11.51 The cumulative impact of the Local Plan site allocations has been assessed, and mitigation measures have been identified and costed into the Local Plan Viability Assessment. In terms of specific site allocations in the Regulation 19 Local Plan Officers have been working closely with HCC statutory services to agree the wording of the site allocation policies for the larger site allocations (e.g. SJM Barracks and Bushfield Camp). The wording in the Sustainable Transport and Active Travel topic has also been reviewed by HCC Trading Arm to ensure that it fully aligns with the findings of the STA and HCC's recently adopted Local Transport Plan 4. Active Travel England (a new statutory agency that has been set up by the Government) have also reviewed as part of a pilot scheme the wording of policies in the Transport and Active Travel topic to ensure that the policies in the Local Plan promote walking, cycling and wheeling.

#### Infrastructure Delivery Plan (IDP)

11.52 The delivery and timing of infrastructure that is required as part of new development is a critical issue that is often at the forefront of local communities' minds when they are talking about future development. The IDP, is a supporting document in the preparation of the Local Plan as it provides critical evidence to support the Winchester District Proposed Submission Local Plan (Regulation 19). It is a 'live' document that provides details of infrastructure projects required to be delivered to support the proposals in the Winchester District Proposed Submission Local Plan (Regulation 19). It will be updated prior to the submission of the Local Plan for an independent examination. It assists not only the city council but it also assists partners and other service providers to identify issues and priorities as part an integrated approach to providing new development and infrastructure. The IDP also provides detail for negotiation with developers to ensure developer contributions are delivered as part of new development. It includes an Infrastructure Delivery Schedule of projects identified by location in the district and infrastructure type which is a result of range of discussions that have taken place with infrastructure providers.

11.53 It is important to note that the IDP cannot specify all the infrastructure that will be provided in the district to 2040. Priorities and specific requirements may become apparent when development sites are designed in more detail and/or ways of delivering services and facilities are examined. The IDP has involved liaising with a range of infrastructure providers and it has assessed and listed infrastructure that we know about which has been broken down into themes. The IDP deals with key infrastructure that is often the subject of great concern from members of the general public as this is often not considered to be keeping pace as development such as education, transport, water supply and wastewater and its treatment, utilities, health, GP premises and social care. Each theme section sets out the lead delivery partners for that infrastructure type or service, an overview of the existing provision (which is primarily based on other evidence base documents), current planned improvements (based on existing S106 agreements and known projects), future requirements based on Local Plan allocations and where possible, the costs, funding and timing of

the future infrastructure. It is based on and reliant on information from a range of infrastructure providers. For example, it includes the work that the city council is currently undertaking with Scottish Southern Electricity Networks (SSEN) on a pilot project that will involve Officers working to bring forward a Local Area Energy Plan. Allied to this with the move towards more reliance on battery power and the extra demands that this will potentially place on the electricity grid network, Officers have been working closely with SSEN on the grid capacity in the district in relation with the phasing and delivery of the site allocations.

- 11.54 As mentioned in the paragraph above the IDP is being informed through discussion and consultation with relevant infrastructure service providers operating in the district, alongside reviewing existing evidence and publications which detail the district's current infrastructure provision. However, there is no formal guidance setting out how an IDP should be undertaken but it has followed good practice based on what we know about infrastructure requirements, phasing and development and the delivery of key infrastructure, costs, funding streams etc.
- 11.55 It is important to stress that the IDP is a 'live document', which will be updated to reflect any further information from service providers or when revised evidence is produced, projects are completed and new projects identified.
- 11.56 The Local Plan consultation on the Winchester District Proposed Submission Local Plan (Regulation 19) will also invite comments on the draft IDP from stakeholders, parish and town councils and other community infrastructure providers and residents.

Meetings held with the Department of Levelling Up, Housing and Communities (DLUHC) (this organisation is now called the Ministry of Housing, Communities and Local Government)

- 11.57 During the preparation of the Local Plan two meetings have been held with DLUHC: June 2022 and April 2023. The meetings were used to discuss and keep them up-to-date with progress on the Local Plan and covered the following key issues:
- Key challenges (such as nutrients) that the Council is facing with bringing the new Local Plan forward;
  - What assistance DLUHC could provide to the Council to assist with bringing forward the Local Plan; and
  - Updating DLUHC on our Local Plan timetable following the adoption of the Statement of Community Involvement.



### Local Plan Planning Inspectorate (PINS) advisory service

11.58 Whilst not compulsory, PINS will, if requested by a Local Planning Authority, hold Local Plan advisory meetings with the authority before they submit their local plan for examination. The aim is to provide advice on the examination so that the authority can prepare effectively for it. Officers and the Cabinet Member of Place and Local Plan have taken advantage of this free service and discussed a wide range of issues with a Local Plan Inspector.

11.59 One of the key recommendations from the Inspector in June 2023 was that it would be helpful, and it would potentially speed up time at the Local Plan examination, if Officers prepared a series of Local Plan Topics Papers. In April 2024 Officers discussed with the Local Plan Inspector a number of draft Local Plan Topic Papers which had been prepared by Officers on the following subjects:

- Nutrients;
- Housing;
- Gypsy and travellers;
- Carbon neutrality and embodied carbon;
- Students;
- Site selection process and;
- Heritage.

11.60 These Local Plan Topic Papers are available on the Local Plan website [Winchester District Local Plan](#)

11.61 It is considered that an up-to-date and comprehensive evidence base has been produced which justifies the proposals within the Winchester District Proposed Submission Local Plan (Regulation 19).

### Duty to Cooperate

11.62 Local Planning Authorities have a legal duty under the current regulations to cooperate with a range of national organisations, such as National Highways, and their neighbouring planning authorities. The purpose of the duty is to discuss and address strategic cross-boundary issues. A Duty to Co-operate Statement is available on the Local Plan website [Winchester District Local Plan](#) which sets out the evidence of this ongoing engagement and where agreement has been reached.

11.63 This Duty to Co-operate Statement of Compliance is supported by a series of Statements of Common Ground with organisations such as Natural England, the Environment Agency and a number of neighbouring authorities.

## Partnership for South Hampshire

- 11.64 One of the most significant objectives for these Duty to co-operate discussions is the need to determine whether there is any unmet need arising from the preparation of other Local Plans. There is no assumption that unmet need arising from other authorities should automatically be adopted into other Local Plans, but national policy dictates that planning authorities should 'take account of' unmet need arising from other Local Authorities'. Council Officers have engaged in discussions with neighbouring Authorities both bilaterally and through the Partnership for South Hampshire (PfSH) over the course of the plan preparation.
- 11.65 Winchester City Council is a member of the Partnership for South Hampshire (PfSH). At a meeting of the PfSH Joint Committee on 6th December 2023 a Spatial Position Statement (SPS) was agreed. The SPS sets out a two-stage approach to meeting housing needs: expecting those authorities that are able to exceed their 'Standard Method' housing requirement to do so (including Winchester) and identifying a number of Broad Areas of Search. Together these approaches will seek to address the shortfall of housing need in the PfSH area. The Broad Areas Search for Growth that have been included in the SPS include:
- South-east/east of Eastleigh Town (Eastleigh)
  - Havant Town Centre (Havant)
  - Waterlooville Town Centre (Havant)
  - Southleigh (Havant)
  - East of Romsey (Test Valley)
  - South-west of Chandler's Ford (Test Valley)
  - East of Botley (Winchester)
- 11.66 It is important to note that the SPS cannot allocate land or determine the quantum of development within the Broad Areas of Search for Growth, as these matters will be determined through individual Local Plans. The SPS indicates that these Broad Areas of Search for Growth have the potential to deliver a combined total of approximately 9,700 homes. This would make a significant contribution to the shortfall in housing provision in South Hampshire including assisting with Portsmouth City Council's unmet need (3,577 homes) and Havant Borough Council's unmet housing need (4,309 homes).
- 11.67 Winchester City Council is committed to meet its own growth needs. The Winchester District is one of the PfSH authorities that is able to exceed its Standard Method requirement and the Proposed Submission Local Plan (Regulation 19) includes a 'unmet need allowance' of 1,900 dwellings

which is considered to be proportionate and achievable. If there is a need to identify and plan for a new strategic growth area (East of Botley) and as part of any masterplanning exercise any associated settlement gap and green/blue infrastructure, this should be assessed and fully considered through a review of the next Local Plan or as a separate development plan document, rather than introducing a substantial delay to the current emerging Local Plan.

#### Content of the plan

- 11.68 Consultation on the Winchester District Proposed Submission Local Plan (Regulation 19) is the last opportunity before the Local Plan examination that a wide range of people can make representations.
- 11.69 The content of the Winchester District Proposed Submission Local Plan (Regulation 19) has been based upon evidence studies about the economic, social and environmental needs of the district. This includes undertaking a Sustainability Appraisal under the umbrella of an IIA, EIA and a HIA and a HRA as referred to in paragraphs 11.21 – 11.30 of this report.
- 11.70 The Local Plan has been divided up into 7 interlinking topics and there is a separate topic on the site allocations that are needed to meet the development strategy.
- 11.71 The Proposed Submission Local Plan (Regulation 19) is attached at Appendix 1.

#### Local Plan Vision and Objectives

- 11.72 The Winchester District Proposed Submission Local Plan (Regulation 19) includes a 'vision' for the district that covers the period to 2040 and a set of objectives in terms of how the vision will be implemented.
- 11.73 The vision and the accompanying development strategy is based upon the feedback from the Strategic Issues & Priorities consultation, discussions with LPAG and feedback from the Regulation 18 Local Plan consultation. 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 (5,640 new homes), South Hampshire Urban Areas (5,650 new homes), Market Towns and larger villages with services and facilities (3,825 new homes)). Giving a total of 15,115 homes excluding 350 homes within the South Downs National Park part of Winchester district. 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 development strategy'.

## Carbon Neutrality and Low Carbon Infrastructure

- 11.74 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.
- 11.75 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.
- 11.76 Policy CN3 in the Plan, which is based on the Low 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 recognition of the importance of addressing the climate emergency and supporting the council's objective of having a net zero district in 6 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.
- 11.77 A Written Ministerial Statement (WMS) was issued in December 2023 on the way that Local Planning Authorities are able to set energy efficiency standards in Local Plans [Written statements - Written questions, answers and statements - UK Parliament](#). There has been a legal challenge to the WMS, which was dismissed at the High Court <https://www.bailii.org/ew/cases/EWHC/Admin/2024/1693.html>. However, as there has been a change in administration and it is at this stage unclear what the new administration's position will be regarding energy efficiency standards it is considered that the city council should continue to include the LETI energy efficiency standards in the Local Plan that is submitted for examination.
- 11.78 In addition to the LETI energy efficiency standards, 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 in combination with a number of other policies in the Local Plan.

## High Quality Well-Designed Places and Living Well

- 11.79 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.
- 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 20 minute neighbourhoods; and
- Enhance the natural environment and address the challenges of climate change and overheating.

11.80 This topic 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 as part of the development of the Regulation 18 Local Plan 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. The city council has started initial work on taking forward ideas for inclusion in a district wide design code, that would build on the back and ultimately, replace the city council's High Quality Places Supplementary Planning Document.

11.81 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 Winchester District Proposed Submission Local Plan (Regulation 19).

11.82 For the larger strategic sites (for example, Bushfield Camp, Sir John Moore Barracks and Station Approach Regeneration Area) new information has been included in the Winchester District Proposed Submission Local Plan (Regulation 19) about the process for agreeing Concept Masterplans [Concept Masterplanning - Winchester City Council](#) 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

11.83 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.

- 11.84 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 promotes the concept/principles of 20-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. There have been a number of changes in the wording in the Plan to ensure that it is aligned with HCC's recently adopted Local Transport Plan 4. In the case of a number of sites that have been allocated for redevelopment in Winchester Town parking spaces have been restricted to car clubs/shopping delivery unloading reflecting the accessible town centre location of these sites whilst at the same time ensuring that there is high quality walking and cycling routes are provided as part of the redevelopment.
- 11.85 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.
- 11.86 The Winchester District Proposed Submission Local Plan (Regulation 19) has continued to move away from setting defined car parking standards. 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

- 11.87 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.
- 11.88 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 wording of the Winchester District Proposed Submission Local Plan (Regulation 19) in relation to Biodiversity Net Gain (BNG) has been updated to reflect the fact that BNG is

now mandatory for major development from 12 February 2024 and for small sites from 2 April 2024.

11.89 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 BNG. They will also ensure that open space (Policy NE3), BNG (Policy NE5), Nutrient Neutrality (Policy NE16) are provided when new developments are granted planning permission. The requirement for developers to consider nature-based solutions which is identifying solutions that work with nature to improve habitats whilst at the same time assisting with the climate emergency has been woven into policies in the District Proposed Submission Local Plan (Regulation 19).

#### Historic Environment

- 11.90 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.
- 11.91 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 in conjunction with 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 does not compromise the value and integrity of our historical assets.
- 11.92 Policy HE14 deals with energy efficiency improvements to listed buildings and non-designated buildings in order to align this topic with the council's climate emergency and the Technical Advice Note that has been published on this important subject [Historic Buildings and Energy Efficiency - Winchester City Council](#)

## Homes for All

- 11.93 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 676 dwellings per annum. This calculation is carried out each year, so the number may change in 2025 (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. For further details on the number of homes that would be allocated for development please refer to paragraph 11.73.
- 11.94 The Local Plan is required to plan for at least the level of housing established using the Standard Method (currently 676 dwellings per annum), 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. This has been 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).
- 11.95 The Plan continues to hold back most allocated greenfield allocated sites, until the latter part of the Plan period (i.e. after 2030) – see Policy H2 of the Local Plan. It also includes sections on affordable housing, older persons' housing, student accommodation and the needs of Gypsy and Travellers (based on the finding of the updated Gypsy and Traveller Accommodation Needs Assessment and Pitch Deliverability Assessment). The Plan includes a permissive policy on travellers that allows for development to meet established need on suitable sites (Policy H12). The overall need for Gypsy and Travellers has been comprehensively reviewed and updated in a Local Plan Topic Paper on Gypsy and Travellers and has been incorporated into Policies H12-18.

## Development Allocations that are needed to meet the Development Strategy

- 11.96 The Winchester District Proposed Submission Local Plan (Regulation 19) is based on feedback from the SIP public consultation on the development strategy and feedback from Regulation 18 public consultation. It continues to carry 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 – now named Kings Barton). This topic deals with the delivery of our development strategy, the new site allocations in Winchester Town, the South Hampshire Urban Area and the Market Towns and rural area (Policy H3). Officers have updated the policies and supporting text to the site allocations following representations to the Regulation 18 Local Plan two sites have deleted:



<b>Policy number</b>	<b>Site</b>	<b>Number of units</b>	<b>Reason for deletion</b>
SH5	Little Park Farm	Employment floorspace: approx. 4,000 sq.m.	<p>The site includes significant areas of ancient woodland and has little development potential once this is taken into account. The site was allocated along with land allocated in the adjacent Fareham Borough Local Plan. This is subject to a current planning application which proposes to retain the existing woodland, with no development proposed for the allocated land in Winchester.</p> <p>The latest Employment Land Study has indicated that sufficient land is available to meet expected employment land needs.</p> <p>The site would remain within the settlement boundary of Whiteley so could, in principle, be developed if this could be achieved without harm to the ancient woodland.</p>
WK2	The Glebe, Wickham	80 dwellings	This development is now complete.

### Sutton Scotney

- 11.97 A number of discussions over several years have taken place between Officers, Wonston Parish Council, the Cabinet Member of the Place and Local Plan and local Ward Members regarding future development in Sutton Scotney.
- 11.98 In the Regulation 18 Local Plan, Sutton Scotney was identified as being within the group of 'intermediate' settlements, where the aim was to identify new sites for 50-60 dwellings. However, investigation of the few potential development sites revealed substantial foul drainage issues, such that it would not be appropriate to allocate additional land for development in the Regulation 18 Local Plan. This approach at the time was supported by South Wonston Parish Council and the Ward Members.

11.99 Since the Regulation 18 Local Plan was published for consultation, Southern Water have commenced work on the construction of new pipeline between Sutton Scotney and South Wonston which would then link to the Harestock Road Waste Water Treatment Works. Due to inclement weather at the beginning of the year Southern Water have now advised that the new pipeline will be completed by March 2025. Wonston Parish Council and the Ward Members are still extremely concerned about when the new pipeline will be delivered and whether Southern Water have fully taken into the impact of these new waste water flows to South Wonston and the capacity of the Harestock Road Waste Water Pumping Station to deal with this additional demand. However, reassurance has been obtained from Southern Water on these matters and in view of the fact Sutton Scotney has a range of services and facilities, a new housing site has been identified at Brightlands, north of A30, Sutton Scotney for 50-60 dwellings (Policy SU01) in the Winchester District Proposed Submission Local Plan (Regulation 19). As the site at Sutton Scotney is on greenfield land, the policy has the same phasing as the other greenfield sites in the Local Plan (i.e. it cannot come forward before 2030). This is to prioritise previously developed land (brownfield land) which in accordance with Policy H2 in the Local Plan can only be developed later on in the Plan period (i.e. after 2030). Based on the recent written confirmation that has been received from Southern Water this will give Southern Water 5 ½ years to complete the new pipeline connection and ensure that all of the other concerns that have been raised by the Parish Council and Ward Members have been fully addressed prior to the construction of this site.

#### Wickham

- 11.100 When the emerging plan was being discussed in 2022, it was proposed to identify new site(s) for about 100 additional homes in Wickham as it has been identified as a sustainable location for further housing development.
- 11.101 At the time the city council was referred to comments made when the Ravenswood community led housing scheme was proposed. The community led housing proposals at Knowle, which has not yet commenced, are the subject of a S106 Agreement. The Council did write a letter to Wickham Village Residents Association in February 2019 stating that the 200 houses can count towards the future housing needs of the parish. To acknowledge the previous commitment, the city council then wrote in May 2022 to Wickham and Knowle Parish Council indicating that they could count the community led scheme at Knowle village towards the 90-100 Wickham allocation in the Regulation 18 Local Plan. This letter was clear that this position would need to remain under review in light of relevant considerations and issues raised by those responding to the emerging Regulation 18 Local Plan as this could be the subject of Local Plan challenge at the examination. The Parish Council were asked and they did provide Officers with a short list of SHELAA sites but it did not rank the sites in any particular order (this had been published on the Parish Council website). Officers have reviewed the representations to the Regulation 18 public consultation, which included a number of responses from those promoting sites in Wickham who may

challenge the soundness of not allocating a site(s) in Wickham village. There is, therefore, no planning reasons why a Local Plan Planning Inspector would not agree with those site promoters and consider that further sustainable development should not come forward in Wickham village, given its range of services and facilities.

11.102 In view of the above, discussions have taken place with representatives from Wickham and Knowle Parish Council as Officers considered that the best course of action was to identify one or more sites to deliver 90-100 new homes in Wickham Village. The Parish Council did undertake public consultation in the summer of 2022 regarding potential sites, but they advised Officers at the meeting that this exercise needed to be repeated before it was able to express a view of the suitability of any sites.

11.103 The Parish Council have now responded to the city council:

- The city council has provided no proper explanation as to why the emerging local plan needs to provide an additional 100 homes in Wickham Parish.
- The Parish Council has been given inadequate time to consult with residents on the implications of this change in your policy position.

11.104 The Parish Council has indicated in their response that they do not believe that there is any planning reason why the emerging plan (as published for the recent Regulation 18 consultation) would not be considered sound without this very small addition to the total number of dwellings being provided for across the district. Every policy choice should be considered on its merits and that means taking into account the unique circumstances in Wickham. The Parish Council consider that the city council could make a compelling case at the examination of the plan should they choose to do so.

11.105 For these reasons, the Parish Council is not able to support any additional sites in Wickham being allocated in the emerging plan over and above the 200 dwellings at Ravenswood which we have previously supported. Should the city council disagree and proceed with evaluating sites for possible allocation, the Parish Council expects to be fully consulted as part of that process.

11.106 As no sites have been forthcoming from Wickham and Knowle Parish Council Officers remain of the view that Wickham village is a sustainable location for future development and the Proposed Submission Local Plan (Regulation 19) should allocate site(s) for development. Officers have, therefore, undertaken an assessment of the potential sites in Wickham village. The alternative would be that site promoters would challenge the lack of allocation at Wickham and the Local Plan Inspector could then decide which site(s) to allocate. In the absence of a view from the Parish Council, Officers have had no alternative but to undertake their own assessment of the potential sites in

Wickham village. The outcome of this work is that the following sites have been allocated for housing development in Wickham in the Winchester District Proposed Submission Local Plan (Regulation 19):

- Land at Mill Lane, Wickham for 40 dwellings (Policy WK5); and
- Land at Southwick Road/School Road, Wickham for 60 dwellings (Policy WK6).

11.107 The allocation of the community led housing scheme at Ravenswood (which has been renamed from Policy WK4 in the Regulation 18 Local Plan to Policy KN1 in the Winchester District Proposed Submission Local Plan (Regulation 19)) would remain in the Local Plan recognition that there is a Planning Committee resolution to permit. Both the Ward Members and the Parish Council have been briefed prior to the publication of this report.

#### South Downs National Park

11.108 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).

11.109 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 their representations on the Regulation 18 Plan. This has also included discussion of how many houses would be delivered in the part of the district that is covered by the National Park, as the Standard Method housing requirement is for the whole of Winchester District.

11.110 Past delivery rates in the SDNP part of the District amounted to 21 dwellings per annum from 2011 to 2023, reducing to 16 dwellings per annum in the last 10 years (2013 to 2023). If similar rates were achieved over the emerging Local Plan period (2020-2040) this could deliver 320 – 420 dwellings. This does not take account of any new allocations that may be made in the emerging SDNP Local Plan. On this basis, a modest estimate is made of about 350 dwellings within the SDNP part of the District over the Local Plan period, a reduction from the figure of 500 included in the Regulation 18 Local Plan. However, due to the timings of the preparation of the Local Plans not aligning, the housing contribution from the SDNP part of the District is an agreed area of uncertainty as the SDNP Authority are reluctant at this stage to commit to a figure in advance of further work to update its own Local Plan. If the estimate of 350 dwellings proves to be too high, any shortfall can be

provided from the 'unmet needs allowance', if it proves to be too low the amount available to meet other unmet needs will be higher. This area of uncertainty has been noted in the Statement of Common Ground and it has been agreed that Officers from both authorities will continue to work collaboratively together as the SDNP Local Plan progresses to the next stage of the process.

- 11.111 The working relationship that we have with the SDNPA, regarding the development and content of our Local Plan, will be covered in a Statement of Common Ground, which will be available on the Local Plan website before the Local Plan public consultation. 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.

#### Affordable housing

- 11.112 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. The Assessment also assess other costs that all developers have to factor in when bringing forward a site that has been allocated for development in the Local Plan. This study is important as there is a requirement by the government that all of these matters should be settled at a Local Plan level rather than at a planning application stage. This is opposed to having policy in the Local Plan which has 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. This should in the majority of cases, eliminate viability assessments being submitted with individual planning applications seeking to reduce the affordable housing or other planning requirement.
- 11.113 As result of this viability testing at local plan stage , 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.

### Neighbourhood Plans

- 11.114 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). 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. There has been a recent request by Curdridge Parish Council to designate a Neighbourhood Plan Area and Officers are in the process of arranging a meeting with the Parish Council.

### Vibrant Economy

- 11.115 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.

- 11.116 This topic also takes into account amongst other matters the updated evidence on Retail and Employment uses 2024 which is available on the Local Plan website and:

- 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 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.

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

- 11.117 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 by December 2025. At this point the new Plan would replace the current adopted plan. At the Regulation 19 stage the emerging Local Plan will have more weight as this is the version of the Local Plan that the city council wants an Inspector to examine. However, until the new Local Plan is adopted 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.

11.118 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).

11.119 The city council has a number of Supplementary Planning Documents (SPD's) (for example, the High Quality Places SPD) that are currently adopted against policies in the adopted Local Plan. The Council is waiting for Government to publish secondary legislation that will clarify the role and status of Supplementary Plans (which is the new terminology for documents that were previously called Supplementary Planning Documents). A decision on the SPD's can only happen when the secondary legislation and related government guidance has been published and when the new Local Plan is adopted.

#### Local Development Scheme

11.120 Cabinet agreed on 10<sup>th</sup> August 2023 a Local Development Scheme (LDS) that sets out the timetabling for preparation, consultation, submission, examination and adoption of the Local Plan. Despite making significant progress it has taken longer than anticipated to resolve the nutrients issues and to conclude all of the Local Plan Evidence Base. The timetable in the LDS may therefore need to be adjusted to align with the recommendations that have been contained in this report and to be able to confirm consistency to the Inspector at the examination.

11.121 For the purposes of the LDS this would mean:

- Public consultation on the Reg 19 Local Plan – Quarter 3 (October – December 2024).
- Submission (Regulation 22) – Quarter 4 (January – March 2025).
- Examination – Quarter 1 (April – June 2025).
- Consultation on the Main Modifications – Quarter 2 (July – September 2025).
- Inspectors Report – Quarter 3 (October – December 2025).
- Adoption - Quarter 3 (October – December 2025).

### Next steps

- 11.122 Subject to the Council's approval, it is proposed that the Winchester District Local Plan Regulation 19 Submission document (Appendix 1) and all necessary supporting documents will be published for a 'period of representation' anticipated to commence on the **XXX** and running for a period of six weeks.
- 11.123 Section 20(2)(b) and 5(b) of the Planning and Compulsory Purchase Act 2004 require that the plan which a local authority submits for examination is one that it considers to be 'sound'. As set out at paragraph 11.9 of this report, the NPPF (paragraph 35) sets out the tests of soundness against which the plan will be tested.
- 11.124 It is considered these four tests in the NPPF have been met. The starting point for preparation of the plan has been the NPPF. The policies in the Winchester District Proposed Submission Local Plan (Regulation 19) have been drafted to ensure that they are consistent with national policy. The Winchester District Proposed Submission Local Plan (Regulation 19) is also considered to be positively prepared as the plan sets out a strategy for development which meets our own housing targets and it also provides for an 'unmet needs allowance'. The plan preparation process has also considered a number of other alternative strategies and options, as part of the SA/SEA process and the preparation of other evidence base documents, leading to the recommended development strategy. In view of this the approach taken in the Winchester District Proposed Submission Local Plan (Regulation 19) is considered to be justified.
- 11.125 A key part of the Local Plan preparation process has also been effective with consideration of strategic cross boundary issues which has been undertaken as part of our Duty to Co-operate discussions with a range of organisations and through the work of PfSH. The Plan is considered to be realistic and deliverable. The public consultation will be accompanied by a number of Statement of Common Grounds that will be available on the Local Plan website.
- 11.126 The site promoters and developers that have sites that are allocated for development in the Winchester District Proposed Submission Local Plan (Regulation 19) have been contacted. This is to understand if there are any constraints that would affect the deliverability of the sites in order to be able to demonstrate at the Local Plan Examination that they are deliverable and available. This work has been undertaken alongside the independent Local Plan Viability Assessment and has taken into account the delivery timescales, the cost of implementing the various policies in the Winchester District Proposed Submission Local Plan (Regulation 19) and the cost of delivering critical infrastructure.



## Consultation process

- 11.127 Subject to approval at Full Council there would be a six week representation period which will provide stakeholders and the general public with the opportunity to prepare and submit their responses and whether they consider the council has meet the tests of soundness. Representations will need to respond to set questions required by the regulations based on the tests of soundness. In order to assist with the public consultation, FAQs will be prepared and made available on the Local Plan website at the same time as the public consultation. These FAQs will be used translate often confusing 'planning language' into plain English that people can easily understand.
- 11.128 The Winchester District Proposed Submission Local Plan (Regulation 19) will be published online and hard copies will be made available in local libraries. The main methods of submitting comments (representations) will be online, but email and hardcopy responses can also be submitted. We would ask Members to direct the those wishing to comment to do so by the online platform and to not encourage people to email comments.
- 11.129 As set out in the city council's recently updated adopted Statement of Community Involvement (SCI), the council will ensure that the representation period is well publicised. This will be through a range of media including online (websites and social media), local newspapers, posters and other publications building on the back of the successfully award-winning engagement that has happened in previous public consultations. An e-mail alert will be sent to everyone on the Local Plan database. All statutory bodies will be formally notified in accordance with the relevant regulations.
- 11.130 During the representation period, it is proposed that a variety of consultation and publicity activities will take place, to ensure that there are opportunities for Parish and Town Councils, residents, stakeholders and businesses to learn more about the draft Plan and how to make comments. These events (which will include drop in events around the district) will be widely publicised, and Parish and Town Councils will be asked to assist in the promotion and advertisement of them on their notice boards and online channels in the same way that they have assisted the city council in previous public consultations. As there are new site allocations in Regulation 19 Local Plan in Wickham and Sutton Scotney these settlements will be on the list of locations to convene drop in events.

## Post consultation period

- 11.131 Following the close of the Regulation 19 public consultation period, the responses (representations) will be logged, reviewed. At this stage of the process the main issues arising from the consultation will be summarised for the Local Plan Inspector. The Local Plan and the representations will be submitted to the Planning Inspectorate for examination by an Inspector to be appointed by the Secretary of State. This will help the Local Plan Inspector to plan for the examination and to identify a series of questions that they would like the council to respond to. It is normal procedure that there will be a range

of questions that the Inspector will ask for a response to. These can range from matters of clarification in terms of how for example, sites were selected for development or very specific questions that the Inspector would like clarified. In order to anticipate this, the Local Plan Topic Papers have been specifically prepared to provide everyone with more detail on a range of key matters and this is intended to assist the Inspector when the Local Plan is examined by an Inspector.

- 11.132 It will be the responsibility of the Local Plan Inspector, working with the Programme Officer, to prepare an agenda for the public examination on the key issues that the Inspector would like to discuss at the examination. Whilst the Local Plan examination will be open for everyone to attend, the Local Plan Inspector will decide who they would like to invite to speak at the Local Plan examination.

#### Minor Modifications to the Local Plan

- 11.133 As part of the representation review process, it is envisaged that it may be appropriate to provide the Inspector with a schedule of amendments to the Plan which address comments that have been made. For example, this could include minor amendments to policy wording or other minor editorial adjustments to the Local Plan (such as points of clarity or typographical errors). It is proposed that this schedule of amendments would then be submitted to the Planning Inspectorate alongside the Winchester District Proposed Submission Local Plan (Regulation 19). The proposed changes will not be considered as part of the submitted Plan, however they are submitted so they can be considered by the Inspector during the examination process. The Inspector that has been appointed to conduct the Local Plan examination will then advise whether they consider the proposed minor amendments to be appropriate. This is standard practice for Local Plan examinations and assists all parties to understand the council's position.
- 11.134 If changes to the Winchester District Proposed Submission Local Plan (Regulation 19) are suggested by Statutory consultees or new issues are raised, these will be addressed in Statements of Common Ground (SoCG) with those parties, which will be submitted as supporting documents to supplement the schedule of changes. These may also lead to proposed minor amendments to the plan which will be considered in the same way by the Inspector during the examination process.
- 11.135 If an issue is raised that results in significant change needing to be made to the Plan which fundamentally affects its soundness, it may be that this would need to be reconsidered by the council, and if necessary be subject to a further period of public consultation under Regulation 19, prior to the Plan being submitted.

### The Local Plan Examination

11.136 The appointed Inspector will review the representations and documentation and determine if they require further evidence from any of the representors or the Council on specific matters to address throughout the Examination process.

### Main Modifications to the Local Plan

- 11.137 There is potential that during the examination process that, providing changes to the Local Plan do not go to the heart of the Local Plan, the Inspector will recommend that the city council makes changes to the Plan. This may include those that the council has provided alongside the Plan as set out above, or to address other issues raised during the consultation or the examination statements or hearings. For example, the Inspector will often encourage as part of the examination process that Officers work with a person or organisation if there is a matter that needs further clarity or the interpretation and to hopefully, agree where it is possible, consensus on a matter that has been raised as part of the examination process. It is important to stress failure to meet the Duty to Cooperate requirements cannot be dealt with as Main Modifications and to reiterate that point that a Main Modification cannot for example, change anything fundamental that goes to the heart of the Local Plan whereas a minor modification is for example, correcting a typo.
- 11.138 If as a result of the examination, there are changes to the policy wording or interpretation of an issue or point that comes out of the examination process (which is open to the public), the city council could be asked by the Inspector to consult on these 'Proposed Main Modifications'. If this is the case the city council must prepare a Sustainability Appraisal Addendum, Habitat Regulations Assessment Addendum, an Addendum to the Equalities Impact Assessment that assesses the Proposed Main Modifications and check these against the Local Plan Viability Assessment. Where this is the case (and in most cases this does happen), the city council would be asked by the Inspector to carry out a 'Proposed Main Modifications' public consultation during or just after the examination process to ask for views of other parties. The agreement to carry out this further consultation on the Main Modifications, and the accompanying evidence base (to make the Local Plan sound) would be undertaken with the agreement of the Cabinet Member for Place and Local Plan in accordance with recommendation 3 of this Report.
- 11.139 It is important to stress that comments will be restricted to the 'Proposed Main Modifications' and not any other issues. The Inspector would then consider any representations received to the 'Proposed Main Modification' consultation and decide whether to recommend the Local Plan for soundness, with or without these 'Proposed Main Modifications'.

- 11.140 If the Local Plan is found sound at examination and the Secretary of State does not prohibit the adoption of the Local Plan, the city council will at a meeting of Full Council decide whether to adopt the Local Plan. Any challenge to the adoption of the Local Plan by way of Judicial Review (JR) would need to be brought within six weeks.
- 11.141 There are significant advantages to the city council of having a newly adopted Local Plan. The Council will have a new set of up to date and robust policies that align with the climate emergency and nature emergency which Officers and Members can use to determine planning applications. Newly update national policy offers a number of incentives to get a local plan in place. For example, an adopted local plan no longer needs to prove a five year housing land supply for five years after adoption as this will have been proved at the time of the Local Plan examination.

## 12 OTHER OPTIONS CONSIDERED AND REJECTED

- 12.1 Option 1 (as per this report) – Agree to publish and subsequently submit the Winchester District Local Plan Regulation 19 Submission (Appendix 1) to the Planning Inspectorate for examination.
- 12.2 Option 2 – Do not carry out or delay the publication and submission the Plan.
- 12.3 Option 3 – Agree to Publish, but not Submit the Local Plan to the Planning Inspectorate for examination.
- 12.4 The city council is required by the regulations to undertake public consultation on the Winchester District Proposed Submission Local Plan (Regulation 19) in order to meet the legal requirements for production of a Local Plan. It is, therefore, not an option to not proceed with public consultation if the city council is to continue to progress the adoption of a new Local Plan and meet the Government's deadline of the 30<sup>th</sup> June 2025.
- 12.5 As set out in the report, it is considered that the Winchester District Proposed Submission Local Plan (Regulation 19) meets the test of soundness and is therefore ready for public consultation and submission. It is considered that there is sufficient certainty that Members can be confident that the Local Plan is deliverable and meets the test of soundness. Any outstanding matters will continue to be worked on up to the examination.
- 12.6 Both Option 2 and Option 3 would result in significant costs to the city council. Most importantly any delay would put at risk the city council missing the Government's 30<sup>th</sup> June 2025 deadline for the submission of Local Plans to the Planning Inspectorate under the current regulations. If we miss this deadline, Officers will need to start the Local Plan process all over again and prepare the new Local Plan within a 30 month timetable. This would result in significant expense in terms of updating the Local Plan Evidence base and officer time in terms of re-writing the Local and it would put at risk the city council's 5 year Housing Land Supply.

- 12.7 Option 3 would mean that the Plan would need to be brought back to Full Council for approval before it is submitted. This would result in significant delay to the Local Plan timetable and it would put the city council at risk of not meeting the Government's 30<sup>th</sup> June 2025 deadline. Any delay could run the risk of further changes to the planning system including changes to the Government's Standard Method.
- 12.8 Option 1, to Publish and Submit the Local Plan to the Planning Inspectorate is, therefore, the recommended option to fulfil the council's statutory requirements that is set out in national legislation.

#### BACKGROUND DOCUMENTS:-

##### Previous Committee Reports:-

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

CAB3226 – Cabinet Report on the Revised Local Development Scheme 2020.

CAB3419 (LP) – Cabinet on the revised Local Development Scheme 2023.

CAB3357 – Cabinet Report on the Local Plan Regulation 18 public consultation.

##### 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 – Winchester District Proposed Submission Local Plan (Regulation 19).

Appendix 2 – Integrated Impact Assessment.

Appendix 3 – Habitats Regulations Assessment.

Appendix 4 – New Government mandate.

Appendix 5 – Key actions arising from the Scrutiny meeting on 29<sup>th</sup> July 2024.