

Eastleigh Borough Local Plan 2016-2036

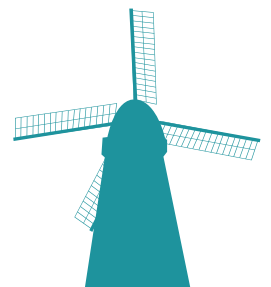
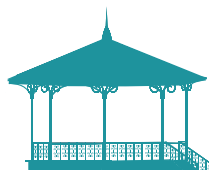


Eastleigh Borough Local Plan 2016-2036

Statement of Common Ground on the Strategic Growth Option and Ancient Woodland between:

- Eastleigh Borough Council
- Natural England
- Forestry Commission
- Forestry England
- Highwood Group Limited
- Galliford Try Partnership / Drew Smith Limited

July 2019



1. Introduction

- 1.1 This statement sets out an agreed approach to the Eastleigh Local Plan (2016 – 2036) in relation to the Strategic Growth Option, its associated link road and ancient woodland (Local Plan policies S5 and S6).
- 1.2 The submission Eastleigh Local Plan proposes a strategic growth option (SGO) to the north and east of Bishopstoke and Fair Oak. This is a major mixed use community with at least 5,300 homes, employment, retail / leisure, education / health and open space provision, and will be served by a new link road connecting to the M3 (part of the link road runs through Winchester district). These proposals are set out in policies S5 and S6 of the submission plan and the policies map.
- 1.3 There are a range of locally designated woodland Sites of Importance for Nature Conservation surrounding the SGO, most of which are ancient woodlands (with added status in national policy). Most of these are within Eastleigh Borough, although some are just over the boundary within Winchester City Council's area. This is set out further below.
- 1.4 At the 'regulation 19' consultation stage widespread representations were received regarding the potential for the SGO to impact on these adjacent ancient woodlands. They included objections from Natural England, the Forestry Commission, Hampshire and Isle of Wight Wildlife Trust and Woodland Trust. In addition objections have been raised in many of the representations received by individuals and local groups, including via the Woodland Trust standard representation wording.
- 1.5 Following these objections, further discussions took place regarding the measures required to protect the woodlands. On this basis, Eastleigh Borough Council agrees with the other parties to this statement that the approach to protecting the ancient woodlands, the associated ecological networks and biodiversity they support as set out in the Local Plan (particularly policy S5) needs to be strengthened.
- 1.6 Section 2 briefly describes the key issues: the ancient woodland / biodiversity assets, signposting relevant environmental evidence, and how the Local Plan and the emerging master plan evidence has evolved.
- 1.7 Section 3 sets out the Local Plan policy approach which has been agreed. It is agreed that the Local Plan will be 'sound' if these modifications to the Local Plan are made.

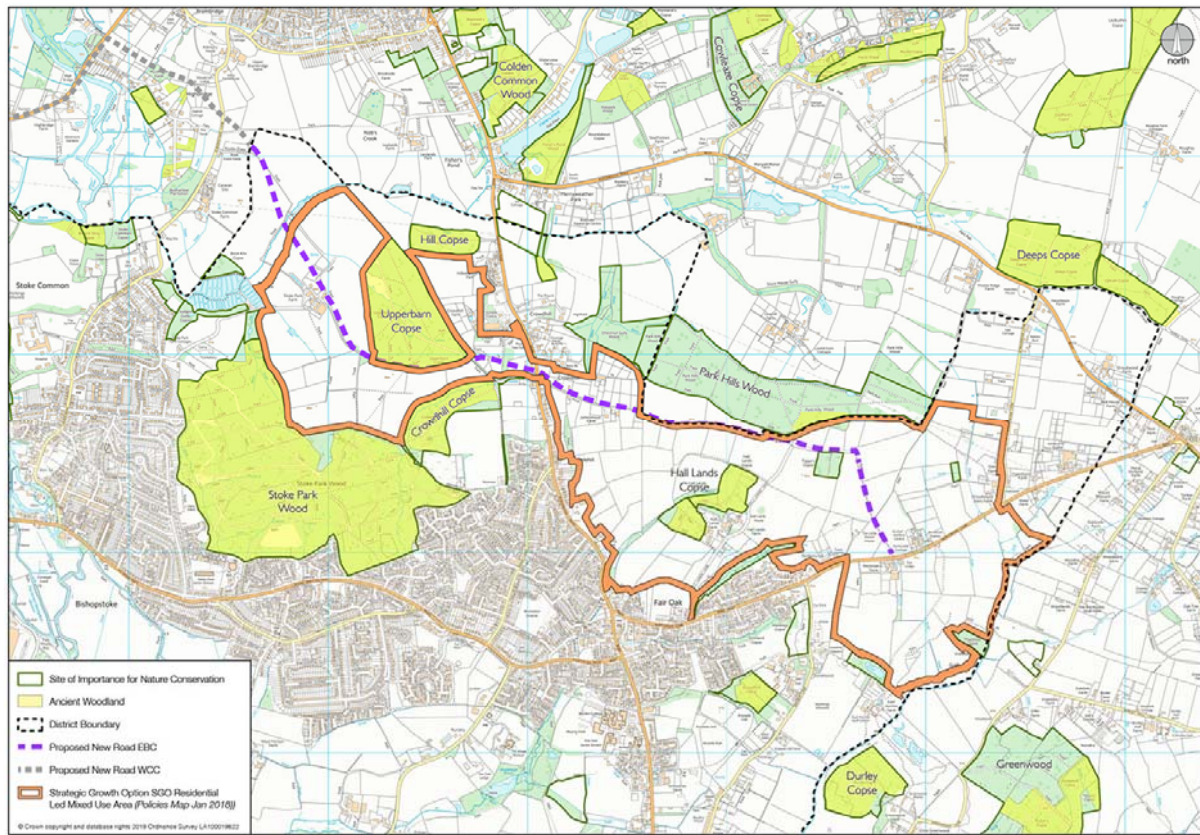
2. Key Issues / Emerging Local Plan and Evidence

- 2.1 It is agreed that in line with the policy approach in the NPPF¹ the Local Plan needs to ensure that the SGO provides appropriate protection to and enhancement of a range of irreplaceable ancient woodland habitats and connecting ecological networks.
- 2.2 It is agreed that this includes the locally designated woodland Sites of Importance for Nature Conservation immediately adjacent to and in some cases within the SGO² as illustrated in Figure 1 below, recognising that most of these are ancient woodlands, and their connecting habitats.
- 2.3 Within the context set by the NPPF, the Government's (Defra / Forestry Commission England): "Keepers of Time: A Statement of Policy for England's Ancient and Native Woodlands" provides further guidance. In addition, the Woodland Trust has published: "Planning for Ancient Woodland" (October 2017). The Government's 25 Year Environment Plan (January 2018) committed to strengthening the protection of ancient woodland, which was reflected in the July 2018 revision to the NPPF.

¹ Under the transitional arrangements, the Local Plan is examined under the NPPF (2012). The equivalent references in the NPPF (2018) are in brackets. The NPPF sets out in the approach to "Achieving Sustainable Development" in paragraphs 6 to 16 (7 – 14) and to "Conserving and Enhancing the Natural Environment" in paragraphs 109 to 125 (170 – 183). The approach to irreplaceable habitats including ancient woodlands is set out within paragraph 118 (175c).

² The SGO policy boundary as defined by the submission Local Plan policies map.

Figure 1: SGO area (as defined by submission Local Plan); Sites of Importance for Nature Conservation and Ancient Woodland.



2.4 Ancient woodland is defined as an area that has been wooded continuously since at least 1600 AD. The latest NPPF explicitly includes ancient semi natural woodland and plantations on ancient woodland sites within this definition³. The main ancient woodlands, as illustrated above, are:

- Upperbarn Copse;
- Hill Copse;
- Park Hills Woods (just across the local authority boundary in Winchester);
- Hall Lands Copse;
- Tippers Copse
- Crowhill Copse; and
- Stoke Park Woods.

³ NPPF 2012 and 2018 Annex 2 Glossaries

- 2.5 Forestry England own and manage Stoke Park Woods and the Woodland Trust own and manage Upperbarn Copse and Crowdhill Copse. It is agreed that the ownership of these larger areas of woodland by these two organisations create a particular opportunity for the developers to work with them through the master plan and planning application stages to reach agreements on woodland and visitor management strategies, as established in the policy requirements below. These woodlands consist of individual trees planted relatively recently but they have been in continuous existence since 1600AD. As a result they have rich woodland soils and meets the ‘ancient woodland’ definition. This creates a particular potential to restore and enhance ancient woodland as established in the agreed policy below.
- 2.6 The Hampshire and Isle of Wight Local Nature Partnership has undertaken ecological mapping, and this identifies an ecological opportunity area to the north of and connecting Stoke Park Woods with Upper Barn Copse and Hill Copse. In broad terms, this runs in the vicinity of the northern boundary of the SGO including and to the south of the Bow Lake stream.
- 2.7 The SGO developers have commissioned an ecological appraisal (SGO020) and bats survey (SGO021) of the woodlands and surrounding areas. This sets out the biodiversity assets in more detail and suggests a range of mitigation measures.
- 2.8 The submission Local Plan sets out the key principles of not adversely affecting the ancient woodland habitats and their supporting networks, including through the use of buffers and a visitor management plan. The supporting text indicates that buffers should be between 30 and 50 metres in width. This is the version of the plan which received objections on ancient woodland grounds.
- 2.9 The emerging evidence to the ‘regulation 19’ plan, the SGO Master plan (SGO005), took a cautious approach with respect to the 30 to 50 metre width buffers set by the submission Local Plan, by ensuring that the buffer of 50 metres was achieved. On this basis the master plan established an overall development quantum including 5,200 – 5,300 dwellings.
- 2.10 The agreed alterations to strengthen the Local Plan are set out below. In broad terms the effect and purpose of these changes are to:
- Include the principle of:
 - A positive strategy to enhance / achieve biodiversity net gain in the ancient woodland and connected habitats;

- Providing green infrastructure which is attractive to people and wildlife (as well as achieving wider aims);
 - Include a stronger and more comprehensive specification of the measures required.
- 2.11 Some of these additional measures will affect the layout of the development. The June 2018 version of the master plan has been updated in the October 2018 version of the master plan (SGO009) so that all of these additional measures are reflected.
- 2.12 It is agreed that the October 2018 version of the master plan reflects the agreed Local Plan Modifications below.
- 2.13 One of the additional measures set out in the agreed alterations to the Local Plan below is that instead of indicating that buffers with a width in the range of 30 to 50 metres would be acceptable, the plan should state these buffers should be of at least 50 metres width. However as the June 2018 master plan already included buffers of at least 50 metres there was no need for this to be updated. The other additional measures set out in the agreed alterations to the Local Plan below which affect the layout of development have all been incorporated into the October 2018 version of the master plan as follows. (Lettered areas refer to the map on page 4 of that master plan. This shows the adjustments made to the earlier master plan to create the October version, the end result of which is set out on page 20 of the October version):
- Enlarging the area / width of green infrastructure to maintain / enhance environmental connections between:
 - Upperbarn Copse and Stoke Park Woods / Crowdhill Copse. (The development within area C is deleted to expand the green infrastructure to the west and integrate it with an existing hedge line).
 - Hall Lands Copse and Park Hill Woods. (The green infrastructure link along corridor F is widened).
- 2.14 This has been achieved whilst also increasing the overall dwelling capacity to 5,500 dwellings. This is because:
- An overly generous buffer for great crested newts has been reduced in agreement with Natural England (area G)

- The northern edge of development in SGO B has been extended, whilst maintaining the requirement for green infrastructure links to the north of this along Bow Lake Stream. (This reflects the concept for an environmental opportunity area set out in the Local Nature Partnership's ecological mapping).

2.15 Some of the additional measures will have significant cost implications. The Council had included an indicative total cost of £5.2 million to cover a 'green bridge', habitat enhancements and a visitor management strategy / warden. This total figure was included in the Infrastructure Delivery Plan (DEL002) (paragraphs 8.5 and 8.6) and factored into the SGO viability assessment (DEL007), both submitted in October 2018. This has since been increased to £5.9 million in the SGO viability update (examination document to be published in June 2019), to reflect slightly higher visitor management strategy / warden costs. The total cost allowance is broken down as follows:

- £1 million – green bridge across link road;
- £3.9 million – for a warden resource and associated costs in perpetuity (to provide revenue cost);
- £0.5 million – woodland access measures;
- £0.5 million habitat creation measures.

(In addition to the above, the SGO viability update [June 2019] includes an allowance for open space maintenance, which includes an allowance of £0.9 million for habitat / wildlife maintenance. This is calculated on the basis of the quantum of environmental mitigation areas and 50 metre buffers as set out in this paper and the master plan addendum).

Furthermore the SGO viability update (June 2019) includes a land acquisition cost for the whole SGO policy area, as expanded in the proposed Local Plan modifications below. This therefore includes the land acquisition costs for all the environmental mitigation area designations, and for all the 50 metre buffer areas. The land acquisition costs applied for these areas are the same as for the whole development area, on the 'equalisation' of land values principle.

2.16 These are intended as indicative figures and do not pre-empt future discussions. They are included with a wide range of other infrastructure costs (e.g. link road, schools, etc.) to assess the overall infrastructure costs and hence overall viability of the Strategic Growth Option. In this context it is

agreed that these figures contribute to a reasonable understanding of the overall infrastructure costs for the SGO.

3. The Agreed Local Plan Modifications (to propose to the Inspector)

- 3.1 It is agreed by the parties to this agreement that the Local Plan would be 'sound' specifically in respect of the SGO and adjacent woodland if the following modifications are made.

Policy S5 – New communities, land north of Bishopstoke and land north and east of Fair Oak

Revised criterion 13

~~Development will not adversely affect the ecological functioning of the Sites of Importance for Nature Conservation and priority habitats such as ancient woodland/hedgerow complex or the protected and priority species that use them. An appropriate area of land will remain undeveloped around the headwaters and tributaries of the River Itchen, the Sites of Importance for Nature Conservations (SINCs) and ancient woodland, and other measures provided as required, including a visitor management plan for the woodland.~~

Development will not adversely affect and will enhance the Sites of Importance for Nature Conservation (SINCs), including the areas of ancient woodland, and the ecological connections between them. A positive, comprehensive and effective strategy will be implemented to conserve and achieve a net gain in the biodiversity of these areas, and maximise multifunctional benefits by contributing to open space, recreation, active travel, countryside gap, design, landscape and flood risk management objectives. This strategy will include:

a. Provision of new green infrastructure which:

- i. Is attractive to wildlife and people, includes significant tree planting and other habitat creation, and can include informal open spaces and other informal features (e.g. paths, sustainable drainage, ponds)
- ii. Creates appropriate open buffers between the development and the designated SINCs (as shown on the policies map). These open buffers will have an overall width of at least 50 metres. They will be consistent with the uses in criterion i and will ensure that, of the 50 metre width, a minimum of the 15 metres closest to the woodland is used solely for habitat creation of high ecological value;
- iii. Strengthens or creates significant new ecological connections between woodland SINCs, including measures to address the link road;

- iv. Includes countryside gaps and environmental mitigation areas as identified on the policies map with a mix of new habitats (i.e. new native woodland, parkland, scrub and grassland, local wet woodland), part or all of which will form a nature park, between Upperbarn Copse and Crowdhill Copse / Stoke Park Woods, and between Upperbarn Copse / Hill Copse and Brick Kiln Copse, with no development except the link road and associated pedestrian / cycleway;
- v. Creates alternative green spaces, including high quality civic open spaces and nature parks;
- b. Retention of mature trees and hedgerow networks wherever possible, or else the replacement of such features;
- c. Restoration / enhancement of existing woodland, particularly to ensure no adverse effect from the development;
- d. Careful design, orientation and layout of development;
- e. Measures to minimise noise and light pollution;
- f. A visitor management plan, to include a visitor warden, access measures (for example all abilities tracks, signage and interpretation);
- g. Long term funding for maintenance of new habitat, nature parks and the visitor management plan.

Amendments to criterion 15:

Development will include a range of 'green infrastructure' (including open spaces), broadly in accordance with the standards in policy S10, DM34 and DM35, to meet a wide range of recreational and sporting needs for existing and new communities, protect and enhance ecology, provide suitable alternative natural green space (SANGS), and manage flood risk and protect the fish farm business. Where possible, green infrastructure will be designed and located to meet multiple aims. Green infrastructure will be designed to create ecological networks, ~~and~~ attractive routes through the development for pedestrians, cyclists and horse riders, and to incorporate landscape and visual mitigation measures to reinforce the local landscape character and setting and address any potential visual impacts. ~~Mature trees and wherever possible hedgerow networks will be retained.~~

Notes

The reference to undeveloped land around headwaters is removed because it is already covered by criterion 12.

In criterion 15 delete the last sentence seeking the retention of mature trees and hedgerows as this is covered by criterion 13 above.

Amendments to paragraph 4.33

Add second sentence to paragraph 4.33:

“The development lies close to important environmental designations and species. Watercourses from within the SGO flow into, and the link road crosses, the River Itchen Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI). The SGO and immediate surrounds include a number of Sites of Importance for Nature Conservation (SINCs) which are also ancient woodlands, classed as irreplaceable habitats. These include Upper Barn Copse, Hill Copse, Stoke Park Woods, Crowdhill Copse, Hall Lands Copse and Tippers Copse. It also includes Park Hill Woods (a SINC and partially ancient woodland). Therefore the development and link road will need to be carefully designed and provide additional measures, as specified in criteria 12 and 13. The master plans and visitor management plan will set out the detailed design and measures, and will require engagement with, amongst others, Natural England, the Environment Agency, the Forestry Commission, Forestry England and the Woodland Trust (who both own some of the woods), and take account of “Keepers of Time” and “Managing Ancient and Native Woodlands” (Defra and Forestry Commission), and any subsequent guidance. It is important that the layout and design of development does not adversely affect these designations. An Environmental Impact Assessment and further Appropriate Assessment (Habitat Regulations) will be required at the planning application stage. However it is likely that the following measures will be required:

-buffers left free of development around important features:

(Measures will be put in place to mitigate any adverse effects on Southern Damselfly populations and other qualifying features so as to ensure no adverse effect on the integrity of the River Itchen SAC)

- {20 metres}* around headwaters and watercourses;

~~-{30—50 metres}~~* 50 metres around ancient woodland Sites of Importance for Nature Conservation, as defined by criterion 13 and the precise buffer within that range will be determined by the further assessment and detailed design (the link road is key infrastructure and where it passes the narrowest point between Upper Barn and Crowdhill Copses a minor reduction to the 50 metre buffers will be supported where necessary, for example to accommodate cycle ways / footpaths), with careful design to avoid an adverse effect) ;

-Large enough to preserve the root zones of trees and tree lines of value;

-5 metres around hedgerows that are retained (with like for like replacement of any species rich hedgerows which are lost);

~~(Distances are indicative and will be refined by more detailed studies)~~
(These buffers will exclude buildings and other development and uses which would have an adverse effect on the ecological feature, so will exclude formal sports pitches. Subject to this they can include informal features such as open spaces, paths and sustainable drainage).

-retain semi improved and marshy grassland where possible or else ensure it is replaced;

-Great Crested Newt habitats on the eastern edge of the site are appropriately protected;

-the creation of environmental mitigation areas to create a mix of new habitats (which can also form part of the 50 metre buffers specified in criterion 13 [a ii] of the policy).

-the creation of green infrastructure to provide interlinking foraging and commuting habitats, including vegetated crossing of roads. The strengthening or creation of significant new ecological connections across the link road will require the careful design of effective measures, which may include a green bridge, interlocking trees and animal tunnels.

-sustainable drainage measures;

-a woodland management plan, including visitor management;

-any other measures which are required to ensure there is no adverse impact.

The new green infrastructure should be designed to meet multi-functional aims provided these support rather than undermine the biodiversity of surrounding designations. This will include helping to meet the needs for landscape / design / countryside gap protection and enhancement, appropriate informal recreation, green routes for pedestrians and cyclists, and sustainable drainage. The buffers are required to address the effects of light, noise and air pollution, and to help provide alternative recreation space. The creation of mixed habitats will facilitate foraging and connectivity for fauna. With respect of the green infrastructure designed to protect the woodland (i.e. buffers / environmental mitigation areas / nature parks), a proportion may also be used as 'suitable alternative natural green space' (SANGs) to help divert trips from and protect international designations, provided that that space meets SANG criteria. However it should also not conflict with protecting / enhancing the woodland and in this regard a proportion of space should not be treated as

SANGs and activities such as dog walking should be carefully managed. Other green infrastructure associated with the development can also be used as SANGs.

Amendments to Paragraph 4.35

Green infrastructure is connected ‘networks’ of multi-functional areas of green space and other environmental features. It includes all types of open space and playing pitches, hedgerows, trees, woodland streams and wetland. The green infrastructure required to protect ancient woodland will protect and enhance the SINC’s so will exclude formal recreation such as sports pitches....[as before].

Policy S6 – new Allbrook Hill, Bishopstoke and Fair Oak link road

Criterion 3: not adversely affect Sites of Special Scientific Interest or Sites of Importance for Nature Conservation (including the measures to protect ancient woodland as set out in policy S5 and paragraph 4.33).

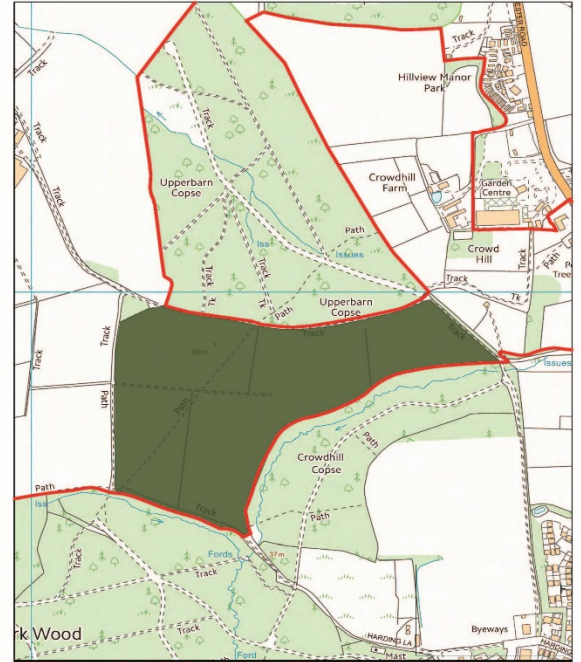
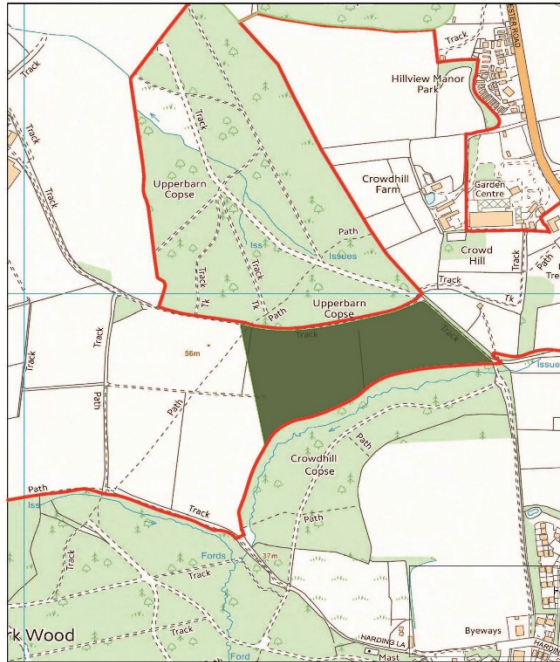
Policy DM11 – Nature Conservation

This is a Borough wide policy. Specifically in relation to ancient woodlands, a modification is made to add that:

“Development will not be permitted if it results in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees), unless there are wholly exceptional reasons and a suitable compensation strategy exists”.

Policy Map Amendments

- 3.2 The countryside gap between Upper Barn Copse and Stoke Park Woods / Upper Barn Copse is extended to the west and also designated an environmental mitigation area:



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Title

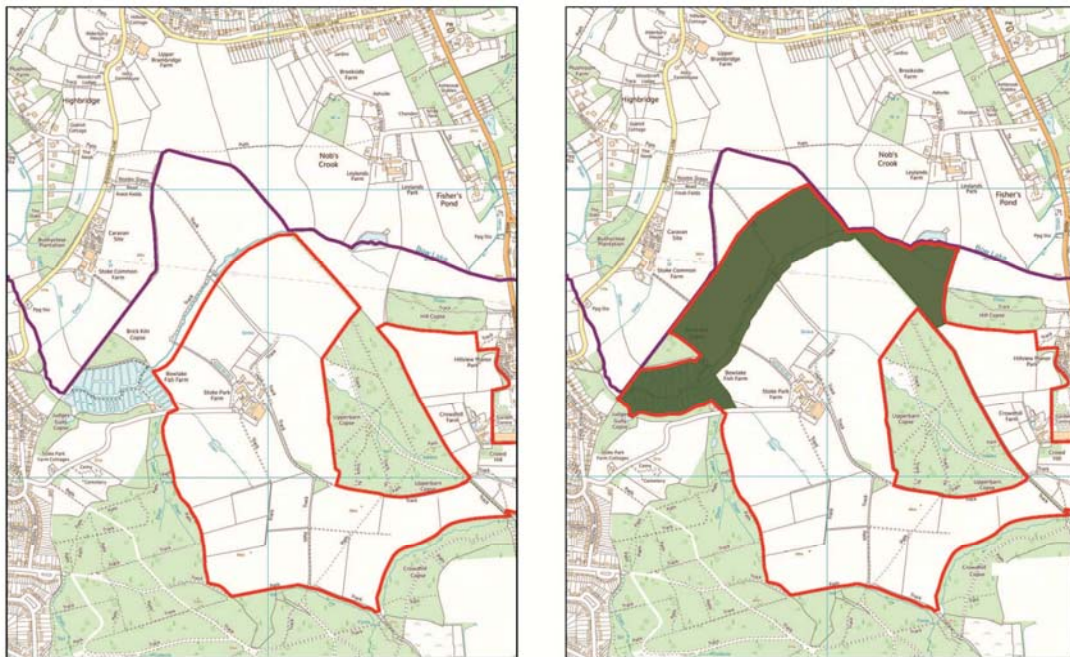
Main Modifications to the Policies Map

Policy S5, extension to Countryside Gap and designation of Environmental Mitigation



Scale:
Not to Scale
Mod Reference:
174
Date:
January 2019

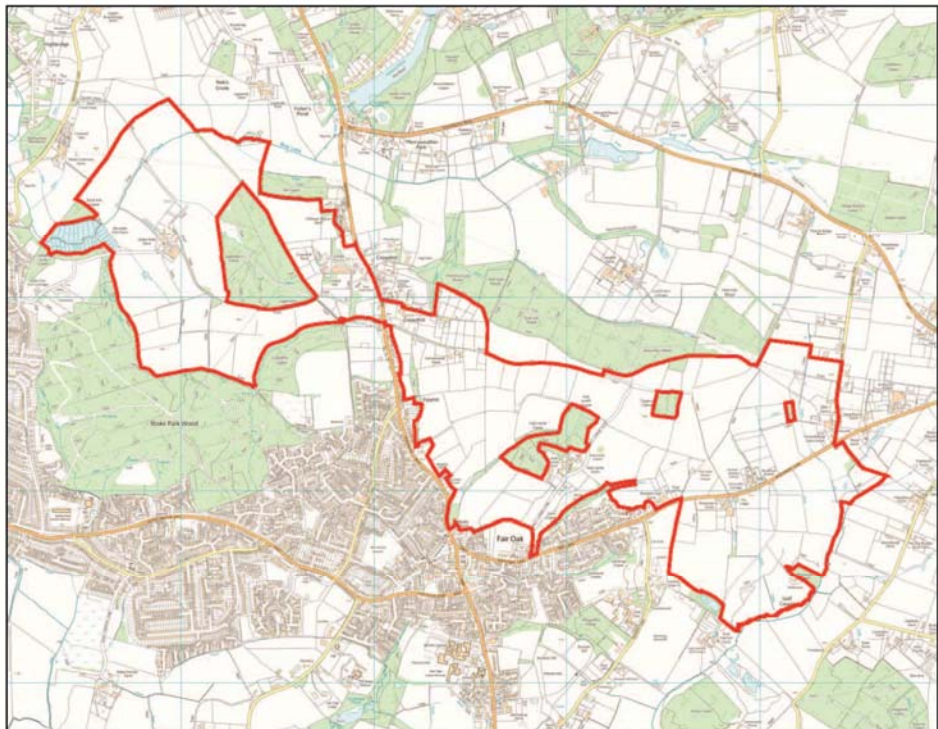
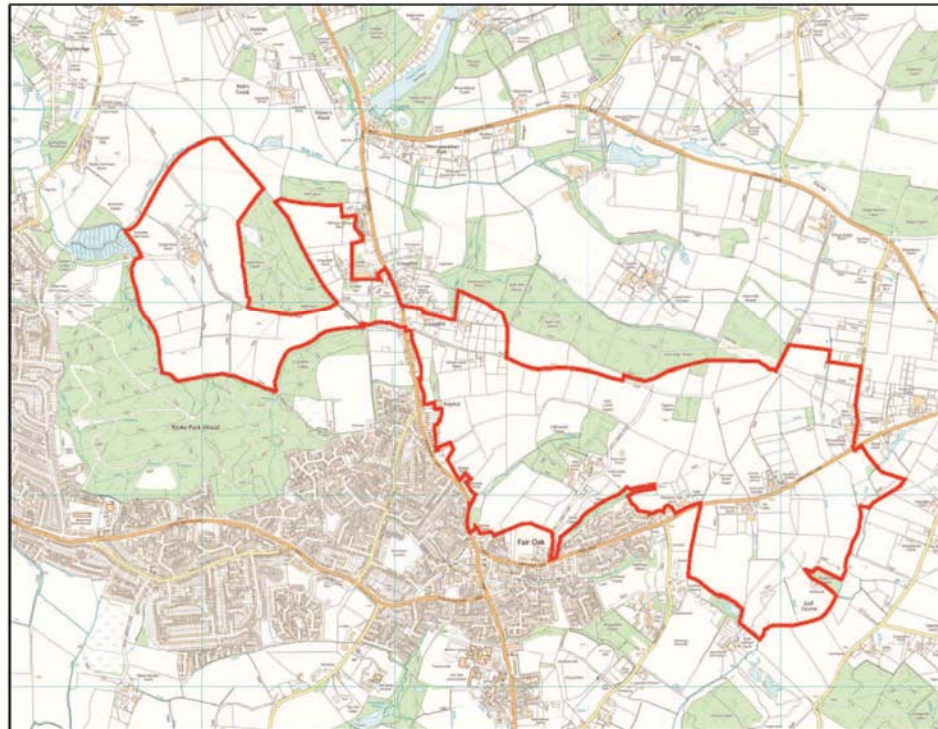
3.3 An environmental mitigation area is designated to the north of SGO B. (This is based on 30 metres to the south of Bow Lake Stream, but also extending further to the north to create a strong woodland belt of approximately 200 metres in width to connect the existing adjacent woodlands. This also reflects the ecological opportunity area identified in the Hampshire and Isle of Wight Nature Partnership’s ecological mapping. This represents the extent of the environmental mitigation area required in this location to address the ancient woodland issues, and does not prejudice further discussions about the extent of environmental mitigation to address other issues such as nitrate neutrality. (In any case at this stage the environmental mitigation area is extended to include the Bow Lake fish farm, to assist with achieving wider environmental net gain, sustainable drainage and nitrate neutrality). The SGO policy boundary is extended to include all of this area, to facilitate the implementation of this environmental mitigation area:



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 Strategy Services	Title Main Modifications to the Policies Map Policy S5, Designation of Environmental Mitigation	Key:  Borough Boundary  Proposed Environmental Mitigation  SGO Boundary	Scale: Not to Scale Grid Reference: 173 Date: January 2019
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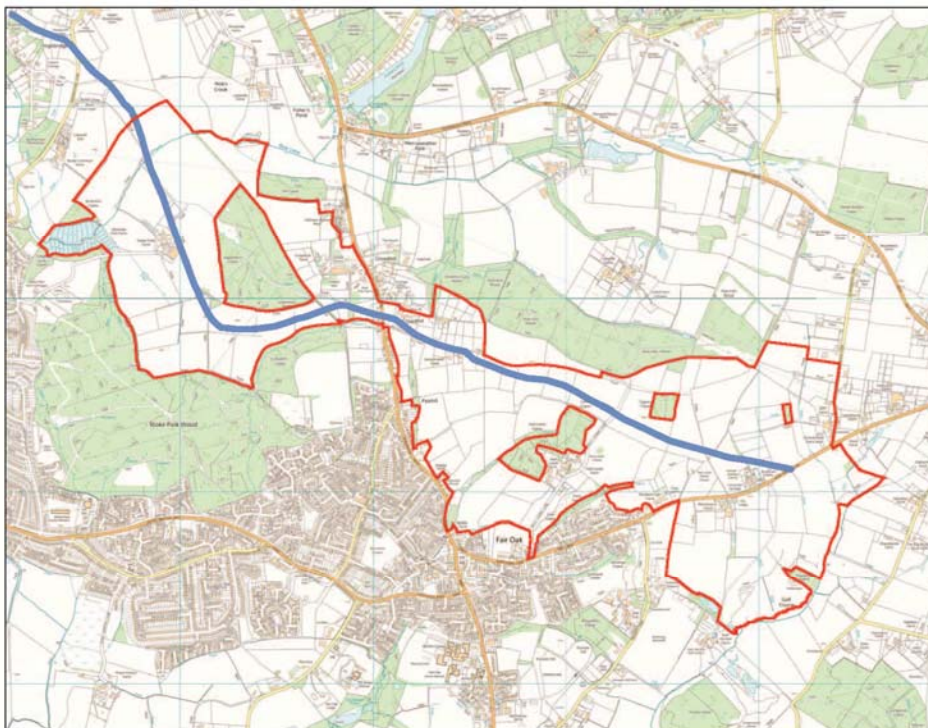
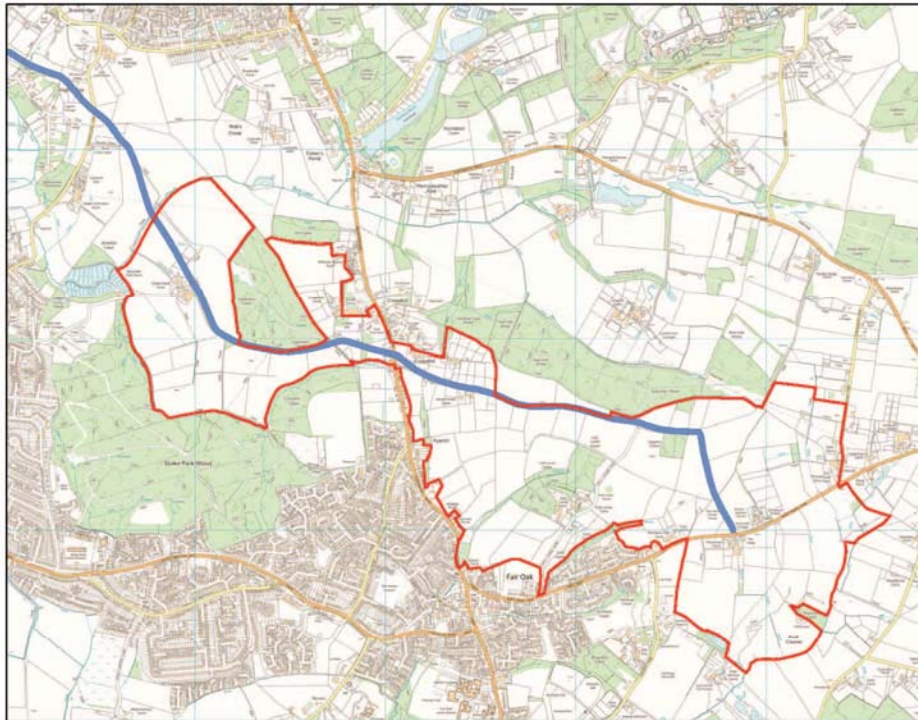
3.4 For clarity an SGO boundary is also added around the woodlands within the SGO, to confirm that they lie outside the SGO policy area:



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 <p>EASTLEIGH BOROUGH COUNCIL</p> <p>Strategy Services</p>	<p>Title</p> <p>Main Modifications to the Policies Map</p> <p>Policy S5, SINC and SGO Boundaries</p>	 <p>Scale: Not to Scale</p> <p>Grid Reference: 172</p> <p>Date: January 2019</p>
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- 3.5 The policies map includes an indicative line for the link road, and this is adjusted to reflect a more likely route. This includes moving it away from the edges of the woodlands.



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 <p>EASTLEIGH BOROUGH COUNCIL</p> <p>Strategy Services</p>	<p>Title</p> <p>Main Modifications to the Policies Map</p> <p>Policy S6, Indicative Link Road</p>	 <p>Scale: Not to Scale</p> <p>Grid Reference: 175</p> <p>Date: January 2019</p>
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4. Conclusion

- 4.1 It is agreed between the parties to this statement that the Local Plan policies S5 (relating to the strategic growth option) and S6 (the associated link road) are 'sound' in relation to woodlands and the habitats they support, including the ancient woodlands, provided the modifications to the plan set out in this statement are made.

www.eastleigh.gov.uk/localplan2016-2036

