

Issue 6 – North Whiteley – Policy SH3

Personal ID No: 3440

Terence O'Rourke Ltd on behalf of North Whiteley Consortium

ISSUE 6 NORTH WHITELEY – POLICY SH3

i) Are the policies and proposals for growth and change in this area appropriate and justified, including in relation to the NPPF, and in terms of environmental, economic and social impact?

- 1.1 The North Whiteley Consortium broadly supports the vision for Whiteley. The allocation of North Whiteley as a strategic housing site is supported and accords with sustainable development principles. The Consortium agree that the Council acted appropriately in allocating this site, supporting the current proposals and dismissing the alternative development options.
- 1.2 The scale and strategic nature of the site makes it a very significant site for the Whiteley area and an extremely important allocation to the JCS. To maximise the potential of the site and the opportunity to deal with existing short comings, local constraints and allows the comprehensive master planning of the area to the benefit of all, it is essential that the site be fully integrated within the JCS.
- 1.3 The strategy for development at North Whiteley is consistent with the NPPF, including the objectives of promoting and supporting economic growth whilst delivering new housing to meet local housing needs. The allocation is in accordance with the NPPF principle for plan making to respond positively to opportunities to deliver growth, the development of sustainable mixed-use communities and encouraging the effective use of land. The evidence base prepared by both the Consortium and the Council is robust and supports the allocation.
- 1.4 North Whiteley will assist the Council deliver the housing and growth needed within the district in a sustainable, timely and properly phased manner. It will help deliver a better balance and mix of uses in the Whiteley area, delivering significant social, community and infrastructure benefits, particularly with respect to transport infrastructure, public transport improvements and education facilities to create a more sustainable community.
- 1.5 The focus of development at North Whiteley will also offer the opportunity for improving the wider transport network providing with better access to facilities and enabling increased emphasis on public transport.
- 1.6 The proposals at North Whiteley are appropriate and justified and will deliver significant benefits. The development will:
 - Make a significant contribution to meeting locally identified development needs and wider PUSH development aspirations

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- Provide for a wide choice of high quality homes to meet the needs of the whole community, including the provision of a significant quantum of affordable homes to meet a demonstrable shortfall in supply
- Assist with improving internalisation and sustainability of traffic movements within Whiteley by providing housing in close proximity to one of the largest employment concentrations in Hampshire, comprising the Solent and Segensworth Business Parks
- Provide a range of sustainable transport choices which aim at achieving a modal shift away from dependence on the private car
- Provide the necessary infrastructure to meet needs of the existing and new community including, highway infrastructure, improve education infrastructure (secondary school and two primary schools) and a range of community facilities
- Provide extensive areas of green infrastructure to help create healthier lifestyles and improve biodiversity. The substantial areas of green space and the strong landscape framework will provide an exceptionally high quality environment for the new community
- Minimise the impacts on biodiversity and provide net gains wherever possible.

1.7 For further detail of the key benefits the development of North Whiteley will deliver refer to **appendix 1** North Whiteley - Delivering Sustainable Communities.

1.8 The North Whiteley Consortium supports the master plan led approach to the planning of the site recommended by the Council. Sound urban design and master planning principles have been used which has identified an appropriate level of development which should take place. As highlighted within the response to policy SH1 extensive work has been carried out to fully understand the constraints of the site and the infrastructure required for a North Whiteley extension, whilst also recognising the need to make efficient use of the available land. In this regard evolving thinking suggests that the site is capable of accommodating around 3,500 dwellings together with all of the necessary community infrastructure whilst respecting drainage, ecological and landscape constraints.

1.9 Evidence in the form of the submitted viability appraisal, constraints mapping and sound master planning work suggests that housing numbers for North Whiteley should be greater than 3,000. We would therefore suggest that Policy SH3 is amended to reflect housing numbers around 3,500 as evidenced by our supporting studies. Suggested revised wording:

...is allocated for the development of about 3,500 dwellings...

1.10 This higher number will have an added benefit in assisting WCC with its housing provision, particularly given earlier comments relative to the need to increase the number of dwellings to be found within the PUSH area (1,017 up to 2031.)

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- 1.11 In the context of delivery, given the significance of the North Whiteley site it is considered that a common sense approach should be adopted relative to the limited clay reserves that exist under part of the site. Hampshire only has two clay brickworks (Michelmersh and Selbourne) and both sites have safeguarded reserves. Further, clay at Whiteley is unlikely to be of sufficient quality to justify safeguarding. The only other demand for clay is for lining of putrescible landfill that is on the decline in Hampshire, as in the rest of the UK.
- 1.12 It can be noted that Policy 15 of the Draft Hampshire County Council Minerals and Waste Plan that development within prior extraction of minerals resources may be permitted if amongst other things '*it would be inappropriate to extract mineral resources at that location, with regards to the other policies in the Plan*'; or '*the merits of the development outweigh the safeguarding of the mineral*'.
- 1.13 In this context it is important that the existence of clay at the site does not serve to frustrate the delivery of a much needed sustainable development, with the benefits of the development and lack of need for clay outweighing the notional need to extract it. This element of the policy should therefore be deleted on the basis of the lack of a demonstrable need.
- 1.14 The proposal for North Whiteley has been subject to extensive consultation with officers, statutory bodies, technical stakeholders, neighboring authorities, parish councils, local groups and the community through workshops and public exhibitions. This work, together with the technical work undertaken, with detailed understanding of physical and environmental constraints by the consortium and its consultants has allowed possible impacts to be fully considered. The main issues which have emerged include the need to avoid or mitigate any potential risks to the nearby internationally protected sites; ensuring the transport proposals and strategy properly mitigate potential traffic impacts and that the necessary infrastructure is provided in a timely fashion. The more technical issues are reflected on further below.
- 1.15 Our extensive work has shown that impact of North Whiteley on the environment can be mitigated appropriately to fully address the relevant policy framework and relevant legislation. Please refer to our pre-submission representation to Policy SH3 dated 12 March 2012 (extract attached at **appendix 2**) which outlined in full the considerable work undertaken by the Consortium to advance the planning application, including providing lists of detailed reports prepared and completed baseline documents. There is also detail given on what is envisaged for the planning submission in terms of detailed work.
- 1.16 These representations also highlight the scoping opinion received from WCC which informed the work undertaken to date and the scope of the planning application.

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- 1.17 Whilst further detailed work is required (to be submitted with the application) we are confident that the mitigation approach adopted (which has been discussed and agreed in broad terms with the statutory consultees and the Council) will deliver effective mitigation measures.
- 1.18 The consortium is committed to the delivery of North Whiteley and is currently undertaking the necessary work to submit and secure outline planning consent. As emphasised relative to policy SH1 it is currently the intention to submit the master plan led outline application for North Whiteley once the Core Strategy is adopted. Accordingly it is reasonable to assume that the application will be submitted during the first quarter of 2013, when there is complete policy certainty. On such a timescale, with the need to address reserved matters and carry out site preparation, delivery would commence in 2014. It is also envisaged at this time that multi start development will take place, to speed up delivery.
- 1.19 Whilst the Consortium support the strategic allocation at North Whiteley a number of detailed wording changes to the policy wording of SH3 are sought to ensure deliverability. These are outlined in our pre-submission representation to Policy WT3 and accordingly are not repeated here.
- 1.20 Our pre-submission representations dated March 2012 also made a series of representations relating to, at the time, paragraphs 3.51, 3.53, 3.54 and 3.55. These representations covered the following areas:
- lack of evidence base to support requirement for house types to be aligned to local employment opportunities at Solent Business Park (revised paragraph 3.64 and 3.66)
 - requirement to provide a separate area for dog walking (revised paragraph 3.68)
 - Whiteley Way (revised paragraph 3.69)
 - Provision of health facilities (revised paragraph 3.69)

These representations also remain valid and are not duplicated in full here.

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ii) **Are they clear and deliverable, including in respect of the associated infrastructure requirements?**

- 1.21 As has been highlighted within the response to policy SH1 the North Whiteley Consortium has been formed to promote and bring forward the development at North Whiteley and is made up of three national house builders (Taylor Wimpey, Crest Nicholson and Bovis Homes) along with the principal landowner. This Consortium is in control of all land necessary to deliver the North Whiteley development.
- 1.22 Accordingly, the North Whiteley Consortium has extensive expertise in delivery of residential led mixed-use developments. It can also be noted that collectively they bring considerable financial security and stability.
- 1.23 The intention had originally been to submit the planning application for North Whiteley ahead of the EiP, serving to demonstrate delivery of the scheme to the Inspector. In the prevailing circumstances, most notable the prolonged uncertainty with the economy and associated housing market resistance to risk, it was decided to delay submission until this large site had a formal allocation within an adopted Core Strategy.
- 1.24 However, during the last 4 to 5 years extensive work has been undertaken on this project including carrying out technical studies, stakeholder engagement, production of capacity studies, completion of character assessments, public consultation, viability review, progression of a green infrastructure framework and necessary surveys (transport, ecology etc). A more extensive list of work carried out at the site can be found at **appendix 2**. All of which attracts extensive consultants fees and shows the continued commitment to submission of a planning application.
- 1.25 With the exception of the final full assessment and collation of a planning application, everything is effectively in place to make the formal submission.
- 1.26 The North Whiteley Consortium remains committed to the North Whiteley urban extension that will serve to add to and complete development at Whiteley thereby creating a more sustainable and balanced community. It is currently the intention to submit the master plan led outline application for North Whiteley once the Core Strategy is adopted. Acknowledging that there will be some uncertainty in this regard it is reasonable to assume that the application will be submitted during the first quarter of 2013, when there is complete policy certainty. On such a timescale, with the need to address reserved matters and carry out site preparation, delivery would commence in 2014. It is also envisaged at this time that multi start development will take place, to speed up initial delivery.

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1.27 The extensive work carried out to date has satisfied the North Whiteley Consortium that it can deliver the necessary key infrastructure to accompany the urban extension, including:

- Electricity (Refer to previously submitted Utilities and Foul Drainage Strategy Statement)
- Gas (Refer to previously submitted Utilities and Foul Drainage Strategy Statement)
- Telecommunications (Refer to previously submitted Utilities and Foul Drainage Strategy Statement)
- Water (Refer to previously submitted Utilities and Foul Drainage Strategy Statement)
- Foul drainage (Refer to previously submitted Utilities and Foul Drainage Strategy Statement)
- Drainage adequate to address FRA issues (Refer to comments submitted relative to policy CP17)
- Highways infrastructure (see below and previously submitted Access and Movement Strategy)
- Green infrastructure (see response to question 3)
- Community infrastructure. The evolving master plan is seeking to reflect requirements for community centres, sports facilities, school provision etc as derived through public consultation and stakeholder engagement, including discussion with WCC and HCC officers. The Consortium is comfortable to either provide the facilities or contribute a reasonably related and proportional amount to their provision with exact funding arrangements yet to be agreed between the relevant parties. Initial assumptions have been made in this regard to allow thorough viability testing.

1.28 Within the remainder of this response there is consideration of overall scheme viability, which concludes that with the introduction of some increased flexibility relative to affordable housing and sustainability targets, recognising the site constraints and current economic context, the scheme can be viewed as being viable. In arriving at this it should be noted that such work has been based on complete infrastructure costs, including provision and future management of the green infrastructure, community infrastructure and phasing of delivery. Given the significance of transport issues and its infrastructure to the achievement of a viable and workable scheme, more detailed information is given to this matter. Detail is given on the other key consideration, being green infrastructure, in response to the third question below.

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Viability

1.29 EC Harris has undertaken a review of the North Whiteley proposals, identifying the key parameters of development that lead to a viable scheme. The following factors have been considered in determining whether or not proposals are viable:

- Land cost – A competitive price can be paid to land owners
- Margin – A sufficient margin is included to offer a competitive return to the developers and make appropriate allowance for risk
- Social / physical infrastructure – Sufficient value is created to pay for the required physical and social infrastructure
- Cashflow – Peak debt is within that which can be funded by a reasonable strategic land developer

Viability approach

1.30 In determining viability it has been necessary to assess various revenue and expenditure details:

Revenue	Expenditure
Private sale values	Residential / non-residential build costs
Freehold value (capitalised ground rents for apartments)	Section 106 costs / works
Affordable housing revenue (Registered Provider offer price)	Professional fees
Non-residential revenue (retail / commercial)	Sales and marketing costs
	Margin and contingency
	Infrastructure costs

1.31 Given the level of master plan design development, two approaches have been taken to ensure robust cost and revenue allowances:

- Benchmarking/ market research (i.e. what has been achieved in similar locations for similar schemes)
- Scheme specific estimating (particularly in the case of higher cost infrastructure items which will be key to determining viability)

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1.32 A blend of the above approaches should ensure that the allowances made are reasonable and deliverable. Following this expenditure and revenue review a programme has also been prepared to allow cashflow modelling which is key to determine whether the scheme is deliverable (refer to response under CP21 regarding sufficiency of funding in place).

Viability conclusions

1.33 The detailed review, as confidentially submitted to WCC, has identified that the scheme is viable under the following circumstances:

- Total development quantum of circa 3,500 homes
- Infrastructure costs of £46m of which £32m is expended within the first 4 years of the programme
- S106 costs of £53m including two new primary schools, a secondary school and community facilities
- Tenure split of 70% private sale, 30% affordable housing
- Affordable housing tenure split of 50% affordable rent, 50% intermediate.

1.34 The overall conclusion is that, based on a set of reasonable and evidence based input data, the scheme is able to offer a sufficient return to the landowners and developers and as such is viable at 3,500 new homes. It is also noted that the review allows for the costs of extensive infrastructure works and section 106 obligations and the expenditure of these costs early within the programme. Additionally provision of affordable housing is included which, although below the local authority's target of 40%, still represents over one thousand new affordable homes.

1.35 This higher number will have an added benefit in assisting WCC with its housing provision, and helping to meet PUSH housing aspirations as set out in the South Hampshire Strategy.

Deliverability

1.36 As stated above the review is based on appropriate benchmarks and estimates. Allowance for risk is also made via general contingencies appropriate to the stage of design development and specific allowances for high-risk items. This approach ensures that the scheme does not become unviable as expenditure and revenues fluctuate in the normal course of detail development.

1.37 Whilst the above applies for the short to medium term it is also likely that, given the duration of the development, one or more wider market cycles will be experienced. For this reason it is prudent to consider a mechanism to periodically review viability to ensure continued delivery in the event of more radical market movements. This would allow flexibility in areas such as affordable housing tenures, quantum of affordable housing and private housing tenures (rent / sale).

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Flexibility would allow continued delivery during a downturn offset by greater capture of value for affordable housing during more buoyant periods.

- 1.38 All of the above approaches ensure that the scheme is deliverable in the short, medium & long term, able to fund the required infrastructure, deliver significant affordable housing and offer appropriate returns to the landowners and developer partners.

Transport

- 1.39 In light of a number of representations submitted by third parties in relation to Policy SH3 we consider that there is need to offer further comment on a number of transport issues relative to deliverability. It is highlighted that these should be read in conjunction with the representations and supporting evidence material submitted to the submission draft JCS, which still stand. We note that the North Whiteley Access and Movement Strategy (AMS), prepared by PBA, forms part of this evidence base.

Transport modelling

- 1.40 There have been representations submitted regarding the lack of detailed impact assessment work undertaken with regards to the North Whiteley development site. It is considered that the AMS document submitted to this examination provides a robust strategy in support of the development and identifies appropriate mitigation measures that provide sufficient comfort at this stage in the development process. This position is backed by reference to a letter received from Hampshire County Council (HCC) who confirm their support to the principles set out within the AMS and raise no objection to the allocation of North Whiteley. A copy of the letter from Hampshire County Council is attached at **appendix 3**. Discussions have also taken place with the Highways Agency and it is understood they will also confirm their support to the allocation and the principles set out within the AMS prior to the EIP.
- 1.41 Detailed modelling work for the North Whiteley development is currently being undertaken through consultation with both HCC and the HA with regard to the modelling procedures and outputs. As this modelling work is on-going and not yet finalised it has not been used to justify the allocation of the North Whiteley development in the JCS. However, both HCC and the HA have confirmed that both the process of the model building and the results arising from the modelling work is technically sound and providing sensible results with which to test the emerging infrastructure proposals.

Transport - Botley Bypass

- 1.42 There have been representations submitted regarding the impact of the North Whiteley development on Botley and particularly why a bypass to Botley is not required to support the North Whiteley development. We do not believe that there has been a lack of evidence supporting this position. The AMS reviews within

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Section 2 the existing 'Local Policy and Transport Evidence Base'. This review demonstrates that although there is an impact on Botley arising from the North Whiteley development there is a body of assessment and modelling work that confirms that the impact is not significant enough, based on traffic numbers, to warrant the construction of a bypass. These documents include:

- Delivering Strategies: Winchester District LDF Transport Assessment Stage 2 Report (MVA Consultancy, November 2009)
- M27 Parallel Study (Mott MacDonald, July 2010)

1.43 Notwithstanding this there is a policy reference to Botley Bypass in the plan that can be reviewed in light of more detailed modelling and transport assessment work.

1.44 At this stage the body of evidence demonstrates that a Botley Bypass is not required and the AMS identifies that a package of mitigation measures will be required to mitigate the impact of development on Botley Village and a full assessment will be provided at the planning application stage.

Transport Infrastructure

1.45 The broad transport infrastructure requirements are identified in the AMS and other infrastructure requirements are broadly understood and detailed work on these is progressing. The North Whiteley Consortium believes that this infrastructure is both deliverable and fundable at this time.

Flood Risk

1.46 A hydraulic modelling study has been undertaken in order to provide a detailed understanding of the fluvial and tidal flood risk in the area of the North Whiteley site. The modelling results informed the production of flood extents for the two 'Main River' watercourses which pass through the site (tributaries of the River Hamble).

1.47 The modelled flood extents show that Flood Zones 2 and 3 are restricted generally to the river corridors, even when allowances are included for the effects of climate change over the next 100 years.

1.48 The modelling work has included:

- assessment of the tidal influence downstream on fluvial flood levels
- sensitivity analysis to test the modelling assumptions
- analysis of tidal propagation within the Hamble Estuary as far as the site.

1.49 The results have demonstrated that a good level of confidence can be placed in the flood extents. The EA has reviewed and approved the modelling work and, upon

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request, has been provided with the outputs to update the Agency's own online flood mapping.

1.50 The modelled flood extents have been used to inform the emerging master plan layout at North Whiteley. Land within Flood Zones 2 and 3 is to be kept free of built development and will be retained as open space/ woodland within the green infrastructure proposals. All buildings will be sited outside and above the flood risk area within Flood Zone 1.

1.51 The proposed development is therefore compliant with Policy CP17 which requires the application of the sequential test and a sequential approach to be applied at site level.

Surface Water Management

1.52 A strategy for surface water management has been prepared for the proposed development at North Whiteley. The site geology is generally made up of impermeable soils that will not accommodate infiltration drainage techniques. Surface runoff will therefore need to be discharged to the site watercourses in a controlled way. The strategy makes full use of Sustainable Drainage Systems (SuDS) as follows:

- retention/ enhancement of the existing site watercourses
- source control techniques such as permeable pavements within individual development plots
- SuDS conveyance features in the form of swales
- attenuation basins to control the rate and volume of runoff into the existing watercourses
- intrinsic treatment features within the SuDS train to protect water quality

1.53 Sufficient space has been allocated within the master plan for the strategic SuDS features to be located within the green infrastructure network but outside of the existing river corridors and floodplains.

1.54 In accordance with the NPPF and the EA's guidance, the SuDS strategy has been developed for the 100-year return period design standard with a 30% allowance for the effects of climate change over the lifetime of the development (anticipated to be 100 years).

1.55 The surface water management strategy is therefore compliant with Policy CP17 which requires that flood risk is not increased elsewhere and that surface water and groundwater is protected through suitable pollution prevention measures.

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North Whiteley SuDS strategy - Third Party Representations

1.56 Responses have been made by, among others, Curdridge Parish Council and the Curbridge Preservation Society following the publication of the Schedule of Proposed Modifications. Both have sought assurances that the proposed SuDS strategy for North Whiteley:

- is fit for purpose;
- protects existing properties in Curbridge within Flood Zone 3a
- avoids harmful impacts on water resources.

1.57 The principles of storm water attenuation to control surface water runoff from development have been used extensively and successfully for many decades. It is an established and recognised approach to managing the rate of discharge to receiving watercourses to ensure that there is no increase in flood risk downstream. This is a fundamental requirement of both the NPPF and the JCS.

1.58 As with most things, good design and maintenance are essential components of SuDS schemes including attenuation features. These considerations are implicit in the development of the North Whiteley proposals. The Flood and Water Management Act 2010 will establish SuDS Approval Bodies (SABs) that are expected to be in place during 2013. They will have the responsibility for reviewing and approving SuDS designs and, if requested, will take on future maintenance of SuDS. The advent of SABs will only serve to strengthen the effective operation of sustainable drainage and the management of flood risk.

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iii) Are the mitigation proposals for European designated sites appropriate and deliverable?

- 1.59 The screening stage of the Core Strategy HRA identifies the potential for Policy SH3 to adversely affect the conservation objectives of the Solent coastal European sites both alone and in combination with others. However the subsequent appropriate assessment records that the impacts of individual developments can be carefully regulated through development controls and site management measures, including the requirement for project level HRA. The appropriate assessment concludes that these measures, together with mitigation provided by Pre-Submission Policies and recommendations within the HRA itself, ensure that the policies of the Core Strategy will not have adverse effects on the integrity of the European sites.
- 1.60 The site management measures within Policy SH3 identify the need for a Green Infrastructure Strategy, which will be required to accompany any planning application coming forward, but do not detail its content beyond the requirement that it should set out measures to avoid harmful impacts. By implication, these are taken to mean harm to European nature conservation sites and relate primarily to the risk of increased recreational pressure. Policy SH3 also sets out that any proposal coming forward should '*...maximise opportunities presented by the substantial areas of green space within and adjoining the allocated area...*'
- 1.61 The site allocated by Policy SH3 is located immediately adjacent to Whiteley Pastures (part of the Botley Wood and Everett's and Mushes Copses Copse SSSI), a mixed area of replanted and semi-natural ancient woodland and secondary woodland totaling 201.2 hectares and owned by Forest Enterprise (FE). The NW Consortium is working to develop a green infrastructure (GI) strategy that will include FE's land as part of proposals being developed for the allocation. Taken together with the existing GI within the allocation site comprising Sites of Importance for Nature Conservation (SINCs) of various character, woodland, stream corridors, tree belts and hedgerows, it is clear that there is a very substantial, available resource within and in immediate proximity to the allocated site, that could be developed as an alternative recreational facility to the Solent and Southampton Water SPA and Ramsar site and used to mitigate land based recreational impacts.
- 1.62 The principle of establishing alternative recreational areas has become well established as a means of mitigating impacts of increased terrestrial recreational pressures on the conservation objectives of European sites. It is also recognised that alternative sites do not need to be the same type of habitat to provide effective mitigation. So long as they are attractive, it is the facility that they offer and convenience to users that are most important. Evidence for existing schemes with full stakeholder sign-up and which are reliant on this mitigation principle can be

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seen with respect to the Thames Basin Heaths Special Protection Area Delivery Framework (TBHDF)¹ relevant to the Thames Basin Heathlands, and the Dorset Heathland sites². The New Forest Recreational Strategy also makes reference to developing alternative destinations for everyday recreation in respect to both the heathland and coastal European interest features of the New Forest.

Adequacy of available GI

- 1.63 To establish whether or not the area of GI available for Policy SH3 is of sufficient quantum to ensure compliance with the Conservation of Habitats & Species Regulations 2010 (the Habitats Regulations), the standards of existing schemes can be applied to give a very rough rule of thumb. Large schemes in close proximity to the Thames Basin Heaths (TBH) SPA are expected to provide a minimum of 8 hectares of Suitable Alternative Natural Green Space (SANG) for every 1,000 people moving into the area. SANG coming forward must have sufficient capacity to meet this standard over and above any existing recreational use.
- 1.64 Policy SH3 identifies that the allocation will allow for '*around 3000 dwellings*'. Working on an occupancy of 2.4 people per dwelling, 3,000 residential units would generate an additional 7200 people in the local area which on the basis of the TBH SPA standard, would require 57.6 ha of SANG. If tested up to 3,500 dwellings, to allow for the policy wording '*around 3,000*', this standard would require 67.2 ha and 76.8 ha if tested up to 4000.
- 1.65 The TBH standard can only be used as a very broad rule of thumb to establish the sorts of areas of alternative recreational space that would need to be available to effectively mitigate recreational impacts on the European sites to the satisfaction of Natural England (NE) and other key stakeholders. Whilst it relates to similar recreational pressures, it does so in relation to habitats and species that are very different to those present in the Hamble and adjacent coastal areas. However, this comparison does show that the total GI available to the allocated site (around 300ha when both on-site (c.100ha) and off-site (c.200ha) GI are taken into account) far exceeds SANG standards used elsewhere and delivers a suitable scheme to mitigate land-based recreational impacts deriving from SH3 on the European sites. As an established and recognised approach to mitigating recreational pressures, and when taken together with avoidance measures designed into the master plan to direct recreational pressures away from the River Hamble, it is reasonable to conclude that the available GI is both appropriate as a mitigation

¹ 2009, Thames Basin Heaths Special Protection Area Delivery Framework. Thames Basin Heaths Joint Strategic Partnership Board.

² The Dorset Heathlands Planning Framework 2012-2014. Supplementary Planning Document. Borough of Poole, Bournemouth Borough Council, Christchurch Borough Council Dorset County Council, East Dorset District Council, Purbeck District Council

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tool and of sufficient quantum to effectively address the additional land-based recreational pressures deriving from Policy SH3 alone i.e. considered alone, policy SH3 will not adversely affect the integrity of Solent European sites.

- 1.66 In addition to the quantum of land available to mitigate the potential for increased recreational pressures, it is also important to consider the qualitative features of the land to establish whether it could provide attractive recreational provision. NE has produced guidelines identifying the key features required by land to be effective SANG³. The land is of sufficient quality and provides sufficient opportunity for it to be reasonable to expect that detailed design of a SANG type mitigation will fully comply with these guidelines.
- 1.67 It is noted that concerns have been expressed that Policy SH3 is contrary to the guidelines on buffer/ exclusion zones set out in the TBHDF, which state that development should not be permitted within 400m of the designated heathlands. The basis of this guideline lies with the ecology of the three breeding populations of Annex 1 birds for which the TBH SPA is designated: Dartford warbler, nightjar and woodlark.
- 1.68 Residential development that lies in close proximity to heathlands supporting these three species has identifiable impacts on their breeding success. One of these impacts concerns the increased risk of cat predation, with the ground-nesting species of nightjar and woodlark being particularly vulnerable. The 400m exclusion zone is included within the TBHDF guidelines to prevent this impact.
- 1.69 The risk of cat predation on the wintering waterfowl populations of the River Hamble has not been identified as a risk factor within the HRA process, reflecting the very different ecology of these populations to those of the Annex 1 heathland birds. Consequently, the exclusion zone is not relevant to development at North Whiteley.
- 1.70 It is also noted that concerns have been raised that Policy SH3 ignores Regulation 33 advice prepared by the then English Nature⁴ (now Natural England) for the Solent European Marine Site. This advice was prepared to advise competent authorities as to (a) the conservation objectives of the site and (b) any operations which may cause deterioration of natural habitats or the habitats of species, or disturbance of species for the site. WCC's HRA of the Core Strategy is consistent with the provisions of this advice.
- 1.71 To conclude, it follows that if Policy SH3 does not adversely affect the integrity of the Solent European sites, it cannot act in combination with other plans and

³ Guidelines for the creation of Suitable Accessible Natural Green Space (Natural England) (July 2007)

⁴ Solent European Marine Site. English Nature's advice given under Regulation 33(2) of the Conservation (Natural Habitats &c.) Regulations 1994. October 2001

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programmes to have an adverse effect either. This is based on the assumption that the GI is of sufficient scale and scope for it to be reasonable to assume that the project-level HRA will be able to demonstrate that the net land based recreational impacts for the scheme are so small as to be negligible.

- 1.72 The GI provision will not provide an effective mitigation scheme for the small increase in water-based activities that can be expected to occur on the Hamble as a consequence of Policy SH3 - particularly in relation to canoeists, fishing and other water-based activities. This very small increase is most relevant to the Solent & Southampton Water SPA and is likely to be most evident during the warmer summer months when the wintering waterfowl for which the SPA is designated are not present. However, it remains likely that small, occasional disturbance will accrue to wintering SPA waterfowl populations as a consequence of Policy SH3. If this small level of disturbance is considered likely to be significant at the time of project level HRA, the most effective means of mitigating this impact will be through public education and liaison of the public with rangers employed through any proposals coming forward to meet the allocation. This work will need to focus on both existing and potential users, seeking to improve the existing levels of disturbance on the water. A ranger will also need to work closely with the Environmental Officer of the River Hamble Harbour Authority to ensure the responsible use of the river by canoeists. These provisions should reduce the impact of water-based recreational activities deriving from Policy SH3 to negligible levels such that there is no scope to act in combination with other plans and projects such as the Fareham SDA. The detail of these measures would come forward as part of a planning application for the site and it is sufficient from the point of view of the JCS, to establish that appropriate mitigation is available and deliverable.

Is the mitigation deliverable?

- 1.73 The North Whiteley Consortium is fully committed to delivery of the GI necessary to mitigate potential impacts of Policy SH3 on European nature conservation sites. The North Whiteley Consortium will continue an established programme of positive and constructive negotiations with WCC, Hampshire County Council, NE and FE to prepare a Green Infrastructure (GI) Strategy as part of a planning application submission for North Whiteley. This will set out the detailed proposals for both on-site and off-site GI as well as the funding and management structures needed to demonstrate delivery. The contributions and obligations required for delivery of the GI Strategy will be secured through a S106 Agreement. A Statement of Intent is attached at **appendix 4** which sets out the commitment of the North Whiteley Consortium to the GI process ahead of the submission of the formal planning application.

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- 1.74 The North Whiteley Consortium will also work with other stakeholders such as the River Hamble Harbour Authority and any relevant third parties to secure delivery of necessary mitigation measures additional to the provision of GI.

Key Principles of delivery

Enablement

- 1.75 The NW Consortium will work with all key stakeholders to bring forward Whiteley Pastures and on-site GI as part of the GI Strategy needed to deliver a planning application for development in line with Policy SH3. The GI Strategy will be structured to include the following information for all on and off-site GI:
- baseline information for all areas forming part of the GI
 - detailed proposals for recreational provision including pedestrian and cycle routes, capital works to off-site tracks to provide all weather surfaces, signage and way marking, interpretation boards and information, litter and dog bin management
 - detailed proposals for ecological management to maintain and enhance biodiversity interests across the site, with particular regard to the SINC status of some of the on-site GI and the SSSI status of Whiteley Pastures
 - details of personnel employed to implement capital works, manage the recreational and biodiversity resource in the long-term and work with new and existing residents in the wider Whiteley community to encourage community ownership and responsible on-going use of the GI
 - costings for the works and details of the funding mechanisms needed for third parties to implement all capital works and to manage the process of renewal and replacement, as well as the on-going management of the GI resource for the long-term future

Agreement with statutory consultees

- 1.76 The NW Consortium will ensure that the GI Strategy supports and is consistent with FE's obligations to restore Whiteley Pastures (part of the Botley Wood and Everett's and Mushes Copses Copse SSSI) to favourable condition and will ensure that it remains robust to increased recreational pressure.

Capital and revenue costs

- 1.77 The NW Consortium will agree a funding model for delivery of the GI Strategy. This will cover capital costs and long-term year on year costs associated with employment, renewal, replacement and on-going management costs. Details of the agreement will be included in the GI Strategy.

Forest design plan

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- 1.78 Forest Enterprise manages its woodlands using a collection of strategic planning documents known as 'Forest Design Plans'. These are used to demonstrate sustainable forest management in the long-term (30 years plus) and to define a 10-year programme of work that is carried out under statutory approval. Forest Design Plans set out objectives for woodlands with the aim of finding a balance between social, economic and environmental interests (Forestry Commission, 20085). The Whiteley Pastures Forest Design Plan includes provision for developing new partnerships associated with the provision of green infrastructure in and around new development. Underpinning much of this work is FE's ongoing broad task of managing and developing the public forest estate to deliver quality recreational opportunities.
- 1.79 The NW Consortium will work with FE to ensure that the currently pending review of the Whiteley Pastures Forest Design Plan includes the necessary flexibility to accommodate the use of the site as mitigation as the proposals for North Whiteley come forward.

Consultation

- 1.80 The NW Consortium will establish constructive and regular dialogue with all third parties relevant to the provision and agreement of mitigation measures that are additional to the provision of a comprehensive GI package.

In combination impacts: Solent European coastal sites

- 1.81 There is a risk that impacts deriving from Policy SH3 could adversely affect the conservation objectives of the Solent coastal European sites by acting in combination with similar pressures deriving from other strategic allocations. The appropriate assessment identified these as being the risk of reduced air quality, water levels and quality and increased recreational disturbance to wintering waterfowl populations. To strengthen the mitigation already proposed in the Plan, the appropriate assessment recommended a number of policy safeguards to help provide effective plan level mitigation to minimise these impacts. Recommendations included:

- additional policy wording that supports the findings of the Solent Bird Disturbance and Mitigation Project to ensure that any proposed strategic avoidance and/ or mitigation measures are adopted
- the requirement for any proposal on land at North Whiteley to incorporate suitable areas for dog walking
- the requirement for sustainable water strategies to accompany all proposals for strategic developments
- seeking the incorporation of higher water efficiency measures in developments where suitable, in particular for strategic sites

5 Forestry Commission, 2008. Whiteley Pastures Forest Design Plan. 2008-2038.

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- the monitoring of air quality at key locations within or close to the proposed strategic sites.
- 1.82 The Solent Disturbance & Mitigation Project (SDMP) has undertaken the strategic role of establishing the potential for in combination recreational pressures to adversely affect Solent coastal European sites with a view to providing recommendations for monitoring and appropriate strategic mitigation measures. Development coming forward in relation to Policy SH3 should expect to contribute to this programme as and when evidence identifying relevant strategic mitigation, is available.
- 1.83 A strategic response to potential in combination effects is both appropriate and deliverable. The evidence of the TBHDF and the Dorset Heathland Planning Framework demonstrate that strategic responses to multi-sourced, site-wide pressures are a realistic way forward.
- 1.84 Concerns that the Core Strategies reliance on the as yet unpublished SDMP to identify strategic mitigation is premature are unfounded. The Solent Forum is clear that Phase III of the SDMP has been commissioned and is expected to report within timescales that are consistent with the delivery of the JCS. The role of Phase 3 is to enable through the formulation of avoidance and mitigation plan to deliver a short-list of potential suitable mitigation measures, including 'quick wins', for fast and easy delivery.
- 1.85 If the SDMP Project Group is in full agreement, NE will accept the recommendations of the SDMP as an interim mitigation plan to address in combination impacts across the region. A second phase of work to deliver a strategy that responds to the evidence base and Natural England's advice will be delivered in accordance with the outcome of a peer review currently being undertaken by NE on the results of Phase II. This is expected to be available from Spring 2013. On this basis, it is reasonable to consider that the Solent Forum will develop a mitigation tool fit for purpose and deliverable within the next 6 months. Taken together, it is therefore reasonable to assume that reliance on delivery of this project is an effective approach to the mitigation of potentially region-wide in combination effects.
- 1.86 The timescales over which Policy SH3 will be implemented can realistically be expected to coincide with the detail of this programme moving forward. Furthermore, Winchester City Council will be able to require and control strategic mitigation measures through the S106. It is therefore appropriate to rely on these measures as a means of mitigating possible in combination effects, and it is reasonable to conclude that Policy SH3 will not have an adverse effect on the integrity of Solent European coastal sites in combination with other plans and projects.

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- 1.87 In relation to the other measures identified by the appropriate assessment needed to minimise the risk of potential in combination effects, the recommendation for Policy SH3 to include provision for dog walkers is consistent with the existing policy requirement for a comprehensive GI strategy and is entirely reasonable within the context of policy wording and expectation.
- 1.88 Measures recommended in relation to the safe-guarding of water resources are realistic, and it is reasonable to assume that delivery would be secured through site specific solutions and negotiations for development coming forward under Policy SH3.
- 1.89 Finally, the proposal for strategic monitoring of air quality impacts is a pragmatic response to a regional issue. It is reasonable to assume that development coming forward under Policy SH3 would contribute appropriately to strategic mitigation measures identified as necessary under this monitoring regime.

Conclusion

- 1.90 The appropriate assessment concludes that so long as the recommendations it makes are incorporated, the JCS contains effective strategic plan level mitigation to address the issues identified through the HRA process.