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Friday 11th October 2024

FAO: Planning Department at Winchester City Council
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**RE: WINCHESTER PROPOSED SUBMISSION LOCAL PLAN (REGULATION 19)
2020-2040**

Objection to the Small Sites Policies

On behalf of Hampshire Chamber of Commerce including its Planning & Transport Business Strategy Group, and Winchester & District Business Strategy Group at Hampshire Chamber of Commerce we would like to provide the following comments in regards to the Winchester Proposed Submission Local Plan (Regulation 19).

The Objections have been agreed by Ross McNally in his capacity as Chief Executive/Executive Chair at Hampshire Chamber of Commerce.

It is a particular concern of the Chamber that insufficient consideration is given to the support of small sites. The policies are too restrictive and place severe restraints on the provision of small sites and this is contrary to the Government's explicit and mandated requirements.

A separate comment has been made seeking the deletion of the Settlement Gap Policy. The Local Plan policies provide for infilling in some settlements under Policy H4 but the Settlement Gaps Policy adds an additional hurdle for infilling. This Gap Policy requires any proposed development to satisfy the following points among others:-

- **it would not diminish the physical and/or visual separation of settlements; and**
- **it would not individually or cumulatively with other existing or proposed development compromise the integrity of the gap.**

The Gaps cover the areas around and between major settlements. These areas are usually the most sustainable locations. On the other hand, the Plan Policies provide for the possibility of infilling in more rural locations including settlements where there

are no defined boundaries. These are typically the least sustainable in the District. This is counter intuitive.

Policy SP3 Development in the Countryside states that:-

In the countryside, defined as land outside the settlement boundaries, the Local Planning Authority will only permit the following types of development:

vii. The infilling of existing settlements *without a settlement boundary* in line with policy H4.

Development proposed in accordance with this policy should not cause unacceptable harm to biodiversity and the water environment, to the character and landscape of the area or neighbouring uses, or create unacceptable noise/light and traffic generation

This Policy allows the possibility of infilling in settlements where there are *no* defined settlement boundaries. Sites that are in Settlement Gaps must satisfy many more issues. These Settlements include sites in the Meon Gap, Kingsworthy Gap and the Swanmore- Bishops Waltham and other Gaps.

Policy H4 sub section B states:-

B. Within the following settlements, which have *no defined settlement boundary*, where development and redevelopment:

- i. consists of infilling of a small site and;**
- ii. is within a continuously developed road frontage and;**
- iii. would be compatible with the layout, built form and character of the village and;**
- iv. would not involve the loss of important gaps between developed areas.**

The following settlements are identified:-

Bighton, Bishops Sutton, Compton Street, Crawley, Curbridge, Curdridge, Durley, Durley Street, East Stratton, Gundleton, Headbourne Worthy, Hundred Acres, Newtown, North Boarhunt, Northbrook, Northington and Swarraton, Otterbourne Hill, Shawford, Shedfield, Shirrell Heath, Soberton Heath, Stoke Charity, Wonston, Woodmancott.

Elsewhere, countryside policies will apply and only development appropriate to a countryside location will be permitted, as specified in Policy SP3.

It can be appreciated that these settlements are small with few facilities and services. They are favoured over potentially more sustainable sites in Gaps. The Gap Policies are very restrictive and in effect prevent infilling. This is in conflict with the objective of the Government to significantly increase the provision of small sites.

Policy H4 B hasn't provided any clarity on what constitutes an infilling gap. The criteria is vague. It states that the proposal **consists of infilling of a small site ... within a continuously developed road frontage**. The previous Policy MTRA3 was criticised for this weakness but it has been carried forward essentially unchanged. Small sites have been proposed for development only to find that the Council has criteria that is not based upon the policy. This incongruity remains because the revised Policy hasn't provided any additional criteria leaving developers still uncertain as to what will be supported.

Winchester District Council claimed in response to objections to the previous iteration of the Local Plan (Reg. 18) that it had already met this requirement. It looked back over many years of the Local Plan period and counted every small site that had been permitted. These shouldn't have been counted. It is unjustifiable and misleading.

Small sites are primarily developed by small local companies and tradesmen and the policies should explicitly favour more small sites and loosen the restrictions .

This was recognised by the new government. The draft National Planning Policy Framework states in paragraph 71:-

Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:

- a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved;**
- b) seek opportunities, through policies and decisions, to support small sites to come forward for community-led development for housing and self-build and custom build housing;**
- c) use tools such as area-wide design assessments, permission in principle and Local Development Orders to help bring small and medium sized sites forward;**
- d) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes; and**
- e) work with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes.**

There is an important and fundamental change of emphasis from the previous National Planning Policy Guidance 2023. It is proposed that the previous guidance on the development of small sites should be reinforced.

Proposed Reforms of the National Planning Policy Framework and Other Changes to the Planning System

The new government published a draft version of the NPPF seeking views on its content. It also published Consultation document that discussed the Proposed Reforms and it sought responses to a wide range of issues.

Paragraphs 15 and 16 were of particular relevance to the revised guidance on the development of small sites. Paragraph 15 states that the government is considering reinforcing the NPPF:-

Making the small site allocation mandatory

15. Small and medium sized builders are essential to meeting our housing expectations and supporting local economies. They also build out the majority of small sites. Their

business models often rely on identifying and securing small sites and building them out quickly. The Government is concerned that SME housebuilders are not able to access the small sites that they need, and that local planning authorities are not bringing forward small sites in their plans to the level set out in the NPPF.

Paragraph 16 states:-

We know that most authorities preparing plans have been unable to identify enough small sites to reach the current 10% NPPF local plan allocation expectation, and the Government is concerned this is hindering local SMEs ability to identify sites to bring forward, build out, and for their businesses to grow. We would like to gather views on why authorities are unable to identify 10% small sites, welcoming views on measures to strengthen small site policy through the NPPF, and in particular:

- a. whether the 10% small site allocation should be required in all cases (removing the current caveat that there may be some places where strong reasons exist which mean this cannot be achieved);
- b. what would be required to implement this more stringent approach, if pursued;
- c. whether a definition distinguishing between small and medium sites would improve clarity; and
- d. whether requiring authority-specific small-site strategies would help implement the 10% allocation.

This is supported. The change is of significance for the site in Lower Chase Road, Swanmore that was dismissed at appeal because the infill gap was too large, (6 dwellings) and that the site was in the Swanmore – Bishops Waltham Gap. There were no other constraints.

The Inspector found that the site in School Lane, Kingsworthy was not undermining the function of the Gap but it was dismissed because the proposal for one house didn't satisfy the infill policy. There was residential development on three sides but the fourth and key boundary was an open space. The site was self contained but didn't satisfy the details of the infilling policy. Greater flexibility is essential.

It was also agreed by the Council that another site in Whiteley Lane (Planning Application: Land adjoining Lodge Green: Ref:- 24/01343/OUT) also didn't undermine the functioning of the Meon Gap.

It is not clear what *undermining the function of the Gap* means. Should the boundary of these Gaps be changed?

There are many sites in the District that could meet this new government's guidance if the infilling policy was made more flexible. The development of small sites is beneficial for the local economy. It provides jobs for local people and there is the possibility of training people in the skills in the building trades that are desperately needed. The Council is in effect opposed to this.

The policies in Winchester District reflect the latter point. Local residents typically oppose new development near them and press Councillors to refuse permission. Some policies simply have the objective of preventing the development of small sites.

The existing policy that restricts development to ‘**infilling of small sites within continuously developed road frontages**’ is a case in point (MTRA3). This should be a matter of judgement not an absolute prohibition. The restrictive policies add weight to the case to prevent development even where the planning merits could support development.

The wording is very imprecise. How many dwellings are acceptable in these frontages. The site in School Lane was dismissed on the same Policy MTRA3. It was a self contained site but it only had a dwelling on one side. The other side comprised an open space which was obviously an end stop to development but it wasn't a dwelling.

The promotion of small sites cost many thousands of pounds to pursue appeals while the Council has released many large sites to meet the housing requirement that in effect favours the volume builders who have made many millions of pounds with less benefits to the local economy. They typically employ companies and traders based at a distance from the local area.

A recent report based on research by the Lichfield's Consultancy found that there was a significant decline in the development of new homes by SME housebuilders. It states that:-

A consistent trend over the last thirty years has been the declining number of new homes being delivered by SME housebuilders. In 1988, SME housebuilders delivered 39% of all homes built in England, but this fell to just 10% of annual housing completions in 2020.

This was attributed to planning costs but there was a significant secondary factor:-

A second factor is the increased “politicisation of planning” with much higher public scrutiny and antipathy to development in some areas.

The Lichfield Consultancy has recently stated with regard to the government's housing policy that:-

The headline figure from Labour's manifesto of building 1.5 million new homes in five years is now a well reported ambition of Government, in order to “recapture the dream of homeownership [and to] support families and communities ”.

To achieve this, a fundamental part of the solution lies in the planning system, and specifically, robust and up-to-date Local Plans to help guide enough of the right type of housing in the right places.

Self-Build dwelling at land between Game Lodge & Forest View, Forest Lane, Wickham Common, Hampshire, PO17 5DN (22/02739/OUT)”

The perversity of the policy is demonstrated by the decision in respect of the above site. The development has been permitted in a relatively unsustainable location. Planning permission was granted for the development of one dwelling in North Boarhunt. The Officers Report states that-

The application site is situated outside of a defined settlement boundary and as such the land is considered as designated countryside. Policy MTRA4 of the Winchester District Local Plan Part 1 applies here and seeks to prevent new residential development in the countryside.

The application site is set within a rural location. The Report then states that

Policy MTRA3 of the WD LPP1 however, allows for the development and redevelopment that consists of infilling of a small site within a continuously developed road frontage in certain areas where the development is of a form compatible with the character of the area. In this instance, for the purposes of policy MTRA3 of the WD LPP1, the site itself measures a width of approximately 17meters, is bounded by residential properties on either side and sits within a continuously developed road frontage. The proposed development of one dwelling within this site could therefore be considered the infilling of a small site within a continuously road frontage.

In this instance, the application site can be considered to fall within North Boarhunt for the purposes of this policy, highlighted by the sites close proximity to a number of public transport routes and local facilities as demonstrated through the submitted transport assessment, where the principle of infill development is accepted.

The statement that this site is in close proximity to a number of public transport routes and local facilities is highly questionable. Forest Lane has no footpaths or lighting over much of its length.

Conclusion.

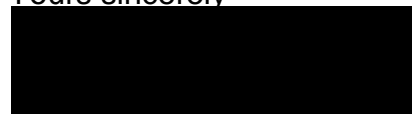
The policies of the Local Plan Regulation 19 remain unjustifiably restrictive. The criteria set out for infilling needs to be modified to meet the government's guidance in the emerging NPPF. This places considerable emphasis on the provision of sites for small developers. It recognises the benefits this brings to the local economy. Policy H4 should be modified to allow the release of more small sites. This would be compatible with the government's view that:-

Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly.

The provision of small sites is severely restricted by the Gap Policies which in effect prevent development. The policies of the emerging Local Plan have the effect of restricting development in the most sustainable locations and favouring the least sustainable areas.

For these reasons, it is considered that the Local Plan is unsound because its policies are '**Unjustified**'.

Yours sincerely



Chief Executive/Executive Chair
Hampshire Chamber of Commerce