

Issue 10 – Environment – Policies CP15 – CP20

Personal ID No: 3440

Terence O'Rourke Ltd on behalf of North Whiteley Consortium

ISSUE 10 ENVIRONMENT – POLICIES CP15 – CP20

i) Are the policies consistent with the NPPF and/or justified by clear and robust local evidence and if not, what needs to be changed and why?

- 1.1 CP15 and supporting text is consistent with NPPF and is effective in recognising green infrastructure (GI) as a multi-functional resource capable of protecting and enhancing the natural environment and providing the landscape, ecosystem services and quality of life benefits that are required to underpin sustainability. In short, CP15 is effective in recognising and delivering the wider eco-system benefits associated with GI required by the NPPF.
- 1.2 CP15 responds to the evidence base collated by WCC in the production of their own GI Strategy for the district, as well as the PUSH GI Strategy, that considers GI provision at the sub-regional level.
- 1.3 CP16 is effective in meeting the aims of the NPPF, specifically addressing the desire to minimise impacts on biodiversity and provide net gains where possible. In line with the NPPF, CP16 also seeks to address biodiversity gains at the district level through direct linkage to WWC's Biodiversity Action Plan, and does not limit itself to considerations of site alone.
- 1.4 CP16 is clear as to the distinction required in respect of the protection afforded to designated wildlife sites, according to whether of international, national or local status. This reflects the NPPF's requirement that criteria based policies recognise the distinction in hierarchy between site designation levels and ensure that their protection is commensurate with their status.

ii) Is policy CP15 likely to provide effective in protecting and enhancing existing and delivering new green infrastructure?

- 1.5 CP15 provides a policy structure to ensure that large schemes come forward with their own, bespoke GI measures whilst also ensuring that smaller schemes provide financial contribution to strategic GI projects. The policy is clear that GI Strategies need to consider both the existing GI resource as well as new GI needed to complete local and strategic GI networks and to enhance and support the function of the existing resource.
- 1.6 The role of the policy in driving bespoke GI schemes is clear in the implicit link with Policy SH3, where GI is important to the delivery of the scheme and where the need for a GI Strategy is specifically identified within the policy. Viewed together, the two policies are consistent and mutually supporting. CP15 will allow and support the delivery of housing at NW through ensuring the requirement of a GI Strategy that whilst recognising the importance of protecting the important

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biodiversity assets associated with the site and its surrounds, also recognises their multi-functional potential in delivering wider eco-system benefits.

1.7 CP15 is effective in requiring careful and considered GI provision with any large scheme, whilst retaining an appropriately strategic role to ensure the flexibility needed by individual schemes to derive their own GI solutions. Accordingly, the need for North Whiteley to address the on and off site GI resource as part of a future planning application is fully consistent with this policy.

iii) Is policy CP16 likely to provide effective protection for designated sites and appropriate mitigation, where necessary?

1.8 Policy CP16 is clear in its recognition of the importance of biodiversity assets and is explicit in committing to their protection through the development process. It is implicit that CP16 will rely on the statutory protection afforded to national and international sites as appropriate, to guide local development and shape development schemes for which these considerations are relevant. CP16 is correct in not making reference to the statutory protection relevant to national and international sites, which falls outside of the policy framework and which sets out a very clear basis for the level of protection to be afforded, and the tests that must be undertaken, before development affecting these sites can proceed. As such, CP16 is correct in setting out greater detail for non-statutorily protected assets, whose protection is not defined in law and for which the protective and enhancement policy framework is therefore proportionally more significant.

1.9 Policy CP16 is consistent with SH3 and the need for development coming forward under this policy to respond to the constraints that the nearby network of nationally and internationally designated sites presents. It allows the flexibility for development coming forward under SH3 to respond to the challenges and opportunities of nearby designated sites, in the context of appropriate protection through all relevant legal processes.

iv) Is policy CP17 consistent with national and EA guidance and likely to prove effective in practice?

1.10 The key aims of the NPPF in relation to flood risk and the water environment can be summarised as follows:

- Avoid inappropriate development in flood risk areas
- Ensure new development does not increase flood risk elsewhere
- Make allowance for the effects of climate change
- Manage water quality.

1.11 Policy CP17 reflects these aims and much of the text is directly replicated from the NPPF.

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1.12 The EA provides guidance for local authorities and for developers both in the form of Flood Risk Standing Advice and in the form of local or site-specific advice. In general the EA's guidance builds upon the policies within the NPPF and its predecessors at a more technical level with criteria/ controls to apply to development planning. With reference to the key aims of the NPPF listed above, the EA's guidance includes the following:

- Close adherence to the NPPF and the accompanying Technical Guidance regarding the application of the Sequential Test and the Exception Test. The EA provides flood maps to identify the Flood Zones and, in areas where there is low confidence in their delineations, agrees parameters for and approves hydraulic modelling studies
- Ensuring that surface water runoff is controlled both in terms of peak flows and volumes, that no displacement of fluvial floodplain storage is caused by development and that modifications to river channels or floodplains do not increase flood risk
- Close adherence to the Technical Guidance to the NPPF which sets out appropriate climate change allowances for sea level rise, rainfall intensity and peak river flow
- Strong emphasis on the use of Sustainable Drainage Systems (SuDS) to manage surface water and provide natural runoff treatment

1.13 Policy CP17 reflects the underlying principles behind the EA's guidance, although the EA sets out more specific criteria in implementing the policies within the design of specific developments.

1.14 PUSH is in the process of adopting its spatial strategy document, the South Hampshire Strategy (October 2012). Policy 17 of the strategy relates to "Managing flood risk, water and wastewater" and its aims are summarised as follows:

- minimise flood risk to and from new development
- reducing consumption of water
- reducing the amount of water going to waste water treatment

1.15 These aims are consistent with the NPPF and the EA's guidance as well as the Winchester JCS Policy CP17.

Strategic Flood Risk Assessments

1.16 WCC published its Final Strategic Flood Risk Assessment (SFRA) in September 2007. The report forms part of the evidence base for the Local Development Framework and its key role is to assist in the application of the Sequential Test in

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locating new development within the Winchester district. PUSH published its final SFRA in December 2007. The development at North Whiteley is within the study area of both SFRAs.

1.17 The production and delivery of the SFRA studies include mapping and guidance to assist Planners to meet housing and development targets whilst avoiding flood risk and demonstrating compliance with the NPPF. The EA was a key consultee during the production of the SFRA reports.

1.18 See paragraphs 1.46 – 1.58 of our statement to Issue 6 Q2 which outlines the approach to flood risk, surface water management at North Whiteley and responds to third party comments.

v) **Is policy CP18 suitable in principle for a CS and does it define appropriate gaps? If not what needs to be changed and why?**

No comment, and

vi) **Are policies CP19 and CP20 likely to provide effective protection for the South Downs National Park and other areas of heritage and landscape character, whilst allowing some limited, suitable and appropriate development to continue?**

No comment