
From: CENTRAL MAIL
Sent: 21 July 2021 16:40
To: Local Plan; Tuck, Graham
Cc:

Subject: Re: SUBMISSION LOCAL PLAN (2018)
Attachments: PLANNING REF. 0-19-86980 NOVEMBER 2019 Ecological Impact Assessment SITE AL2.pdf;
PLANNING REF. 0-19-86980 SUPERSEDED Indicative Site Layout.pdf

FAO: EBC PLANNING TEAM

Further to our comments with attachments yesterday in respect of the proposed Main Modifications to the Local Plan, could you please add the following comments to our submissions which I inadvertently left out of the comments sent yesterday:

The examination documents listed for consultation on the proposed main modifications included: ED89 19.10.20 Matter 3: Strategic Policies, spatial strategy & distribution of development. That document states:

Para. 30. In addition, there are minor mistakes in four site appraisals - Land at Allington Lane, Areas 1 and 2 (HOU019) and **site 1 West of Allbrook Way(AL2)** and site 2 East of Allbrook Way (HOU011). These include the sub-question 'Does the land lie between settlements?' instead of 'Does the land lie directly between settlements?' This mistake has not affected the findings of the appraisals.

Page 11. Table C: Updated HOU11 Table 4: Comparative assessment of sites – by site reference - **Site West of Allbrook Way: Allbrook(AL2)** Land north of Knowle Hill: Land south of Allbrook Way: **BIODIVERSITY POOR.** In fact this site was scored by EBC as **POOR/AVERAGE for COUNTRYSIDE GAPS and LANDSCAPE and POOR for OTHER ENVIRONMENTAL.**

Page 20. Table D: Updated HOU11 Table 4: Comparative assessment of sites – by total score - **Site West of Allbrook Way: Allbrook(AL2)** Land north of Knowle Hill: Land south of Allbrook Way: **BIODIVERSITY POOR.** The total score given for the site by EBC was **POOR/AVERAGE for COUNTRYSIDE GAPS and LANDSCAPE and POOR for OTHER ENVIRONMENTAL.**

As stated in our comments yesterday, none of the Appraisals/Assessments for site AL2, or Site AL1, included assessments under The Hedgerows Regulations 1997(amended) or Guidelines, which are mandatory requirements.

The **POOR** score given by the Council for **BIODIVERSITY AND LANDSCAPE** was not only wholly wrong it dismissed the very detailed survey carried out by Species Ecological Consultancy dated November 2019 for Site AL2, copy attached. This report was updated in November 2020 to produce a mitigation strategy for the outline planning application submitted by Cranbury Estates Limited on 28.11.2019 for developing site AL2. The Biodiversity report identifies multitudinous species which are very important, some of which are included in the red book. The report is very detailed in the extent of the Biodiversity and landscape for this site. This report calls into question the Council's ability to assess what is actually inhabiting the site even when the facts are placed in a very detailed report before the Council. I attach a copy of the "SUPERSEDED Indicative Site Layout Plan (BRS.3586 16L)" for the proposed development of this site which was published in this planning file on 22.02.2021 . This plan shows that proposed houses will be sited in the High Spatial Priority area shown on the MAGIC Maps I attached to our comments yesterday i.e. Biodiversity Priority Habitats - ALLBROOK⁽²³⁾ but not a single survey has been carried out in

respect of the "importance" afforded to these hedgerows and banks by the Regulations. In fact, the updated report by Species Ecology included, and relied upon, MAGIC maps.

The serious problem with all the reports submitted in this application is that they all state the hedgerows are not "important" hedgerows, when in fact any field boundary hedge 30 years old and over are defined as important hedgerows in the Hedgerows Regulations. The arboricultural report by SJA Trees also makes this same mistake when writing off all of the hedgerows in Site AL2 as unimportant. Even the Council's own qualified staff failed to consider these hedgerows were important under the terms of the Regulations. However, neither the Council or the Planning Committees can dismiss the legal requirements of the Hedgerows Regulations 1997 and hedgerows Guidance. To approve this outline planning application without complying with the Regulations will amount to Gross Maladministration and could also expose the Council to Judicial Review proceedings.

Please therefore add these comments to our submissions of yesterday

Mrs V Richardson