

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

Examination – July 2016

Winchester City Council

Response to Inspector's Questions:

Matter 11 Kings Worthy
Question i) and ii)

Library Reference: WCC FS 11



Matter 11: KINGS WORTHY – Policy KW1

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. Kings Worthy is one of the larger villages in the District, with a development requirement in LPP1 under Policy MTRA2 (OD7) which specifies *‘provision for about 250 new homes’* and that development needs should be met *‘within existing settlement boundaries in the first instance’*.
- 2. The capacity for development within the existing settlement boundary was assessed: the results are at paragraph 4.4.5 of the Local Plan:

Category	No. of dwellings
a. Requirement (2011-2031)*	250
b. Net Completions 1.4.2011 to 31.3.2015	70
c. Outstanding permissions at 31.3.2015	8
d. SHLAA sites within settlement boundary	51
e. Windfall allowance	70
f. Total supply (b+c+d+e)	199
Remainder to be allocated (a – f)	51

- 3. Following community involvement during 2013 and 2014, a single site allocation was made to meet LPP1 development requirements 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 \(OD5\)](#): section 3 provides a summary for Kings Worthy 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 Kings Worthy at section 9. Specific evidence was collated for various matters such as open space (EBKW4), historic environment (EBKW5), transport (EBKW1, 2) and landscape sensitivity (EBKW3), see also [Background work with](#)

[Parishes on LPP2](#). The public was consulted on a shortlist of three sites which best met the selection criteria.

5. Paragraph 9.6 of EBT4 refers to the criteria on which the public were consulted and the report notes the desire to accommodate development within the existing settlement boundary so far as possible, consistent with LPP1 policy MTRA2. The consultation showed a clear preference for a site at Lovedon Lane, which was carried forward into the Draft Local Plan. Some respondents comment on the consultation process and these detailed matters are considered under the 'key issues' heading below.

Key issues during consultation

Housing Supply

6. Some representations challenge the Local Plan's development strategy and housing requirement (see [Background Paper 1 – Housing Requirements and Supply](#) OD15) and promote additional/alternative sites or question some of the sources of housing supply. Drew Smith append a report by Turley Planning to their Pre-Submission Local Plan representations and have submitted a further statement. The various categories are considered in detail at Appendix 1.

Site Selection and Allocation

7. The site selection process is outlined in the [Housing Site Assessment Methodology](#) (EBT4) and a detailed assessment is included in the [Report to Cabinet Local Plan Committee CAB 2711\(LP\) 16 September 2015](#) (WCC3). Appendix D of WCC3 addresses issues raised in relation to Kings Worthy at the Draft Plan stage, with Appendix 1 to that document assessing potential sites against the site selection criteria. The Lovedon Lane site (365) scores best or equal best on most of the key criteria. Its location within the Settlement Gap, as currently defined, results in it being 'marked down' for the same reason against several criteria (policy constraints, landscape and Gap), but it remains the best performing site and has significantly greater community support than other sites.
8. The Draft Local Plan's allocation (policy KW1) included 50 dwellings in the north-eastern part of the Lovedon Lane site, including part of an existing playing pitch within the Eversley Park recreation area. However, the Draft Local Plan was clear that *'there will be further public consultation on the*

types and location of open space to be provided' and that the location of the housing and open space shown on the Summary Map (OD4 page 71) was *'diagrammatic... pending agreement of the preferred disposition of uses following consultation on open space provision'* (Draft Local Plan paragraph 4.4.17).

9. The Lovedon Lane site promoters and the Parish Council held a consultation in parallel to consultation on the Draft Local Plan which showed overwhelming support for relocating the housing to avoid the loss of the existing playing field. Appendix D of WCC3 included the results of this consultation and recommended that the Local Plan be amended to reflect this. Therefore, the Pre-Submission Plan revises the location of the proposed housing to avoid developing the existing playing pitch, resulting in development extending further to the south-east.

10. The representations by Drew Smith suggest that the number of people responding to the consultation on the 3 shortlisted sites was not enough to give a mandate for avoiding the requirement to objectively assess the competing sites. The Council has undertaken an objective assessment of the sites and has not used the consultation process to avoid this, or as a substitute for it. The shortlisting of the 3 sites was based on the evidence base for Kings Worthy, including assessments of accessibility, landscape sensitivity, historic environment, etc. The public consultation was undertaken so that account could be taken of the public's views, alongside (not instead of) the evidence base. This is illustrated by the [Report to Cabinet Local Plan Committee CAB 2711\(LP\) 16 September 2015](#) (WCC3). Appendix 1 to Appendix D of WCC3 assesses each site against the selection criteria, with the results of community consultation forming one of the criteria, which was considered along with other selection criteria.

11. A full 'Report of Public Consultation on Kings Worthy Site Allocations' was produced (see document EBKW14) explaining in detail the consultation process, the questionnaire, and the results. This shows that the public were encouraged to consider the planning criteria and to comment on how important they thought each was, as well as how well each site performed. The consultation was objective and well-informed, with the various evidence studies available on the Council's web site, and the Lovedon Lane site was very clearly preferred by the public.

12. The 138 responses received is a substantial number and additional exhibition events were held in response to public demand. The process

was widely publicised and the response rate, while appearing relatively low as a percentage of Kings Worthy's total population, is typical for such consultations. The Council cannot require or force people to respond and its conclusions about public views must be based on the responses it receives. The Parish Council worked closely with the City Council on the consultation and is the elected body responsible for representing the 'community view'. Kings Worthy Parish Council supports the outcome of the consultation and the subsequent LPP2.

13. While the response forms from each of the 'omission site' promoters (Taylor Wimpey, Drew Smith, and Apache Capital) suggest that policy KW1 is not sound, their arguments amount to disagreements with the performance of their sites against certain selection criteria, rather than demonstrating that policy KW1 is not sound. Indeed, most suggest that their sites should be allocated in addition to KW1. The Lovedon Lane allocation has now been tested through a planning application, which was approved in January 2016, illustrating that the Local Plan allocation meets the tests of soundness:

- it is *positively prepared*, as it delivers the 'remainder to be allocated' to meet the objectively assessed housing requirement for Kings Worthy, as well as open space provision;
- it is *justified*, as it reflects the outcome of assessing alternative sites and consulting on them, and demonstrates there are no unforeseen constraints;
- it is *effective*, as it is promoted by a house builder and construction has started;
- it is *consistent with national policy*, as the Local Plan process and planning application decision have followed the guidance of the NPPF.

14. Taylor Wimpey suggest that parts of their site are not sensitive in landscape terms, the whole area would not be developed and there would be no impact on the adjacent Scheduled Ancient Monument. However, the site submitted for consideration was the whole of SHLAA site 500 and it is right that this was assessed. While the Kings Worthy Landscape Sensitivity Appraisal (EBKW3) shows that the eastern parts of the site are 'least' and 'moderately' sensitive, the remainder of the site is 'highly' sensitive. Like Top Field, the Taylor Wimpey site is overlooked by the higher ground within Kings Worthy, particularly in the area of Nations Hill, and the landscape consultant's note (see Appendix 3) concludes that its development is likely to be harmful to the landscape.

15. The eastern-most part of the Taylor Wimpey land, broadly equating to the 'least' sensitive landscape area, is within Flood Zones 2 and 3 (Kings Worthy Constraints Map, EBKW10). While the smaller site performs well on some site selection criteria, it performs less well in its relationship to the built-up area and physical constraints. The analysis of the site's performance contained at Appendix D of WCC3 concludes that the site performs moderately, but less well than Lovedon Lane even before taking account of the community support for that site.
16. Drew Smith promote an additional allocation of 50 dwellings on Top Field, to the west of the village. The Council has approved a planning application for 25 dwellings on part of this land as an affordable housing exception site (subject to S106 agreement), but has refused a planning application for up to 50 dwellings. An appeal has been lodged against this refusal and a public inquiry was due to be held in June 2016, but has been postponed until early 2017. The Planning Inspectorate agreed to a postponement largely to take account of a Village Green application, which is due to be subject to public inquiry during September 2016.
17. Top Field performs relatively poorly in terms of accessibility to facilities, being 'adequate' in comparison to the Lovedon Lane site's rating of 'good' (see Transport Assessment Update EBKW1 and EBKW2). This reflects the location of most of the village's key facilities and services close to the historic village centre in the southern part of the village, for example local shops, primary school, recreation/sports ground, employment areas. The analysis of the site's performance against the selection criteria contained at Appendix D of WCC3 therefore remains accurate.
18. Consideration of the planning application and appeal for up to 50 dwellings has highlighted the landscape impact that development on this site would have. The Landscape Sensitivity Appraisal (EBKW3) shows that the land is 'highly' sensitive and Drew Smith has criticised the allocation of land at Lovedon Lane when it was classed as 'most' sensitive. However, this difference is largely due to the inclusion of the Lovedon Lane site in the currently-defined Kings Worthy – Abbots Worthy Settlement Gap. The boundaries of the Gap must be reviewed through the LPP2 process, as noted at paragraph 110 of the LPP1 Inspector's Report. Therefore, while a Gap must be retained to comply with LPP1 policy CP18, the boundaries defined in the 2006 Local Plan Review are not sacrosanct.

19. Appendix 3 is a note by the Council's landscape consultant addressing the issues raised by the Kings Worthy 'omission' sites, particularly Top Field. Considerable work has been done on this matter in relation to the appeal for up to 50 dwellings, which has reinforced the significance of this matter and the landscape harm that would result from development of this site. Whilst it is not appropriate to provide detailed evidence on this matter for a Local Plan examination, the landscape consultant will be present at the hearing should further discussion be needed.
20. Apache Capital's representations acknowledge the clear public support for the Lovedon Lane site, but question whether it is the most sustainable location and whether sufficient weight was given to aspects of the Sustainability Appraisal (SA). The SA provides an assessment of the possible impacts of various options and identifies potential mitigation, but the sustainability objectives are not site selection criteria and the SA is not an alternative to the site selection criteria. The respondent also suggests that the SA should have assessed alternatives using parts of the various sites, but there could be any number of potential combinations of sites/part-sites and to attempt to appraise these would not reflect the need for a 'proportionate' evidence base.
21. The SA objectives which Apache Capital highlight as particularly favouring their site all relate to its proximity to facilities. While the Kings Worthy House site (2508) is well related to facilities and services, it has the same rating ('good') as the Lovedon Lane site (365) in the Transport Assessment Update (EBKW1 and EBKW2). The Lovedon Lane site immediately adjoins the main recreation ground, Eversley Park, and will extend facilities onto the site. From this, a footpath links to the Primary School and this carries on to Church Lane/Nations Hill which is on the most frequent bus route (there are less frequent services passing both sites on the A33 Basingstoke Road). Therefore, in respect of these facilities and services, and depending on where development would be located within the Kings Worthy House site, the Lovedon Lane site is as well or better located.
22. Other facilities and services tend to be located in the historic village centre, to the south of both sites (e.g. post office, church, pub), with the main local employment areas beyond. The Kings Worthy House site is slightly closer to these than Lovedon Lane but, as the sites are adjoining, the extent of any difference is limited and would depend on the location of development.
23. Therefore, both sites are well related to facilities and services and, if the Kings Worthy House site is better than Lovedon Lane at all, the difference

is marginal. Kings Worthy House has additional constraints such as an area Tree Preservation Order and forms part of a Historic Park and Garden. It may be possible to locate development to reduce the impact on these designations, although the scope is limited by the access which the respondent concludes can only realistically be achieved by a roundabout on the A33. Therefore, even if more weight were given to the criterion regarding access to facilities, as suggested by Apache Capital, it would not override other factors, let alone make the selection of the Lovedon Lane site unsound.

Policy KW1 – Lovedon Lane Housing and Open Space Allocation

24. This site was selected taking account of the evidence and results of public consultation and has evolved to locate the housing and open space in response to public consultation. There are no objections from local residents and the policy is supported by Sport England. For clarification, the loss of the existing sports pitch at Eversley Park is not now proposed but it has been noticed that Policies Map 6 for Kings Worthy contains an error in the area shown in green hatching (proposed green infrastructure within KW1). This extends over the existing sports pitch at the southern end of the Eversley Park recreation area, which was included in the Draft Plan's KW1 allocation but which is now intended to remain in its current use. A Minor Modification is proposed to correct this (see Appendix 2).
25. Historic England request a specific criterion relating to archaeology. The Council's approach is only to include a specific archaeological requirement where there is known interest (e.g. policy WK3), rather than where there is just 'potential'. Agreement has been reached with Historic England on this approach (see Statement of Common Ground) and a minor modification is proposed to the explanatory text (paragraph 4.4.14) accordingly. The Local Plan contains sufficient policies to ensure that appropriate conditions are attached to planning consents and to require necessary investigation (CP20 and DM25) and such a condition was imposed on the consent for Lovedon Lane. Archaeological works have been carried out to the satisfaction of the Council's Historic Environment Team.
26. Mr Hayter makes comment on paragraphs 4.4.4 and 4.4.8 but does not suggest any amended wording. Paragraphs 4.4.3 and 4.4.4 are general statements setting out the aims of LPP1 (MTRA1 and MTRA2). 4.4.8 refers to the site assessment methodology, which includes consideration of the SA. It is not claimed that local preferences override the SA (see also response to Apache Capital above) and no change is necessary in response to this representation.

Status of allocated site

27. The above demonstrates that sufficient development opportunities exist in Kings Worthy and that it is not necessary to allocate further land. The following table provides an update of the status of the site allocated for development in Kings Worthy:

Table 1

Policy Ref	Site	Status
KW1	Lovedon Lane	Full planning application for 50 dwellings, expansion of Eversley Park, etc submitted Jul 2015, ref: 15/01624/FUL, approved January 2016. Under construction.

Response to further written submissions

28. **Drew Smith** – further evidence on housing land availability has been submitted by SPRU, much of which conflicts with the evidence previously relied upon by this respondent ('Turley Report' submitted with representations at the Pre-Submission Plan stage). Notwithstanding this, responses are included as appropriate in the Council's Further Response on Matter 2, in relation to 5-year land supply, and at Appendix 1 below, in relation to the sources of housing supply in Kings Worthy.

29. New representations are also made on the SA which, as noted at paragraph 20 above, assesses the possible impacts of various options in relation to the sustainability objectives and identifies potential mitigation. The SA does not represent the site selection criteria and should not be used as an alternative to them.

30. The other matters raised by this respondent are already addressed above and in Appendices 1 and 2 below. No other participants have submitted further statements.

Conclusion

31. The preparation of this part of LPP2 has an extensive evidence base, both factual assessments and local community engagement. The policy expresses the necessary detail to achieve well planned and considered

developments without being overly prescriptive, whilst allowing for flexibility, in accordance with NPPF para 154.

32. Policy KW1 was amended at the Pre-Submission stage to reflect the SA and representations received. It requires the provision of infrastructure, as highlighted in the Council's [Infrastructure Delivery Plan](#) (SUB7). This is necessary given the scale of development and will benefit both the new and existing communities, through improved non-vehicular linkages and open space provision. In addition to the site specific requirements, development proposals will need to comply with adopted policies in LPP1.

33. The Council considers that 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. The strategy and proposals for Kings Worthy are therefore sound and only Minor Modifications are proposed to correct the area covered by the policy and improve the explanatory text.

Appendix 1 – Update on Housing Supply in Kings Worthy

This Appendix comments on the supply of housing in Kings Worthy to meet the housing requirement of 250 dwellings set in LPP1. It responds in relation to those sites and sources of supply which have been challenged, principally by Drew Smith, using the headings in the Table at paragraph 4.4.5 of the Local Plan.

Completions

This category of housing supply is clearly a robust source but Drew Smith's representations on the Pre-Submission Plan ('Turley Report') and Further Statement (by SPRU) suggest there is a shortfall of 'planned' completions. This matter is addressed in the Council's Further Statement on Matter 2.

Outstanding Permissions

These amount to only 8 dwellings and while Taylor Wimpey suggest this shows a lack of development opportunities, this ignores the high level of completions to April 2015 (70). This is by far the largest number of completions of the MTRA2 settlements (and excludes the affordable housing exception site of 25 dwellings recently completed at Hookpit Lane and the further 25 since permitted).

SHLAA Sites

It is estimated that SHLAA sites within the settlement boundary will deliver 51 dwellings from 3 SHLAA sites: 329 Tudor Way (7 dwellings, 6 net); 381 Kings Worthy Court (14 dwellings); and 2509 Cornerways (31 dwellings). Drew Smith's representations on the Pre-Submission Local Plan incorrectly suggest that the Turley Report shows SHLAA sites are over-estimated by 50 dwellings for Kings Worthy. The only SHLAA site in Kings Worthy that the Turley Report questioned is site 329 Tudor Way, although the SPRU Further Statement now seems to question all 3 sites, including their client's. Turley suggested that site 329 should be reduced to 7 dwellings and the 2015 SHLAA does this, reflecting the reduced site area (for which Drew Smith now have consent for 7 dwellings). Site 329 is, therefore, 'suitable, available and achievable' and it is within Drew Smith's gift to bring it forward.

The Turley Report did not question the 2 other SHLAA sites within Kings Worthy (sites 381 Kings Worthy Court and site 2509 Cornerways), but SPRU and Taylor Wimpey do. Site 381 forms part of the car park of an existing office building but is at a higher level than the office building, which has other adjoining parking. Site 381 appears unused and somewhat separate from the offices, and is used mostly for long-term parking and storage. It has been subject to previous development interest but, as the landowner has not reaffirmed this interest recently, it is within the 2025-30 SHLAA period. The site is 'suitable', being capable of successful development during the Plan period, separately from the existing office and in a way that would enhance the Conservation Area. This and the previous development interest suggests it is 'available' and 'achievable'. SHLAA site 381 does not include the office

building existing on the site, although this could potentially be subject to a change of use, by permitted development, from offices to residential.

Site 2509 consists partly of a vacant former HCC care home and partly of a children's centre to the rear, which is due to be relocated. The buildings are outside the Conservation Area and of no architectural merit. The County Council has confirmed its interest in development and is actively looking at residential redevelopment of the vacant part of the site, so this is within the 2020-25 SHLAA period. It is incorrect to suggest that the County Council will need to find alternative care accommodation before the site can be developed, as this part is already vacant. Information provided by the County Council for the 2105 SHLAA states: *'the use of the eastern part, extending to 0.92ha, as a care home for adults with learning disabilities ceased in 2012, as part of the County Council's Adult Services Learning Disability (LD) Transformation Programme'*. Similarly, it is not accurate to suggest that there will be a net loss of accommodation, given that the previous use was institutional and has now ceased. Therefore the site is 'suitable', being capable of successful development during the Plan period, and 'available' and 'achievable' given the County Council's intentions.

Windfall Allowance

[Background Paper – Housing Requirements and Supply](#) (OD15) demonstrates why a windfall allowance is justified (Section 6). The Council produced an 'Assessment of Windfall Trends and Potential in Kings Worthy' (EBKW7) which provides a robust, settlement-specific assessment of the likely contribution of windfall sites. It concludes that 70 dwellings are likely to be provided from windfall over the Plan period (2011-2031).

Drew Smith's representations on the Pre-Submission Local Plan incorrectly suggest that the Turley Report shows that windfall supply in Kings Worthy is over-estimated by 50 dwellings. The Turley Report concludes that *'it is considered reasonable to provide a windfall allowance'* and that *'it has not been considered necessary to deduct any supply from windfall from the supply period after 2017/18'*. The Further Statement by SPRU contradicts this by suggesting that the windfall assessment should not include residential gardens and uses sporadic sources. Taylor Wimpey suggest that windfall is over-estimated due to the exclusion of garden land and that sites should have been identified through the SHLAA.

The exclusion of the 'garden' category of sites is consistent with NPPF advice (NPPF paragraph 48), which advises that 'residential gardens' should not be included, but does not say that windfall achieved by redevelopment of houses (and their gardens) must be excluded. SPRU's discussion of windfall development confirms that large 'house and garden' sites make a substantial contribution to housing supply and, while this inevitably fluctuates given the modest size of Kings Worthy, no evidence is presented to suggest that windfall sites will reduce. In fact the windfall assessment (EBKW7) does not rely only on large sites and concludes that *'the most reliable and demonstrable source of windfall is small development from 'existing housing'*

and 'house and garden'. It includes smaller sites and refers to 'some level' of larger site completions, rather than maintaining past levels.

In fact, the exclusion of 'garden' sites in accordance with the NPPF means that the windfall assessment is likely to under-estimate supply, not over-estimate it. There are no policies that resist the development of these sites (or 'house and garden' sites), so in practice they are likely to increase windfall supply. Sites are only included within the SHLAA where they have been promoted for development and are 'suitable, available and achievable' – by definition, windfall sites would not meet these requirements.

The windfall study (EBKW7) shows that there is significant potential for continued windfall in Kings Worthy. Paragraph 5.5 and Table 4 show that 8 out of 9 the planning consents existing at April 2012 were windfalls. As of April 2015, the 8 'outstanding permissions' dwellings in the Local Plan's table at paragraph 4.4.5 are on 7 windfall sites (permitted after 1 April 2012 so additional to those existing at April 2012), mostly within the Springvale area identified as having potential in the windfall assessment. Although full information is not yet available, it is estimated that additional permissions granted from April 2015 to March 2016 will result in a net gain of 9 dwellings on 5 small windfall sites.

This demonstrates that windfall sites continue to come forward, with those permitted up to April 2015 treated as 'completions' or 'outstanding commitments'. Those permitted after April 2015 will contribute to the 70 dwellings windfall allowance. Recent Government measures are aimed at encouraging such sites, for example the exemption of small sites from affordable housing requirements and the proposed small sites register, again making it likely that the windfall allowance is under-estimated. The windfall assessment (EBKW7) provides detailed and specific evidence for Kings Worthy and these sites can be relied upon as part of the housing supply.

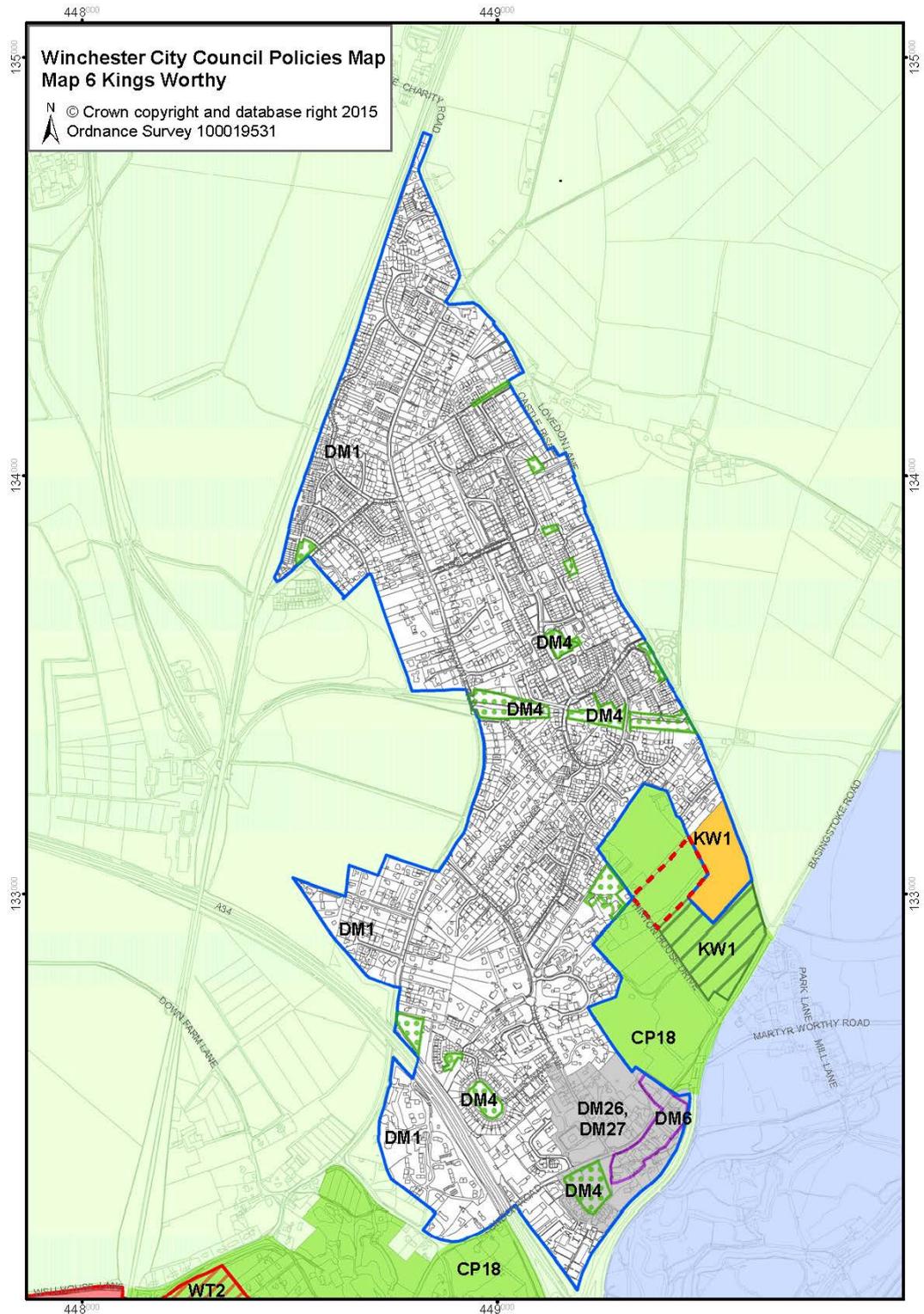
Remainder to be Allocated

Accordingly, approximately 51 dwellings remain to be provided, which form the Lovedon Lane site allocation. This now has planning consent and is under construction, so will contribute the necessary dwellings.

Appendix 2 – Proposed Modifications

The following Minor Modifications are proposed in relation to the Kings Worthy section of the Plan:

1. Remove the green hatched 'proposed green infrastructure' area from the existing Eversley Park sports pitch – see map below.



2. Amend paragraph 4.4.14 as follows:

“....The site lies within an area of high archaeological potential relating to Iron Age/Roman settlement and ~~adequate~~ the preparation of an archaeological assessment will be needed to define the extent and significance of any archaeological remains and ~~provide for their preservation or recording, as appropriate~~ reflect these in the proposals.”

Appendix 3 – Landscape Architect’s Statement

1.0 Introduction

1.1 This summary landscape statement has been prepared by Linda Thomas, chartered landscape architect and garden historian (masters degree in garden history and designed landscapes, Bristol 2006), on behalf of Winchester City Council in response to landscape issues raised in representation documents for the ‘omission sites’ in Kings Worthy.

1.2 The sites referred to include the three shortlisted SHLAA sites taken forward by Winchester City Council for open public consultation in late 2013 (sites 365, 2506 and 2508) and a further area off Springvale Road (site 500).

- Site 365: land off Lovedon Lane (Local Plan policy KW1)
- Site 2506: land adjacent to Hookpit Farm Lane (also subject to a planning appeal)
- Site 2508: former Kings Worthy House area adjacent A33
- Site 500: area around Woodhams Farm off Springvale Road

1.3 The Council’s response states that ‘*the shortlisting of the three sites was based on the evidence base for Kings Worthy, including assessments of accessibility, landscape sensitivity, historic environment etc*’ (HDC Matter 11 p6). The Council’s Landscape Sensitivity Appraisal is a key document in the evidence base and has been referred to in representation documents. Some questions have been raised in representations regarding the methodology and conclusions. A brief description of the document and its background is set out below to assist understanding for the purposes of this examination.

2.0 Landscape Sensitivity Appraisal (WCC November 2013)

2.1 The document was prepared by the Council’s landscape architect to assess landscape sensitivity for each of the eight market towns in the Winchester district, including Kings Worthy. The purpose of the document is to provide a baseline appraisal identifying existing local

landscape and townscape character and sensitivities for each of the market towns and their setting. It deals with 'inherent' sensitivity, in other words, it is an appraisal of existing conditions without reference to a specific type of development. It should not therefore be mistaken for a more detailed assessment that informs susceptibility to change eg proposed housing, usually carried out as a Landscape and Visual Impact Assessment (LVIA) in accordance with recognised national guidance¹. Similarly, it should not be seen as a comparative appraisal of impacts of proposed development on individual SHLAA sites.

- 2.2 The understanding of the term 'sensitivity' in the decision making process also requires clarification as it can cause confusion if the context is not properly understood. This is apparent in submissions for site 2506 and site 500. In LVIA, sensitivity is similar to the concept of landscape sensitivity used in the wider area of landscape planning (eg WCC landscape sensitivity appraisal as prepared for LPP2 evidence base) but it is not the same, as LVIA sensitivity is specific to the development being proposed as well as the location (ref GLVIA 5.39).
- 2.3 The sensitivity appraisal has been prepared based on a desk top exercise and site assessment by the author using professional judgement and with reference to recognised methodology (Hampshire County Council: *Assessing Landscape Sensitivity at a Strategic Level* 2009) and national, regional and local documents on landscape character. The appraisal was carried out in consultation with Parish Councils. The same methodology has been applied to each of the market towns to provide consistency of approach. The document states that it *'does not try to place a value on different landscapes, nor does it seek to establish the capacity of a landscape to accommodate development'*, acknowledging that a more detailed landscape assessment may be required at a later stage ie when the type and extent of development is known. An LVIA would provide this level of detail as part of a planning application. It would not have been feasible or necessary for the Council to provide an LVIA for each of the SHLAA sites as part of the evidence base.

¹ Guidelines for Landscape and Visual Impact Assessment third edition (GLVIA)

- 2.4 The appraisal is in three parts; the first section covers landscape character and type at the higher level; the second section focuses on existing landscape character and sensitivity based on the five main themes of physical landscape; experiential; historic; biodiversity and visibility. The third section identifies local character areas and level of sensitivity within the setting of the individual market towns, with reference to any SHLAA sites located within each of the local character areas. It is not unusual to have more than one SHLAA site within each local character area where sites are relatively small (eg Bishops Waltham). SHLAA sites in Kings Worthy are relatively large by comparison, resulting in only one SHLAA site in each of the local character areas.
- 2.5 Local character areas have been categorised in terms of their sensitivity, applying four levels from 'least' to 'most' sensitive. As this is an appraisal of inherent sensitivity, any individual SHLAA sites located within these character areas will have the same category of sensitivity as their local character area, and should be interpreted as such when making any comparisons of site sensitivity.

3.0 SHLAA Site 2506 land adjacent to Hookpit Farm Lane (Top Field)

- 3.1 A proposal for up to 50 dwellings on Top Field (14/01861/OUT) is currently the subject of an appeal and as such considerable work has been done by the Council in response to landscape issues as part of their evidence. It is not necessary or relevant to rehearse the detailed evidence for the Local Plan examination, but the following responds to representations by Drew Smith.
- 3.2 The level of harm to landscape character and sensitivity that arises from locating additional houses on the undeveloped part of Top Field is of particular significance as it is considered to be contrary to local planning policy, most notably LPP1 policy CP20, and contrary to national and local character guidance. It is the Council's view that this would result in significant adverse change to the landscape and its enjoyment, which would not only detrimentally change the site but also the wider context of the landscape setting of Kings Worthy.

- 3.3 In support of the above, the Council appointed Brunel Surveys to provide visual evidence in the form of 'before and after' photomontages to show the likely impact of proposed development for up to 50 dwellings as seen from specific public viewpoints (see attached). The images clearly demonstrate landscape harm in this location from development as proposed which contravenes national and local planning policy and guidance.
- 3.4 The photomontages are taken from four representative public viewpoints and provide a comparison of the existing site and proposed views of the likely impacts of proposed development for 25, 40 and up to 50 dwellings shown as an indicative outline based on the respondent's illustrative layouts and ridge heights.
- 3.5 Viewpoint 1 shows a far reaching panoramic view from Broadview Recreation Ground looking west across the settlement in the valley to the countryside beyond. Houses that form part of the recently completed 'phase one' exceptions site are visible where located on the higher slopes and are particularly prominent as they are the only buildings evident in an otherwise unspoilt landscape setting. New planting along the southern boundary of phase one is expected to lessen the visual impact from the public realm when properly established and mature. Similarly, existing boundary vegetation will reduce the visual impact of the recently consented exceptions scheme for a further 25 dwellings yet to be built, due to its location on the lower eastern slopes of Top Field. However, as seen in the photomontages, the introduction of any further houses would be located on the undeveloped part of Top Field on the more sensitive higher and open ground, extending development across the main part of the panoramic view, resulting in significant adverse change which is likely to be harmful to landscape character and its enjoyment especially valued by the local community.
- 3.6 The Council's landscape sensitivity appraisal (library document EBKW3) identifies the local landscape character area around Hookpit Farm Lane that includes site 2506 as highly sensitive '*in terms of its location on higher ground, agricultural land quality, visual amenity and landscape character as it affects the settlement of Kings Worthy and its wider countryside setting*' (EBKW3 section 3.6 p10).

- 3.7 Quayside Architects representation document on behalf of Drew Smith (December 2014) states that Appendix 3 LVIA for 14/01861/OUT is relevant to the representation although it does not explain why and the LVIA has not yet been submitted (para.53). Nevertheless, the Council has carried out a review of the LVIA as part of their evidence for the appeal.
- 3.8 The review noted that the appellants LVIA is critical of the Councils landscape sensitivity appraisal where it assesses the Councils preferred site at Lovedon Lane as most sensitive and site 2506 as highly sensitive. As mentioned in the Councils response, this difference is largely due to the inclusion of the Lovedon Lane site in the settlement gap. There are no other identified designations affecting either of the two sites. For reasons set out above, it is my view that the appellant has misinterpreted the methodology and purpose of the Council's appraisal and confused the definition of sensitivity when used in the wider planning context for the LPP2 evidence base.
- 3.9 The representation sets out three main reasons as to why it believes the Council is proceeding on a flawed basis for Kings Worthy (para 55). Reasons do not include any landscape issues.
- 3.10 Conclusion 59 (v) lists reasons for an additional allocation on Top Field, stating that *'the illustrative layouts for Top Field have regard for the character of the area and adjacent residential development as required by the Authorities High Quality Places SPD'*. The Council does not agree that the illustrative layouts have regard for the character of the area, a view that is supported by landscape evidence prepared for the appeal, which concludes that the proposals do not secure recognition, protection or enhancement of the District's distinctive landscape character or support the special qualities of the site associated with local distinctiveness, most notably tranquillity, sense of place and setting. It considers that the location of additional houses on the undeveloped part of Top Field would be contrary to national and local character policy and guidance and result in significant adverse change to the landscape and its enjoyment. The proposals would not only detrimentally change the site but also the wider context of the landscape setting of Kings Worthy, and may set a

precedent for future inappropriate residential development elsewhere within the site and landscape setting of Kings Worthy.

4.0 SHLAA Site 2508 Former Kings Worthy House area

- 4.1 The Council's landscape sensitivity appraisal identifies the local landscape character area that includes site 2508 as most sensitive. This is due to its location in the settlement gap and its proximity to designated protected sites (as for site 365). Local designations affecting the site, but not site 365, include heritage assets listed on the local register of historic parks and gardens and Tree Preservation Orders within and bordering the area.
- 4.2 Terence O'Rourke's representation on behalf of Apache Capital, acting for owners of the land, notes key positive effects identified in the Council's sustainability appraisal objectives cover building communities, transport and housing and impacts of development on landscape and soils is referred to as a major negative effect, due to *'the loss of high grade agricultural land and impact on the local gap'* (p3 of 6). In addition, it states that sites 365 and 2508 would both have negative impacts on the water environment and development on site 2508 *'would inevitably lead to the loss of some trees'*.
- 4.3 Development opportunities refer to the site's local historic links to *'recapture some of the villages past history'*; retention and reinstatement of the avenue that defines the historic site access and the creation of a landmark residential building on the historic site of Kings Worthy House (ref concept plan). Any historic links are likely to be associated with Hinton House or Kings Worthy House, two Victorian villas with gardens listed on the Local Register of Historic Parks and Gardens (Hampshire County Council). Kings Worthy House was demolished in the 20th century though the unmanaged grounds that now lie within site 2508 remain. Hinton House has survived and was recently renovated before going on the market in 2013/14. A few features within the gardens survive as local heritage assets, most notably the mature trees within and around site 2508, including the distinctive avenue feature associated historically with the long drive to Hinton House. Many of these trees are protected by a TPO, although

their condition and age will be a key issue for future retention and management. This may equally apply to other trees of similar age within the area.

- 4.4 Many of the elements shown on the concept plan (appendix A) described as positive opportunities for site 2508 also apply to site 365 ie items 4,5,6,8,9,10. Constraints associated with the local heritage assets, including protected trees, apply specifically to site 2508. Opportunities for a landmark building on the former Kings Worthy House site and the retention/reinstatement of the historic avenue and drive (ref items 3 and 7) are of uncertain value in terms of their heritage gain and deliverability.

5.0 SHLAA site 500 Area around Woodhams Farm

- 5.1 The Council's landscape sensitivity appraisal identifies the local landscape character area that includes site 500 as highly sensitive. This is due to impacts on archaeology and heritage assets; agricultural land quality; visual amenity and landscape character; protected trees within and around the area. The lower slopes sited on and below the 50.0m contour adjacent Springvale Road have been assessed as moderately and least sensitive due to reduced impacts on the above constraints.
- 5.2 Taylor Wimpey's representation notes the different sensitivity categories within the site as identified within the Council's appraisal, stating that the intention is not to develop the whole site and, by using contours and containment landscaping, the objection over it being 'too large' falls away. A plan has been submitted showing proposed development on the lower 'less sensitive' part of the site with structural landscape along the west and northern boundaries. However, as stated in the Council's main response, the site submitted for consideration was for the whole of SHLAA site 500, the majority of which is assessed as highly sensitive consistent with the adjoining SHLAA site 2506.
- 5.3 Regarding the different categories of sensitivity, it should be noted that the Council's document is an appraisal of inherent sensitivity ie it is an appraisal of existing conditions and is not to be mistaken for an LVIA

which assesses the impacts of development on landscape character and sensitivity. As with site 2506, it is my view that the respondent has misinterpreted the methodology and purpose of the Council's landscape sensitivity appraisal and confused the definition of sensitivity when used in the wider planning context for the purposes of the LPP2 evidence base.

- 5.4 Regarding the design intention and concept plan, proposed development in this location is unlikely to support local character documents and guidance. Site 500 and the adjoining site 2506 immediately to the north have similar key characteristics and as such both sites are seen to be part of the Wonston Downs landscape character area (*Winchester District Landscape Character Assessment 2004*), a large expanse of undulating chalk downland, which defines the landscape setting to the west and north west of Kings Worthy.
- 5.5 The *Kings Worthy and Abbots Worthy Village Design Statement (2007)* identifies the valley of Springvale and the ridge above it as a main physical feature of Kings Worthy and site 500 forms part of the valley. The value placed on this area by the community is reflected in the document's design guidelines, which state that '*important views out of and into the villages should be protected*' (D2) which includes the view of site 500 looking west from Nations Hill across the valley; '*new building should be restricted to sites within the village envelope, to preserve the open fields around the village*' (D6); '*any future development, particularly in the Springvale Road area, should take account of the risk of flooding and should avoid exacerbating the problem*' (D9).
- 5.6 Some of the above comments, for instance with regard to flood zones in the Springvale area, are addressed in the Council's main response.

6.0 Conclusion

- 6.1 The introduction of residential development on omission sites 2506; 2508 and 500 are considered to be contrary to landscape character and sensitivity policies and guidance, resulting in significant adverse change which is likely to be harmful to the landscape and its enjoyment, particularly where valued by the local community.

- 6.2 The selection of site 365 (Lovedon Lane) for development is appropriate in landscape terms and suggestions by some respondents that other sites are 'less sensitive' shows a misunderstanding of the landscape appraisal process.

Viewpoint 1 From Broadview Recreation Ground: Existing



MRH = Maximum Ridge Height

Camera position E: 133409 N: 449304 AOD: 76.68

Camera model: Canon 5D MKi

Lens: 50mm

Date Taken: 29/04/2016

Time: 08:41



Brunel Surveys Ltd

Land and Measured Building Surveyors, 3d Scanning and 3d Visualisation

Viewpoint 1 From Broadview Recreation Ground:

To show outline of development for 25 Dwellings, Drawing Number: 977-P3-P29 Revision B



MRH = Maximum Ridge Height

Camera position E: 133409 N: 449304 AOD: 76.68

Camera model: Canon 5D MKi

Lens: 50mm

Date Taken: 29/04/2016

Time: 08:41



Brunel Surveys Ltd

Land and Measured Building Surveyors, 3d Scanning and 3d Visualisation

Viewpoint 1 From Broadview Recreation Ground:
To show outline of development for 40 Dwellings, Drawing Number 977-P3-P33



MRH = Maximum Ridge Height

Camera position E: 133409 N: 449304 AOD: 76.68

Camera model: Canon 5D MKi

Lens: 50mm

Date Taken: 29/04/2016

Time: 08:41



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Viewpoint 1 From Broadview Recreation Ground:
To show outline of development for 50 Dwellings, Drawing Number 977-P2/P23



MRH = Maximum Ridge Height
Camera position E: 133409 N: 449304 AOD: 76.68
Camera model: Canon 5D MKi
Lens: 50mm
Date Taken: 29/04/2016
Time: 08:41



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Viewpoint 3B From S106 Public Footpath: Existing



Viewpoint 3B From S106 Public Footpath: To show outline of development for 25 Dwellings, Drawing Number: 977-P3-P29 Revision B



MRH = Maximum Ridge Height

Camera position E: 133523 N: 448663 AOD: 68.20
Camera model: Canon 5D MKi
Lens: 50mm
Date Taken: 29/04/2016
Time: 09:50

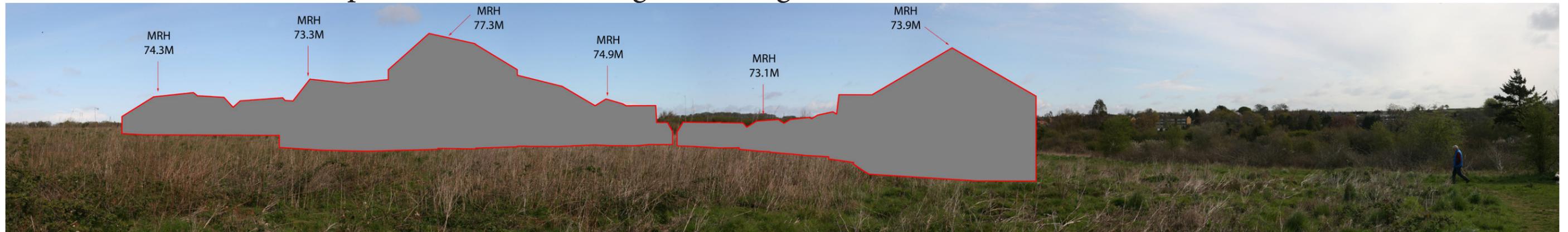
Viewpoint 3B From S106 Public Footpath:

To show outline of development for 40 Dwellings, Drawing Number 977-P3-P33



Viewpoint 3B From S106 Public Footpath:

To show outline of development for 50 Dwellings, Drawing Number 977-P2/P23



MRH = Maximum Ridge Height

Camera position E: 133523 N: 448663 AOD: 68.20
Camera model: Canon 5D MKi
Lens: 50mm
Date Taken: 29/04/2016
Time: 09:50

Viewpoint 4 From RT5 land by phase one:
Existing



Viewpoint 4 From RT5 land by phase one:
To show outline of development for 25 Dwellings, Drawing Number: 977-P3-P29 Revision B



MRH = Maximum Ridge Height

Camera position E: 133673 N: 448489 AOD: 69.99
Camera model: Canon 5D MKi
Lens: 50mm
Date Taken: 29/04/2016
Time: 10:36

Viewpoint 4 From RT5 land by phase one:

To show outline of development for 40 Dwellings, Drawing Number 977-P3-P33



Viewpoint 4 From RT5 land by phase one:

To show outline of development for 50 Dwellings, Drawing Number 977-P2/P23



MRH = Maximum Ridge Height

Camera position E: 133673 N: 448489 AOD: 69.99
Camera model: Canon 5D MKi
Lens: 50mm
Date Taken: 29/04/2016
Time: 10:36

Viewpoint 5 From public footpath (unconfirmed):
Existing



Viewpoint 5 From public footpath (unconfirmed):
To show outline of development for 25 Dwellings, Drawing Number: 977-P3-P29 Revision B



MRH = Maximum Ridge Height

Camera position E: 133584 N: 448416 AOD: 73.26

Camera model: Canon 5D MKi

Lens: 50mm

Date Taken: 29/04/2016

Time: 10:12



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Viewpoint 5 From public footpath (unconfirmed):

To show outline of development for 40 Dwellings, Drawing Number 977-P3-P33



Viewpoint 5 From public footpath (unconfirmed):

To show outline of development for 50 Dwellings, Drawing Number 977-P2/P23



MRH = Maximum Ridge Height

Camera position E: 133584 N: 448416 AOD: 73.26

Camera model: Canon 5D MKi

Lens: 50mm

Date Taken: 29/04/2016

Time: 10:12



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