
RE: EBC PROPOSED MAIN MODIFICATIONS TO THE LOCAL PLAN 2016-2036

5 July 2021 at 21:10

From: **Tuck, Graham**
Date: Wed, 30 Jun 2021 at 17:38
Subject: RE: EBC PROPOSED MAIN MODIFICATIONS TO THE LOCAL PLAN 2016-2036
To:

Hello Mrs Richardson – the settlement gaps study has been undertaken by a qualified and experienced firm of landscape architects and has included on site surveys of all the Borough's settlement gaps. The methodology and approach is as set out in the report. The Council considers that this provides a structured, consistent and justified approach to reviewing settlement gaps. The Council considers this is consistent with the requirements for Local Plan evidence, which is as set out in the National Planning Policy Framework (2019) paragraph 31. This states that:

"The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focussed tightly on supporting and justifying the policies concerned, and take into account relevant market signals".

The Council and the Inspector will consider all representations received as part of the public consultation process.

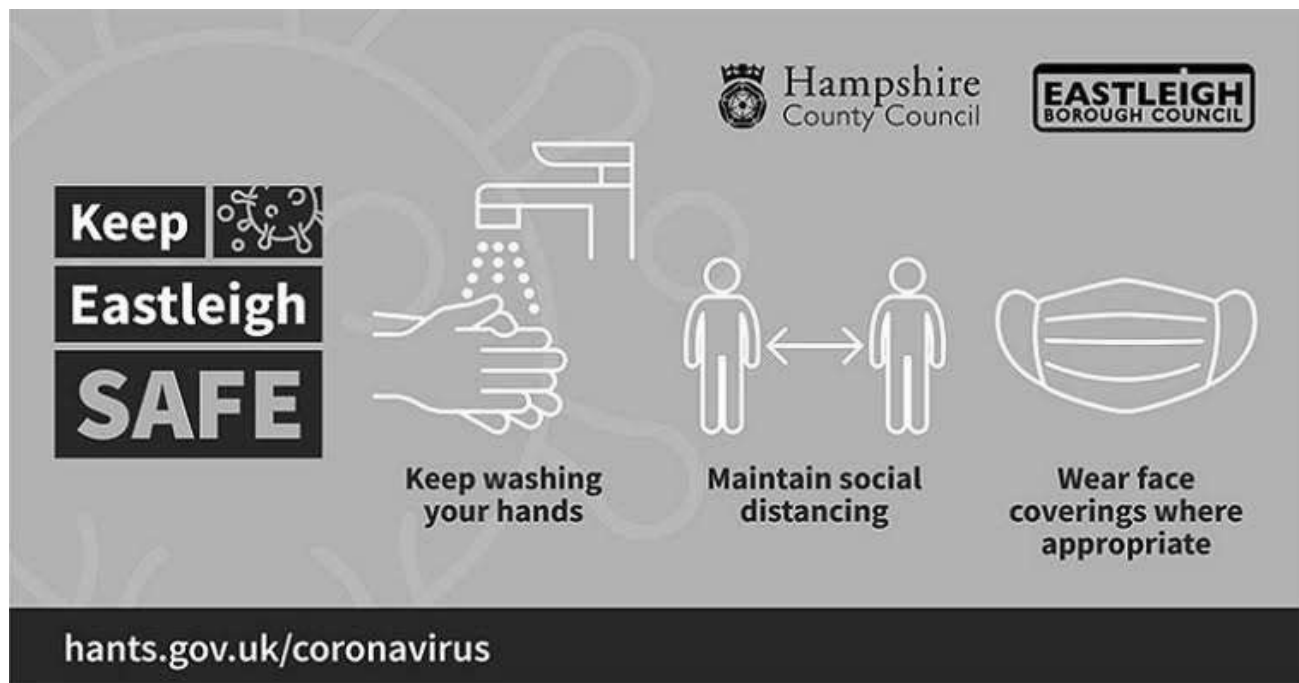
Kind regards

Graham Tuck
Planning Policy Senior Specialist
Strategy - Strategic Planning

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A direct phone call may not be answered.**



Eastleigh Borough Council | Eastleigh House | Upper Market Street | Eastleigh | SO50 9YN



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Eastleigh Borough Council

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From:

Sent: 28 June 2021 10:12

To: Tuck, Graham

Cc:

Subject: Re: EBC PROPOSED MAIN MODIFICATIONS TO THE LOCAL PLAN 2016-2036

Dear Mr Tuck

Just to clarify my earlier email of this morning, Deacon Design's Eastleigh Borough Settlement Gap Study dated 15.10.2020 states on page 4, under "Aims and Objectives" that the objectives of the study was "to collect a robust evidence base enabling the **assessment** of the existing Settlement Gaps." This confirms that Deacon's Study was carried out under the Landscape Institute's Technical Guidance Note 1/20 (10.01.2020) "**Reviewing Landscape and Visual Impact Assessments (LVIAs)**" which required Deacon Design to comply with the Landscape Institute's Technical Guidance for LVIAs, a copy of the Institute's summary Guidance note is attached. Deacon Design were also required to comply with The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

I hope this further information assists you in responding to my queries?

Your sincerely

Mrs Valerie Richardson

On Mon, 28 Jun 2021 at 08:52

Dear Mr Tuck

Sorry to have to call on your expertise yet again but going through all the documents in the library is time consuming, especially as the document reference numbers do not also give the policy numbers, which I am sure makes it very difficult indeed for

members of the public to follow.

I have now considered the report of Dawn Heppell, Senior Planning Policy Specialist, on the Update to the Local Plan submitted to Cabinet on 01.03.2021, copy attached because it was not published in the Examination Library. She stated in para. 7(d) that the Council produced an updated study to justify the proposed settlement gaps "following extensive surveys and analysis" by Deacon Design in collaboration with the Council. She said Local Areas were briefed on the implications for their areas. This raises the following questions:

Deacon design did not produce extensive surveys, which I will refer to later herein. They carried out a desk study, walkover and drive through parts of the EBC areas with a camera to take photos of some viewpoints. Can you please confirm what these "extensive" surveys you advised the Local Areas were carried out because they are not identified in Deacon's report.

Can you also advise me of the number of the note of Dawn Heppell's briefing of the Local Areas and where it is published, I cannot seem to locate it anywhere in EBC's Documents Library or published on any of the Parish Council's websites.

Turning now to Deacon's Report dated 15.10.2020, the following queries have arisen:

The Eastleigh Borough Settlement Gap Study dated 15.10.2020 was carried out by Deacon Design, who clearly identifies on the first page of the study that they are a Landscape Institute Registered Practice. The Institute's Technical Guidance Note 1/20 (10.01.2020) "**Reviewing Landscape and Visual Impact Assessments (LVIAs) and Landscape and Visual Appraisals (LVAs)**" relates to assessment of effects on the landscape that may result from a development proposal.

The Institute's Technical Guidance states "**The main difference between an LVIA and LVA is that in an LVIA the assessor is required to identify 'significant' effects in accordance with the requirements of Environmental Impact Assessment Regulations 2017, as well as type, nature, duration and geographic extent of the effect whilst an LVA does not require determination of 'significance' and may generally hold less detail.**" These requirements are covered by EIA r.18(3). EBC must have purchased a copy of the Institute's Guidelines for Landscape and Visual Impact Assessment, third edition, (GLVIA3) dated 17.04.2013 to have been able to review the study.

The Institute's Guidance states that a landscape professional carrying out an LVIA assessment must comply with Regulation 18(5) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. This Regulation states "**In order to ensure the completeness and quality of the environmental statement— (a) the developer must ensure that the environmental statement is prepared by competent experts; and (b) the environmental statement must be accompanied by a statement from the developer outlining the relevant expertise or qualifications of such experts.**" Regulation 18(3)(f) requires the EIA to provide any additional information required in Schedule 4. I attach a copy of this Schedule for ease of reference. Please advise on the following questions:

Is EBC the developer of all the sites proposed in the EBC's Local Plan?

If EBC is not the developer of the sites proposed in the Local Plan did Deacon Design provide the Council with the environmental statement from the developer outlining the relevant expertise or qualifications of the expert because there is no mention of this in the report?

Deacon Design are Registered Practice members of the Landscape Institute. Their rules, referred to above, state they carry out assessments for developers. The Regulations also state that the developer appoints the competent expert in compliance with the above Regulations. How does "the extensive surveys and analysis" carried out by Deacon come within the Statutory provisions of the 2017 Regulations and also the Landscape Institute's Guidelines for Landscape and Visual Impact Assessment (GLVIA3)?

What development plans have been provided to the Council in compliance with the 2017 EIR for the undeveloped, green, settlement gaps in the Eastleigh Local Plan areas?

How can all the Settlement Gap Surveys of the entire area of EBC be carried out under the provisions of the Landscape Institute and the 2017 Regulations when the Council has not published any development proposals or identified where, in particular the location of the proposed relief road for site AL1, these developments are to be constructed?

In view of the fact that Deacon Design's Eastleigh Borough Settlement Gap Study dated 15.10.2020 does not comply with The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 or the Landscape Institute's Guidelines, is the Study legally compliant?

Many thanks for your continued assistance in helping to answer my queries.

Yours sincerely

Mrs Valerie Richardson