

Winchester Local Plan EIP

Matter 1: Procedural/ Legal Requirements

Issue: Whether all Statutory and Regulatory requirements have been met?

Duty to Cooperate

1. Is there clear evidence that the Council has engaged constructively, actively and on an ongoing basis with neighbouring authorities and prescribed bodies in accordance with section 33A of the 2004 Act, in respect of strategic matters with cross-boundary impacts considered through the preparation of the Plan?

2. In particular in relation to the unmet housing need in Partnership of South Hampshire area (PfSH) and individual adjoining Councils, especially Portsmouth and Havant and Basingstoke in relation to the establishment of a new community at the Popham Airfield and Micheldever Station?

No. HBF do not consider Winchester City Council's (WCC) approach to the duty to co-operate to have maximised the effectiveness of this local plan in addressing the strategic cross boundary issue of unmet housing needs with the engagement on this key issue being neither constructive, active nor ongoing.

The scale of the unmet need for housing in neighbouring areas is set out the Partnership for South Hampshire (PfSH) latest Spatial Position Statement (PSH01) which was published in December 2023. This statement identified that between 2023 and 2036 there was a shortfall of more than 11,000 homes¹. This is a significant shortfall and one that will only increase in future on the basis of the latest standard method for assessing local housing needs. In our matter 4 statement we outline that the unmet needs across the PfSH, not including WCC, will increase and for the period 2024 to 2036 will be over 31,000 homes.

However, HBF do not consider the co-operation on this key issue to have been effective or ongoing. As we mention in our representations, the Statement of Common Ground (SoCG) with Havant published in August and included in the evidence supporting the regulation 19 consultation stated that there had been no engagement with Winchester between regulation 18 and regulation 19 consultation. Similarly, the Council's engagement with Portsmouth appears to be limited, with the Duty to Co-operate Statement (SD06) outlining the first meeting between the two Councils as being in September 2023. This seeming lack of direct engagement with Havant and Portsmouth is set against the fact that the spatial position statement published by PfSH indicated they would respectively have a shortfall of 2,603 homes and 383 homes between 2023 and 2036². While there may have been co-operation as part of the PfSH in

¹ This figure does not include the urban uplift for Southampton which would result in unmet needs increasing by a further 4,500 homes between 2022 and 2036.

² However, the statements of common ground with Havant and Portsmouth (SD)8e and SD08i) show that the unmet needs in

identifying the unmet needs in these neighbouring authorities what appears to have been lacking is direct and active engagement with neighbouring areas as to whether these unmet needs could be addressed in full through this local plan.

Since the regulation 19 consultation it is noted in paragraph 4.23 of the Housing Topic Paper update that the Council continued discussions and updated SoCGs and proposed modifications to the local plan as a result. This has led to a proposal to apportion the 1,900 homes identified as supporting unmet needs of other areas, with 70% of these being delivered to address some of Havant's unmet housing needs and 30% being apportioned to address a proportion of the unmet needs in Portsmouth. While this clarity is welcomed it does not address the fundamental concerns HBF have about effective and ongoing cooperation on the issue of unmet housing needs. At the time the plan was being prepared, and based on the SPS, there was still a 1,000-home shortfall in housing needs arising from these two LPAs even considering Winchester's contribution. The most recent SoCGs over longer plan periods, more in line with the plan period for this plan indicated that the shortfall is nearly 6,000 homes. However, based on the Council's evidence there appears to be limited engagement with both Havant and Portsmouth during the preparation of the local plan as to the scale of unmet housing needs and no effort has been made to test strategies that would have done more to address these significant shortfalls once they were identified by PfSH. This level of engagement is neither constructive, active nor on-going and as such fails to meet the requirements of the duty to co-operate.

To conclude, the inclusion in the plan to provide 1,900 homes to address some of the unmet needs arising in neighbouring areas is, on the face of it, welcomed. However, it would appear that the decision to deliver homes to address the needs of other areas was not made through co-operation and with no consideration as to whether the Council could do more to meet those needs in full. If co-operation had maximised the effectiveness of this plan at the very least the Council would have engaged more frequently with its neighbours and considered and tested a strategy that addressed the unmet needs of Havant and Portsmouth in full. Instead, the decision to assign 1,900 homes to the unmet needs of Havant and Portsmouth seems like an afterthought rather than as a result of active co-operation.

Sustainability Appraisal

3. The SA tested five spatial strategy options: a development strategy based on the adopted Local Plan, focusing development on Winchester and the larger more sustainable settlements; a strategy based on a new strategic allocation/new settlement; a strategy based on dispersing development around the District largely in proportion to the size of existing settlements; and, a variation of option 1, known as option 1A, which provides for a higher total number of dwellings. It takes account of existing commitments, windfall allowance and has the effect of reducing development in the South Hampshire Urban Area and increasing it in Winchester and the Market Towns and Rural Areas. Given national policy¹ that strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighboring areas should an option with

these two areas, based on standard method required by the NPPF23, are stated as being 4,300 (2022 to 2043) and 3,577 (2020 to 2040) respectively.

a higher growth target have been considered?

Yes, a higher option beyond option 1A should have been considered. The Integrated Impact Assessment outlines the 5 options that were tested. Four of these delivered 14,000 homes over the plan period with 1A delivering 15,620 homes. Paragraph 4.4 of the IIA notes that this additional option included consultation responses on the SIP and provides headroom for any uncertainties – such as changes to the standard method or progress with the Partnership for South Hampshire Joint Strategy. As the regulation 19 plan was being prepared it should have been evident through the Duty to Co-operate that the unmet needs in neighbouring authorities were going to be significant and that it would be necessary to test a potential strategy that would address the unmet needs of neighbouring areas in full. This was clearly a reasonable alternative given the evidence available to Council at the time and is clear failure of the IIA in seeking to ensure the plan is an effective one that has considered reasonable alternatives.

5. How has SA informed the development of the Plan, including housing delivery and any mitigation measures? How has it informed the selection of strategic options, the development of policies and the selection of sites, all of which aim to identify sustainable development outcomes for the district?

No comment.

6. In overall terms does the Plan meet the legal requirements of Section 19(5) of the 2004 Act and accord with the National Planning Policy Framework (NPPF) paragraph 32 and the Planning Practice Guidance (PPG) in this regard?

HBF are principally concerned that the Council has not considered a higher housing requirement through the SA to address the unmet needs arising in neighbouring areas. This was clearly a reasonable alternative based on available evidence and should have been considered and assessed through the IIA.

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996 words (excluding inspector's questions).