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Examination of the Winchester District Local Plan 2020-2040 (the District Plan/the Plan)

Inspector: R Barrett MRTPI IHBC

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Examination web pages: [Local Plan Examination - Winchester District Local Plan](#)

Inspector Note 1

Introduction

1. As you are aware, I have been appointed by the Secretary of State to conduct the examination of the submitted Plan.
2. I have in the last week commenced my initial reading of the Plan, the supporting evidence base and representations. Based on what I have read so far, I have some initial confirmations, questions and requests for further information and clarification, which are set out below.
3. The Council's response to these points will help to inform the matters, issues and questions (MIQs) for subsequent discussion at the hearings, and the timetable for the Examination. As my preparation develops, I may have further questions prior to publishing my MIQs.

Procedural and legal compliance

4. The Plan being examined is the Winchester District Local Plan (Local Plan 2020-2040): Proposed Submission (Regulation 19) (SD01).
5. The Plan is being examined under the transitional arrangements set out in National Planning Policy Framework (NPPF 2024) published in December 2024, in particular paragraphs 234 to 236.
6. NPPF 2024 at paragraph 235 indicates that as the Plan was submitted for Examination on or before 12 March 2025, it will be examined under the relevant previous version of the NPPF.
7. The Plan was submitted for Examination on 15 November 2024. The extant NPPF at point of submission was the December 2023 version (NPPF 2023). Referring to NPPF 2023 paragraph 230, Reg 19 consultation started

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after 19 March 2024. That means **that the Plan will be examined against the version of the NPPF published in December 2023.**

8. What is the implication for the Plan of the transitional arrangements set out in NPPF 2024 paragraph 236, in respect of a Plan review?
9. I note your request in your submission letter that should it be necessary, you wish me to recommend modifications to the Plan that would make it sound and compliant with the legislative requirements as per Section 20(7C) of the Planning and Compulsory Purchase Act 2004 (the 2004 Act). I will work accordingly.
10. The Council has provided a schedule of proposed modifications to the Plan, along with suggested changes to the Plan's insert maps. (SD14a and SD14b). Those seek to address comments made at Reg 19 stage, particularly from statutory consultees. As those proposed modifications do not form part of the Plan before me, and have not been subject to consultation, I will not examine them.
11. I will however have regard to these as appropriate during the hearing sessions, where participants will have the opportunity to comment upon them. I will provide further advice on main modifications/additional modifications in my Guidance Note in due course.
12. The Council has submitted an Integrated Impact Assessment of the Plan (SD02a-SD02d). Have the proposed modifications been subject to Sustainability Appraisal Strategic Environmental Assessment, Health Impact Assessment and Equalities Impact Assessment in the same way?

The evidence base

13. The publication of a number of evidence base documents is awaited. These include further details on the outstanding issues with Natural England including an updated Statement of Common Ground and a Habitats Regulation Assessment Addendum. To ensure that the Examination hearings are as efficient as possible, any outstanding documents should be made available as soon as possible so that they are available to me in finalising my MIQs, and for representors in preparing their statements.
14. Please provide me with a list of such documents and the dates when you expect them to be ready for publication on the Examination website.

Hearing Sessions

15. At the appropriate time, hearings are likely to take place in a number of stages. The first stage hearings will deal with legal and procedural compliance, the spatial strategy and meeting the housing needs arising in the Plan area. The second stage would be likely to deal with more detailed policies, viability, and monitoring. At this stage, it appears likely that the

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majority of the hearing sessions could be conducted over a period of two weeks, with a few extra days in reserve days to allow for any over run.

16. In terms of timing, I intend to publish MIQs for each stage of the Examination hearings, giving a deadline for responses. Dependent on the progress of the Examination, taking account of my availability, and that of the Council, the first hearing sessions could take place mid April, with subsequent hearings taking place towards its end.
17. The Council should ensure that the start date for the hearing sessions is notified at least 6 weeks in advance of the sessions commencing.

Format of Hearings

18. At the appropriate time I will be circulating a draft hearings programme and Guidance Note with my MIQs. The Examination is based on the Matters and Issues and not driven by the representations. The Guidance Note will outline the nature of the hearing sessions.
19. Those who have sought modifications to the Plan and signalled a wish to be heard will be invited to the relevant hearing session(s). There is no formal presentation of evidence or cross-examination; the procedure is an inquisitorial process, with the Inspector asking questions based on the Matters and Issues identified for Examination. The Council and relevant representors will have the opportunity to provide responses to the identified Matters and Issues. There is no need for any legal representation, but lawyers are welcome as a member of a team.

Conclusion

20. Please publish this letter on the Examination website. Please respond to my questions via the Programme Officer by **5pm Friday 17 January 2025**. Following receipt of your responses to the above questions and as I make further progress with my preparation, I will be able to further advise you on how I consider that the Examination shall proceed.
21. I am not inviting further submissions from any other party at this stage and will set out in due course when representors may make further submissions. For the avoidance of doubt, other than that specifically requested by me, no further representations, evidence or other written material should be submitted to the examination by any party.

Yours sincerely

R Barrett

INSPECTOR

14 January 2025