

Town and Country Planning Act 1990 (As Amended)

Winchester Local Plan
Regulation 19 Consultation – August-October 2024

Representations on Behalf of:
Harding Holding Limited

8 October 2024



<u>Contents:</u>	<u>Page:</u>
1.0 Instructions and Introduction	2
2.0 Legal Compliance	3
3.0 Intergrated Impact Assessment	7
4.0 Housing Need, Housing Requirement/Target and, Supply	7
5.0 Review of Plan Objectives and Policies	18
6.0 Site-Specific Representations in Relation to Land West of Botley Road, Thickets Farm	21
7.0 Areas Where Changes are Required for Plan to be Legally Compliant and Sound	26

Appendices:

Appendix 1 Plans pack for Harding Holding Limited Promotion Site at Thickets Farm.

1.0 Instructions and Introduction

- 1.1 Neame Sutton Limited, Chartered Town Planners, is instructed by Harding Holding Limited ("Harding Holding") 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 Harding Holding's Representations on the Plan and deals with the following specific matters:
- Matters of Legal Compliance
 - Consideration of the correct Housing Need and Housing Requirement within the Plan in the context of the Housing Supply identified by the Council; and,
 - Site-specific representations in relation to Harding Holding's promotion site at Thickets Farm,
- 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 are supported by a plans pack in Appendix 1.

2.0 Legal Compliance

- 2.1 There are a number of Legal Compliance matters that the Council must address if it intends to proceed 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 of vital importance to the Council that the Plan meets the Legal Compliance requirements before it proceeds.
- 2.4 Of particular importance in the case of Winchester District 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) are 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 one of more 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 Councils evidence base for the Statements of Common Grounds (SoCG's) with neighbouring authorities and statutory bodies are dated August 2024. There is no evidence that the SoCG's 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 SoCG's are a retrospective action in recognition that the plan would not be legally sound without such a document, however there is a complete disregard within the SoCG's and Duty to Cooperate Statement of Compliance (September 2024), that this collaborative working should have been undertaken since the plans review began in 2020, not in 2023, which appears to be the common date that Winchester reached out to the required bodies and authorities. This is too late. The plan had already reached Regulation 18 stage by late 2022, and there is very little evidence of 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 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 have not increased their housing requirement despite continued requests from Portsmouth City Council to accommodate more of their 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 also has an unmet need of 4,309 dwellings.
- 2.15 WBC have not increased their 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 Southern Hampshire

- 2.17 There has been no further engagement through the Duty to Cooperate or Statement of Common Ground process with the Partnership for Southern Hampshire. The current Statement of Common Ground is dated 2023. This partnership includes authorities such as Portsmouth and Havant which are unable to meet their own housing needs, as detailed above. The SoCG between Winchester and the Partnership for Southern Hampshire pre-dates further correspondence from Havant and Portsmouth in 2023 and 2024 about being unable to meet their housing needs.
- 2.18 The Partnership of South Hampshire, as a sub-regional group, will be strategically critical as the current draft NPPF is made 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 (2023). 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
Chichester	760	1206	Submitted

- 2.19 Chichester, 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 plan 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 1900 units, 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 the City and North Submarket areas, fall outside of the sub-regional SHMA.
- 2.21 In Winchester's haste to submit the draft Plan ahead of a new NPPF, they have steamrolled through pro-active engagement with neighbouring authorities which face strategic issues and matters of legal soundness due to unmet economic and housing needs.

- 2.22 Winchester have engaged with authorities through template SoCG's, with stock-answers regarding their provision of 1900 dwellings units across the plan period assigned to the unmet need of neighbouring authorities. This figure pre-dates the late engagement by Winchester in their SoCG's and legal duty to co-operate which is shown to start, in most cases, in 2023.
- 2.23 The Council has failed to re-consider and provide sufficient evidence that 1900 dwellings is still a reasonable and proportionate number of units. Furthermore, they have failed to demonstrate that this figure complies with the legal framework to plan to make 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.
- 2.24 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 Council has failed to react to the changing positions of Councils they have engaged with, doing so with stock answers in template SoCG's. 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 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 has produced an Integrated Impact Assessment which includes 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 Harding Holding 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 those waiting on the Winchester Housing Register are set out below in section 4. This section concludes that Winchester has failed to plan for sufficient housing for its current and future communities. Harding Holding 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 Harding Holding 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 Harding Holding's concerns regarding the SA that they also object to these documents, considering them unsound.

4.0 Housing Need, Housing Requirement/Target and, 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 underestimated 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 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 It is therefore of serious concern that WCC has chosen to rush the publication of its Regulation 19 consultation with the express intention of trying to avoid the impact of the Government's proposed changes to the Framework 2023. This express intention was explicitly set out by Officers and endorsed by Members of the Council, at their meeting on 28 August 2024.
- 4.5 The Council approach is deliberately intended to 'kick the can down the road' in terms of meeting its full and up-to-date calculation of Local Housing Need ("LHN"), which when calculated via the Government's proposed changes to the Standard Method would lead to an increase from 676 dpa to 1,099 dpa (an uplift of 423 dpa or 62.6%).
- 4.6 This is a massive uplift that is directly reflective of the significant and, currently unmet, need in Winchester District.

- 4.7 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'.
- 4.8 Not only is the Council seeking to delay the delivery of much needed new homes, but it will also put itself to the time and cost of bringing forward two Local Plans back-to-back. That is not effective or efficient planning.

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

- 4.9 Harding Holding 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.
- 4.10 This figure is however only the starting point and does not necessarily represent the housing requirement figure.
- 4.11 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.
- 4.12 In the case of Winchester District, Harding Holding 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:
- 4.13 **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.

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

- 4.14 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.
- 4.15 **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.
- 4.16 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.
- 4.17 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.
- 4.18 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.
- 4.19 **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.
- 4.20 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

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

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.

- 4.21 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.
- 4.22 Whilst Harding Holding 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.
- 4.23 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.
- 4.24 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.
- 4.25 Before setting out Harding Holding's view on the minimum housing requirement it is necessary to consider one further problem with the Council's approach.

The Correct Plan Period:

- 4.26 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.
- 4.27 This approach is fundamentally flawed and does not reflect national policy set out in the Framework 2023 nor the PPG4.

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

- 4.28 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.
- 4.29 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.
- 4.30 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.
- 4.31 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.
- 4.32 It is Harding Holding'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 through to 2044.

[Harding Holding's View on the Minimum Housing Requirement:](#)

- 4.33 Taking all of the above into account it is clear that the Council must plan for a higher figure than the minimum LHN.
- 4.34 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.
- 4.35 In addition to this the unmet need arising from surrounding authorities needs to be revisited because 1,900 dwellings proposed by the Council is nowhere near the actual need arising.
- 4.36 In harding Holding'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

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

Housing Supply and Delivery:

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

4.39 The supply sources comprise:

- Completions 2020 – 2023
- Outstanding planning permissions
- Other commitments (Previous Local Plans including SDNP)
- Additional allocations made in this Local Plan

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

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

4.42 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)		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
Total Requirement	17,980	Additional Allocations in this Local Plan	2,875
		Total Supply	12,295

- 4.43 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.
- 4.44 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.
- 4.45 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.
- 4.46 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

- 4.47 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.
- 4.48 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.

- 4.49 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.
- 4.50 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 nor positive planning.
- 4.51 Policy H2 should therefore be deleted because it is unsound.
- 4.52 Whilst the Housing Topic Paper refers to the 5-year housing land supply position and 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.
- 4.53 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 Harding Holding reserves the right to address this matter in further detail as and when the Council publishes the data.
- 4.54 At the present point in 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.
- 4.55 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.

Strategic Policy H3- Spatial Housing Distribution

OBJECT

- 4.56 Harding Holding supports and agrees with the spatial distribution of housing and in turn the hierarchy of settlements. Bishops Waltham is a Market Town, along with New Alresford. Market Towns are highly sustainable settlements, with a number of shops and services and serving populations in the area rather than just the settlement itself. It is Harding Holding's opinion that Bishop's Waltham is capable of delivering more than the current allocated 100 units at Land North of Rareridge Lane.
- 4.57 It is clearly evident that Winchester needs to find further housing sites and Market Towns are capable of accommodating this growth, in particular Bishop's Waltham.
- 4.58 The Council face needing to find additional sites to meet their plan housing needs and increasing the housing requirements for Bishop's Waltham as a sustainable settlement, high in the settlement hierarchy. is a logical and reasonable method of increasing housing supply during the plan period.

Policy H4- Development within Settlement Boundaries

OBJECT

- 4.59 Harding Holdings cannot agree with this policy wording. Bishops Waltham is expected to deliver 99 dwellings through windfall permissions during the plan period. The Bishops Waltham settlement boundary has been extended to include the allocations within the Town, but these are drawn tightly around these allocations and existing development leaving no additional land within the settlement boundary for new housing. It is quite clear that there is very limited capacity within the confines of the existing settlement boundary, given that the allocations site on the outer edges and therefore it is not clear where the windfall dwellings are able to be located. There is no capacity study for Bishops Waltham to demonstrate how these dwellings could be located.
- 4.60 This policy should be supported by evidence that demonstrates Bishops Waltham is able to provide its windfall development. If the Council is unable to demonstrate that there is sufficient capacity, the settlement boundary should be extended to accommodate further allocations/ residential growth.

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 IIA, 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 their 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 consider 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 of Government Policy that this policy should be measured by the number of refusals and appeals.
- 5.3 It is Harding Holding's firm opinion that this policy should be removed from the Plan.

Strategic Policy SP2- spatial Strategy and Development Principles

OBJECT

- 5.4 There is no Sustainable Development Policy within the plan. This is not the Sustainable Development Policy despite being referred to as such within the plan. This policy is titled, "Spatial Strategy and Development Principles" and sets the broad principles for development in this district.
- 5.5 It is recommended that the Council amend the policy wording to explicitly state that the Council is committed to delivering sustainable development.
- 5.6 Harding Holding supports the principles set out in SP2 however it does not agree that the Council has planned for sufficient housing for their own needs and those of adjoining districts and boroughs 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 heart or core.

CN1- Mitigating and Adapting to Climate Change

SUPPORT

- 5.7 Harding Holding supports the principles and specific criteria set out in this policy to avoid, minimise and mitigate developments carbon consumption and ultimately their environmental footprint. The Policy provides flexibility for further statutory requirements in relation to climate change, such a change in building control legislation.

Policy NE4- Green and Blue Infrastructure

SUPPORT

- 5.8 This is a positive policy that sees the maintenance, protection and enhancement of the existing green infrastructure network. This policy recognises the environmental, social and economic value of green infrastructure.
- 5.9 The policy states that financial contributions for off-site GI enhancement could be possible if required but the evidence base is void of information about how this would work. The evidence base requires strengthening with further information on this point.

Policy NE5- Biodiversity

COMMENT

- 5.10 It is National Legislation that development is required to deliver 10% Biodiversity Net Gain. The development sector is working with Councils and landowners to make this come to fruition and land needed for biodiversity is often secured and safeguarded via condition or S106. It is unusual to see the explicit reference to national legislation in Development Management Policies and is generally avoided. Reference to National Legislation could appear in supporting text and within definitions but it is inappropriate to have explicit reference to it within policy text.
- 5.11 Furthermore, this policy should provide further clarification around any off-sit delivery of BNG.

Policy NE7- Settlements Gaps

SUPPORT

- 5.12 Harding Holdings supports the Settlement Gaps policy. The Policy maps does show these gaps, but there is no mention of this with the supporting text or policy wording. The Bishops Waltham settlement gap is fairly extensive, and it would be beneficial for readers of the plan to be directed to an inset plan or the interactive policies map.

Strategic Policy E1- Vibrant Economy

SUPPORT

- 5.13 Harding Holding supports the aims and ambitions of WCC in their support of economic development and diversification. The policy recognises the importance of economic growth for the city and district

Strategic Policy E3- Town Centres Strategy and Hierarchy

SUPPORT

- 5.14 Harding Holding agrees with the wording of this policy and that Bishop's Waltham is considered a District Centre. Bishop's Waltham has a number of services and independent retail outlets. It does however raise concern about there is still an outward migration for many staple supplies. There is only one single small supermarket within Bishop's Waltham that also supports outlying villages and hamlets. The next closest supermarkets are in Eastleigh, Hedge End and Whiteley.

Policy E8- Local Shops, Services and Facilities

SUPPORT

- 5.15 Harding Holding supports Winchesters approach to new development within the Countryside where there is an identified need (criterion i) and that there are no other suitable alternatives. This is a pragmatic approach to supporting the local economy where the principal shopping areas are heavily constrained and the modern need for retail and services requires a different approach, including sufficient dedicated car parking, and HGV access for re-supply.

6.0 Site-Specific Representations in Relation to Land at Thickets Farm, Botley Road, Bishop Waltham, East Hampshire.

- 6.1 Harding Holding Limited own a site east of Botley Road, abutting the town centre. It is currently used as pastureland and the farm buildings lay redundant. The land is currently unmanaged.
- 6.2 Harding Holding are owners of the land show wish to promote the site Land West of Botley Road/ Thickets Farm, for residential development of upto 100 units, for business uses within the converted redundant farm buildings, and for supermarket retail use. This promotion site is capable of delivering retail uses within walking distance of the town centre, in highly sustainable location. The development of the site for the proposed uses would result in planning benefits beyond that which would normally be required of a planning application.

Planning Benefit 1 - Retention of shoppers in Bishops Waltham/ increased local spending

- 6.3 A new supermarket in Bishops Waltham would allow the retention of business within the town and prevent both the flow of people and their money to places outside the district or in a car to larger shopping areas.
- 6.4 Bishop's Waltham has a very limited retail offer for grocery consumption, there is one single small supermarket, Sainsburys, in the town, but Harding Holdings research (available on request) demonstrates a large migration of local spending, well outside the 20minute neighbourhood but also into adjacent districts.
- 6.5 Grocery retail development would support WCC's ambitions for 20minute neighbourhoods, alongside other business uses.

Planning Benefit 2- Safe pedestrian connections

- 6.6 Botley Road has no footpath beyond Bishops Lane and there is insufficient land within the highway to provide one. The site will provide a connection from Bishops Lane and also connect with other footpaths adjacent to the site including a PROW. This would include providing a safe cycle access to the site.

Planning Benefit 3- Re-use of Redundant buildings

6.7 Thickets Farm includes farm barns and stores, all of which are redundant. The re-use of these buildings for commercial uses would involve development on brownfield land and reduce the need for the Council to allocated green field sites.

6.8 Further planning matters are considered below:

Access:

6.9 The access strategy and accompanying plans prepared by Paul Basham Associates (see Appendix 1) confirms that a suitable vehicular and pedestrian accesses can be achieved to the site from Bishop's Lane and Botley Road without detriment to the local highway network. Access is not a constraint to the development of the site for retail and residential purposes.

Drainage and Flood risk:

6.10 Harding Holdings land holding contains all three flood zones due to the presence of the start of the River Hamble moving through the site. However, areas of proposed development, which are capable of allocation in the plan lie in Flood Zone 1, the, and at the lowest risk of flooding and most suitable for vulnerable uses. There is no record of surface water flooding in the areas of proposed development. Through a SuDS scheme that includes the long-term management of any proposed drainage strategies, would manage not only the proposed developments surface water flow in the context of climate change.

6.11 Flood risk is not a constraint to development of the site for residential purposes.

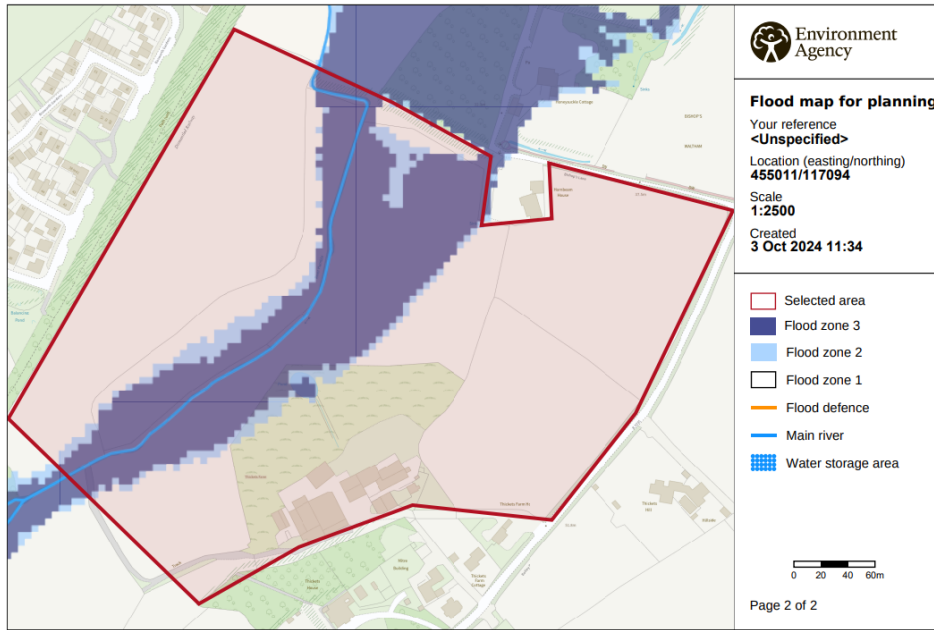


Figure 1. The Flood Map for Planning, The Environment Agency.

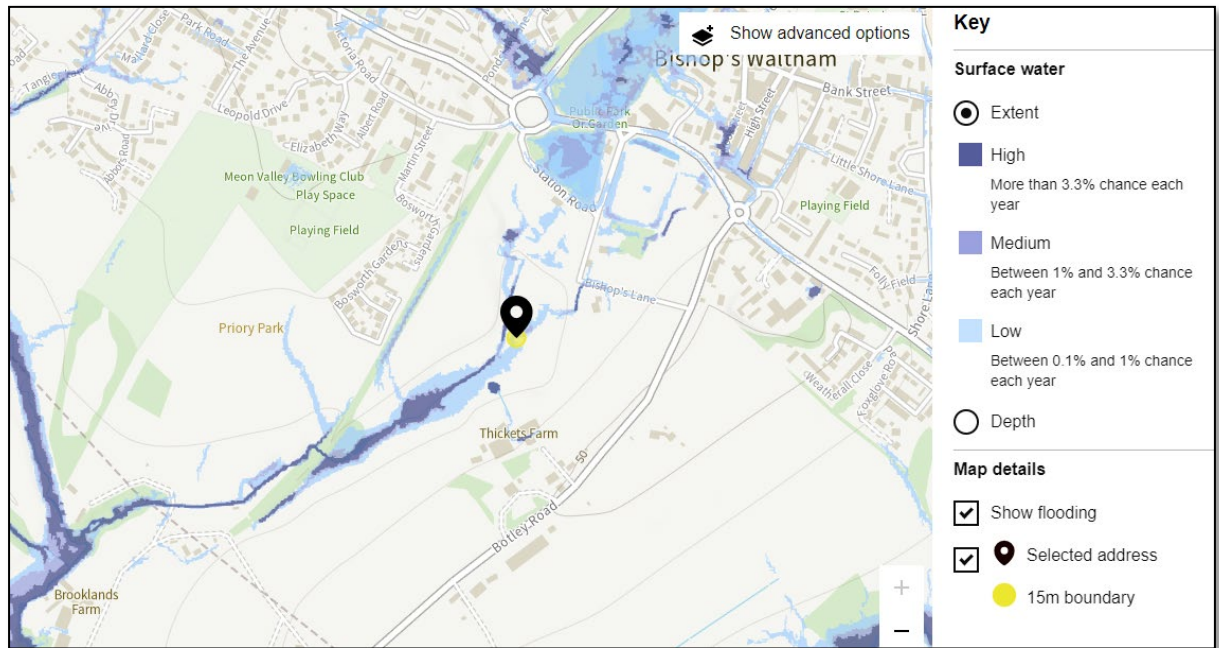


Figure 2. The Surface Water Flood Map for Planning, Environment Agency online, accessed September 2024.

Historic Environment:

6.12 The site is directly south of the Scheduled Ancient Monument- Bishops Palace.

- 6.13 The heritage assessment undertaken by Cotswold Archaeology confirms that the setting of nearby Heritage Assets, including Bishops Palace can be appropriately preserved via a sensitively designed scheme such that, at the application stage, meets the Statutory requirements set out in the Planning (Listed Building and Conservation Areas) Act 1990 (As Amended) along with the policy requirements set out in Paragraphs 184 – 202 of the Framework 2023.
- 6.14 It is not expected that any archaeology finds of significance would be found beneath the site, but a consult of the HER and full Desk Based Assessment would be undertaken prior to the submission of a planning application. Further detailed information can be provided on request.
- 6.15 Heritage Assets are not therefore a constraint to development of the site for residential purposes.

Landscape:

- 6.16 The site is not within an area of designation in relation to landscape, although the site is acknowledged to contribute to the setting of Bishops Waltham as a key entry point into the village. Harding Holding's have, however, taken a thorough approach to the evidence base supporting the sites promotion and have taken the advice of a landscape consultant. The landscape consultant agrees that there are opportunities on the site for a sensitively designed scheme. Further detailed information can be provided on request.

Overall site conclusions:

- 6.17 The Promotion Site location is highly sustainable. Land West of Botley Road, Thickets Farm, is a logical site for development, and for allocation in the Winchester District Local Plan. It is a site that is available for development and if developed would deliver significant planning benefits to the community and the economic vitality of Bishop's Waltham and the wider district, alongside delivering much needed housing including affordable housing.
- 6.18 There are no known technical constraints for the site, that cannot be managed or mitigated in the application process. Further surveys would be required, but these are

only required to provide sufficient confidence for Planning Officers at any future application stage.

- 6.19 In Summary Thickets Farm, represents a sustainable site for development of residential, retail and business use in close proximity to the centre of the historic market town, and would deliver additional planning benefits through retain and enhanced local spending, safe pedestrian connections and the re-use of redundant farm buildings.

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 fundamental 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:** Harding Holding's Promotion Site, Land West of Botley Road/ Thickets Farm, should be allocated for approximately 100no. Dwellings, the conversion of farm buildings for business use and a retail supermarket capable of delivery in the first 5-years of the Plan period alongside a package of community planning benefits.

7.2 Harding Holding will continue to engage with the Council and would welcome the opportunity to discuss its Promotion Site with the Council at the earliest opportunity.
