

EBC Local Plan – Statement for Hearing Session

Key Dates:

11 October – deadline to contact Programme Officer (louise@poservices.co.uk) to register wish to speak at hearing
7 – Parish Council’s Planning Committee
18 October – deadline for hearing statements

Hearing sessions will run from Thursday 21 November - Thursday 30 January

The Inspectors role is to consider the soundness and legal compliance of the Plan, based on guidance contained in para 182 NPPF. Considering soundness involves determining whether the plan is: -

- (a) **Positively prepared** – based on a strategy which seeks to meet objectively assessed development and infrastructure requirements;
- (b) **Justified** – the most appropriate strategy when considered against the reasonable alternatives, based on proportionate evidence
- (c) **Effective** – deliverable over its period and based on effective joint working; and
- (d) **Consistent with national policy** – able to achieve sustainable development in accordance with the NPPF’s policies

Those seeking changes must demonstrate why it is unsound by reference to one or more of the tests of soundness.

Submitting views either at the hearing or written form will carry equal weight.

Statements should encompass the following: -

Relate solely to the matters raised in their earlier representation
Explain which particular part of the LP is unsound
Explain why it is unsound, having regard to the NPPF
Explain how the LP can be made sound
Explain the precise change/wording that is being sought

Fair Oak & Horton Heath Parish Council maintains its strong objection to Eastleigh Borough Council's proposed Local Plan. The Parish Council feels that the Plan is unsound and not legally compliant. We particularly object to the selection of Options B and C (north of Bishopstoke and Fair Oak) for a Strategic Growth Option. These sites have been determined to be the most highly valuable and sensitive landscapes in the borough, and any development of them will likely have an adverse impact upon the South Downs National Park, countryside gaps, ancient woodlands, historic parks and the biodiversity of the River Itchen. These precious landscapes would also be under threat from the plan's proposed new road link. Not to mention the negative environmental impacts that this would have and increase in pollution levels (air quality in particular) in this semi-rural area. The special and unique character of the two distinct communities at Bishopstoke and Fair Oak will be significantly compromised.

In addition, the housing numbers used within the plan are out of date and were not subject to any independent verification. This could cast doubt on the future projections of the housing need as stated in the plan. Eastleigh's latest populations projections show 11,500 fewer people by 2036 than previously envisaged.

The Parish Council, supports the evidence commissioned by Action Against Destructive Development – Eastleigh) namely, the reports by David Tucker Associates which reviewed the transport modelling work undertaken as part of the evidence base of Eastleigh Borough Council's Local Plan as well as the ecological report produced by Phlorum Ltd. Both reports conclude that the Local Plan is unsound and does not meet National Planning Policy Framework.

The following factors demonstrate why Local Plan is unsound and illegal: -

Matter 3 – Policies, Spatial Strategy and distribution of development

Policies S1 & S3 – does not deliver a sustainable development and the requirements identified within the policy are not justified. Furthermore, **the locations identified for new housing are not the appropriate locations when considered against all reasonable alternatives.** Eastleigh Borough Council have not fully assessed the other sites particularly Allington Lane, which was once a site that the Council was actively promoting only a few years ago and then dropped without any real explanation – one which impacted the River Itchen which is precisely what is proposed in the current scheme.

The selection of options B&C as the Strategic Growth Option fails to meet the core principles of the National Planning Policy Framework. The location of the chosen SGO is not close to a town with good public transport, being sat in a semi-rural location, surrounded by ancient wooded copses and lacking a supportive road transport network. Furthermore, the chosen SGO will create an urban sprawl into areas of countryside, having a negative impact on people's health and wellbeing. In addition, and as supported by the ecology report produced by Phlorum Ltd, the SGO does not protect the natural environment, having significant negative ecological impacts. Furthermore, the robustness of the proposed ecological mitigation strategy should be examined to test whether the measures proposed will be sufficiently effective to negate the negative ecological impacts. It is clear that SGO E offers the least ecological impact, the Council's selection of Options B&C, in considering the negative ecological impacts alone, is contrary to National Planning Policy Framework.

Matter 4 – meeting housing need, the housing requirement, housing land supply, five-year supply and affordable housing

Policy S2 – does not reflect an objective assessment of housing need over the plan period defined as 2016-2036. It is clear that the SGO Option B&C was selected prior to any evidence and data being prepared and judged against alternative options (i.e post rationalised), in conjunction with the fact that incorrect housing projection figures are being used (1,950 dwellings more than the Borough's housing trajectory needs up to 2036) the Plan is therefore fundamentally unsound.

The housing targets used have a direct relationship on which greenfield sites have been chosen for development as does the decision to include figures beyond the plan period and has directed the decision made in Policy S3. The choice of housing allocation (Policies S3 & S5) is in direct conflict with paragraph 138 of the NPPF *“When drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account. Strategic policymaking authorities should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary. Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport”*. Other SGO options sites are more appropriate here not SGO B&C.

The Parish considers the methodology used to calculate housing number to be incorrect and outdated. The figures have had a direct relation to decisions made in policies S2, S3, S5 & S6. The proposed greenfield development and the negative environmental & social impacts to meet this housing target should be reviewed as it goes above NPPF requirements. **The level of housing required should be decreased. And a fundamental review of these policies should be undertaken as the decisions made were not based on sound data.**

In addition, the Parish Council does not believe that the level of housing stated in the plan is deliverable. The link road in policy S6 relies heavily on funding from housing beyond the Plan period.

Matter 5 – Strategic growth option (SGO) policies S5 & S6

The policies for the development and delivery of the two new communities in Policy S5 are not justified, effective and consistent with national policy. The Plan does not take a justified and effective approach to the delivery of the strategic transport and infrastructure necessary to support policy S5. The evidence does not support the site allocation of the SGO option proposed being unviable and undeliverable. The following demonstrates these points: -

Policies S5 & S6 contradict the narrative in the body of Policy S1 highlighting numerous inconsistencies, further demonstrating that the Plan is unsound. This is demonstrated by: -

- The distinct and unique characters of the settlements in Bishopstoke and Fair Oak will be significantly compromised, these being semi-rural in nature, having ancient woodlands, areas of special interest and bordering the South Downs National Park;
- The selection of SGO option B&C has significant negative ecological impact;
- Policies S5 & S6 (most notably the Bishopstoke link road) increases the likelihood of car numbers and movements rather than minimising the need to travel;
- Policy S5 has a much higher landscape sensitivity than other possible SGO sites located around Allington Lane;
- Policies S5 & S6 have a significant negative impact on the local air quality;
- Policy S6 the deliverability of the link road which relies heavily on funding from development beyond the plan period;
- Policies S5 & S6 will disrupt and disconnect natural habitats particularly ancient wooded copses (Woodland Trust advice of a buffer between development and woodland being more than 50 metres still not being met). This buffer certainly isn't being met at Tippers Copse.

In order for the chosen SGO to deliver the 5,200 dwellings, the intrinsic character of the two existing separate communities, the natural and historic environment will be destroyed, particularly the historic parkland as listed in Hampshire's register of historic parks and gardens site at C19 (if Policy S6 is implemented). EBC have themselves listed the grounds on one or more of the following criteria

- **illustrate some particular aspect of the history of gardens, parks, and landscape design. For instance they may represent the work of a particular designer or have been created in a particular period or style. They may contain features that are of historic, archaeological, architectural, artistic, horticultural, cultural or social interest;**
- **- have significant historic associations, for example with a particular person or event;**

- - have a group value with buildings or other land of historic interest or significance;
- - retain features that represent a rich tapestry of historical changes and development of the landscape; or
- - provide the setting for some of our most important buildings.

This is in complete contradiction to NFFP specifically section 15, paragraph 170 and chapter 3 of the Local Plan – the ‘identity of the towns and villages’ will not be maintained. The Plan needs to be more reflective of the impacts of the SGO.

The Parish Council is particularly concerned that the IDP update June 2019 for the SGO advises that the site area has been extended and the extent of the negative cumulative impacts on the two distinct villages and natural environment that surround these communities has become even more unknown.

Policy S5 contradicts paragraph 174(b) of the NPPF “*promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity*” having significant negative ecological and environmental impact (as supported by the Phlorum Ltd report.

Policy S5 – fails on numerous counts: - ancient woodland, biodiversity and impact on the Itchen SAC (policy DM11), traffic & access (policy S6), pollution (DM8), and gaps (policy S8). The choice of option B&C will have an unacceptable adverse impact on valued landscapes, having a direct negative impact on several sites of ancient woodland due to insufficient buffers from the proposed road in policy S6. The Parish Council wholly supports the representations made by the Woodland Trust and the Campaign to Protect Rural England regarding this matter.

The open countryside gaps between Fair Oak, Bishopstoke and Upham and the National Park will reduce to an unacceptable level. This conflicts with the ethos set out in Chapter 11 of the NPPF section 118 – the SGO would significantly and disproportionately restrict public access to the countryside (which would have reduced due to the significant number of dwellings). Furthermore, Chapter 12, section 134 of NPPF, namely that that the countryside would not have been safeguarded, two distinct villages would have merged, and the special character of these areas will not have been preserved.

Matter 6 – Transport, Infrastructure and Delivery (policies S12, DM13, DM40, BO5, BO6, AL1)

The Plan does not take a justified and suitably evidenced based approach to strategic transport, infrastructure and delivery. The Plan is not consistent with national policy in this regard.

By way of example – an appropriate transport planning policy approach was not adopted in defining and determining development allocations. The location for the SGO was chosen then evidence base was sought around that choice. Proper consideration of alternatives and appropriate assessments against the benefits and disadvantages of each option was not undertaken, meaning that the chosen SGO was tested with a significantly higher level of mitigation than the other options. The Plan does not adequately demonstrate how the infrastructure that the Council considers to be necessary to mitigate development can be delivered in a timely manner. Not enough detail is given as to the link road deliverability and timing. The fact that there are significant land ownership issues to resolve and funding constraints (as mentioned a significant proportion of the SGO development needs to have been completed before enough money is released to fund the road) has not been given enough weight, meaning that it is unclear if the road could be delivered with any real certainty. The funding of the transport infrastructure is so uncertain and unclear that fails to demonstrate that the Plan is deliverable in terms of transport infrastructure. This scheme fails if the link road cannot be delivered or worse it will be delivered with no road with consequences already in this submission.

As the Plan does not fully commit to delivering the road in its entirety, there runs the risk that Option C would be developed and large numbers of dwellings (4000 plus) would only have access to existing transport links, public services which have already suffered swingeing cuts this would be insufficient for this large community and would have a significant detrimental impact on already congested roads. The ‘strong likelihood’ of the road being fully funded leads little confidence on deliverability.

Chapter 9, paragraph 103 of the NPPF states that “significant development should be focused on

locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help reduce congestion and emissions and improve air quality and public health". SGO B&C has the least sustainable transport options being the furthest from Southampton, larger road and motorway links, and railway links (there is no opportunity for railway station at Policy S5 as there would be at Allington Lane). Residents in the SGO would more likely need cars, which will not only put pressure (to breaking point) on the already poor road infrastructure but will undoubtedly have a significant negative impact on air quality. Comparative assessments on other alternative sites are lacking meaning that have not been given equal weight or consideration. The claim that the new link road would alleviate congestion on Bishopstoke Road the main thoroughfare into Eastleigh is flawed. The road is already congested, if the link road isn't built in full, this will add more pressure, if the link road is built in full but significant alternations to Allbrook Bridge haven't been carried out, this will also create traffic congestion at the other end of Eastleigh, with traffic 'backing up' Twyford Road back onto Bishopstoke Road. In short, traffic in Eastleigh (and surrounding conurbations) will come to a stand-still.

Matter 8 – Countryside and Green Infrastructure (policies S7, S8, S10)

Policy S7 states that by permitting new development in the countryside, EBC will "avoid adverse impacts on the rural woodland, riparian character, the intrinsic character of the landscape including the avoidance of adverse landscape impacts on areas adjoining national parks and their settings and on the biodiversity of the area". The choice of SGO B&C and the proposed link road are in complete contradiction to this and indeed the fundamental principles of the NPPF that of achieving sustainable development.

Policy S8 lacks sufficient detail, contradicts statements in in Policy S5 and is not aligned to NPPF (see statement at matter 5), by way of example – in relation to SGO north of Bishopstoke and Fair Oak, there is a lack sufficient detail on how large this will be and how it will prevent sprawl of these two distant communities with existing established communities not to mention sufficient buffers to ancient woodland and other sites of ecological importance and the impact on the South Downs National Park. The chosen SGO will significantly narrow gaps between Bishopstoke, Fair Oak, Colden Common, Upham and Eastleigh Central. However, EBC have stated that the SGO at Allington Lane was discounted as it would diminish the gap between West End and Fair Oak. This is highly questionable and not based no like-for-like evidence. What is clear, is that separation of historical settlements of Bishopstoke and Fair Oak will not be maintained, and important countryside gaps will be significantly compromised.

Matter 12 – Climate change, flood risk and pollution (policies DM2, DM3, DM5, DM6, DM8)

The Plan is not justified and consistent with national policy. The selection of SGO B&C and the link road will lead to unacceptable levels of air, light and water pollution. EBC's own climate change targets are at complete odds with the SGO option and development sites. EBC will fail to meet its own targets should the Local Plan be implemented in its current format.

Matter 13 – Site Allocations within the Parishes (policies Bi1, FO1-FO9)

The site allocations are not justified, effective and consistent with national policy.

The Plan fails on the delivery of the local infrastructure alone, notably the sufficient provision of healthcare to support new and existing community as well as deliverability of necessary transport infrastructure to support the new residents. The Plan consistently contradicts itself in the protection of the natural and historic environment and the mitigation measures to support this are entirely lacking. As Bishopstoke, Fair Oak & Horton Heath take the brunt of the large-scale development in the Borough, the Plan fails to answer the fundamental question – is the local infrastructure proposed sufficient to support the scale of the development?

In light of the above, Fair Oak & Horton Heath Parish Council maintains the view that the Local plan, in its current format, is not consistent with national policy, has not be positively prepared, is not justified and is not effective. In short, the Plan is both unsound and not legally complaint.

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