

REPORT TITLE: LOCAL PLAN 2036 - UPDATE

19 JUNE 2019

REPORT OF CABINET MEMBER: BUILT ENVIRONMENT AND WELLBEING

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WARD(S): ALL (EXCEPT THOSE WHOLLY IN SDNP)

PURPOSE

This report provides an update with progress of the preparation of Local Plan 2036, following the update report in December 2018 (CAB 3084(LP)).

The government published a further version of the National Planning Policy Framework (NPPF) in February 2019, clarifying various matters, but in essence establishing the standard method for calculating housing need, which is set out below.

Early engagement with parish councils has taken place in the form of two workshops and officers are currently focussing on procuring the technical evidence base to inform Local Plan 2036.

RECOMMENDATIONS:

1. To note progress with the preparation of Local Plan 2036

IMPLICATIONS:**1 COUNCIL STRATEGY OUTCOME**

- 1.1 The preparation of Local Plan 2036 provides an opportunity to reflect and reinforce in planning policies the positive outcomes for our communities which are at the core of the Council Strategy, thereby supporting its vision and objectives. The Local Plan is a key mechanism by which to deliver those elements of the Council Strategy that are reliant on the use of land, the protection of the environment and the provision of infrastructure. The Local Plan will include policies to promote economic development and diversity; allocate land for housing purposes and include policies to address specific housing needs across the District; and include appropriate planning measures relating to climate change. It will provide controls on inappropriate or poor quality development. The Local Plan is required by national planning policy to promote sustainable development and will incorporate a range of policies to enhance the character and strengthen the communities of our towns and villages and to protect our countryside and natural resources. Provision of open space and green infrastructure are key planning requirements when considering new development and contribute to the health and well being of our communities.

2 FINANCIAL IMPLICATIONS

- 2.1 Resources needed to undertake preparation of the Local Plan including procurement of the evidence base and community/stakeholder engagement have been approved as part of the budget process. Commissioning of the reports and studies which will form part of the evidence base has commenced following approval via PHD868.
- 2.2 The current forecast external expenditure of approximately £600,000 for the period 2018/19 to 2021/22 is within existing budget projections and supported by the Local Plan reserve (opening 2018/19 balance of £454,000) as well as baseline revenue budget projections.

3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 It is a statutory requirement for the Council to have a Local Plan in place and ensure it is relevant. The statutory provisions under which a Local Plan is made are within the Planning and Compulsory Purchase Act 2004 (as amended) and regulations made under the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Environment and Assessment of Plans and Programme Regulations 2004.
- 3.2 The Local Plan preparation process is set out in the 2012 Regulations that sets out statutory procedures, with which the Council must comply.

- 3.3 The National Planning Policy Framework (NPPF) and Planning Practise Guidance (PPG) contains guidance that must be met to enable a Council to approve a Local Plan, including the ‘tests of soundness’ that Local Plans are assessed against. A Local Plan must be justified, effective, positively prepared and consistent with national policy.
- 3.4 To meet the test of being ‘justified’ the Council is required to produce an ‘appropriate strategy’ to meet the development requirements of the District which necessitated the testing of all possible options, inclusive of those discounted by the Council.
- 3.5 To be considered ‘effective’ the Council must positively cooperate with its neighbouring administrative authorities and demonstrate how it has addressed cross-boundary strategic matters (including shortfalls in housing provision). Statements of Common Ground will be required by the Council and neighbouring councils to demonstrate fulfilment of the requirement to the Secretary of State. Statements of Common Ground are intended to reinforce the over-riding duty to co-operate.
- 3.6 The purpose of this Cabinet report is to request that Members note on-going progress is being made towards the preparation of the Local Plan in the form of gathering an evidence base, and that engagement by the Council has commenced with parish councils, in the form of two workshops.

4 WORKFORCE IMPLICATIONS

- 4.1 Preparation of the Local Plan is a key corporate project which will be led by the Strategic Planning Team. Given the strategic nature of the plan, contributions from a number of teams across the Council, will be required, in particular housing, landscape/ecology, transport, finance, communications and legal.

5 PROPERTY AND ASSET IMPLICATIONS

- 5.1 None

6 CONSULTATION AND COMMUNICATION

- 6.1 National Planning Guidance and statutory requirements that include the Local Plan Regulations require the preparation of Local Plans to demonstrate community and stakeholder engagement throughout the plan making process. The Council would always want such an important policy document to be the subject of wide and effective community engagement and it will follow the requirements of the recently-updated Statement of Community Involvement.

- 6.2 To date to initiate preparation of the Local Plan 2036, a launch consultation was held during July – September 2018, and a summary of responses was reported to this committee at its December meeting.
- 6.3 A workshop was held with members of Winchester Town Forum prior to its meeting on 17 January 2019 and key matters discussed are set out below.
- 6.4 A workshop was also held with Parish Councils during March and feedback is set out below.
- 6.5 In addition, officers have commenced a series of 'duty to co-operate' meetings with neighbouring local planning authorities and statutory agencies.

7 ENVIRONMENTAL CONSIDERATIONS

- 7.1 The purpose of a local plan is to plan for sustainable development in accordance with national planning policy and guidance recently revised and published in February 2019. This is to ensure a balance of growth and change with protection and conservation being embedded in the local plan process. Furthermore, once a local plan is drafted it will be assessed against sustainability criteria which will also encompass strategic environmental assessment; habitat regulations assessment, equalities and health impact assessments.

8 EQUALITY IMPACT ASSESSMENT

- 8.1 The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:
 - (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
 - (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
 - (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

- 8.2 The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all residents in respect of socio-economics and health determinants.

- 8.3 It is a requirement for a local plan to be assessed against equality matters and this will be undertaken when the plan is drafted for consideration. At that stage the Local Plan, including the development strategy and emerging policies, will be screened in terms of its impacts on those with protected characteristics as specified in the Equalities Act 2010, and the results will be published on the Council's website.

9 DATA PROTECTION IMPACT ASSESSMENT

- 9.1 The Council is required to engage with a range of organisations set out in legislation throughout the plan making process. Whilst a formal DPIA will not be required, it is worthwhile noting that the Local Plan process involves consultation with many individuals and organisations and the collection of large amounts of personal information. Meeting the requirements of the General Data Protection Regulation for the data gathered and held will be a significant additional responsibility.
- 9.2 All responses to consultations are 'redacted' of personal information as necessary prior to their publication on the Council's website.

10 RISK MANAGEMENT

- 10.1 The Local Development Scheme was updated in December 2018 (CAB3087(LP) and this includes a high level risk assessment, which forms the basis of the identified risks below:

Risk	Mitigation	Opportunities
<i>Property</i>	n/a	
<i>Community Support</i> Preparation of a local plan requires extensive community and stakeholder engagement and consultation. This is documented at all stages and published.	Given the level of interest in planning matters across the District, it is necessary to ensure sufficient time is allowed for comprehensive engagement.	Methods of community engagement are set out in the Council's Statement of Community Involvement (SCI) which was revised and published in December 2018. The Council sees the benefit of working collaboratively with local communities and opportunities to continue with this approach will be explored.
<i>Timescales</i> Preparation of the local	Timescales expressed in the revised LDS allow for a number of processes to	The LDS acknowledges that a draft plan will not be available for consultation

<p>plan is established in the Local Development Scheme which identifies key milestones.</p> <p>An issue of uncertainty at this stage is the level of housing growth required over the plan period (2016 – 36), Government advice is that the LPA's will be required to apply the standard methodology but data that informs that such as household projections and affordability ratios are regularly updated, this means that the Council cannot 'fix' its housing need until it submits the local plan for examination.</p>	<p>be undertaken in parallel particularly community engagement and commissioning of evidence studies. If required it will be necessary to update the LDS if significant slippage is emerging.</p> <p>An initial commission already sourced is an assessment of housing need and accompanying population profile. The results of this are critical to inform other commissions such as employment and retail need.</p>	<p>until late 2019, this should allow sufficient time for uncertainties around the housing requirement to be resolved.</p>
<p><i>Project capacity</i></p> <p>Preparation of the Local Plan will involve both in-house resources consisting of officers of the Strategic Planning team and others within the Council, plus appointment of specialist's consultants to prepare technical reports for the evidence base.</p>	<p>It will be necessary to ensure that adequate resources are in place to prepare both the Local Plan and update the CIL charging schedule.</p>	<p>Opportunities for joint evidence and engagement will be maximised</p>
<p><i>Financial / VfM</i></p> <p>There needs to be sufficient resources both staff and budget to ensure that preparation of the local plan can progress.</p>	<p>The local plan budget includes funds from the earmarked reserve which will be required to fund commissioning of the evidence base. These documents can be costly due to their technical nature.</p>	<p>Opportunities for joint evidence commission both within and outside the Council will be maximised</p>
<p><i>Legal</i></p> <p>Risk is that the Local Plan is found unsound at examination.</p>	<p>It is necessary to ensure all processes are followed and documented to reduce the risk of a third party challenge during the</p>	<p>Ensure that any changes in legislation both policy and procedures are followed.</p>

Risk that consultation isn't sufficient robust and in accordance with planning legislation that includes the Duty to Cooperate.	examination process.	
<i>Innovation</i>	n/a	
<i>Reputation</i> Failure to produce a Local Plan could risk speculative planning applications being submitted without a sound base on which to determine them, resulting in unplanned development.	Sufficient slippage has been included in the LDS without compromising the delivery of the Local Plan.	Timescales in the LDS are expressed in broad terms to add some flexibility.
<i>Other</i>		

11 SUPPORTING INFORMATION:

11.1 This report updates Cabinet on a number of aspects relating to the preparation of the new Local Plan 2036:

- summary of key issues raised through Town Forum and Parish workshops
- revised National Planning Policy/Guidance with specific reference to housing need requirements, including the government's standardised methodology for calculating housing need.
- commissioning of the evidence base.
- next stages in preparation – identifying options and a development strategy.

Summary of key issues raised through Town Forum and Parish workshops

11.2 A workshop with members of Winchester Town Forum was held on 17 January 2019 along the same lines of the parish council workshops held in October 2018. This focused on the main issues affecting the Winchester town area and its hinterland and the role of the Local Plan. Matters discussed included:-

- should land for business use be reallocated for residential purposes if no commercial uses have come forward?;
- considering building on car parks for housing purposes;
- how to accommodate increasing student population;

- reconsider housing mix and densities;
- future of the high street in the light of changes in retail activity.
- the need to improve public realm;
- what makes a successful city?
- improving permeability of new developments;
- reducing vehicle dependence;

- 11.3 On 12 and 13 March 2019, workshops were held to which all parish councils were invited. 22 representatives from 12 parish councils attended on the 12 March, and 12 reps from 7 parish councils attended on 13 March.
- 11.4 Both evenings were run in the same way, with an introductory presentation followed by three sessions which are summarised with feedback below:-

Session 1

- 11.5 This session utilised the feedback from the earlier events in October 2018 where the key issues of local concern which were identified as
- i) protect the countryside and gaps between settlements
 - ii) identify sites for affordable housing
 - iii) secure necessary infrastructure and
 - iv) work across boundaries with neighbours

Participants were asked to discuss and articulate what these issues might mean more specifically in a local context.

- i) protect the countryside and gaps between settlements:-
 - access to the countryside very important to the local community
 - valued landscapes are important
 - maintain existing green spaces
 - natural capital is important to retain
 - settlements are distinct – this needs to be taken into account
 - keep gaps within a Parish (between villages) not just between Parishes.
 - would like to keep some gaps even within ribbons of development
 - keen to retain the existing green spaces in and around villages
 - protect countryside gaps.
 - retain distinctive village boundaries
- ii) identify sites for affordable housing
 - lack of smaller houses more affordable for younger families

- housing suitable for older down sizers needed – which is not necessarily identified retirement housing
- retain older bungalows being replaced with large dwellings
- need to reflect local densities and character
- retain settlement boundaries and exception sites.
- bungalows are popular – elderly and houses for downsizers
- making affordable housing needs bespoke to the community
- every site should provide one or two affordable dwellings
- concerned about shared equity as people have had trouble selling their share.
- people need to be aware of the full costs of living in an affordable housing scheme
- want to be able to target affordable housing to local people

iii) secure necessary infrastructure

- poor bus services – limited route and times
- communication and accessibility
- need footpaths to access facilities
- disconnected suburb – accessibility issue – therefore car ownership is very high
- value local shops – these need to be retained and provide source of local employment and local goods
- new houses must be able to integrate with existing – footpaths/cycleways
- concern about capacity at doctors, schools etc
- sewerage system upgrade; problems with flooding and foul drainage.
- need to be clear on what developers should be providing, and get it delivered.
- parking standards – too low in rural areas and garage conversions make things worse
- need more flexible public transport provision
- pubs important for community and numbers now seem to be stabilising.
- access to primary healthcare and the means to reach it
- developments have created rat runs through the rural areas
- concern with increased traffic, due to lack of footpaths people walk on the road. Lack of street lighting
- no street lights and limited footpaths but this is part of the character of the village

iv) work across boundaries with neighbours

- take account of the fact that parishes relate to other settlements both within and beyond Winchester boundary

- difficulties created by SDNP as a separate planning authority – split parishes; potential sites for development on edge of settlements but in SDNP and not released
- 11.6 Although they were generated from a limited number of participants these comments provided a fairly consistent message from a range of our parishes and the settlements within them. Concern about access to local infrastructure is an almost universal theme and emphasises why it is necessary for the Local Plan to be accompanied by an Infrastructure Delivery Plan which sets out how specific provision required as a result of new development will be made.
- Session 2
- 11.7 This session focussed on 'Priorities for your Community' in terms of :-
 What makes a good place?
 Why do people like your community?
 Are there things missing that you would like?
- 11.8 Feedback included the following:-
- value local shops – these need to be retained and they provide a source of local employment
 - can't safely walk or cycle as there are no pavements
 - setting – importance of trees and green space.
 - affordable housing
 - allotments
 - improvements to village halls and other community buildings
 - reliable and reasonably fast broadband
 - atmosphere of rural area, countryside – hedges, rather than fencing, trees etc.
 - more flexible public transport provision – lack of provision/provision at wrong time/wrong destinations – need comfortable bus service
 - character and setting of village very important. Rural nature of the village and green spaces and paddocks are particular features
 - Where there are sufficient facilities for a village how these are maintained
 - smaller sites for development
 - need to provide for cycling as a key means of transport rather than just for recreational routes.
 - concern about replacement of existing dwellings by intensive development
- 11.9 The range of local concerns will come as no surprise to those involved in previous plan making processes, but it is important to consider how changes

in the wider financial, environmental or social context may mean that the response required from a new local plan is different than it was on previous occasions.

Session 3

11.10 The purpose of the final session was to reflect on the processes and considerations which might assist in identifying sites for development. Participants discussed, in general terms:-

Local Plan 2036 will have to allocate sites for development, so
 What makes a good site for a community?
 What criteria are important to a community in site selection/consideration?

11.11 Responses included :-

- housing sites of more than 10 dwellings would dramatically change the character of the village - sites need to enhance the village
- need to reflect local densities and character
- houses must be able to integrate with village
- older houses on significant sites could be developed as clusters of houses.
- retain hedges etc keep character.
- settlement boundaries not appropriate for linear settlements
- prefer to spread the housing requirement amongst all villages in the parish rather than focus on one settlement
- sites should reflect rural character and identity – smaller sites rather than very large.
- sustainable sites near facilities and the village centre.
- there are pros and cons of having a settlement boundary, such as in relation to delivering some smaller/more affordable housing and private-led exception sites
- focus on smaller sites – max 25 units
- self build options
- sites to be walkable to settlement facilities
- seek facilities on the back of development e.g. affordable housing, allotments, burial ground etc.
- some scope for small scale development, need to make best use of land available.
- explore opportunities for rounding off/infilling

11.12 These varied responses emphasise the importance of considering local character, design and densities, with an understandable preference for new development to be on smaller sites with access to key facilities. Participants were also requested to discuss amendments to settlement boundaries, and

whether settlements without established boundaries wish to consider having one. This matter will need to be discussed and explored further with parishes and will inform the consultation which will be carried out at the later stages of developing the plan.

- 11.13 Overall feedback from the event was positive but it represents only the initial stages of a dialogue which must continue effectively throughout the plan making process.

- 11.13 An early task will be to update the Settlement Hierarchy established to inform Policy MTRA2 of Local Plan Part 1, which allocated a housing requirement to a number of named settlements based on their population and facility provision. This work has commenced and will update the facilities present in each settlement and as part of this parishes have been requested to complete a facilities audit. This data will be used to inform the development strategy to be expressed in Local Plan 2036.

Revised National Planning Policy Framework

- 11.14 The publication of an updated NPPF in February clarified the interpretation and application of the standard methodology for the calculation of a housing need figure for the District. This establishes the minimum number of homes which must be planned for in the new Plan based on the government's policy commitment to the delivery of an overall housing number across the country.

- 11.15 The revised affordability ratios published in March 2019 have produced a change in the affordability ratio from 12.04 to 12.25 (a higher figure means affordability is lower) and therefore applying the standard method results in the annual housing need increasing slightly to 667 per annum (from 660 per annum at the last calculation). Importantly however the NPPF requires that housing need is not 'fixed' until a local plan is actually submitted for examination, which in the case of Local Plan 2036 is anticipated some time in 2021. This means that the housing need figure is likely to change again, firstly with any further updates to the affordability ratio (which are published annually) and secondly when the Government publishes the revised household projections (which is not due until 2020). The government has indicated its intention to revise the standard methodology at the time of the next household projections so as to maintain the required level of housing at a national level.

- 11.16 As a result the Council will have to retain a flexible strategy to enable the Local Plan to be able to adjust to the housing need figure and keep options to respond to various scenarios . Some key elements of the evidence base require analysis of the expected population profile over the plan period, which is difficult given uncertainty over the quantum of housing required. Therefore a study has been commissioned to produce a realistic estimate of the housing need at the time the local plan is due to be submitted, which is when the housing requirement is 'fixed'. This study will also produce a demographic

analysis of the population profile so as to inform other evidence studies, for example on retail and employment land requirements.

- 11.17 The government published the first results of the Housing Delivery Test earlier in the year which assesses how well each local planning authority (or more accurately the developers to which it has granted planning consent) is doing in delivering new homes against Local Plan targets. Winchester's result was 121%, demonstrating that sites are being delivered on or ahead of schedule and that some windfall sites have also come forward. This means there is no requirement to prepare a Housing Action Plan.
- 11.18 Publication of the Monitoring Report in December 2018, also demonstrates that the Council has in excess of 7 years supply of deliverable sites. In order to be included in the calculation, sites must be 'deliverable' ('*be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years*')

Duty to Co-operate

- 11.19 Government guidance now places an increased emphasis on the duty to co-operate and assessing whether it is possible to assist in meeting housing need which cannot be accommodated by neighbouring authorities. This matter is now expected to be examined in considerable detail when Local Plans are submitted for examination and it will be necessary to demonstrate that strategic cross-boundary issues have been thoroughly assessed. It is important to stress that the duty to cooperate is not necessarily a duty to agree to make provision for anything which neighbouring authorities cannot. However, it will be important to demonstrate policy and planning based reasons for the outcome of discussions with neighbouring authorities, whatever decisions are reached, with such matters forming the basis of a Statement of Common Ground between the relevant parties.
- 11.20 Of specific note is the progress of Eastleigh Borough Council with the preparation of its local plan. The City Council has outstanding objections to the local plan on technical matters, it will not be possible to determine if these have been resolved until Eastleigh has published updated evidence. However, a matter for Local Plan 2036, will be safeguarding the route of the proposed link road necessary for the strategic growth option north of Eastleigh which is located partly within Winchester District . In this respect Eastleigh has made the following formal representation to the City Council minuted as follows from its Cabinet on 4 April 2019:

Winchester City Council has commenced a review of their Local Plan. They are undertaking a 'call for sites' and they will continue to discuss 'issues and options' with interested parties through 2019. It is recommended that Eastleigh Borough Council makes the following key strategic comments on the emerging Winchester Local Plan at this stage:

1. *To welcome the commencement of the Winchester Local Plan review to 2036.*
2. *To request that the emerging Winchester Local Plan:*
 - a) *Plans positively for housing needs, taking account of unmet needs in the wider area, in accordance with the National Planning Policy Framework (NPPF);*
 - b) *Notes that the submission Eastleigh Local Plan (2016 – 2036) makes a significant contribution to meeting housing needs, and requests that the emerging Winchester Local Plan also seeks positively to help to meet unmet needs in the wider area;*
 - c) *Includes a policy to safeguard the route and identify the requirements for the north of Bishopstoke link road as it passes through Winchester's district, to facilitate major housing and employment growth in Eastleigh's 'Strategic Growth Option' which will reduce pressure for development elsewhere, and minimise additional traffic congestion for communities in Eastleigh and Winchester; and*
 - d) *Continues to safeguard, and to actively support the delivery of the Botley by-pass.*

11.21 In terms of the points made in a and b, Local Plan 2036 will need to demonstrate that the duty to cooperate has been met and that the unmet needs of neighbouring local authorities taken into consideration, as set out at para 11.19 above.

11.22 With regard to the request to safeguard the route of the link road required to serve the planned development in Eastleigh, it will be necessary for Local Plan 2036 to reflect all planned growth in neighbouring areas and for these to be taken into consideration particularly as part of the technical evidence base. Given the advanced nature of Eastleigh's Local Plan, it is anticipated that the outcome of the proposal for the strategic growth option may well be known prior to a draft of Local Plan 2036 being published for consultation, in any event Eastleigh will be expecting the Winchester Local Plan to identify the route and include a policy accordingly. This situation is not dissimilar to Botley Bypass, which being a programmed scheme with funding (albeit not development related) is specifically referred to in our adopted local plans. .

Evidence Base

11.23 As highlighted in CAB 3084(LP) there are a number of technical reports to be commissioned to inform the evidence base for the local plan. These are in progress and key findings will be included in further reports to this committee.

Timescale and Next stages

11.24 Progress on Local Plan 2036 will depend on completion of the main elements of the evidence base. It is anticipated that once the position is clearer with the quantum of housing need the plan will need to reflect, then further engagement with local communities can continue. This is likely to be late

summer/early autumn to enable debate around levels of growth and options for development prior to the publication of a formal ‘issues and options’ paper. The 2018 Local Development Scheme sets out consultation on the draft plan end of 2019, this may however slip to early 2020, but this will depend upon the complexity of the outcomes of the evidence base and any changes in government policy.

11.23 Discussions will also continue under the Duty to Co-operate, at present the Council has not received any formal requests to consider the unmet development needs of any of its neighbours.

OTHER OPTIONS CONSIDERED AND REJECTED

12.1 It is a statutory requirement to have an up to date local plan and failure to do so creates uncertainty for businesses and investment and for local communities having to deal with speculative planning applications. Options for development will be assessed as part of the Local Plan process.

BACKGROUND DOCUMENTS:-

Previous Committee Reports:-

CAB3084(LP) – Local Plan 2036 – Update and Next Stages 3 December 2018
CAB3046(LP) – Local Plan Launch 18 July 2018

Other Background Documents:-

None.

APPENDICES:

None.