

WCC FS Matter 7 Swanmore

WCC FS Matter 7 Swanmore

Winchester District Local Plan Part 2 – Development Management and Site Allocations

Examination – July 2016

Winchester City Council

Response to Inspector's Questions:

Matter 7 Swanmore
Question i) and ii)

Library Reference: WCC FS Matter 07



Matter7 : SWANMORE– Policies SW1 –25

Inspector’s Questions:

- i) Are the policies and proposals for growth and change in this area appropriate and justified, including in relation to the NPPF/PPG, and in terms of environmental, economic and social impacts?
- ii) Are they clear and deliverable, including in respect of the associated infrastructure requirements?

Introduction and background:

1. Swanmore is a village in the southern part of the District. The South Downs National Park bounds the village from the north-east to the south-east. The Bishops Waltham – Swanmore – Waltham Chase local gap covers most of the rest of the land adjoining the settlement boundary. Swanmore has a development requirement in LPP1 under Policy MTRA2 (OD7) which specifies *‘provision for about 250 new homes’*.
2. The capacity for development within the existing settlement boundary was assessed: the results are at paragraph 4.6.4 of the Local Plan. This indicates that, given existing commitments, there is the need to allocate land to accommodate 146 dwellings in order to meet the overall requirement of ‘about 250’ dwellings over the Plan period. The Plan sets out a strategy to accommodate this requirement by means of one main allocation at The Lakes. A further policy allocates land at Lower Chase Road for open space needs, with only a limited housing allowance on the south-west corner of the site.
3. Following community involvement during 2013 and 2014, the site allocations above were made to meet LPP1 development requirements, including open space, and the need for sustainable development in line with the NPPF/PPG. Details of the community involvement are set out in the [Council’s Regulation 18 Consultation Statement \(OD5\)](#); paragraphs 3.76 – 3.89 provide a summary for Swanmore up to the Draft Plan stage.
4. The [Housing Site Assessment Methodology](#) (EBT4) sets out the approach to identifying sites, with the settlement specific summary for Swanmore at section 11.
5. Site Selection
The policies and proposals for Swanmore have been positively prepared and justified by the evidence. The strategy for development in the area was

developed in association with the local community. This included an assessment of the full range of development needs in the area (informed by the [Technical Assessments](#) for Transport (EBS1,2) Landscape Sensitivity (EBS3) Open Space (EBS4) Historic Environment (EBS5) Housing (EBS8) Employment (EBS9) Infrastructure (EBS10)) and consideration of alternative strategies for meeting these needs, including a Sustainability Appraisal. See also [Background work with Parishes on LPP2](#). For further detail of the preparation process with the local community.

Key Issues During consultation

6. [Appendix E of Cabinet Report CAB2711\(LP\)](#) September 2015 (Library Ref WCC3) contains an analysis of the key issues relating to the Swanmore section of LPP2. It includes an assessment of proposed allocations and omission sites, the findings of the Sustainability Appraisal (SA) and consideration of representations made on the Draft LPP2. The policies and proposals for Swanmore were amended where appropriate to improve their soundness, clarity and deliverability. Appendix E recommended a final strategy for LPP2, which was subsequently approved by the Council and comprises the Swanmore Chapter of LPP2.

Scale of Development

7. Some representations challenge the development strategy and housing requirement. The strategy is already set out in LPP1 as explained above. The Council has produced a [Background Paper – Housing Requirements and Supply](#) (OD15), which covers the approach to dealing with housing requirements and supply throughout the Plan period in more detail.
8. Some representations question the scale of development in Swanmore, particularly when considered cumulatively with development in the adjacent settlements. The overall distribution of development in the District including levels required at Swanmore, Waltham Chase and Bishops Waltham has already been agreed in LPP1. Statutory undertakers and service providers had no objections to the overall levels and distribution.

South Downs National Park (SDNP)

9. Swanmore is bounded by the SDNP from the north, round the east and through to the south-east. LPP1 sets a housing requirement for the Winchester District in full, but all of the settlements which have a specific housing target are outside the SDNP. Therefore, LPP2 seeks to achieve its housing targets outside of any areas of the District that are within the National Park. The SDNP is in the process of preparing its own Local Plan which will make appropriate provision for the housing needs it identifies.

10. Notwithstanding this, consideration was given in the site assessment to proposed development sites around the village which fall within the SDNP. Liaison was undertaken with SDNP Officers under the Duty to Cooperate and SNDP Officers attended joint meetings with the Parish Council. The presence of the SDNP is a constraint to development and the National park Authority takes the view that development should only be considered within the National Park where there is no deliverable alternative site and it does not have an adverse effect on the special qualities of the Park (landscape & views in this case). Given that alternative sites with sufficient capacity to accommodate the required level of housing exist outside the National Park, no sites within the Park are promoted (which could only be done through the SDNP Local Plan).

Settlement Gap

11. Representations have been received that development should not be considered within the Settlement Gap. The Bishops Waltham – Swanmore – Waltham Chase – Shedfield – Shirrell Heath Gap has been designated to maintain the settlement character of the area and separate settlements at risk of coalescence and is a local policy constraint.
12. The presence of the gap was taken into account as part of the site assessments. However, in Swanmore there is only a very small area to the south-east of the village that is neither in the SDNP nor the Settlement Gap. Given the importance at the national level of maintaining the character of the SDNP, it was considered that some degree of development within the Gap was unavoidable in order to accommodate the required level of development.

Alternative Strategies

13. As outlined above, the strategy for Swanmore is to concentrate new development area around the area known as The Lakes and identified as SW1 in LPP2. This is considered to be the most appropriate strategy when considered against the reasonable alternatives.
14. However, representations have suggested alternative strategies involving a combination of spreading development over a larger number of sites, intensifying development and amending the Settlement Boundary. These are briefly considered below and [Appendix E of Cabinet Report CAB2711\(LP\)](#) discusses the alternative strategies and omission sites in detail.
15. **Alternatives to SW1 development** - An analysis of the SHLAA capacity within the settlement would only produce 11 dwellings and all the sites submitted for consideration outside the SDNP could produce about 174 without the inclusion of development at The Lakes. The 202 dwellings 'remaining to be allocated' would require the development of all SHLAA sites

within the settlement, some external sites that did not score highly on the technical assessment or the SA, and would still not fulfil the requirement. It is therefore necessary to develop at least some of The Lakes area.

16. **Settlement Boundary adjustment** - Some adjustment to the settlement boundary could be considered, however this would be minor in scale and could not provide all the required development in itself. One of the main areas considered for adjustment around Droxford Rd would involve development within SDNP. Given that The Lakes is necessary in any case, it is therefore not necessary to make any further adjustment of the SBP to accommodate new development. The only adjustment proposed are the minor adjustments proposed in the [Settlement Boundary Review \(EBT5\)](#) and as updated following the Draft Plan [Settlement Boundary Review Addendum \(EBT6\)](#).

17. **Omission Sites** – Two ‘omission’ sites (Alexander Cottage Lower Chase Rd and Land South of Dodds Lane) were promoted at the Draft Plan stage and were considered in Appendix E of WCC3, in addition to the previously assessed sites. Neither of these performed well enough to alter the policies proposed as detailed in WCC3 and the land near Dodds Lane is within the SDNP.

Publication Stage Issues

18. A small number of representations were received at this stage. A site promoter of part of The Lakes has raised issues relating to housing capacity which is considered under SW1 below. Aside from this, no new issues have been raised.

19. One representation promoted a site off of Dodds Lane, which is within the SDNP. This site has already been considered and is discussed at paragraphs 30-35 of Appendix E to WCC3. The further representation raised no new issues.

20. One representation promoted a site in Mislingford Lane. This site has already been considered (WCC3) and performed badly in sustainability terms due to its distance from the main village and detailed site access concerns.

Policy SW1 – The Lakes Housing Allocation

21. Policy SW1 allocates land for the development of about 140 houses together with other provisions that are necessary to enable the development to proceed and provide mitigation and environmental improvements and

community benefits needed in the area. SW1 sets out particular infrastructure measures that will be required on the site in relation to flood alleviation, the provision of sewage connection and contribution to education provision in the area. A masterplan is also required to secure the co-ordinated approach to development.

22. A number of objections were raised to SW1 allocation and these are similar to comments on the Draft Local Plan considered in the CAB2711(LP) report (WCC3).
23. Further representations have been raised at the Publication Stage from the Environment Agency, Natural England and the developer of the southern part of the site (area known as Hillpound).
24. The Environment Agency has raised concerns about the application of the sequential test in the site selection process and the capacity of the site to avoid flood areas. The site selection process considered flood zones as a constraint. Given the availability of suitable sites, The Lakes area was considered the best site having regard to reasonable alternatives. The Council's analysis of the housing potential of the site excluded areas within flood zones 2 & 3. A full sequential test is not required as development is not proposed within the flood zone area. Although the allocation 'washes over' the flood zone area for clarity in the Policies Map, Policy SW1 makes it clear that development should avoid areas liable to flood. It is accepted that this is an important issue, therefore Minor Modifications are proposed to the Policy and supporting text to emphasise that development should not take place in areas liable to flood, with specific reference to avoiding flood zones 2 & 3. The proposed Modifications are attached as Appendix 1. The Environment Agency are content with these changes (see email attached as Appendix 2)
25. Natural England has suggested that the Masterplan should include reference to landscaping to ensure the development does not have an impact on the surrounding landscape. Policy SW1 has detailed policy requirements for landscaping and green infrastructure and open space. It specifically requires landscaping along the settlement edge and also requires the retention and reinforcement of important trees and hedgerows. The masterplan establishes a limited set of key principles to ensure a comprehensive approach to development across the allocation. Beyond identifying links to other areas, it would not be possible to secure the detail required in landscaping plans outside the areas under the control of particular owners as part of a masterplan.
26. The developer of Hillpound has raised issues relating to the content of the Masterplan. Changes were made at Publication Stage as a result of

consideration of these issues and no further changes are considered necessary in respect of the masterplan aspect of the policy.

27. The developer of Hillpound has raised a new issue, questioning the allocation of the whole of SW1 for 'about 140 houses'. They have provided an estimate of the capacity of the site at 191 and seek an amendment to the policy in respect of this. The Council undertook an analysis of the capacity of the site as part of the site assessments. The figures can be seen in the SHLAA. Sites 2505 (Hillpound) and 340 (New Road) are estimated at 120 in total. Apart from the SINC (2464), the central area of the SW1 site is in a number of ownerships with no confirmed developer and therefore a very modest estimate of its capacity was made.
28. The site allocation of 140 is considered reasonable, given the remaining housing requirement of 146, to ensure that 'about' that figure has a reasonable prospect of being delivered. Given the multiple ownerships of the central area covered by SW1, and the different stage of advancement of proposals, there is insufficient certainty over the delivery of a substantial additional number of dwellings in this area to justify amending the policy. The phrase 'about' provides some flexibility to permit more than is allocated in the policy, if this proves to be feasible. However, inclusion of a higher figure in policy SW1 would introduce a requirement which the Council does not believe can necessarily be delivered, and which is not necessary to satisfy the LPP1 requirement. The Council undertook a 'light touch' viability assessment (see Appendix 3 of Appendix E to WCC3 of the allocation which indicates that SW1 would be deliverable in its current form.
29. The density of development is not likely to be high in this area, due to its relationship with the surrounding countryside and the high amounts of green infrastructure, landscaping and open space required. It is noted that the developer's recent permission at Hillpound was for 91 dwellings, which is higher than the Council's estimate of 84 for that part of the site and was at a relatively low density of 19 dph. The applicant argued that this fitted in with the character of the surrounding area and the rural fringe nature of the site.

Policy SW2 – Lower Chase Road Open Space Allocation

30. SW2 allocates land at Lower Chase Road for open space, with allowance for a limited amount of housing on the western corner of the site. The Submitted LPP2 incorrectly states this area as 'south-west'. Although the two areas are clearly identified on the Policies Map, a modification is proposed at Appendix 1 to correct this. SW2 also sets out other provisions necessary to make the development acceptable in planning terms in terms of access, landscaping and any necessary education contribution.

31. A number of objections were raised to SW2 allocation and these are considered in Appendix E to WCC3. Further representations have been raised at the Publication Stage from the site promoter.
32. A planning application submitted by the site promoter is currently under consideration. The application 15/01693/FUL) proposes 5 houses in the n-w corner and open space on the remainder of the site, together with a pedestrian link as sought by policy SW2. The details of the proposal are currently being discussed, including the delivery of the footpath link with adjoining land. The nature of the open space is being discussed with the Parish Council who will ideally take ownership of the area.
33. The site promoter supports the allocation of the site for open space, but proposes that the policy be amended to allow for housing all along the southern boundary. The developers contend that the current allocation may result in a cramped development that could be out of character with neighbouring properties on Lower Chase Road. They further contend that a larger allocation would allow for greater flexibility of the housing layout and surveillance of the open space, whilst allowing an adequate area for public open space to meet local needs. Although a number of houses are not specified at this stage, the promoters sought an allocation for 10 dwellings at the Draft Plan stage.
34. There is not considered any reason to change the submitted Plan in respect of SW2 in reference to the submissions by the site promoter. The site is an open space allocation and additional development is not required to meet the housing requirements for Swanmore. In terms of character, the part of the site set aside for housing is considered to relate well to existing development and the current planning application suggests that 5 houses can adequately be accommodated on this area.
35. Development along the southern boundary would be outside the settlement boundary as proposed in LPP2. It is the intention of WCC and the local community that this area remains in an open aspect to the countryside, which suits the provision of informal open space or allotments. The area is also within a Settlement Gap. The Parish Council states that there are currently 10 people awaiting allotments. Initial calculations indicate that this number of allotments would only just fit on the site as currently proposed in the planning application, which is a further reason why no further area should be developed for housing.
36. Consultations showed that no additional sewage connection is necessary in this area. The area is not in the flood plain; however representations have referred to drainage issues on the open space area of the allocation. Site

drainage issues are localised and do not require specific reference in the policy, although this may be an issue should the area allowed for housing increase.

37. In terms of deliverability, the Council undertook a ‘light touch’ viability assessment of SW2 which concluded that development would be viable and generate sufficient value for the site owner to provide the required open space. The current planning application would support this and (in view of current Government policy) would not require any affordable housing contribution.

Status of allocated sites –

38. The following table provides an update of the status of the sites allocated for development in Swanmore as at 1 July 2016:

Table 1

Policy Ref	Site	Status
SW1	The Lakes (part) Hill Pound	Planning application 15/01693/FUL for 91 dwellings on southern part, approved subject to legal agreement 10.03.16 for 91 dwellings with associated access, parking, landscaping and surface water drainage. etc.
SW1	The Lakes (remainder)	No planning applications – the owners of New Road site have confirmed availability
SW2	Lower Chase Rd	Planning application 16/00945/OUT currently under consideration. Proposal is for the whole site area and proposes 5 houses [outline application] in the south-west area and open space on the remainder of the site [detailed application].

Response to further written submissions

39. The developer of Hill Pound has made a further submission in respect of SW1. This repeats and expands on their arguments, particularly in respect of densities. No response from the Council is required to this.

Conclusion

40. The Council considers that the strategy and proposals for Swanmore are sound. The preparation of this part of LPP2 has an extensive evidence base, both factual assessments and local community engagement. The policies express the necessary detail to achieve well planned and considered developments without being overly prescriptive, whilst allowing for some flexibility in the amount of development, in accordance with NPPF para 154.

41. This part of LPP2, complies with the requirements of the NPPF, reflecting local circumstances and aspirations whilst providing for a balance of economic, social and environmental considerations to achieve sustainable development. Both the policies and supporting text have been amended to reflect the results of the Sustainability Appraisal and representations received, particularly those from the statutory agencies.

42. The Council therefore considers the proposals for Swanmore are clear and deliverable. There are no barriers to the development of sites SW1 and SW2 as shown in LPP2 in relation to infrastructure. The site owners have indicated that the sites are available and planning applications are in progress for parts of the sites. Should these be implemented at least 96 of the required 146 housing allocation is likely to be come forward within the first 5 years of the Plan period.

**Appendix 1 –
Proposed Modifications
Swanmore**

- 4.2.1 Part of the land covered by policy SW1 is potentially liable to flood and measures will need to be implemented as necessary to prevent this. Development should be avoided within Flood Zones 2 and 3. Drainage and sewage provision These should also ensure that pollution to areas of nature conservation importance, such as The Moors at Bishops Waltham, is avoided. Improvements will also be needed to the foul drainage network to accommodate the proposed development. Drainage and water supply infrastructure cross the site and this will need to be safeguarded through the design and layout of development.

Policy SW1 – The Lakes Housing Allocation

Land to the north of The Lakes, as shown on the Policies Map, is allocated for the development of about 140 dwellings and areas of open space. Planning permission will be granted provided that detailed proposals accord with the Development Plan and meet the following specific development requirements:

Nature & Phasing of Development

- a masterplan establishing principles for the disposition of housing, open space, access points and linkages for the whole allocated area should be submitted with each application for development. Any subsequent applications for all or part of the site should also demonstrate how the proposal will accord with these principles and achieve the form of development intended by this allocation as a whole.

Access

- provide safe vehicle, pedestrian and cycle access points to the west (New Road) and east (Hillpound) in a form and position which minimises the loss of trees and hedgerows;
- provide footpath/cycleway links between New Road and Hillpound through the site, or by improving The Lakes, and link with existing development and facilities to the north.

Environmental

- provide substantial landscaping to create a strong new settlement edge to the south, whilst retaining and reinforcing protected and other important trees and hedgerows within the area to maintain and improve green links;
- retain, improve and manage the Sites of Importance for Nature Conservation (SINCs) and link these with the provision of substantial on-site open spaces running through the site (Natural Green Space, Informal Open Space, Parkland, Allotments and Local Equipped Areas for Play) to provide for adequate public open space and wildlife corridors to enhance biodiversity.

- **avoid development in areas potentially liable to flooding.**

Other Infrastructure

- **contribute to the expansion of Swanmore College of Technology and other infrastructure needed to make the development acceptable in planning terms;**
- **undertake a surface water drainage assessment and implement any drainage measures or improvements necessary, including ~~avoiding development in areas potentially liable to flooding,~~ providing Sustainable Drainage Systems, and making any necessary on- and off-site drainage improvements;**
- **provide a connection to the nearest point of adequate capacity in the sewerage network, in collaboration with the service provider.**

- 4.2.2 Land at **Lower Chase Road** (1.1 hectares in total) is allocated for open space use and a small amount of housing. The area is contained by existing housing and the Swanmore College recreation land and provides the opportunity to extend the range of open spaces available in this part of the village, helping address local open space shortfalls. In order to facilitate this and give certainty over the future of this land, a limited number of dwellings will be permitted adjacent to the existing development on Lower Chase Road, as part of a comprehensive, open space-led scheme for the whole site.
- 4.2.3 The area is within the Swanmore-Waltham Chase Gap and the open space uses should be designed so as to avoid harmful impacts on the surrounding housing or intrusion into the Gap.

Policy SW2 – Lower Chase Road Open Space Allocation

Land at Lower Chase Road, as shown on the Policies Map, is allocated for the development of public open space with limited housing. Planning permission will be granted provided that detailed proposals accord with the Development Plan and meet the following specific development requirements:

Nature & Phasing of Development

- **the majority of the site, behind properties in Lower Chase Road, Broad Lane and Crofton Way, should be developed for public open space to address local needs, funded by a small number of dwellings in the south-western part of the site.**

Access

- **provide safe vehicle, pedestrian and cycle access from Lower Chase Road;**
- **provide a new footpath/cycleway through the site,**

accessing the open space and linking with housing and open space at Swanmore College to provide access between Lower Chase Road and New Road.

Environmental

- **provide landscaping to enhance the proposed open space areas and protect the amenities of adjoining housing and the open character of the settlement Gap, retaining and reinforcing important trees and hedgerows within the area;**
- **provide substantial open space suitable for the location, such as Informal Open Space, Parkland and Allotments, to help address existing local shortfalls.**

Other Infrastructure

- **contribute to the expansion of Swanmore College of Technology and other infrastructure needed to make the development acceptable in planning terms.**

**Appendix 2 –
Environment Agency Further Response
30.06.16**

WCC FS Matter 7 Swanmore

From: Lax, Laura [<mailto:laura.lax@environment-agency.gov.uk>]
Sent: 30 June 2016 15:08
To: Zoe James
Subject: RE: Email today

Joan

As per my email below my response to your comments/amendments are as follows

With regard to the sequential test and site selection, if Winchester City Council is satisfied that they have evidence to demonstrate that they have satisfied the requirements of paras 100 and 101 of the NPPF in respect of this then we have no further concerns regarding this. It is the responsibility of the Local Authority to show that the sequential test has been undertaken and to provide robust evidence to demonstrate this.

The rest of the points in your email relate to the allocation of the site within policy SW1. The comments I am making here are obviously on the assumption that the sequential test has been passed as per my comments above. We welcome the additional reassurance from Winchester City Council that no built development will occur within the flood zone 2 and 3 areas of this site. This is important to ensure that the aims of the NPPF are implemented and inappropriate development in areas at risk of flooding is avoided. The background information you have provided regarding the capacity calculations is very useful, especially demonstrating that the level of development has taken the flood zones into account. This adds evidence to demonstrate that the policy will be implemented as written. Our aim is to ensure that wherever possible no further development is brought forward in areas at the highest risk of flooding. This is essential to protect people and property.

Following on from this we feel that the proposed modifications to policy SW1 and the supporting text make it clearer that development should be avoided in flood zones 2 and 3. It is key that this is included as part of the development criteria for the policy. We would support the inclusion of these alterations.

In relation to the panning application you refer to I can confirm that we were content with the application as submitted as the accompanying flood risk assessment demonstrated that the proposed development was located outside of flood zone 2 and 3. Notwithstanding the application of the sequential test, if the application for the other part of the site came forward demonstrating the same, we are unlikely to have any objection to the proposal.

In summary therefore, as long as Winchester City Council are satisfied that they have robust evidence to demonstrate that the sequential test has been undertaken in the allocation of the sites in this document, then the Environment Agency is satisfied that the reassurance provided and the proposed amendments to the policy and supporting text, resolve the issues that we have previously raised in our representation to this policy.

Please feel free to contact me if you have any queries regarding the above.

Kind regards
Laura

Laura Lax
Sustainable Places
Solent and South Downs

Tel: 0208 4745902
Email: laura.lax@environment-agency.gov.uk