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

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Inspector Note 5

Stage 2 hearings

Matters, Issues and Questions

Introduction

This document sets out the Matters, Issues and Questions (MIQs) for stage 2 hearings relating in the main to the Plan's topic specific strategies and development management policies. They do not intend to cover every issue raised in representations. They are based on the main issues identified by the Inspector, taking account of the views of the Council and other representors.

Prior to the forthcoming hearing sessions, responses are invited from participants on these MIQs. Further information about the Examination, hearings and format of written statements is given in my Guidance Note (Inspector Note 3). Any responses to these MIQs should be submitted **by 12pm 14 April 2025**.

Matter 10 Homes for all (policies H5-H11)

Issue: Would the housing policies H5-H11 be clear, justified and consistent with national policy and would they be effective?

Policy H5 Meeting housing needs

1. Would the size mix for market and affordable housing set out in policy H5 be justified by the evidence, particularly the Winchester Strategic Housing Market Assessment (HA01)? Would policy H5 provide appropriate flexibility to meet local evidenced needs? Should it provide further flexibility in relation to other matters such as site and local characteristics?
2. Would policy H5 be effective in meeting demand for well-designed smaller homes?
3. Would policy H5 requirements for specialist homes be justified by the evidence? Would policy requirements provide appropriate flexibility?

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4. What is the justification for the application of the nationally described space standard (NDSS)?
5. What is the evidence that the Council has considered the impact of using the NDSS, in terms of Plan viability and any effects on the affordability of new homes?
6. What is the justification for the application of the optional requirements for M4(2) accessible and adaptable dwellings and M4(3)(2)(a) wheelchair user dwellings?
7. Would policy H5 be effective in enabling the Council to meet its statutory duty in relation to considering the needs of those wishing to build their own homes? Would those requirements be justified by robust evidence?

Policy H6 Affordable housing

1. Would policy H6 strike the right balance between the requirement for provision of affordable housing to help meet local needs and the delivery of the homes required within the Plan period, given other Plan policy requirements?
2. Given the lower affordable housing requirements in relation to previously developed land and the requirements of policy H2, which prioritises that land, what is the robust evidence to justify this approach?
3. What is the robust evidence to justify policy H6's affordable housing requirements?
4. Would the Plan's approach to first homes/low costs homes be justified by robust evidence? Would it accord with national policy?
5. Would policy H6's requirements accord with NPPF paragraph 66? Would it provide clarity as to what types of development would trigger the policy?
6. Would policy H6's required tenure split for market led housing schemes be effective in meeting community requirements? Would further flexibility be required to ensure the breakdown relates to the most recent evidence of need?
7. Would the policy's approach to the cost uncertainty of nitrate and phosphate mitigation as set out in policy H6 and paragraph 9.49 be justified and effective? Would the policy wording in this regard be clear and unambiguous, in particular reference to '...costs reducing significantly...?'

Policy H7 Affordable housing exception sites to meet local needs

1. Would policy H7i in requiring '...proposals to meet an identified local housing need ... within the settlement to which that need relates...' provide adequate flexibility to meet local affordable housing needs?

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2. Would the favourable support for proposals that are community driven or have gained the support of the community be appropriate and effective in meeting policy aims?

Policy H8 Small dwellings in the countryside

1. What is the robust evidence to justify the definition of smaller dwellings in the countryside and the 25% extension threshold?
2. Would policy H8 be clear and unambiguous, so it is evident how a decision maker should react to development proposals?

Policy H9 Purpose built student accommodation (PBSA)

1. Would policy H9 provide appropriate clarity to direct PBSA to acceptable locations? Would requirements in relation to cycle and car parking be clear and unambiguous? Would they accord with the Plan's transport policies, in particular T1 and T2?
2. Would policy H9v strike the right balance between providing for PBSA and protecting the District's local distinctiveness and the delivery of planned growth within the Plan period?

Policy H10 Houses in multiple occupation

1. What is the robust evidence to justify the requirements of policy H10i?
2. Would policy H10 be clear and unambiguous, so it is evident how a decision maker should react to development proposals?
3. Given the Plan's heritage policies would policy H10, appropriately address the historic environment?

Policy H11 Housing for essential rural workers

1. Would the policy serve a clear purpose and would it be clear and unambiguous, so it is evident how a decision maker should react to development proposals? In particular would the requirements in relation to temporary agricultural dwellings and the requirement for '...a review of needs of the holding...' be clear and unambiguous?
2. Given the Plan's heritage policies, would policy H11, in setting out requirements for the design of dwellings to reflect local distinctiveness appropriately address the historic environment?

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Matter 11: Carbon neutrality and designing for low carbon infrastructure

Issue: Whether strategic policy CN1 and policies CN2-CN8 would provide an effective policy framework to ensure the Plan mitigates and adapts to climate change and in this regard whether they would be justified, effective and consistent with national policy?

Strategic Policy CN1 Mitigating and adapting to climate change

1. What is the robust evidence to justify the approach taken in strategic policy CN1 in setting out the overall strategy to achieve net zero and address climate mitigation and adaptation?
2. Would the policy strike the right balance between mitigating and adapting to climate change and ensuring delivery of the required level of growth within the Plan period, with particular regard to viability? Would it provide appropriate flexibility in this regard?
3. In seeking to minimise carbon emissions would the policy accord with national policy as set out on the WMS published on 13th December 2023?
4. Strategic policy CN1 sets out a design process through which development proposals can consider and incorporate varied forms of low carbon solutions. In the absence of a commitment to produce guidance on the production of energy and carbon statements would the policy be effective? Would the requirement for an energy and carbon statement to be updated to baseline conditions in relation to phased development be reasonable?
5. In not setting specific actions or targets, would the policy be effective in its aim to meet the targets in the Council's Climate Emergency Declaration?
6. Would the policy appropriately recognise the contribution of a heritage led approach to mitigating and adapting to climate change?

Policy CN2 Energy hierarchy

1. Would policy CN2, when read with strategic policy CN1, serve a clear purpose?
2. Would it be clearly written and unambiguous, so it is evident how a decision maker should react to development proposals? In particular would more explanation of appropriate interventions at each stage of the hierarchy be necessary for effectiveness?
3. Should policy CN2, refer to the positive aspects of spatial planning that would help reduce energy consumption, with particular regard to travel demand?
4. In seeking to minimise carbon emissions would the policy accord with national policy as set out on the WMS published on 13th December 2023?

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5. Would the policy appropriately address heritage assets when a fabric first approach may not always be appropriate? In this regard would reference to all development be justified, effective and consistent with national policy?

Policy CN3 Efficiency standards to reduce carbon emissions

1. What is the robust evidence to justify the stated energy efficiency requirements for all new residential development which would go beyond those of the Future Homes Standard? Would they accord with national policy? Given technological and infrastructure and other possible constraints would the policy be justified and effective?
2. What is the robust evidence to justify the way in which the energy efficiency requirements for all new residential development is expressed? In this regard, would policy CN3 accord with national policy?
3. What is the robust evidence to justify the requirement for 100% on site renewable energy for energy consumption?
4. How have viability considerations been reflected in policy requirements, including any impacts on affordable housing provision and delivery?
5. Would the policy be clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?
6. In referring to all new residential development rather than dwellings, would the policy be clear in its intention to require individual dwellings to be net zero? Would such an approach be justified by robust evidence?
7. What would be the effective monitoring and compliance mechanisms to ensure the successful implementation of the policy without hindering development progress?

Policy CN4 Water efficiency standards in new developments

1. Would the water efficiency requirements accord with national policy, which sets a standard of 110 litres per person per day in water stressed areas?
2. Given policy CN4's approach, what is the robust evidence to justify a standard below the Environment Agency's guidelines on Water Efficiency and Planning, published 18/08/2023 and below that set out in the building regulations? In this regard would the policy be effective?
3. Given the viability implications of policy requirements, should the requirements be phased to ensure the right balance between safeguarding future water supply and ensuring planned growth is delivered within the Plan period? Would the policy provide necessary flexibility in this regard?

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4. Would the policy be clearly written and unambiguous, so it is evident how a decision maker should react to development proposals? In particular, in relation to all new residential development,...'unless it can be demonstrated that this is not feasible..'?
5. To ensure effectiveness would a commitment to provide additional guidance on water efficiency be required?
6. How have viability considerations been reflected in this policy?

Policy CN5 Renewable and low carbon energy schemes

1. Would policy CN5 accord with the PPG for renewable and low carbon energy?
2. Would policy CN5iv accord with national heritage policy, particularly in relation to the heritage balance in NPPF paragraphs 207 and 208?
3. Would the policy be clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?
4. Would the policy appropriately address potential constraints in relation to military operations or aviation safety?

Policy CN6 Micro energy generation schemes

1. Would policy CN6 strike the right balance between promoting small scale energy production and conserving the District's historic environment?
2. Would policy CN6i accord with national heritage policy, particularly in relation to the heritage balance in NPPF paragraphs 207 and 208?
3. Would policy CN6ii serve a clear purpose given policy D7?

Policy CN7 Energy storage

1. Would policy CN7 provide appropriate flexibility to support large scale energy storage infrastructure, with particular regard to policy CN7iv?
2. Would policy CN7 appropriately address the potential risk of fire at battery storage systems sites and the potential fire water runoff from contaminating the local environment?
3. Would policy CN7 appropriately support the combined use of space for energy storage?

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Policy CN8 Embodied carbon assessment

1. Would this policy serve a clear purpose in accordance with NPPF paragraph 16? In its aim to reduce embodied carbon, in the absence of clear targets would the policy be effective?
2. Given concerns regarding the amount and quality of data across the construction industry on the embodied carbon of any inputs, would the policy be justified and effective?
3. Would policy CN8 provide adequate detail on the process of producing an embodied carbon assessment, so as to ensure effectiveness?
4. Given the requirement for information on materials and construction methods, at what stage would an embodied carbon assessment be required? And would policy CN8 be clear in its requirements in this regard?

Matter 12 High quality, well designed places and living well

Issue: Would the Plan's approach to achieving high quality design in the Plan's three spatial areas and the individual policies be clear, justified, and consistent with national policy and would they be effective?

Strategic policy D1 High quality, well designed and inclusive places

1. The introduction to this chapter and policy is long, and repetitive in places (e.g. paragraphs 5.2, 5.4, 5.21, 5.26 onwards and 5.41 in setting out the requirement for a contextual approach). It repeats national policy and guidance and includes a section on the history of policy development. In this regard, would the policy be clear and unambiguous, so it is evident how a decision maker should react to development proposals?
2. Would the definitions and stages of a contextual approach to design development be consistently used, clear and unambiguous. e.g. site analysis, constraints and opportunities, design principles/design parameters/design framework/ design vision? How does this relate to the Plan's glossary definition of 'design process'?
3. The table on page 73 sets out the ten characteristics of successful places, considerations and sources of evidence. Should it refer to places for active play and sport and evidence sources?
4. Would strategic policy D1 provide a clear and unambiguous policy framework for high quality design of household and change of use development?
5. Would strategic policy D1ii, iii, vi, xii and xiv include repetition within the Plan, so as to impact on effectiveness?
6. Should the policy and supporting text set out the requirement of good design to enhance community cohesion?

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7. Would strategic policy D1 and its supporting text appropriately refer to the constraint of utility infrastructure in the design process?

Strategic policy D2 Design principles for Winchester Town

1. Would Strategic Policy D2 in setting out the design principles for Winchester Town, have a clear purpose and avoid repetition of requirements of strategic policy D1 and the Plan's site allocations?
2. Would strategic policy D2ii and viii, in referring to '...masterplans ... and other relevant planning documents that have been prepared and consulted on with the involved community...', provide the necessary clarity?
3. Should the policy, for the purposes of soundness, provide a commitment to produce a spatial plan for Winchester Town, including a movement strategy, and urban design framework to assess proposals on opportunity and other sites to ensure a coordinated approach?
4. Should the supporting text at paragraph 5.45 make specific reference to the need to make effective use of land, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions?
5. Would strategic policy D2x accord with Plan paragraph 5.50 in relation to responding to the listed opportunities in each opportunity area?
6. Would paragraphs 5.45, 5.51 introduce policy requirements within supporting text? Would this affect soundness?
7. What is the status of the Winchester Town Vision? Would this be clear?
8. The supporting text to strategic policy D2 is long and includes historic evidence of approach development. In so doing would the policy be effective?
9. What would the large light purple arrow on plans on pages 87, 89, 91 represent, and should this be included in the key on page 83?
10. Would a key to the plans on pages 90 and 91 be required for clarity and therefore effectiveness?

Strategic policy D3 Design principles for SHUA

1. Would strategic policy D3 in setting out the design principles for the SHUA have a clear purpose and avoid repetition of requirements of strategic policy D1 and the Plan's site allocations?
2. Strategic policy D3ii in referring to '...masterplans ... and other relevant planning documents that have been prepared and consulted on with the involved community...', provide the necessary clarity?

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3. Given the Plan's site allocation policies would strategic policy D3i be necessary for effectiveness?
4. Would strategic policy D3iii repeat national guidance?
5. Should the Plan include a plan, for the purposes of soundness, to indicate the exact area that the policy would apply to?

Strategic policy D4 Design principles for MTRAs

1. Would strategic Policy D4, in setting out the design principles for the MTRAs have a clear purpose and avoid repetition of requirements of strategic policy D1 and the Plan's site allocations?
2. Strategic policy D4ii in referring to '...masterplans ... and other relevant planning documents that have been prepared and consulted on with the involved community...', provide the necessary clarity?
3. Would strategic policy D4iii repeat national policy?
4. Should the Plan include a plan, for the purposes of soundness, to indicate the exact area that the policy would apply to?

Strategic policy D5 Masterplans

1. Would strategic policy D5 be clear in its policy wording and supporting text as to what development would require a masterplan (para 5.70 states '...assessed on a site by site basis...', strategic policy D5 states at different parts '...on larger sites ... significant development on sites occupied by major landowners/users...') when they should be prepared, how they would be agreed by the local planning authority, and their status on that agreement? In this regard would the policy be clear and unambiguous so as to be effective?
2. Would its policy requirements provide appropriate flexibility so as to strike the right balance between ensuring high quality design and sustainable development is approved without delay?
3. Would this policy have a clear purpose, avoiding repetition in other Plan policies (e.g. site allocation policies and other design policies (strategic policies D1, D2, D3 and D4 in particular)?
4. Would the third paragraph of strategic policy D5 provide the necessary clarity to ensure effectiveness, in particular '... should be preceded by...'?
5. Given that the Plan should be read as a whole, what is the justification for strategic policy D5xiii, xiv and xv?
6. Would the requirements of strategic policy D5xiv accord with Plan policy CN3iv, in relation to all new residential development?

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7. Would the requirement for a management plan as part of the masterplan process be overly onerous?
8. Should strategic policy D5xiii refer to green and blue infrastructure, for the purposes of soundness?
9. Overall, would the policy provide the necessary flexibility to ensure that sustainable development is not unnecessarily delayed?

Policy D6 Brownfield development and making the best use of land

1. This policy states that the local planning authority will prioritise development of previously developed land. How would this requirement be implemented and how would that requirement interact with strategic policy H2?
2. In referring to ‘...development land within existing settlements...’, would the policy accord with NPPF paragraph 89, which recognises that sites to meet local business and community needs in rural areas may have to be found adjacent or beyond existing settlements? Would this capture previously developed land outside settlements close to facilities and services so as to make best use of land? Should it for the purposes of effectiveness?

Policy D7 Development standards

1. Would the policy serve a clear purpose and would it be clear and unambiguous, so it is evident how a decision maker should react to development proposals?
2. The policy text includes repetition in paragraphs 5.80 and 5.84 in relation to construction impacts. In this regard would the policy be effective?
3. In addition, the supporting text at paragraphs 5.77, 5.78, 5.79 include policy. Should this therefore be included within policy text? What would be the consequence of these paragraphs in terms of policy effectiveness?

Policy D8 Contaminated Land

1. Would the policy serve a clear purpose and would it be clear and unambiguous, so it is evident how a decision maker should react to development proposals?

Policy D9 Shopfronts and policy D10 Signage

1. Would these policies serve a clear purpose and would they be clear and unambiguous, so it is evident how a decision maker should react to development proposals?

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Matter 13 Sustainable transport and active travel

Issue: Would the Plan's transport strategy and the individual policies be clear, justified and consistent with national policy and would they be effective?

Strategic policy T1 Sustainable and active transport and travel

1. Is the Strategic Transport Assessment [ST15] based on a sound methodology and are the conclusions reasonable, in concluding that the quantum and distribution of the development proposed in the Plan, and the resulting transport impacts, are capable of mitigation at the strategic level?
2. How has the Strategic Transport Assessment, including its findings in relation to park and ride infrastructure, informed the Plan?
3. The supporting text to strategic policy T1 runs for many pages and is repetitious in places (e.g. the key issues repeat previous text in places). Taken together, would the supporting text and policy be clear, unambiguous, so it is evident how a decision maker should react to development proposals?
4. How has the concept and principles of '20 minute neighbourhoods' informed the Plan's spatial strategy as set out in strategic policy SP2?
5. Would strategic policy T1iii, in seeking development to prioritise the concept of 20 minute neighbourhoods, be clear and unambiguous?
6. Would paragraph 6.4 reflect the current status of the Local Transport Plan?
7. Should the requirements in paragraph 6.5, which set out what development will need to be, be included in the policy? Would it appropriately refer to untested documents such as Hampshire County Council Guidance?
8. Paragraph 6.16 refers to '... guidance in the NPPF...'. In doing so, would the text clearly set out that NPPF is national policy?
9. Paragraph 6.21 sets out requirements of new development? In so doing would this introduce policy that should properly be included within the policy text?
10. Strategic policy T1ii requires development to be in compliance with the Hampshire Movement and Place Framework. Would the policy wording confer the status of a local plan policy on other guidance that is established outside the plan making system?
11. Would strategic policy T1, in its requirement for a transport assessment be clear and unambiguous and would it accord with national guidance in this respect?
12. In all other ways, would strategic policy T1 be clear and unambiguous, so it is evident how a decision maker should react to development proposals?

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Policy T2 Parking for new developments

1. Would policy T2, in providing 'parking provision assessment criteria', instead of parking standards, provide the appropriate level of clarity and certainty for developers and decision makers in relation to parking provision requirements?
2. Would the policy strike the right balance between promoting active travel and sustainable travel modes and delivering good quality development and placemaking, ensuring highway safety?
3. Would policy T2i requirements for a design and access statement, transport assessment and travel plan capture all relevant development proposals? In requiring demonstration of how sustainable transport modes have been prioritised, would the policy provide the necessary clarity and would it be effective in reducing car parking levels and trip generation?
4. Would policy T2ii, in referring to local context accord with NPPF paragraph 9, which refers to local circumstances?
5. Does the Council anticipate adopting new residential parking standards as suggested in Hampshire County Council comments on the Plan?
6. Would the policy provide appropriate requirements and guidance in relation to matters such as assessing car parking demand, on street parking stress, parking and loading requirements for operational vehicles, the requirements for car parking management plans, the role for restriction of resident parking permits, as appropriate?

Policy T3 Enabling sustainable travel modes of transport and the design and layout of parking in new developments

1. Given the requirements of policy T2, would policy T3 serve a clear purpose in accordance with NPPF paragraph 16f?
2. Would it adequately reflect the need to promote active travel modes as suggested in the policy title?
3. Would paragraph 6.33 repeat policy requirements in policy T2? What would be the consequence in terms of policy effectiveness?
4. Would the policy trigger, (all but householder) be appropriate and justified? Would the policy be effective in this regard?
5. Would the policy wording provide the necessary clarity, be clear and unambiguous as to how a decision maker should react to development proposals? In particular in its introduction '...to prioritise sustainable and active modes of travel... to demonstrate through the design process..' and policy T3i, in requiring '... priority is given to active and e mobility travel...'?

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6. In the absence of standards for matters such as active and e mobility travel would the policy be effective?
7. Would policy T3iv be effective in requiring ‘...opportunities to be explored through the design process...’?
8. Would policy T3viii be clear and unambiguous in relation to the requirement for permeable parking surfaces unless there are overriding evidenced reasons that prevent their use?

Policy T4 Access for new developments

1. Would policy T4 be clear and unambiguous, so it is evident how a decision maker should react to development proposals? In, particular should it include provisions to control access arrangements?
2. Would policy T4i in requiring connection to the nearest public transport stop be effective in supporting non-car modes of transport and to provide safe and attractive routes to, from and within a site?
3. Would the requirements of policy T4i, which requires development to prioritise the needs of walking, wheeling and cycling...be clear and unambiguous?
4. Would the term ‘..reasonable proximity..’ as used in policy T4v provide the necessary clarity, so as to be effective?

Matter 14: Biodiversity and the natural environment

Issue: Would the Plan’s policy framework in relation to the protection and enhancement of biodiversity and the natural environment be effective and justified and would the individual policies be clear, justified and consistent with national policy, and would they be effective?

Strategic policy NE1 Protecting and enhancing biodiversity and the natural environment

1. Would strategic policy NE1, overall, accord with national policy?
2. How would policy NE1 interact with policies NE2-NE17 and together would they provide a robust and logical approach to the protection and enhancement of biodiversity and the natural environment?
3. Would it appropriately protect and enhance valued landscapes in accordance with NPPF paragraph 180a?
4. For soundness should the policy require development to demonstrate impacts on ecosystem services through the submission of a full ecosystem services impact assessment?

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5. In the absence of a definition of 'ecological network' as referred to in strategic policy NE1iii, would the Plan provide necessary clarity? Would reference to the Local Nature Recovery Strategy be required?
6. Would policy NE1i accord with NPPF paragraph 186, in relation to the role of compensation, as appropriate?
7. Would strategic policy NE1v, accord with the requirements of the Environment Act 2021, in relation to compensation by off-site habitat units or biodiversity credits?
8. Would strategic policy NE1 appropriately require suitable alternative greenspace provision and strategic access management and monitoring mitigation?
9. Would the Plan appropriately ensure an integrated approach to the management of the landscape and natural environment, including the interplay with historic features?

Policy NE2 Major commercial, educational and MOD establishments in the countryside

1. Would policy NE2 serve a clear purpose, be clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?

Policy NE3 Open space, sports and recreation

1. Is the methodology used in the Open Space Assessment that underpins policy NE3 and NE10 robust and has it been consistently applied? Are the outcomes logical and evidence based?
2. What is the robust evidence to justify the open space and built facilities standards included in table 1 and 2 of the policy?
3. Would policy NE3 accord with national policy set out in NPPF paragraph 103?
4. How would policy NE3 interact with policy NE10?
5. Would policy requirements in relation to the provision of codesigned 'intergenerational areas' be reasonable so as to ensure it would not stymy planned growth? Would the provisions provide the appropriate clarity to ensure effectiveness?
6. Would policy NE3 need to include details of the how benefits of development and harms caused by the loss of a facility should be measured/quantified? In their absence would the policy be effective?
7. Would policy NE3 provide appropriate clarity on its aim to enhance and improve the quality of existing open spaces and work with the PfSH to provide additional strategic open space? Would amendment in this regard be required for the purposes of soundness?

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Policy NE4 Green and blue infrastructure

1. Policy NE4 includes map 9 depicting illustrative green links and blue corridors. What would be the status of this map for the purpose of policy implementation? Policy NE4 refers to map 9. For the purposes of soundness, should the policy refer to the policies map to ensure effectiveness?
2. Would policy NE4 include appropriate detail regarding off site contributions for green and blue corridors, particularly in relation to the types of green infrastructure and how it would be linked to the proposed development for the purposes of clarity and thereby effectiveness?
3. Given the heritage policies in the Plan, would policy NE4 appropriately reference the suite of heritage green infrastructure, in particular scheduled ancient monuments and policy requirements in respect of heritage assets?
4. Would the policy supporting text accurately refer to protections in relation to the River Itchen?
5. Should the policy refer to open spaces such as pocket parks and verges?
6. Would the policy be clearly written and unambiguous, so it is evident how a decision maker should react to development proposals? In particular the use of terms such as 'green network/grid, '...accessibility in terms of primary areas...'? Would it include necessary flexibility?
7. In requiring development to maintain, '... protect and enhance the function or the integrity of the existing green infrastructure network...' would the policy be justified and effective?
8. Is there robust evidence for the Plan to require an urban greening factor as appropriate, in addition to BNG?

Policy NE5 Biodiversity

1. Would the policy serve a clear purpose, avoiding unnecessary repetition of national policy, in accordance with NPPF paragraph 16f?
2. Would there be robust local evidence to justify a requirement above 10% BNG?
3. Would the policy supporting text be up to date and accurate in reflecting on the 'current and new Local Plan'? Would it unnecessarily repeat national policy in relation to the application of the Habitats Regulations?
4. For the purposes of soundness, would the policy need to provide further clarification on compensatory habitats, recreational disturbance and the requirements for functionally linked land in relation to designated sites?

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5. How has viability been reflected in the policy requirements?
6. Would policy NE5i accord with NPPF paragraph 180 in relation to protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils, in a manner commensurate with their statutory status or identified quality in the development plan?
7. Would policy NE5iv and vi accord with NPPF paragraph 186 in relation to principles to protect and enhance biodiversity and geodiversity?
8. How would the policy interact with strategic policy NE1, which seeks to protect and enhance biodiversity and the natural environment in the District?
9. Would the requirements for masterplans to precede any application for development and ensure stakeholder engagement provide the necessary flexibility to support planned development?
10. Overall, would policy NE5 be clearly written and unambiguous, so it is evident how a decision maker should react to development proposals? In particular, policy NE5iv in relation to requirements for a Construction Environmental Management Plan?
11. Would paragraphs 7.45 and 7.49 introduce policy requirements that should appropriately be included within policy?

Policy NE6 Flooding, flood risk and the water environment

1. Would paragraphs 7.58 and 7.59 accurately explain national policy in relation to flood risk and the application of the sequential and exception tests as set out in NPPF paragraphs 168 and 169?
2. Would policy NE6 accord with national policy set out in NPPF paragraphs 165-175, in relation to planning and flood risk generally?
3. Would the policy appropriately prioritise natural flood management and the requirement to ensure no net loss of floodplain storage capacity or obstruction to flood flow routes?
4. What is the robust evidence to justify the inclusion of sustainable drainage systems in all development and would policy NE6 provide appropriate guidelines on the application of sustainable drainage principles?
5. Would policy NE6, together with the heritage policies in the Plan provide appropriate protection for heritage assets in relation to flood risk?
6. Would the policy appropriately refer to the need to work closely with the service provider to ensure required public water and waste water infrastructure provision?

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Policy NE7 Settlement gaps

1. What is the robust evidence to justify an approach to define settlement gaps, given the absence of national policy or guidance in this regard?
2. The Settlement Gap Review Study [BNE29] assesses 7 of the 9 existing settlement gaps and recommends alterations to them. Is the methodology used proportionate and robust? Are the outcomes logical and evidence based?
3. What is the robust evidence to assess 7 of the 9 existing settlement gaps in the Settlement Gap Review Study 2024?
4. Would the Plan represent the consistent application of that methodology, particularly in the approach to defining settlement gap boundaries some of which would be defined through site allocation requirements e.g. policy W2?
5. Would policy NE7 strike the right balance between ensuring planned growth is delivered and protecting the District's character and appearance, in particular the open nature and sense of separation between settlements?
6. Given that settlement gaps are a spatial planning tool designed to shape the pattern of settlements, for the purposes of soundness, would the policy be a good fit in the biodiversity and natural environment chapter of the Plan?
7. Would paragraph 7.64 be accurate in relation to definition of the gap between Wickham, Knowle and the proposed Welborn development in Fareham being defined by the Welborne Plan?
8. Should policy NE7 provide a clear link to the policies map for the purpose of effectiveness?

Policy NE8 South Downs National Park

1. Would policy NE8 serve a clear purpose given national policy as set out in NPPF paragraphs 182-183? In this regard would it accord with NPPF paragraph 16?
2. Would the policy be clearly written and unambiguous, so it is evident how a decision maker should react to development proposals? In particular would the supporting text and policy appropriately consider the setting of the National Park?

Policy NE9 Landscape character

1. Would the requirement for a landscape visual appraisal or landscape and visual impact assessment for all development be reasonable, clear and unambiguous?
2. Would the policy requirements in relation to green and blue corridors be proportionate? Would they be justified by the evidence and effective?

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3. Would the Plan and in particular policies NE3 and NE9 accord with national policy in relation to valued landscapes as set out in NPPF paragraph 180a?
4. How would policy NE9 interact with policy NE14 and strategic policy D1?

Policy NE10 Protecting open areas

1. Is the methodology used in the Open Space Assessment that underpins policy NE10 robust and has it been consistently applied? Are the outcomes logical and evidence based?
2. Would policy NE10 serve a clear purpose, avoiding unnecessary duplication of national policy? Would it accord with NPPF paragraph 103, in relation to building on existing open space?
3. Would the policy be clearly written and unambiguous, so it is evident how a decision maker should react to development proposals, in respect of its requirement for '...options for developing elsewhere..'??
4. Would policy NE10 accord with national policy set out in NPPF paragraph 99a and legislation in relation to school playing fields?
5. The Plan does not allocate any Local Green Spaces. Would this approach be justified, effective and consistent with national policy set out in NPPF paragraph 105-107?

Policy NE11 Open space provision in new developments

1. Would policy NE11 serve a clear purpose, avoiding unnecessary duplication of national policy? How would it interact with policy NE3? And paragraphs 7.81 and 7.82, in respect of potential loss of important open areas?
2. Would the policy be clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?

Policy NE12 Equestrian development

1. Given the requirement for the Plan to be read as a whole, would paragraphs 7.95 and 7.96 be necessary for effectiveness?
2. Would the policy provide the necessary flexibility to enable acceptable equestrian development, in particular policy NE12v and viii?
3. Overall, would the policy be clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?
4. Would policy NE12 introduce policy within the supporting text, and in so doing would this be effective?

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Policy NE13 Leisure and recreation in the countryside

1. How would policy NE13 interact with strategic policy SP3? Would it be consistent with strategic policy SP3?
2. Would the Plan accord with NPPF paragraph 96 and 97, in relation to promoting healthy and safe communities?

Policy NE14 Rural character

1. Would policy NE14 serve a clear purpose, avoiding unnecessary duplication of national policy and other Plan policy requirements?
2. In wording policy NE14 in the negative, would it be effective?
3. How would policy NE14 interact with strategic policies D1, T1 and policy H8?
4. Would the policy be clearly written and unambiguous, so it is evident how a decision maker should react to development proposals, in particular the phrase ‘... development should not detract from the enjoyment of the countryside...’ (10th paragraph)?

Policy NE15 Special trees, important hedgerows and ancient woodlands

1. Would policy NE15i accord with national policy at NPPF paragraph 186c in relation to the removal of protected trees, groups of trees, woodland or hedgerows?
2. What is the robust justification for a minimum 15 metre buffer zone between development and ancient woodland or veteran trees? Would it provide appropriate guidance in this regard and in relation to tree removal and replacement for the purposes of soundness?
3. For the purposes of soundness should the Plan include a definition of ancient trees, special trees and distinctive ground flora or any other specific terms used in the policy?

Policy NE16 Nutrient neutrality water quality effects on the Special Protection Areas (SPAs) Special Areas of Conservation (SACs) and RAMSAR Sites of the Solent and River Itchen

1. Would policy NE16, in referring to ‘development’ rather than ‘overnight development’ be clear in its purpose and requirements, so as to ensure effectiveness?
2. Would policy NE16i serve a clear purpose, avoiding unnecessary duplication of national policy?
3. Given requirements in the Levelling Up and Regeneration Act (LURA) for wastewater treatment works to be upgraded to the highest technically achievable

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limits by 2030, would the policy be justified, effective and consistent with national policy?

4. Would policy NE16iii, for the purposes of effectiveness, require further detail in relation to requiring a positive contribution to the Local Recovery Network?
5. Would the policy provide appropriate clarity in relation to strategic nutrient solutions available to developers as part of the planning process, so as to ensure effectiveness?
6. Would the policy and supporting text appropriately recognise the impacts of phosphates and nitrogen draining into the River Itchen and the need to agree nutrient mitigation schemes with Natural England?

Policy NE17 Rivers, watercourses and their settings

1. Would policy NE17 provide appropriate support for the creation of natural buffers zones between riverbanks/watercourse banks and any built development?
2. Would policy NE17 appropriately reflect the scope and requirements of the Solent Wader and Brent Geese Strategy, including the Habitat Regulations requirements in relation to functionally linked land?

Matter 15: Historic environment

Issue: Whether the plan would ensure the conservation of the District's heritage and whether the Plan's policies would be clear, justified and consistent with national policy, and will they be effective?

General Comment

1. Would the historic environment policies, when taken as a whole (preamble and policies), be clear and consistent with national policy? Does each serve a clear purpose, avoiding unnecessary duplication, including policies that apply to a particular area including the heritage policies in the NPPF? Given these matters, as a whole would they be effective?

Strategic Policy HE1 Historic environment

1. Would strategic policy HE1 accurately reflect NPPF paragraph 210, which indicates the matters that, in determining applications, local planning authorities should take account of, including the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation?
2. Would the terminology used in paragraph 8.4 in relation to historic parks and gardens be clear, unambiguous and consistent with national policy?

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Policy HE2 All heritage assets (designated and non designated)

1. In requiring applicants to describe the significance of affected heritage assets and /or their settings would the policy be consistent with NPPF paragraph 207, which requires an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. (NPPG Paragraph: 006 Reference ID: 18a-006-20190723)
2. Would the policy requirements in relation to proposals affecting buildings at risk be clear and unambiguous and consistent with national policy?

Policy HE3 Designated heritage assets

1. Would policy HE3 serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area, including the heritage policies in NPPF, in particular, paragraph 207?

Policy HE4 Non designated heritage assets

1. Would policy HE4 serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area, including the heritage policies in NPPF, in particular paragraph 209?

Policy HE5 Protecting the significance of heritage assets (designated and non designated) and mitigating unavoidable harm

1. How would policy HE5 interact with policies HE3 and HE4 in relation to designated and non designated heritage assets? Together would they provide a clear indication of how a decision maker would react to a proposal in relation to both designated and non designated heritage assets? Would that distinction be clear and unambiguous?

Policy HE6 Scheduled Ancient Monuments and nationally important non designated assets

1. When read as a whole, including its title, would it be clear that this policy relates to non designated heritage assets and non designated archaeological assets?
2. When read as a whole, together with its title, would policy HE6 be clear and unambiguous in setting out how a decision maker should respond to its requirements?
3. Would policy HE6 be clear in its aim, in accordance with national policy, to avoid harm to archaeological remains (which tends to involve preservation in situ) as the preferred option, then minimising harm is unavoidable?
4. Would further guidance on a non designated archaeological asset that is potentially of national importance be required?

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Policy HE7 Non designated archaeological assets

1. Would policy HE7 serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area, including the NPPF heritage policies, in paragraph 209?

Policy HE8 Applications affecting listed buildings

1. How would policy HE8 interact with policy HE3?
2. Would it strike the right balance between the preservation of heritage buildings with the need for modernisation, energy efficiency and financial viability?

Policy HE9 Changes of use to listed buildings

1. Would policy HE9 strike the right balance between the preservation of listed buildings and their modernisation, energy efficiency and financial viability?

Policy HE10 Development in conservation areas

1. Would this policy strike the right balance between historical preservation and environmental sustainability?
2. What is the justification for separate criteria in relation to new buildings and extensions?
3. What is the justification for applying criteria vii, in relation to energy efficiency or generation measures, to extensions and alterations only?

Policy HE11 Demolition in conservation areas

1. Would the policy HE11 and its supporting text, in stating that demolition of buildings that make a positive contribution to the architectural or historic interest of the area will be granted only in exceptional circumstances where it has been satisfactorily demonstrated that a building is beyond repair and incapable of beneficial use accord with NPPF paragraph 213?

Policy HE12 Registered parks and gardens

1. Would policy HE12 provide appropriate protection to registered and other identified historic parks and gardens?
2. For effectiveness, would the policy need to refer to historic parks and gardens rather than registered parks and gardens?

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Policy HE13 Non designated historic rural and industrial heritage assets

1. Given the Plan is read as a whole, would policy HE13 serve a clear purpose, avoiding repetition of other policies in the Plan? Would this go to the heart of soundness?

Policy HE14 Improvements and Alterations to Improve Energy Efficiency of Historic Assets

1. To ensure consistency in implementation, should the policy refer to heritage assets as opposed to historic assets?

Matter 16: Creating a vibrant economy (including site allocations)

Issue: Would the strategy and provision for employment development and town, district and local centres be effective and justified and are the individual economic growth policies clear, justified and consistent with national policy, and would they be effective?

Employment and retail requirements

1. With particular regard to the Employment Land Study [VE08] and Employment and Town Centre Uses Study (ETCUS) [VE03] is the gross additional need for employment land of between 27.6 and 37.8 hectares as set out in the submitted Plan justified by robust evidence?
2. The Plan sets out that the current identified supply (commitments and site allocations) of roughly 39 hectares of employment land to be sufficient to meet identified needs. In this respect, roughly 20 hectares of employment land would be allocated in this Plan. Would this approach that effectively rolls over existing site allocations from the extant local plan be justified by robust evidence?
3. Would the Plan provide for the type of employment land required? In particular, would it provide for the needs of offices (use class E(g)) and other employment land (use classes B2-B8) during the Plan period, taking account of existing commitments and proposed site allocations?
4. Given the District's historic reliance on employment floorspace within farm sites how would the Plan provide for employment land supply in rural areas?
5. Would the Plan provide appropriate flexibility regarding the specific makeup of employment land, given the uncertainty over forecast scenarios and continuing structural changes?

Strategic policy E1 Vibrant economy

1. Strategic policy E1 is long and is not broken up by clauses or criteria. The preamble to the policy is again long and includes repetition e.g. paragraphs 10.21 and 10.28. On this basis, would the policy be clearly written, and unambiguous, so it is evident how a decision maker should react to a proposal?

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2. The policy provides support for retention of appropriate premises and sites. Should the policy provide specific support for the redevelopment of existing employment sites as a source of additional employment provision?
3. Would the policy appropriately provide for activities outside the traditional office and industrial sectors? e.g. the education, health, retail and leisure and other service sectors?
4. For the purposes of soundness, should strategic policy E1 state a requirement for a comprehensive assessment of the impact of new employment sites on the road network, particularly where close to Strategic Road Network junctions?

Strategic policy E2 Spatial distribution of economic growth

1. Would the spatial distribution of economic growth accord with the Plan's spatial strategy as set out in strategic policy SP2?
2. Would the proposed site allocations for employment, mixed development and large housing development which include employment uses provide for the identified need for employment land as set out in strategic policy E1?
3. Would the policy be clear and unambiguous particularly in using the phrase '... appropriate growth and maintenance of existing employment within key settlements..'? ?

Winchester employment allocations

Policy W5 Bushfield Camp

1. What would be the status of the masterplan? In dealing with matters to ensure the development of the site is acceptable in planning terms, would the policy be effective?
2. Given site constraints, including its location within a settlement gap, close to the South Downs National Park, its open green qualities, current use by the community, biodiversity and natural habitats and transport impacts, how has the developable area been defined (approximately 20 hectares)? Should this be included within policy?
3. What evidence supports the provision of office space within the 20 hectares developable area?
4. What is the justification for the site's development for high quality flexible business use and employment space, an innovation hub/education hub and creative industries? Given the commuting patterns in the District would this site deliver necessary social, economic or environmental development?
5. Would the policy require phasing to align with the delivery of sewerage infrastructure?

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6. This site allocation is being carried over from the extant Plan. Given that it has not delivered yet, what evidence is there that it will deliver within the submitted Plan period?
7. Should the policy include requirements in relation to the nutrient neutrality solutions and impacts on the River Itchen SAC for the purposes of soundness?

Policy W6 Winnall

1. This policy aims to allocate and protect existing traditional employment uses, retaining 43 hectares of the area for traditional B2-B8 uses, with more flexibility elsewhere.

In relation to sub areas 1 and 2, policy W6 seeks to ensure retention of existing industrial type uses and the creation of additional B2 and B8 floorspace. In so doing, would the policy be unduly restrictive, particularly in terms of retail and leisure sectors beyond traditional industrial uses? Should it provide greater flexibility e.g. employment generating uses outside B use classes, including retail, leisure and other sui generis uses with the aim to better reflect the diverse economic base of the District?

2. In this respect would the policy accord with other policies in the Plan, in particular policy E6, which aims to retain employment land and premises and employment opportunities?
3. Should the policy address any need to align any future growth of this industrial estate with the capacity of the sewerage infrastructure?
4. Would criteria adequately address the need to improve connectivity and accessibility in terms of pedestrian, cycle, and public transport links?

Winchester mixed use allocations

1. MIQs are included in the Inspector's stage 1 MIQs

Winchester learning and non-residential institutions allocations

Policy W10 Former River Park Leisure Centre site

1. Are there any known barriers to development, including any restrictive covenants that could delay delivery within the Plan period?
2. Would the policy adequately control matters such as flood risk and the need to ascertain waste water capacity and phase development until delivery of necessary infrastructure?
3. Policy W10 ix and x, states that '...the proposals are designed to ...' ? In so doing would the Plan be effective? Would the policy be clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?
4. Would the site contribute to the open space/recreation space requirements in the District? And if so in what way?

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Policy W11 University of Winchester/Royal Hampshire Hospital

1. As the Council supports the retention and improvement of the existing hospital and university services, and at this stage the Plan does not provide indicative capacity for student or other homes, what is the purpose of the allocation of this site in the Plan?
2. Would the criteria be justified and are they clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?
3. Is there justification for policy W11 to make specific provision and allowances for instances where on-site energy generation is not sufficient to power a proposed development?
4. Should criteria ensure that the proposed development layout ensures future access to existing underground infrastructure for maintenance and upsizing purposes?

SHUA

Policy SH1 Newlands (West of Waterlooville)

1. What is the evidence to support the delivery of additional dwellings at this site? Where would this take place and is clarification within the supporting text necessary for soundness? What would be the consequence on the delivery of employment uses? Would the provision of additional dwellings result in a high quality development that contributes to the needs of PfSH?
2. Should the policy map be modified to reflect proposed changes?
3. Should policy SH1 require a green infrastructure strategy and control its details to address mitigation of harmful impacts on European sites?

Policy SH4 Solent Business Park

1. The supporting text (paragraphs 13.34 and 13.35) includes repetition. In this regard, would the policy be clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?
2. This is a site carried over from the extant Plan. It is envisaged that it will deliver approximately 11,000 sq m of employment floorspace. Much has been delivered on this site to date. However, what evidence justifies the delivery of the remaining within the Plan period?
3. What is the justification for the use classes to be provided, height of buildings and a minimum of around 30% of the site to constitute parkland? Would it provide the necessary flexibility to ensure the amenity, sustainability and vibrancy of the Business Park?

Policy SH6 Botley Bypass (not an employment allocation)

1. This policy aims to safeguard land to deliver the Botley bypass. In doing so, would it ensure protection of the countryside, Protected Sites and ensure access to underground infrastructure?

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MRTAs

Market Towns

Bishop's Waltham

Policy BW3 Tollgate Sawmill

1. Would BW3 paragraphs 14.15 and 14.17 result in repetition? In this regard, would the policy be clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?
2. Would policy BW1 ensure protection of the setting of the South Downs National Park and appropriately address the need to promote sustainable transport infrastructure options?
3. Given that this site is carried over from the extant Local Plan, what is the evidence that it will be delivered with in this Plan period?
4. This site is being brought forward for employment purposes, given its existing commercial use. On the basis of the potential provision of a GP surgery and market housing, limited to ensuring viability of the employment element, what is the evidence that underpins the policy's indicative capacity and its delivery in 2029/30?

New Alresford

Policy NA2 Sun Lane

1. Would the policy be clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?
2. Would it appropriately address the requirements of offsite infrastructure, impacts on the Groundwater protection Zone and promote active travel and enable its infrastructure?

Intermediate rural settlements

Waltham Chase

Policy WC1 Morgan's Yard

1. What is the status of the Shedfield Village Design Statement?
2. Given constraints around the village including the narrow gap with Swanmore and existing commitments and extant allocations, no new allocations are proposed. Notwithstanding that policy WC1 is an existing allocation in an extant Plan, what is the evidence to justify residential development on this existing employment site?
3. Plan policy WC1 requires employment generating uses to replace some of the existing jobs on the site. In so doing would the policy be effective? Would it be clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?

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4. What is the evidence to justify its delivery in 2027/28? Given contamination constraints what is the evidence that this site would be viable for the type and capacity of development envisaged?
5. Would Plan policy WC1 be effective in its requirements for off site infrastructure?

Strategic Policy E3 Town centres strategy and hierarchy

1. The town centre hierarchy, boundaries and primary shopping areas are justified by the Retail and Town Centre uses Study 2020 and the Employment and Town Centre Uses Study 2024 [VE02,03, 05 and 06]. Together, would they provide the robust evidence to justify the Plan's approach in this regard and would it accord with NPPF paragraph 90d?
2. Would the additional need for 395 sqm additional convenience floorspace and 741 sqm additional comparison floorspace over the Plan period be justified by robust evidence?
3. Would the bullet pointed list at paragraph 10.53 in listing policies in an extant Plan be clear and unambiguous in its intentions?
4. The Plan would not provide for any specific leisure or other town centre uses outside retail. It states that, given the small need identified it should be met through town centre regeneration/ redevelopment sites, and through changes of use between different town centre uses. In doing so would the Plan have a justified approach to town centres and retail uses?
5. Would the strategy provide the necessary flexibility for uses within town centres to maintain and enhance their viability and vitality?
6. Would the policy wording be clear and unambiguous so as to accord with NPPF paragraph 16?

Strategic Policy E4 Main town centre uses out of centre

1. Would strategic policy E4 appropriately apply the sequential test in relation to development of main town centre uses which are neither in an existing centre nor in accordance with an up to date plan? Would the requirements of a sequential approach be clear and unambiguous?
2. Would the threshold for an impact assessment for retail and leisure development be justified by robust evidence and accord with NPPF 94? Would it provide an effective mechanism to assess the impacts on existing town centres of smaller retail stores and changes within edge and outside defined town centres?
3. Would strategic policy E4 strike the right balance between protecting and enhancing the viability and vitality of the main town centres, and providing for small scale retail and leisure developments which provide a local facility/service on the edge and outside defined town centres?
4. What is the clear justification to restrict permitted development rights, as set in the supporting text to the policy (paragraphs 10.98 and 10.99)? Would it accord with NPPF paragraph 55?

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Policy E5 Enhancing employment opportunities

1. Policy E5 confirms that employment development will be supported within settlement boundaries and sets out what the Plan considers to be employment uses. Would the uses defined within policy E5 at i-iii appropriately reflect the employment base in the District such as academic institutions, health etc?
2. Would the policy wording be clear and unambiguous, so it is evident how a decision maker should react to development proposals?

Policy E6 Retaining Employment Opportunities

1. Would policy E6 work to restrict the redevelopment of outdated employment sites/floorspace for modern employment purposes?
2. What is the robust evidence to justify a marketing period of 12 months to support the loss of employment land and floorspace?
3. Would the policy wording be clear and unambiguous, so it is evident how a decision maker should react to development proposals?
4. How would this policy interact with strategic policies E1, E2, E3 and E4? Together would they be effective in meeting the economic development needs of the District?

Policy E7 Maintaining the vitality and viability of town centres

1. Would policy E7 be clear and unambiguous in relation to its requirements for viability and marketing assessments?
2. What is the clear evidence to justify a marketing period of 12 months to support the loss of employment land and floorspace?
3. What is the clear justification to restrict permitted development rights, as in the supporting text to the policy (Plan paragraph 10.119)? Would it accord with NPPF paragraph 55?

Policy E8 Local shops, services and facilities

1. How would policy E8, which aims to provide for and retain essential local services and facilities within rural areas, be effective in its aim and would its approach be justified?
2. Would the supporting text be clear, unambiguous, avoiding unnecessary repetition? (Plan paragraphs 10.131 and 10.134)?
3. In defining 'pubs' as a town centre use as in Plan paragraph 10.135, would the policy support the retention of public houses in rural areas, in accordance with NPPF 88d? Would there be a conflict with Plan paragraph 10.131 in this regard?

Policy E9 Economic development in rural areas

1. Policy E9, in its supporting text, includes provisions that include policy. E.g. Policy E11 paragraph 10.179, 'that applicants should...large scale developments such as hotels should be situated...', paragraph 10.180 '...proposals should ...', paragraph 10.181 applicants should...'. Should such provisions be included

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within policy text? Where they repeat criteria in policy text would they introduce unnecessary repetition so as to be impact on effectiveness?

2. What is the clear justification to restrict permitted development rights, as set in the supporting text to the policy (Plan paragraph 10.119)? Would it accord with NPPF paragraph 55?
3. Would the policy wording be clear and unambiguous, so it is evident how a decision maker should react to development proposals?

Policy E10 Farm diversification

1. Would policies E9, E10 and E11, together, strike the right balance between supporting rural based businesses and recognising the intrinsic character and beauty of the countryside?

Policy E11 Visitor Related Development within the Countryside

1. The policy in its supporting text includes provisions that include policy. E.g. Policy E11 paragraph 10.179, 'that applicants should...large scale developments such as hotels should be situated...', paragraph 10.180 '...proposals should ...', paragraph 10.181 applicants should...'. Should such provisions be included within policy text? Where they repeat criteria in policy text would they introduce unnecessary repetition so as to be impact on effectiveness?

Matter 17 Infrastructure

Infrastructure

Issue: What is the robust evidence to demonstrate that the Council has considered the delivery of infrastructure to meet the needs of planned growth and its timely delivery and would the Plan be effective in this regard?

1. The Plan is supported by a Draft Infrastructure Delivery Plan. [IN01] Given this is a live document, does the Council anticipate publishing a final version?
2. The IDP sets out the way in which infrastructure to meet the needs of planned development will be met. Is the methodology used robust and the findings reasonable and logical?
3. How have the findings informed the viability of the Plan?
4. The Plan does not include a specific policy/policies on infrastructure provision to meet development needs, rather each site allocation includes a generic policy, with specific criteria as appropriate. Would this approach be effective?

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Matter 18 The Plan Viability

Issue: Whether the Plan is positively prepared and justified, effective and consistent with national policy in relation to viability?

1. The Local Plan Viability Report July 2024 [V01] concludes that the Plan's approach and policy directions are viable on the whole. In addition, it concludes that sites will be able to come forward viably with the Plan policies in place. Is the methodology used for that study robust and fit for purpose and are its findings justified by the evidence?
2. Are the policy requirements such that the cumulative cost of all relevant policies would not undermine the deliverability of the Plan having regard to the types of development and sites proposed?

Matter 19 Monitoring

Issue: Whether the Plan would be able to be monitored effectively to ensure timely delivery of its proposals?

1. How would the implementation of Plan policies be achieved? What mechanisms are there to assist development sites to progress?
2. How would the implementation of the Plan be monitored? Would it be effective? How would the results of monitoring be acted upon?
3. Overall does the Plan deal adequately with uncertainty?

General points for the Council to consider:

- Many policies are long and contain numerous criteria. Due to this some lack clarity, when the document is read as a whole.
- Some include additional criteria within explanatory text, which gives uncertainty as to the weight to be accorded to those additional criteria.
- There is some inconsistency in relation to cross referencing between different policies. A consistent approach should be taken throughout the document.
- Some may not be in accordance with national policy or statutory duties. I have indicated where this may occur.
- Policies and text should not rely on standards or requirements set out in untested documents. Where this is the case the wording should be changed, setting out that other, untested documents are guidance only.
- Policies and text must not make reference to securing planning obligations/financial contributions without the caveat 'where appropriate' as an

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obligation cannot be lawfully taken into account unless it meets the statutory tests set out in NPPF paragraph 57.

R Barrett

Inspector appointed to examine the Winchester District Local Plan 2020-2040
10 March 2025