

Stage 2 Hearing Statement: Matter 12

Winchester City Council - Local Plan Examination

11 April 2025 | Confidential

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?

Introduction

- 1.1 This Hearing Statement has been prepared by Knight Frank on behalf Kennedy Wilson (KW Forum Limited).
- 1.2 We submitted our representations to the Regulation 19 Draft Local Plan in October 2024 and to the Regulation 18 Consultation in December 2022. The Regulation 19 representations have been allocated reference **ANON-AQTS-32G3-R**.
- 1.3 As part of the Local Plan Examination Submission, Winchester City Council ('WCC') published a Statement Prepared under Regulation 22 (1)(c) of the Town and Country Planning (Local Planning) (England) Regulations 2012 outlining the Council's response to the Regulation 19 consultation comments received.
- 1.4 The representations were submitted in relation to Kennedy Wilson's land holdings at Solent Business Park, Whiteley Way, PO15 7AD ('the Site'). The Site is subject to an allocation in the Adopted and Emerging Local Plan; the allocation has been partially delivered. The representations relate to the remainder of the Site which has not yet been delivered.
- 1.5 Paragraph 36 of the National Planning Policy Framework ('NPPF'), which the Local Plan will be considered against, requires that any Plan submitted to the Secretary of State for Examination must be capable of being found both legally compliant and sound. This includes ensuring the Plan is:
 - **Positively prepared** – seeking to meet objectively assessed needs 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;
 - **Justified** – an appropriate strategy, taking into account the reasonable alternatives, based on proportionate evidence;
 - **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; and
 - **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the Framework.
- 1.6 A Draft Local Plan should comply with the above criteria to be considered in compliance with the NPPF. As set out in our Hearing Statement, we do not consider that the Draft Local Plan is sound.
- 1.7 We have provided responses on the following policies as outlined in the table below:

Matter	Policies
Matter 11: Carbon neutrality and designing for low carbon infrastructure	<ul style="list-style-type: none"> ○ Policy CN3 – Energy Efficiency Standards to Reduce Carbon Emissions ○ Policy CN4 – Water Efficiency Standards in New Developments
Matter 12: High quality, well designed places and living well	<ul style="list-style-type: none"> ○ Strategic Policy D5 - Masterplans
Matter 13: Sustainable Transport and Active Travel	<ul style="list-style-type: none"> ○ Policy T2 – Parking for New Developments
Matter 14: Biodiversity and the natural environment	<ul style="list-style-type: none"> ○ Policy NE5 - Biodiversity
Matter 16: Creating a vibrant economy (including site allocations)	<ul style="list-style-type: none"> ○ Employment and retail requirements ○ Strategic Policy E1 - Vibrant economy

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- Policy SH4 – Solent Business Park

Strategic Policy D5 – Masterplans

Question 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?

Response:

- 1.8 Draft Strategic Policy D5 and its supporting text is vague in defining which particular scale of sites are required to have a masterplan. For instance, the draft policy does not define a size threshold or number of landowners.
- 1.9 As set out in our Regulation 19 representations, we recognise the underlying reason for a policy on masterplans, however we do not agree that they are necessary on all major development sites. We would like to see the policy wording amended to allow discretion that in some instances a masterplan is not required.
- 1.10 We do not agree that the current policy is justified as the requirement to prepare a masterplan is not based on sound evidence or clear thresholds for particular development which this would apply to. We do not agree that the current policy wording is clear in relation to what type of development would require a masterplan.
- 1.11 The Council's Regulation 19 consultation response identifies that comments were received in respect to the draft policy having vague definitions and unclear criteria which could cause delays and increase costs, potentially deterring development investment on complex and large sites. However, no changes were included to the policy text to address these concerns.
- 1.12 In relation to Solent Business Park, this has been subject to a number of outline planning applications and is allocated for employment generating uses which have therefore been tested and consulted upon through the plan making process. We argue that as a Site Allocation that has also been brought forward through a number of local plan reviews in the past, enough is known about the Site and how it can be developed, to exclude it from the need for another master planning exercise as described by the policy.
- 1.13 The wording of the policy appears to indicate that a masterplan can be an informal document that is evidence led and agreed with the Council following stakeholder and community engagement. The policy does not suggest that the masterplan should be agreed through the formal planning process, for example, as an outline/hybrid application.
- 1.14 This process raises many questions including: what is the status of the masterplan? If it is informal, how much consultation is necessary and what status does the feedback have? Does the Council have the resources to work with landowners to create an informal masterplan? Which stakeholders need to be consulted? How is any disagreement resolved with no right to appeal? Clarity on these matters would be welcomed.
- 1.15 We do not agree that the current policy wording provides sufficient clarity on the status of the masterplan and the process (including consultation required) for preparing a masterplan.
- 1.16 The vague requirement for a masterplan is not proportionate and will likely slow down the delivery of development proposals. Applicants have a number of planning policy requirements to consider and the onerous requirement for a masterplan on all 'larger sites' will likely affect the deliverability of development proposals.
- 1.17 The masterplan requirement is not based on proportionate evidence.

Question 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?

Response:

- 1.18 The current ambiguous wording of the policy requirement for masterplans will likely slow down the delivery of development. As outlined above, applicant have several planning policy requirements to comply with and the onerous requirement for a masterplan on all 'larger sites' will slow down the delivery of development.
- 1.19 As outlined in our Regulation 19 representations, we suggest that more flexibility should be provided for allocated sites and/or sites with existing consents. The suitability of these sites for development has already been considered through policy development and the planning application process respectively.
- 1.20 It is unreasonable to expect a landowner to invest significant time and resources into a master planning process to facilitate future development, particularly when the type of future development is unknown, as this may create a barrier to attracting inward investment on a specific plot.
- 1.21 In regards to Solent Business Park specifically, the now lapsed permission from 2019 at the Site is a case in point. This development was speculative and did not meet occupier market demand (it was based on theoretical demand) and was undeliverable. Policy should be amended so as to avoid these mistakes in future to make investing into Solent Business Park as attractive as possible.

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