

Privacy and publication

We are unable to legally accept anonymous submissions to the consultation. You must therefore provide your consent below before you are able to submit your response.

Privacy Notice

Any personal information that you supply to Winchester City Council will only be used for the purposes of the work required to prepare a Local Plan under the Planning Acts. We need to collect this information in order to maintain accurate records to ensure that you can be properly involved in the preparation of the Local Plan. This will include general updates on the progress on the Local Plan, sending updates/surveys/newsletters, inviting comments on the Local Plan as it moves through its statutory stages and being notified of the date of the Local Plan Examination and be invited by the Inspector to speak at the Local Plan Examination. Any comments that are received in connection with the Local Plan will be published but they will only display the person/organisation name and postcode beside them. Any information that is received, including contact details, will only be kept until the Local Plan is adopted.

As part of our statutory functions, we will share data with the Planning Inspectorate who will hold the Public Examination on behalf of the Ministry of Housing, Communities and Local Government. You have the right to see what information is held about you, to have inaccurate information corrected, to have information removed from our system unless we are required by law or a statutory purpose to keep it and the right to complain to our Data Protection Officer if you feel that your data has not been handled in accordance with the law.

Further information about how Winchester City Council uses personal information can be found on our website at www.winchester.gov.uk/strategies-and-policies/privacy-policy.

1. Please confirm that you have read and understood the above.

(Required)

About you

Please add your personal details below. If you are acting as an agent, please also fill in your details where requested below.

The Town and Country Planning (Local Planning) (England) Regulations 2012 requires copies of all representations to be made publicly available, therefore we cannot accept anonymous representations. The Council will publish names and associated representations on its website but will not publish personal information such as telephone numbers, or email addresses.

You must fill in these details before you can submit the form.

2. What is your full name or client's name if acting as an agent?

Name of respondent (or client): (Required)

3. If you are representing an organisation or acting as an agent, please provide the name below.

Organisation/Agent:

4. What is your address?

If you are responding on behalf of an organisation, please put the organisation's address below. If you are acting as an agent, please put the company address below.

House number/name: (Required)

Street address 1: (Required)

Street address 2:

Town/area: (Required)

Postcode: (Required)

5. What is your email address?

Email address:

6. What is your phone number?

(Required)

Phone number:

7. By submitting this form I acknowledge that;

a) my response, together with supporting information, which includes my name, address and contact details will be sent to the Local Plan Examination Programme Officer and the Planning Inspectorate; and

b) my name will be published, together with my response, in the Winchester City Council Local Plan Examination website.

8. Please select the box below if you would like to be kept up to date on the developments to the Local Plan via the email you have provided?

Yes, I would like to be kept up to date with Local Plan developments

No

What area of the Local Plan would you like to comment on?

Policy and paragraph number: (Required)

SP3, D6, Omission Site

Do you consider the supporting text and policy are:

(Required)

	Yes	No
Legally compliant	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sound	<input type="checkbox"/>	<input type="checkbox"/>
Complies with the duty to co-operate	<input type="checkbox"/>	<input type="checkbox"/>

Please give details to support your answer above: Please be as precise as possible and include any paragraph/policy numbers that your comments relate to. (Required)

See attached letter.

Please make sure that you put in all the evidence and information needed to support your representation.

What modification(s) are necessary to make the policy legally compliant or sound?

See attached letter.

What is your suggested wording or text for the policy:

See attached letter.

The Inspector will decide on who will appear at the hearing(s). You may be asked to take part when the Inspector has identified the matters and issues for examination. If the Inspector invites you, do you consider it necessary to participate in the examination hearing sessions?

(Required)

Yes, I want to take part in a hearing session if I am invited to by the Inspector to participate

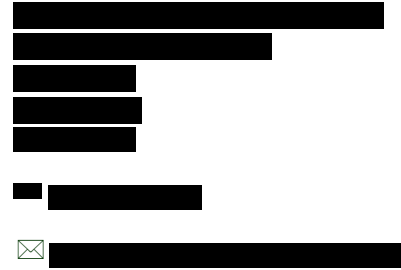
No, I don't want to take part in a hearing session

13th October 2024

By Email Only:

planningpolicy@winchester.gov.uk

Planning Policy Team
Winchester City Council
City Offices
Colebrook Street
Winchester
SO23 9LJ



Dear Sir/Madam,

**Re: Winchester District Local Plan 2020-2040, Proposed Submission (Regulation 19).
Representation on behalf of Heritage Property Southern Limited.**

The following local plan representation is submitted on behalf of our client Heritage Property Southern Limited, freehold owner of the site known as The Portsdown Main Site, James Callaghan Drive, Portsmouth, PO6 4EZ (your reference SWI03).

The following documents are attached to this electronic submission:

- Regulation 19 submission form
- Site Location Plan

LPA Response to Regulation 18 submission.

The Council's response to our client's Draft Plan (Regulation 18) consultation submission contains factual errors and is misleading in respect of the provisions of the Section 106 agreement of the 28th September 2006 entered into by Winchester City Council, Hampshire County Council and The Secretary of State for Defence insofar as this relates to the Portsdown Main Site (referred to therein as 'Redundant Facilities at Portsdown Hill').

Allocation within emerging Portsmouth City Local Plan 2040.

The Council's response states "The emerging Portsmouth City Local Plan allocates the part of the site within Portsmouth City Council for Research & Development (class E(g)(ii) and/or manufacturing (class B2) uses (policy PLP10). The policy restricts development to the previously developed land, adjacent to Portsdown Technology Park, within Portsmouth City and requires a comprehensive landscape design strategy (amongst other requirements)."

By means of a Statement of Common Ground agreed between our client and Portsmouth City Council (<https://www.portsmouth.gov.uk/wp-content/uploads/2024/10/Land-West-of-Portsdown-Technology-Park-SCG-September-2024-Final-Signed.pdf>) that part of the Portsdown Main Site which falls within the Portsmouth City Council administrative area is proposed to be allocated for “12,500m² Research & Development class E(g)(iii), manufacturing (class B2), and/or storage or distribution (class B8).” Furthermore, the provision relating to the location of development within the site is amended to “Focus development to the previously developed land adjacent to Portsdown Technology Park and minimise built structures on the northern downland slope”.

Appendix 5 of the Statement of Common Ground provides an agreed (other than proposed units 10 & 11) Preliminary Site Layout Plan. This shows proposed units adjacent to both the southern and eastern boundary of that part of the site that is within the Winchester City Council administrative area. When viewed with the consented development to the western boundary of the site (Winchester City Council application reference 21/02548/FUL), the promoted site is bordered on three sides by either approved or allocated commercial development.

Section 106 Agreement of the 28th September 2006.

This agreement was entered into in respect of a consent granted for the “major refurbishment of the two court buildings; insertions and additions into courtyards; new data centre, screening building and ancillary buildings/enclosures; 400 car parking spaces” at Portsdown West, a site some 1.7km west of Portsdown Main and which, at the time, was under the same ownership.

It is understood that at the time redundant buildings located at Portsdown Main were subject to unauthorised entry, anti-social behaviour and vandalism. The agreement therefore required the demolition of said buildings, identified as buildings 13 (Old Engineering Block), 19 (Workshop Store), 27 (ERI Ground and First Floor) and 10 (CEL Ground and First Floor), totalling approximately 4,317m² of floorspace. The agreement specifically excluded “any of the Portsdown Mains car parking spaces”. The agreement does not purport, nor has any documentation been identified indicating that the Council sought, to make any change to the lawful use of the site nor to constrain future redevelopment.

Strategic Policy SP3: Development in the Countryside.

The National Planning Policy Framework (NPPF) (December 2023) states (paragraph 89):

“Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or

by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.”

This requires that the use of previously developed land, such as the Portsdown Main site, should be encouraged.

Proposed policy SP3, in restricting development to those types defined within sub-paragraphs (i) to (vii), seeks to preclude the redevelopment of previously developed land, which the NPPF states should be encouraged. As currently worded the policy is **unsound**.

The policy could be made sound with the insertion of the following additional sub-paragraph:

(viii) The use of previously developed land.

Policy D6: Brownfield Development and Making Best Use of Land.

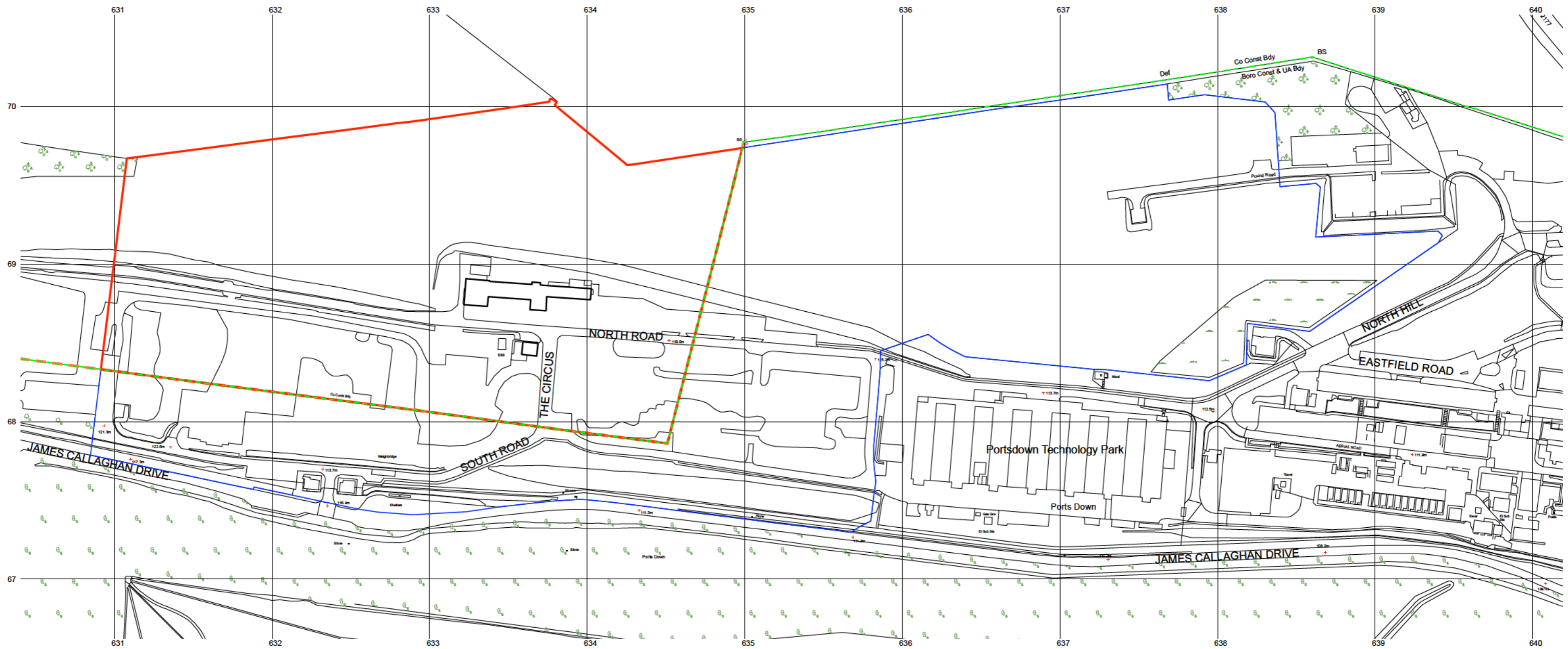
Similarly to above, the text of Policy D6 seeks to constrain the reuse of previously developed land in a way that is contrary to paragraph 89 of the NPPF and is therefore **unsound**.

The policy can be made sound by omitting the words “within existing settlements” so that first sentence of the revised policy reads “In order to ensure that development land is used most effectively, the local planning authority will prioritise development of previously developed land, and expect higher densities where appropriate on sites which have good access to facilities and public transport, particularly within the urban areas.”

Yours faithfully,

[Redacted signature]

[Redacted name]
[Redacted title]

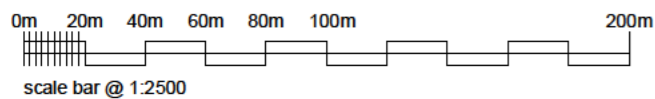


1 LOCATION PLAN
Scale: 1:2500

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- SITE OWNERSHIP (WINCHESTER CITY COUNCIL) **[6.529 HECTARES]**
- ADDITIONAL SITE OWNERSHIP (PORTSMOUTH CITY COUNCIL) **[9.425 HECTARES]**
- - - LOCAL AUTHORITY BOUNDARY



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Where applicable a suitably qualified fire consultant should be appointed to ensure the proposals are compliant with Part B / fire safety. This includes for proposed dwellings where a fire appliance cannot achieve the access requirements and so the use of automatic fire suppression system / hydrants may need to be investigated. Cladding where shown to be at fire rated

Notes:



Date: Revision:

Date:	Scale:	Status:	Project title:
Oct 2024	As noted @ A3	PLANNING	Former Portsdown Main James Callaghan Drive
Project Ref:	Drawing Number:	Revision:	Drawing title:
24_J56	A100	*	Existing: Location Plan

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