

BASINGSTOKE & DEANE LOCAL PLAN EXAMINATION

ISSUE 5: GREENFIELD ALLOCATION – POLICY SS3.9 LAND EAST OF BASINGSTOKE

STATEMENT BY COUNTRYWATCH

Introduction

1. Ecological Planning & Research Ltd (EPR) has been commissioned by Country Watch (CW) and Mr. N. Bell to prepare this statement on their behalf in relation to the inclusion of Policy SS3.9 Land East of Basingstoke in the Submission Local Plan, hereafter referred to as 'the Plan', as a proposed major new development site for housing.
2. Country Watch is a society with the prime objective of protecting the environment and catchment of the Loddon, Lyde and Whitewater River valleys. Its Corporate Members comprise the Parish Councils of Old Basing, Chineham, Sherfield on Loddon, Newnham, Mapledurwell and Up Nately, Stratfield Saye, and Stratfield Turgis Parish Meeting, and it is a non-party political and non-profit making organisation.
3. The inclusion of Policy SS3.9 in the Plan is unsound as it will be ineffective, cannot be justified, and is not consistent with national policy:
 - Policy SS3.9 will be ineffective, as it will not protect the biodiversity value of the Loddon Valley and it contradicts statements in the Plan Vision.
 - If Policy SS3.9 is adopted the Council will not be complying with its duties under the Natural Environment and Rural Communities Act 2006 (NERC Act) or National Planning and Policy Framework (NPPF) to protect and enhance biodiversity, and therefore the policy is also not consistent with national policy.
 - The inclusion of SS3.9 would not be consistent with other areas of the Plan such as areas of the Vision, Policy EM 12 – Pollutions, EM1 - Landscape and does not accord with the findings of the Landscape Capacity Study and can therefore not be justified.

Biodiversity Value and Character of the Loddon Valley

4. The River Loddon rises in springs along the north edge of the chalk, and flows north, dropping slowly in a broad valley floor that is either grassland or arable on organic soils, with numerous drains and ditches, isolated mills and moated sites, and associated small fens and wet alder woodlands.
5. The river is designated a Site of Importance to Nature Conservation (SINC) and supports two species specifically named for it: the Loddon Pondweed, in the river, and the Loddon Lily, on riparian alluvium. One 4km stretch is also designated as Site of Special Scientific Interest (SSSI) for Loddon Pondweed a length of the most upstream extent of which is within the Plan area.
6. The majority of the whole watercourse qualifies as Chalk River, a UK Priority habitat, containing extensive stretches of Water Crowfoot-dominated vegetation, an EU Habitats Directive Annex 1 Habitat that would allow it to be selected as a Special Area of Conservation (SAC) under that legislation.

7. Chalk Rivers have relatively stable flow and temperature regimes, and high water quality, which enable the rivers and their floodplains to support a highly diverse invertebrate community and fishery, sensitive to any deterioration in water quality. The importance of the headwaters is recognised by designation by the Environment Agency (EA) as Salmonid River, under the EU Freshwater Fisheries Directive.
8. The River Loddon has also been designated under the Urban Waste Water Treatment Directive as a Sensitive Area (Eutrophic) which means that discharges from Sewage Treatment Works (STW) with population equivalents exceeding certain limits will require Phosphorus reduction. The EA and water company have indicated a risk of long-term problems with urban flows, ammonia and phosphate levels.
9. The plants, animals e.g. Water Vole and habitats that the River supports, are dependant not only on the characteristic hydrological regime of the chalk river, but particularly on exceptional water quality. The designations covering the river require that this very high level of water quality is maintained for the benefit of wildlife throughout the catchment.
10. Chalk Rivers, as well as supporting species of conservation value within the river itself, also support the hydrological regime of important habitats across the floodplain. Both the species and habitats present are dependent on high quality water. The ecological value of some of these areas has been recognised through local and national conservation designations.
11. The Plan recognises the importance and value of the River Loddon describing it as a 'high quality chalk river' (the Plan para 6.4) and it is specifically identified under Policy EM 6 Water Quality as requiring special protection as exemplified in CW representation dated October 2013.
12. Landscape Character Areas (LCA) are used to define the characteristics of an area worthy of protection through landscape policy. The Loddon and Lyde Valley LCA describes the valley as being broad with shallow valley sides. This results in flat landscape with very wide views, making it sensitive to many forms of development. It has a generally unspoilt, quiet and rural character with varying landscape types including open predominately arable farmland on the higher valley slopes and pasture in the low-lying valley floor with a distinctive pattern of drainage ditches, willow lined watercourses and water meadows.
13. An urban influence is exercised by Basingstoke and Chine ham on the south-western edge of the LCA. Outside of this area settlement density is low resulting in a peaceful, rural character over most of the LCA, with the exception of areas in the vicinity of the M3, A30, A33 and railway.

Failure to Protect Biodiversity

14. The Loddon Valley has been identified as a Biodiversity Opportunity Area (BOA) part of which has been identified in the Green Infrastructure plan as one of only two Biodiversity Priority Areas (BPA) in the Borough, in recognition of the important biodiversity value of the area. The purpose of the BPA is to focus attention to areas of highest priority for opportunities to improve biodiversity.
15. Although only a small part, along the line of Pettys Brook, a tributary of the River Loddon, is in the BOA and BPA, the proposed site is geographically within the Loddon catchment, with the

remaining boundary of the site, being close to the boundary of the BPA, and as such must play an important function in supporting the value habitats of the BPA.

16. The inclusion of the site in the Plan will compromise the proposals for Green Infrastructure Plan identified within the Plan. For example, it would be likely to disrupt and alter the character of the only corridor / link between the Loddon valley and Chine ham. (See also CW representation Policy EM5 Green Infrastructure October 2013). The Statement of Common Ground between Hampshire County Council (HCC), the landowners and the Council in relation to Policy SS3.9 (SoCG SS3.9), makes reference to meeting the objectives of the BPA. However, with the lack of an Ecological Assessment for the site at this stage it is not possible to identify the biodiversity issues of the site that will require consideration and need to be reflected in the proposed Inset Map and illustrative masterplan (Appendices 1 and 2 to the SoCG SS3.9) to ensure that the objectives of the BPA can be met.
17. The boundary of the proposed site does not follow any distinct physical boundary within the landscape or appear to be based on any ecological reasoning. As such it is difficult to see how it has been justified or can be defended. Allowing development in this area will set a precedent and is likely to attract further development in the valley. Furthermore this could potentially create pressure to develop a major development area along the east flank of Old Basing, which should possibly extend to 6000 plus dwellings (BAS 102 & 103 old 003,004 & 005) encapsulating Old Basing.

Inconsistencies with other areas of the Submission Local Plan

18. The Policy is contradictory to a number of the elements set out under the “Environmentally responsible and distinctive’ section of the Vision. The Landscape Capacity Study 2010 (LCS) divides the site into two areas, north and south of Petty’s Brook. It describes much of the site as being ‘visually prominent as it extends over open hillsides. The area north of Pettys Brook is not recommended for development while the area south of the Brook, although described as having medium capacity, the Study recommends that the ‘upper prominent slopes should be avoided.’ The development of any part of a 450 homes estate in the open countryside, on top of a substantial hill, where it will dominate a valley cannot be claimed to be ‘in harmony with the natural elements and systems’ (the Plan para 2.5).
19. The LCS identifies localised visual intrusion and noise from built development and roads, particularly around the edges of Basingstoke and the major roads and railway as having an impact on the tranquillity of the immediate areas as one of the key issues for the Loddon and Lyde Valley LCA. The east facing slope of the valley is currently, for a considerable distance, free from development as seen from public highways and footpaths. Policy SS3.9 would bring development right into the valley resulting in further noise intrusion and disturbance to the tranquillity of the area. This would be wholly contrary to the ‘Vision’, which places great value on these characteristics which are rare so close to urban areas. It would also be detrimental to the landscape as defined in the LCA which would have implications under Policy EM1 – Landscape.
20. There are issues concerning the location of the development and the proximity of Chineham Sewage Treatment Works (STW). WSP UK were commissioned by the landowners (Hampshire County Council (HCC)) to undertake an odour assessment to support the allocation

of the site (Land East of Basingstoke – Odour Assessment Report WSP 2014). The report tested the two different masterplan options (Options A and B) for the site.

21. The report on the results of these tests was submitted by HCC in response to the statutory public consultation on the Pre-Submission Local Plan in October 2013. In light of the recommendations of the report HCC have an agreed position with the Council regarding the location of the school and residential development presented in SoCG SS3.9 where an illustrative masterplan is provided in Appendix 2 to the SoCG SS3.9 (Option B from the Odour Assessment Report). However this is not consistent with the location for development shown in the draft Inset Map Appendix 1 to the SoCG SS3.9 where Phase 1 development is shown within the area where odour exposure levels would not be considered acceptable as defined by the Environment Agency's exposure criteria. (See Odour Assessment Report and Appendix 3 Constraints Map to the SoCG SS3.9).
22. To comply with Policy EM12 – Pollution, any masterplan coming forward for the site would be required to locate residential development and school outside where odour levels are considered unacceptable so as not to have a 'detrimental impact on the quality of life as a result of existing historic, or nearby land uses and activities'
23. While the illustrative masterplan does not show any residential parcels within the area of unacceptable odours levels it does show it located on the upper slopes in contravention to the recommendations of the Landscape Capacity Study.

Inconsistencies with Policy and Guidance

24. The Plan (para 4.9) confirms that the River is currently failing to meet the good ecological status of the river as required by the Water Framework Directive (WFD). This is primarily due to the existing levels of discharge of treated effluent into the River. Studies have identified that further additional discharges of treated sewage could potentially result in a further decrease in the biological quality of the river.
25. Under the WFD all Member States are required to prevent the deterioration in the classification status of aquatic ecosystems, protect them and improve the ecological condition of waters. Member States are also required to conserve habitats and species that depend on them. The original objective for all water bodies under the WFD was to achieve good ecological status by 2015.
26. Development should not be proposed if it cannot be demonstrated that the objectives of the WFD can be met. The Submission Local Plan identifies, however, that the sewage treatment works at Chine ham, which discharges into the Loddon, is currently using best available technology and there is therefore no way of preventing the inevitable increase in treated sewage effluent, resulting from the increase in population, having an adverse impact on the biodiversity of the river. The Plan does not, in fact, identify any means by which good quality status will be achieved. As demonstrated in paras 4 - 11 the biodiversity of the River Loddon including the features for which it is classified as a SSSI, Salmonid River and a UK Priority Habitat will be dependent on good water quality. The policy is not therefore consistent with national policy.

27. The level of detail in the Plan is required to meet with Planning Policy Guidance (PPG) for Local Plans. Policy SS3.9 sets out the parameters for the delivery of a 66 hectare site for 450 dwellings, however the boundary as defined on the Policies Map is referred to in the policy as having capacity for approximately 900 dwellings, with a potential second phase of 450 dwellings which may be delivered beyond the current Plan period. Please see points made by CW in Representations 'New Paragraph 16' in relation to Policy SS3.9 in June 2014. If adopted the site would become a firm allocation of land for development which would be pre-emptive as housing on the southern part of the site would not come forward until the new Plan period, thus preventing the Council from meeting their duty to only allocate Greenfield land where absolutely necessary within the Plan period. The proposed allocation would result in a site where the major proportion of the site would only become necessary for development beyond the scope of the Plan period unlike any other proposed site allocation, leading to uncertainty in the potential total area to be developed, which does not meet with the PPG which requires Local Plans to provide a level of detail which makes it clear where and when development is to be delivered.
28. The policy also provides uncertainty over the delivery of the school, if not required potentially the land outside of the 'odour constraint' (See Appendix 3 SoCG SS3.9) could be used to provide some of the 450 dwellings.
29. Policy SS3.7 Redlands states that the site, which is adjacent to SS3.9 should not come forward in isolation, therefore this policy has relevance to SS3.9 as it will not come forward unless SS3.9 is allocated. A draft Inset Map has been produced as part of a Statement of Common Ground regarding Policy SS3.7 between the Council and Philips Planning Services Limited (Cooper Estates Strategic Land) (SoCG SS3.7) and is presented as Appendix 1. There are uncertainties over the proposed land use for approximately 25% of the eastern area of the site. The remaining area of the site is clearly shown as Phase 1 development and residential development on the draft layout Appendix 2 of SoCG SS3.7. However, neither the Inset Map nor the draft layout provide any indication of the proposed land use of the eastern side of the site.
30. The lack of detail in the Plan is also evident from the information provided in the Sustainability Appraisal Report (SA) (April 2015) which in relation to Policy EM6 – Water Quality states that it is 'unclear from the policy' how the Council propose to control the release of housing sites should a deterioration in water quality be observed. The SA goes on to comment that as the effects of increase in housing will be determined through the monitoring of the effects on water quality, housing numbers will only be restricted once water quality has declined. CW representation on Policy EM6 October 2013 stated that Policy SS4 Ensuring Supply of Deliverable Sites and Policy EM6 should be altered and strengthened to reflect Policy CN5 (old policy number) Infrastructure, now Policy CN6, which states 'New infrastructure should be provided prior to occupation of the development', thus providing more consistency within the Plan.

Conclusions

31. The inclusion of Policy SS3.9 in the Local Plan will result in the Plan being unsound, because:
- It cannot be justified given the constraints and implications of development on the biodiversity value and landscape character of the Loddon Valley; the site is not a suitable area for development.

- It will not be effective, because it is not deliverable without contravening the provisions of the Water Framework Directive.
 - It is not consistent with national policy and guidance in the NERC Act and the NPPF because it will damage the nature conservation value and ecology of the River Loddon including the SSSI.
 - It is incompatible with the Plan Vision and other policies within the Plan, because it will result in the Council not being able to protect what it acknowledges is a key biodiversity and landscape feature of the Borough, the Loddon Valley.
 - It will also not meet with PGG for Local Plans as there are uncertainties over the potential area to be developed.
32. **The proposed allocation site is an integral part of the Loddon Valley, and given its size and location is significant enough to introduce pressure for more development in open countryside around the village of Old Basing. No other plan allocation would have such a comparable destructive impact as on this unique Loddon River Valley feature within the Borough.**
33. **In light of the above Policy SS3.9 should be removed from the Local Plan and consequently Policy SS3.7 should also be removed as the Borough Council has indicated during the preparation of the Local Plan, that the Redlands site could not be justified if standing on its own, this has been confirmed in Policy SS3.7 section h which states that the site should not be developed in isolation.**