

## Examination of the Winchester District Local Plan 2020-2040

### Hearing Statement On Behalf of N Russell Relating to

### Matter 8 Development Allocations the Market Towns and Rural Areas (MTRAs)- Policy HU1 Hursley

#### 1 Introduction

- 1.1 This Hearing Statement is made on behalf of Mr N Russell (a resident of Hursley) in relation to policy HU1.
- 1.2 This Statement summarises our response to each of the questions raised by the Inspector in his MIQs (ED13). This Statement supplements the Reg 19 representations made on behalf of Mr Russell (reference ANON-AQTS-3BQ5-M/1/HU1) and should be read together with those representations.
- 1.3 Please note, whilst the Reg 19 Representations were labelled solely with reference to policy HU1, the representations contain a significant amount of evidence regarding the Settlement Hierarchy in so far as it applies to Hursley. Therefore, we would ask that the relevant evidence is taken into account when considering the Settlement Hierarchy policies of the emerging Local Plan.

**Question 1. The Plan states that it is expected that there is capacity for the development of about 20 dwellings in Hursley either through allocations in the emerging Neighbourhood Plan or windfall. Is this approach justified by the evidence? Would this approach result in a Plan led approach?**

#### Capacity to Accommodate Development within Hursley

- 1.4 As explained in more detail below, Hursley is a well located and very sustainable settlement. Hursley has a surprising range of local facilities and employment opportunities which would significantly reduce the need for new residents to rely on travel by private motor car. The settlement can, therefore, sustainably accommodate a significant amount of residential development.
- 1.5 The "Theoretical Residential Capacity of SHELAA Sites" within Hursley is 1,957 dwellings (as set out in the updated 2023 SHELAA). This represents the number of residential dwellings which could be delivered on all of the sites included in this SHELAA. The Council does not yet appear to have published the results of an exercise to identify any unsuitable sites.
- 1.6 Appendix B of the 2023 SHELAA contains a Schedule of Small Sites. According to that Schedule, the small sites in Hursley could accommodate 130 dwellings.
- 1.7 The NPPF states "Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly". The NPPF requires LPAs to "identify... land to accommodate at least 10% of their housing requirement on sites no larger than one hectare". The sites listed at Appendix B fulfil this criteria.

- 1.8 Our client controls four of the small sites around Hursley (references HU08, HU09, HU10, and HU13). This represents around 120 dwellings. Each site scores highly against the SHELAA criteria. None of the sites has a constraint that would result in the site being undeliverable or unsuitable for housing. Each site is identified as being available and deliverable within the first 5 years. The agricultural land surrounding each site is owned by the same landowner (our client) and so the sites could be increased in size if required.
- 1.9 We can confirm that each site controlled by our client remains available and deliverable within the first 5 years. Our client sees no reason why policy compliant housing development could not be accommodated on these sites.

Would HU1 result in a “Plan Led” approach?

- 1.10 In order to be “positively prepared”, the Plan must provide a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs.
- 1.11 Pursuant to paragraph 66 of the NPPF “Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period. Within this overall requirement, strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations”
- 1.12 Local Plans contain both strategic and non-strategic policies whereas neighbourhood plans can only contain non-strategic policies. Therefore, it is important that the housing requirement for each designated neighbourhood area is set out in the strategic local plan policies and, importantly, that the “housing requirement for designated neighbourhood areas ... reflects the overall strategy for the pattern and scale of development”.
- 1.13 Hursley has been set a combined windfall and allocation housing target of 20 dwellings. The Council’s evidence is that a 20 dwelling windfall allowance is justified for each of the intermediate rural settlements. As a result, the combined housing target of 20 dwellings effectively means that the housing target for planned allocations would be zero. According to the Council’s evidence, all 20 dwellings should come forward as windfalls. This is not a planned approach.
- 1.14 The Council’s approach regarding Hursley is inconsistent with the approach taken regarding other settlements within the same category as Hursley. Even settlements which score lower in the Settlement Hierarchy Assessment are given an allocation or housing target in addition to the predicted windfall allowance of 20 dwellings. Hursley is the only Intermediate Rural Settlement to be effectively given a housing target of zero. There is no evidence which would support this difference in approach.
- 1.15 To date, the Council has identified the emerging Neighbourhood Plan as the reason why the Council first refused to set a housing target for Hursley and then set a housing target of zero. However, this is at odds with the other settlements identified in the Local Plan as having emerging Neighbourhood Plans.

- 1.16 The Local Plan 14.7 states “New Alresford, Denmead and Hursley have existing or emerging Neighbourhood Plans which will need to provide for the housing targets identified in Policies NA3, D1 and HU1”. Both Denmead and New Alresford are each set housing targets for their Neighbourhood Plans to allocate land for 100 Dwellings in addition to other planned development and windfall allowances. Again, Hursley has been singled out for different treatment with no credible explanation or objective, evidence-based reason.

#### Conclusions on Question 1

- 1.17 The proposed policy is not evidence-based nor is it positively prepared. The Council’s evidence base demonstrates that Hursley has capacity to accommodate nearly 2,000 dwellings. Of these, around 130 can be accommodated on small sites which score highly against the SHELAA criteria, are largely unconstrained, suitable for development and are available and deliverable within the first 5 years.
- 1.18 Policy HU1 effectively sets a defacto housing target for the settlement of zero. According to the Council’s evidence, 20 dwellings should be delivered through windfalls. This is not a plan led approach.
- 1.19 The policy should not limit capacity unless there is compelling evidence which justifies such a setting a limit. No such evidence exists.

#### **Question 2. Hursley Parish Council is updating its Neighbourhood Plan at present. When is the Neighbourhood Plan expected to be ‘made’? What is the evidence that it will come forward in an appropriate and timely manner?**

- 1.20 The Neighbourhood Plan Area was designated in January 2021. Since that date, the only progress that has been made was in January 2025 being a ‘Site Assessment Report for Hursley Parish Council’ (ED22). No draft plans or have been produced or consulted upon. I am not aware that a consultant has been officially instructed to help produce the Neighbourhood Plan.
- 1.21 It is notable that the Local Plan Submission Documents includes document NP04 which is titled “Preparation of a Neighbourhood Development Plan by Hursley Parish Council letter (November 2024)”. However, this is a copy of the letter dated January 2021 sent by the Council to Hursley Parish Council confirming the designation of the Neighbourhood Area. This letter is more than 4 years old. The evidence base does not contain any further updates regarding the Hursley Neighbourhood Plan save for ED22.
- 1.22 There is no evidence that the Neighbourhood Plan will come forward in an appropriate or timely manner.

#### **Question 3. What is the evidence to justify the housing target of 20 additional dwellings and would this ensure that development is directed to the most sustainable settlements?**

- 1.23 As explained above, the 20 additional dwelling housing target is a combined total including both allocations (to be made through the Neighbourhood Plan) and windfalls. Given that the Local Plan is predicated on the basis that the evidence supports the delivery of 20 windfall dwellings over the plan period, in effect, Hursley is being given a housing target of zero.

- 1.24 There is no evidence to support this approach.
- 1.25 Hursley currently falls within the “Intermediate Rural Settlements” category. The emerging Local Plan requires settlements in this category (except Hursley) “to identify new sites for 50 to 60 dwellings each”. This planned growth of 50-60 dwellings is in addition to the 20 Windfall Dwellings expected to be delivered in each settlement. There is no evidence that would justify Hursley being singled out for different treatment when compared to other settlements in the same category.
- 1.26 This is particularly surprising given that, as demonstrated by this representation, had Hursley been correctly scored in the settlement assessment, the settlement should have been included in the “Larger Rural Settlement” category. Even using the Council’s own scoring (which underplays the sustainability of the settlement), Hursley scores joint top in its category with South Wonston and Otterbourne scoring lower. Nonetheless, Otterbourne is given an allocation of 55 dwellings (plus a 20 dwelling windfall) and South Wonston is given an allocation of 40 dwellings (plus a 20 dwelling windfall).

#### Assessment of the Sustainability of Hursley

- 1.27 Hursley is one of the most sustainable villages in the plan area. It has a surprisingly comprehensive range of employment opportunities.
- 1.28 The settlement has well over 2,000 jobs with a wide range of skill levels. Hursley contains the IBM campus which also includes Incuhive (a co-working and business incubation space) and a number of other facilities. The number and range of jobs which are accessible within walking and cycling distance from the centre of Hursley puts it in a uniquely sustainable position to accommodate new housing.
- 1.29 The settlement also has an extensive range of services including a primary school, nursey, convenience store, butchers shop, play areas, Sports and Social Club, 2 pubs and a café.
- 1.30 The settlement is well connected to the surrounding area by public transport. Hursley is around 3 miles to the south Winchester, around 5 miles to the north east of Romsey and around 4 miles to the north of Eastleigh. The settlement is served by regular bus services to Winchester and the other settlements.
- 1.31 The 2024 Updated Settlement Hierarchy Assessment continues to underplay the sustainability of Hursley. For example:
- 1.31.1 Hursley has a post office, shop and butchers. The 2025 Updated Assessment now acknowledges the “Convenience Retail (Daily Needs)”. However, it rates Hursley as “0” for “Other convenience store (daily needs)”. An additional point should have been included.
- 1.31.2 Hursley is very well served by buses and this is recognised in the score for hourly bus services. However, some settlements which have been scored for “hourly bus services” have also received additional scores for infrequent and/or weekly bus services in the “Other Services” element of the assessment (see, for example, the scoring of Winchester, Bishop's Waltham, New Alresford, Kings Worthy, South Wonston). As well

as having frequent bus services, Hursley also has infrequent bus services to other locations. Therefore, if the Council is taking this approach when scoring other settlements another point should have been included.

1.31.3 An additional point has been awarded to some settlements with “Access to 2 out of 3 employment types”. Whilst it is not clear, we presume that the “3 employment types” is a reference to “warehouse, workshop and/or office” which is given as an example of employment opportunities in the document. Despite the presence of more than 2,000 jobs in the settlement including the IBM campus (which provides a wide range of job opportunities of different types), Hursley scores zero in this respect. This is clearly wrong. An additional point should have been included.

1.31.4 The Council's Local Plan Regulation 18 responses regarding the Settlement Hierarchy (ref BHLF-KSAR-N8ZS-4) states:

*“... The Incuhive falls outside of the settlement boundary but in any event the education provision is not considered sufficient to warrant inclusion, .... The Hursley Sports and Social Club is outside the settlement boundary. ...”*

The Council's decision to exclude any facilities which fall outside of the tightly drawn settlement limit of Hursley does not follow the methodology which the Council claims to have followed when preparing the Settlement Hierarchy. The August 2024 Update states that the assessment takes account of:

*“Presence of various services and facilities – based upon a survey of all roads extending 1.6km from the edge of each settlement ...”*

Hursley Sports and Social Club is just over 500m outside the settlement boundary. Therefore, this should have been factored into the assessment, resulting in a further point.

Incuhive is also around 500m from the settlement boundary and presents an innovative and unusual “other education opportunity” which is particularly important for start-up businesses. The Local Plan expressly refers to the IBM campus (which includes Incuhive) as being an education/training establishment<sup>1</sup>. The Council's conclusion in its Consultation Response that the “education provision” at Incuhive and the IMB Campus “is not considered sufficient to warrant inclusion” is at odds with paragraph 7.24 of the Local Plan.

1.32 Taking account of the Built Leisure Facilities, additional shop, bus services, other education facilities and the wide range of employment opportunities, Hursley would have scored an additional 5 points thus putting it firmly within the “Larger Rural Settlements” classification with

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<sup>1</sup> At paragraph 7.24, the Local Plan states “Across the district there are a number of large commercial and educational/training establishments set in the wider countryside” and then goes on to list “IBM (Hursley)” first in that list. Paragraph 7.24 goes on state “These establishments are primarily involved in business and training activities which support the district's economy and it is important that they can continue to thrive. They also employ large numbers of people with a range of skills that the council wishes to retain locally.”

a total score of 25 points (a score of between 22 and 26 would put a settlement in the Larger Rural Settlement classification).

- 1.33 If the Inspector is not minded to accept that all of these facilities should have been scored as part of the assessment, even if only 2 of the 5 points raised are accepted, it would put Hursley into the "Larger Rural Settlements" classification.

#### Conclusion on Question 3

- 1.34 The flaws in the evidence base underpin a flawed approach to the settlement of Hursley. Each iteration of the Local Plan evidence has underplayed the sustainability of the settlement and its suitability to contribute towards meeting the housing needs of the District. This, in turn, has underpinned the formulation of a policy approach whereby Hursley has, in effect, been given a housing target of zero whilst other settlements of the same category (even those which score lower than Hursley) have been given housing targets of between 40 and 60 dwellings in addition to a windfall allowance of 20 dwellings.
- 1.35 As a result, the Plan does not provide an appropriate strategy for Intermediate Level Settlements taking into account the reasonable alternatives. Nor is the policy approach based on proportionate evidence.
- 1.36 John Keable primary school has a capacity of 210 pupils however as of February 2025 has only 143 pupils on role. There is capacity at the school to accommodate pupils from over 200 new dwellings Using Hampshire County Council's formula for calculating the number of pupils produced per new dwelling. <sup>2</sup>
- 1.37 Policy HU1 is not effective to ensure that development is directed to the most sustainable settlements.

#### **Question 4. What is the evidence that there are suitable site/s available for designation? Would this approach provide the necessary certainty for the development plan process? If they are greenfield sites would they be subject to a phasing restriction?**

- 1.38 As stated above, Appendix B of the 2023 SHELAA contains a Schedule of Small Sites. According to that Schedule, the small sites in Hursley alone could accommodate 130 dwellings. The land needed to accommodate around 120 of those dwellings is owned and controlled by our client. Agricultural land adjacent to the sites is also owned by the same landowner so could be extended if required.
- 1.39 We can confirm on behalf of our client that this land is suitable and available for development now. The land is not subject to any constraints that would prevent the delivery of policy compliant residential development.
- 1.40 Page 27 of the 'Site Assessment Report For Hursley Parish Council January 2025' (ED22) concludes that the preferred site(s) for development are HU09 and HU10 (both of which are owned and controlled by our client. We can confirm:

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<sup>2</sup> <https://get-information-schools.service.gov.uk/Establishments/Establishment/Details/116361>

1.40.1 HU09 (Land Adjacent to Pelican Court) could expand to provide up to 156 dwellings at 30dph within the confinement of the field boundary; and

1.40.2 HU10 (Land adjacent to Port Lane and Keble Close) could also expand if required.

**3 April 2025**

**Clarke Willmott LLP**