

Gladman Developments Ltd

**Winchester City Council**

**Local Plan Part 2: Development Management and Site Allocations**

**Examination Hearing Statement**

Matter 3: Active Communities – Policies DM1-5



**June 2016**

# 1 **MATTER 3: ACTIVE COMMUNITIES – POLICIES DM1 – 5**

## 1.1 I) Are policies DM1-5 reasonable and realistic, clear and consistent with national policies/guidance and do they establish suitable and appropriate criteria?

### Policy DM1 – Settlement Boundaries

- 1.1.1 Gladman do not consider Policy DM1 to be reasonable or consistent with national policy and guidance and therefore cannot be considered to be positively prepared. Policy DM1 states that development that accords with the Development Plan will be permitted within the defined settlement boundaries, outside of these areas, policies for the protection of open countryside will apply and development will only allowed in a narrow set of circumstances relating to leisure, recreation and housing for essential rural workers.
- 1.1.2 Gladman submit that it is inappropriate to use settlement boundaries in the way proposed as a mechanism to restrict otherwise sustainable development from coming forward. The Framework makes clear that development, which is sustainable should go ahead without delay in accordance with the presumption in favour of sustainable development. The use of development limits will act to arbitrarily restrict suitable and sustainable development from coming forward on the edge of settlements which would not accord with the positive approach to growth required by national policy. The PPG<sup>1</sup> makes clear that *“all settlements can play a role in delivering sustainable development in rural areas – and so blanket policies restricting housing development in some settlements and preventing other settlement from expanding should be avoided unless their use can be supported by robust evidence.”*
- 1.1.3 There is nothing in the Framework which states that development in the open countryside should be restricted in the extensive manner which the Council is seeking to implement via Policy DM1. **In reality, Policy DM1 would create a ‘presumption against development’ in all areas beyond the policy boundary.** This does not allow the flexibility and contingency that the LPP2 requires in the **likely event that the Councils’ SUEs fail to come forward at the anticipated timescales.**
- 1.1.4 Greenfield sites on the edge of settlements, but lying outside of proposed built up area boundaries may offer opportunities for sustainable development which could assist the Council in securing the flexibility required by the Plan and would help achieve the national policy **imperative which seeks to ‘significantly boost the supply of housing’ and would accord with the presumption in favour of sustainable development.**
- 1.1.5 In light of the above, Gladman recommend a more permissive approach to development outside the confines of the proposed settlement boundary is required and should instead reflect a criteria based approach consistent with the requirements of §14 and §49 of the Framework.

### Policy DM2 – Dwelling Sizes

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<sup>1</sup> PPG: Paragraph 50 Reference ID: 50-001-20140306

- 1.1.6 Policy DM2 cannot be considered to be positively prepared or justified as it seeks to establish a series of requirements that will effectively cap the scale of housing. Gladman reiterate the concerns raised previously in response to the pre-submission version of the LPP2 and note the supporting text of Policy CP2 of the LPP1, **which states at §7.18** *'it is important that the market is able to react to changes in economic circumstances and patterns of development.'* This is further supported in **the Inspector's Report to the LPP1** which **confirms at §64** that *'the policy should not be overly-prescriptive, so as to allow for local circumstances and scheme viability to also be taken into account.'*
- 1.1.7 Policy DM2 as proposed ignores the recommendations of the LPP1 Inspector, made in response to LPP1 Policy CP2, via implementing a set of prescriptive requirements which may in turn affect the viability and deliverability of sustainable development proposals and is overly prescriptive and is therefore in direct conflict with §173 of the Framework.
- 1.1.8 The Council has not provided any justification for the inclusion of this policy apart from seeking to influence the value and affordability of housing across the district. However, many factors will affect affordability, and should the Council wish to improve the affordability of the District, the most effective way would be by increasing supply to meet the current demand. Restricting the size of dwellings will result in an adverse impact on the choice and availability of certain house types **and will not address the Council's severe affordable housing** shortage.