

Examination of the Winchester District Local Plan 2020-2040

Matter 5 – Site Allocation Methodology

Hearing Statement prepared on behalf of
Hathor Property

April 2025

Turley

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1. Introduction

- 1.1 This Matter Statement has been prepared on behalf of Hathor Property and in respect of Matter 5 of the Examination of the Winchester District Local Plan 2020-2040 ('the submitted Plan') - the Site Allocation Methodology.
- 1.2 Hathor Property have land interest south of Wonston Road, Sutton Scotney (SS), and have submitted formal representations to the Regulation 19 submitted Local Plan (Reg 19).
- 1.3 The Statement has been prepared in response to the specific issues and questions raised by the Inspectors in the '*Matters, Issues and Questions*' circulated by the programme officer in respect of Matter 5. In responding, my client has focussed specifically on the proposed allocation Policy SU01 : Brightlands, Sutton Scotney (Policy SU01).
- 1.4 The NPPF December 2024 has recently been published. The transitional arrangements set out in paragraph 234 confirm circumstances where an emerging Local Plan will be determined against the December 2023 NPPF. This includes where the Plan has been submitted for examination under Regulation 22 on or before 12 March 2025.
- 1.5 Therefore, this Statement has been considered in the context of the tests of 'Soundness' as set out at paragraph 35 of the National Planning Policy Framework (December 2023).

2. Matter 5 Site Allocation Methodology

Issue 5.1 How have the proposed allocations been identified?

- 2.1 In respect of the proposed allocation Policy SU01 it is important to understand that this nor any other residential site allocations had previously been identified in SS up to and including the Regulation 18 Local Plan.
- 2.2 Strategic Policy H3 (Spatial Housing Distribution) of the Regulation 18 Plan identified SS as an intermediate rural settlement. More specifically, Paragraph 14.133 confirmed that whilst the aim was to identify new sites for 50-60 dwellings, *'investigation of the few potential development sites has revealed substantial foul drainage issues, such that it would not be appropriate to allocate additional land for development in this Local Plan,'... 'but that this could be reviewed in future Plans, should the current issues be resolved.'*
- 2.3 Accordingly, the consultation that took place with Wonston Parish Council (WPC) and the local community and stakeholders at this time, as set out in SD07, did not refer to any specific sites and therefore no consultation undertaken on this matter. It was only at the subsequent Reg 19 stage, by which time Southern Water had committed to upgrade foul drainage infrastructure, that the allocation at Policy SU01 was introduced and there was an opportunity for formal consultation.
- 2.4 My client would highlight that paragraph 16c of the NPPF 2023 states that *'Plans should be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees.'* Equally, in the Glossary at Annex 2 the NPPF defines a Local Plan as : *'A plan for the future development of a local area, drawn up by the local planning authority in consultation with the community.'* (our underlining)
- 2.5 Similarly, Paragraph: 038 of the NPPG advises on how strategic policy-making authorities gather evidence needed to justify policies. In terms of the related evidence base required to justify policies, this confirms that *'The process should be started early in the plan-making process and key stakeholders should be consulted in identifying the issues and any relevant data that the assessment must cover.'* (ID reference ID: 61-038-20190315). (our underlining).
- 2.6 My client recognises the specific constraints that deferred the identification of an allocation at SS. However, the failure to engage with the community about various site allocation options adjacent to the village, or provide related evidence base regarding their suitability, until the Reg 19 stage, does not accord with national policy and practice guidance that requires early and effective engagement with communities.
- 2.7 There is no reason why this exercise could not have been undertaken earlier and more effectively and prior to the Reg 19 publication. In their consultation response to the Regulation 18 Local Plan and as summarised in paragraph 3.9 of SD07a, Southern Water advised of *'the phasing of new development where capacity is insufficient to meet increased demand'*.

- 2.8 This is also set out in SD08k *‘Statement of Common Ground between Winchester City Council (WCC) and Southern Water’*. This confirms at page 14 that *‘Southern Water have also suggested at Duty to Cooperate meetings following the Regulation 18 consultation on the Local Plan that an additional criterion is added to Policies SU01 and H2 to ensure that the timescales for the delivery of the development match that of the upgrades to the wastewater network completed.’*
- 2.9 This would indicate that before the Reg 19 publication WCC were aware that allocations at SS were more than likely to be appropriate over the plan period, subject to suitable phasing criteria. An allocation would be consistent with the spatial strategy, the identification of SS as an intermediate rural settlement, and assist in meeting housing requirements. This represented an opportunity to undertake consultation with WPC, the local community and stakeholders regarding the various site allocations, at a much earlier stage. Such an approach would have been consistent with national policy guidance.
- 2.10 For these reasons, the identification of Policy SU01 has not been based on sufficiently early or effective engagement with the WPC, local community and key stakeholders. The allocation must be regarded as unsound as a consequence.
- 2.11 It is noted within the Regulation 20 representation submitted on behalf of WPC, and in response to the lack of effective engagement by WCC, the Parish undertook their own consultation exercise. Of the 95 responses received, this showed a clear preference for the Wonston Road site over the allocated site at Policy SU01.
- 2.12 In addition to the above, as detailed in the formal representations submitted to the Reg 19 Plan on behalf of my client, there are some fundamental concerns in respect of the assessment of the site in the Integrated Impact Assessment (IIA) (ED02) relative to the proposed allocation at Policy SU01. This comparative assessment was included at Appendix 3.
- 2.13 This is detailed in the representations, but in short it identified some significant flaws with the scoring within the assessment that does not justify the allocation. A summary of the assessment is detailed below:
- failing to reflect the implications of noise considerations from the A34 and related service area on any future development of the draft site for allocation (IIA4: To improve public health and wellbeing and reduce health inequalities in the District and specifically 4.3 to prevent, avoid and/or mitigate adverse health effects associated with potentially inappropriate neighbouring uses which could detrimentally impact residents (for example noise..)); and
 - downplaying the implications of crossing the A30 trunk road as a barrier/influence to encouraging ped/cycle movements to the village/services and minimising car travel (IIA 2 : To reduce the need to travel by private vehicle in the District and improve air quality and IIA7 : To ensure essential services and facilities and jobs in the District are accessible).
- 2.14 This IIRA criteria are repeated within the Plan’s strategy and key policies and this is covered in the issue below.

Issue 5.2 Do they accord with the Plan’s spatial strategy as set out in strategic policies SP1, SP2, SP3 and H1, H2, H3 and E1-E3, in terms of the overall provision throughout the District?

- 2.15 Strategic Policy SP1 sets out the Vision and Objectives of the Reg 19 Plan. It includes a commitment to achieve *‘high quality sustainable and inclusive development that is focused around sustainable travel modes of transport.’* My client agrees this is an important strategic objective.
- 2.16 Strategic Policy SP2 includes the Spatial Strategy and Development Principles. My client recognises and agrees the need for some residential development with the Market Towns and Rural Areas to support economic and community development that serves local needs in the most accessible and sustainable locations and that would promote the vitality and viability of communities, whilst maintaining their rural character and individual settlement identity.
- 2.17 More specifically, my client agrees with the assessment of SS as an intermediate assessment within the Development Strategy and Site Selection (DSSS) July 2024 (SD10b and c). This reflects the facilities and services that exist within the village and related sustainability credentials.
- 2.18 Policy SP2 also lists a series of criteria that, in delivering the district’s housing, employment and community requirements development proposals will be expected, where appropriate, to be consistent with. These include *vi) making use of public transport, walking and cycling safe and accessible, and integrate the development of homes, jobs, services and facilities, to reduce car use; and ix) contribute to individual and community well-being, health and safety and social inclusivity.*
- 2.19 My client considers that the proposed allocation at Policy SU01 is neither consistent with Policy SP1 or the above criteria of Policy SP2.
- 2.20 The proposed allocation is separated from the main settlement of SS and related key facilities and services, by the A30 trunk road (Stockbridge Road West). This has a speed limit of 40mph. Using the Department of Transport statistics based on manual count in 2023 at a position on the A30 to the immediate east, this estimated an annual average daily flow of 4,633 vehicles including 225 Heavy Goods Vehicles.¹
- 2.21 There are no footways to the north of the A30 carriageway, and to the south is an extensive verge with tree planting, beyond which is a footway. There are also no pedestrian islands or refuges, and there is a 3 arm roundabout on the A30 to the immediate south-east of the allocation with no formal pedestrian crossing facilities.
- 2.22 Policy SU01 proposed allocation does include criteria that require measures to enhance pedestrian and cycle connectivity. This includes a new pedestrian crossing at the A30 to connect to the village. Given the nature of the A30, this is highly likely to be a formal signalised crossing, with a central island, and related pedestrian safety features/railings in appropriate locations. That such provision is necessary to support a relatively

¹ <https://roadtraffic.dft.gov.uk/manualcountpoints/81359>

modest allocation is of concern, and combined with the proposed vehicle access from the roundabout, it is of note that Hampshire County Council (HCC) as highway authority has estimated a cost to establish site access as 'high' (SD10c - DSSS).

- 2.23 Whilst a crossing would clearly provide a technical connection, the A30, as with any trunk road, is still considered would discourage walking and cycling. This is particularly the case with younger children where preschool facilities within the village are similarly located to the south. Equally, older children and parents attending the nearest Primary School at South Wonston would also be less inclined to walk to the bus stop to use the bus service.
- 2.24 It is reasonable to conclude that the A30 represents a barrier to both integration and inclusion of the site with the existing village and its ability to access services and facilities within the village, including bus stops, and would not promote safe walking and cycling. This is at odds with key elements of Policy SP1 and criteria vi) and ix) of Policy SP2.
- 2.25 Appendix F of the IIRA (ED02c) and the submitted Reg 19 Plan at paragraph 14.181 acknowledge that, as a consequence of its location very close to the A34 and adjacent to the SS service area, *the majority of the site is within an area where noise levels at night from roads and railways are above 50 dB or the noise levels as recorded for the 16-hour period between 0700 – 2300 are above 55 dB.*
- 2.26 Paragraph 180 of the NPPF 2023 confirms that planning policies should also ensure that new development is appropriate for its location taking into account the likely effects, including mitigating and reduce to a minimum potential adverse impacts to ensure noise does not give rise to significant adverse impacts on health and the quality of life.
- 2.27 Further guidance is provided within the NPPG:

"Increasing noise exposure will at some point cause the 'significant observed adverse effect' level boundary to be crossed. Above this level the noise causes a material change in behaviour such as keeping windows closed for most of the time or avoiding certain activities during periods when the noise is present. If the exposure is predicted to be above this level the planning process should be used to avoid this effect occurring, for example through the choice of sites at the plan-making stage, or by use of appropriate mitigation such as by altering the design and layout."

Paragraph: 005 Reference ID: 30-005-20190722

- 2.28 The World Health Organisation (WHO) has published guidance on generally acceptable noise levels as a consequence of road traffic noise. This is confirmed as less than 53 dB Lden for average noise exposure, and less than 43 bb L den for night noise exposure.²

² Compendium of WHO and other UN guidance on health and environment 2022 update : Chapter 11 Noise

- 2.29 The likely adverse impact from road noise from the A34 and nearby service station is recognised within proposed Policy SU01. Criteria xv(i) requires a noise assessment to be undertaken and suitable mitigation provided to prevent excessive disturbance to residential development. Whether this can be appropriately secured without comprising both the capacity and related viability of this modest allocation is at best highly questionable. The selection of the site is not considered to accord with the principles of national policy guidance as identified above.
- 2.30 It would be more appropriate and consistent with Policy SP1 and criteria ix) of Policy SP2 if alternative suitable sites in Sutton Scotney were considered that were not located within noise sensitive areas and did not require mitigation in the first instance.
- 2.31 As with Policy SP2, my client agrees that development of sites within and adjoining the most sustainable settlements as set out within Policy H1 is appropriate, and that this will necessarily include new greenfield allocations.
- 2.32 The principle of identifying a site in SS, as set out in Policy H2 and H3, is also supported. SS is identified with the Settlement Hierarchy (DS01) as an Intermediate Settlement, where some proportionate additional residential development is appropriate. Modest allocations have been identified at SS in previous Local Plans and this has assisted in maintaining the vitality and viability of the settlement, which also serves a wider rural catchment.

Issue 5.3 How were the site boundaries, areas and dwelling/other capacities determined? Are the assumptions justified and based on robust evidence? In particular, are the indicative residential capacities, set out in the Plan's site allocations justified by the evidence and consistent with NPPF paragraphs 123 to 126?

- 2.33 Policy SU01 extends to 5.28 hectares and consists of two field parcels either side of existing properties. It is accepted that the corresponding site boundaries are logical insofar as they correspond to field boundaries with vegetation. The existing properties themselves are excluded.
- 2.34 The consequential identified capacity of 50-60 dwellings represents an extremely low gross density of between 9.5 and 11.4 dwellings per hectare. As set out within the Site Selection Paper Sutton Scotney August 2024 (DS02), the site was identified in the 2021 Strategic Housing and Economic Land Availability Assessment (SHELAA) with an estimated capacity of 95 dwellings. It is clear from representations submitted on behalf of the site owner in the Regulation 20 published representations that they consider a capacity of up to 120 dwellings is more appropriate.
- 2.35 The allocation of the site for 50-60 dwellings is consistent with the spatial strategy approach set out within Policy SP2 and Policy H2 as a level of growth suitable for an intermediate settlement such as SS. In the absence of any other evidence as to how WCC have determined the capacity, such as a constraints and opportunities plan or broad land use plan, it can only be assumed that this has been the driving factor.

- 2.36 However, Policy SU01 does include a number of criteria that will influence the layout and land uses. These also are highly likely to have an impact on both the extent of development area and consequently the viability of the development of the site.
- 2.37 As previously mentioned, the majority of the site is within noise sensitive areas given the proximity to the A34 and related service area, and this will require a noise assessment and suitable mitigation. The extent of the area affected and unsuitable for residential use and/or level of mitigation necessary is unknown. Therefore the related implications for the capacity of the site and or extent of mitigation costs are also unknown.
- 2.38 The criteria also require a detailed archaeological assessment to be undertaken to reflect the high archaeological potential of the site and the potential for a Roman building of some status on or near the site. This assessment will likely be complex, time consuming and expensive, and could result in significant delays to delivery.
- 2.39 Similarly, the necessary provision of a suitable formalised signalised pedestrian crossing, coupled with the provision of access works to providing a roundabout is recognised by HCC as highway authority to be of significant cost.
- 2.40 The provision of open space, additional landscaping and the requirement to provide suitable mitigation for both fluvial and surface water flooding will also likely impact on land use disposition, the extent of development area, and overall viability.
- 2.41 Therefore, the evidence base to support the identification of Policy SU01 for 50-60 dwellings is limited and cannot be described as robust or sound.

Issue 5.4 How would the proposed allocations provide flexibility in the event that some sites do not come forward?

- 2.42 My client considers that flexibility could be provided through the identification of alternative or additional sites. More specifically, the identification of land south of Wonston Road as identified within the Reg 19 representations.

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