

Written response relating to main modifications MM27 and PM3 relating to Settlement Gaps

Please explain your comments, including any changes you think are necessary and revised wording (continue overleaf/attach further sheets if necessary)

In the Inspector's letter (ed71) the Inspector identified deficiencies with regard to the settlement gaps in relation to three broad areas, namely: the evidence base; the application of the approach to site selection and the detailed policy wording.

The Inspector stated in paragraph 29 of her letter that: *'ENV002 draws on the PUSH criteria for designated gaps which in essence states that (i) gaps should not include more land than is necessary to prevent the coalescence of settlements and that (ii) land to be included should perform an important role in defining settlement character and separating settlements at risk of coalescence. In my view, applying these criteria, would be in principle an appropriate approach.'*

She further stated in paragraphs 30 and 31 of her letter that: *'the extent to which the designations as proposed extend throughout the borough and take full account of both (i) and (ii) above is neither logical nor supported by a robust evidence base. For example, in the hearing sessions there was much discussion concerning the extent of individual gaps, the 'narrowness' or 'broadness' required to function as an 'appropriate gap', the needs for a 'strong/ decent/clear gap' in certain areas but 'slivers' of gaps being designated elsewhere. The evidence base does not support the approach adopted. Whilst there may well be some merit in the arguments put forward that the areas surrounding the urban area of Southampton require a greater gap in 'size' terms proportionate in scale to the urban area of Southampton, the same logic is not applied to other settlements within the borough.'*

'Moreover, this approach is neither consistent with the evidence base nor the PUSH work upon which the appraisal purports to be founded. In some cases, more land than is necessary to prevent settlements from coalescing has been included, in other locations it is not clear how the settlement gap as defined provides an important role in defining the settlement character. As a result, there remains no rigorous or comprehensive basis for the gap designations as illustrated, the choice of the locations and the extent of the designations as shown.'

The Council has now issued a Settlement Gap Study by Deacon Design which seeks to evaluate the proposed settlement gaps. However, the Study has not considered the issue of Settlement Gaps in relation to Site Selection, nor is there any consideration of the appropriate size of settlement gaps. It is also clear that the study has not relied primarily on objective criteria but on subjective judgement. In Section 3 which relates to Methodology there is a section on 'Dealing with Subjectivity,' (page 9) which states that:

'Whilst some elements of this study, such as physical Gap measurements or intervisibility (or the lack of it) can be objectively assessed, perceptual elements such as sense of leaving/arrival or the evaluation of certain Gap functions are subjective and are a matter of a professional judgement.' However, no criteria relating to the objective elements are used in the assessment beyond simply recording them. There is no indication of how wide a settlement gap should typically be, and how this would be affected by whether or not there is intervisibility, and how account should be taken of factors such as topography or the nature of the vegetation in the settlement gap. A thickly wooded stretch of land with restricted access as little as 200m wide creates a very meaningful gap between two settlements particularly if there are no road connections across this area of land. Conversely even a wide area of open fields crossed by a road network can easily give a feeling that two settlements are joined. It follows that creating a series of descriptive factors is a vital part of defining settlement gaps

designed to prevent the coalescence of settlements including recognising that some of these features could be designed and created as part of a proposed development.

As a result, the assessment wholly relies on subjective factors. The five criteria that have been used in the matrix (page 9) are:

1. *'The area helps preserve the open nature of the Gap.'* The answer must inevitably be yes if it constitutes open land between two settlements;
2. *'The area helps maintain the sense of separation between settlements.'* Again the answer must inevitably be yes if it constitutes open land between two settlements.
3. *'The area plays an important role in defining the settlement character.'* This is a slightly more discriminating criteria, but still is very subjective.
4. *'The area plays an important role in separation of settlements at risk of coalescence.'* Again this is very subjective, without objective criteria on which to base the assessment.
5. *'The land is necessary in preventing the coalescence of settlements.'* It is difficult to see how this is significantly different to the other criteria and is again very subjective.

Without this objective element it is not possible to judge whether the PUSH criteria for Settlement Gaps are met, and particularly the fourth one which states:

- d) The Gap should include no more land than is necessary to prevent the coalescence of settlements having regard to maintaining their physical and visual separation.

The Deacon Study only looks at the settlement gaps proposed in the Submission Local Plan. It is thus an attempt to retrospectively justify decisions that have already been made, rather than to objectively assess where the settlement gaps should be located.

In this respect, a significant omission from the Settlement Gap Study is that it does not include an assessment of the need for settlement gaps to the north of Bishopstoke. The area between Fair Oak and Colden Common is one of the locations in the borough which most meets the PUSH criteria¹ which are:

- a) The designation is needed to retain the open nature and/or sense of separation between settlements;
- b) The land to be included within the gap performs an important role in defining the settlement character of the area and separating settlements at risk of coalescence;
- c) The Gap's boundaries should not preclude provision being made for the development proposed in this (PUSH) Strategy;

¹ As published in the 'South Hampshire Strategy – A framework to guide sustainable development and change to 2026' in October 2012

- d) The Gap should include no more land than is necessary to prevent the coalescence of settlements having regard to maintaining their physical and visual separation.

The area between Fair Oak and Crowdhill is already substantially eroded by development at Pylehill; Crowdhill and Fisher's Pond, which has been accentuated by residential development on the west side of the B3354 between the Fox and Hounds and the northern edge of Fair Oak. However, there are currently a couple of gaps which are important in maintaining the separation of the settlements. However, this area has been omitted from the Settlement Gap Study and therefore no settlement gap is proposed.

The failure to assess this area while providing for a strong and extensive network of settlement gaps in other parts of the Borough including the Hamble peninsula means that not all areas of the borough have been assessed on a like for like basis, which is of concern regarding the proposed review of the Local Plan which is to identify a suitable site or sites for the unallocated housing.

Another significant failure of the Gaps Study is that it is focused exclusively on the aspiration to avoid coalescence of settlements and as noted above on those areas which the Council has identified in the Local Plan for Settlement Gaps. In so doing it neglects two fundamental principles of current planning practice:

1. The need to promote development in locations where the use of sustainable transport can be maximized

The failure of the Gap Study to consider the effect of Settlement Gaps on the sustainable distribution of development means that one of the most sustainable locations for development adjoining Hedge End Station is instead allocated as a Settlement Gap. This area is analysed under Gap Analysis – Area D Hedge End, Horton Heath & Boorley Green p. 60 – 73 of the Deacon Design 'Settlement Gap Study.' The Gap Study recognizes that there are no landscape or ecological designations in this area. Refusing to consider the potential for development in an area which immediately adjoins a train station is not consistent with the Framework, which states that a Core Planning Principle is to '*actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable;*' (para 17) and that in order to promote sustainable transport '*plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimized and the use of sustainable transport modes can be maximized.*' (para 34). The need to promote development in locations where the use of sustainable transport can be maximized is also a necessary consequence of the Climate Emergency which Eastleigh Borough Council has declared and its ambition to be carbon neutral by 2030.

2. The need to balance the desire to avoid coalescence against the need to conserve the most biodiverse parts of the borough together with those with the greatest landscape sensitivity.

Through the proposed allocation of the SGO and associated link road the Council was seeking to allocate large scale development in an area containing a valued landscape and a network of ancient woodland, which would also be likely to adversely affect the internationally important River Itchen Special Area of Conservation, especially through the deposition of fine silts in this chalk stream. However, under MM27 the former SGO contains no Settlement Gaps, so it is critically important that the Local Plan text highlights the need when allocating sites to make up the housing shortfall that the potential to accommodate development in settlement gaps is not automatically discounted but is set against the need to conserve the most biodiverse parts of the borough together with those with the greatest landscape sensitivity. The need to

demonstrate the achievement of biodiversity net gain will be a critically important component of the review given that the proposed Schedule to the Environment Bill currently going through parliament will require new developments to demonstrate a 10% net gain in biodiversity.

The absence of consideration of the above two factors leaves the strong impression that the choice of settlement gaps laid down in the Local Plan is being used inappropriately by making it difficult to allocate further sites for development in certain areas irrespective of the low quality of the landscape in those locations and the absence of significant biodiversity receptors. Equally in other areas the lack of designated settlement gaps gives the clear impression that the Council is quite content to see development in these areas, some of which are of outstanding landscape and biodiversity character.

It is therefore considered that the settlement gap study has not addressed all of the issues raised by the Inspector, and by ignoring locations in the north of the borough has left them unprotected. It has also failed to consider the impact of the proposed settlement gaps on the ability to promote travel by sustainable modes of transport and the potential effect of settlement gaps on the most biodiverse and sensitive landscapes in the borough. It has not therefore been demonstrated that the proposed settlement gaps are justified and they are therefore unsound.