

**Response to the Main Modifications MM13; MM14; MM15; MM16; MM17; MM18; MM19; MM20; MM21; MM22; MM23; & MM24 plus PM1 & PM2 relating to the deletion of the SGO and associated link road**

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

Action Against Destructive Development (ADD) strongly objected to the proposed submission Local Plan as it considered that the Strategic Growth Option (SGO) and associated link road would have a very destructive impact on the environment and therefore would not constitute sustainable development. ADD therefore strongly supports the proposed deletion of both of these components from the Local Plan.

In this respect it strongly supports the reasoning of Inspector, Christa Masters, in her letter dated 1 April 2020 (ed71) in which she gives the reasons why the SGO is not sound.

In this respect it is not necessary to give a detailed response as the Inspector has clearly been convinced that it has not been demonstrated that the SGO and associated link road would represent sustainable development and should therefore be deleted from the Local Plan. She also already has ADD's very extensive Regulation 19 representations, plus the written statements and oral evidence submitted to the Local Plan Examination.

However, a few comments are considered to be necessary.

**Shortcomings in the Consideration of Alternatives including in the Sustainability Appraisal (SA)**

The Inspector notes in paragraph 16 of her letter that:

The SA concludes that the key areas of difference between the SGO alternatives considered are that:

- a) the selected option has greater merit in meeting transport/accessibility aims;
- b) the selected option is more beneficial in terms of protecting settlement gaps; and that
- c) although the selected option has less merit in relation to protecting more sensitive (non-designated) landscapes, the benefits in relation to a) and b) above outweigh this factor.

Brief reference to her conclusions and ADDs observations are provided below:

## Transport & Accessibility – the SGO the least sustainable location

ADD agrees with the Inspector that from the transport modelling work<sup>1</sup>, it is apparent that the selected SGO would lead to the longest average travel distances by car. Option D would provide the shortest new bus route to key destinations and would also result in more people using public transport, while Options D and E have the potential to form rail access to the existing rail network, which would provide the opportunity to maximise the use of sustainable transport modes as envisaged by the National Planning Policy Framework (NPPF). There has also been no proper comparative analysis of the different options on a like for like basis. On the evidence available it is therefore ADD's view that the SGO represents the least sustainable option available in transport terms and therefore agrees with the Inspector that: *'the SGO proposed in policy S5 would fail to meet the aim set out in paragraph 34 of the Framework, and the overarching principle of promoting sustainable development.'* For a development of 5,000 dwellings the sustainability of the location is a critical issue, which is why paragraph 34 of the Framework states that: *'Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.'* [Emphasis added].

Pursuing development in sustainable locations should also be a key aspiration of Eastleigh Borough Council which declared a Climate Emergency on 19 July 2019 and aspires to achieve carbon neutrality across the borough by 2030. The location of development in locations where the need to travel by non-sustainable modes of transport can be minimised is a critical factor in the current Climate Emergency and minimising carbon emissions. Daily more evidence mounts of the Climate Emergency that is enveloping the earth, with floods; droughts; melting glaciers, and wildfires in many parts of the earth. Locating development on the SGO would not be consistent with Eastleigh Borough Council's own commitment to do what it can to address the Climate Emergency and become carbon neutral by 2030.

## Transport and accessibility – effects of traffic on the South Downs National Park

One of the particular concerns of ADD has been the effects of the proposed SGO on the South Downs National Park, particularly through traffic generation. ADD therefore strongly agrees with the Inspector when she states that: *'The evidence notes that the selected option would generate a greater increase in traffic overall on the rural roads within and on the edge of the South Downs National Park<sup>2</sup> when compared to the other SGO options. This is not surprising given the close proximity of the SGO to this location.'*

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<sup>1</sup> SGO001 Part 1 SGO Paper summary of transport modelling

<sup>2</sup> Roads in the South Downs – Enhancing the safety and quality of roads and places in the National Park, June 2015

In this respect, it is important to note that the roads within the National Park are narrow and winding with a strongly rural character. The lanes are often sunken with adjoining hedgerows and trees. It would not be possible to widen them to increase their capacity to take additional traffic without fundamentally changing their character and having a very destructive impact on both the landscape character and quality of the National Park. As the Inspector states: *'The rural nature of these roads forms an integral part of the overall National Park experience,'* (para 25). Given that the Framework states that National Parks: *'have the highest status of protection in relation to landscape and scenic beauty,'* these detrimental impacts to the landscape and character of the area are of very great significance as it demonstrates that the SGO conflicts with national policy and therefore fails the soundness tests in paragraph 182.

### **Landscape Sensitivity**

The Inspector makes reference to both the Planning Practice Guidance and the Framework stating that plans should recognise the intrinsic character and beauty of the countryside, and that the cumulative impacts of development on the landscape need to be considered carefully, (para 38). In this respect the land proposed for the SGO was of particular sensitivity as it is located in close proximity to the South Downs National Park and contains an extensive network of ancient woodland and an undulating landscape, crossed by a network of public rights of way. It is therefore ADD's view that it comprises what the Framework refers to as a 'valued landscape,' which the planning system should protect and enhance (para 109). The detailed justification for this is set out in the evidence prepared by Terra Firma whose report formed an annex to ADD's Regulation 19 representations and is attached to these representations.

Terra Firma state in paragraphs 4.13 – 4.15 of their report that: *'SGO B/C provides an important valued and diverse landscape setting to Fair Oak and Bishopstoke settlements and contains highly valued areas for quiet informal recreation, biodiversity and areas with a distinctive sense of place with cultural and historic associations. The area demonstrates many attributes which elevates it above 'ordinary' landscape. The area forms a distinctive ridge which is a key landscape feature providing an important backdrop to many views from the surrounding area. The landscape has a strong rural character with areas of remoteness and tranquillity with a strong sense of history, including 2 local historic parks, sunken lanes and historic field patterns and a significant proportion of mature hedgerow trees which are distinctive features. There are positive long reaching views across the area to the South Downs National Park (SDNP) and other positive long reaching views from the extensive well-used network of public rights of way which provides opportunities for quiet recreation within easy reach of the nearby built up areas. Halls Land Copse and the woodland surrounding the western area is ancient woodland with areas of distinctive wet woodland. Many of the woodland areas are Sites of Importance for Nature Conservation (SINCs).'*

*'The Eastleigh Borough Council Landscape Character Assessment includes evaluative information under the Landscape Character and Visual Sensitivity which indicates features of the area which are valued:*

- *Overall it is an attractive landscape with Stoke Park Woods and the sub area (7a) providing distinctive features that have amenity and wildlife value.*
- *Contained within the area is a very distinctive parkland landscape.*
- *The area is predominantly rural, with woodlands, for the most part, shielding the development at the urban edge. It has an undulating landform, good vegetation cover, and often has wide views out. The significant woodland elements in this area can be seen from some distance away.'*

*'In light of the above it is considered that the SGO B/C is well above 'ordinary' countryside and has demonstrable physical attributes which contribute to the conclusion that this should be classified as a 'valued' landscape within the meaning of NPPF para 109.'*

ADD therefore welcomes the Inspector's endorsement of the landscape sensitivity of the SGO who notes that of all the alternative options considered, the selected option proposed through policy S5 has the greatest impact on high sensitivity landscapes. This is based on the landscape appraisal work<sup>3</sup> which confirms that views towards the exposed skyline are particularly sensitive from Colden Common as well as open land to the north and west, close to the National Park and Lower Upham.

### **Settlement Gaps & The Development Distribution Strategy and Principles (DDSP)**

As the Inspector notes the DDSP were settled by the Council in December 2016 and ruled out development on the Hamble peninsula prior to nearly all of the evidence base relating to the selection of the SGO. A particular issue that the Council identified was the supposed vulnerability of the settlement gaps on the Hamble peninsula, prior to the work underpinning the settlement gaps, which was a flawed approach.

In the main modifications the proposed settlement gaps have been reviewed. However, this has been a limited review just looking at the ones that the Council were already proposing to designate. Other areas which also perform important settlement gaps functions such as between Fair Oak and Lower Upham and between Fair Oak/Crowdhill and Colden Common have not been assessed. This is not satisfactory. As the Inspector states it was stated *'at the hearing sessions that settlement gaps had been the determining factor in terms of the site selection process for the SGO.'* The Council are about to embark on a review of the Local Plan to identify where the shortfall in housing should go. The Settlement Gaps, however, will constitute adopted policy and will therefore have a substantial influence on the location of the required housing. The fact that the northern part of Hamble Airfield has therefore retained its status as a settlement gap but there has been no analysis of the settlement gap function of the areas between Fair Oak and Lower Upham and between Fair Oak/Crowdhill and Colden Common could therefore potentially have a critical impact on the eventual

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<sup>3</sup> SG0004 Landscape Sensitivity 2017

selection of sites to meet the shortfall in housing and should therefore be rectified prior to the adoption of the Settlement Gaps.

The Council also claimed that the land occupied by Options D and E performed an important Settlement Gap function, but as the Inspector has pointed out, no assessment was undertaken of the combined option D/E or how a settlement gap could be integrated into this as a development option through any form of informed masterplanning process. As a result, there was no robust assessment of the impact overall of the options for the SGO on the issue of settlement coalescence.

### **Other Matters Not Referred to in the Inspector's Letter (ed71)**

A significant matter that was discussed extensively at the Examination but is not referred to in the Inspector's letter is the likely ecological impact of the SGO and associated link road. This is no doubt because the Inspector considered there were other soundness issues which provided an adequate basis for demonstrating that the proposals are unsound. However, ADD consider that it is important that the ecological impacts are addressed in the Inspector's final report for two reasons:

1. The importance of the ecological resources which would be impacted upon which include the internationally important River Itchen Special Area of Conservation (SAC) and irreplaceable ancient woodland habitat;
2. A review is to take place of the Local Plan in order to identify where the shortfall in housing provision should take place in the latter part of the plan period. Without guidance from the Inspector on these important matters it is likely that the review will not give adequate consideration to the biodiversity implications.

With regard to the first issue, ADD provided extensive evidence to the Examination that owing to its geographical proximity the SGO and associated link road would be likely to result in significant adverse ecological impacts on the River Itchen SAC through siltation and pollution, particularly from road run-off; that it would be impossible to adequately mitigate these impacts through the use of Sustainable Drainage Systems (SuDS); that the creation of extensive areas of hard surfacing would lead to warmer run-off, which coupled with climate change has the potential to raise the water temperature of the River Itchen and thereby adversely affect cold water species such as salmon. There is also the potential for pollution from microplastics, which are naturally buoyant and unlikely to settle within SuDS systems. Existing woodland and agricultural surfaces are low in plastic relative to urban surfaces and areas that include recycled rubber, and additional plastic waste. Potentially hydrological changes could also affect feeder streams to the River Itchen and water levels in the ditches used by the Southern Damselfly.

Professor David Sear's evidence, which was contained in the appendices which ADD submitted to the Examination and is appended to these representations, highlighted that Chalk streams are highly sensitive to minor increases in fine sediment concentration relative to other gravel bed rivers because their river beds are unable to flush fines from gravels. Fine sediments are generated during winter high flows and

during intensive summer convective storms. Excessive fine sediments are lethal to benthic spawning fish species. Fine sediments derived from road verges are more lethal to both Salmon and Trout than those from agricultural land or river bank erosion. He therefore stated that: *'In summary, fine sediments, their quality, size and composition are a diffuse pollution, that physically impact biological communities throughout the aquatic foodchain, with major impacts on the survival of benthic spawning fish such as salmon and trout,'* p. 6 of Appendix 1.

If development was to take place on the former SGO and the associated link road was constructed it would have serious consequences for spawning fish, as a large part of the proposed development was to take place within the catchment of the Bowlake stream. Professor Sear states that: *'The reach downstream of the Bowlake stream has good quality spawning habitat with high rates of survival,'* p6. By contrast: *'Downstream of Chicken Hall STW, the Itchen spawning gravels are low quality owing to high levels of fine sediment and organic matter with the gravels, and as such survival rates are very low,'* p. 6 of Appendix 1.

Professor David Sear's conclusion that *'Given the importance of the salmon spawning gravels downstream of the entry point of the Bowlake Stream to the River Itchen, it is extremely likely (High Confidence) that the quality and productivity of these spawning gravels DURING Winter high flows, will decline, resulting in lower recruitment to an already critical population of genetically unique salmon,'* (p. 9 of Appendix 1) is of particular importance in indicating a likely significant adverse impact on a key species for which the River Itchen has been declared a SAC. This is of serious consequence given that there is now a critically low population of salmon in the River Itchen. Professor Sear pointed out that the alternative Option D/E drains via a single stream into the Itchen downstream of the spawning habitats and so would not have these adverse ecological impacts, (p. 11 of Appendix 1).

ADD provided evidence from specialists to justify its concerns which were contained in reports appended to its written statements from acknowledged experts and these are also appended to these representations on the Main Modifications. The potential impact on the Southern Damselfly is a key issue in this respect, and the paper by Stephen Brooks on 'Impact of Option B/C and North Bishopstoke link road development proposals on Southern Damselfly populations,' which is in Appendix 6 addresses this issue.

In this respect it is important to note that although Natural England had agreed in a Statement of Common Ground with Eastleigh Borough Council that it would be possible to mitigate the impacts this was subsequently brought into question during the discussions at the examination. Firstly, Professor David Sear, Geography Professor at Southampton University, provided oral evidence to the Examination that the SGO and associated link road would be likely to have a significant impact on the ecological health of the River Itchen and particularly on salmon spawning areas. When this matter was discussed, John Stobart from Natural England said that his fisheries colleagues had not yet completed their review of David Sear's evidence. We have never subsequently received any communication from Natural England with regard to Professor Sear's evidence, so there has been no public response to

Professor Sear's evidence by the Government's statutory advisors on biodiversity. This demonstrate that this issue is far from resolved and that there must remain a significant question mark over the likely ecological implications of development on the site that was formerly proposed as the SGO.

In addition, Graham Tuck, on behalf of the Council, told the Examination that the Council now wanted to exclude the fish farm from the SGO as they wanted to protect a local business. John Stobbart said that Natural England were not aware of this and that it was a fundamental change to the Statement of Common Ground. Natural England's assessment was based on the fish farm being used to provide a strategic wetland. The fish farm provided space and capacity and they did not know whether the topography would allow a strategic wetland elsewhere along the Bowlake Stream. They were concerned that this change had happened so late. The fish farm had also been selected for biodiversity net gain reasons, as there were pollution issues associated with it affecting the River Itchen SAC and there was therefore the scope for significant improvement from its removal. In response Graham Tuck said that the SGO should not be required to address an existing problem and the Council would need to do further work to provide the necessary assurance. This again indicates that there are significant issues relating to the potential impact on a site of international importance from what was proposed as the SGO.

With regard to ancient woodland there is an extensive network in the area that would have been covered by the SGO and associated link road including

- Upper Barn Copse;
- Crowdhill Copse;
- Stoke Park Wood;
- Hill Copse;
- Hill Lands Copse;
- Park Hill Woods and Lords Wood.

There is evidence that the ancient woodlands that adjoin the area formerly proposed for the SGO contain a number of sensitive species. The Woodland Trust owns Upper Copse and Crowdhill Copses and its Management Plan states that these woods support a '*rich flora and wildlife,*' which includes '*moschatel, butcher's broom, Solomon's seal, bluebells, and 11 species of fern.*' Similarly, the notice board at the entrance to Stoke Park Wood, which is owned by the Forestry Commission states that it contains purple emperor and silver washed fritillary butterflies, valley mires and streams, bluebells and reptiles,

The Forestry Commission and Natural England Standing Advice states that potential impacts on ancient woodland from nearby development include:

- *breaking up or destroying connections between woodlands and veteran trees*
- *reducing the amount of semi-natural habitats next to ancient woodland*
- *increasing the amount of pollution, including dust*
- *increasing disturbance to wildlife from additional traffic and visitors*
- *increasing light pollution*

- *increasing damaging activities like fly-tipping, and the impact of domestic pets*
- *changing the landscape character of the area*

It is considered that all of these adverse impacts would have occurred if the SGO and associated link road had proceeded. A development of 5,000 dwellings would have enormously increased the recreational pressure on these woodlands, resulting in increased trampling; fly tipping; dog waste; and disturbance, which would have adversely impacted on the sensitive ancient woodland wildlife, which is sensitive to all of these impacts. Construction activities would have increased dust; while a currently dark area would have been subject to intense light pollution, which would have adversely affected those bat species which are sensitive to lighting.

However, it is considered that the most significant impacts of all would have occurred through increased severance between the woodlands. At present there are a large number of species-rich hedgerows which link the various areas of ancient woodland. WYG in their Ecological Appraisal (2017) of the proposed SGO for the Council have identified 65 of these as being species-rich and therefore important (Table 4 and paragraph 5.2). However, it is important to note that Table 4 also highlights a number of the 'species-poor' hedgerows as having 'high bat potential' or 'high bat roost potential.' It is clear, then, that a number of the species-poor hedgerows are also likely to perform important ecological functions, including containing bat roosts and bat foraging and providing commuting routes, as well as hosting other forms of wildlife. By locating the SGO and associated link road and other supporting infrastructure where it was proposed, this network of semi-natural habitat would inevitably have been substantially broken up, with connecting links destroyed.

Many species characteristic of ancient woodland are not able to cross areas of unsuitable habitat. This includes plant species such as the wood anemone, specialist invertebrates, and dormice, as well as some more widespread species such as slow worm, common lizard and adder. The severance that would have been created by the SGO and link road would therefore have had a significant negative impact on the wildlife of the areas of ancient woodland, over time, as species that become locally extinct would not have been able to re-establish by spreading from adjoining areas.

The Woodland Trust in its Regulation 19 representations dated 6<sup>th</sup> August 2018 also mentions what it refers to as 'edge effects.' It states that:

*'Where development does not result in direct loss of ancient woodland, ancient woods can still be heavily impacted when adjacent land use becomes more intensive. Ancient woodland is a sensitive habitat that is susceptible to harmful external influences, otherwise known as edge effects. These detrimental edge effects can result in changes to the environmental conditions within the woodland, consequently affecting the wood's stable conditions. Such edge effects have been shown to penetrate woodland causing changes in ancient woodland characteristics up to three times the canopy height in from the woodland edges.'*

Such edge effects would be particularly serious in an area such as the former SGO where the ancient woodland areas are quite narrow and in some cases already adjoined by development on one side.



The mitigation proposed was also totally inadequate with buffers of 30 – 50 metres being proposed. In respect of buffers, the Woodland Trust's 'Planning for Ancient Woodland: Planner's Manual for Ancient Woodland and Veteran Trees,' states that '*as a precautionary principle a minimum 50 metre buffer should be maintained between a development and the ancient woodland, including through the construction phase, unless the developer can demonstrate very clearly how a smaller buffer would suffice.*' However, it also emphasises that '*there is no "one size fits all" with buffer design, each one should be designed to fulfil the specific requirements of its location and the type of development concerned,*' (p 20). This clearly must be the case. It would be absurd to consider that a 50 metre buffer would suffice equally for a development of 30 dwellings and for one of over 5,000 dwellings, located within a network of ancient woodland. For a small development on one side of an area of ancient woodland a 50 metre buffer might well be appropriate, but a 30 -50 metre buffer is totally inappropriate for the former SGO comprising 5,300 dwellings, and with a link road separating the key areas of ancient woodland. The development would result in a whole range of significant negative impacts as outlined above.

If the SGO and associated link road had been given a green light to proceed the effect would therefore have been to significantly degrade the areas of ancient woodland and the wildlife currently associated with them would have rapidly diminished.

The 2012 Framework against which the Local Plan proposals have been assessed states that: '*planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss;*' (para 118). However, in the 2019 Framework the protection of ancient woodland is strengthened as it now states that: '*development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists;*' (para 175 c)). This is no doubt in recognition of the ecological importance of this irreplaceable habitat, which also provides a habitat for many other species, including important protected species, such as rare species of bat. A development, such as the SGO that would have a significant impact on this irreplaceable habitat would not therefore be environmentally sustainable and ADD considers that reference should be made to this in the Inspector's final report.

## **Conclusion**

ADD therefore strongly supports the proposed deletion of the SGO and associated link road from the Local Plan as it did not represent sustainable development but would have had a significant adverse impact on environmental assets of local, national and international importance. It therefore failed three of the soundness tests as it was not justified as it did not represent the most appropriate strategy when considered against the reasonable alternatives; it was not effective as it was not demonstrated that effective mitigation could be provided for the adverse impacts that would occur; and it would not have enabled the delivery of sustainable development in accordance with the policies in the Framework.