

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

## **Matter 8 – Development Allocations the Market Towns and Rural Areas (MTRAs)**

Hearing Statement prepared on behalf of  
Hathor Property

April 2025

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# 1. Introduction

- 1.1 This Matter Statement has been prepared on behalf of Hathor Property and in respect of Matter 8 of the Examination of the Winchester District Local Plan 2020-2040 ('the submitted Plan')- the Development Allocations the Market Towns and Rural Areas.
- 1.2 Hathor Property have land interest south of Wonston Road, Sutton Scotney, and have submitted formal representations to the Regulation 19 submitted Local Plan.
- 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 8. In responding, my client has focussed specifically on the proposed allocation Policy SU01 : Brightlands, Sutton Scotney.
- 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. This does apply in the case of the submitted Local Plan.
- 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 8 Development Allocations the Market Towns and Rural Areas (MTRAs)

### **Issue 8 Whether the proposed housing site allocations in MTRAs would be justified, effective and consistent with national policy?**

- 2.1 Reference is primarily made to the relevant Policy SU01 of the Plan, the supporting text, and the related evidence base documents: the Integrated Impact Assessment (IIA) (SD02a-d); the Sutton Scotney Site Selection methodology (DS02); and the Development Strategy and Site Selection (SD10c).

#### **1. Give that this site would be outside the existing settlements boundary and the presence of the A30 road, what is the evidence to justify the location of this site in relation to the settlement of Sutton Scotney to further the aims of Plan Policy SP1?**

- 2.2 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.
- 2.3 My client would also highlight that this broad objective is repeated in Policy SP2. This confirms that in delivering the Plans required housing, development proposals would be expected to *vi) Make 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.'*
- 2.4 The proposed allocation is separated from the main settlement of Sutton Scotney 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.<sup>1</sup>
- 2.5 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.
- 2.6 The Development Strategy and Site Selection (SD10c) includes a high-level transport review response from Hampshire Services as highway authority as taken from the 2023 Strategic Housing and Employment Land Availability Assessment (SHELAA). This makes reference to *'the site has a proposed access point on an A road which will need to be considered. Please refer to the Methodology chapter 3.1.'*

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

- 2.7 The source of 'Methodology chapter 3.1' is unclear. However, at Policy DM2h of the Hampshire Local Transport Plan 4 the highway authority '*consider requests for NEW accesses onto Council controlled A roads, and defined B roads, bypasses and relief roads (map to be provided in supporting guidance), only where the strategic flow of traffic is prioritised and not compromised and when all other reasonable options (such as taking access from nearby side roads) have been considered.*' (our underlining)
- 2.8 There is reference in Sutton Scotney Site Selection Methodology to '*The site promoters of Brightlands (WO10) have confirmed they have had preapplication discussions with the Local Highway Authority, Hampshire County Council. It is understood that HCC has provided positive pre-application feedback in relation to the Brightlands site from a highways and transportation perspective.*' However, my client can find nothing in the evidence base to this effect.
- 2.9 Policy SU01 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 and the level of related vehicle usage 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 modest allocation is of concern, and combined with the proposed vehicle access from the roundabout, it is of note that Hampshire County Council as highway authority has estimated of cost to establish site access as 'high' (SD10c - Development Strategy and Site Selection).
- 2.10 Whilst a crossing would clearly provide a physical 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.
- 2.11 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, all of which would require crossing the A30 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. A number of site constraints have been identified including flooding and drainage, sewerage capacity, archaeology, access and road safety, biodiversity, use of best and most versatile land, off site infrastructure requirements, and noise. Would any site constraints be a barrier to delivery of this site in the Plan period?**

- 2.12 My client agrees that there are a number of site constraints that are relevant as set out within Policy SU01 and the supporting text. Relative to other comparable allocations within the intermediate settlements, these are much more numerous and significant. The implication of some of these are yet to be fully assessed and are considered could have significant implications of the deliverability of the site.

## Noise

- 2.13 The supporting text to the Policy at paragraph 14.181 acknowledges that, *‘as a consequence of its location very close to the A34 and adjacent to the Sutton Scotney 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.’*
- 2.14 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.
- 2.15 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

- 2.16 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.<sup>2</sup>
- 2.17 Criteria xv(i) of Policy SU01 requires a noise assessment to be undertaken and suitable mitigation provided to prevent excessive disturbance to residential development. When taken in combination with other significant constraints, whether this can be appropriately secured without comprising the deliverability 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.

## Archaeology

- 2.18 The supporting text to Policy SU01 confirms at paragraph 14.183 that : *‘The area in general has a high archaeological potential and it is likely that archaeological remains will be encountered. Records show that a Roman building of some status was reported at or near this location. It is possible that an archaeological issue will emerge.’*

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

- 2.19 This reference is extracted directly from the Sutton Scotney Site Selection Methodology (DS02). There is no other details or information to clarify the extent of the archaeology significance or importantly, the nature of the issues that will emerge.
- 2.20 It is acknowledged that criteria ix) of Policy SU01 requires 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. When taken in combination with other significant constraints, whether this can be appropriately secured without comprising the deliverability is at best highly questionable.

#### *Access and Road Safety*

- 2.21 The supporting text to Policy SU01 confirms at paragraph 14.182 that '*The roundabout on Stockbridge Road West provides the most suitable location for achieving access into the site. Pedestrian access will need to be located at a safe distance away from this junction with suitable visibility splays. Proposals should demonstrate how safe pedestrian access can be provided to link to the site from the village of Sutton Scotney...*' Related criteria v) and vi) of the Policy require the provision of each respectively.
- 2.22 As mentioned above in response to Question 1, that the provision of a formal pedestrian crossing is necessary to support a relatively modest allocation is of concern, and combined with the proposed vehicle access from the roundabout, it is of note that Hampshire County Council as highway authority has estimated of cost to establish site access as 'high' (SD10c - Development Strategy and Site Selection). When taken in combination with other significant constraints, whether this can be appropriately secured without comprising the deliverability is at best highly questionable.

#### *Flood Risk*

- 2.23 The supporting text to Policy SU01 confirms at paragraph 14.184 the proximity of the site to Flood Zone 2 and 3, the historical presence of silt, and high levels of groundwater. The related criteria of the Policy requires a Hydrogeological Risk Assessment to be undertaken to '*to identify whether the proposed development will impact on groundwater, either from subsurface construction or from changes to surface water drainages.*'
- 2.24 At this stage it is therefore difficult to determine the extent of this impact, the effect on the extent of residential development area that could be promoted or the implications for the proposed access (which is identified within the related extracted map within the Sutton Scotney Site Selection Paper (DS02) as subject to 'recorded highway flooding'), and the related costs associated with provided mitigation. .
- 2.25 My client would also highlight that on the basis this information is seemingly taken from the Local Lead Flood Authority (LLFA) advice set out in the Sutton Scotney Site Selection Paper (DS02) and the Level 2 Strategic Flood Risk Assessment (BNE21), the relevant flood risk mapping provided by the Environment Agency has been updated. This identifies that the extreme south-east of the site is subject to Flood Zone 2 and 3

(not identified within the Strategic Flood Risk Assessment), but now shows a more extensive area of surface water flooding in the eastern part of the site.<sup>3</sup> When taken in combination with other significant constraints, whether this can be appropriately secured without comprising the deliverability is at best highly questionable.

#### *Other constraints*

- 2.26 It is also noted that although not necessarily fundamental to the delivery of the site, there are other constraints are likely to be relevant to the overall viability of this modest allocation. These include the need to provide suitable open space, to retain and reinforce existing landscaping around all boundaries of the site, and to safeguard the amenity of the existing residential properties. There would also be an expectation of delivering a policy compliant level of affordable housing.
- 2.27 In addition to the above, as detailed in the formal representations submitted to the Regulation 19 submission 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 Brightlands (Policy SU01). This comparative assessment was included at Appendix 3.
- 2.28 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
  - 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).
- 2.29 Similarly, Appendix 1 of the Site Selection Paper for Sutton Scotney (DS02) provides an extract of the assessment of the site within the SHELAA 2021. The categorisation of the site as 'Green' for Flood Zone 2 and 3 is not consistent with its relationship with Flood Zone 2 and 3, surface water flooding, groundwater flooding, and the need for detailed assessments and likely extensive mitigation.
- 2.30 In short there is a consistent theme of underplaying the significance of the constraints of the site within the evidence base that is both critical to its suitability as an allocation but also its viability.

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<sup>3</sup> <https://flood-map-for-planning.service.gov.uk/triage>



**3. As this is a greenfield site a phasing restriction is included in Plan policy SU01ii. What is the evidence to justify this approach in relation to this site?**

My client has no comments on this question.

**4. Given identified site constraints, what is the evidence that the site allocation would be viable based on the indicative capacity?**

- 2.31 The significance of the constraints are detailed above. Noise, archaeology interest, and flood risk all are highly likely to impact the extent of residential development, level of mitigation required, and therefore viability.
- 2.32 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 as set out in Regulation 20 they consider a capacity of up to 120 dwellings is more appropriate. It is less clear if this is based on a through assessment of these constraints, or indeed is a consequence of the need to secure an increased capacity for viability reasons.
- 2.33 However, 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 Sutton Scotney.

**5. Would Plan policy SU01 be clearly written and unambiguous, so it is evident how a decision maker should react to development proposals, particularly in relation to SU01ix ('design process')?**

- 2.34 No comments.

**6. Plan policy SU01 xi in relation to hydrogeological risks requires a risk assessment. How would it control any impacts on groundwater conditions and levels? In this respect would the policy be effective?**

- 2.35 My client has no specific comments beyond those relating to flood risk generally as set out above. It is noted that Policy SU01 : Brightlands is the only proposed allocation that includes a requirement for a hydrogeological assessment. As above, this requirement and any potential mitigation may further impact the extent of development area, and will at least add to viability concerns.

**7. Would requirements in relation to health care be clearly written and unambiguous, so it is evident how a decision maker should react to development proposals**

- 2.36 No comments

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