

Eastleigh Borough Council

20 March 2019

By email only

Dear Mr Tuck

**Examination of the Eastleigh Local Plan**

As you are aware, I have been appointed to examine the above Plan. I am in the process of completing an initial review of the Plan and the supporting evidence. This letter sets out a number of matters upon which I am seeking clarification from the Council and which need to be addressed before I finalise my main matters and issues for the examination. The latter will be published separately, and statements will be invited prior to any hearing sessions taking place. The timetable for these hearing sessions will be set in due course. The purpose of asking these initial questions is to 'flag up' any potentially significant issues in terms of the legal compliance and soundness of the Plan and to assist the effective progress of the examination.

**Duty to Cooperate (DtC)**

Winchester City Council (WCC) have submitted representations objecting to the plan on a number of grounds. Part of these objections raised relate to the duty to cooperate in relation to the preparation and sharing of the evidence base and the delivery of strategic policy S6 which relates to the New Allbrook Hill, Bishopstoke and Fair Oak link road. The policy requires a new link road to support the delivery of two key housing allocations – Allbrook Way (policy AL1) and new communities north of Bishopstoke and land north and east of Fair Oak (policy S5). The policy notes that parts of this link road are within the WCC area. The representation covers several matters relating to this policy including timing, delivery, funding, mitigation measures and phasing.

Paragraph 1.3 of the DtC statement states 'further addendums may be published in future in advance of the hearing sessions with details of statements of common ground that have been prepared'. The evidence base recognises that the delivery of the link road is a critical part of the overall concept of the strategic growth option (SGO). Given the strategic importance of this link road to the planned growth for Eastleigh, I would be grateful if a statement of common ground could be prepared with WCC on this matter. This should comprehensively cover in detail the matters listed above and ascertain whether or not the concerns outlined above have been/can be resolved. Please provide a timetable for producing such a document.

**HRA**

The Environment Agency have expressed concerns regarding the mitigation measures as proposed by the HRA and how these will be delivered. I note that section 8 of the HRA provides detail of the mitigation strategy required in relation to the effects identified. This list is extensive and addresses a number of impacts including those of a strategic nature, noise and vibration, hydrological impacts, otter dispersal corridors, non-native species, water abstraction and water pollution. The text notes that the mitigation strategy will need to be secured through the Plan. Is the Council satisfied that the policies as currently drafted address all these mitigation requirements? If not, how is the Council intending that these factors be addressed?

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Inspector: Christa Masters MA (Hons) MRTPI

Programme Officer: Mrs Louise St John Howe

[louise@poservices.co.uk](mailto:louise@poservices.co.uk) Mobile: 07789 486419

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In addition, the DtC statement also states at page 23 that the Council, working in partnership with other Councils and Natural England, is to develop the evidence base and consider appropriate mitigation in relation to the impact of recreation on designated sites in the New Forest. The text refers to surveys which have been underway since early October to understand the reasons for visits to the New Forest to inform any future mitigation measures. What is the Councils intended timetable for producing this additional evidence? Is the mitigation required addressed in the plan and if not, should it be?

### Highways

The representation from Highways England advises that they are unable to confirm whether the Plan is sound until an 'essential' piece of highways work is available. The representation notes that this work is being produced by Hampshire County Council on behalf of Eastleigh Borough Council in relation to the impact of growth on the strategic road network. Can you confirm precisely what this work entails and the timescale for producing it?

I understand that the Council is working on the following documents which it intends to submit to the examination:

Work identified	Indicative timetable provided
Setting out the scope of a future public transport and cycling strategy for the SGO	End of April
An update to the SGO background paper part 1 comparison of SGOs: Delays – in addition to total delays, compare delays at junctions with “severe” congestion South Downs – in addition to the AM peak, compare the increase in traffic flows across the 12 hour period	End March
M3 junction 12 revised transport modelling and bridge strength assessment	April
Broad cost estimate of widening the existing Allbrook Way by one lane	To be confirmed
Allbrook rail bridge – Hampshire County Council 'approval in principle' template and potentially associated updates	To be confirmed (assume end April)
Transport assessment based on a phased approach to the completion of the SGO and link road.	End March

Does this list cover everything which is outstanding? Please confirm if there is anything further in relation to highways matters which the Council is intending to update/produce? Please could you provide a specific date by which the above information will be available. Interested parties will need to be given a reasonable opportunity to consider this evidence in advance of the hearing sessions. As a result, it is important that you make sure each document is completed and published on the website by this date. You will be aware that the Plan should be appropriately justified at the point of

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submission. This evidence has not, thus far at least, influenced the submitted Plan. There must be, therefore, the possibility that this new evidence may lead to the need for main modifications to the Plan.

Once this evidence is completed, it will be necessary for the Council to consider whether any main modifications are required. If so, I ask the Council to draft them and provide the draft to me for my consideration. Furthermore, it is likely that any main modifications put forward by the Council will need to be the subject of consultation ahead of any hearing sessions.

### Viability work and the Strategic Growth Option (SGO)

The Council have submitted specific evidence in relation to the SGO. With regards to viability, I have listed the relevant documents below:

- SGO002 Part 2: Strategic growth option updated delivery background paper, October 2018
- DEL005 Viability Study – Emerging findings – high level review of strategic growth option, November 2017
- DEL06 Viability Study - High level review of strategic growth option, May 2018
- DEL007a Viability study – High level review of strategic growth option, additional scenario testing October 2018
- DEL007b Base Appraisal v1, October 2018

Is this list correct? If this is correct, are the Council satisfied that this work provides a sufficient assessment to support the deliverability of the SGO?. I ask this question for a number of reasons. Document DEL006 refers to a ‘completed assessment report to be produced in due course’ (paragraph 5) and goes on to state that the ‘current assumptions and related emerging findings are necessarily subject to further review’ (paragraph 8). Both sentences imply to me that the Council are envisaging further work may be required.

The evidence notes that in the context of ecology/habitats and buffers this is an area ‘under consideration, with no information available to inform any particular assumptions at this stage’. Is the Council satisfied that the viability work has due regard to the environmental evidence base in relation to the SGO and if not, how does the Council intend to address this?

### Other Matters

The Statement of Community Involvement (SCI) states that at Regulation 19 stage, the Council will post site notices for new site allocations as proposed by the Local Plan. I understand the Council did not published all the necessary site notices. To remedy this, the Council is proposing to display the site notices required and run a focused consultation as a result of these site notices. I understand this will necessitate a 6-week consultation process. Please could the Council confirm the timetable envisaged for this process, including the likely timeframe for making any representations available? I

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will not be able to issue any matters and issues before I have had an opportunity to consider these representations.

### Next Steps

You will appreciate that until the evidence base is complete I am not able to progress the Plan. As a result, I am also unable to develop my main matters and issues for the examination and fully plan the hearing sessions. In short, the absence of a completed evidence base will unavoidably delay progress. Nevertheless, to ensure the examination does progress as efficiently as possible, please could you contact the Programme Officer no later than 29 March 2019 to advise of the timescale involved in responding to this note and preparing the necessary documents and actions required in this note. Thereafter, and subject to the submission of the material requested and consultation process you are running above, I will be able to move forward with programming and scoping the hearing sessions.

I trust you find the attached letter helpful and I look forward to hearing from you at your earliest opportunity in relation to your view about the timescales involved. Please ensure a copy of this letter is placed on the examination website.

Yours sincerely

*Christa Masters*

Inspector