

Town and Country Planning Act 1990 (As Amended)

Winchester Local Plan
Regulation 19 Consultation – August-October 2024

Representations on Behalf of:
Croudace Homes

October 2024



<u>Contents:</u>	<u>Page:</u>
1.0 Instructions and Introduction	2
2.0 Legal Compliance	3
3.0 Integrated Impact Assessment	8
4.0 Housing Need, Housing Requirement/Target and, 5- Year Housing Land Supply	10
5.0 Review of Plan Objectives and Policies	19
6.0 Site-Specific Representations in Relation to Land East of Highbridge Road	21
7.0 Areas Where Changes are Required for Plan to be Legally Compliant and Sound	28

Appendices:

Appendix 1 Location Plan for Croudace Homes' Promotion Site at Land East of Highbridge Road

Appendix 2 Vision Document, Neame Sutton Limited

1.0 Instructions and Introduction

1.1 Neame Sutton Limited, Chartered Town Planners, is instructed by Croudace Homes ("Croudace") to prepare and submit representations in relation to the Regulation 19 consultation version of the Winchester Local Plan ("the Plan") published in August 2024.

1.2 This document sets out Croudace's Representations on the Plan and deals with the following specific matters:

- Matters of Legal Compliance
- Consideration of the Housing Need and Housing Requirement within the Plan in the context of the Housing Supply identified by the Council; and,
- Consideration of some policy wording and;
- Site-specific representations in relation to Croudace's promotion site at Colden Common

1.3 The relevant sections of the Plan, including paragraph and policy references, are cited throughout these representations along with the soundness tests that it is considered the Plan fails to comply with.

1.4 These representations were informed with input Croudace's professional project team, which comprise Master Planners and Transport, Heritage, Landscape and Planning Consultants. A Vision Document also supports the site-specific representations made in this document and is attached in Appendix 2.

2.0 Legal Compliance

- 2.1 There are a number of Legal Compliance matters that the Council should address before it proceeds with the submission of a Local Plan for Examination. The Regulation 19 consultation stage is intended to comprise the version of the Plan that the Council considers to be Sound and in compliance with the various legal requirements.
- 2.2 Unlike matters of Soundness that can be addressed through modifications to the Plan any issues relating to Legal Compliance of the Plan cannot be addressed retrospectively.
- 2.3 It is therefore important that the Plan meets the Legal Compliance requirements before it proceeds to Examination.
- 2.4 Of particular importance in the case of Winchester City Council and its surrounding authorities is the Duty to Cooperate ("DtC"). Section 110 of the Localism Act 2011 introduces a new Section 33a into the Planning and Compulsory Purchase Act 2004, which requires the Local Planning Authority to cooperate with its neighbouring authorities and other bodies.
- 2.5 Sub-section (2) goes onto set out how the engagement should be undertaken by stating:

'In particular, the duty imposed on a person by subsection (1) requires the person—
(a). to engage constructively, actively and on an ongoing basis in any process by means of which activities within subsection (3) are undertaken, and
(b). to have regard to activities of a person within subsection (9) so far as they are relevant to activities within subsection (3).'

- 2.6 In order to find a plan Sound, having been prepared in accordance with legal and procedural requirements, the NPPF (2023) sets out 4 tests the plans must meet. These are set out in Paragraph 35 (NPPF, 2023) and copied below for ease.

“(a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs ¹⁹; 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;

(b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

(c) 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 ground; and

(d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant."

- 2.7 The first criteria (a) is that the plan is positively prepared, working with neighbouring areas to accommodate unmet need. Paragraph 24 of the NPPF sets out that Local Planning Authorities are under a duty to co-operate and should continue to work with those bodies throughout the plan making process and prepare and maintain Statements of Common Ground. The evidence of such continued working should be presented within the Local Plan evidence base. This is explored further below.

Duty to Cooperate

OBJECT – UNSOUND – Not positively prepared, justified, effective or consistent with national policy – NOT LEGALLY COMPLIANT

- 2.8 Winchester City Council ("WCC") has failed in its Duty to Cooperate.
- 2.9 A very high proportion all of the Council's evidence base for the Statements of Common Grounds (SoCGs) with neighbouring authorities and statutory bodies are dated August 2024. There is no evidence that the SoCGs have been prepared and maintained during the course of the plans production. This is in conflict with Paragraph 24 of the NPPF.
- 2.10 The August 2024 dated SoCGs are a retrospective action in recognition that the Plan would not be legally sound without such a document, however there is a disregard within the SoCGs and Duty to Cooperate Statement of Compliance (September 2024), that this collaborative working should have been undertaken since the Plan's review began in 2020, not in 2023, which appears to be the common date that WCC engaged with the required bodies and authorities. The Plan had already reached Regulation 18 stage by late 2022, and there is very little evidence sustained pro-active engagement on strategic matters was undertaken by the authority in the evidence base of this Regulation 19 Draft Plan. This has significant implications, particularly for housing delivery and accommodating the unmet need of neighbouring authorities.

Portsmouth City Council

- 2.11 Portsmouth CC is unable to plan for its housing need. It intends to submit its Plan with an unmet need of 3,577 homes.
- 2.12 WCC has not increased its housing requirement despite continued requests from Portsmouth City Council to accommodate more of its unmet needs.
- 2.13 The SoCG between Portsmouth City Council and Winchester City Council is a generic template used for other authorities by Winchester and fails to grapple and answer to the strategic matters that relate to both authorities.

Havant Borough Council

- 2.14 Havant BC has an unmet need of 4,309 dwellings.
- 2.15 WCC have not increased its housing requirement despite consistent requests from Havant Borough Council to accommodate more of their unmet needs.
- 2.16 The SoCG between Havant Borough Council and Winchester City Council does not indicate any pro-active or constructive solutions to the matters of unmet housing need, and housing land supply.

Partnership for South Hampshire

- 2.17 There has been no further engagement through the Duty to Cooperate or Statement of Common Ground process with the Partnership for South Hampshire. The current Statement of Common Ground is dated December 2023. This partnership includes authorities such as Portsmouth CC and Havant BC which are unable to meet their own housing needs, as detailed above. The unmet need in PfSH totals 11,771 dwellings, as set out in Table 1 of the PfSH and Winchester SoCG (Dec 2023). The SoCG between Winchester CC and the Partnership for South Hampshire pre-dates further correspondence from Havant BC and Portsmouth CC in 2024 about being unable to meet their housing needs.
- 2.18 The Partnership for South Hampshire, as a sub-regional group, will be strategically critical as the current draft NPPF becomes adopted National Policy, as expected in Q4 2024, with a revised Standard Method for the calculation of housing need, consulted upon with the draft NPPF (2024). The following increases in housing (per

annum) are currently being shown on the draft Outcome of the Revised Standard Method and is summarised in Table 1, below, for comparison.

Table 1. The Proposed Revised Standard Method, Draft NPPF (July 2024)

Authority	Current Housing Requirement PA	Outcome of the Proposed Revised Standard Method PA	Plan Production Stage (as of October 2024)
Winchester	676	1099	Regulation 19
East Hampshire	575	1074	Regulation 19
Havant	508	874	Regulation 18
Fareham	498	797	Plan adopted April 2023. No new plan in production
Portsmouth	897	1098	Submitted

- 2.19 Portsmouth, East Hampshire and Winchester have a proposed Revised Standard Method in excess of 200 dwellings difference to their current housing requirement and if those authorities are not required to reconsider their housing requirement during their plan's examination, those authorities are expected to be required to immediately review their plans and plan for more housing (Draft NPPF 2024). Havant and Fareham will be required to plan for their higher housing requirement immediately. The unmet need in the sub-region will grow exponentially as a result of the proposed standard method.
- 2.20 The 1,900 units proposed by the Council, for unmet need in neighbouring authorities, are not specific to the Southern Sub Area Housing Market Area of the Winchester District Local Plan, rather the number is applied to the plan area as a whole. It is therefore questionable whether the units marked as unmet need can be demonstrated to fall within the right housing market area to provide a meaningful contribution to supply in the area it is required. Housing delivery in the north of the plan area, for example, would fail to cater for the needs of authorities such as Portsmouth and Havant as Winchester City and North Sub Market areas, fall outside of the sub-regional SHMA.
- 2.21 Winchester CC has engaged with authorities through template SoCGs, with stock-answers regarding their provision of 1,900 dwellings units across the plan period assigned to the unmet need of neighbouring authorities. This figure pre-dates the late

engagement by Winchester in its SoCGs and legal duty to co-operate which is shown to start, in most cases, in 2023.

2.22 The Council has failed to re-consider and provide sufficient evidence that 1,900 dwellings is a reasonable and proportionate amount of units. Furthermore, it has failed to demonstrate that this figure complies with the legal framework to plan making and is in the spirit and alignment of National Policy, which seeks to significantly boost housing supply and for authorities to work together to provide for unmet need. This is discussed further in relation to housing need, housing requirement and supply in Section 4 of these representations.

2.23 As stated above, the Council has failed to collaborate consistently and meaningfully with other authorities, and also with prescribed bodies. The engagement with adjacent and sub-regional authorities, specifically, has been too late in the plan production process to have any impact on the outcome of the IIA, plan objectives, plan strategy or policy wording. Winchester City Council has failed to react to the changing positions of Councils it has engaged with, doing so with stock answers in template SoCGs. The strategy has not changed, despite a changing evidence base as set out in the Statement of Common Grounds. Based on this element alone, the plan is not legally sound, the Council has failed in its legal Duty to Cooperate.

3.0 Integrated Impact Assessment

- 3.1 Section 19 of the Planning and Compulsory Purchase Act 2004 requires a local planning authority to carry out a sustainability appraisal of each of the proposals in a plan during its preparation. More generally, section 39 of the Act requires that the authority preparing a plan must do so “with the objective of contributing to the achievement of sustainable development”. There is a separate requirement for spatial development strategies to be accompanied by a sustainability appraisal under Regulation 7 of both the Town and Country Planning (London Spatial Development Strategy) Regulations 2000 and the Combined Authorities (Spatial Development Strategy) Regulations 2018. It is another legal requirement of plan making.
- 3.2 Winchester CC has produced an Integrated Impact Assessment (IIA) which includes: a Sustainability Assessment (SA), a Strategic Environmental Assessment (SEA), a Habitats Regulation Assessment (HRA), a Health Impacts Assessment (HIA) and an Equalities Assessment (EqA). These assessments are necessary to ensure that the plan does not have adverse impacts on areas of interest.
- 3.3 Croudace supports the methodology of the IIA, and specifically SA elements, but raises significant concern to whether the SA element achieves sustainable development.
- 3.4 Sustainable Development is a broad term that describes development that meets the needs of the present without compromising the ability of future generations to meet their own needs (Our Common Future, Brundtland Report, 1987). It's based on three pillars: economic, environmental, and social, and policies in these areas need to work together to achieve it. The NPPF (2023) sets out in Paragraph 8, how the planning system should contribute to achieving sustainable development. A key element of the economic and social arms is the delivery of homes in the right places at the right time for the needs of the present and future generations.
- 3.5 The housing need of Winchester, including Affordable Housing, are set out below in section 4. This section concludes that Winchester has failed to plan for sufficient housing for its current and future residents. Croudace cannot agree that the IIA objective 6: Housing to a decent standard, encompassing 6.1 and 6.2 has been assessed correctly and that the plan would result in sustainable development in relation to housing supply and housing delivery during the plan period.

- 3.6 As noted further in paragraphs 5.7 – 5.9 below, there is a lack of policy that specifically details sustainable development. In fact, Sustainable Development is only written 13 times in the 578 pages of the draft Plan. It is not a term that is referenced in the Vision or Objectives of the Plan, the only reference to sustainable development in policy text is in Strategic Policy D5- Masterplans. It is unusual not to see sustainable development as a foundation or “at the heart” to decision making (Paragraph 10 of the NPPF), as set out in Section 2 of the NPPF.
- 3.7 The IIA has been appropriately consulted upon.
- 3.8 Croudace has no further comments on the Strategic Environmental Assessment (SEA), the Habitats Regulation Assessment (HRA), the Health Impacts Assessment (HIA) and the Equalities Assessment (EqA), however, as they come as a package under the IIA, it is an extension of Croudace’s concerns regarding the SA that they also object to these documents, considering them unsound.

4.0 Housing Need, Housing Requirement/Target and, 5-Year Housing Land Supply

Strategic Policy H1 – Housing Provision

OBJECT – UNSOUND – Not positively prepared, justified or consistent with national policy

- 4.1 The importance of significantly boosting the supply of housing nationally cannot be under estimated as a core Government objective running to the heart of the planning system. In fact the new Labour Government's recent consultation that ran between July – September 2024 on the proposed reforms to the planning system incorporated a series of measures designed to deliver this objective over the course of the parliamentary term.
- 4.2 This further reinforces the Government's commitment to the delivery of more housing to meet the needs of the country allied to achieving swift and sustained economic recovery as the country moves away from the aftermath of the global pandemic.
- 4.3 Set within this context the delivery of the right level of new housing across the District within the Plan is key to its Soundness, particularly in terms of planning positively, being consistent with national policy and being effective.
- 4.4 The Council's approach does not represent positive or proactive planning. By seeking to take advantage of the proposed transitional arrangements the Council is delaying the delivery of much needed new homes (both open market and affordable homes). The proposed changes to the Framework 2023 clearly confirm that in circumstances where a Council adopts a Local Plan with a housing requirement that is more than 200 dpa below the new Standard Method calculation of LHN (as is the intention of the Council here) then it will be required to undertake a review at the 'earliest opportunity'.
- 4.5 Not only is the Council seeking to delay the delivery of much needed new homes but it will also put itself to the significant time and cost of bringing forward two Local Plans back to back. That is not effective or efficient, positively prepared planning.

Setting the Housing Requirement for the Plan period (including choosing the correct Plan period):

- 4.6 Croudace considers that, in the context of the current Framework 2023, the LHN figure of 676 dpa comprises the right starting point for the Plan. This is the LHN based on the most up-to-date inputs to the current Standard Method.

- 4.7 This figure is however only the starting point and does not necessarily represent the housing requirement figure.
- 4.8 The PPG confirms that the Standard Method comprises the minimum starting point. There can be circumstances where the LHN should be set higher than that calculated via the Standard Method, which may include meeting unmet need arising from a neighbouring authority¹ or addressing a particular affordability issue.
- 4.9 In the case of Winchester CC, Croudace considers that there are three key reasons for why the Council should be planning for a higher figure than the minimum LHN calculated via the Standard Method:
- 4.10 **Reason 1 – The imminent arrival of the new Framework and Standard Method at the end of 2024:** As set out in the introductory comments for this section of the Representations the new Labour Government's proposed reforms to the planning system are due to be published in final form at the end of 2024. Part of the reforms comprise the new Standard Method calculation of LHN. For Winchester this would mean a significant uplift in the minimum LHN.
- 4.11 The Council has an opportunity now to plan proactively for the future of the District and to ensure that, at the very least, the minimum housing requirement set within this Plan is no more than 200 dpa below the new LHN of 1,099 dpa. That would enable the Council to adopt the Plan without the need to undertake an immediate review and thereby to provide certainty and stability for future development management decisions.
- 4.12 **Reason 2 – Worsening Affordable Housing Need:** The Council's Housing Topic Paper confirms that the current need (as at 2024) for affordable/social rented housing is 368 dpa, which is an increase of 25 dpa from when the last assessment was undertaken in 2020. Furthermore the need for affordable home ownership has increased to 142 dpa (up by 19 dpa)².
- 4.13 Contrary to the statement at Paragraph 3.20 of the Housing Topic Paper the above level of affordable housing need equates to 75.4% of the total minimum LHN of 676 dpa, which is substantial.

¹ Paragraph: 010 Reference ID: 2a-010-20201216 – Housing and Economic Needs section of PPG

² Paragraph 3.20 of the Housing Topic Paper July 2024 and the Strategic Housing Market Assessment (SHMA update 2024)

- 4.14 The Council has concluded that no adjustment should be made to its LHN to take account of the worsening affordable housing need. This conclusion appears to be based on an error in the approach it has taken to consider the proportion of affordable housing need relative to the LHN.
- 4.15 There is a clear and present need for affordable homes in Winchester District and the level of need identified in the SHMA update 2024 is significant and requires an adjustment to be made to the minimum LHN to help meet some of the shortfall.
- 4.16 **Reason 3 – Unmet Need and the Duty to Cooperate:** The Council's Housing Topic Paper confirms that there are unmet needs arising from a number of neighbouring authorities within the PfSH area in particular. The Council proposes to provide a total of 1,900 dwellings in addition to the minimum LHN in order to help meet these unmet needs.
- 4.17 It is clear that not all of the unmet needs are fully quantified within the PfSH area nor within the other areas immediately surrounding the District. This is due to a variety of factors including the position reached by neighbouring authorities in relation to the production of their own plans. That said, the Council does not appear to have interrogated these matters to determine whether and to what extent unmet needs could be identified at this stage and, in turn, catered for as part of the preparation of this Plan.
- 4.18 One point that is clear is the fact that 1,900 dwellings does not fully reflect the unmet need arising even as identified by the Council through its Topic Paper. For example, Portsmouth alone has an unmet need of 3,577 dwellings.
- 4.19 Whilst Croudace is supportive of the inclusion of 1,900 dwellings of unmet need this should be regarded as the absolute minimum and certainly not a figure that addresses all unmet need arising. It is also relevant to note that the position will be materially worse once the new Standard Method calculation of LHN is brought forward, which will substantially increase the LHN for a number of neighbouring authorities.
- 4.20 In simple terms the only way to address the above three points is to plan for more housing at a level above the LHN calculated using the current Standard Method.

- 4.21 The answer as to how much additional housing to plan for is one that the Council needs to explore particularly in the light of the unmet need situation.
- 4.22 Before setting out Croudace's view on the minimum housing requirement it is necessary to consider one further problem with the Council's approach.

The Correct Plan Period:

- 4.23 The Council states in its Topic Paper that the Plan period should remain with a starting date of 2020³ to allow for some of the Council's recent good performance in terms of housing completions to be taken into account, as there are no specific provisions in the Framework or PPG for past over-supply to be considered.
- 4.24 This approach is fundamentally flawed and does not reflect national policy set out in the Framework 2023 nor the PPG⁴.
- 4.25 In addition the Council is wrong in its suggestion that there are no specific provisions in the Framework or PPG. The current Standard Method calculation of LHN takes account of past delivery in the form of updates to the affordability ratio component of the calculation.
- 4.26 Table H1 of the draft Plan confirms this by showing that the Standard Method calculation of LHN has reduced in the last 3 monitoring years as a direct reflection of past over delivery.
- 4.27 The PPG is clear that the LHN should be updated to reflect the latest data where appropriate and that it is then fixed for a period of 2 years from the date of the submission of the Plan to the Planning Inspectorate for examination.
- 4.28 In this respect and given that the Standard Method calculation of LHN includes a provision (in the form of the affordability adjustment) to reflect past under-delivery (and by inference this would also take account of past over-delivery) there is no sound reason for the Council seeking to stick with a base date of 2020.

³ Paragraph 2.4 of the Housing Topic Paper refers

⁴ Housing and Economic Needs section of PPG - Paragraph: 008 Reference ID: 2a-008-20190220 Revision date: 20 02 2019

4.29 It is Croudace's firm view that the only sound approach to take is to rebase the Plan to 2024 taking account of the most recent Standard Method calculation of LHN and applying a 20 year plan period (as per the Council's proposal) through to 2044.

Croudace's View on the Minimum Housing Requirement:

4.30 Taking all of the above into account it is clear that the Council should plan for a higher figure than the minimum LHN.

4.31 Taking the minimum LHN of 676 dpa as the starting point there is a sound argument for increasing this to reflect the worsening affordable housing need in the District along with addressing the situation that will arise when the new Standard Method calculation of LHN comes into place at the end of 2024.

4.32 In addition to this the unmet need arising from surrounding authorities needs to be revisited because 1,900 dwellings proposed by the Council falls short of the actual need arising.

4.33 In Croudace's view the Housing Requirement should be set at the following level as a minimum:

	Dwellings (2024 – 2044)	dpa
Minimum LHN	13,520	676
Minimum Unmet Need Uplift	1,900	95
Sub-Total	15,420	771
Uplift to bring Housing Requirement within 200 dpa of proposed new Standard Method calculation of LHN	2,560	128
Total Minimum Housing Requirement	17,980	899

4.34 In addition the Plan period should be rebased to 2024 for a 20 year period up to 2044.

Housing Supply and Delivery:

4.35 Table H2 of the Plan sets out the Council's proposed housing provision to meet the housing need it has identified.

4.36 The supply sources comprise:

- Completions 2020 – 2023
- Outstanding planning permissions
- Other commitments (Previous Local Plans including SDNP)

- Additional allocations made in this Local Plan

4.37 As has already been identified above the Council's approach to the Plan period is incorrect and double counts the oversupply in the years 2020 – 2023.

4.38 With the correct application of the Standard Method calculation of LHN the Plan should be rebased to 2024, which would remove the double counting.

4.39 As a consequence the Council's supply position would not include completions and would instead comprise the following:

Winchester Housing Need (as per these Representations- Croudace's Position)		Winchester Housing Provision (as per Table H2 with removal of completions)	
Standard Method LHN (2024 – 2044)	13,520	Outstanding planning permissions	6,780
Minimum Unmet need uplift	1,900	Other Commitments (previous Local Plan incl SDNP)	745
Uplift needed to address new Standard Method and keep within 200 dpa	2,560	Windfall Development	1,895
		Additional Allocations in this Local Plan	2,875
Total Requirement	17,980	Total Supply	12,295

4.40 The outcome from the above exercise is that the Plan falls short of meeting its minimum requirement by **-5,686 dwellings** over the 20 year Plan period.

4.41 Even if the uplift to address the new Standard Method is removed from the requirement there remains a shortfall of **-3,125 dwellings** over the 20 year Plan period.

4.42 This demonstrates the extent of the impact of the Council's proposed approach that retains the base date of 2020 and effectively double counts over-provision.

4.43 It is also important to highlight that this level of under-provision must be viewed in the context of the Government's proposed new Standard Method that more accurately reflects the need in the District. It is therefore vital that this Plan seeks to deliver the correct level of new homes over the Plan period in order to avoid an exponential worsening of affordability.

Policy H2 – Housing Phasing and Supply

OBJECT

- 4.44 To compound the situation the Council is proposing a phased delivery or 'stepped trajectory' within the Plan in order to be able to maintain a rolling 5-year housing land supply.
- 4.45 Whilst a stepped trajectory can be a useful policy tool to address short-term housing delivery issues it is not usually required or indeed advised to be put in place where the housing supply sources identified by the Council are fully capable of meeting the minimum need identified.
- 4.46 Setting aside the concerns raised above in relation to the overall under-provision within the Plan it is clear from Appendix 5 of the Housing Topic Paper that a stepped trajectory is not required in this instance. The level of overprovision projected by the Council in the table at Appendix 5 clearly demonstrates that a flat trajectory would work (using the Council's figures) and therefore phasing is not required and does not represent a sound approach to plan making in Winchester.
- 4.47 Furthermore, the phasing approach proposed in Policy H2 would artificially restrict early delivery of suitable greenfield allocations, which would fly in the face of clear Government policy to significantly boost the supply of housing now. Set in the context of the proposed new Standard Method and the substantial uplift to the LHN that it generates the Council should be taking every opportunity to deliver as much housing early in the Plan period as possible rather than actively seeking to restrict the flow of delivery. That is neither effective or positive planning.
- 4.48 Policy H2 should therefore be deleted because it is unsound.
- 4.49 Whilst the Housing Topic Paper refers to the 5-year housing land supply position, it includes Appendix 4 and 5 that show a trajectory (in graphical form) and a rolling 5-year housing land supply calculation the base data for both assessments in terms of the site-by-site delivery expectations are not provided.
- 4.50 It is not therefore possible to interrogate the Council's housing delivery trajectory and rolling 5-year supply position to determine whether the approach it has taken is Sound and reflective of national policy. This is a major flaw in the evidence base and Croudace reserves the right to address this matter in further detail as and when the Council publishes the data.

4.51 At the present time it is clear that the Plan does not provide sufficient housing and that at least a further 3,125 dwellings must be planned for through the allocation of more sites.

4.52 It is possible that further allocations are required beyond this to address any deficiencies that may exist in the Council's housing trajectory and rolling 5-year housing land supply positions but that cannot be determined at the current point in time given the absence of the necessary data.

Colden Common specific comment

4.53 It is Croudace's firm opinion that the allocation CC1 should be removed from the plan and housing trajectory. It is a site carried forward from the previous Local Plan and is not available for delivery (48 units) due to the grant of permission for commercial development and an established caravan business remaining very much in business. There is no information available within the Local Plan evidence base that demonstrates to the Inspector that this site is likely to come forward in the next 5 years or even later into the plan period. Critically this is the only site that is required to come forward ahead of April 2030 due to the phasing element of Policy H2.

4.54 Croudace make site specific representation in relation to Colden Common site below and it is clear from the Housing Topic Paper (July 2024), that Croudace's site (CC03) has not progressed to allocation because the Parish Council decided that it preferred others and with no technical evidence base to support that decision, which the Council then accepted directly.

"The Parish Council carried out public consultation on the potential of the remaining six sites around Colden Common and subsequently submitted a shortlist of three sites – CC02, CC04 and CC15 for further consideration. Taking into account the views of the local community and that CC03 and CC03b are slightly more sensitive in terms of their landscape impact, it is considered that a draft allocation for the sites C002, CC04 and CC15 represent a reasonable basis on which to proceed. Additional site CC03c was submitted for consideration as part of the Regulation 18 consultation. CC03 is not considered to offer any particular benefits either in isolation or in consideration with CC03 and CC03b, that would lead to its promotion in preference to the approach adopted in the Reg 18 Draft Local Plan in respect of Colden Common." Development Strategy and Sites Proposed Submission 2024 Topic Paper.

- 4.55 It stands that the City Council considered that four sites put forward to the Parish Council were suitable for allocation (CC03, C002, CC04, CC15) and that it was local parish event that saw CC03 removed from those sites put forward to meet the Council's set figure of around 90 dwellings to Colden Common. If the figure was to be higher for Colden Common, which is Croudace's position, this site would be a reasonable and logical addition to the plan as an allocated site or an alternative to the Council's proposed allocation(s).

Strategic Policy H3- Spatial Housing Distribution

OBJECT

- 4.56 Croudace supports the concepts of spatial distribution and the hierarchy of settlements. It does not however agree with the Council's distribution of dwellings for Larger Rural Settlements as it is its opinion that it is quite evident those settlements are capable of delivering more than indicated in the table in Policy H3. These settlements are well serviced, with schools and a range of medical facilities, shops and community facilities. They are capable of supporting increased housing in a sustainable manner.
- 4.57 It is clearly evident that Winchester CC needs to find further housing sites and Larger Rural Settlements are capable of accommodating this growth, in particular Colden Common.
- 4.58 The Council needs to find additional sites to meet its housing needs and increasing the housing requirements for Colden Common as a sustainable settlement is a logical and reasonable method of doing so during the plan period.

5.0 Review of Plan Objectives and Policies

Strategic Policy SP1- Vision and Objectives

OBJECT

- 5.1 It is unusual that a policy in a plan should require development proposals to demonstrate how they contribute to and meet the vision and objectives of the plan. A vision leads to a plan objectives, which should then inform both the SA or IA, and then appear threaded and embedded into the very wording of policy. The vision and objectives are not on their own policies for the purpose of decision making. The onus should be placed on the Council in its review of the success and function of policies within the regular review periods (Annual Monitoring Statement, for example) to evaluate whether the objectives of the plan are being met and update and review policies as appropriate.
- 5.2 It is of concern that the Council considers the vision and objectives of the plan to hold policy weight and that this policy will be monitored by the number of planning applications that are refused permission that do not meet the vision and objectives of the plan. Plans should be pro-development, pro-growth, pro-sustainable development and it seems contradictory to Government Policy that this policy should be measured by the number of refusals and appeals.
- 5.3 It is Croudace's opinion that this policy should be removed from the Plan.

Strategic Policy SP2- Spatial Strategy and Development Principles

OBJECT

- 5.4 This Policy is referenced elsewhere in the plan as the "sustainable development strategy" (paragraphs 9.26 and 14.4). It is unusual not to see sustainable development as a foundation or "at the heart" to decision making (Paragraph 10 of the NPPF), as set out in Section 2 of the NPPF. The first and only mention of sustainable development in Policy is in Strategic Policy D5 - Masterplans.
- 5.5 In fact, Sustainable Development is only written 13 times in 578 pages. It is not a term that is referenced in the Vision or Objectives of the Plan. This policy is titled, "Spatial Strategy and Development Principles" and sets the broad principles for development in this district. Sustainable development is not explicitly written in the supporting policy

text or within the policy itself. It begs the question whether the Council hold delivering Sustainable Development at the core of the plan.

- 5.6 It is recommended that the Council amends the policy wording to explicitly state that the Council is committed to delivering sustainable development.
- 5.7 Croudace supports the principles set out in SP2 however it does not agree that the Council has planned for sufficient housing for its own needs and those of adjoining councils with unmet need. Not does it provide sufficient housing for the growing housing need nor does it provide a sufficient number of homes to deliver the requirement of affordable housing which currently is published to stand at 1,579 households. The policy does not have Sustainable Development at its core and requires revision.

Policy NE8- South Downs National Park

OBJECT- Reword policy

- 5.8 This policy is of concern for Croudace. Winchester CC, in this policy, fails to recognise that just because a site is in close proximity (undefined distance) that it contributes to the setting of the protected landscape.
- 5.9 It is recommended that the policy wording is more akin to the following (Horsham District Council proposed policy Strategic Policy 16: Protected Landscapes Submission Version):

Proposals within land that contributes to the setting of the South Downs National Park should be consistent with National Park purposes and have regard to the South Downs Local Plan, the South Downs Integrated Landscape Character Assessment, the South Downs Partnership Management Plan and any other relevant document and updates. In particular, proposals should not cause harm to the special qualities (including dark skies), local distinctiveness or sense of place, by negatively affecting views into and out of the National Park. Proposals will be required to set out any proposed mitigation or compensation measures needed to address any harm.

- 5.10 It is felt that the current policy wording is not appropriate or specific. The above suggested policy wording recognises that not all land will contribute to the setting of the SDNP. Croudace object to the current wording of the policy.

6.0 Site-Specific Representations in Relation to Land East of Highbridge Road, Colden Common, Winchester.

- 6.1 Land East of Highbridge Road (SHELLA Reference: CCO3) has not been allocated in the Winchester Local Plan. It is a sustainably located site in the envelope of the existing settlement of Colden Common and close to all the village's main services and facilities.
- 6.2 It is a site that was not selected by the Parish Council when the City Council asked it to narrow the outcome of the SHELLA, which produced 11 sites. There is no technical reason as to why this site was rejected and was chosen through local preference alone. The site is comparable in the IIA outcomes to proposed allocated sites.
- 6.3 The Development Strategy and Site Selection 2024 Topic Paper includes the email response from the Colden Common Parish Council which confirms that there is no technical reason, rather a deemed landscape sensitivity.

“Taking into account the views of the local community and that CC03 and CC03b are slightly more sensitive in terms of their landscape impact, it is considered that a draft allocation for the sites C002, CC04 and CC15 represent a reasonable basis on which to proceed.

The Parish Council conducted an initial site sieve of the Sheela sites which left 6 sites to be considered further. From those 6 sites, 3 were preferred CC02, CC04 and CC15. CC05, CC03 and CC03b were the least preferred of the 6. “ (Para 3.65, the Development Strategy and Site Selection 2024 Topic Paper)

- 6.4 This is rather a disappointing conclusion for the site given that comments on the Colden Common Main Road proposed allocation, is equally sited in close proximity to the SDNP which is discussed in the Table at Paragraph 6.34 of the Development Strategy and Site Selection 2024 Topic Paper. The Vision Document that accompanies these Representations includes a detailed services and facilities plan that identifies the proximity of Croudace's promotion site to a wide range of key services and facilities in Colden Common.

Land at Main Road (Reference CCO4): “The site is opposite Colden Common Recreation Ground and associated facilities and is accessible from the main area of facilities in the centre of the settlement. The site is sensitively located at the entrance

to Colden Common and against the backdrop of the SDNP. The scale of development and its location on the site will need to minimise the landscape impact.” (Table within Paragraph 6.34, Development Strategy and Site Selection Topic Paper 2024)

- 6.5 Winchester CC is facing a significant increase in housing need so for the reasons stated in Section 4 of this representation, it is clear that further housing is required for this plan to be sound. The site at Land East of Highbridge Road, Colden Common, represents a reasonable, logical, sustainable site to be allocated to provide additional housing in the context of the Plan's immediate review, the site should be allocated in this plan.
- 6.6 Noting the Parish Council's concerns about landscape, Croudace has instructed a Landscape Consultant to provide advice and contribute to the indicative masterplan and Vision Document that accompanies this Representation.
- 6.7 The detailed appraisal of Croudace's site confirms that it does comprise a suitable and sustainable location for accommodating housing (a conclusion the Council's SHELAA does not necessarily disagree with) and that the technical concerns raised by the Council can be appropriately addressed through a sensitive residential development proposal.
- 6.8 Furthermore the technical appraisal work has determined that a number of material planning benefits can be delivered for the local community alongside additional housing, as summarised below.

Planning Benefit 1 - Public Open Space

- 6.9 Delivery of significant onsite, publicly accessible, open space will serve both existing residents and those occupying the new dwellings. Circular walks on the mown and made paths would be achievable, allowing movement across the entirety of the site.

Planning Benefit 2 - Community building

- 6.10 The Colden Common Community Centre is well used and there is little availability in the current schedules for new youth, sport or community groups. An additional community building within the setting of a large amount open space would be a significant public benefit.

Planning Benefit 3 – Additional parking

- 6.11 The new community building include car parking which could also be used for Colden Common Primary School and the allotment holders. This would be located next to these new facilities in close proximity to the existing school and shop.

Planning Benefit 4 - Safe pedestrian connections

- 6.12 The footpath on Spring Lane currently terminates just short of the access to Sunningdale Mobile Home Park. There is no footpath on Highbridge Road from Spring Lane south to Brambridge, where there is a short footpath connection which terminates across from Kiln Lane. Pedestrians are forced to walk in the highway if they want to take the shortest route to Spring Lane. The Public Right of Way which goes through the site on its southern boundary is uneven.

- 6.13 This proposal would provide:
- Public Right of Way enhancement
 - Mown footpaths in the southern part of the site, connecting to hard surfaced footpaths in the northern part of the site and onto Spring Lane
 - Footpath connection from the existing formalised pedestrian walkway on Highbridge Road to the Public Right of Way in the site.
 - Dedicated pedestrian access on Spring Lane

Planning Benefit 5 - Allotments

- 6.14 This site is able to deliver allotments, which is important as there is a shortage in the village and a waiting list.
- 6.15 The above benefits are in addition to the usual planning benefits derived from a new residential development in terms of housing and affordable housing provision, economic, social and environmental benefits that would also be delivered.
- 6.16 The Promotion Site, Land East of Highbridge Road is available for allocation and delivery in the first 5 years of the plan period. The scheme of circa 80 no. dwellings could easily be delivered within the current 5-year period with the only impediment to construction being the grant of an implementable planning permission.

6.17 Further planning matters are considered below:

Access:

6.18 The access strategy and accompanying plans prepared by i-Transport confirms that suitable vehicular and pedestrian accesses can be achieved to the site from Spring Lane and also Upper Moors Road (to the community building, allotments and parking only) without detriment to the local highway network. Access is therefore not a constraint to the development of the site.

Drainage and Flood risk:

6.19 The site is in Flood Zone 1, and at the lowest risk of flooding. There is so some minor historic surface water flooding. Through a SuDS scheme that includes the long term management of any proposed drainage strategies, would manage not only the proposed development's surface water flow in the context of climate change but could also result in betterment of areas of localised surface water flooding existing on the site. Flood risk is therefore not a constraint to development of the site.

Historic Environment:

6.20 The heritage assessment undertaken by Pegasus confirms that the setting of Brambridge House can be appropriately preserved via a sensitively designed residential scheme that would meets the Statutory requirements for development within the setting of Listed Buildings.

6.21 Heritage Assets and the Historic Environment are therefore not a constraint to development of the site.

Landscape:

6.22 The Parish Council have raised concern regarding the landscape sensitivity of the site, as the site is in close proximity to the South Downs National Park boundary. This however does not appear to be a reason the City Council has set out themselves nor is it indicated in the IIA. Croudace has, however, taken a thorough approach to the evidence base supporting the site's promotion and resulting Vision Document and indicative masterplan with advice from an experienced landscape consultant.

6.23 Landscape opportunities include:

- The western boundary of the Site to Highbridge Road has the potential to be further strengthened with new planting, adjacent to the National Park;
- Enhancement of the recreational experience within the southern field by facilitating public access, adopting species rich meadow planting to improve biodiversity and amenity, whilst also accommodating appropriate low key community facilities.
- Active management could enhance the long term potential of veteran hedgerow trees, a number of which are covered by Tree Preservation Orders.

6.24 The allocation of the Promotion Site would also be entirely consistent with the Council's chosen Development Strategy as set out in the Development Strategy and Site Allocations Topic Paper (July 2024) and Strategic Policies 1 and 2 of the Plan. The Sites scores comparably with other proposed allocations in Colden Common.

6.25 With sensitive masterplanning, landscape is not a constraint to development of the site.

Overall site conclusions:

6.26 Land East of Highbridge Road is a logical site for development, and for allocation in the Winchester District Local Plan. It is site that is available for development and if developed would deliver significant planning benefits to the community, alongside delivering much needed housing.

6.27 The masterplan has been design led with significant input from the start from heritage and landscape specialists in order to develop a scheme that respects the character, appearance and history of the site's context.

6.28 There are no known technical constraints to development that cannot be satisfactorily/sensitively mitigated. Further surveys are required, but these are only required to provide sufficient confidence to Planning Officers at any future application stage.

6.29 The site has previously scored very well in the IIA, and comparable with other allocated sites in the plan in Colden Common on IIA outcomes. It has not been allocated because of the Parish Council's perceived, and untested, conclusions

regarding landscape sensitivities. The Parish Council did also not consider the sustainability of the site. The table below demonstrates the sites sustainability, with excellent access to local services, including education, retail and healthcare. The distances shaded yellow indicate a distance that is greater than from Land East of Highbridge Road. This site is the most sustainably located site when compared against the proposed allocations.

Type of Facility	Location	Distance from Proposed Site Centre	Land Adjoining 85 Church Lane	Clayfield Park	Colden Common Farm	Land at Main Road
Employment	Wessex Park Employment	1,430	847	780	705	1,238
	Highbridge Estate	903	1,347	1,880	2,055	2,038
Education	Colden Common Primary School	166	697	930	1,155	1,038
	Kingfishers Colden Common Preschool	310	847	880	1,155	1,038
	Rainbow Preschool	495	1,147	480	705	688
Retail	The Co-operative	310	847	880	1,155	1,038
	Mayflower Takeaway	310	847	880	1,155	1,038
	Post Office	310	847	880	1,155	1,038
	Bambridge Shops	523	597	1,480	1,755	1,638
Leisure	KMA Sports Academy	330	897	930	1,155	1,038
	Rising Sun	545	1,147	430	655	688
	Skate Park	370	897	930	1,155	1,038
	Central Park Playground	430	997	980	1,155	1,138
	Allotments	550	1,247	580	805	838
	Colden Common Play Area	995	1,647	430	655	178
	Colden Common Recreation Ground	995	1,647	430	655	198
	Wessex Park	1,330	897	630	605	1,038
Healthcare	Colden Common Surgery	365	997	630	855	838
	Colden Chemist	695	1,347	300	505	538
	Colden Common Dental Care	895	1,547	380	605	198
Transport	Bus Stop	260	227	230	455	198

6.30 Given the need for further planned housing, based on the representations made in section 4 above, this site represents a logical and deliverable site for Winchester CC to allocate through the main modifications process.

7.0 Areas Where Changes are Required for Plan to be Legally Compliant and Sound

7.1 In order for the Plan to be found Sound and Legally Compliant there are a number of changes required:

7.1.1 **Change 1 – Legal Compliance:** The Council must revisit the DtC specifically (but not only) in relation to Havant and Portsmouth and explore the opportunity for meeting at least some of the unmet need arising within the Plan.

7.1.2 **Change 2 - Soundness:** There is a need to revisit the minimum housing requirement in the Plan in line with the evidence base and in particular dealing with unmet need and the worsening affordability in the District.

7.1.3 **Change 3 - Soundness:** The Council must revisit its housing delivery strategy and address the clear shortfall in supply across the whole Plan period and particularly within the first 5-years through the allocation of more sites that are ready and able to deliver in the early part of the Plan period.

7.1.4 **Change 4 – Soundness:** The Council must revisit the Plan Period to correctly base the plan to 2024 and covering a 20 year Plan period up to 2044. This will ensure the approach to the calculation of the housing requirement correctly reflects the NPPF and also avoids double counting past over-supply.

7.1.5 **Change 5- Soundness:** The Council is required to review and amend the policies in relation to the representations made in Section 5.

7.1.6 **Change 6 – Soundness:** Croudace's Promotion Site should be allocated for approximately 80 no. dwellings capable of delivery in the first 5-years of the Plan period alongside a package of community planning benefits.

7.2 Croudace wishes to take an active part in the Plan's Examination to progress the matters raised in these Representations in the context of the issues raised by the Inspector in due course. In the meantime Croudace would welcome the opportunity to discuss its Promotion Site with the Council.