

## Jessica Wells

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**From:** [REDACTED]  
**Sent:** 16 December 2022 16:29  
**To:** Local Plan  
**Subject:** Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan - Consultation Response  
**Attachments:** ESG Representation Form.pdf; NP ESG Reg 16 Consultation - Representation obo Sedas Strategic Land (for submission).pdf

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Good afternoon,

Please see attached representation and completed form, submitted in response to the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan Consultation.

I should be grateful for confirmation of safe receipt.

Many thanks  
Chris

**Christopher Roberts**  
Associate Director Wokingham



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**Are you responding as:**

- |                                       |                                     |                                |                          |
|---------------------------------------|-------------------------------------|--------------------------------|--------------------------|
| An individual                         | <input type="checkbox"/>            | A town or parish council       | <input type="checkbox"/> |
| A district/borough council            | <input type="checkbox"/>            | A borough councillor/MP        | <input type="checkbox"/> |
| On behalf of an organisation          | <input type="checkbox"/>            | On behalf of a community group | <input type="checkbox"/> |
| A landowner/developer/agent/architect | <input checked="" type="checkbox"/> | Other                          | <input type="checkbox"/> |

## **PART B**

**PLEASE USE A SEPARATE SHEET FOR EACH REPRESENTATION**

**1. Which part of the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan does your representation relate to?**

- a. Paragraph  b. Policy  c. Other

**2. Do you support or oppose that part of the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan?**

**Support**  **Oppose**

**Please provide comments on the part of the neighbourhood plan that you refer to in Q1.**

Please remember that the examiner will test whether the neighbourhood plan meets the basic conditions and other relevant legal requirements. Your representation(s) should therefore aim to address whether or not the neighbourhood plan meets the basic conditions.

Please see accompanying representations which address a number of different policies and aspects of the Draft Neighbourhood Plan.

**Please state any improvements or modifications that you feel should be made to the neighbourhood plan.**

Please see accompanying representations

Continue on a separate sheet if necessary

The majority of neighbourhood plan examinations are expected to be through written representations. However, should the examiner decide there is a need for a public hearing, please state below whether you would like to participate.

**3.** If a public hearing is necessary would you like to participate?

a. No, I do not wish to participate at the examination public hearing

b. Yes, I wish to participate at the examination public hearing

**4.** If a public hearing is required please outline why you consider that your participation is necessary. Please note the examiner will determine the most appropriate procedure.

Continue on a separate sheet if necessary

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Personal information will also be shared with the appointed examiner, who may wish to contact you to discuss your comments and concerns, prior to the examination of the neighbourhood plan.

Please indicate below if you wish to be kept informed of the progress of the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan and if you are happy for us to contact you.

- a. If you wish to be notified of the Examiner's Report please tick box
- b. If you wish to be notified of the 'Made' Neighbourhood Plan please tick box

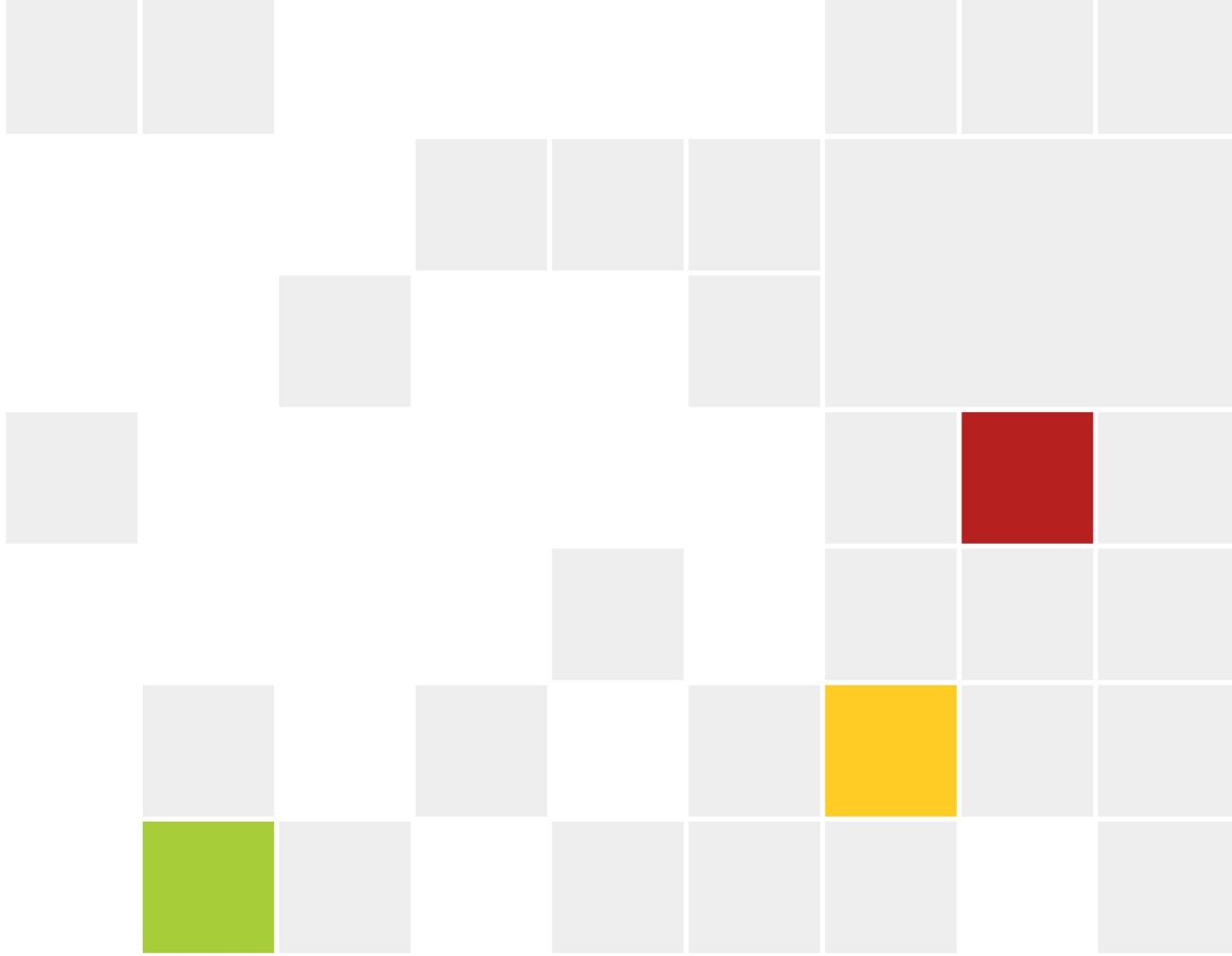
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- we will not disclose any information to other organisations unless we are required by law to do so
- your personal details will only be held as long as is needed for this consultation and in accordance with our retention policy

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# Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan Consultation



**Boyer**

## Report Control

Project:	Land at Bishops Green Farmhouse
Client:	Sedas Strategic Land
Reference:	
File Origin:	
Primary Author	Christopher Roberts
Checked By:	

<i>Issue</i>	<i>Date</i>	<i>Status</i>	<i>Checked By</i>
1	13 December 2022	Draft	Stuart Crickett
2	16 December 2022	Final	Client



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Appendix 2 – Illustrative Layout

Appendix 3 – Ecological Technical Note

Appendix 4 – Transport Technical Note

# 1. INTRODUCTION

## Background and Scope of these Representations

- 1.1 This representation has been prepared on behalf of Sedas Strategic Land ('Sedas'), in response to the 'Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan ('the NP') Regulation 16 Consultation'.
- 1.2 Sedas's interests relate to their ongoing promotion of 'Land at Bishops Green Farmhouse, Bishops Green' ('the site'), for a residential development, provided alongside green infrastructure, biodiversity enhancements and public open space. This site is identified in the Draft Site Assessment Report (August 2022) under reference 'BGF'.<sup>1</sup>
- 1.3 A Location Plan is provided at **Appendix 1**, with an illustrative layout being included at **Appendix 2**. An Ecological Technical Note is supplied at **Appendix 3**, whilst a Transport Technical Note is presented at **Appendix 4**.
- 1.4 Sedas welcomes the preparation of the NP and believes that the Plan could have a positive effect on planning within the Parish. Sedas also appreciates the opportunity to outline its observations on the consultation document and the evidence base reports which accompany it.
- 1.5 Nonetheless, in its present form, the draft NP does not meet the 'basic conditions', as identified in Paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990. We set out why this is the case in the following sections of this representation and set out how such issues could be remedied.
- 1.6 It should be noted that we have specifically sought to comment in respect of draft policies and approaches that are directly or indirectly pertinent to the promotion of Land at Bishops Green Farmhouse. However, we have also provided comments in relation to other proposed policies, where we believe these will enhance the NP and facilitate its implementation as an effective development management tool.
- 1.7 Accordingly, the following sections of this representation are set out as follows:
  - Section 1 – Introduction
  - Section 2 – Legal and Policy Context
  - Section 3 – Land at Bishops Green Farmhouse
  - Section 4 – Response to the Draft Neighbourhood Plan
  - Section 5 – Summary and Conclusions
- 1.8 We trust that our comments are of assistance to Basingstoke and Deane Borough Council (BDBC) and the appointed Examiner.

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<sup>1</sup> The site is alternatively identified as ref. EC001, within the BDBC Strategic Housing Economic Land Availability Assessment (SHELAA).

- 1.9 It should be noted that Sedas Land also responded to the previous Regulation 14 consultation, on 07 October 2022. Despite this, our representations do not appear to have been included within the consultee responses appended to the 'Neighbourhood Plan. Consultation Statement'.

## 2. LEGAL AND POLICY CONTEXT

### Overview

- 2.1 The Planning Practice Guidance (PPG) sets out that neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood. They also provide an opportunity to shape the development and growth of their local area. The PPG explains this at Paragraph: 003 Reference ID: 41-003-20190509;

*“Neighbourhood planning enables communities to play a much stronger role in shaping the areas in which they live and work and in supporting new development proposals. This is because unlike the parish, village or town plans that communities may have prepared, a neighbourhood plan forms part of the development plan and sits alongside the local plan prepared by the local planning authority. Decisions on planning applications will be made using both the local plan and the neighbourhood plan, and any other material considerations”.*

- 2.2 Neighbourhood planning is therefore recognised as a mechanism that allows local people to plan for the types of development that will meet their community’s needs. However, the ambitions of a Neighbourhood Plan must also align with the strategic needs and priorities of the wider local area (as defined through adopted and emerging Local Plans, and the associated evidence base).

### Basic Conditions

- 2.3 Once the Neighbourhood Plan is submitted for independent examination, it must be demonstrated that it conforms to the ‘basic conditions’ as identified in Paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (TCPA 1990). The Plan must also be legal in every other respect.
- 2.4 Following submission, it will be the role of an Independent Examiner to consider whether the draft Neighbourhood Plan meets the basic conditions. In order to meet the basic conditions, the making of the Neighbourhood Plan must:
- Be appropriate to do so, having regard to national policies and advice contained in guidance issued by the Secretary of State;
  - Contribute to the achievement of sustainable development;
  - Be in general conformity with the strategic policies of the development plan; and
  - Not breach, and must be otherwise compatible with, European Union (EU) and European Convention on Human Rights (ECHR) obligations.
- 2.5 In considering the submitted Neighbourhood Plan, the Independent Examiner will also be required to establish that the Plan:

- Has been prepared and submitted for examination by a qualifying body;
- Has been prepared for an area that has been properly designated;
- Includes development that is excluded development (it cannot);
- Relates to only one Neighbourhood Area; and
- Contains only policies that relate to the development and use of land.

2.6 Further guidance on each of the basic conditions is provided under the respective sub-headings below.

### **Regard to National Policy**

2.7 A Neighbourhood Plan must have regard to the National Planning Policy Framework ('NPPF') and associated guidance. In this respect, NPPF Paragraph 13 states that:

*"The application of the presumption [in favour of sustainable development] has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should:*

- *Support the delivery of strategic policies contained in local plans or spatial development strategies; and,*
- *Should shape and direct development that is outside of these strategic policies".*

2.8 NPPF Paragraph 29 further reiterates the need for Neighbourhood Plans to be aligned with the strategic needs and priorities of the wider local area. It states that: "...*Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies*". This is supported by NPPF footnote 16 which states: "*Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area*".

2.9 Pursuant to this, the PPG (at Paragraph: 069 Reference ID: 41-069-20140306) further clarifies that 'regard to national policy' means that a "*Neighbourhood Plan or Order must not constrain the delivery of important national policy objectives*".

2.10 In addition, Neighbourhood Plans are also required to provide sufficient clarity to enable their policies to fulfil their intended development management role. Moreover, such policies must relate specifically to the unique circumstances of the neighbourhood area. This means that Neighbourhood Plan policies should not duplicate general Local Plan policies. These requirements are considered at the PPG Paragraph: 041; Reference ID: 41-041-20140306;

*“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.”*

- 2.11 It is further specified that there has to be robust evidence to support particular policies, as may be proposed in a Neighbourhood Plan. It is not permissible to rely on conjecture or assertions. Nor is it sufficient (for example) to rely on a survey of local opinion, in order to suggest that a particular policy is justified because of the aspirations or concerns of the local community. In this regard the PPG, at paragraph 040 Reference ID: 41-040-20160211, states that;

*“While there are prescribed documents that must be submitted with a neighbourhood plan or Order there is no ‘tick box’ list of evidence required for neighbourhood planning. Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan or the proposals in an Order...”*

#### **Contribution to the Achievement of Sustainable Development**

- 2.12 All plan-making should contribute to and help to achieve sustainable development. Sustainable development is defined at NPPF paragraph 8. It encompasses three overarching objectives - environmental, economic and social;

*“a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*

*c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”*

- 2.13 At NPPF paragraph 11, it is confirmed that all “Plans and decisions should apply a presumption in favour of sustainable development.” With it being added that;

*“For plan-making this means that:*

*a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change”*

- 2.14 Accordingly, Neighbourhood Plans should contribute to improvements to the three dimensions of sustainable development. If there are likely potential adverse effects as a result of the Plan, there should be measures in place that will reduce or offset these effects. This requirement is outlined in the PPG, at paragraph 072 Reference ID: 41-072-20190509 adds that;

*“This basic condition [contributing to sustainable development] is consistent with the planning principle that all plan-making and decision-making should help to achieve sustainable development. A qualifying body should demonstrate how its plan or Order will contribute to improvements in environmental, economic and social conditions or that consideration has been given to how any potential adverse effects arising from the proposals may be prevented, reduced or offset (referred to as mitigation measures).*

*In order to demonstrate that a draft neighbourhood plan or Order contributes to sustainable development, sufficient and proportionate evidence should be presented on how the draft neighbourhood plan or Order guides development to sustainable solutions.”*

### **Conformity with the Strategic Policies in the Development Plan of the Local Area**

- 2.15 NPPF paragraph 13 is clear that Neighbourhood Plans should support the strategic development needs set out in Local Plans, including policies for housing and economic development. At footnote 16 and paragraph 29, the NPPF also states that Neighbourhood Plans should be in general conformity with the strategic policies of the Development Plan and that Neighbourhood Plans should plan positively to support them.
- 2.16 The Development Plan for the Neighbourhood Plan Area currently comprises the Basingstoke and Deane Local Plan (Local Plan), which was adopted in 2016 and which covers the period up to 2029. The Hampshire Minerals and Waste Plan (HMWP), which was adopted in 2013, also forms part of the relevant Development Plan for the area. The HMWP plan-period runs until 2030.
- 2.17 In addition, the Local Planning Authority (LPA), BDBC, is also preparing a ‘Local Plan Update’, which will seek to guide development up to at least 2038. A Regulation 18 ‘Issues and Options’ consultation took place in 2020, and a further Regulation 18 Consultation had been expected to take place during the Autumn of 2022. However, this is now expected to be delayed until into 2023.
- 2.18 Nonetheless, the ‘Economic, Planning and Housing Committee’ (meeting on 2 September 2021 and again on 6 January 2022), considered a paper where Bishops Green was identified as a ‘Smaller Village’. This was based on analysis within the ‘Basingstoke and

Deane Settlement Study' (2020). The committee papers identified a proposed apportionment of 15 homes to the settlement.

- 2.19 The PPG is clear that a draft Neighbourhood Plan is not tested against the policies in an emerging Local Plan. It is therefore possible for the NP to proceed to referendum and be 'made' prior to the new Local Plan being adopted. However, the PPG at Paragraph: 009 Reference ID: 41-009-20190509 adds that;

*...the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. For example, up-to-date housing need evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development.*

- 2.20 In considering the primary policy objective of achieving of sustainable development, it is also entirely possible (as indicated at PPG Paragraph: 103 Reference ID 41-103-20190509) for a Neighbourhood Plan to propose housing growth at a level exceeding the requirement identified by the LPA. This may well be a suitable approach, where the allocation of additional housing can create further social, economic or environmental benefits.

#### **Compatibility with EU and Human Rights Regulations**

- 2.21 Neighbourhood Plans must not breach and must be compatible with EU and human rights obligations, including the Strategic Environmental Assessment (SEA) Directive. The SEA is a procedure (set out in the Environmental Assessment of Plans and Programmes Regulations 2004) which requires the formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment.
- 2.22 It is further specified that Neighbourhood Plan areas which are in close proximity to (or that may lead to adverse effects on) a wildlife site that has been designated under the EU Habitats Directive, may also have to undertake a Habitats Regulation Assessment (HRA). A HRA is required to determine whether a plan or project would have significant adverse effects upon the integrity of internationally designated sites of nature conservation importance, or Natura 2000 sites. Undertaking a HRA screening will ensure that Neighbourhood Plans meet the requirements of the Directive and help to meet the Basic Condition to be in line with EU regulations.

### 3. LAND AT BISHOPS GREEN FARMHOUSE

- 3.1 As indicated, Sedas is promoting Land at Bishops Green Farmhouse (site BGF) for a sustainable, high-quality, landscape-led residential development.

#### Site Context and Characteristics

- 3.2 The site comprises a single parcel of agricultural land, located to the east of the current built extent of the settlement. The land is well contained by mature trees, hedgerows and vegetation, and benefits from clearly defined physical boundaries. Ecchinswell Road borders the site to the west, whilst Hyde Lane encloses the site to the east. To the north the promoted land borders Bishops Green Farmhouse.
- 3.3 An existing agricultural access to the site is located on Ecchinswell Road, to the west. The nearest bus stop is situated (on Ecchinswell Road) near the junction with Ash Road, around a 230m walk from the current site access. The stop is served by the No. 103 route, which provides access to Greenham Park and Newbury, and the employment opportunities and services available at these locations.
- 3.4 As confirmed in the accompanying Technical Note (**Appendix 3**), biodiversity interest is largely restricted to the site's boundary hedgerows and trees, whilst the main body of the land (having been in agricultural use) is not of significant ecological value. There are no Tree Preservation Orders (TPOs) on site, however an area of woodland (to the east of Hyde Lane) is identified by BDBC as a BAP Priority Habitat. Development at the site would need to provide an appropriate buffer towards this woodland.
- 3.5 Regarding landscape, the site is not within, nor in proximity to, the North Wessex Down Area of Outstanding Natural Beauty (AONB). The Basingstoke and Deane Landscape Character Assessment (May 2021) suggests that the site falls within the Ecchinswell Character Area. In terms of visibility, the site is largely screened from views along Ecchinswell, but is relatively more visible from Hyde Lane, owing to the gradient of the land. Boundary landscape enhancements would be required to reduce the effects of future development.
- 3.6 The site does not contain any Listed Buildings or Scheduled Ancient Monuments, nor is it located within or in the vicinity of a Conservation Area. Whilst archaeological surveys would need to be undertaken in support of any future planning application, a review of the Historic Environment Record did not highlight features of recorded archaeological interest within the local area. This suggests a low-probability of finds of historical interests being made at the site.
- 3.7 With respect to flood risk, the Environment Agency (EA) mapping confirms that the site lies wholly within Flood Zone 1. This confers the lowest risk of flooding from fluvial sources. In terms of surface water flooding, EA mapping further confirms that the site is free from surface water constraints, aside from a small area where the site adjoins Hyde Lane. This part of the site is envisaged for open space and green infrastructure.

## The Proposed Development

- 3.8 The emerging site layout (at **Appendix 2**) indicates that the site is suitable for allocation and capable of accommodating approximately 27 dwellings, of which 11 (40%) would be expected to be affordable homes, in line with adopted planning policies. The dwellings would be provided predominantly as two storey dwellings, with a small number of flats (these will appear as houses, rather than blocks of apartments). To cater to local needs, the size of the properties ranges from 1 to 5-bedrooms.
- 3.9 A vehicular access is envisaged from Ecchinswell Road, which will meet the design requirements of the Local Highways Authority (LHA), Hampshire County Council (HCC). New sections of footway (on Ecchinswell Road) are proposed to allow for pedestrians to access the existing village via Eagle Road. A further pedestrian route is proposed at the north of the site to provide wider connectivity. All dwellings will include on-site parking, consistent with BDBC and HCC standards. Further details are provided in the Transport Technical Note (**Appendix 4**).
- 3.10 The proposed homes will be arranged in outward-facing perimeter blocks and are organised around a hierarchy of adoptable residential streets and secondary shared streets. Gardens will be generously sized and, where possible, parking bays are located to the side of the proposed homes, to reduce the presence of vehicles within the street scene. Surface water will be addressed through a Sustainable Urban Drainage System (SuDS), which will achieve 'greenfield run-off rates'.
- 3.11 The new homes would be provided alongside a Locally Equipped Area for Play (LEAP) or Local Area for Play (LAP), subject to advice from BDBC, together with a further area of public open space for walking and informal recreation. Boundary landscaping will be enhanced to reduce visual impacts and new planting will be provided throughout the development, to soften its appearance and to respond to the rural character of the area.
- 3.12 All existing landscape features will be retained, with removal being limited to where this is necessary to achieve a suitable vehicular access. Areas within the site will also be provided for biodiversity enhancements and enrichment. Green buffers are also envisaged towards the hedgerows and belts of mature trees that border parts of the site. This will help to both ensure the arboricultural health of existing specimens and create green corridors for new planting.
- 3.13 The new homes will be designed to contribute to zero-carbon objectives. Each property will be served by an electric vehicle charging point, will be highly thermally efficient and will generate renewable energy through the inclusion of photovoltaic panels on appropriately oriented roof spaces. Whilst the homes will be energy efficient, they will be built in a traditional vernacular, with their appearance being high-quality and consistent with the ES&BG Neighbourhood Plan Design Code.

- 3.14 It is recognised that the scale of development proposed at the site is greater than the apportionment to Bishops Green currently envisaged in the NP. The following section of this representation sets out why a more substantial apportionment to Bishops Green would be more effective at promoting sustainable development, as part of a modified NP strategy.
- 3.15 Notwithstanding these comments, Sedas wishes to clarify that it would be happy to revise the proposed housing mix, to ensure any scope for additional community benefits might be capable of being provided. This could include providing properties for older people / people with additional needs, such as bungalows, etc. Likewise, the dwellings provided could specifically include homeworking spaces, to help reduce commuting, as finds support in draft Policy ESBG9.
- 3.16 We would welcome the opportunity to discuss our approach with the Parish Council and on a 'without prejudice' basis to any decision to allocate the site or otherwise.

## 4. HOUSING POLICY COMMENTS

### Settlement Boundaries (Draft Policy ESGB1)

- 4.1 Policy ESGB1 proposes to define settlement boundaries for both Bishops Green and Ecchinswell, these being the two main settlements within the Neighbourhood Plan Area. Sedas agrees with this approach, as the introduction of such boundaries provides clarity for residents and developers alike.
- 4.2 However, as we note below, we are concerned that the proposed allocation at Ecchinswell (as proposed in Policy ESGB3) would not actually be included in the new settlement boundary. In our view, this points to the unsuitability of 'Site EX' for the envisaged residential development.
- 4.3 As a separate matter, limb 'c' of this draft policy, which relates to the River Test catchment area and nitrate / nutrient neutrality, appears out of place. This is noting that it relates to the management of protected ecological interests, rather than settlement boundaries. Indeed, the area falling within the catchment does not actually contain any villages that are proposed to be enclosed within such boundaries.
- 4.4 If this policy is to remain in the NP, then it would perhaps be more logically included within Policy ESGB12, as this relates to green infrastructure and nature recovery. This said, it may be more appropriate to simply omit this policy from the NP, as Natural England, HCC and the relevant district and borough councils across Hampshire, are working to create a strategic approach to mitigation, which will be applied across a wide spatial area.
- 4.5 Therefore, it does not appear to be necessary to include a policy relating to nitrate neutrality within the NP.

### Overall Housing Provision (Draft Policy ESGB2)

- 4.6 Whilst Sedas welcomes the fact that the NP seeks to allocate land for housing, several concerns are raised in respect of the overall amount of proposed housing. In this respect, Policy ESGB2 indicates that the NP seeks to provide 20 to 25 dwellings (across the NP Area), with it being explained in the supporting text that this is consistent with the figure identified by BDBC.
- 4.7 However, as set out at NPPF paragraphs 11 and 61, housing need / housing requirements are expressed as *minimum* figures, they are not a cap. This approach applies to the housing requirements identified in both the adopted BDBC Local Plan and the emerging Local Plan Update. Subsequently, any figure disaggregated down to a Neighbourhood Plan also only represents a minimum target (thereby ensuring general conformity with the strategic policies for the area, as per NPPF paragraph 29).
- 4.8 In this instance, there is a strong case for planning to exceed the minimum figures that BDBC has identified for the parish. As set out below, Sedas considers that the NP should

plan for the delivery of additional sites over the Plan-period. This will allow for a greater mix of housing to be provided and facilitate the delivery of more affordable homes. A more ambitious strategy is also more likely to prove effective at delivering wider infrastructure and community benefits. This is further explained below.

### **Housing Supply to Meet Local Needs (Draft Policy ESBG2)**

- 4.9 In terms of meeting the identified housing requirement, draft Policy ESBG2 indicates that 5 homes are derived from assumed windfall provision, whilst a further 5 dwellings are to be delivered through a proposed allocation at Ecchinswell. The remaining 15 are to be provided through an allocation at Bishops Green.
- 4.10 We acknowledge that Catesby Estates is promoting land to the north and has submitted an outline planning application (ref. 21/03598/OUT) for some 350 dwellings. Clearly, the approval of this development would introduce a major (indeed, transformative) scale of growth at the settlement. However, based on a review of the consultee comments provided in respect of that application, it is far from clear that planning approval will be forthcoming.
- 4.11 Likewise, it is recognised that the outline planning application for up to 42 dwellings (Ref. 22/00174/OUT) on land to the north of Bishops Green, now benefits from a resolution to grant planning permission (subject to the signing of a Section 106 Agreement), following a meeting of BDBC's Development Control Committee on 07 December 2022.
- 4.12 However, putting aside these applications, the NP's approach represents (in our opinion) a missed opportunity to maximise the socio-economic benefits that it could secure. For example, the allocation envisaged at Draft Policy ESBG4 will result in a 5-dwelling development at Ecchinswell. However, this scale of the development is unlikely to trigger the threshold for the provision of affordable housing (1,000 sqm) and the mix of dwellings that will be provided will be inherently limited by the scheme's size.
- 4.13 The same will also be true of new dwellings that may be brought forward through 'windfall' applications. Whilst we do not dispute that such developments may provide a handful of new homes over the Plan-period, it should be recognised that windfall developments (particularly in rural settlements) typically concern proposals for a small number of larger houses. This source of supply is therefore less likely to provide homes that address local needs.
- 4.14 Nor is it the case that the resolution to grant planning permission for Ref. 22/00174/OUT would mean that affordable housing needs within the parish are fully met. Indeed, it was acknowledged during the Committee's debate that 7 additional affordable homes would still need to be provided, over and above any that would be delivered on land to the north of Bishops Green (assuming that scheme is successfully implemented).
- 4.15 In view of this, we recommend that the proposed strategy for housing provision be revised. Specifically, the level of housing provision overall should be increased. This should include an additional allocation at Bishops Green and we maintain that Land at Bishops Green Farmhouse (site BGF) represents the most suitable available site for this purpose.

- 4.16 Were this change to be made, the allocations at Bishops Green would still be of a scale that is proportionate and reasonable, relative to the size and sustainability of the settlement. Indeed, they would certainly be much smaller than the planning applications described previously. So, there would be no major disbenefits or conflict regarding locational sustainability.
- 4.17 Conversely, because development would be concentrated into two allocations at Bishops Green (each of meaningful scale), the NP could expect to achieve significant additional benefits. Modest levels of additional development at Bishops Green will be better able to support a genuine mix of dwelling types and sizes. Likewise, such developments will facilitate an increased number of affordable homes and could more realistically provide plots for self-build dwellings, accommodation for meeting older peoples need and/or specialist accommodation for older people.
- 4.18 Focusing development at Bishops Green would also help to secure the transport enhancements that the NP seeks. For example, the request bus stop that the NP aspires to through Draft Policy ESGB3, is unlikely to be achieved via an allocation of only 15 dwellings. However, if sites BGI and BGF were allocated in conjunction, then there would be potential to provide not just a request stop, but a physical bus shelter. This could be provided alongside additional enhancements on Ecchinswell Road, to improve the potential for safe pedestrian accessibility in this part of the settlement.

#### **Sites Proposed for Allocation (Draft policies ESGB3 and ESGB4)**

##### *Draft Policy ESGB3 (Site Ref BGI - Land South of Rooksfield and West of C155 Ecchinswell Road).*

- 4.19 With regard to Bishops Green, Land South of Rooksfield and West of C155 Ecchinswell Road, is proposed to be allocated for the delivery of 15 homes and an area of public open space. This proposed allocation has the advantage of being located in Bishops Green, a settlement that is less constrained than Ecchinswell and which has the potential to benefit from sustainability enhancements.
- 4.20 As the SEA and Site Assessment Report notes (at paragraphs 4.6 to 4.10, there is little to distinguish the overall suitability of site BGI when compared to nearby site BGF. Both are scored similarly in terms of prevailing constraints and each are recognised as being able to provide mitigation. Site BGF admittedly scores slightly lower in terms of biodiversity. However, this score is a result of the lack technical information. The accompanying Ecological Technical Note (**Appendix 3**) confirms the absence of ecological constraints
- 4.21 However, as indicated through our comments on the level of overall housing provision and the strategy for housing distribution, Sedas considers that there is a strong case for allocating both sites BGI and BGF. This would allow for a range of additional sustainability benefits to be secured, through a coordinated policy-led approach.

Draft Policy ESBG4 (Site Ref. EX - Clere Livery Stables)

- 4.22 In respect of Ecchinswell, the site proposed for allocation (at Draft Policy ESBG4) appears to have been selected (partly) on the basis that the site represents 'previously developed land' (PDL). However, from the details presented in the NP and the evidence base documents, it is not clear if the site actually meets the definition of PDL, as set out at page 70 of the NPPF.
- 4.23 In any case, this particular site does not relate well to the existing settlement and is disconnected from the centre of the village. This is focused on/around the public house, and then the Village Hall and school further to the north. It is telling, that the site (when developed) would remain outside of the settlement boundary (as proposed to be created through Draft Policy ESBG1 and as set out at NP 'Policies Map Inset 3') and is located within the AONB.
- 4.24 Moreover, the road lacks an existing pedestrian footpath and there appears to be limited scope for enhancement. At paragraph's 5.30 to 5.35, the NP explains how a 'green path' can instead be provided within the field to the north. However, this would not extend far enough to provide a safe route into the village.
- 4.25 Taking account of these considerations, it is doubtful whether housing development at this location represents sustainable development, particularly when having regard to the requirements of NPPF paragraph 105, which seeks to direct development to locations that are, or which can be made, sustainable. Similarly, it is not clear that a future planning application would meet the tests outlined at NPPF paragraph 110 (which applies to decision-taking for proposals on both allocated and un-allocated sites). These require that;
- "a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location", and that,*
- "b) safe and suitable access to the site can be achieved for all users"*
- 4.26 Noting the above, it appears quite likely that the LHA would object should a planning application be brought forward at this site. This points to a lack of conformity with national planning policies and a conflict with the basic conditions test, set out in legislation.
- 4.27 Therefore, and in view of our previous comments regarding the opportunities provided by larger sites, the allocation currently envisaged at Draft Policy ESBG4 should be omitted from the NP. The residual housing numbers could then be reapportioned to Bishops Green, in order to allow for a more meaningful growth at that settlement, which has the added benefit of being less constrained in respect of heritage and landscape matters.

## 5. OTHER POLICY COMMENTS

### **Support For Home Working (Policy ESGB9)**

- 5.1 This draft policy is supported and Sedas comment only insofar as to confirm that they would be happy to make provision for home working facilities, should Land at Bishops Green Farmhouse (BGF) be brought forward for development. This would be achieved (as appropriate) through the inclusion of study rooms within the dwellings, or through the inclusion of offices / flexible spaces within the rear garden of the properties.

### **Green Infrastructure Network and Nature Recovery (Policy ESGB12)**

- 5.2 Sedas agrees with and supports this policy in-principle. Insofar as it relates to Land at Bishops Green Farmhouse (BGF), the Green Infrastructure Network Map (at NP page 60) identifies a green corridor on the southern boundary of the land, which appears to relate to the boundary hedgerow.
- 5.3 Should the site be brought forward for development, this hedgerow will be retained and there is scope to provide a green buffer towards this feature, which will include landscape and biodiversity enhancements. This is in addition to the buffer and enhancements that will be provided towards the nearby woodland, which lies to the east of the site.
- 5.4 Separately, the supporting text to the policy further identifies a shortfall of Accessible Natural Green Space (as defined in the adopted BDBC Local Plan). There is scope to provide assessable open space on Site BGF, within the framework of a holistic development that provides additional sustainability benefits.

### **Zero Carbon Buildings (Policy ESGB16)**

- 5.5 As noted above, Sedas supports the net zero carbon agenda, and understands that changes to development and construction practices which are required to support this.
- 5.6 However, the stipulations of Policy ESGB16 are strategic in nature, as they set out environmental and design requirements that would be better applied consistently across the Borough, through the Local Plan Update. Indeed, in the interests of sound planning, sustainable design requirements should not be set at the level of the parish / Neighbourhood Area, given the complexity this would create for developers who must operate across a broader geography.
- 5.7 The Neighbourhood Plan-making process also provides limited scope for matters such as viability (as impacted by construction costs) to be fully considered, which is necessary in order to ensure compliance with the NPPF and general conformity with the strategic policies of the Development Plan. At this stage, neither the NP or the supporting evidence base appears to include a viability assessment.

- 5.8 In addition, draft Policy ESBG16 appears to conflict with the requirements of adopted Local Plan Policy EM10 (a strategic policy) and the Borough-wide Design and Sustainability SPD, which it directly references. The strategic nature of proposed Policy ESBG16 is further confirmed by the fact that it will be superseded by equivalent sustainability related policies in the emerging Local Plan Update.
- 5.9 As set out in the Planning Practice Guidance (PPG) (at paragraph 76 Reference ID: 41-076-20190509), it is not the role of a Neighbourhood Plan to create strategic policies. Accordingly we recommend proposed Policy ESBG16 be omitted from the NP. However, if the policy is retained, it should be renamed 'Net Zero Carbon Buildings'. This amendment is needed, because as net zero development is what that policy wording and supporting text actually aspires to.

#### **Encouraging Active and Sustainable Transport (Policy ESBG17)**

- 5.10 Sedas agrees with the principle of this proposed policy, as it seeks to promote sustainable accessibility, safe mobility and travel planning, all of which contributes towards sustainable development. However, consistent with our comments in Section 4 of these representations, the NP's objectives in respect of Bishops Green would be better facilitated through a larger apportionment, delivered through the allocation of sites BGI and BGF.
- 5.11 Indeed, the 'Slow the Pace' areas identified on the proposed polices map, would benefit from the more substantive pedestrian infrastructure / traffic calming improvements on the relevant section of Ecchinswell Road, that could be delivered through this approach. Likewise, as noted previously, the two allocations together are much more likely to secure a new covered bus shelter, than the current proposal for single allocation for 15 dwellings, at site BGI.

## 6. SUMMARY AND CONCLUSION

- 6.1 Sedas welcomes the preparation of a Neighbourhood Plan for the Parish of Ecchinswell, Sydmonton and Bishops Green, and recognises that neighbourhood planning can allow local communities to play a meaningful and positive role, in influencing development within their area.
- 6.2 As we have set out in these representations, there are many aspects of the draft NP that are of merit and which should be carried forward. However, Sedas considers that the NP should make provision for a greater number of homes than the 25 presently being considered. The housing apportionment, identified by BDBC, represents *only the minimum figure* and exceeding this requirement would bring additional sustainability benefits to the Parish and its community.
- 6.3 Sedas recommends that the Plan be modified, such that additional development is brought forward at Bishops Green. This will allow for a greater mixture of market and affordable homes to be provided. Allocating both sites BGI and BGF also allow for more substantive infrastructure enhancements to be secured, not least a new bus stop at the southern extent of the settlement.
- 6.4 We have also provided comments on a number of the other proposed policies. In this regard, Sedas are concerned that some of the draft policies appear to be strategic in nature (therefore exceeding the permitted scope of a Neighbourhood Plan), or are otherwise not supported by sufficient evidence to confirm their effectiveness / feasibility. These policies should be revisited, to ensure the NP can meet the basic conditions test.
- 6.5 Additionally, these representations (in conjunction with the appended Technical Notes) have confirmed that site BGF (Land at Bishops Green Farmhouse) is free from any significant constraints that would inhibit its development for new homes, green infrastructure, biodiversity enhancement and public open space. It is therefore considered this site should be allocated, as part of a revised strategy for moderate housing growth.
- 6.6 Sedas would welcome the opportunity to discuss any of the matters raised in these representations with the Parish Council and/or Neighbourhood Plan Steering Group.

## **APPENDIX 1 – LOCATION PLAN**

## **APPENDIX 2 – ILLUSTRATIVE LAYOUT**

## **APPENDIX 3 – ECOLOGICAL TECHNICAL NOTE**

## **APPENDIX 4 – TRANSPORT TECHNICAL NOTE**

## **APPENDIX 1 – LOCATION PLAN**



## **APPENDIX 2 – ILLUSTRATIVE LAYOUT**



**Accommodation Schedule**

Affordable Dwellings		11no. - Req 10.8 Units	
2no.	1-Bedroom Flats	Flat Block	540sqft
1no.	2-Bedroom Flat	Flat Block	760sqft
3no.	2-Bedroom Houses	Semi-Detached	850sqft
4no.	3-Bedroom Houses	Semi-Detached	1005sqft
1no.	4-Bedroom House	Semi-Detached	1200sqft
Open Market Dwellings		16no.	
2no.	2-Bedroom Houses	Semi-Detached	950sqft
2no.	3-Bedroom Houses	Detached	1250sqft
4no.	3-4-Bedroom Houses	Detached	1350sqft
4no.	4-Bedroom Houses	Detached	1500sqft
4no.	4-5-Bedroom Houses	Detached	2000sqft
<b>Total: 27 Dwellings</b>		1.89 Ha approx. to Red Line - 14.3 Dw/Ha	
Car Parking:		1 space per 1-Bedroom Affordable Flat 2 spaces per 2, 3 & 4-Bedroom Affordable Flat House (including garages and car bays) 12 visitor spaces at circa. 1 per 2.25 dwellings	

Rev	Date	Revision Details	AK	AK
A	03.10.22	Updated to Client Comments	AK	AK
			Dr	Ch

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Client's Name  
**Sedas Strategic Land**

Job Title  
**Land at Bishop's Green Farmhouse, Ecchinswell Road, Bishops Green**

Drawing Title  
**Feasibility Site Plan**

Scale  
**1:500 @ A1 1:1000 @ A3**

Drawn	Checked	Date
AK	KE	16.09.22

Job No	Drawing No	Rev
MPSSLBG	SK-02	A

Status  
**PRELIMINARY**



## **APPENDIX 3 – PRELIMINARY ECOLOGICAL APPRAISAL**



## Preliminary Ecological Appraisal

Bishops Green Farm House, Bishops Green, Newbury, RG20 4JP.

Status	Issue	Name	Date
Draft	1	Matthew Game BSc (Hons) ACIEEM REnvP	28/09/2022
Reviewed	1.1	Lizi Pimlott BSc (Hons) MSc MCIEEM MRSB, Principal Ecologist	01/10/2022
Final	2	Matthew Game BSc (Hons) ACIEEM REnvP	05/10/2022

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## **Industry Guidelines and Standards**

This report has been written with due consideration to:

- Chartered Institute of Ecology and Environmental Management (2017). Guidelines for Preliminary Ecological Appraisal. 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2018). Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. Version 1.1. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2017). Guidelines on Ecological Report Writing. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2020). Guidelines for Accessing, Using and Sharing Biodiversity Data in the UK. 2nd Edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- British Standard 42020 (2013). Biodiversity – Code of Practice for Planning and Development.
- British Standard 8683:2021 (2021). Process for Designing and Implementing Biodiversity Net Gain.

## **Proportionality**

The work involved in preparing and implementing all ecological surveys, impact assessments and measures for avoidance, mitigation, compensation and enhancement should be proportionate to the predicted degree of risk to biodiversity and to the nature and scale of the proposed development. Consequently, the decision-maker should only request supporting information and conservation measures that are relevant, necessary and material to the application in question. Similarly, the decision-maker and their consultees should ensure that any comments and advice made over an application are also proportionate.

This approach is enshrined in Government planning guidance, for example, paragraph 174 of the National Planning Policy Framework for England.

The desk studies and field surveys undertaken to provide a Preliminary Ecological Appraisal (PEA) might in some cases be all that is necessary.

(BS 42020, 2013)

## Executive Summary

Arbtech Consulting Limited was instructed to undertake a Preliminary Ecological Appraisal (PEA) at Bishops Green Farm House, Bishops Green, Newbury, RG20 4JP. (hereafter referred to as “the site”). The survey was required to inform a planning application for the redevelopment of the site, including the construction of new dwellings and the creation of a new access point (hereafter referred to as “the proposed development”).

**The following is work you will need to commission to obtain planning permission and to comply with legislation. Further information, along with opportunities for biodiversity enhancement, are outlined in Table 6 of this report.**

<b>Feature</b>	<b>Foreseen impacts</b>	<b>Recommendations</b> <i>Measures required to adhere to guidance, legislation and planning policies.</i>
Habitats and flora	No direct impacts to any notable habitats will occur as a result of the proposed development as only grassland and a very small amount of the boundary hedgerow will be affected by the proposed development. However, due to the proximity of the site to lines of trees, indirect effects such as pollution or tree damage could occur during construction.	Best practice measures to minimise the possibility of pollution and tree damage must be implemented during construction.
Foraging and commuting bats	The proposed development will not result in the removal of any habitats which could be used by foraging or commuting bats.  The proposed development could include the use of lighting which could spill on to bat roosting, foraging or commuting habitat and deter bats from using these areas.	A low-impact lighting strategy should be implemented.

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## **1.0 Introduction and Context**

### **1.1 Background**

Arbtech Consulting Limited was instructed to undertake a Preliminary Ecological Appraisal (PEA) at Bishops Green Farm House, Bishops Green, Newbury, RG20 4JP (hereafter referred to as “the site”). The survey was required to inform a planning application for redevelopment of the site, including the construction of new dwellings and the creation of a new access point (hereafter referred to as “the proposed development”). A plan showing the proposed development is provided in Appendix 1.

The aim of the PEA was to obtain data on existing ecological conditions, and to conduct a preliminary assessment of the likely significance of ecological impacts on the proposed development.

### **1.2 Site Context**

The site is located at National Grid Reference SU 50179 62780 and has an area of approximately 1.7ha. The site consists of a grazing field. The site is located rurally and the local area is dominated by arable fields, with Newbury extending to the north.

A site location plan is provided in Appendix 2.

### **1.3 Scope of the Report**

The PEA describes the baseline ecological conditions at the site, evaluates habitats within the survey area in the context of the wider environment and describes the suitability of those habitats for notable or protected species. It identifies possible ecological constraints as a result of the proposed development and summarises the requirements for further surveys and mitigation measures to inform subsequent mitigation proposals, achieve planning or other statutory consent and to comply with wildlife legislation.

To achieve this, the following steps have been taken:

- A desk study has been carried out.
- A field survey has been undertaken to record baseline information on the site and surrounding area including habitat types and their suitability for notable or protected species, including roosting bats.
- Invasive plant and animal species (such as those listed on Schedule 9 of the Wildlife & Countryside Act) have been identified.
- Potential impacts on features of value, as a result of the proposed development, have been identified.
- Recommendations for further surveys and mitigation have been made.
- Opportunities for the enhancement of the site for biodiversity have been set out.

## **2.0 Methodology**

### **2.1 Desk Study**

The desk study included a 2km radius review of statutory designated sites and notable habitats as well as a 2km radius review of granted European Protected Species Licence (EPSL) and notable species records held on magic.gov.uk database. An assessment of the surrounding landscape structure was also completed using aerial images from Google Earth and OS maps.

### **2.2 Field Survey**

The survey was undertaken by Matthew Game (Accredited Agent on Natural England Bat Licence Number: 2018-15716-CLS-CLS) on the 21<sup>st</sup> of September 2022.

#### **Preliminary Ecological Appraisal**

An extended habitat survey was undertaken, following the methodology set out in UK Habitat Classification User Manual (UK Habitat Classification Working Group, 2018). All land parcels are described and mapped and, where appropriate, target notes provide supplementary information on habitat conditions, features too small to map to scale, species composition, structure and management. Botanical species lists were compiled with reference to the DAFOR scale (D = Dominant; A = Abundant, F = Frequent, O = Occasional, R = Rare).

During the survey, habitats were assessed for their suitability to support protected species, and field signs indicating their presence recorded. The assessment takes into consideration the findings of the desk study, the habitat conditions on site and in the context of the surrounding landscape, and the ecology of the protected species.

### **2.3 Limitations**

It should be noted that whilst every effort has been made to describe the baseline conditions within the survey area, and evaluate these features, this report does not provide a complete characterisation of the site. This assessment provides a preliminary view of the likelihood of protected species being present. This is based on suitability of the habitats on the site and in the wider landscape, the ecology and biology of species as currently understood.

A biological records data search has not been undertaken. However, given the location of the site, the nature of the habitats present and the assessed suitability of the site for protected or notable species, it is not anticipated that the purchase of biological records data will add any significant weight or alter the conclusions and recommendations outlined in this report.

These limitations have been taken into account during the evaluation of the site and requirement for further surveys and mitigation. There were no other specific limitations to the report.

### 3.0 Results and Evaluation

#### 3.1 Desk Study Results

A summary of desk study results is provided below.

#### Designated Sites

Details of any statutory designated sites within a 2km radius of the site, including their reasons for notification, are provided in Table 1 below. The site sits within the impact risk zone for Greenham and Crookham Commons Site of Special Scientific Interest (SSSI). The proposed development is listed as a possible high risk with regard to this designation.

*Table 1: Statutory designated sites within 2km radius of the site*

<b>Designated site name</b>	<b>Distance from site (approx.)</b>	<b>Reasons for notification from Natural England</b>
Greenham and Crookham Commons SSSI	800 metres north	This site comprises of an extensive complex of heathland, grassland, gorse scrub, broad leaved woodland and alder-lined gullies.

#### Landscape

A review of aerial photographs (Google Earth) the magic.gov.uk database and OS maps has been undertaken. Collated together, the value of the landscape in terms of biodiversity is described below:

The site consists of a grazing field. The site is located rurally and the local area is dominated by arable fields, with Newbury extending to the north.

There are scattered woodland copses and tree lines around the area, which could be used by wildlife for shelter, foraging and commuting.

#### Notable Habitats

Notable habitats within 2km are listed in Table 2.

*Table 2: Notable habitats within 2km of the site*

<b>Habitat</b>	<b>Closest distance from site (approx.)</b>
Deciduous woodland	60 metres south
Good quality semi-improved grassland	270 metres east
Traditional Orchard	560 metres northeast
Woodpasture and parkland	590 metres south

### 3.2 Field Survey Results

The results of the field survey are illustrated in Appendix 3. The weather conditions recorded at the time of the survey are shown in Table 3.

*Table 3: Weather conditions during the survey*

Date: 21/09/2022	
Temperature	20°C
Humidity	72%
Cloud Cover	40%
Wind	7mph
Rain	None



### Habitats and Flora


The following habitats are present within the site:

- Line of trees – w1g6
- Other hedgerow – h2b
- Neutral grassland – g3
- Mixed scrub – h3h

A description and photograph of each habitat is provided in Table 4. No protected or non-native invasive plant species were identified on the site.

Table 4: Description and photographs of habitats within and adjacent to the site

Habitat Type	Habitat description	Photograph
Line of trees – w1g6	<p>There are lines of trees on the western boundary. Species composition is mostly early mature silver birch, with some hawthorn, oak and ash. This habitat is of moderate ecological value.</p>	
Other hedgerow – h2b	<p>On the southern boundary of the site is a low hedgerow, comprising hazel, blackthorn and some hawthorn. This is of moderate ecological value.</p>	

<p>Neutral grassland – g3</p>	<p>The majority of the site is neutral grassland. It is mown creating a sward height of approx. 5-8cm. Species composition is poor, comprising predominantly perennial ryegrass (D) and meadow grass species (F) with occasional broad-leaved herbs such as curled dock (O) and dandelion (O).</p>	
<p>Mixed scrub – h3h</p>	<p>In scattered areas across the site are areas of mixed scrub. This comprises of mostly bramble, with some nettle and ruderal grasses in places. This offers low ecological value.</p>	

**Fauna**

An assessment of the suitability of the site for protected or notable species is provided in Table 5.

*Table 5: Assessment of the suitability of the site for protected or notable species*

Species	Assessment of suitability																																			
Amphibians	<p>A review of the MAGIC database returned two granted EPSL records for great crested newts within 2km of the site. However, these are over 1.5km away from the site boundary.</p> <p>Great crested newts exist in metapopulations and are known to utilise ponds and their connecting terrestrial habitat during their life cycle; great crested newts are typically found within terrestrial habitats up to 500m from breeding ponds (Langton <i>et al.</i> 2001). No ponds are present within 500 metres. There is low value terrestrial habitat available on site, in the form of mixed scrub. Connectivity is available via grassland and adjacent hedgerows / tree lines.</p>																																			
Bats	<p>A review of the MAGIC database returned five granted EPSL records within 2km of the site, as detailed in Table 5a below.</p> <p><i>Table 5a: Bat EPSL records within 2km</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #d9ead3;">EPSL reference</th> <th style="background-color: #d9ead3;">Approx. distance from site</th> <th style="background-color: #d9ead3;">Bat species affected</th> <th style="background-color: #d9ead3;">Licence start date:</th> <th style="background-color: #d9ead3;">Licence end date:</th> <th style="background-color: #d9ead3;">Impacts allowed by licence</th> </tr> </thead> <tbody> <tr> <td>EPSM2009-1209</td> <td>370 metres northwest</td> <td>Common pipistrelle</td> <td>03/11/2009</td> <td>31/12/2010</td> <td>Destruction of a resting place Destruction of a breeding site</td> </tr> <tr> <td>2017-29678-EPS-MIT</td> <td>820 metres northeast</td> <td>Common Pipistrelle and Brown Long-Eared</td> <td>27/06/2017</td> <td>08/06/2022</td> <td>Destruction of a resting place</td> </tr> <tr> <td>EPSM2012-4649</td> <td>830 metres north</td> <td>Common Pipistrelle and Brown Long-Eared</td> <td>11/11/2013</td> <td>31/08/2015</td> <td>Destruction of a resting place</td> </tr> <tr> <td>2014-5006-EPS-MIT</td> <td>830 metres south</td> <td>Natterers, Brown Long-Eared and Common Pipistrelle</td> <td>24/01/2015</td> <td>30/06/2020</td> <td>Destruction of a resting place</td> </tr> </tbody> </table>						EPSL reference	Approx. distance from site	Bat species affected	Licence start date:	Licence end date:	Impacts allowed by licence	EPSM2009-1209	370 metres northwest	Common pipistrelle	03/11/2009	31/12/2010	Destruction of a resting place Destruction of a breeding site	2017-29678-EPS-MIT	820 metres northeast	Common Pipistrelle and Brown Long-Eared	27/06/2017	08/06/2022	Destruction of a resting place	EPSM2012-4649	830 metres north	Common Pipistrelle and Brown Long-Eared	11/11/2013	31/08/2015	Destruction of a resting place	2014-5006-EPS-MIT	830 metres south	Natterers, Brown Long-Eared and Common Pipistrelle	24/01/2015	30/06/2020	Destruction of a resting place
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2014-5006-EPS-MIT	830 metres south	Natterers, Brown Long-Eared and Common Pipistrelle	24/01/2015	30/06/2020	Destruction of a resting place																															

	2016-19353-EPS-MIT	1460 metres southwest	Brown Long-Eared, Common Pipistrelle, Daubentons, Natterers and Soprano Pipistrelle	08/02/2016	07/02/2021	Destruction of a breeding site Destruction of a resting place
<p>The lines of trees within the site itself, as well as adjacent to the site provide foraging and commuting habitat for bats, as well as some roosting opportunities within mature trees, however the proposed development has no effect on these habitats.</p>						
Reptiles	<p>The majority of the boundaries of the site are suitable for sheltering and commuting reptiles, with natural refugia available. There is connectivity available, but with the regularly mown nature of the grassland it is unlikely that reptiles are present within the area of the site that will be affected by the proposed development.</p>					
Badgers	<p>There are no known setts within 30 metres of the site boundary. No signs of badger were found during the field survey. The site offers minimal opportunities for sett creation and is isolated within a stock fence. Badgers are unlikely to be present.</p>					
Hazel Dormouse	<p>A review of the MAGIC database returned no granted EPSL records for dormice within 2km of the site. Habitats recorded within the site are assessed to provide foraging, commuting, and nest building opportunities for dormouse in the form of woodland and scrub. Dormice typically utilise a three-dimensional habitat structure as to commute between feeding and breeding sites whilst avoiding predation; woodland adjacent to the site supports this habitat structure. Furthermore, for isolated habitats in the UK, research indicates that dormice require 20ha of woodland habitat to support a viable population (Bright et al. 1994). 20ha of woodland is not present on or directly adjacent to the site, with no connectivity to this size of woodland present.</p>					
Hedgehog	<p>The site potentially could be used by small mammals such as hedgehog – a species of principal importance under section 41 of the NERC Act 2006. Hedgehogs are likely to be present due to the nature of the habitats available.</p>					
Otter	<p>No suitable habitat is present on or adjacent to the site.</p>					

Water Vole	No suitable habitat is present on or adjacent to the site.
Birds	The lines of trees within the site boundary and adjacent to site could support nesting birds.
Invertebrates	The site has low value habitat for invertebrates within the areas of trees.

## 4.0 Conclusions, Impacts and Recommendations

### 4.1 Informative Guidelines

A summary of the relevant legislation and planning policies is provided in Appendix 4.

### Likelihood of the Presence of Protected Species

Where physical evidence of the presence of protected species is indeterminate during the survey, the habitats on site are evaluated as to their likelihood to provide sheltering, roosting, foraging, basking or nesting habitat.

Where this report supports a planning application, the ecological interest of the study area (i.e., the area covered by the desk study and field survey) and the proposed development has also been evaluated in terms of the planning policies relating to biodiversity.

### 4.2 Evaluation

Taking the desk study and field survey results into account, Table 6 presents an evaluation of the ecological value of the site and also details any ecological constraints identified in relation to the proposed development.

Table 6: Evaluation of the site and any ecological constraints

<b>Ref</b>	<b>Summary of Survey Findings</b>	<b>Foreseen Impacts</b>	<b>Recommendations</b> <i>Measures required to adhere to guidance, legislation and planning policies.</i>	<b>Biodiversity Enhancements</b> <i>The Local Planning Authority has a duty to ask for enhancements under the NPPF (2021)</i>
Designated sites	The site is not subject to any statutory or non-statutory designation.  There is one statutory site within 2km of the site, being Greenham and Crookham Commons SSSI located 800 metres from the site.	No impacts to designated sites are anticipated due to the small scale and distance of the proposed development from such sites (where known) as well as the urban location of the site with surrounding physical barriers.	None	None

<p>Habitats and flora</p>	<p>The site contains line of trees and hedgerows which are of good quality and could be of value to local wildlife populations (as detailed in subsequent sections of this table). The remaining habitats have low ecological value.</p> <p>No protected or notable plant species were recorded during the survey.</p>	<p>No direct impacts to any notable habitats will occur as a result of the proposed development as only grassland and a very small amount of the boundary hedgerow will be affected by the new access for the proposed development. However, due to the proximity of the site to lines of trees, indirect effects such as pollution or tree damage could occur during construction.</p>	<p>Best practice measures to minimise the possibility of pollution and tree damage must be implemented during construction.</p>	<p>The following habitat creation and enhancement opportunities could be incorporated into the proposed development:</p> <ul style="list-style-type: none"> <li>• Native tree, hedgerow and shrub planting.</li> <li>• Creation of wildflower grassland.</li> <li>• A green roof on new buildings.</li> </ul> <p>Species-specific enhancement opportunities are detailed later in this table.</p>
<p>Amphibians</p>	<p>There is low value terrestrial habitat available on site, in the form of mixed scrub. Connectivity is available via grassland and adjacent hedgerows / tree lines.</p>	<p>No impacts are anticipated on amphibians, including great crested newt, as a result of the proposed development.</p>	<p>None</p>	<p>The following habitat creation and enhancement opportunities could be incorporated into the proposed development which would be beneficial for amphibians:</p> <ul style="list-style-type: none"> <li>• Creation of amphibian refugia and hibernacula using debris and brash from site clearance.</li> <li>• Planting of native scrub and grassland to increase foraging opportunities.</li> </ul>

<p>Reptiles</p>	<p>Negligible habitat value is available on site due to the regular mowing of the site. The boundary habitats consisting of hedgerows and lines of trees are suitable but will not be affected by the proposed development.</p>	<p>No impacts are anticipated on reptiles as a result of the proposed development.</p>	<p>None.</p>	<p>The following habitat creation and enhancement opportunities could be incorporated into the proposed development which would be beneficial for reptiles:</p> <ul style="list-style-type: none"> <li>• Creation of reptile refugia and hibernacula using debris and brash from site clearance.</li> <li>• Planting of native scrub and grassland to increase foraging opportunities.</li> <li>• The creation of basking areas such as rock piles or areas of cleared ground with shelter nearby.</li> </ul>
<p>Roosting bats</p>	<p>The trees within the site have low/moderate value for roosting bats. Several mature trees that are of an age where potential roosting features may be present are available on site.</p>	<p>Trees are to be retained on site, and as such no impacts to roosting bats are envisaged.</p>	<p>None.</p>	<p>The installation of a minimum of two bat boxes on mature trees around the site boundaries or on retained buildings will provide additional roosting habitat for bats e.g.</p> <p>2F Schwegler Bat Box (trees)          1FF Schwegler Bat Box (trees)          2FN Schwegler Bat Box (trees)          Beaumaris Bat Box (buildings)          Vivara Pro Woodstone Bat Box (buildings)          Or a similar alternative brand.</p> <p>Bat boxes should be positioned 3-5m above ground level facing in a south or south-westerly direction with a clear flight path to and from the entrance, away from artificial light.</p>

				<p>Alternatively, bat boxes could be incorporated into new buildings on the site e.g.                  Habibat Bat Box                  Schwegler 1FR Bat Tubes                  Bat tubes should be inserted into the fabric of the building during construction, positioned 3-5m above ground level facing in a south or south-westerly direction with a clear flight path to and from the entrance and facing landscapes areas, away from artificial light.</p>
Foraging and commuting bats	<p>Trees could be used by local bat populations for foraging or commuting. These could also be used by bats dispersing from nearby roosts outside of the site.</p>	<p>The proposed development will not result in the removal of any habitats which could be used by foraging or commuting bats.</p> <p>The proposed development could include the use of lighting which could spill on to bat roosting, foraging or commuting habitat and deter bats from using these areas.</p>	<p>A low impact lighting strategy will be adopted for the site during and post-development, which will include the following measures:</p> <ul style="list-style-type: none"> <li>• Use narrow spectrum light sources to lower the range of species affected by lighting.</li> <li>• Use light sources that emit minimal ultra-violet light.</li> <li>• Avoid white and blue wavelengths of the light spectrum to reduce insect attraction and where white light sources are required in order to manage the blue shortwave length content they should be of a warm / neutral colour temperature &lt;4,200 kelvin.</li> <li>• Not use bare bulbs and any light pointing upwards. The spread of light will be kept in line with or below the horizontal.</li> </ul> <p>Light spill will be reduced via the use of low-level lighting used in conjunction with hoods, cowls, louvers and shields. Lights will also be directional to ensure that light is directed to the intended areas only.</p>	<p>The following habitat creation and enhancement opportunities could be incorporated into the proposed development which would be beneficial for foraging bats:</p> <ul style="list-style-type: none"> <li>• Planting of native tree, shrub and hedgerows to increase foraging opportunities.</li> </ul>

Badger	No signs of badger on the site survey so species likely to be absent.	No impacts are anticipated on badgers as a result of the proposed development.	None	None
Hazel dormouse	No suitable habitat or connectivity available on or adjacent to site, species likely to be absent.	No impacts are anticipated on hazel dormouse as a result of the proposed development, as trees are being retained.	None	None
Hedgehog	Potential for hedgehog habitat.	No impacts are anticipated on hedgehogs as a result of the proposed development, as trees are being retained.	None.	None
Otter and water vole	No suitable habitat or connectivity available on or adjacent to site, species likely to be absent	No impacts are anticipated on otters or water vole as a result of the proposed development.	None.	None
Birds	The trees on the site present opportunities for nesting birds.	The proposed development will retain trees, as such no impacts are anticipated on nesting birds.	None.	The installation of a minimum of two bird boxes on mature trees around the site boundaries or on retained buildings will provide additional nesting habitat for birds e.g. Schwegler No 17 Swift Nest Box (buildings) Schwegler 1SP Sparrow Terrace (buildings) Schwegler 1B Nest Boxes (trees) Schwegler 2H Robin Boxes (trees) Woodstone Nest Box (buildings or trees) Or a similar alternative brand. Tree boxes should be positioned approximately 3m above ground level where they will be sheltered from prevailing wind, rain and strong sunlight. Small-hole boxes are best placed approximately 1-

				<p>3m above ground on an area of the tree trunk where foliage will not obscure the entrance hole.</p> <p>Swift and sparrow boxes should be positioned at the eaves of a building and can be incorporated into the fabric of the building during construction.</p>
Invertebrates	The site is low-value habitat for invertebrates.	No impacts are anticipated on notable species or populations of invertebrates as a result of the proposed development.	None.	<p>The following habitat creation and enhancement opportunities could be incorporated into the proposed development which would be beneficial for invertebrates:</p> <ul style="list-style-type: none"> <li>• Native tree, hedgerow and shrub planting.</li> <li>• Creation of wildflower grassland.</li> <li>• A green roof on new buildings.</li> <li>• Retention of deadwood on the site.</li> </ul>

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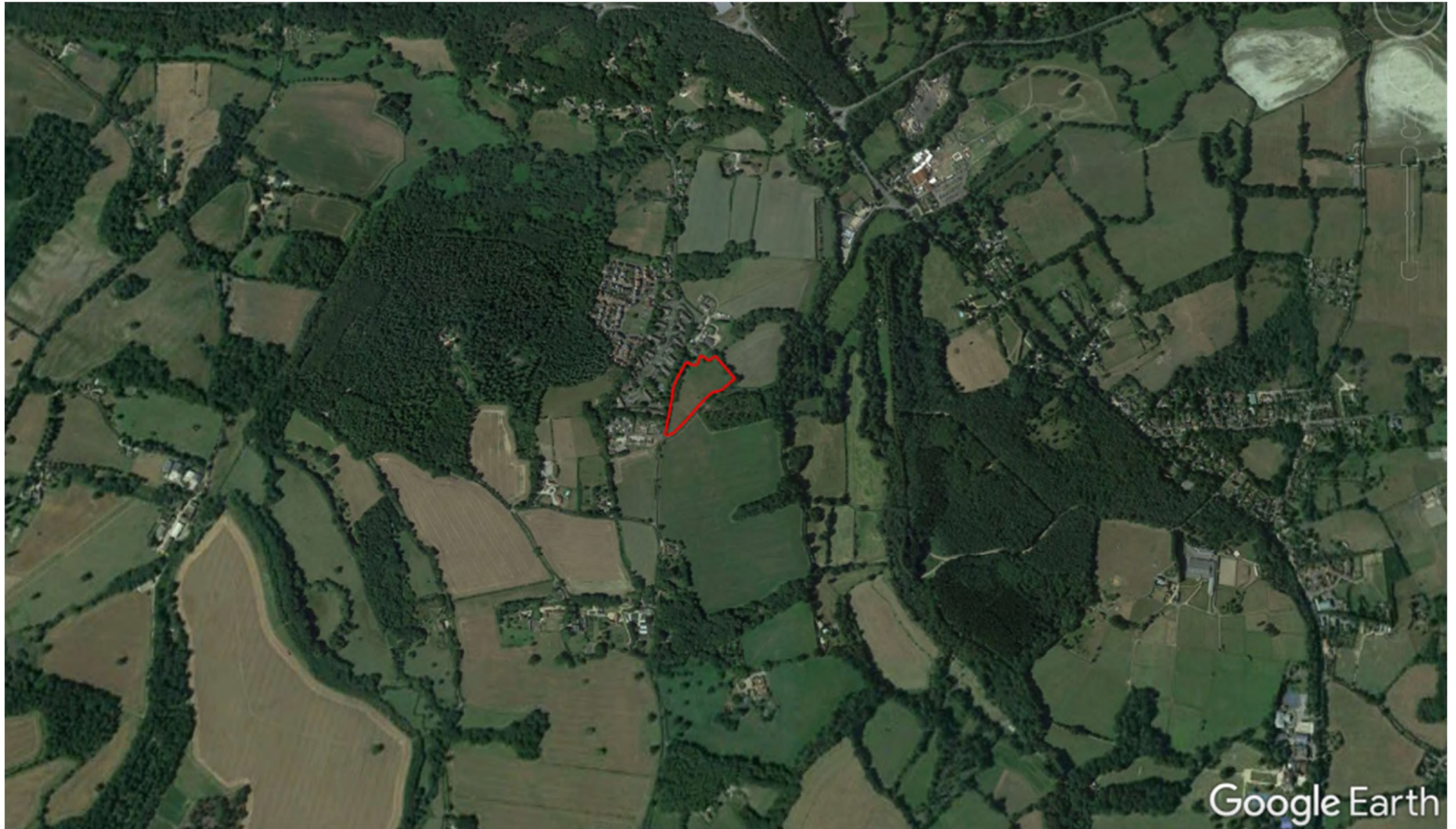
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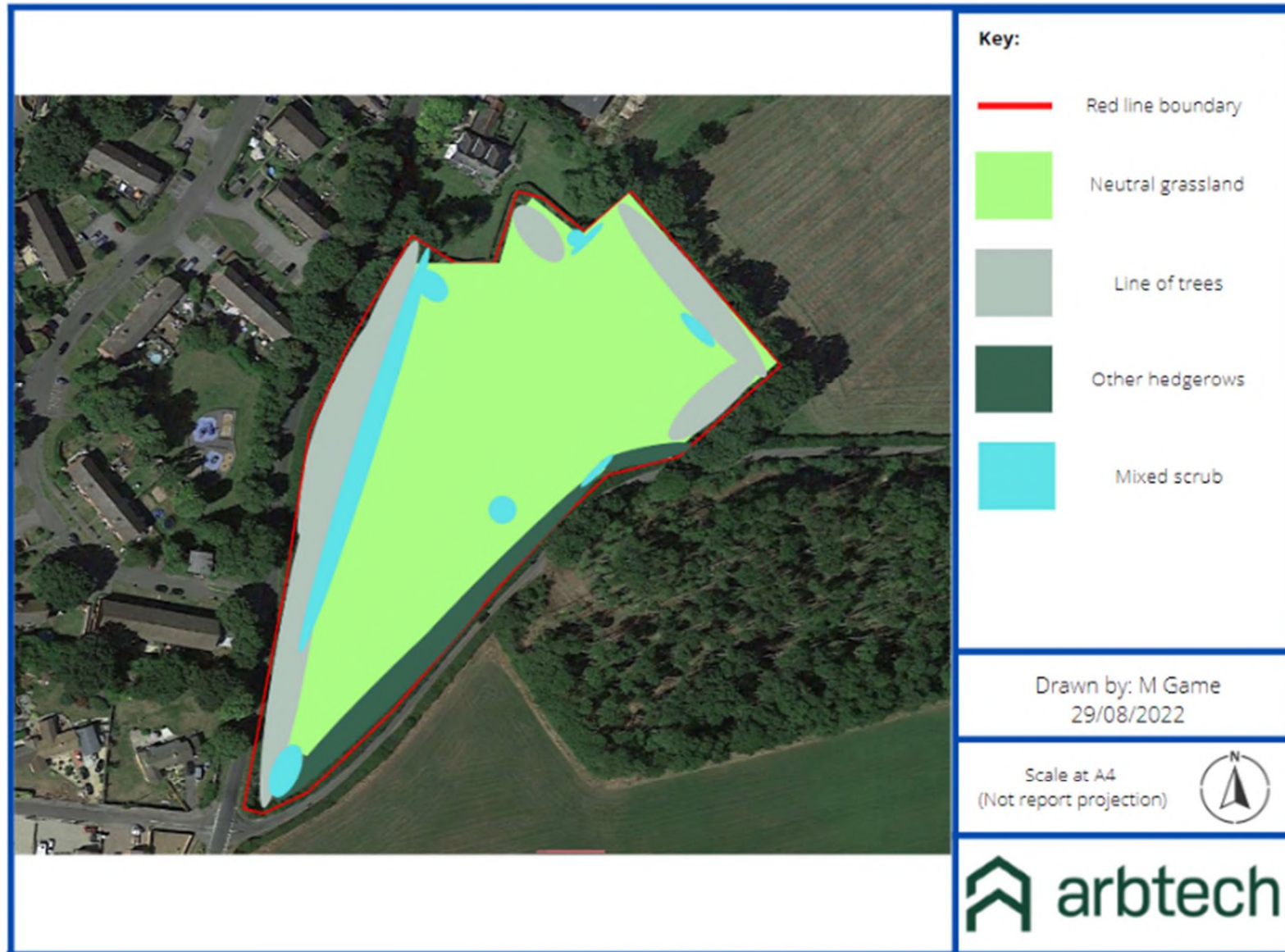
### Appendix 1: Proposed Development Plan



Appendix 2: Site Location Plan



### Appendix 3a: Habitat Survey Plan



## Appendix 4: Legislation and Planning Policy

### LEGAL PROTECTION

#### National and European Legislation Afforded to Habitats

##### ***International Statutory Designations***

Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) are sites of European importance and are designated under the EC Habitats Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora (the Habitats Directive) and the EC Birds Directive 2009/147/EC on the conservation of wild birds (the Wild Birds Directive) respectively. Both form part of the wider Natura 2000 network across Europe.

Under the Habitats Directive Article 3 requires the establishment of a network of important conservation sites (SACs) across Europe. Over 1000 animal and plant species, as well as 200 habitat types, listed in the directive's annexes are protected in various ways:

**Annex II species** (about 900): core areas of their habitat are designated as Sites of Community importance (SCIs) and included in the Natura 2000 network. These sites must be managed in accordance with the ecological needs of the species.

**Annex IV species** (over 400, including many Annex II species): a strict protection regime must be applied across their entire natural range, both within and outside Natura 2000 sites.

**Annex V species** (over 90): their exploitation and taking in the wild is compatible with maintaining them in a favourable conservation status.

SPAs are classified under Article 2 of the Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds both for rare bird species (as listed on Annex I) and for important migratory species.

The Conservation of Habitats and Species Regulations 2017 (as amended) form the legal basis for the implementation of the Habitats and Birds Directives in terrestrial areas and territorial waters out to 12 nautical miles in England and Wales (including the inshore marine area) and to a limited extent in Scotland and Northern Ireland.

Ramsar sites are designated under the Convention on Wetlands of International Importance, agreed in Ramsar, Iran, in 1971. The Convention covers all aspects of wetland conservation and recognises the importance of wetland ecosystems in relation to global biodiversity conservation. The Convention refers to wetlands as “*areas of marsh, fen, peatland or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed six metres*”. However, they may also include riparian and coastal zones. Ramsar sites are statutorily protected under the Wildlife & Countryside Act 1981 (as amended 01.04.1996) with further protection provided by the Countryside and Rights of Way (CRoW) Act 2000. Policy statements have been issued by the Government in England and Wales highlighting the special status of Ramsar sites. The Government in England and Wales has issued policy statements which ensure that Ramsar sites are afforded the same protection as areas designated under the EC Birds and Habitats Directives as part of the Natura 2000 network (e.g. SACs & SPAs). Further provisions for the protection and management of SSSIs have been introduced by the Nature Conservation (Scotland) Act 2004.

### ***National Statutory Designations***

Sites of Special Scientific Interest (SSSI) are designated by nature conservation agencies in order to conserve key flora, fauna, geological or physio-geographical features within the UK. The original designations were under the National Parks and Access to the Countryside Act 1949 but SSSIs were then re-designated under the Wildlife & Countryside Act 1981 (as amended). As well as reinforcing other national designations (including National Nature Reserves), the system also provides statutory protection for terrestrial and coastal sites which are important within the European Natura 2000 network and globally.

### ***Local Statutory Designations***

Local authorities in consultation with the relevant nature conservation agency can declare Local Nature Reserves (LNRs) under the National Parks and Access to the Countryside Act 1949. LNRs are designated for flora, fauna or geological interest and are managed locally to retain these features and provide research, education and recreational opportunities.

### ***Non- Statutory Designations***

All non-statutorily designated sites are referred to as Local Wildlife Sites (LWS) and can be designated by the local authority for supporting local conservation interest. Combined with statutory designation, these sites are considered within Local Development Frameworks under the Town and Country Planning system and are a material consideration during the determination of planning applications. The protection afforded to these sites varies depending on the local authority involved.

Regionally Important Geological Sites (RIGs) are the most important geological and geomorphological areas outside of statutory designations. These sites are also a material consideration during the determination of planning applications.

### **The Hedgerow Regulations 1997**

The Hedgerow Regulations 1997 are designed to protect 'important' countryside hedgerows. Importance is defined by whether the hedgerow (a) has existed for 30 years or more; or (b) satisfies at least one of the criteria listed in Part II of Schedule 1 of the Regulations.

Under the Regulations, it is against the law to remove or destroy hedgerows on or adjacent to common land, village greens, SSSIs (including all terrestrial SACs, NNRs and SPAs), LNRs, land used for agriculture or forestry and land used for the keeping or breeding of horses, ponies or donkeys without the permission of the local authority. Hedgerows 'within or marking the boundary of the curtilage of a dwelling-house' are excluded.

## **National and European Legislation Afforded to Species**

### ***The Conservation of Habitats and Species Regulations 2017 (as amended)***

The Conservation of Habitats and Species Regulations 2017 (as amended) aims to promote the maintenance of biodiversity by requiring the Secretary of State to take measures to maintain or restore wild species listed within the Regulations at a favourable conservation status.

The Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2, or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 4. However, these actions can be made lawful through the granting of licenses by the appropriate authorities. Licenses may be granted for a number of purposes (such as science and education, conservation, preserving public health and safety), but only after the appropriate authority is satisfied that there are no satisfactory alternatives and that such actions will have no detrimental effect on wild population of the species concerned.

### ***The Wildlife and Countryside Act (WCA) 1981 (as amended)***

The Wildlife and Countryside Act (WCA) 1981 (as amended) implements the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention 1979, implemented 1982) and implements the species protection requirements of EC Birds Directive 2009/147/EC on the conservation of wild birds in Great Britain (the birds Directive). The WCA 1981 has been subject to a number of amendments, the most important of which are through the Countryside and Rights of Way (CRoW) Act (2000).

Other legislative Acts affording protection to wildlife and their habitats include:

- Deer Act 1991
- Natural Environment & Rural Communities (NERC) Act 2006
- Protection of Badgers Act 1992
- Wild Mammals (Protection) Act 1996

### ***Badgers***

Badgers *Meles meles* are protected under The Protection of Badgers Act 1992 which makes it an offence to:

- Wilfully kill, injure, take, or attempt to kill, injure or take a badger
- Cruelly ill-treat a badger, including use of tongs and digging
- Possess or control a dead badger or any part thereof
- Intentionally or recklessly damage, destroy or obstruct access to a badger sett or any part thereof
- Intentionally or recklessly disturb a badger when it is occupying a badger sett
- Intentionally or recklessly cause a dog to enter a badger sett
- Sell or offers for sale, possesses or has under his control, a live badger

Effects on development works:

A development licence will be required from the relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) for any development works likely to affect an active badger sett, or to disturb badgers whilst they occupy a sett. Guidance has been issued by the countryside agencies to define what would constitute a licensable activity. It is no possible to obtain a licence to translocate badgers.

### ***Birds***

With certain exceptions, all birds, their nests and eggs are protected under Sections 1-8 of the WCA. Among other things, this makes it an offence to:

- Intentionally (or recklessly in Scotland) kill, injure or take any wild bird
- Intentionally (or recklessly in Scotland) take, damage or destroy (or, in Scotland, otherwise interfere with) the nest of any wild bird while it is in use or being built
- Intentionally take or destroy an egg of any wild bird
- Sell, offer or expose for sale, have in his possession or transport for the purpose of sale any wild bird (dead or alive) or bird egg or part thereof.
- Intentionally or recklessly obstruct or prevent any wild bird from using its nest (Scotland only)

Certain species of bird, for example the barn owl, bittern and kingfisher receive additional protection under Schedule 1 of the WCA and are commonly referred to as “Schedule 1” birds.

This affords them protection against:

- Intentional or reckless disturbance while it is building a nest or is in, on or near a nest containing eggs or young
- Intentional or reckless disturbance of dependent young of such a bird
- In Scotland only, intentional or reckless disturbance whilst lekking
- In Scotland only, intentional or reckless harassment

Effects on development works:

Works should be planned to avoid the possibility of killing or injuring any wild bird or damaging or destroying their nests. The most effective way to reduce the likelihood of nest destruction in particular is to undertake work outside the main bird nesting season which typically runs from March to August. Where this is not feasible, it will be necessary to have any areas of suitable habitat thoroughly checked for nests prior to vegetation clearance.

Schedule 1 birds are additionally protected against disturbance during the nesting season. Thus, it will be necessary to ensure that no potentially disturbing works are undertaken in the vicinity of the nest. The most effective way to avoid disturbance is to postpone works until the young have fledged. If this is not feasible, it may be possible to maintain an appropriate buffer zone or standoff around the nest.

### **Amphibians and Reptiles**

The sand lizard *Lacerta agilis*, smooth snake *Coronella austriaca*, natterjack toad *Epidalea calamita*, pool frog *Pelophylax lessonae* and great crested newt *Triturus cristatus* receive full protection under Habitats Regulations through their inclusion on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species
- Deliberate disturbance of species in such a way as:
  - To impair their ability to survive, breed, or reproduce, or to rear or nurture young;
  - To impair their ability to hibernate or migrate
  - To affect significantly the local distribution or abundance of the species
  - Damage or destruction of a breeding site or resting place

With the exception of the pool frog, these species are also listed on Schedule 5 of the WCA and they are additionally protected from:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection
- Selling, offering or exposing for sale, possession or transporting for purpose of sale.

Other native species of reptiles are protected solely under Schedule 5, Section 9(1) & (5) of the WCA, i.e. the adder *Vipera berus*, grass snake *Natrix natrix*, common lizard *Zootoca vivipara* and slow-worm *Anguis fragilis*. It is prohibited to:

- Intentionally or recklessly kill or injure these species.

Effects on development works:

A European Protected Species Licence (EPSL) issued by the relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) will be required for works likely to affect the breeding sites or resting places amphibian and reptile species protected under Habitats Regulations. A licence will also be required for operations liable to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, rear young and hibernate). The licences are to allow derogation from the relevant legislation, but also to enable appropriate mitigation measures to be put in place and their efficacy to be monitored.

Although not licensable, appropriate mitigation measures may also be required to prevent the intentional killing or injury of adder, grass snake, common lizard and slow worm, thus avoiding contravention of the WCA.

### **Water Voles**

The water vole *Arvicola terrestris* is fully protected under Schedule 5 of the WCA. This makes it an offence to:

- Intentionally kill, injure or take (capture) water voles

- Intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection
- Intentionally or recklessly disturb water voles while they are occupying a structure or place used for shelter or protection

Effects on development works:

If development works are likely to affect habitats known to support water voles, the relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) must be consulted. It must be shown that means by which the proposal can be re-designed to avoid contravening the legislation have been fully explored e.g. the use of alternative sites, appropriate timing of works to avoid times of the year in which water voles are most vulnerable, and measures to ensure minimal habitat loss. Conservation licences for the capture and translocation of water voles may be issued by the relevant countryside agency for the purpose of development activities if it can be shown that the activity has been properly planned and executed and thereby contributes to the conservation of the population. The licence will then only be granted to a suitably experienced person if it can be shown that adequate surveys have been undertaken to inform appropriate mitigation measures. Identification and preparation of a suitable receptor site will be necessary prior to the commencement of works.

### **Otters**

Otters *Lutra lutra* are fully protected under the Conservation Regulations through their inclusion on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species
- Deliberate disturbance of species in such a way as:
  - To impair their ability to survive, breed, or reproduce, or to rear or nurture young;
  - To impair their ability to hibernate or migrate
  - To affect significantly the local distribution or abundance of the species
  - Damage or destruction of a breeding site or resting place

Otters are also currently protected under the WCA through their inclusion on Schedule 5. Under this Act, they are additionally protected from:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection

Effects on development works:

A European Protected Species Licence (EPSL) issued by the relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) will be required for works likely to affect otter breeding or resting places (often referred to as holts, couches or dens) or for operations likely to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, and rear young). The licence is to allow derogation from the relevant legislation but also to enable appropriate mitigation measures to be put in place and their efficacy to be monitored

### **Bats**

All species are fully protected by Habitats Regulations 2010 as they are listed on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species (e.g. All bats)
- Deliberate disturbance of bat species in such a way as:
  - To impair their ability to survive, breed, or reproduce, or to rear or nurture young;
  - To impair their ability to hibernate or migrate
  - To affect significantly the local distribution or abundance of the species
- Damage or destruction of a breeding site or resting place

Bats are afforded the following additional protection through the WCA as they are included on Schedule 5:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection

Effects on development works:

A European Protected Species Licence (EPSL) issued by the relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) will be required for works are likely to affect a bat roost or an operation which are likely to result in an illegal level of disturbance to the species will require an EPSM licence. The licence is to allow derogation from the legislation through the application of appropriate mitigation measures and monitoring.

### **Hazel Dormice**

Hazel dormice *Muscardinus avellanarius* are fully protected under Habitats Regulations through their inclusion on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species
- Deliberate disturbance of species in such a way as:
  - To impair their ability to survive, breed, or reproduce, or to rear or nurture young;
  - To impair their ability to hibernate or migrate
  - To affect significantly the local distribution or abundance of the species
- Damage or destruction of a breeding site or resting place

Dormice are also protected under the WCA through their inclusion on Schedule 5. Under this Act, they are additionally protected from:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection

Effects on development works:

Works which are liable to affect a dormice habitat or an operation which are likely to result in an illegal level of disturbance to the species will require a European Protected Species Licence (EPSL) issued by the relevant countryside agency (i.e. Natural England, Natural Resources Wales (NB: Hazel Dormouse are entirely absent from Scotland)). The licence is to allow derogation from the legislation through the application of appropriate mitigation measures and monitoring.

### ***White Clawed Crayfish***

There is a considerable amount of legislation in place in an attempt to protect the White-clawed crayfish *Austropotamobius pallipes*. This species is listed under the European Union's (EU) Habitat and Species Directive and is listed under Schedule 5 of the Wildlife and Countryside Act (1981). This makes it an offence to:

- Protected against intentional or reckless taking
- Protected against selling, offering or advertising for sale, possessing or transporting for the purpose of sale

It is also classified as Endangered in the IUCN Red List of Endangered Species. As a result of this and other relevant crayfish legislation such as the Prohibition of Keeping of Live Fish (Crayfish) Order 1996, a series of licences are needed for working with White-clawed and non-native crayfish. These are:

- A licence to handle crayfish (therefore survey work) in England
- A licence for the keeping of crayfish in England and Wales with an exemption for Signal crayfish (England).
- People in the post-code areas listed with crayfish present prior to 1996 do not need to apply for consent for crayfish already established. It does not, however, allow any new stocking of non-native crayfish into waterbodies. Consent for trapping of non-native crayfish for control or consumption is most likely to be granted in Thames and Anglian regions in the areas with "go area" postcodes.
- Harvesting of crayfish is prohibited in much of England and in any part of Scotland and Wales.

Effects on development works:

The relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) will need to be consulted about development which could impact on a watercourse or wetland known to support white clawed crayfish. Conservation licences for the capture and translocation of crayfish can be issued if it can be shown that the activity has been properly planned and executed and thereby contributes to the conservation of the population. The licence will only be granted to a suitably experienced person if it can be shown that adequate surveys have been undertaken to inform appropriate mitigation measures. Identification and preparation of a suitable receptor site will be necessary prior to the commencement of the works.

### **Wild Mammals (Protection Act) 1996**

All wild mammals are protected against intentional acts of cruelty under the above legislation. This makes it an offence to mutilate, kick, beat, nail or otherwise impale, stab, burn, stone, crush, drown, drag or asphyxiate any wild mammal with intent to inflict unnecessary suffering.

To avoid possible contravention, due care and attention should be taken when carrying out works (for example operations near burrows or nests) with the potential to affect any wild mammal in this way, regardless of whether they are legally protected through other conservation legislation or not.

### **Legislation Afforded to Plants**

With certain exceptions, all wild plants are protected under the WCA. This makes it an offence for an 'unauthorised' person to intentionally (or recklessly in Scotland) uproot wild plants. An authorised person can be the owner of the land on which the action is taken, or anybody authorised by them.

Certain rare species of plant, for example some species of orchid, are also fully protected under Schedule 8 of the Wildlife and Countryside Act 1981 (as amended). This prohibits any person from:

- Intentionally (or recklessly in Scotland) picking, uprooting or destruction of any wild Schedule 8 species (or seed or spore attached to any such wild plant in Scotland only)
- Selling, offering or exposing for sale, or possessing or transporting for the purpose of sale, any wild live or dead Schedule 8 plant species or part thereof
- In addition to the UK legislation outlined above, several plant species are fully protected under Schedule 5 of The Conservation of Habitats and Species Regulations 2010. These are species of European importance. Regulation 45 makes it an offence to:
  - Deliberately pick, collect, cut, uproot or destroy a wild Schedule 5 species
  - Be in possession of, or control, transport, sell or exchange, or offer for sale or exchange any wild live or dead Schedule 5 species or anything derived from such a plant.

Effects on development works:

A European Protected Species Licence (EPSL) will be required from the relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) for works which are likely to affect species of planted listed on Schedule 5 of the Conservation or Habitats and Species Regulations 2010. The licence is to allow derogation from the legislation through the application of appropriate mitigation measures and monitoring.

### ***Invasive Species***

Part II of Schedule 9 of the WCA lists non-native invasive plant species for which it is a criminal offence in England and Wales to plant or cause to grow in the wild due to their impact on native wildlife. Species included (but not limited to):

- Japanese knotweed *Fallopia japonica*
- Giant hogweed *Heracleum mantegazzianum*
- Himalayan balsam *Impatiens glandulifera*

Effects on development works:

It is not an offence for plants listed in Part II of Schedule 9 of the WCA 1981 to be present on the development site, however, it is an offence to cause them to spread. Therefore, if any of the species are present on site and construction activities may result in further spread (e.g. earthworks, vehicle movements) then it will be necessary to design and implement appropriate mitigation prior to construction commencing.

### ***Injurious weeds***

Under the Weeds Act 1959 any landowner or occupier may be required prevent the spread of certain 'injurious weeds' including (but not limited to):

- Spear thistle *Cirsium vulgare*
- Creeping thistle *Cirsium arvense*
- Curled dock *Rumex crispus*
- Broad-leaved dock *Rumex obtusifolius*
- Common ragwort *Senecio jacobaea*

Effects on development works:

It is a criminal offence to fail to comply with a notice requiring such action to be taken. The Ragwort Control Act 2003 establishes a ragwort control code of practice as common ragwort is poisonous to horses and other livestock. This code provides best practice guidelines and is not legally binding.

### **NATIONAL PLANNING POLICY (ENGLAND)**

#### ***Environment Act 2021***

The Environment Act 2021 (EA 2021) received Royal Assent on 9 November 2021 and is expected to become fully mandated within the next couple of years. The Act principally creates a post Brexit framework to protect and enhance the natural environment. Through amendments to the Town and Country Planning Act 1990, the Act will require all planning permissions in England (subject to exemptions which is likely to include householder applications) to be granted subject to a new general pre-commencement condition that requires approval of a biodiversity net gain plan. This will ensure the delivery of a minimum of 10% measurable biodiversity net gain. The principal tool to calculate this will be the Defra Biodiversity 3.0 Metric. Works to enhance habitats can be carried out either onsite or offsite or through the purchase of 'biodiversity credits' from the Secretary of State. However, this flexibility may be removed (subject to regulations) if the onsite habitat is 'irreplaceable'. Both onsite and offsite enhancements must be maintained for at least 30 years after completion of a development (which period may be amended).

#### ***National Planning Policy Framework 2021***

The National Planning Policy Framework promotes sustainable development. The Framework specifies the need for protection of designated sites and priority habitats and species. An emphasis is also made on the need for ecological infrastructure through protection, restoration and re-creation. The protection and recovery of priority species (considered likely to be those listed as species of principal importance under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006) is also listed as a requirement of planning policy.

In determining a planning application, planning authorities should aim to conserve and enhance biodiversity by ensuring that: designated sites are protected from harm; there is appropriate mitigation or compensation where significant harm cannot be avoided; measurable gains in biodiversity in and around developments are incorporated; and planning permission is refused for development resulting in the loss or deterioration of irreplaceable habitats including aged or veteran trees and also ancient woodland.

***The Natural Environment and Rural Communities Act 2006 and the Biodiversity Duty***

Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, requires all public bodies to have regard to biodiversity conservation when carrying out their functions. This is commonly referred to as the 'biodiversity duty'.

Section 41 of the Act requires the Secretary of State to publish a list of habitats and species which are of 'principal importance for the conservation of biodiversity'. This list is intended to assist decision makers such as public bodies in implementing their duty under Section 40 of the Act. Under the Act these habitats and species are regarded as a material consideration in determining planning applications. A developer must show that their protection has been adequately addressed within a development proposal.

**EUROPEAN PROTECTED SPECIES POLICIES**

In December 2016 Natural England officially introduced the four licensing policies throughout England. The four policies seek to achieve better outcomes for European Protected Species (EPS) and reduce unnecessary costs, delays and uncertainty that can be inherent in the current standard EPS licensing system. The policies are summarised as follows:

- Policy 1; provides greater flexibility in exclusion and relocation activities, where there is investment in habitat provision;
- Policy 2; provides greater flexibility in the location of compensatory habitat;
- Policy 3; provides greater flexibility on exclusion measures where this will allow EPS to use temporary habitat; and,
- Policy 4; provides a reduced survey effort in circumstances where the impacts of development can be confidently predicted.

The four policies have been designed to have a net benefit for EPS by improving populations overall and not just protecting individuals within development sites. Most notably Natural England now recognises that the Habitats Regulations legal framework now applies to 'local populations' of EPS and not individuals/site populations.

## **APPENDIX 4 – ACCESSIBILITY TECHNICAL NOTE**

# Technical Note

## Accessibility Study

Land at Bishop's Green Farmhouse, Ecchinswell Road, Bishops Green, RG20 4JP

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Project Number: 22285  
Doc Number: TN01  
Prepared for: Sedas Strategic Land

30 September 2022

Rev	Issue Purpose	Author	Checked	Reviewed	Approved	Date
A	Client Comment	BRDG	DT	DT	DT	30/09/22

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## 1. Introduction

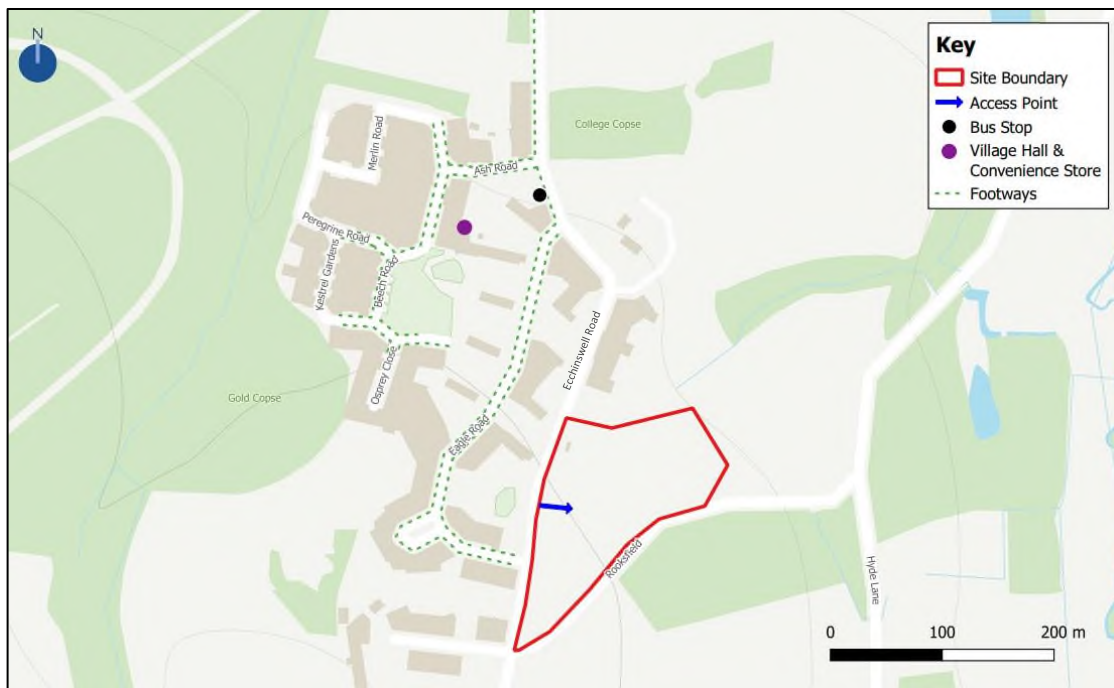
### Overview

- 1.1 Markides Associates has been instructed by Sedas Strategic Land to prepare a Technical Note in relation to an undeveloped site at Bishop's Green Farmhouse, Ecchinswell Road, Bishops Green, to support the promotion of the site in the emerging Basingtoke and Deane District Local Plan for future residential development.
- 1.2 The site is currently being promoted for circa 27 residential units with a mix of affordable and open market dwellings, associated car parking and open space.

### Site Location

- 1.3 The site is bound to the north by Bishop's Green Farmhouse, to the east by greenfield land, to the south by Hyde Lane and to the west by Ecchinswell Road. The site location relative to the surrounding area and transport networks is shown in **Figure 1.1**.

Figure 1.1 Site Context Plan



## 2. Site Accessibility

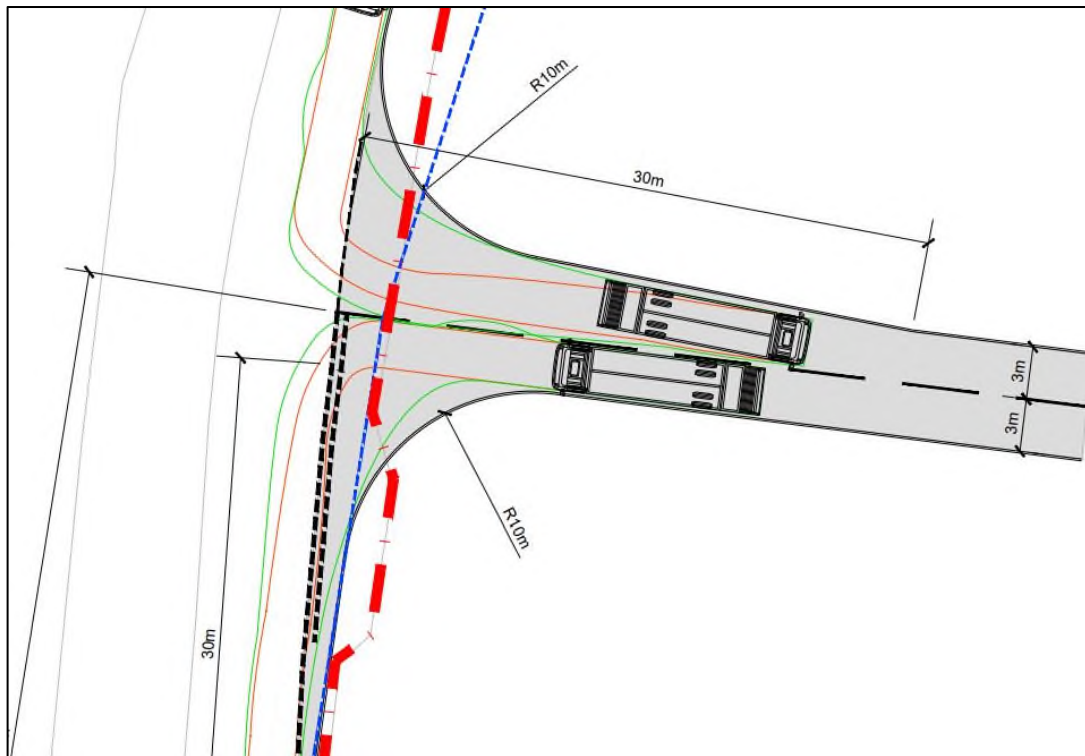
### Local Highway Network

- 2.1 Ecchinswell Road is a single-carriageway road of approximately 5.5m in width (with widening in places to aid larger vehicles passing) and is subject to a 40mph speed limit. It travels in a north to south direction between the A339 and Sydmonton Road.
- 2.2 Hyde Lane is a two-way single-track road of approximately 4m wide with passing places. It meets Ecchinswell Road in a bell-mouth priority junction. Both Ecchinswell Road and Hyde Lane lead to the main A393 route which offers links to other nearby towns.
- 2.3 Eagle Road is a two-way residential road which is approximately 400m long and routes to and from Ecchinswell Road, meeting in two simple priority-controlled junctions. It provides access to a number of properties and has on-street parking.

### Vehicular Access

- 2.4 It is proposed that the development site would take access from Ecchinswell Road by all modes, via a simple priority-controlled junction, approximately 45m north of the existing junction with Eagle Road. The preliminary access design is shown in **Figure 2.1**, this is an extract of the drawing (Ref: 22285-MA-XX-DR-C-001-P01) in **Appendix A**.

**Figure 2.1 Preliminary Access Design**



- 2.5 The proposed priority arrangement is in-keeping with the existing junctions leading to residential areas along Ecchinswell Road in the vicinity of the site.
- 2.6 The distance between junction of Eagle Road and the proposed site access is considered appropriate as it is in excess of the minimum junction spacing distance recommended in Design Manual for Roads and Bridges (DMRB).
- 2.7 The drawing also demonstrates that visibility splays of 2.4 x 120m in accordance with the DMRB standards can also be achieved at the proposed access junction and in land either within control of Sedas Strategic Land or that falls within the extent of adopted highway.
- 2.8 No access or through route to Hyde Lane would be provided.

## Sustainable Travel Network

### Pedestrians and Cyclists

- 2.9 Bishops Green Village is in a rural location and there are no footways along Ecchinswell Road in the vicinity of the proposed site access. A footway on the western side of the road begins at the Eagle Road (north) junction and continues north for approximately 390m, where it moves onto the eastern side of the road to continue north to meet a network of footways at the A330 / Albury Way / Ecchinswell Road four-arm roundabout.

2.10 There is a continuous footway on along at least one side of Eagle Road, with the exception of a small section where four parking spaces break the footway on the northern side of the road near the junction with Echchinswell Road.

### *Development Proposals*

2.11 Any future development proposals would provide pedestrian access from the new junction on Echchinswell Road, connecting to an internal network of footways and footpaths to facilitate pedestrian movement through the site.

2.12 As there are no footways along Echchinswell Road adjacent to the proposed site access, any future development would provide a new off-site footway link and uncontrolled dropped kerb crossing between the development and Eagle Road, subject to further discussions and agreement with Basingstoke and Deane Borough Council (BDBC) and Hampshire County Council. This would enable pedestrian access to the development site from the existing network of footways along Eagle Road and connection to the wider pedestrian network through the village, including Bishop Green Village Hall and the convenience store by a less than 10 min (approx.) walk.

2.13 With regards to cycling, the proposed development would provide cycle parking for residents and visitors in accordance with the BDBC standards. However, it is noted that the site location is remote from a formal cycleway and on-road cycling would be better suited to experienced cyclists.

### **Bus**

2.14 There are northbound and southbound bus stops located on Echchinswell Road, immediately north of the junction with Eagle Road (north), known as the ‘Ash Road’ stops. They are served by buses routing between Greenham Common and Newbury. The bus timetable for the Ash Road stops is detailed in **Table 2.1** below.

**Table 2.1 Public Transport Table**

Bus Service	Route	Weekday Services	
		AM	PM
<b>103</b>	Greenham Common - Newbury	08:16, 09:16	-
	Newbury – Greenham Common	-	Hourly from 15:56 to 18:56
<b>103a</b>	Greenham Common - Newbury	-	Hourly from 15:16 to 18:16
	Newbury – Greenham Common	09:59	-
<b>103b</b>	Greenham Common - Newbury	10:16, 11:16	12:16, 13:16, 14:16
	Newbury – Greenham Common	10:59, 11:59	12:59, 14:59
<b>103c</b>	Bishop’s Green – Greenham Common	07:25	-

2.15 **Table 2.1** demonstrates that there are weekday AM and PM bus services connecting the site to Newbury which would typically suit travel for commuting purposes.

2.16 As discussed, there is currently no pedestrian link between the site and the existing bus stops on Ecchinswell Road. However, provision of a new footway connection between the site and Eagle Road would enable the bus stops to be reached on foot via Eagle Road in a 6 minute (approx.) walk from the development.

### Future Improvements

2.17 A planning application for 350 dwellings on the land to the north and east of the proposed development site was submitted in 2021. This application proposed new footway connections along Ecchinswell Road and public transport improvements, comprising a new shelter and hardstanding for the northbound Ash Road bus stop, and provision of a new southbound bus stop nearer to Eagle Road (north) (i.e. nearer to the proposed development site) to support the development.

2.18 Whilst this application is yet to be determined, the proposals would bring forward additional sustainable travel improvements to support the proposals which would inextricably provide benefits to the wider area.

## 3. Travel Characteristics

3.1 An indicative trip generation exercise has been undertaken based on the trip rates applied in the Transport Assessment for the adjacent site, which were agreed with HCC. The vehicle trips rates and the resultant number of trips in the highway AM and PM peak periods and over the course of the day is outlined in **Table 3.1**.

**Table 3.1 Trip rates**

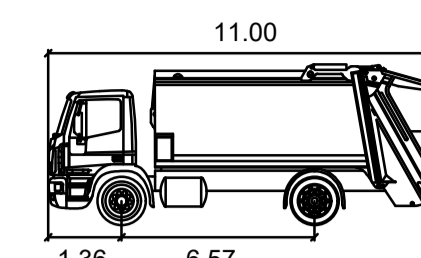
	AM Peak (08:00 09:00)			PM Peak (17:00 18:00)			Daily Flows		
	In	Out	Total	In	Out	Total	In	Out	Total
<b>Trip Rate (1 dwelling)</b>	0.15	0.41	0.56	0.39	0.16	0.55	2.644	2.595	5.239
<b>Trip Generation (27 dwellings)</b>	4	11	15	11	4	15	71	70	141

3.2 As shown above, the proposed development would be expected to generate in the region of 15 two-way vehicle trips in the AM and PM peak periods respectively. This represents a minimal number of new trips and would not be expected to have a detrimental effect to the highway network and could be accommodated by the proposed junction arrangement.

## 4. Summary

- 4.1 It is evident from the above that suitable access can be provided to accommodate the quantum of development proposed.
- 4.1 In addition, sufficient pedestrian infrastructure can be provided to ensure an appropriate connection from the development site via Eagle Road to Bishop Green Village Hall and the convenience store can be accommodated.
- 4.2 The site is also in proximity to a reasonable bus service providing sustainable connections to a number of larger destinations.

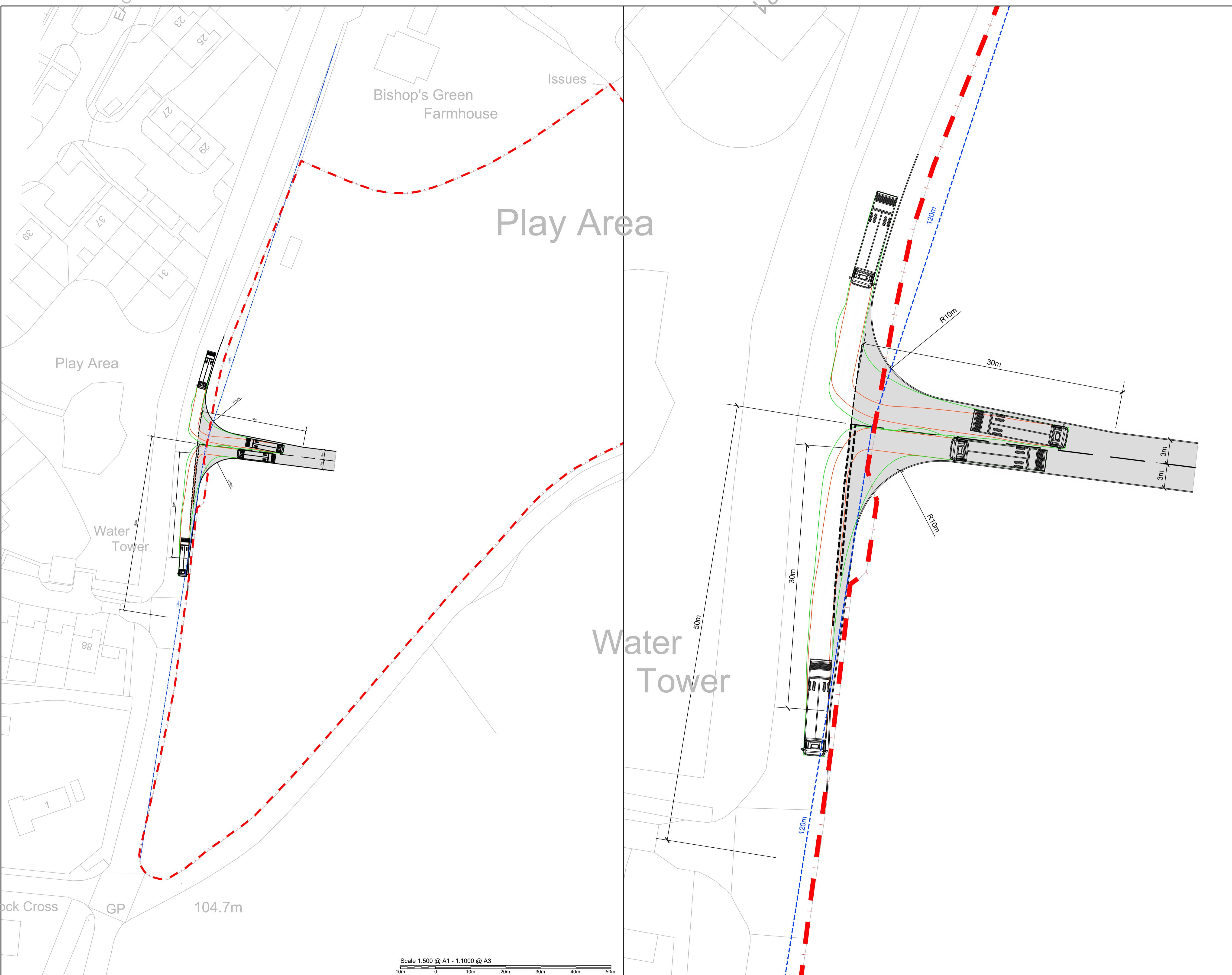
# APPENDIX A – PRELIMINARY ACCESS DESIGN



Iveco ML 180 (2009) meters  
 Width : 2.47  
 Track : 2.45  
 Lock to Lock Time : 6.0  
 Steering Angle : 51.5

KEY

- SITE BOUNDARY
- VEHICLE BODY LINE
- VEHICLE WHEEL LINE
- 2.4m x 120m 40mph VISIBILITY SPLAY
- PROPOSED CARRIAGEWAY



Revision History					
Rev	Comment	By	Chkd	Appr	Date
P01	FOR INFORMATION	RLM	DT	DT	29.09.22
Rev	Comment	By	Chkd	Appr	Date
Current Revision					
P01	FOR INFORMATION	RLM	DT	DT	29.09.22
Rev	Comment	By	Chkd	Appr	Date

**S2 - FOR INFORMATION**  
**SEDAS STRATEGIC LAND**



Project  
**ECCHINSWELL ROAD  
 BISHOPS GREEN**  
 Drawing Title  
**PROPOSED PRIORITY JUNCTION**

Scale 1:500 @ A1 - 1:1000 @ A3

Scale 1:200 @ A1 - 1:400 @ A3

## Jessica Wells

---

**From:** Stuart Crickett <[REDACTED]>  
**Sent:** 19 December 2022 12:17  
**To:** Local Plan  
**Cc:** Christopher Roberts  
**Subject:** Representations obo SEDAS Strategic Land to the Regulation 16 Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan  
**Attachments:** ESBG Reg 16 NP Consultation - Representation obo Sedas Strategic Land.pdf; ESBG Representation Form - Completed.pdf

\*\*\*\* PLEASE NOTE: This message has originated from a source external to Basingstoke & Deane Borough Council, and has been scanned for viruses. Basingstoke and Deane Borough Council reserves the right to store and monitor e-mails \*\*\*\*

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Dear Local Plan Team

On behalf of SEDAS Strategic Land, please find attached formal submission of representations to the Reg.16 Neighbourhood Plan consultation document and its supporting evidence base.

Our submission comprises:

- a completed copy of the submission pro forma representation form
- separate Representations Statement document (the document referred in the completed pro form form).

We trust our representations are self-explanatory and would be glad to discuss any queries or clarifications with Officers and the appointed Examiner interim of the/any programmed examination hearing sessions if this will assist.

In interim, if we can provide any further information do let me know.

Regards  
Stuart  
**Stuart Crickett**  
Director

T [REDACTED]  
[REDACTED]  
[REDACTED]



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Ref: (for official use only)

# Basingstoke and Deane Borough Council

## Representation form for the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan

Ecchinswell, Sydmonton and Bishops Green Parish Council has submitted their Neighbourhood Plan to the Local Planning Authority (Basingstoke and Deane Borough Council) who are now consulting on the plan. The plan sets out a vision for the future of the parish and planning policies which will be used to determine planning applications locally. The consultation runs from **Monday 7 November through to 5pm on Monday 19 December.**

Representations should be submitted by no later than **5pm on 19 December** online at [www.basingstoke.gov.uk/ESBGNP](http://www.basingstoke.gov.uk/ESBGNP). Representations can also be made by returning this form or writing to Basingstoke and Deane Borough Council.

**by post to:** Planning Policy Team, Civic Offices, London Road, Basingstoke RG21 4AH

**by email to:** [local.plan@basingstoke.gov.uk](mailto:local.plan@basingstoke.gov.uk)

**This form has two parts:**  
Part A – personal details  
Part B – your representation(s) – please identify which part of the document your comment relates to by completing the appropriate box. Additionally, please complete a separate form for each representation.

### PART A

#### Personal details (if an agent is appointed, please complete only the

Title, Name and Organisation boxes below but complete the full contact details of the agent in 2)

Title	
First name	
Last name	
Job title (where relevant)	
Organisation (where relevant)	
Address	
Postcode	
Telephone number	
Email address	
Preferred method of contact	Email <input type="checkbox"/> Post <input type="checkbox"/>

#### Agent's details (if applicable)

Title	
First name	
Last name	
Job title (where relevant)	
Organisation (where relevant)	
Who are you representing?	
Address	
Postcode	
Telephone number	
Email address	
Preferred method of contact	Email <input checked="" type="checkbox"/> Post <input type="checkbox"/>

**Are you responding as:**

- |                                       |                                     |                                |                          |
|---------------------------------------|-------------------------------------|--------------------------------|--------------------------|
| An individual                         | <input type="checkbox"/>            | A town or parish council       | <input type="checkbox"/> |
| A district/borough council            | <input type="checkbox"/>            | A borough councillor/MP        | <input type="checkbox"/> |
| On behalf of an organisation          | <input type="checkbox"/>            | On behalf of a community group | <input type="checkbox"/> |
| A landowner/developer/agent/architect | <input checked="" type="checkbox"/> | Other                          | <input type="checkbox"/> |

**PART B**

**PLEASE USE A SEPARATE SHEET FOR EACH REPRESENTATION**

**1. Which part of the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan does your representation relate to?**

- a. Paragraph  b. Policy  c. Other

**2. Do you support or oppose that part of the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan?**

Support  Oppose

**Please provide comments on the part of the neighbourhood plan that you refer to in Q1.**

Please remember that the examiner will test whether the neighbourhood plan meets the basic conditions and other relevant legal requirements. Your representation(s) should therefore aim to address whether or not the neighbourhood plan meets the basic conditions.

Please see separate representations statement.

**Please state any improvements or modifications that you feel should be made to the neighbourhood plan.**

Please see separate representations statement.

Continue on a separate sheet if necessary

The majority of neighbourhood plan examinations are expected to be through written representations. However, should the examiner decide there is a need for a public hearing, please state below whether you would like to participate.

**3.** If a public hearing is necessary would you like to participate?

a. No, I do not wish to participate at the examination public hearing

b. Yes, I wish to participate at the examination public hearing

**4.** If a public hearing is required please outline why you consider that your participation is necessary. Please note the examiner will determine the most appropriate procedure.

Please see separate representations statement.

Continue on a separate sheet if necessary

## Data Protection Statement

In complying with the General Data Protection Regulation (GDPR), Basingstoke and Deane Borough Council confirms that it will process personal data gathered from this form only for the purposes relating to the consultation. It is intended to publish responses to the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan consultation on the council's website. This will include publication of names of respondents and company names (where appropriate). Please ensure you do not include any personal information in Part B of the document. Copies of all consultation responses, including Part A, will be available to view at the council offices, and photocopies can be made of these representations on request.

Personal information will also be shared with the appointed examiner, who may wish to contact you to discuss your comments and concerns, prior to the examination of the neighbourhood plan.

Please indicate below if you wish to be kept informed of the progress of the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan and if you are happy for us to contact you.

- a. **If you wish to be notified of the Examiner's Report please tick box**
- b. **If you wish to be notified of the 'Made' Neighbourhood Plan please tick box**

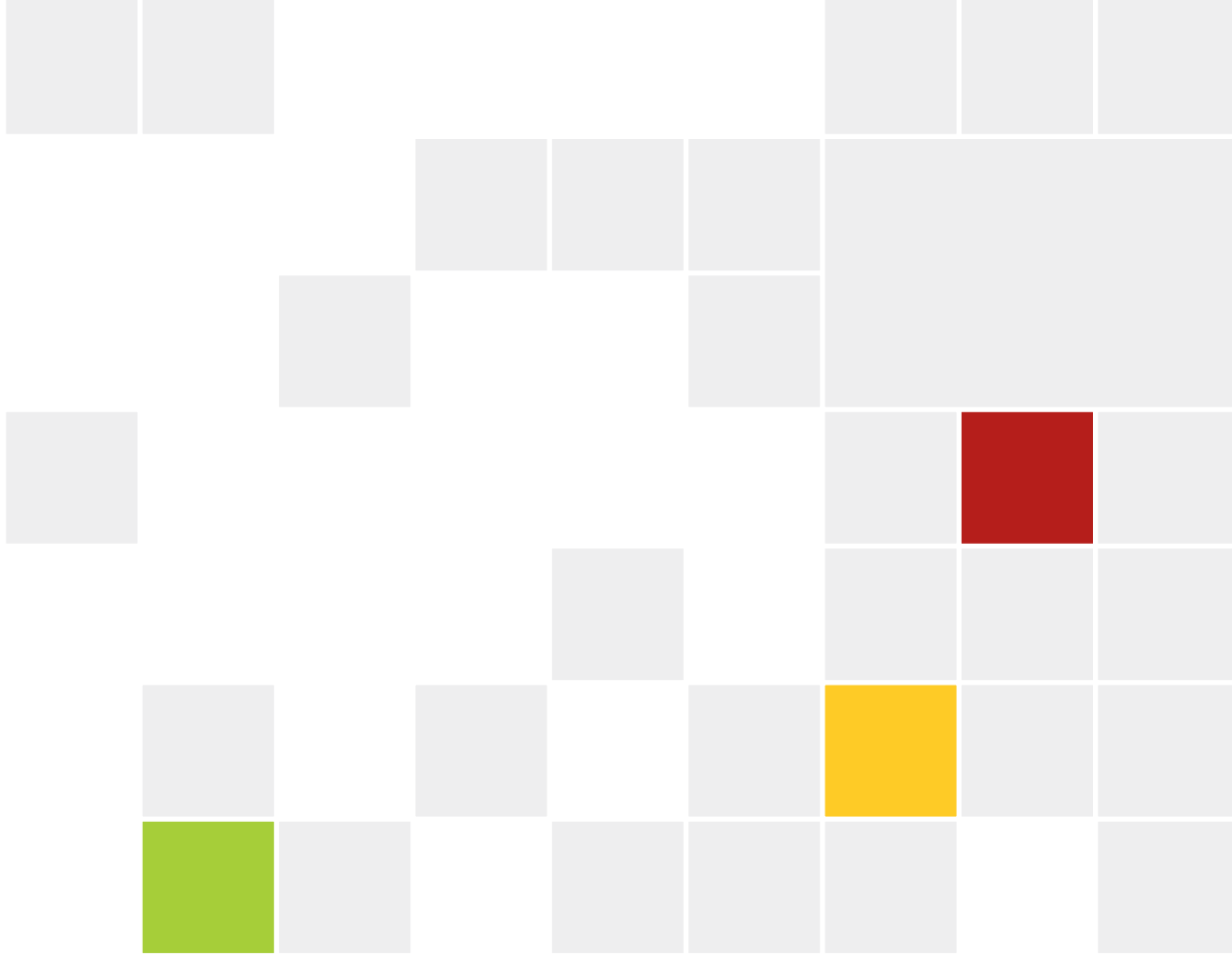
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## Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan Consultation



**Boyer**

## Report Control

Project:	Land at Bishops Green Farmhouse
Client:	Sedas Strategic Land
Reference:	
File Origin:	
Primary Author	Christopher Roberts
Checked By:	

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Appendix 1 – Location Plan

Appendix 2 – Illustrative Layout

Appendix 3 – Ecological Technical Note

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# 1. INTRODUCTION

## Background and Scope of these Representations

- 1.1 This representation has been prepared on behalf of Sedas Strategic Land ('Sedas'), in response to the 'Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan ('the NP') Regulation 16 Consultation'.
- 1.2 Sedas's interests relate to their ongoing promotion of 'Land at Bishops Green Farmhouse, Bishops Green' ('the site'), for a residential development, provided alongside green infrastructure, biodiversity enhancements and public open space. This site is identified in the Draft Site Assessment Report (August 2022) under reference 'BGF'.<sup>1</sup>
- 1.3 A Location Plan is provided at **Appendix 1**, with an illustrative layout being included at **Appendix 2**. An Ecological Technical Note is supplied at **Appendix 3**, whilst a Transport Technical Note is presented at **Appendix 4**.
- 1.4 Sedas welcomes the preparation of the NP and believes that the Plan could have a positive effect on planning within the Parish. Sedas also appreciates the opportunity to outline its observations on the consultation document and the evidence base reports which accompany it.
- 1.5 Nonetheless, in its present form, the draft NP does not meet the 'basic conditions', as identified in Paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990. We set out why this is the case in the following sections of this representation and set out how such issues could be remedied.
- 1.6 It should be noted that we have specifically sought to comment in respect of draft policies and approaches that are directly or indirectly pertinent to the promotion of Land at Bishops Green Farmhouse. However, we have also provided comments in relation to other proposed policies, where we believe these will enhance the NP and facilitate its implementation as an effective development management tool.
- 1.7 Accordingly, the following sections of this representation are set out as follows:
  - Section 1 – Introduction
  - Section 2 – Legal and Policy Context
  - Section 3 – Land at Bishops Green Farmhouse
  - Section 4 – Response to the Draft Neighbourhood Plan
  - Section 5 – Summary and Conclusions
- 1.8 We trust that our comments are of assistance to Basingstoke and Deane Borough Council (BDBC) and the appointed Examiner.

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<sup>1</sup> The site is alternatively identified as ref. EC001, within the BDBC Strategic Housing Economic Land Availability Assessment (SHELAA).

- 1.9 It should be noted that Sedas Land also responded to the previous Regulation 14 consultation, on 07 October 2022. Despite this, our representations do not appear to have been included within the consultee responses appended to the 'Neighbourhood Plan. Consultation Statement'.

## 2. LEGAL AND POLICY CONTEXT

### Overview

- 2.1 The Planning Practice Guidance (PPG) sets out that neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood. They also provide an opportunity to shape the development and growth of their local area. The PPG explains this at Paragraph: 003 Reference ID: 41-003-20190509;

*“Neighbourhood planning enables communities to play a much stronger role in shaping the areas in which they live and work and in supporting new development proposals. This is because unlike the parish, village or town plans that communities may have prepared, a neighbourhood plan forms part of the development plan and sits alongside the local plan prepared by the local planning authority. Decisions on planning applications will be made using both the local plan and the neighbourhood plan, and any other material considerations”.*

- 2.2 Neighbourhood planning is therefore recognised as a mechanism that allows local people to plan for the types of development that will meet their community’s needs. However, the ambitions of a Neighbourhood Plan must also align with the strategic needs and priorities of the wider local area (as defined through adopted and emerging Local Plans, and the associated evidence base).

### Basic Conditions

- 2.3 Once the Neighbourhood Plan is submitted for independent examination, it must be demonstrated that it conforms to the ‘basic conditions’ as identified in Paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (TCPA 1990). The Plan must also be legal in every other respect.
- 2.4 Following submission, it will be the role of an Independent Examiner to consider whether the draft Neighbourhood Plan meets the basic conditions. In order to meet the basic conditions, the making of the Neighbourhood Plan must:
- Be appropriate to do so, having regard to national policies and advice contained in guidance issued by the Secretary of State;
  - Contribute to the achievement of sustainable development;
  - Be in general conformity with the strategic policies of the development plan; and
  - Not breach, and must be otherwise compatible with, European Union (EU) and European Convention on Human Rights (ECHR) obligations.
- 2.5 In considering the submitted Neighbourhood Plan, the Independent Examiner will also be required to establish that the Plan:

- Has been prepared and submitted for examination by a qualifying body;
- Has been prepared for an area that has been properly designated;
- Includes development that is excluded development (it cannot);
- Relates to only one Neighbourhood Area; and
- Contains only policies that relate to the development and use of land.

2.6 Further guidance on each of the basic conditions is provided under the respective sub-headings below.

### **Regard to National Policy**

2.7 A Neighbourhood Plan must have regard to the National Planning Policy Framework ('NPPF') and associated guidance. In this respect, NPPF Paragraph 13 states that:

*"The application of the presumption [in favour of sustainable development] has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should:*

- *Support the delivery of strategic policies contained in local plans or spatial development strategies; and,*
- *Should shape and direct development that is outside of these strategic policies".*

2.8 NPPF Paragraph 29 further reiterates the need for Neighbourhood Plans to be aligned with the strategic needs and priorities of the wider local area. It states that: "...*Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies*". This is supported by NPPF footnote 16 which states: "*Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area*".

2.9 Pursuant to this, the PPG (at Paragraph: 069 Reference ID: 41-069-20140306) further clarifies that 'regard to national policy' means that a "*Neighbourhood Plan or Order must not constrain the delivery of important national policy objectives*".

2.10 In addition, Neighbourhood Plans are also required to provide sufficient clarity to enable their policies to fulfil their intended development management role. Moreover, such policies must relate specifically to the unique circumstances of the neighbourhood area. This means that Neighbourhood Plan policies should not duplicate general Local Plan policies. These requirements are considered at the PPG Paragraph: 041; Reference ID: 41-041-20140306;

*“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.”*

- 2.11 It is further specified that there has to be robust evidence to support particular policies, as may be proposed in a Neighbourhood Plan. It is not permissible to rely on conjecture or assertions. Nor is it sufficient (for example) to rely on a survey of local opinion, in order to suggest that a particular policy is justified because of the aspirations or concerns of the local community. In this regard the PPG, at paragraph 040 Reference ID: 41-040-20160211, states that;

*“While there are prescribed documents that must be submitted with a neighbourhood plan or Order there is no ‘tick box’ list of evidence required for neighbourhood planning. Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan or the proposals in an Order...”*

### **Contribution to the Achievement of Sustainable Development**

- 2.12 All plan-making should contribute to and help to achieve sustainable development. Sustainable development is defined at NPPF paragraph 8. It encompasses three overarching objectives - environmental, economic and social;

*“a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*

*c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”*

- 2.13 At NPPF paragraph 11, it is confirmed that all “Plans and decisions should apply a presumption in favour of sustainable development.” With it being added that;

*“For plan-making this means that:*

*a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change”*

- 2.14 Accordingly, Neighbourhood Plans should contribute to improvements to the three dimensions of sustainable development. If there are likely potential adverse effects as a result of the Plan, there should be measures in place that will reduce or offset these effects. This requirement is outlined in the PPG, at paragraph 072 Reference ID: 41-072-20190509 adds that;

*“This basic condition [contributing to sustainable development] is consistent with the planning principle that all plan-making and decision-making should help to achieve sustainable development. A qualifying body should demonstrate how its plan or Order will contribute to improvements in environmental, economic and social conditions or that consideration has been given to how any potential adverse effects arising from the proposals may be prevented, reduced or offset (referred to as mitigation measures).*

*In order to demonstrate that a draft neighbourhood plan or Order contributes to sustainable development, sufficient and proportionate evidence should be presented on how the draft neighbourhood plan or Order guides development to sustainable solutions.”*

### **Conformity with the Strategic Policies in the Development Plan of the Local Area**

- 2.15 NPPF paragraph 13 is clear that Neighbourhood Plans should support the strategic development needs set out in Local Plans, including policies for housing and economic development. At footnote 16 and paragraph 29, the NPPF also states that Neighbourhood Plans should be in general conformity with the strategic policies of the Development Plan and that Neighbourhood Plans should plan positively to support them.
- 2.16 The Development Plan for the Neighbourhood Plan Area currently comprises the Basingstoke and Deane Local Plan (Local Plan), which was adopted in 2016 and which covers the period up to 2029. The Hampshire Minerals and Waste Plan (HMWP), which was adopted in 2013, also forms part of the relevant Development Plan for the area. The HMWP plan-period runs until 2030.
- 2.17 In addition, the Local Planning Authority (LPA), BDBC, is also preparing a ‘Local Plan Update’, which will seek to guide development up to at least 2038. A Regulation 18 ‘Issues and Options’ consultation took place in 2020, and a further Regulation 18 Consultation had been expected to take place during the Autumn of 2022. However, this is now expected to be delayed until into 2023.
- 2.18 Nonetheless, the ‘Economic, Planning and Housing Committee’ (meeting on 2 September 2021 and again on 6 January 2022), considered a paper where Bishops Green was identified as a ‘Smaller Village’. This was based on analysis within the ‘Basingstoke and

Deane Settlement Study' (2020). The committee papers identified a proposed apportionment of 15 homes to the settlement.

- 2.19 The PPG is clear that a draft Neighbourhood Plan is not tested against the policies in an emerging Local Plan. It is therefore possible for the NP to proceed to referendum and be 'made' prior to the new Local Plan being adopted. However, the PPG at Paragraph: 009 Reference ID: 41-009-20190509 adds that;

*...the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. For example, up-to-date housing need evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development.*

- 2.20 In considering the primary policy objective of achieving of sustainable development, it is also entirely possible (as indicated at PPG Paragraph: 103 Reference ID 41-103-20190509) for a Neighbourhood Plan to propose housing growth at a level exceeding the requirement identified by the LPA. This may well be a suitable approach, where the allocation of additional housing can create further social, economic or environmental benefits.

#### **Compatibility with EU and Human Rights Regulations**

- 2.21 Neighbourhood Plans must not breach and must be compatible with EU and human rights obligations, including the Strategic Environmental Assessment (SEA) Directive. The SEA is a procedure (set out in the Environmental Assessment of Plans and Programmes Regulations 2004) which requires the formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment.
- 2.22 It is further specified that Neighbourhood Plan areas which are in close proximity to (or that may lead to adverse effects on) a wildlife site that has been designated under the EU Habitats Directive, may also have to undertake a Habitats Regulation Assessment (HRA). A HRA is required to determine whether a plan or project would have significant adverse effects upon the integrity of internationally designated sites of nature conservation importance, or Natura 2000 sites. Undertaking a HRA screening will ensure that Neighbourhood Plans meet the requirements of the Directive and help to meet the Basic Condition to be in line with EU regulations.

### 3. LAND AT BISHOPS GREEN FARMHOUSE

- 3.1 As indicated, Sedas is promoting Land at Bishops Green Farmhouse (site BGF) for a sustainable, high-quality, landscape-led residential development.

#### Site Context and Characteristics

- 3.2 The site comprises a single parcel of agricultural land, located to the east of the current built extent of the settlement. The land is well contained by mature trees, hedgerows and vegetation, and benefits from clearly defined physical boundaries. Ecchinswell Road borders the site to the west, whilst Hyde Lane encloses the site to the east. To the north the promoted land borders Bishops Green Farmhouse.
- 3.3 An existing agricultural access to the site is located on Ecchinswell Road, to the west. The nearest bus stop is situated (on Ecchinswell Road) near the junction with Ash Road, around a 230m walk from the current site access. The stop is served by the No. 103 route, which provides access to Greenham Park and Newbury, and the employment opportunities and services available at these locations.
- 3.4 As confirmed in the accompanying Technical Note (**Appendix 3**), biodiversity interest is largely restricted to the site's boundary hedgerows and trees, whilst the main body of the land (having been in agricultural use) is not of significant ecological value. There are no Tree Preservation Orders (TPOs) on site, however an area of woodland (to the east of Hyde Lane) is identified by BDBC as a BAP Priority Habitat. Development at the site would need to provide an appropriate buffer towards this woodland.
- 3.5 Regarding landscape, the site is not within, nor in proximity to, the North Wessex Down Area of Outstanding Natural Beauty (AONB). The Basingstoke and Deane Landscape Character Assessment (May 2021) suggests that the site falls within the Ecchinswell Character Area. In terms of visibility, the site is largely screened from views along Ecchinswell, but is relatively more visible from Hyde Lane, owing to the gradient of the land. Boundary landscape enhancements would be required to reduce the effects of future development.
- 3.6 The site does not contain any Listed Buildings or Scheduled Ancient Monuments, nor is it located within or in the vicinity of a Conservation Area. Whilst archaeological surveys would need to be undertaken in support of any future planning application, a review of the Historic Environment Record did not highlight features of recorded archaeological interest within the local area. This suggests a low-probability of finds of historical interests being made at the site.
- 3.7 With respect to flood risk, the Environment Agency (EA) mapping confirms that the site lies wholly within Flood Zone 1. This confers the lowest risk of flooding from fluvial sources. In terms of surface water flooding, EA mapping further confirms that the site is free from surface water constraints, aside from a small area where the site adjoins Hyde Lane. This part of the site is envisaged for open space and green infrastructure.

## The Proposed Development

- 3.8 The emerging site layout (at **Appendix 2**) indicates that the site is suitable for allocation and capable of accommodating approximately 27 dwellings, of which 11 (40%) would be expected to be affordable homes, in line with adopted planning policies. The dwellings would be provided predominantly as two storey dwellings, with a small number of flats (these will appear as houses, rather than blocks of apartments). To cater to local needs, the size of the properties ranges from 1 to 5-bedrooms.
- 3.9 A vehicular access is envisaged from Ecchinswell Road, which will meet the design requirements of the Local Highways Authority (LHA), Hampshire County Council (HCC). New sections of footway (on Ecchinswell Road) are proposed to allow for pedestrians to access the existing village via Eagle Road. A further pedestrian route is proposed at the north of the site to provide wider connectivity. All dwellings will include on-site parking, consistent with BDBC and HCC standards. Further details are provided in the Transport Technical Note (**Appendix 4**).
- 3.10 The proposed homes will be arranged in outward-facing perimeter blocks and are organised around a hierarchy of adoptable residential streets and secondary shared streets. Gardens will be generously sized and, where possible, parking bays are located to the side of the proposed homes, to reduce the presence of vehicles within the street scene. Surface water will be addressed through a Sustainable Urban Drainage System (SuDS), which will achieve 'greenfield run-off rates'.
- 3.11 The new homes would be provided alongside a Locally Equipped Area for Play (LEAP) or Local Area for Play (LAP), subject to advice from BDBC, together with a further area of public open space for walking and informal recreation. Boundary landscaping will be enhanced to reduce visual impacts and new planting will be provided throughout the development, to soften its appearance and to respond to the rural character of the area.
- 3.12 All existing landscape features will be retained, with removal being limited to where this is necessary to achieve a suitable vehicular access. Areas within the site will also be provided for biodiversity enhancements and enrichment. Green buffers are also envisaged towards the hedgerows and belts of mature trees that border parts of the site. This will help to both ensure the arboricultural health of existing specimens and create green corridors for new planting.
- 3.13 The new homes will be designed to contribute to zero-carbon objectives. Each property will be served by an electric vehicle charging point, will be highly thermally efficient and will generate renewable energy through the inclusion of photovoltaic panels on appropriately oriented roof spaces. Whilst the homes will be energy efficient, they will be built in a traditional vernacular, with their appearance being high-quality and consistent with the ES&BG Neighbourhood Plan Design Code.

- 3.14 It is recognised that the scale of development proposed at the site is greater than the apportionment to Bishops Green currently envisaged in the NP. The following section of this representation sets out why a more substantial apportionment to Bishops Green would be more effective at promoting sustainable development, as part of a modified NP strategy.
- 3.15 Notwithstanding these comments, Sedas wishes to clarify that it would be happy to revise the proposed housing mix, to ensure any scope for additional community benefits might be capable of being provided. This could include providing properties for older people / people with additional needs, such as bungalows, etc. Likewise, the dwellings provided could specifically include homeworking spaces, to help reduce commuting, as finds support in draft Policy ESBG9.
- 3.16 We would welcome the opportunity to discuss our approach with the Parish Council and on a 'without prejudice' basis to any decision to allocate the site or otherwise.

## 4. HOUSING POLICY COMMENTS

### Settlement Boundaries (Draft Policy ESBG1)

- 4.1 Policy ESBG1 proposes to define settlement boundaries for both Bishops Green and Ecchinswell, these being the two main settlements within the Neighbourhood Plan Area. Sedas agrees with this approach, as the introduction of such boundaries provides clarity for residents and developers alike.
- 4.2 However, as we note below, we are concerned that the proposed allocation at Ecchinswell (as proposed in Policy ESBG3) would not actually be included in the new settlement boundary. In our view, this points to the unsuitability of 'Site EX' for the envisaged residential development.
- 4.3 As a separate matter, limb 'c' of this draft policy, which relates to the River Test catchment area and nitrate / nutrient neutrality, appears out of place. This is noting that it relates to the management of protected ecological interests, rather than settlement boundaries. Indeed, the area falling within the catchment does not actually contain any villages that are proposed to be enclosed within such boundaries.
- 4.4 If this policy is to remain in the NP, then it would perhaps be more logically included within Policy ESBG12, as this relates to green infrastructure and nature recovery. This said, it may be more appropriate to simply omit this policy from the NP, as Natural England, HCC and the relevant district and borough councils across Hampshire, are working to create a strategic approach to mitigation, which will be applied across a wide spatial area.
- 4.5 Therefore, it does not appear to be necessary to include a policy relating to nitrate neutrality within the NP.

### Overall Housing Provision (Draft Policy ESBG2)

- 4.6 Whilst Sedas welcomes the fact that the NP seeks to allocate land for housing, several concerns are raised in respect of the overall amount of proposed housing. In this respect, Policy ESBG2 indicates that the NP seeks to provide 20 to 25 dwellings (across the NP Area), with it being explained in the supporting text that this is consistent with the figure identified by BDBC.
- 4.7 However, as set out at NPPF paragraphs 11 and 61, housing need / housing requirements are expressed as *minimum* figures, they are not a cap. This approach applies to the housing requirements identified in both the adopted BDBC Local Plan and the emerging Local Plan Update. Subsequently, any figure disaggregated down to a Neighbourhood Plan also only represents a minimum target (thereby ensuring general conformity with the strategic policies for the area, as per NPPF paragraph 29).
- 4.8 In this instance, there is a strong case for planning to exceed the minimum figures that BDBC has identified for the parish. As set out below, Sedas considers that the NP should

plan for the delivery of additional sites over the Plan-period. This will allow for a greater mix of housing to be provided and facilitate the delivery of more affordable homes. A more ambitious strategy is also more likely to prove effective at delivering wider infrastructure and community benefits. This is further explained below.

### **Housing Supply to Meet Local Needs (Draft Policy ESBG2)**

- 4.9 In terms of meeting the identified housing requirement, draft Policy ESBG2 indicates that 5 homes are derived from assumed windfall provision, whilst a further 5 dwellings are to be delivered through a proposed allocation at Ecchinswell. The remaining 15 are to be provided through an allocation at Bishops Green.
- 4.10 We acknowledge that Catesby Estates is promoting land to the north and has submitted an outline planning application (ref. 21/03598/OUT) for some 350 dwellings. Clearly, the approval of this development would introduce a major (indeed, transformative) scale of growth at the settlement. However, based on a review of the consultee comments provided in respect of that application, it is far from clear that planning approval will be forthcoming.
- 4.11 Likewise, it is recognised that the outline planning application for up to 42 dwellings (Ref. 22/00174/OUT) on land to the north of Bishops Green, now benefits from a resolution to grant planning permission (subject to the signing of a Section 106 Agreement), following a meeting of BDBC's Development Control Committee on 07 December 2022.
- 4.12 However, putting aside these applications, the NP's approach represents (in our opinion) a missed opportunity to maximise the socio-economic benefits that it could secure. For example, the allocation envisaged at Draft Policy ESBG4 will result in a 5-dwelling development at Ecchinswell. However, this scale of the development is unlikely to trigger the threshold for the provision of affordable housing (1,000 sqm) and the mix of dwellings that will be provided will be inherently limited by the scheme's size.
- 4.13 The same will also be true of new dwellings that may be brought forward through 'windfall' applications. Whilst we do not dispute that such developments may provide a handful of new homes over the Plan-period, it should be recognised that windfall developments (particularly in rural settlements) typically concern proposals for a small number of larger houses. This source of supply is therefore less likely to provide homes that address local needs.
- 4.14 Nor is it the case that the resolution to grant planning permission for Ref. 22/00174/OUT would mean that affordable housing needs within the parish are fully met. Indeed, it was acknowledged during the Committee's debate that 7 additional affordable homes would still need to be provided, over and above any that would be delivered on land to the north of Bishops Green (assuming that scheme is successfully implemented).
- 4.15 In view of this, we recommend that the proposed strategy for housing provision be revised. Specifically, the level of housing provision overall should be increased. This should include an additional allocation at Bishops Green and we maintain that Land at Bishops Green Farmhouse (site BGF) represents the most suitable available site for this purpose.

- 4.16 Were this change to be made, the allocations at Bishops Green would still be of a scale that is proportionate and reasonable, relative to the size and sustainability of the settlement. Indeed, they would certainly be much smaller than the planning applications described previously. So, there would be no major disbenefits or conflict regarding locational sustainability.
- 4.17 Conversely, because development would be concentrated into two allocations at Bishops Green (each of meaningful scale), the NP could expect to achieve significant additional benefits. Modest levels of additional development at Bishops Green will be better able to support a genuine mix of dwelling types and sizes. Likewise, such developments will facilitate an increased number of affordable homes and could more realistically provide plots for self-build dwellings, accommodation for meeting older peoples need and/or specialist accommodation for older people.
- 4.18 Focusing development at Bishops Green would also help to secure the transport enhancements that the NP seeks. For example, the request bus stop that the NP aspires to through Draft Policy ESGB3, is unlikely to be achieved via an allocation of only 15 dwellings. However, if sites BGI and BGF were allocated in conjunction, then there would be potential to provide not just a request stop, but a physical bus shelter. This could be provided alongside additional enhancements on Ecchinswell Road, to improve the potential for safe pedestrian accessibility in this part of the settlement.

#### **Sites Proposed for Allocation (Draft policies ESGB3 and ESGB4)**

##### *Draft Policy ESGB3 (Site Ref BGI - Land South of Rooksfield and West of C155 Ecchinswell Road).*

- 4.19 With regard to Bishops Green, Land South of Rooksfield and West of C155 Ecchinswell Road, is proposed to be allocated for the delivery of 15 homes and an area of public open space. This proposed allocation has the advantage of being located in Bishops Green, a settlement that is less constrained than Ecchinswell and which has the potential to benefit from sustainability enhancements.
- 4.20 As the SEA and Site Assessment Report notes (at paragraphs 4.6 to 4.10, there is little to distinguish the overall suitability of site BGI when compared to nearby site BGF. Both are scored similarly in terms of prevailing constraints and each are recognised as being able to provide mitigation. Site BGF admittedly scores slightly lower in terms of biodiversity. However, this score is a result of the lack technical information. The accompanying Ecological Technical Note (**Appendix 3**) confirms the absence of ecological constraints
- 4.21 However, as indicated through our comments on the level of overall housing provision and the strategy for housing distribution, Sedas considers that there is a strong case for allocating both sites BGI and BGF. This would allow for a range of additional sustainability benefits to be secured, through a coordinated policy-led approach.

Draft Policy ESBG4 (Site Ref. EX - Clere Livery Stables)

- 4.22 In respect of Ecchinswell, the site proposed for allocation (at Draft Policy ESBG4) appears to have been selected (partly) on the basis that the site represents 'previously developed land' (PDL). However, from the details presented in the NP and the evidence base documents, it is not clear if the site actually meets the definition of PDL, as set out at page 70 of the NPPF.
- 4.23 In any case, this particular site does not relate well to the existing settlement and is disconnected from the centre of the village. This is focused on/around the public house, and then the Village Hall and school further to the north. It is telling, that the site (when developed) would remain outside of the settlement boundary (as proposed to be created through Draft Policy ESBG1 and as set out at NP 'Policies Map Inset 3') and is located within the AONB.
- 4.24 Moreover, the road lacks an existing pedestrian footpath and there appears to be limited scope for enhancement. At paragraph's 5.30 to 5.35, the NP explains how a 'green path' can instead be provided within the field to the north. However, this would not extend far enough to provide a safe route into the village.
- 4.25 Taking account of these considerations, it is doubtful whether housing development at this location represents sustainable development, particularly when having regard to the requirements of NPPF paragraph 105, which seeks to direct development to locations that are, or which can be made, sustainable. Similarly, it is not clear that a future planning application would meet the tests outlined at NPPF paragraph 110 (which applies to decision-taking for proposals on both allocated and un-allocated sites). These require that;
- "a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location", and that,*
- "b) safe and suitable access to the site can be achieved for all users"*
- 4.26 Noting the above, it appears quite likely that the LHA would object should a planning application be brought forward at this site. This points to a lack of conformity with national planning policies and a conflict with the basic conditions test, set out in legislation.
- 4.27 Therefore, and in view of our previous comments regarding the opportunities provided by larger sites, the allocation currently envisaged at Draft Policy ESBG4 should be omitted from the NP. The residual housing numbers could then be reapportioned to Bishops Green, in order to allow for a more meaningful growth at that settlement, which has the added benefit of being less constrained in respect of heritage and landscape matters.

## 5. OTHER POLICY COMMENTS

### **Support For Home Working (Policy ESGB9)**

- 5.1 This draft policy is supported and Sedas comment only insofar as to confirm that they would be happy to make provision for home working facilities, should Land at Bishops Green Farmhouse (BGF) be brought forward for development. This would be achieved (as appropriate) through the inclusion of study rooms within the dwellings, or through the inclusion of offices / flexible spaces within the rear garden of the properties.

### **Green Infrastructure Network and Nature Recovery (Policy ESGB12)**

- 5.2 Sedas agrees with and supports this policy in-principle. Insofar as it relates to Land at Bishops Green Farmhouse (BGF), the Green Infrastructure Network Map (at NP page 60) identifies a green corridor on the southern boundary of the land, which appears to relate to the boundary hedgerow.
- 5.3 Should the site be brought forward for development, this hedgerow will be retained and there is scope to provide a green buffer towards this feature, which will include landscape and biodiversity enhancements. This is in addition to the buffer and enhancements that will be provided towards the nearby woodland, which lies to the east of the site.
- 5.4 Separately, the supporting text to the policy further identifies a shortfall of Accessible Natural Green Space (as defined in the adopted BDBC Local Plan). There is scope to provide assessable open space on Site BGF, within the framework of a holistic development that provides additional sustainability benefits.

### **Zero Carbon Buildings (Policy ESGB16)**

- 5.5 As noted above, Sedas supports the net zero carbon agenda, and understands that changes to development and construction practices which are required to support this.
- 5.6 However, the stipulations of Policy ESGB16 are strategic in nature, as they set out environmental and design requirements that would be better applied consistently across the Borough, through the Local Plan Update. Indeed, in the interests of sound planning, sustainable design requirements should not be set at the level of the parish / Neighbourhood Area, given the complexity this would create for developers who must operate across a broader geography.
- 5.7 The Neighbourhood Plan-making process also provides limited scope for matters such as viability (as impacted by construction costs) to be fully considered, which is necessary in order to ensure compliance with the NPPF and general conformity with the strategic policies of the Development Plan. At this stage, neither the NP or the supporting evidence base appears to include a viability assessment.

- 5.8 In addition, draft Policy ESBG16 appears to conflict with the requirements of adopted Local Plan Policy EM10 (a strategic policy) and the Borough-wide Design and Sustainability SPD, which it directly references. The strategic nature of proposed Policy ESBG16 is further confirmed by the fact that it will be superseded by equivalent sustainability related policies in the emerging Local Plan Update.
- 5.9 As set out in the Planning Practice Guidance (PPG) (at paragraph 76 Reference ID: 41-076-20190509), it is not the role of a Neighbourhood Plan to create strategic policies. Accordingly we recommend proposed Policy ESBG16 be omitted from the NP. However, if the policy is retained, it should be renamed 'Net Zero Carbon Buildings'. This amendment is needed, because as net zero development is what that policy wording and supporting text actually aspires to.

#### **Encouraging Active and Sustainable Transport (Policy ESBG17)**

- 5.10 Sedas agrees with the principle of this proposed policy, as it seeks to promote sustainable accessibility, safe mobility and travel planning, all of which contributes towards sustainable development. However, consistent with our comments in Section 4 of these representations, the NP's objectives in respect of Bishops Green would be better facilitated through a larger apportionment, delivered through the allocation of sites BGI and BGF.
- 5.11 Indeed, the 'Slow the Pace' areas identified on the proposed polices map, would benefit from the more substantive pedestrian infrastructure / traffic calming improvements on the relevant section of Ecchinswell Road, that could be delivered through this approach. Likewise, as noted previously, the two allocations together are much more likely to secure a new covered bus shelter, than the current proposal for single allocation for 15 dwellings, at site BGI.

## 6. SUMMARY AND CONCLUSION

- 6.1 Sedas welcomes the preparation of a Neighbourhood Plan for the Parish of Ecchinswell, Sydmonton and Bishops Green, and recognises that neighbourhood planning can allow local communities to play a meaningful and positive role, in influencing development within their area.
- 6.2 As we have set out in these representations, there are many aspects of the draft NP that are of merit and which should be carried forward. However, Sedas considers that the NP should make provision for a greater number of homes than the 25 presently being considered. The housing apportionment, identified by BDBC, represents *only the minimum figure* and exceeding this requirement would bring additional sustainability benefits to the Parish and its community.
- 6.3 Sedas recommends that the Plan be modified, such that additional development is brought forward at Bishops Green. This will allow for a greater mixture of market and affordable homes to be provided. Allocating both sites BGI and BGF also allow for more substantive infrastructure enhancements to be secured, not least a new bus stop at the southern extent of the settlement.
- 6.4 We have also provided comments on a number of the other proposed policies. In this regard, Sedas are concerned that some of the draft policies appear to be strategic in nature (therefore exceeding the permitted scope of a Neighbourhood Plan), or are otherwise not supported by sufficient evidence to confirm their effectiveness / feasibility. These policies should be revisited, to ensure the NP can meet the basic conditions test.
- 6.5 Additionally, these representations (in conjunction with the appended Technical Notes) have confirmed that site BGF (Land at Bishops Green Farmhouse) is free from any significant constraints that would inhibit its development for new homes, green infrastructure, biodiversity enhancement and public open space. It is therefore considered this site should be allocated, as part of a revised strategy for moderate housing growth.
- 6.6 Sedas would welcome the opportunity to discuss any of the matters raised in these representations with the Parish Council and/or Neighbourhood Plan Steering Group.

## **APPENDIX 1 – LOCATION PLAN**

## **APPENDIX 2 – ILLUSTRATIVE LAYOUT**

## **APPENDIX 3 – ECOLOGICAL TECHNICAL NOTE**

## **APPENDIX 4 – TRANSPORT TECHNICAL NOTE**

## **APPENDIX 1 – LOCATION PLAN**



## **APPENDIX 2 – ILLUSTRATIVE LAYOUT**



**Accommodation Schedule**

Affordable Dwellings		11no. - Req 10.8 Units	
2no.	1-Bedroom Flats	Flat Block	540sqft
1no.	2-Bedroom Flat	Flat Block	760sqft
3no.	2-Bedroom Houses	Semi-Detached	850sqft
4no.	3-Bedroom Houses	Semi-Detached	1005sqft
1no.	4-Bedroom House	Semi-Detached	1200sqft
Open Market Dwellings		16no.	
2no.	2-Bedroom Houses	Semi-Detached	950sqft
2no.	3-Bedroom Houses	Detached	1250sqft
4no.	3-4-Bedroom Houses	Detached	1350sqft
4no.	4-Bedroom Houses	Detached	1500sqft
4no.	4-5-Bedroom Houses	Detached	2000sqft
<b>Total: 27 Dwellings</b>		1.89 Ha approx. to Red Line - 14.3 Dw/Ha	
<b>Car Parking:</b>		1 space per 1-Bedroom Affordable Flat 2 spaces per 2, 3 & 4-Bedroom Affordable Flat House (including garages and car bays) 12 visitor spaces at circa. 1 per 2.25 dwellings	

Rev	Date	Revision Details	AK	AK
A	03.10.22	Updated to Client Comments		
			Dr	Ch

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Client's Name  
**Sedas Strategic Land**

Job Title  
**Land at Bishop's Green Farmhouse, Ecchinswell Road, Bishops Green**

Drawing Title  
**Feasibility Site Plan**

Scale  
**1:500 @ A1 1:1000 @ A3**

Drawn	Checked	Date
AK	KE	16.09.22

Job No	Drawing No	Rev
MPSSLBG	SK-02	A

Status  
**PRELIMINARY**



## **APPENDIX 3 – PRELIMINARY ECOLOGICAL APPRAISAL**



## Preliminary Ecological Appraisal

Bishops Green Farm House, Bishops Green, Newbury, RG20 4JP.

Status	Issue	Name	Date
Draft	1	Matthew Game BSc (Hons) ACIEEM REnvP	28/09/2022
Reviewed	1.1	Lizi Pimlott BSc (Hons) MSc MCIEEM MRSB, Principal Ecologist	01/10/2022
Final	2	Matthew Game BSc (Hons) ACIEEM REnvP	05/10/2022

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## **Industry Guidelines and Standards**

This report has been written with due consideration to:

- Chartered Institute of Ecology and Environmental Management (2017). Guidelines for Preliminary Ecological Appraisal. 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2018). Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. Version 1.1. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2017). Guidelines on Ecological Report Writing. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2020). Guidelines for Accessing, Using and Sharing Biodiversity Data in the UK. 2nd Edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- British Standard 42020 (2013). Biodiversity – Code of Practice for Planning and Development.
- British Standard 8683:2021 (2021). Process for Designing and Implementing Biodiversity Net Gain.

## **Proportionality**

The work involved in preparing and implementing all ecological surveys, impact assessments and measures for avoidance, mitigation, compensation and enhancement should be proportionate to the predicted degree of risk to biodiversity and to the nature and scale of the proposed development. Consequently, the decision-maker should only request supporting information and conservation measures that are relevant, necessary and material to the application in question. Similarly, the decision-maker and their consultees should ensure that any comments and advice made over an application are also proportionate.

This approach is enshrined in Government planning guidance, for example, paragraph 174 of the National Planning Policy Framework for England.

The desk studies and field surveys undertaken to provide a Preliminary Ecological Appraisal (PEA) might in some cases be all that is necessary.

(BS 42020, 2013)

## Executive Summary

Arbtech Consulting Limited was instructed to undertake a Preliminary Ecological Appraisal (PEA) at Bishops Green Farm House, Bishops Green, Newbury, RG20 4JP. (hereafter referred to as “the site”). The survey was required to inform a planning application for the redevelopment of the site, including the construction of new dwellings and the creation of a new access point (hereafter referred to as “the proposed development”).

**The following is work you will need to commission to obtain planning permission and to comply with legislation. Further information, along with opportunities for biodiversity enhancement, are outlined in Table 6 of this report.**

<b>Feature</b>	<b>Foreseen impacts</b>	<b>Recommendations</b> <i>Measures required to adhere to guidance, legislation and planning policies.</i>
Habitats and flora	No direct impacts to any notable habitats will occur as a result of the proposed development as only grassland and a very small amount of the boundary hedgerow will be affected by the proposed development. However, due to the proximity of the site to lines of trees, indirect effects such as pollution or tree damage could occur during construction.	Best practice measures to minimise the possibility of pollution and tree damage must be implemented during construction.
Foraging and commuting bats	The proposed development will not result in the removal of any habitats which could be used by foraging or commuting bats.  The proposed development could include the use of lighting which could spill on to bat roosting, foraging or commuting habitat and deter bats from using these areas.	A low-impact lighting strategy should be implemented.

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## **1.0 Introduction and Context**

### **1.1 Background**

Arbtech Consulting Limited was instructed to undertake a Preliminary Ecological Appraisal (PEA) at Bishops Green Farm House, Bishops Green, Newbury, RG20 4JP (hereafter referred to as “the site”). The survey was required to inform a planning application for redevelopment of the site, including the construction of new dwellings and the creation of a new access point (hereafter referred to as “the proposed development”). A plan showing the proposed development is provided in Appendix 1.

The aim of the PEA was to obtain data on existing ecological conditions, and to conduct a preliminary assessment of the likely significance of ecological impacts on the proposed development.

### **1.2 Site Context**

The site is located at National Grid Reference SU 50179 62780 and has an area of approximately 1.7ha. The site consists of a grazing field. The site is located rurally and the local area is dominated by arable fields, with Newbury extending to the north.

A site location plan is provided in Appendix 2.

### **1.3 Scope of the Report**

The PEA describes the baseline ecological conditions at the site, evaluates habitats within the survey area in the context of the wider environment and describes the suitability of those habitats for notable or protected species. It identifies possible ecological constraints as a result of the proposed development and summarises the requirements for further surveys and mitigation measures to inform subsequent mitigation proposals, achieve planning or other statutory consent and to comply with wildlife legislation.

To achieve this, the following steps have been taken:

- A desk study has been carried out.
- A field survey has been undertaken to record baseline information on the site and surrounding area including habitat types and their suitability for notable or protected species, including roosting bats.
- Invasive plant and animal species (such as those listed on Schedule 9 of the Wildlife & Countryside Act) have been identified.
- Potential impacts on features of value, as a result of the proposed development, have been identified.
- Recommendations for further surveys and mitigation have been made.
- Opportunities for the enhancement of the site for biodiversity have been set out.

## **2.0 Methodology**

### **2.1 Desk Study**

The desk study included a 2km radius review of statutory designated sites and notable habitats as well as a 2km radius review of granted European Protected Species Licence (EPSL) and notable species records held on magic.gov.uk database. An assessment of the surrounding landscape structure was also completed using aerial images from Google Earth and OS maps.

### **2.2 Field Survey**

The survey was undertaken by Matthew Game (Accredited Agent on Natural England Bat Licence Number: 2018-15716-CLS-CLS) on the 21<sup>st</sup> of September 2022.

#### **Preliminary Ecological Appraisal**

An extended habitat survey was undertaken, following the methodology set out in UK Habitat Classification User Manual (UK Habitat Classification Working Group, 2018). All land parcels are described and mapped and, where appropriate, target notes provide supplementary information on habitat conditions, features too small to map to scale, species composition, structure and management. Botanical species lists were compiled with reference to the DAFOR scale (D = Dominant; A = Abundant, F = Frequent, O = Occasional, R = Rare).

During the survey, habitats were assessed for their suitability to support protected species, and field signs indicating their presence recorded. The assessment takes into consideration the findings of the desk study, the habitat conditions on site and in the context of the surrounding landscape, and the ecology of the protected species.

### **2.3 Limitations**

It should be noted that whilst every effort has been made to describe the baseline conditions within the survey area, and evaluate these features, this report does not provide a complete characterisation of the site. This assessment provides a preliminary view of the likelihood of protected species being present. This is based on suitability of the habitats on the site and in the wider landscape, the ecology and biology of species as currently understood.

A biological records data search has not been undertaken. However, given the location of the site, the nature of the habitats present and the assessed suitability of the site for protected or notable species, it is not anticipated that the purchase of biological records data will add any significant weight or alter the conclusions and recommendations outlined in this report.

These limitations have been taken into account during the evaluation of the site and requirement for further surveys and mitigation. There were no other specific limitations to the report.

### 3.0 Results and Evaluation

#### 3.1 Desk Study Results

A summary of desk study results is provided below.

#### Designated Sites

Details of any statutory designated sites within a 2km radius of the site, including their reasons for notification, are provided in Table 1 below. The site sits within the impact risk zone for Greenham and Crookham Commons Site of Special Scientific Interest (SSSI). The proposed development is listed as a possible high risk with regard to this designation.

*Table 1: Statutory designated sites within 2km radius of the site*

<b>Designated site name</b>	<b>Distance from site (approx.)</b>	<b>Reasons for notification from Natural England</b>
Greenham and Crookham Commons SSSI	800 metres north	This site comprises of an extensive complex of heathland, grassland, gorse scrub, broad leaved woodland and alder-lined gullies.

#### Landscape

A review of aerial photographs (Google Earth) the magic.gov.uk database and OS maps has been undertaken. Collated together, the value of the landscape in terms of biodiversity is described below:

The site consists of a grazing field. The site is located rurally and the local area is dominated by arable fields, with Newbury extending to the north.

There are scattered woodland copses and tree lines around the area, which could be used by wildlife for shelter, foraging and commuting.

#### Notable Habitats

Notable habitats within 2km are listed in Table 2.

*Table 2: Notable habitats within 2km of the site*

<b>Habitat</b>	<b>Closest distance from site (approx.)</b>
Deciduous woodland	60 metres south
Good quality semi-improved grassland	270 metres east
Traditional Orchard	560 metres northeast
Woodpasture and parkland	590 metres south

### 3.2 Field Survey Results

The results of the field survey are illustrated in Appendix 3. The weather conditions recorded at the time of the survey are shown in Table 3.

*Table 3: Weather conditions during the survey*

Date: 21/09/2022	
Temperature	20°C
Humidity	72%
Cloud Cover	40%
Wind	7mph
Rain	None



### Habitats and Flora



The following habitats are present within the site:

- Line of trees – w1g6
- Other hedgerow – h2b
- Neutral grassland – g3
- Mixed scrub – h3h

A description and photograph of each habitat is provided in Table 4. No protected or non-native invasive plant species were identified on the site.

Table 4: Description and photographs of habitats within and adjacent to the site

Habitat Type	Habitat description	Photograph
Line of trees – w1g6	<p>There are lines of trees on the western boundary. Species composition is mostly early mature silver birch, with some hawthorn, oak and ash. This habitat is of moderate ecological value.</p>	
Other hedgerow – h2b	<p>On the southern boundary of the site is a low hedgerow, comprising hazel, blackthorn and some hawthorn. This is of moderate ecological value.</p>	

<p>Neutral grassland – g3</p>	<p>The majority of the site is neutral grassland. It is mown creating a sward height of approx. 5-8cm. Species composition is poor, comprising predominantly perennial ryegrass (D) and meadow grass species (F) with occasional broad-leaved herbs such as curled dock (O) and dandelion (O).</p>	
<p>Mixed scrub – h3h</p>	<p>In scattered areas across the site are areas of mixed scrub. This comprises of mostly bramble, with some nettle and ruderal grasses in places. This offers low ecological value.</p>	

**Fauna**

An assessment of the suitability of the site for protected or notable species is provided in Table 5.

*Table 5: Assessment of the suitability of the site for protected or notable species*

Species	Assessment of suitability																																			
Amphibians	<p>A review of the MAGIC database returned two granted EPSL records for great crested newts within 2km of the site. However, these are over 1.5km away from the site boundary.</p> <p>Great crested newts exist in metapopulations and are known to utilise ponds and their connecting terrestrial habitat during their life cycle; great crested newts are typically found within terrestrial habitats up to 500m from breeding ponds (Langton <i>et al.</i> 2001). No ponds are present within 500 metres. There is low value terrestrial habitat available on site, in the form of mixed scrub. Connectivity is available via grassland and adjacent hedgerows / tree lines.</p>																																			
Bats	<p>A review of the MAGIC database returned five granted EPSL records within 2km of the site, as detailed in Table 5a below.</p> <p><i>Table 5a: Bat EPSL records within 2km</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #d9ead3;">EPSL reference</th> <th style="background-color: #d9ead3;">Approx. distance from site</th> <th style="background-color: #d9ead3;">Bat species affected</th> <th style="background-color: #d9ead3;">Licence start date:</th> <th style="background-color: #d9ead3;">Licence end date:</th> <th style="background-color: #d9ead3;">Impacts allowed by licence</th> </tr> </thead> <tbody> <tr> <td>EPSM2009-1209</td> <td>370 metres northwest</td> <td>Common pipistrelle</td> <td>03/11/2009</td> <td>31/12/2010</td> <td>Destruction of a resting place Destruction of a breeding site</td> </tr> <tr> <td>2017-29678-EPS-MIT</td> <td>820 metres northeast</td> <td>Common Pipistrelle and Brown Long-Eared</td> <td>27/06/2017</td> <td>08/06/2022</td> <td>Destruction of a resting place</td> </tr> <tr> <td>EPSM2012-4649</td> <td>830 metres north</td> <td>Common Pipistrelle and Brown Long-Eared</td> <td>11/11/2013</td> <td>31/08/2015</td> <td>Destruction of a resting place</td> </tr> <tr> <td>2014-5006-EPS-MIT</td> <td>830 metres south</td> <td>Natterers, Brown Long-Eared and Common Pipistrelle</td> <td>24/01/2015</td> <td>30/06/2020</td> <td>Destruction of a resting place</td> </tr> </tbody> </table>						EPSL reference	Approx. distance from site	Bat species affected	Licence start date:	Licence end date:	Impacts allowed by licence	EPSM2009-1209	370 metres northwest	Common pipistrelle	03/11/2009	31/12/2010	Destruction of a resting place Destruction of a breeding site	2017-29678-EPS-MIT	820 metres northeast	Common Pipistrelle and Brown Long-Eared	27/06/2017	08/06/2022	Destruction of a resting place	EPSM2012-4649	830 metres north	Common Pipistrelle and Brown Long-Eared	11/11/2013	31/08/2015	Destruction of a resting place	2014-5006-EPS-MIT	830 metres south	Natterers, Brown Long-Eared and Common Pipistrelle	24/01/2015	30/06/2020	Destruction of a resting place
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	2016-19353-EPS-MIT	1460 metres southwest	Brown Long-Eared, Common Pipistrelle, Daubentons, Natterers and Soprano Pipistrelle	08/02/2016	07/02/2021	Destruction of a breeding site Destruction of a resting place
<p>The lines of trees within the site itself, as well as adjacent to the site provide foraging and commuting habitat for bats, as well as some roosting opportunities within mature trees, however the proposed development has no effect on these habitats.</p>						
Reptiles	<p>The majority of the boundaries of the site are suitable for sheltering and commuting reptiles, with natural refugia available. There is connectivity available, but with the regularly mown nature of the grassland it is unlikely that reptiles are present within the area of the site that will be affected by the proposed development.</p>					
Badgers	<p>There are no known setts within 30 metres of the site boundary. No signs of badger were found during the field survey. The site offers minimal opportunities for sett creation and is isolated within a stock fence. Badgers are unlikely to be present.</p>					
Hazel Dormouse	<p>A review of the MAGIC database returned no granted EPSL records for dormice within 2km of the site. Habitats recorded within the site are assessed to provide foraging, commuting, and nest building opportunities for dormouse in the form of woodland and scrub. Dormice typically utilise a three-dimensional habitat structure as to commute between feeding and breeding sites whilst avoiding predation; woodland adjacent to the site supports this habitat structure. Furthermore, for isolated habitats in the UK, research indicates that dormice require 20ha of woodland habitat to support a viable population (Bright et al. 1994). 20ha of woodland is not present on or directly adjacent to the site, with no connectivity to this size of woodland present.</p>					
Hedgehog	<p>The site potentially could be used by small mammals such as hedgehog – a species of principal importance under section 41 of the NERC Act 2006. Hedgehogs are likely to be present due to the nature of the habitats available.</p>					
Otter	<p>No suitable habitat is present on or adjacent to the site.</p>					

Water Vole	No suitable habitat is present on or adjacent to the site.
Birds	The lines of trees within the site boundary and adjacent to site could support nesting birds.
Invertebrates	The site has low value habitat for invertebrates within the areas of trees.

## 4.0 Conclusions, Impacts and Recommendations

### 4.1 Informative Guidelines

A summary of the relevant legislation and planning policies is provided in Appendix 4.

### Likelihood of the Presence of Protected Species

Where physical evidence of the presence of protected species is indeterminate during the survey, the habitats on site are evaluated as to their likelihood to provide sheltering, roosting, foraging, basking or nesting habitat.

Where this report supports a planning application, the ecological interest of the study area (i.e., the area covered by the desk study and field survey) and the proposed development has also been evaluated in terms of the planning policies relating to biodiversity.

### 4.2 Evaluation

Taking the desk study and field survey results into account, Table 6 presents an evaluation of the ecological value of the site and also details any ecological constraints identified in relation to the proposed development.

Table 6: Evaluation of the site and any ecological constraints

<b>Ref</b>	<b>Summary of Survey Findings</b>	<b>Foreseen Impacts</b>	<b>Recommendations</b> <i>Measures required to adhere to guidance, legislation and planning policies.</i>	<b>Biodiversity Enhancements</b> <i>The Local Planning Authority has a duty to ask for enhancements under the NPPF (2021)</i>
Designated sites	<p>The site is not subject to any statutory or non-statutory designation.</p> <p>There is one statutory site within 2km of the site, being Greenham and Crookham Commons SSSI located 800 metres from the site.</p>	<p>No impacts to designated sites are anticipated due to the small scale and distance of the proposed development from such sites (where known) as well as the urban location of the site with surrounding physical barriers.</p>	None	None

<p>Habitats and flora</p>	<p>The site contains line of trees and hedgerows which are of good quality and could be of value to local wildlife populations (as detailed in subsequent sections of this table). The remaining habitats have low ecological value.</p> <p>No protected or notable plant species were recorded during the survey.</p>	<p>No direct impacts to any notable habitats will occur as a result of the proposed development as only grassland and a very small amount of the boundary hedgerow will be affected by the new access for the proposed development. However, due to the proximity of the site to lines of trees, indirect effects such as pollution or tree damage could occur during construction.</p>	<p>Best practice measures to minimise the possibility of pollution and tree damage must be implemented during construction.</p>	<p>The following habitat creation and enhancement opportunities could be incorporated into the proposed development:</p> <ul style="list-style-type: none"> <li>• Native tree, hedgerow and shrub planting.</li> <li>• Creation of wildflower grassland.</li> <li>• A green roof on new buildings.</li> </ul> <p>Species-specific enhancement opportunities are detailed later in this table.</p>
<p>Amphibians</p>	<p>There is low value terrestrial habitat available on site, in the form of mixed scrub. Connectivity is available via grassland and adjacent hedgerows / tree lines.</p>	<p>No impacts are anticipated on amphibians, including great crested newt, as a result of the proposed development.</p>	<p>None</p>	<p>The following habitat creation and enhancement opportunities could be incorporated into the proposed development which would be beneficial for amphibians:</p> <ul style="list-style-type: none"> <li>• Creation of amphibian refugia and hibernacula using debris and brash from site clearance.</li> <li>• Planting of native scrub and grassland to increase foraging opportunities.</li> </ul>

<p>Reptiles</p>	<p>Negligible habitat value is available on site due to the regular mowing of the site. The boundary habitats consisting of hedgerows and lines of trees are suitable but will not be affected by the proposed development.</p>	<p>No impacts are anticipated on reptiles as a result of the proposed development.</p>	<p>None.</p>	<p>The following habitat creation and enhancement opportunities could be incorporated into the proposed development which would be beneficial for reptiles:</p> <ul style="list-style-type: none"> <li>• Creation of reptile refugia and hibernacula using debris and brash from site clearance.</li> <li>• Planting of native scrub and grassland to increase foraging opportunities.</li> <li>• The creation of basking areas such as rock piles or areas of cleared ground with shelter nearby.</li> </ul>
<p>Roosting bats</p>	<p>The trees within the site have low/moderate value for roosting bats. Several mature trees that are of an age where potential roosting features may be present are available on site.</p>	<p>Trees are to be retained on site, and as such no impacts to roosting bats are envisaged.</p>	<p>None.</p>	<p>The installation of a minimum of two bat boxes on mature trees around the site boundaries or on retained buildings will provide additional roosting habitat for bats e.g.</p> <p>2F Schwegler Bat Box (trees)          1FF Schwegler Bat Box (trees)          2FN Schwegler Bat Box (trees)          Beaumaris Bat Box (buildings)          Vivara Pro Woodstone Bat Box (buildings)          Or a similar alternative brand.</p> <p>Bat boxes should be positioned 3-5m above ground level facing in a south or south-westerly direction with a clear flight path to and from the entrance, away from artificial light.</p>

				<p>Alternatively, bat boxes could be incorporated into new buildings on the site e.g.                  Habibat Bat Box                  Schwegler 1FR Bat Tubes                  Bat tubes should be inserted into the fabric of the building during construction, positioned 3-5m above ground level facing in a south or south-westerly direction with a clear flight path to and from the entrance and facing landscapes areas, away from artificial light.</p>
Foraging and commuting bats	<p>Trees could be used by local bat populations for foraging or commuting. These could also be used by bats dispersing from nearby roosts outside of the site.</p>	<p>The proposed development will not result in the removal of any habitats which could be used by foraging or commuting bats.</p> <p>The proposed development could include the use of lighting which could spill on to bat roosting, foraging or commuting habitat and deter bats from using these areas.</p>	<p>A low impact lighting strategy will be adopted for the site during and post-development, which will include the following measures:</p> <ul style="list-style-type: none"> <li>• Use narrow spectrum light sources to lower the range of species affected by lighting.</li> <li>• Use light sources that emit minimal ultra-violet light.</li> <li>• Avoid white and blue wavelengths of the light spectrum to reduce insect attraction and where white light sources are required in order to manage the blue shortwave length content they should be of a warm / neutral colour temperature &lt;4,200 kelvin.</li> <li>• Not use bare bulbs and any light pointing upwards. The spread of light will be kept in line with or below the horizontal.</li> </ul> <p>Light spill will be reduced via the use of low-level lighting used in conjunction with hoods, cowls, louvers and shields. Lights will also be directional to ensure that light is directed to the intended areas only.</p>	<p>The following habitat creation and enhancement opportunities could be incorporated into the proposed development which would be beneficial for foraging bats:</p> <ul style="list-style-type: none"> <li>• Planting of native tree, shrub and hedgerows to increase foraging opportunities.</li> </ul>

Badger	No signs of badger on the site survey so species likely to be absent.	No impacts are anticipated on badgers as a result of the proposed development.	None	None
Hazel dormouse	No suitable habitat or connectivity available on or adjacent to site, species likely to be absent.	No impacts are anticipated on hazel dormouse as a result of the proposed development, as trees are being retained.	None	None
Hedgehog	Potential for hedgehog habitat.	No impacts are anticipated on hedgehogs as a result of the proposed development, as trees are being retained.	None.	None
Otter and water vole	No suitable habitat or connectivity available on or adjacent to site, species likely to be absent	No impacts are anticipated on otters or water vole as a result of the proposed development.	None.	None
Birds	The trees on the site present opportunities for nesting birds.	The proposed development will retain trees, as such no impacts are anticipated on nesting birds.	None.	The installation of a minimum of two bird boxes on mature trees around the site boundaries or on retained buildings will provide additional nesting habitat for birds e.g. Schwegler No 17 Swift Nest Box (buildings) Schwegler 1SP Sparrow Terrace (buildings) Schwegler 1B Nest Boxes (trees) Schwegler 2H Robin Boxes (trees) Woodstone Nest Box (buildings or trees) Or a similar alternative brand. Tree boxes should be positioned approximately 3m above ground level where they will be sheltered from prevailing wind, rain and strong sunlight. Small-hole boxes are best placed approximately 1-

				<p>3m above ground on an area of the tree trunk where foliage will not obscure the entrance hole.</p> <p>Swift and sparrow boxes should be positioned at the eaves of a building and can be incorporated into the fabric of the building during construction.</p>
Invertebrates	The site is low-value habitat for invertebrates.	No impacts are anticipated on notable species or populations of invertebrates as a result of the proposed development.	None.	<p>The following habitat creation and enhancement opportunities could be incorporated into the proposed development which would be beneficial for invertebrates:</p> <ul style="list-style-type: none"> <li>• Native tree, hedgerow and shrub planting.</li> <li>• Creation of wildflower grassland.</li> <li>• A green roof on new buildings.</li> <li>• Retention of deadwood on the site.</li> </ul>

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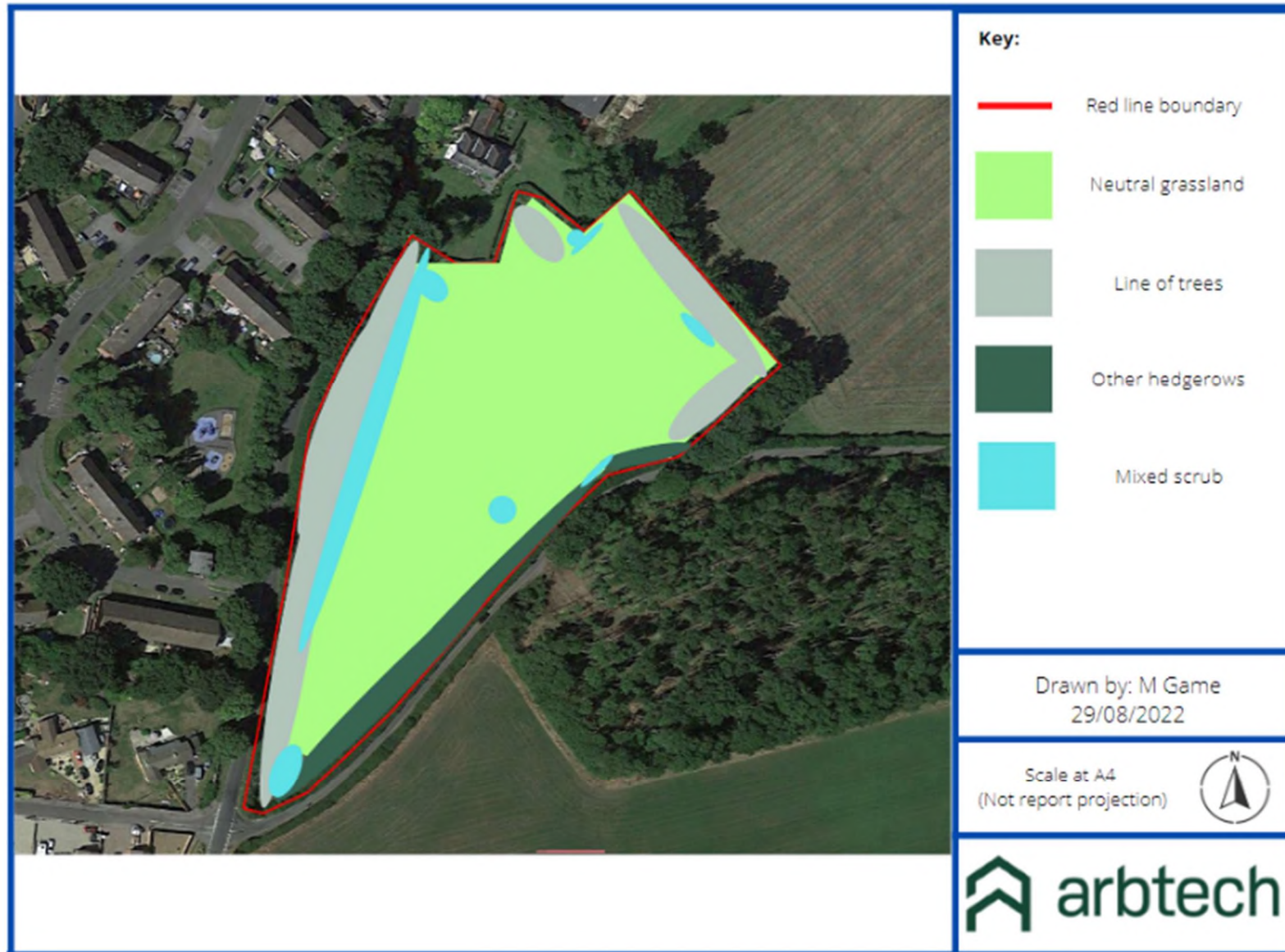
### Appendix 1: Proposed Development Plan



Appendix 2: Site Location Plan



### Appendix 3a: Habitat Survey Plan



## Appendix 4: Legislation and Planning Policy

### LEGAL PROTECTION

#### National and European Legislation Afforded to Habitats

##### ***International Statutory Designations***

Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) are sites of European importance and are designated under the EC Habitats Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora (the Habitats Directive) and the EC Birds Directive 2009/147/EC on the conservation of wild birds (the Wild Birds Directive) respectively. Both form part of the wider Natura 2000 network across Europe.

Under the Habitats Directive Article 3 requires the establishment of a network of important conservation sites (SACs) across Europe. Over 1000 animal and plant species, as well as 200 habitat types, listed in the directive's annexes are protected in various ways:

**Annex II species** (about 900): core areas of their habitat are designated as Sites of Community importance (SCIs) and included in the Natura 2000 network. These sites must be managed in accordance with the ecological needs of the species.

**Annex IV species** (over 400, including many Annex II species): a strict protection regime must be applied across their entire natural range, both within and outside Natura 2000 sites.

**Annex V species** (over 90): their exploitation and taking in the wild is compatible with maintaining them in a favourable conservation status.

SPAs are classified under Article 2 of the Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds both for rare bird species (as listed on Annex I) and for important migratory species.

The Conservation of Habitats and Species Regulations 2017 (as amended) form the legal basis for the implementation of the Habitats and Birds Directives in terrestrial areas and territorial waters out to 12 nautical miles in England and Wales (including the inshore marine area) and to a limited extent in Scotland and Northern Ireland.

Ramsar sites are designated under the Convention on Wetlands of International Importance, agreed in Ramsar, Iran, in 1971. The Convention covers all aspects of wetland conservation and recognises the importance of wetland ecosystems in relation to global biodiversity conservation. The Convention refers to wetlands as “*areas of marsh, fen, peatland or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed six metres*”. However, they may also include riparian and coastal zones. Ramsar sites are statutorily protected under the Wildlife & Countryside Act 1981 (as amended 01.04.1996) with further protection provided by the Countryside and Rights of Way (CRoW) Act 2000. Policy statements have been issued by the Government in England and Wales highlighting the special status of Ramsar sites. The Government in England and Wales has issued policy statements which ensure that Ramsar sites are afforded the same protection as areas designated under the EC Birds and Habitats Directives as part of the Natura 2000 network (e.g. SACs & SPAs). Further provisions for the protection and management of SSSIs have been introduced by the Nature Conservation (Scotland) Act 2004.

### ***National Statutory Designations***

Sites of Special Scientific Interest (SSSI) are designated by nature conservation agencies in order to conserve key flora, fauna, geological or physio-geographical features within the UK. The original designations were under the National Parks and Access to the Countryside Act 1949 but SSSIs were then re-designated under the Wildlife & Countryside Act 1981 (as amended). As well as reinforcing other national designations (including National Nature Reserves), the system also provides statutory protection for terrestrial and coastal sites which are important within the European Natura 2000 network and globally.

### ***Local Statutory Designations***

Local authorities in consultation with the relevant nature conservation agency can declare Local Nature Reserves (LNRs) under the National Parks and Access to the Countryside Act 1949. LNRs are designated for flora, fauna or geological interest and are managed locally to retain these features and provide research, education and recreational opportunities.

### ***Non- Statutory Designations***

All non-statutorily designated sites are referred to as Local Wildlife Sites (LWS) and can be designated by the local authority for supporting local conservation interest. Combined with statutory designation, these sites are considered within Local Development Frameworks under the Town and Country Planning system and are a material consideration during the determination of planning applications. The protection afforded to these sites varies depending on the local authority involved.

Regionally Important Geological Sites (RIGs) are the most important geological and geomorphological areas outside of statutory designations. These sites are also a material consideration during the determination of planning applications.

### **The Hedgerow Regulations 1997**

The Hedgerow Regulations 1997 are designed to protect 'important' countryside hedgerows. Importance is defined by whether the hedgerow (a) has existed for 30 years or more; or (b) satisfies at least one of the criteria listed in Part II of Schedule 1 of the Regulations.

Under the Regulations, it is against the law to remove or destroy hedgerows on or adjacent to common land, village greens, SSSIs (including all terrestrial SACs, NNRs and SPAs), LNRs, land used for agriculture or forestry and land used for the keeping or breeding of horses, ponies or donkeys without the permission of the local authority. Hedgerows 'within or marking the boundary of the curtilage of a dwelling-house' are excluded.

## **National and European Legislation Afforded to Species**

### ***The Conservation of Habitats and Species Regulations 2017 (as amended)***

The Conservation of Habitats and Species Regulations 2017 (as amended) aims to promote the maintenance of biodiversity by requiring the Secretary of State to take measures to maintain or restore wild species listed within the Regulations at a favourable conservation status.

The Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2, or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 4. However, these actions can be made lawful through the granting of licenses by the appropriate authorities. Licenses may be granted for a number of purposes (such as science and education, conservation, preserving public health and safety), but only after the appropriate authority is satisfied that there are no satisfactory alternatives and that such actions will have no detrimental effect on wild population of the species concerned.

### ***The Wildlife and Countryside Act (WCA) 1981 (as amended)***

The Wildlife and Countryside Act (WCA) 1981 (as amended) implements the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention 1979, implemented 1982) and implements the species protection requirements of EC Birds Directive 2009/147/EC on the conservation of wild birds in Great Britain (the birds Directive). The WCA 1981 has been subject to a number of amendments, the most important of which are through the Countryside and Rights of Way (CRoW) Act (2000).

Other legislative Acts affording protection to wildlife and their habitats include:

- Deer Act 1991
- Natural Environment & Rural Communities (NERC) Act 2006
- Protection of Badgers Act 1992
- Wild Mammals (Protection) Act 1996

### ***Badgers***

Badgers *Meles meles* are protected under The Protection of Badgers Act 1992 which makes it an offence to:

- Wilfully kill, injure, take, or attempt to kill, injure or take a badger
- Cruelly ill-treat a badger, including use of tongs and digging
- Possess or control a dead badger or any part thereof
- Intentionally or recklessly damage, destroy or obstruct access to a badger sett or any part thereof
- Intentionally or recklessly disturb a badger when it is occupying a badger sett
- Intentionally or recklessly cause a dog to enter a badger sett
- Sell or offers for sale, possesses or has under his control, a live badger

Effects on development works:

A development licence will be required from the relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) for any development works likely to affect an active badger sett, or to disturb badgers whilst they occupy a sett. Guidance has been issued by the countryside agencies to define what would constitute a licensable activity. It is no possible to obtain a licence to translocate badgers.

### ***Birds***

With certain exceptions, all birds, their nests and eggs are protected under Sections 1-8 of the WCA. Among other things, this makes it an offence to:

- Intentionally (or recklessly in Scotland) kill, injure or take any wild bird
- Intentionally (or recklessly in Scotland) take, damage or destroy (or, in Scotland, otherwise interfere with) the nest of any wild bird while it is in use or being built
- Intentionally take or destroy an egg of any wild bird
- Sell, offer or expose for sale, have in his possession or transport for the purpose of sale any wild bird (dead or alive) or bird egg or part thereof.
- Intentionally or recklessly obstruct or prevent any wild bird from using its nest (Scotland only)

Certain species of bird, for example the barn owl, bittern and kingfisher receive additional protection under Schedule 1 of the WCA and are commonly referred to as “Schedule 1” birds.

This affords them protection against:

- Intentional or reckless disturbance while it is building a nest or is in, on or near a nest containing eggs or young
- Intentional or reckless disturbance of dependent young of such a bird
- In Scotland only, intentional or reckless disturbance whilst lekking
- In Scotland only, intentional or reckless harassment

Effects on development works:

Works should be planned to avoid the possibility of killing or injuring any wild bird or damaging or destroying their nests. The most effective way to reduce the likelihood of nest destruction in particular is to undertake work outside the main bird nesting season which typically runs from March to August. Where this is not feasible, it will be necessary to have any areas of suitable habitat thoroughly checked for nests prior to vegetation clearance.

Schedule 1 birds are additionally protected against disturbance during the nesting season. Thus, it will be necessary to ensure that no potentially disturbing works are undertaken in the vicinity of the nest. The most effective way to avoid disturbance is to postpone works until the young have fledged. If this is not feasible, it may be possible to maintain an appropriate buffer zone or standoff around the nest.

### **Amphibians and Reptiles**

The sand lizard *Lacerta agilis*, smooth snake *Coronella austriaca*, natterjack toad *Epidalea calamita*, pool frog *Pelophylax lessonae* and great crested newt *Triturus cristatus* receive full protection under Habitats Regulations through their inclusion on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species
- Deliberate disturbance of species in such a way as:
  - To impair their ability to survive, breed, or reproduce, or to rear or nurture young;
  - To impair their ability to hibernate or migrate
  - To affect significantly the local distribution or abundance of the species
- Damage or destruction of a breeding site or resting place

With the exception of the pool frog, these species are also listed on Schedule 5 of the WCA and they are additionally protected from:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection
- Selling, offering or exposing for sale, possession or transporting for purpose of sale.

Other native species of reptiles are protected solely under Schedule 5, Section 9(1) & (5) of the WCA, i.e. the adder *Vipera berus*, grass snake *Natrix natrix*, common lizard *Zootoca vivipara* and slow-worm *Anguis fragilis*. It is prohibited to:

- Intentionally or recklessly kill or injure these species.

Effects on development works:

A European Protected Species Licence (EPSL) issued by the relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) will be required for works likely to affect the breeding sites or resting places amphibian and reptile species protected under Habitats Regulations. A licence will also be required for operations liable to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, rear young and hibernate). The licences are to allow derogation from the relevant legislation, but also to enable appropriate mitigation measures to be put in place and their efficacy to be monitored.

Although not licensable, appropriate mitigation measures may also be required to prevent the intentional killing or injury of adder, grass snake, common lizard and slow worm, thus avoiding contravention of the WCA.

### **Water Voles**

The water vole *Arvicola terrestris* is fully protected under Schedule 5 of the WCA. This makes it an offence to:

- Intentionally kill, injure or take (capture) water voles

- Intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection
- Intentionally or recklessly disturb water voles while they are occupying a structure or place used for shelter or protection

Effects on development works:

If development works are likely to affect habitats known to support water voles, the relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) must be consulted. It must be shown that means by which the proposal can be re-designed to avoid contravening the legislation have been fully explored e.g. the use of alternative sites, appropriate timing of works to avoid times of the year in which water voles are most vulnerable, and measures to ensure minimal habitat loss. Conservation licences for the capture and translocation of water voles may be issued by the relevant countryside agency for the purpose of development activities if it can be shown that the activity has been properly planned and executed and thereby contributes to the conservation of the population. The licence will then only be granted to a suitably experienced person if it can be shown that adequate surveys have been undertaken to inform appropriate mitigation measures. Identification and preparation of a suitable receptor site will be necessary prior to the commencement of works.

### **Otters**

Otters *Lutra lutra* are fully protected under the Conservation Regulations through their inclusion on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species
- Deliberate disturbance of species in such a way as:
  - To impair their ability to survive, breed, or reproduce, or to rear or nurture young;
  - To impair their ability to hibernate or migrate
  - To affect significantly the local distribution or abundance of the species
  - Damage or destruction of a breeding site or resting place

Otters are also currently protected under the WCA through their inclusion on Schedule 5. Under this Act, they are additionally protected from:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection

Effects on development works:

A European Protected Species Licence (EPSL) issued by the relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) will be required for works likely to affect otter breeding or resting places (often referred to as holts, couches or dens) or for operations likely to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, and rear young). The licence is to allow derogation from the relevant legislation but also to enable appropriate mitigation measures to be put in place and their efficacy to be monitored

### **Bats**

All species are fully protected by Habitats Regulations 2010 as they are listed on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species (e.g. All bats)
- Deliberate disturbance of bat species in such a way as:
  - To impair their ability to survive, breed, or reproduce, or to rear or nurture young;
  - To impair their ability to hibernate or migrate
  - To affect significantly the local distribution or abundance of the species
- Damage or destruction of a breeding site or resting place

Bats are afforded the following additional protection through the WCA as they are included on Schedule 5:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection

Effects on development works:

A European Protected Species Licence (EPSL) issued by the relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) will be required for works are likely to affect a bat roost or an operation which are likely to result in an illegal level of disturbance to the species will require an EPSM licence. The licence is to allow derogation from the legislation through the application of appropriate mitigation measures and monitoring.

### **Hazel Dormice**

Hazel dormice *Muscardinus avellanarius* are fully protected under Habitats Regulations through their inclusion on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species
- Deliberate disturbance of species in such a way as:
  - To impair their ability to survive, breed, or reproduce, or to rear or nurture young;
  - To impair their ability to hibernate or migrate
  - To affect significantly the local distribution or abundance of the species
- Damage or destruction of a breeding site or resting place

Dormice are also protected under the WCA through their inclusion on Schedule 5. Under this Act, they are additionally protected from:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection

Effects on development works:

Works which are liable to affect a dormice habitat or an operation which are likely to result in an illegal level of disturbance to the species will require a European Protected Species Licence (EPSL) issued by the relevant countryside agency (i.e. Natural England, Natural Resources Wales (NB: Hazel Dormouse are entirely absent from Scotland)). The licence is to allow derogation from the legislation through the application of appropriate mitigation measures and monitoring.

### ***White Clawed Crayfish***

There is a considerable amount of legislation in place in an attempt to protect the White-clawed crayfish *Austropotamobius pallipes*. This species is listed under the European Union's (EU) Habitat and Species Directive and is listed under Schedule 5 of the Wildlife and Countryside Act (1981). This makes it an offence to:

- Protected against intentional or reckless taking
- Protected against selling, offering or advertising for sale, possessing or transporting for the purpose of sale

It is also classified as Endangered in the IUCN Red List of Endangered Species. As a result of this and other relevant crayfish legislation such as the Prohibition of Keeping of Live Fish (Crayfish) Order 1996, a series of licences are needed for working with White-clawed and non-native crayfish. These are:

- A licence to handle crayfish (therefore survey work) in England
- A licence for the keeping of crayfish in England and Wales with an exemption for Signal crayfish (England).
- People in the post-code areas listed with crayfish present prior to 1996 do not need to apply for consent for crayfish already established. It does not, however, allow any new stocking of non-native crayfish into waterbodies. Consent for trapping of non-native crayfish for control or consumption is most likely to be granted in Thames and Anglian regions in the areas with "go area" postcodes.
- Harvesting of crayfish is prohibited in much of England and in any part of Scotland and Wales.

Effects on development works:

The relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) will need to be consulted about development which could impact on a watercourse or wetland known to support white clawed crayfish. Conservation licences for the capture and translocation of crayfish can be issued if it can be shown that the activity has been properly planned and executed and thereby contributes to the conservation of the population. The licence will only be granted to a suitably experienced person if it can be shown that adequate surveys have been undertaken to inform appropriate mitigation measures. Identification and preparation of a suitable receptor site will be necessary prior to the commencement of the works.

### **Wild Mammals (Protection Act) 1996**

All wild mammals are protected against intentional acts of cruelty under the above legislation. This makes it an offence to mutilate, kick, beat, nail or otherwise impale, stab, burn, stone, crush, drown, drag or asphyxiate any wild mammal with intent to inflict unnecessary suffering.

To avoid possible contravention, due care and attention should be taken when carrying out works (for example operations near burrows or nests) with the potential to affect any wild mammal in this way, regardless of whether they are legally protected through other conservation legislation or not.

### **Legislation Afforded to Plants**

With certain exceptions, all wild plants are protected under the WCA. This makes it an offence for an 'unauthorised' person to intentionally (or recklessly in Scotland) uproot wild plants. An authorised person can be the owner of the land on which the action is taken, or anybody authorised by them.

Certain rare species of plant, for example some species of orchid, are also fully protected under Schedule 8 of the Wildlife and Countryside Act 1981 (as amended). This prohibits any person from:

- Intentionally (or recklessly in Scotland) picking, uprooting or destruction of any wild Schedule 8 species (or seed or spore attached to any such wild plant in Scotland only)
- Selling, offering or exposing for sale, or possessing or transporting for the purpose of sale, any wild live or dead Schedule 8 plant species or part thereof
- In addition to the UK legislation outlined above, several plant species are fully protected under Schedule 5 of The Conservation of Habitats and Species Regulations 2010. These are species of European importance. Regulation 45 makes it an offence to:
  - Deliberately pick, collect, cut, uproot or destroy a wild Schedule 5 species
  - Be in possession of, or control, transport, sell or exchange, or offer for sale or exchange any wild live or dead Schedule 5 species or anything derived from such a plant.

Effects on development works:

A European Protected Species Licence (EPSL) will be required from the relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) for works which are likely to affect species of planted listed on Schedule 5 of the Conservation or Habitats and Species Regulations 2010. The licence is to allow derogation from the legislation through the application of appropriate mitigation measures and monitoring.

### ***Invasive Species***

Part II of Schedule 9 of the WCA lists non-native invasive plant species for which it is a criminal offence in England and Wales to plant or cause to grow in the wild due to their impact on native wildlife. Species included (but not limited to):

- Japanese knotweed *Fallopia japonica*
- Giant hogweed *Heracleum mantegazzianum*
- Himalayan balsam *Impatiens glandulifera*

Effects on development works:

It is not an offence for plants listed in Part II of Schedule 9 of the WCA 1981 to be present on the development site, however, it is an offence to cause them to spread. Therefore, if any of the species are present on site and construction activities may result in further spread (e.g. earthworks, vehicle movements) then it will be necessary to design and implement appropriate mitigation prior to construction commencing.

### ***Injurious weeds***

Under the Weeds Act 1959 any landowner or occupier may be required prevent the spread of certain 'injurious weeds' including (but not limited to):

- Spear thistle *Cirsium vulgare*
- Creeping thistle *Cirsium arvense*
- Curled dock *Rumex crispus*
- Broad-leaved dock *Rumex obtusifolius*
- Common ragwort *Senecio jacobaea*

Effects on development works:

It is a criminal offence to fail to comply with a notice requiring such action to be taken. The Ragwort Control Act 2003 establishes a ragwort control code of practice as common ragwort is poisonous to horses and other livestock. This code provides best practice guidelines and is not legally binding.

### **NATIONAL PLANNING POLICY (ENGLAND)**

#### ***Environment Act 2021***

The Environment Act 2021 (EA 2021) received Royal Assent on 9 November 2021 and is expected to become fully mandated within the next couple of years. The Act principally creates a post Brexit framework to protect and enhance the natural environment. Through amendments to the Town and Country Planning Act 1990, the Act will require all planning permissions in England (subject to exemptions which is likely to include householder applications) to be granted subject to a new general pre-commencement condition that requires approval of a biodiversity net gain plan. This will ensure the delivery of a minimum of 10% measurable biodiversity net gain. The principal tool to calculate this will be the Defra Biodiversity 3.0 Metric. Works to enhance habitats can be carried out either onsite or offsite or through the purchase of 'biodiversity credits' from the Secretary of State. However, this flexibility may be removed (subject to regulations) if the onsite habitat is 'irreplaceable'. Both onsite and offsite enhancements must be maintained for at least 30 years after completion of a development (which period may be amended).

#### ***National Planning Policy Framework 2021***

The National Planning Policy Framework promotes sustainable development. The Framework specifies the need for protection of designated sites and priority habitats and species. An emphasis is also made on the need for ecological infrastructure through protection, restoration and re-creation. The protection and recovery of priority species (considered likely to be those listed as species of principal importance under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006) is also listed as a requirement of planning policy.

In determining a planning application, planning authorities should aim to conserve and enhance biodiversity by ensuring that: designated sites are protected from harm; there is appropriate mitigation or compensation where significant harm cannot be avoided; measurable gains in biodiversity in and around developments are incorporated; and planning permission is refused for development resulting in the loss or deterioration of irreplaceable habitats including aged or veteran trees and also ancient woodland.

***The Natural Environment and Rural Communities Act 2006 and the Biodiversity Duty***

Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, requires all public bodies to have regard to biodiversity conservation when carrying out their functions. This is commonly referred to as the 'biodiversity duty'.

Section 41 of the Act requires the Secretary of State to publish a list of habitats and species which are of 'principal importance for the conservation of biodiversity'. This list is intended to assist decision makers such as public bodies in implementing their duty under Section 40 of the Act. Under the Act these habitats and species are regarded as a material consideration in determining planning applications. A developer must show that their protection has been adequately addressed within a development proposal.

**EUROPEAN PROTECTED SPECIES POLICIES**

In December 2016 Natural England officially introduced the four licensing policies throughout England. The four policies seek to achieve better outcomes for European Protected Species (EPS) and reduce unnecessary costs, delays and uncertainty that can be inherent in the current standard EPS licensing system. The policies are summarised as follows:

- Policy 1; provides greater flexibility in exclusion and relocation activities, where there is investment in habitat provision;
- Policy 2; provides greater flexibility in the location of compensatory habitat;
- Policy 3; provides greater flexibility on exclusion measures where this will allow EPS to use temporary habitat; and,
- Policy 4; provides a reduced survey effort in circumstances where the impacts of development can be confidently predicted.

The four policies have been designed to have a net benefit for EPS by improving populations overall and not just protecting individuals within development sites. Most notably Natural England now recognises that the Habitats Regulations legal framework now applies to 'local populations' of EPS and not individuals/site populations.

## **APPENDIX 4 – ACCESSIBILITY TECHNICAL NOTE**

# Technical Note

## Accessibility Study

Land at Bishop's Green Farmhouse, Ecchinswell Road, Bishops Green, RG20 4JP

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Project Number: 22285  
Doc Number: TN01  
Prepared for: Sedas Strategic Land

30 September 2022

Rev	Issue Purpose	Author	Checked	Reviewed	Approved	Date
A	Client Comment	BRDG	DT	DT	DT	30/09/22

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## 1. Introduction

### Overview

- 1.1 Markides Associates has been instructed by Sedas Strategic Land to prepare a Technical Note in relation to an undeveloped site at Bishop's Green Farmhouse, Ecchinswell Road, Bishops Green, to support the promotion of the site in the emerging Basingtoke and Deane District Local Plan for future residential development.
- 1.2 The site is currently being promoted for circa 27 residential units with a mix of affordable and open market dwellings, associated car parking and open space.

### Site Location

- 1.3 The site is bound to the north by Bishop's Green Farmhouse, to the east by greenfield land, to the south by Hyde Lane and to the west by Ecchinswell Road. The site location relative to the surrounding area and transport networks is shown in **Figure 1.1**.

Figure 1.1 Site Context Plan



## 2. Site Accessibility

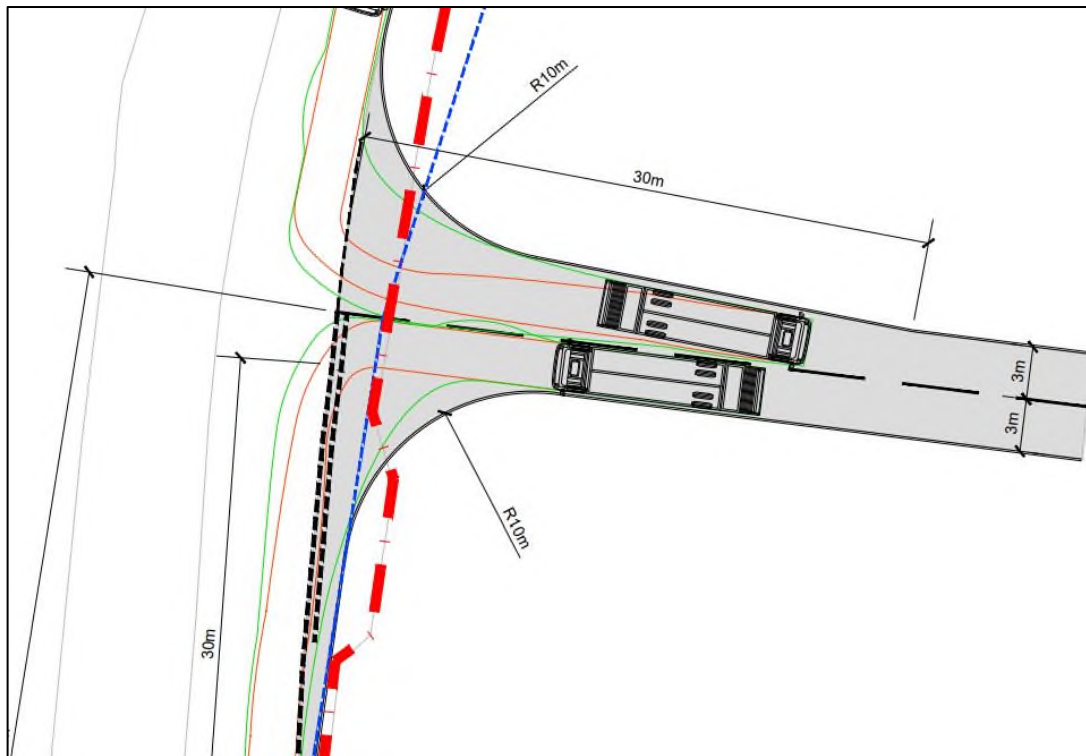
### Local Highway Network

- 2.1 Ecchinswell Road is a single-carriageway road of approximately 5.5m in width (with widening in places to aid larger vehicles passing) and is subject to a 40mph speed limit. It travels in a north to south direction between the A339 and Sydmonton Road.
- 2.2 Hyde Lane is a two-way single-track road of approximately 4m wide with passing places. It meets Ecchinswell Road in a bell-mouth priority junction. Both Ecchinswell Road and Hyde Lane lead to the main A393 route which offers links to other nearby towns.
- 2.3 Eagle Road is a two-way residential road which is approximately 400m long and routes to and from Ecchinswell Road, meeting in two simple priority-controlled junctions. It provides access to a number of properties and has on-street parking.

### Vehicular Access

- 2.4 It is proposed that the development site would take access from Ecchinswell Road by all modes, via a simple priority-controlled junction, approximately 45m north of the existing junction with Eagle Road. The preliminary access design is shown in **Figure 2.1**, this is an extract of the drawing (Ref: 22285-MA-XX-DR-C-001-P01) in **Appendix A**.

**Figure 2.1 Preliminary Access Design**



- 2.5 The proposed priority arrangement is in-keeping with the existing junctions leading to residential areas along Echchinswell Road in the vicinity of the site.
- 2.6 The distance between junction of Eagle Road and the proposed site access is considered appropriate as it is in excess of the minimum junction spacing distance recommended in Design Manual for Roads and Bridges (DMRB).
- 2.7 The drawing also demonstrates that visibility splays of 2.4 x 120m in accordance with the DMRB standards can also be achieved at the proposed access junction and in land either within control of Sedas Strategic Land or that falls within the extent of adopted highway.
- 2.8 No access or through route to Hyde Lane would be provided.

## Sustainable Travel Network

### Pedestrians and Cyclists

- 2.9 Bishops Green Village is in a rural location and there are no footways along Echchinswell Road in the vicinity of the proposed site access. A footway on the western side of the road begins at the Eagle Road (north) junction and continues north for approximately 390m, where it moves onto the eastern side of the road to continue north to meet a network of footways at the A330 / Albury Way / Echchinswell Road four-arm roundabout.

2.10 There is a continuous footway on along at least one side of Eagle Road, with the exception of a small section where four parking spaces break the footway on the northern side of the road near the junction with Echchinswell Road.

### Development Proposals

2.11 Any future development proposals would provide pedestrian access from the new junction on Echchinswell Road, connecting to an internal network of footways and footpaths to facilitate pedestrian movement through the site.

2.12 As there are no footways along Echchinswell Road adjacent to the proposed site access, any future development would provide a new off-site footway link and uncontrolled dropped kerb crossing between the development and Eagle Road, subject to further discussions and agreement with Basingstoke and Deane Borough Council (BDBC) and Hampshire County Council. This would enable pedestrian access to the development site from the existing network of footways along Eagle Road and connection to the wider pedestrian network through the village, including Bishop Green Village Hall and the convenience store by a less than 10 min (approx.) walk.

2.13 With regards to cycling, the proposed development would provide cycle parking for residents and visitors in accordance with the BDBC standards. However, it is noted that the site location is remote from a formal cycleway and on-road cycling would be better suited to experienced cyclists.

### Bus

2.14 There are northbound and southbound bus stops located on Echchinswell Road, immediately north of the junction with Eagle Road (north), known as the ‘Ash Road’ stops. They are served by buses routing between Greenham Common and Newbury. The bus timetable for the Ash Road stops is detailed in **Table 2.1** below.

**Table 2.1 Public Transport Table**

Bus Service	Route	Weekday Services	
		AM	PM
<b>103</b>	Greenham Common - Newbury	08:16, 09:16	-
	Newbury – Greenham Common	-	Hourly from 15:56 to 18:56
<b>103a</b>	Greenham Common - Newbury	-	Hourly from 15:16 to 18:16
	Newbury – Greenham Common	09:59	-
<b>103b</b>	Greenham Common - Newbury	10:16, 11:16	12:16, 13:16, 14:16
	Newbury – Greenham Common	10:59, 11:59	12:59, 14:59
<b>103c</b>	Bishop’s Green – Greenham Common	07:25	-

2.15 **Table 2.1** demonstrates that there are weekday AM and PM bus services connecting the site to Newbury which would typically suit travel for commuting purposes.

2.16 As discussed, there is currently no pedestrian link between the site and the existing bus stops on Ecchinswell Road. However, provision of a new footway connection between the site and Eagle Road would enable the bus stops to be reached on foot via Eagle Road in a 6 minute (approx.) walk from the development.

### Future Improvements

2.17 A planning application for 350 dwellings on the land to the north and east of the proposed development site was submitted in 2021. This application proposed new footway connections along Ecchinswell Road and public transport improvements, comprising a new shelter and hardstanding for the northbound Ash Road bus stop, and provision of a new southbound bus stop nearer to Eagle Road (north) (i.e. nearer to the proposed development site) to support the development.

2.18 Whilst this application is yet to be determined, the proposals would bring forward additional sustainable travel improvements to support the proposals which would inextricably provide benefits to the wider area.

## 3. Travel Characteristics

3.1 An indicative trip generation exercise has been undertaken based on the trip rates applied in the Transport Assessment for the adjacent site, which were agreed with HCC. The vehicle trips rates and the resultant number of trips in the highway AM and PM peak periods and over the course of the day is outlined in **Table 3.1**.

**Table 3.1 Trip rates**

	AM Peak (08:00 09:00)			PM Peak (17:00 18:00)			Daily Flows		
	In	Out	Total	In	Out	Total	In	Out	Total
<b>Trip Rate (1 dwelling)</b>	0.15	0.41	0.56	0.39	0.16	0.55	2.644	2.595	5.239
<b>Trip Generation (27 dwellings)</b>	4	11	15	11	4	15	71	70	141

3.2 As shown above, the proposed development would be expected to generate in the region of 15 two-way vehicle trips in the AM and PM peak periods respectively. This represents a minimal number of new trips and would not be expected to have a detrimental effect to the highway network and could be accommodated by the proposed junction arrangement.

## 4. Summary

- 4.1 It is evident from the above that suitable access can be provided to accommodate the quantum of development proposed.
- 4.1 In addition, sufficient pedestrian infrastructure can be provided to ensure an appropriate connection from the development site via Eagle Road to Bishop Green Village Hall and the convenience store can be accommodated.
- 4.2 The site is also in proximity to a reasonable bus service providing sustainable connections to a number of larger destinations.

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# APPENDIX A – PRELIMINARY ACCESS DESIGN







**ECCHINSWELL, SYDMONTON & BISHOPS GREEN NEIGHBOURHOOD DEVELOPMENT PLAN  
2021-2039:**

**REGULATION 16 (SUBMISSION VERSION) CONSULTATION**

**RESPONSE ON BEHALF OF CATESBY ESTATES PLC**

**DECEMBER 2022**

Catesby Estates plc

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**Carter Jonas**



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**APPENDIX A: SITE LOCATION PLAN**

## 1.0 INTRODUCTION & EXECUTIVE SUMMARY

- 1.1 On behalf of our clients: the owners of Bishops Green Farm, and Catesby Estates ('Catesby'), Carter Jonas is instructed to submit the following representations to Basingstoke and Deane Borough Council ('the Council') concerning its current consultation under Regulation 16 of the Neighbourhood Planning (General Regulations) 2012 (as amended) of The Ecchinswell Sydmonton & Bishops Green Parish Council's ('the Parish Council') 'Submission Version' of its Neighbourhood Development Plan 2021-2039 ('the Neighbourhood Plan' or 'NDP').
- 1.2 Catesby has a promotion agreement with the owners of Land to the East of Ecchinswell Road (Bishops Green Farm) and is progressing a planning application to facilitate sustainable development of the site. Further information about the site, and its potential for development is given in section 9.0 of these submissions.
- 1.3 We have reviewed the submission draft version of the NDP and considered it alongside the 'basic conditions' which are set out in the Town and Country Planning Act 1990 (as amended). We have several concerns about the plan, and whether it is capable of meeting the basic conditions, and these concerns can be summarised as follows (with further details given in the body of these submissions):
- The premise of the plan is overtly negative, and fails to properly grapple with how to achieve sustainable development
  - Policy ESBG1 does not meet basic condition (a), and criteria A and B should be deleted, and criterion C should be moved to supporting text, potentially of Policy ESBG2.
  - In order to fully meet basic conditions (a), (d), and (e), Policy ESBG2 requires additional detail, explanation and redrafting.
  - Policy ESBG5 is capable of meeting the basic conditions, but its supporting text needs correcting for accuracy, and ought to be tailored to a more positive approach which embraces opportunities for development.
  - Policy ESBG13 requires redrafting to comply with national policy and to ensure that it can meet the basic conditions.
  - Policy ESBG15 should be renamed, and reframed, to focus on light pollution and should be reviewed to ensure it is properly amplifying Local Plan Policy EM12
  - Policy ESBG16 does not meet the basic conditions – particularly (a) – due to a lack of evidence that the adoption of this standard would be:
    - viable;
    - not unduly restrictive; and
    - unambiguous.
- 1.4 Moreover, the timing of the NDP creates a tension between the strategic policies of the Local Plan, and its own neighbourhood level policies. The attempts to predetermine the amount of development that might emerge through the next iteration of the Basingstoke and Deane Local Plan are unhelpful. Therefore, a clear commitment must be made to review policy, and quantum of housing, post any update to the Basingstoke and Deane Local Plan. This commitment should be part of policy text.

- 1.5 Ecchinswell Sydmonton & Bishops Green Parish is a location where sustainable development can be delivered, and it can facilitate additional community benefit. This should be recognised in the NDP now, and similar recognition will be sought through the emerging Local Plan. The Parish Council, therefore, ought to be proactive in its approach to development delivery and seek the best ways to support it.

## 2.0 BASIC CONDITIONS

2.1 Paragraph 8(1) of Schedule 4B of the Town and Country Planning Act 1990 (as amended) confirms an Examiner will consider whether the Neighbourhood Plan meets the ‘basic conditions’. Paragraph 8(2) goes on to list the basic conditions which (relevant to the making of a Neighbourhood Plan) include:

- a) having regard to national policies and advice contained in guidance by the Secretary of State, it is appropriate to make the Neighbourhood Plan;
- d) the making of a Neighbourhood Plan contributes to the achievement of sustainable development;
- e) the making of a Neighbourhood Plan is in general conformity with the strategic policies contained in the Development Plan for the area of the authority (or any part of that area); and
- f) the making of a Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations.

2.2 For basic condition a), the National Planning Policy Framework (‘the Framework’) and National Planning Practice Guidance (‘PPG’) are the primary considerations. Whilst these representations will introduce and consider specific provisions of the Framework and PPG as necessary, Catesby wishes to highlight several key provisions below:

- Paragraph 13 of the Framework confirms Neighbourhood Plans should support the delivery of strategic policies contained in local plans or spatial development strategies – and should shape and direct development that is outside of those strategic policies. Accordingly, Neighbourhood Plans should include non-strategic policies, as is defined in the glossary at Annex 2.
- Paragraph 29 of the Framework states Neighbourhood Plans can shape, direct and help deliver sustainable development – but should not promote less development set by, or undermine, strategic policies set for the area.
- PPG Paragraph 041 (Reference ID: 41-041-20140306) on “Neighbourhood Planning” states policies within a Neighbourhood Plan should be:
  - clear and unambiguous;
  - drafted with sufficient clarity that a decision-making can apply it consistently and with confidence when determining planning applications;
  - concise, precise and supported by appropriate evidence;
  - distinct, to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.

2.3 For basic condition e), the relevant local authority is Basingstoke and Deane Borough Council.

- 2.4 The emerging Basingstoke and Deane Local Plan Update is at an early stage of preparation and is intended for adoption in 2025. Therefore, the Development Plan which provides the strategic policies with which the Neighbourhood Plan should seek general conformity, is the Basingstoke and Deane Local Plan (2011–2029), which was adopted in May 2016
- 2.5 The Development Plan was adopted post the introduction of the Framework in 2012, but it is more than 6 years old. Moreover, Catesby notes that the Council's published position is that it can only demonstrate a housing land supply of 4.5 years.
- 2.6 Catesby considers elements of the submitted NDP do not meet the basic conditions. This is for several reasons which are discussed in these representations below.

### 3.0 POLICY ESBG1: SETTLEMENT BOUNDARIES

3.1 Catesby's opinion is that settlement boundaries are an arbitrary and blunt instrument, which do not have regard to the contribution that some open spaces within settlements make to the character and appearance of those settlements. In terms of impact on amenity and the local landscape it might be preferable to locate new homes in edge of village locations which technically, might sit outside the arbitrary boundaries. It is therefore suggested that the philosophy and operation of settlement boundaries is negative and not necessarily generally fit for purpose. Catesby submits that the use, and operation, of settlement boundaries does comply with the Planning Practice Guidance as follows:

*“The nature of rural housing needs can be reflected in the spatial strategy set out in relevant policies, including in the housing requirement figures for any designated rural areas. A wide range of settlements can play a role in delivering sustainable development in rural areas, so blanket policies restricting housing development in some types of settlement will need to be supported by robust evidence of their appropriateness.”*

Paragraph: 009 Reference ID: 67-009-20190722

- 3.2 The NDP also cites paragraph 80 of the Framework as supporting the principle of settlement boundaries. However, paragraph 80 is aimed at avoiding the “*development of isolated homes in the countryside,*” and it is not necessary to draw a settlement boundary to avoid isolated development.
- 3.3 Proposed Policy ESBG1 is also confusing in its construction and is trying to cover too many separate and distinct ‘topics.’ After the settlement boundary is referred to in the policy, the text of criterion A then goes on to describe the role of the NDP design guidance: this latter part of criterion A is repetitive of Policy ESBG5, later in the plan, and is not necessary in this policy.
- 3.4 Criterion B is unnecessary as it is cross reference to other policies, and repetition of other local and national policy, and should be removed.
- 3.5 The text of criterion C is supported, and the challenge of nutrient neutrality (in the southern part of the parish) is recognised and understood. However, reference to nutrient neutrality is not necessary in neighbourhood plan **policy**. Advice from Natural England, as a statutory consultee, is material to planning considerations and so does not need to be repeated in policy.
- 3.6 Therefore, Catesby submits that Policy ESBG1 does not meet basic condition (a), and criteria A and B should be deleted, and criterion C should be moved to supporting text, potentially of Policy ESBG2.

#### 4.0 POLICY ESBG2: HOUSING SUPPLY TO MEET LOCAL NEEDS

4.1 Catesby considers the premise of Policy ESBG2 to be ambiguous and not fully explained or justified. Whilst it is accepted that the extant Local Plan for Basingstoke & Deane does not seek to allocate development in the parish, there is opportunity for sustainable growth, especially at Bishops Green.

4.2 Early paragraphs of the NDP seek to underplay the potential for development in the neighbourhood plan area and are generally not positively framed. At paragraph 2.19 of the NDP it is stated that:

*“Given the small population and the rural setting, the parish and the main settlements are of limited sustainability with few community facilities/services and hence a need to travel to larger nearby settlements for work, schooling, shopping, medical facilities and most sport/leisure activity. Each of the community facilities in the parish (a village hall & small shop in Bishops Green; a village hall, church, pub and primary school in Ecchinswell) are of marginal viability operating with significant volunteer support and/or supreme effort by the owner/operator.”*

4.3 Catesby raises three fundamental concerns with this premise:

4.4 First, there is limited or no evidence to support the “marginal viability” of the services and facilities listed in the paragraph, but more critically, there is no recognition that an increased population – that comes with additional development – can help to reverse this situation. It is unlikely however, that the addition of 20-25 dwellings across the parish will make a significant difference to the vitality of services and facilities, so additional development could be sought.

4.5 Second, there is no recognition of the opportunity that more significant development can bring in the form of new services and facilities, as it outlined in the Framework at paragraph 105 (with our emphasis):

*“...Significant development should be focused on locations which are or can be made sustainable.”*

4.6 Instead, reference is made at paragraph 2.21 in the NDP to applications – including that at Land to the East of Ecchinswell Road – as follows:

*“Two of these promoted sites are presently (2022) the subject of speculative planning applications for a total of 400 extra homes in very urban layouts. If these were approved they would nearly triple the size of the settlement without bringing any significant new services or facilities. Large numbers of residents have objected strongly to both applications on the basis that such development is wholly inappropriate to the rural location and would have a significant negative effect on the sustainability of the settlement.”*

4.7 This statement is neither fair nor accurate. It fails to acknowledge the benefits of development, as set out at section 9.0 of these submissions, and fails to recognise the value of a critical mass of development that can lever improvements in public transport

and mobility, provide direct opportunities for new facilities, and bring a number of new residents who can support the vitality of existing facilities.

- 4.8 Third, there is only one mention of the Greenham Business Park in the NDP. This mention comes at paragraph 5.84, where an albeit legitimate concern is raised (but there is no recognition of the benefits):

*“...there are also high levels of light pollution spilling into the parish from Newbury and Greenham Business Park.”*

- 4.9 Greenham Business Park in about a mile north of Bishops Green, is walkable, and is easily accessible by bus. And whilst the business park – and its associated employment – is not referenced, its legacy and connection the parish is at paragraph 2.5 of the NDP:

*“...housing for people working at the former Greenham Common Airbase located just to the north in what is now West Berkshire. Around a third of the homes (on Eagle Road) were built for US servicemen based at Greenham.”*

- 4.10 The airbase is the location of the of Greenham Business Park, it is clearly linked to the parish and significantly increases its sustainability, and certainly the sustainability of Bishops Green.

- 4.11 Criterion A of Policy ESG2 meets the basic conditions, in so far as it exceeds the minimum requirement for homes in the neighbourhood plan area, as set out in the extant local plan. However, it does little to properly address the challenges of sustainability which are explored in the NDP, and nor will the provision of 25 homes make a significant difference to the overall housing mix, or availability, or affordability of homes in the parish.

- 4.12 The attempts to predetermine the amount of development that might emerge through the next iteration of the Basingstoke and Deane Local Plan are unhelpful. Catesby suggests that a clear commitment must be made to review the policy, and quantum of housing, post any update to the Basingstoke and Deane Local Plan. This commitment should be part of policy text, and reflect paragraph 3.12 of the NDP which is welcomed, and states that:

*“... B&DBC and the Qualifying Body (QB) have agreed that, on balance, the ES&BG NP should adopt 2021-2039 as the plan period and that ES&BG PC as the QB is committed to an early review should the housing number for the parish increase as the LPU advances...”*

- 4.13 The needs evidence for criterion B of Policy ESG2 is set out in the text, and the need for a mix of housing is understood. However, there does not appear to have been any exercise undertaken which examines the viability implications of the criterion, and the subsequent deliverability of development. Moreover, requiring an applicant to comply with an undermined later iteration of policy or guidance is simply a hostage to fortune, and may not occur. This reference should be deleted, and the NDP policy reviewed as necessary.

- 4.14 Criterion C is ambiguous. Nowhere is it set out what the ‘baseline’ is for green space, or its requirement in a proposed scheme, therefore it is impossible to know what “over-supply” means in this context. This criterion requires additional information to be added if it is to meet the basic conditions.
- 4.15 Criterion D, by contrast to C, includes very specific sub criteria outlining what a “First Homes” exception site could look like. It is not clear however, how this part of Policy ESBG2 conforms with the ‘parent’ strategic Policy SS6 of the Local Plan. Policy SS6 has a more flexible approach to delivering rural exception sites for affordable housing.
- 4.16 In order for the NDP to fully meet basic conditions (a), (d), and (e) the premise of the plan and its approach to understanding sustainability requires review, and Policy ESBG2 specifically, requires additional detail, explanation and redrafting.

## **5.0 POLICY ESBG5: DESIGN QUALITY IN THE PARISH OF ECCHINSWELL, SYDMONTON AND BISHOPS GREEN**

- 5.1 Catesby has reviewed the Design Guidance and Code, and supports the general approach taken in assessing the character areas. The ‘Codes’ provide some useful reference points and motivation for design principles in new development but their use must be more flexible. This additional local evidence amplifies Local Plan Policy EM10, but care should be taken to avoid any unnecessary duplication of policy wording that risks inefficient decision making.
- 5.2 Catesby is however, concerned that the approaches set out in Policy ESBG5, the supporting text, and the design code focus too closely on precipitating the status quo, and do not allow for the delivery of sustainable, or acceptable development.
- 5.3 Catesby has demonstrated through its recent planning application for Land to the East of Ecchinswell Road that development can be delivered, at scale, which is high quality, and which responds positively to the character and local distinctiveness of the parish.
- 5.4 A Landscape and Visual Impact Assessment (LVIA) has been submitted with the application. Fieldwork and assessment within the LVIA has influenced the overall design of the Proposed Development.
- 5.5 The LVIA confirms that whilst the existing Site is broadly consistent with the description of the landscape character area identified in the Basingstoke and Deane Landscape Assessment (2001), its proximity to the settlement of Bishops Green and the A339 results in an ‘urbanising’ influence on the Site and its immediate context.
- 5.6 A Zone of Theoretical Visibility (ZTV) prepared as part of the assessment confirms that the existing Site is well-contained by a range of landscape features within the extent of the Site and its surroundings – including prevalent vegetation (including existing woodlands, tree belts, hedgerows and shrubs); alongside undulating landform and the residential and commercial buildings that form the edge of Bishops Green. This has the effect of reducing visibility from further afield by screening offered by vegetation and landform, as well as assumed association with the edge of Bishops Green. Accordingly, visibility of the Proposed Development is confined to locations within the immediate context.
- 5.7 In terms of effect on landscape character, the LVIA concludes the effect within the Site will be greatest, being at most a “Medium” magnitude of change, of “Medium” significance and resulting in an “Adverse” effect – although this is unavoidable owing to the change of the character of part of the Site from fields to new housing. However, beyond the Site, this reduces with distance due to limited visibility from the wider landscape to a “Low” magnitude of change, of “Slight” significance and resulting in an a “Neutral” effect – as the Site would be viewed alongside the existing settlement.
- 5.8 Together, the LVIA concludes the overall effect on landscape character to be a “Negligible” magnitude, of “Minimal” significance and resulting in a “Neutral” effect. Whilst the Proposed Development would provide an extension to the built-up area of Bishops Green, it would be perceived as part of the existing settlement and would not

extend into the wider rural landscape to a substantial degree. The well-wooded and strong network of established vegetation surrounding the Site, in addition to existing built-development and a generally undulating landform, would combine to limit intervisibility between the Site and its wider surroundings.

- 5.9 Catesby therefore suggests that whilst the policy is capable of meeting the basic conditions its supporting text ought to be tailored to a more positive approach which embraces opportunities for development.
- 5.10 Catesby also notes that there is reference in paragraph 5.36 to how the Design Guidance and Code is intended to carry full weight in decision making. This is procedurally incorrect. The policy – should it be ‘made’ – will carry the full weight of the development plan, and it is acceptable for that policy to refer to how the design guidance aids in the interpretation of the policy and provides examples of best practice. Necessarily, the context for guidance might change, and that guidance might need to be updated. Therein lies the true value of guidance, it can be changed and updated without the need for a formal examination process. Hence, however, guidance is a material consideration in decision making, and not policy.

## 6.0 POLICY ESG13: VALUED LANDSCAPES & KEY VIEWS

6.1 Catesby understands the direction of this policy, and supports it in principle, but suggests that for it to meet the basic conditions – and fully comply with conditions (a), (d) and (e) – it needs to be framed in positive terms, and that development will be permitted that “protects and enhances” valued landscapes. This would ensure that the policy was then in conformity with the Framework at paragraph 174, which states that

*Planning policies and decisions should contribute to and enhance the natural and local environment by:*

*a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan)*

6.2 There is a second element in national policy which also needs to be properly reflected in Policy ESG13, and this is that the protection of landscape should be “commensurate” with its status. The AONB is a statutorily protected landscape, other character areas in the parish are not. Therefore, it must be ‘identified qualities’ of landscapes in the development plan which are protected, not simply the landscapes themselves.

6.3 Further explanation of the specific qualities of landscapes in the parish is required to ensure that the policy is in conformity with the Framework.

6.4 Moreover, the Framework does not place a blanket restriction on development which may affect landscape character and function, there is instead an inherent balancing exercise which should be included in Policy ESG13 to ensure that it can meet the basic conditions. Catesby suggests that the following text should replace the final sentence of criterion A in the policy:

*“Development will be permitted in the neighbourhood plan area if:*

*(i) it does not materially harm the identified qualities of valued landscape character and function of the area; or*

*(ii) the economic and social benefits are so important that they outweigh the local priority to conserve the area’s landscape.*

*Development in the neighbourhood plan area should be sited, designed, and landscaped to minimise harm to the area’s identified landscape qualities, character, and function.”*

6.5 Turning to criterion B, this part of the policy too, requires some refinement to ensure clarity, and that it can meet the basic conditions. The “*natural or historic landscape features*” needs better definition, and “*acknowledged value*” presumably needs to be changed to “*identified quality*.” But again, it should be made clear that these elements are not a blanket restriction to development.

6.6 In terms of the visual effect of the proposed development of for Land to the East of Ecchinswell Road, the LVIA submitted with the recent application concludes effects on visual receptors would be at their greatest to users of the PRoW which traverse the

- Site and those within its immediate context. Accordingly, this results in a “High” magnitude of change, of “Major” significance. As with landscape character within the Site, these effects would be “Adverse” – due to the visible change from a series of fields to new housing on parts of the Site. The Landscape Framework seeks to mitigate this by enhancing and drawing recreational value from land along its routes.
- 6.7 Beyond the Site’s boundaries, visual effects would gradually reduce with distance. This results in, at most, a “Medium” magnitude of change, of “Major – Moderate” significance within the Site’s immediate context. The LVIA considers the effects, on balance, to be “Neutral” - given the influence of the existing settlement. From further afield, the visual effects of the development would rapidly reduce as result of intervening vegetation, buildings and landform screening views to the Proposed Development to a “Negligible” magnitude of change, of “Minimal” significance and resulting in “Neutral” effect.
- 6.8 Accordingly, it is considered that the principle of the Framework Plan submitted for the Proposed Development demonstrates a proposal that is sympathetic to the character and visual quality of the area concerned. It respects and appropriately mitigates the character of the Site, surrounding area and routes through it.

**7.0 POLICY ESBG15: DARK SKIES**

- 7.1 Catesby supports the principle of this policy but is unclear of how it effectively amplifies the requirements of Local Plan Policy EM12, and therefore questions whether the policy is necessary, and therefore is not convinced that it meets the basic conditions.
- 7.2 Moreover, Catesby is concerned about the title of the policy – “Dark Skies” – which could refer to the specific international programme for reserves of the same name. Locations which seek the designation must pass a stringent application process (run by the International Dark-Sky Association) demonstrating that there is significant support from councils, at all levels, as well as the public.
- 7.3 Locations which are designated as Dark Sky Reserves are: Exmoor National Park, South Downs National Park, the Brecon Beacons, Northumberland, Galloway Forest Park, and Snowdonia.
- 7.4 It is concerning that the NDP is attempting to raise the sensitivity of the local landscape to that of a National Park, and this is certainly not commensurate with the statutory level of the local landscape value and character.
- 7.5 Catesby suggests that the policy is renamed, and reframed, to focus on light pollution and that it is reviewed to ensure it is properly amplifying Local Plan Policy EM12. If it is not, it should be deleted.

**8.0 POLICY ESG16: ZERO CARBON BUILDINGS**

- 8.1 Catesby commends the aspiration of the Parish Council to incorporate a policy that will support our collective national objective to tackle the climate crisis, particularly in recognition of the fact that the current guiding principles of Local Plan Policies EM8 and EM10, are largely outdated.
- 8.2 However, Catesby considers the current specifics and likely operation of proposed Policy ESG16 would not meet the basic conditions – particularly (a) – due to a lack of evidence that the adoption of this standard would be:
- (a) viable;
  - (b) not unduly restrictive; and
  - (c) unambiguous.
- 8.3 Accordingly, it conflicts with relevant provisions within the Framework and PPG and would impact the ability to achieve sustainable development. Paragraph 154(b) of the Framework states any local requirements for the sustainability of buildings should reflect the Government’s policy for national technical standards.
- 8.4 Catesby notes that the PassivHaus standard is almost entirely focussed on energy use reduction measures, rather than allowing energy to be offset through the use of renewables or other technologies as currently adopted, as well as emerging national policy, dictates. Therefore, the PassivHaus standard does not directly address the metric for national targets on carbon dioxide emissions, contrary to the Government’s application of its technical standards. Policy ESG16 is therefore inconsistent with paragraph 154(b) at its most basic level.
- 8.5 Nevertheless, the principle of the Parish Council’s decision to seek the adoption of the PassivHaus standard is founded in the Government’s response to its consultation on The Future Homes Standard (January 2021) – in which it was confirmed that the Government will not amend the Planning and Energy Act 2008 in order to prevent local planning authorities (including neighbourhood bodies) from setting energy efficiency standards in excess of the Building Regulations.
- 8.6 Whilst Catesby do not dismiss this position, this conveys only a partial reflection of the Government’s intentions in this area. After acknowledging that this decision will provide certainty in the immediate term at paragraph 2.40, paragraph 2.41 of the consultation response goes onto cross reference the intentions of the Government on the proposed planning reforms set out in Planning for the Future – including setting national standards for development management policies that will make it “less likely that local authorities will need to set local energy efficiency standards in order to achieve our shared net zero goal”.
- 8.7 Akin with the above, the Government is moving ahead with its aims to implement a national target to reach net zero. This was first secured by an uplift to Part L of the Building Regulations applicable from June 2022 (‘Part L1a’) – setting a 31% carbon reduction target on all new homes – until the Future Homes Standard (to be introduced in 2025) requires a 75% carbon reduction target thereafter.

- 8.8 Catesby as an organisation supports this stepped transition to reaching net zero, beginning with the introduction of Part L1a. This has been developed with an appropriate evidence base, in consultation with the sector, and has taken account of key opportunities and barriers in the UK market to deliver the zero-carbon agenda.
- 8.9 By contrast, the adoption of the PassivHaus standard, although unclear (as highlighted at paragraph 5.4 above), is assumed to sit in principle between the 31% and 75% targets set by Part L1a and The Future Homes Standard, respectively.
- 8.10 However, the Parish Council has published little evidence that the adoption of the PassivHaus standard would be viable. Whilst legally possible to set its own standard, PPG Paragraph 009 (Reference ID: 6-009-20150327) advises that local requirements in respect of the sustainability of buildings should be based on robust and credible evidence – with careful attention paid to viability.
- 8.11 Technical evidence has not been provided to justify a local approach which exceeds or unilaterally amends the requirements set out nationally, or indeed in the Local Plan, in the balanced consideration of achieving sustainable development. There is no evidence that the Parish Council’s approach has been the subject of viability testing to appraise the impact draft Policy ESBG16 would have on the delivery of development. Accordingly, the policy is not based on robust and credible evidence that can demonstrate its implementation would be viable, in contrast to national policy and guidance.
- 8.12 Moreover, supporting paragraph 5.85 states that viability is not an acceptable reason for not adopting PassivHaus or equivalent standards. However, contrary to our observation above, the policy is not supported by evidence this can be achieved.
- 8.13 Turning to the specific detail of the policy, whilst supportive of the approach and principle of Part (A), the policy does not provide sufficient clarity in defining the term ‘zero carbon by design’ in its wording or supporting text. Accordingly, it is not clear whether this is just limited to spatial decision making, or whether this also encompasses design decisions related to regulated / unregulated energy use, day-to-day operational energy use, or life cycle carbon emissions embedded in the construction process.
- 8.14 Moreover, Part (A) stipulates that all development must meet this threshold. Therefore, it does not make any distinction between the different scales or forms of development (e.g. change of use, refurbishments etc.), nor whether the zero carbon ready principle applies to individual buildings, or the development as a whole.
- 8.15 In consideration of the above, Catesby considers Part (A) and its supporting text – as currently drafted – is not clear and unambiguous, as per the requirements of PPG Paragraph 041.
- 8.16 Part (B) states development proposals that seek to meet the PassivHaus by proposing conflicting plot sizes, layout and density from its designated local character area will only be supported where it will not have a significant harmful effect on the local character area. However, this is considered to be inconsistent with Development Plan

- policies relating to high quality design, character and amenity (e.g., Policy EM10), as well as ignoring other material considerations in the planning balance – which collectively have an impact on the (un)acceptability of a development proposal. Moreover, there is no guidance to define what would constitute a ‘significant harmful effect’.
- 8.17 As per Part (A), Part (B) also provides a lack of clarification on what type of development the targets apply to, making no distinction between residential / non-residential and new build / refurbishment development.
- 8.18 Therefore, Catesby considers Part (B) – as currently drafted – is not clear and unambiguous, as per the requirements of PPG Paragraph 041, and would not be in general conformity with provisions of the Development Plan.
- 8.19 Part (E) refers to the requirement to submit an Energy Statement to be submitted to demonstrate compliance with the policy (except for householder applications), with supporting paragraph 5.85 detailing the requirements of the Energy Statement – including the proposals to address and exceed Future Homes Standards.
- 8.20 Notwithstanding our observations in regard to the principle of the PassivHaus standard and its implications for Part (E), Catesby does not object this requirement. However, it is considered that Part (C) and Part (D) are superfluous and can be deleted.
- 8.21 Part (C) sets out the requirements for a Post Occupancy Evaluation Report, to be secured by condition on any planning permission for new and refurbished buildings. Whilst Catesby recognises the value of this both for commercial purposes and customer satisfaction, the Future Homes Standard proposes to introduce a new compliance report to provide a unified approach to assessing and appraising the as built energy calculations.
- 8.22 Catesby therefore considers any requirement to submit further post-occupation evaluation could lead to confusion and inconsistency, due to possible differing parameters and tests. It could also require an over-prescriptive requirement for intrusive monitoring of privately owned developments, post-occupation, would be implementable and unenforceable.
- 8.23 It is considered that Part (C) be deleted, with monitoring measures left to be incorporated within Energy Statements and discussed on an individual project basis in line with emerging national guidance.
- 8.24 Part (D), requiring major development to also be accompanied by a Whole Life-Cycle Carbon Assessment, is considered redundant with the respect to the requirements to include a Carbon Emission Assessment to minimise embodied emissions within the submitted Energy Statement, as dictated by supporting paragraph 5.65.
- 8.25 Overall, whilst the Parish Council should be commended for its ambition to promote ambitious sustainability targets, the strict adoption of the PassivHaus standard via draft Policy ESG16 is inflexible, unviable and inconsistent with national policy.

- 8.26 Catesby considers the policy should be redrafted to make Part L1a of the Building Regulations, and the Future Homes Standard thereafter, the minimum requirement for development – which is backed by sufficient evidence of viability and achievability. If the PassivHaus standard is to be proceeded, the policy needs to be amended to be more positively worded to support sustainable development that delivers this higher standard voluntarily, taking account of the observations above.

## 9.0 THE LAND TO THE EAST OF ECCHINSWELL ROAD

- 9.1 Turning to the land interests of our clients, we firmly believe that there is an opportunity to deliver development which would help to increase the sustainability of Bishops Green, and its services and facilities – whilst also delivering more. This could be recognised in the NDP but will also be pursued through the Local Plan.
- 9.2 The Land to the East of Ecchinswell Road covers approximately 21.6 hectares.
- 9.3 The site is to the north east of the substantive part of Bishops Green. The site is boarded to the west by the Ecchinswell Road; to the north by the River Enborne; to the east and south by Hyde Lane and a plant nursery / caravan site.
- 9.4 The site consists of areas of rotational grassland and an existing touring campsite. The property also includes mature tree copse at the centre and the south-eastern edge.
- 9.5 The majority of the site is in Flood Zone 1 (i.e. areas at least risk of flooding), but the northern boundary of the site (which runs along the River Enborne) is in Flood Zones 2 and 3. Except for the flood zones there are no other designated development constraints identified on the site.
- 9.6 There are no listed heritage assets within 400m of the site. There is only one other mapped designation effecting the site on the Basingstoke and Deane Local Plan Policies Map and this is a mineral safeguarding area, which also appears to run along the River Enborne.
- 9.7 Catesby has submitted an application for development of the site under the reference number: 21/03598/OUT which has a full assessment of site constraints, including:
- Landscape and Ecology
  - Arboriculture
  - Topography and Ground Conditions
  - Flood Risk and Drainage
  - Highways, Access and Public Rights of Way
  - Residential Amenity
  - Sewage Treatment Works / Cordon Sanitaire
- 9.8 Catesby has demonstrated through the planning application that the site is suitable for development, available and achievable.
- 9.9 Catesby has been promoting the site through the Council's Local Plan Review and the landowners responded to the Ecchinswell Sydmonton & Bishops Green NDP Regulation 14 pre-submission consultation.

### Vision and site deliverability

- 9.10 Catesby's vision for Land to the East of Ecchinswell Road is a housing led scheme which provides a real opportunity to address any community facility shortages and to form an enhanced level of sustainability for the community.
- 9.11 The key aim of the development would be to compliment and extend the community centre to avoid displacing the existing core. The new facilities and homes will allow Bishops Green to have Village status which will bring further social and economic benefits over time.
- 9.12 The proposed housing mix will respond to local housing demand as well as aiming to deliver new homes which support diversity for the village community. These homes will be energy efficient and will be designed and built to achieve carbon savings to help towards the Council's aim to be carbon neutral by 2030. This will be achieved through building fabric, the installation of renewable energy sources and providing the appropriate on-site infrastructure to facilitate electric car ownership, home working and sustainable travel.
- 9.13 It is also recognised that the Greenham Common Business Park is a major employer in the area, currently attracting employees from a significant catchment. Bringing new homes to the area will offer the opportunity for employees (existing or new) to locate in closer proximity to their place of work supporting sustainable travel to work options, as well as encouraging new business to the area to match the availability of local employees.
- 9.14 Catesby confirms that the land is available and deliverable now.
- 9.15 The proposal in application 21/03598/OUT is for:
- Up to 300 new homes, including 40% affordable housing (Use Class C3) within a developable area of 10.5ha;
  - An additional area of up to 0.5ha reserved for community use (Use Class F2) which could include:
    - Outdoor sport and recreation space including a MUGA, trim trails, kick about space, a community green.
    - Community building up to 150m<sup>2</sup> which could accommodate a café/shop/informal community meeting space/working space.
    - Ancillary 'community uses' e.g. community orchard/planting area, delivery hub lockers, a bike storage area etc.
  - Two 'all modes' access points from Ecchinswell Road, together with additional off-site highway works to address potential impacts on the surrounding highway network; and
  - New and retained green and blue infrastructure covering an area of up to 11.96ha (equating to approximately 51% of total site area) which also provides at least a 10% Biodiversity Net Gain

- 9.16 The Proposed Development epitomises the social, economic and environmental objectives of sustainable development to which significant positive weight should be applied:

### **Economic Benefits**

- Providing a total net contribution of circa £35.2 million GVA to the economic output of the South East economy, £28.9 million of which will be concentrated in Basingstoke and Deane;
- Investment of circa £50 million in construction, providing an average of 40 FTE gross jobs during the estimated construction period;
- The addition of around 720 new residents to the local economy, with a combined resident income of circa £11.8 million per annum for the benefit of the local area;
- Utilising and providing access to Greenham Business Park, a key employment location supported by a Local Development Order (LDO).

### **Social Benefits**

- A significant contribution of up to 300 new homes to address a shortfall in the Council's housing need including a mix of types and tenures, including a policy-complaint level of affordable housing delivered on site, as well as self-build plots;
- The unique circumstance of Bishops Green to delivery significant development in a sustainable location by way of its existing access to local services and facilities, including excellent public transport connections, that will be utilised and enhanced;
- The creation of "One Community" with Bishops Green by design, including the provision of 11.96 hectares of open space (in excess of Council requirements) that will provide recreational opportunities for all residents, half a hectare of land within the proposed development to be provided as a Community Hub area which could include:
  - Outdoor sport and recreation space including a MUGA, trim trails, kick about space, a community green.
  - Community building up to 150m<sup>2</sup> which could accommodate a café/shop/informal community meeting space/working space.
  - Ancillary 'community uses' e.g. community orchard/planting area, delivery hub lockers, a bike storage area etc.
- Funding for a Community Development Officer over a c.5 year period.
- Upgrades to existing bus services locally (negotiations are ongoing with Hampshire County Council to agree an appropriate level of funding)
- All buildings designed to comply with Building for Life 12 and Secure By Design standards; Lifetime Homes standards for affordable units; and compliance with M4(2) of the Building Regulations.

### **Environmental Benefits**

- The inclusion of infrastructure and measures (in addition to an already sustainable location) that will promote sustainable travel, as well as reduce the need to travel;
- The delivery of a comprehensive green and blue infrastructure network, which will retain and create substantial areas of preserved, new and improved habitats that will result in at least a 10% Biodiversity Net Gain;
- The inclusion of Sustainable Urban Drainage Systems;
- All new buildings designed to achieve the Future Homes Standard, providing a 75% reduction in carbon emissions in excess of Building Regulations which will be 'Net Zero Ready' – secured by a design that incorporates fabric efficiency, energy efficiency and the use of low carbon renewable energy;
- All new homes will be designed to achieve a water consumption rate of 110 litres per person per day, incorporating measures such as water meters, low flow fittings and water butts to reduce water waste.
- Mitigation package to the Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust to offset additional pressure on the Greenham and Crookham Commons SSSI (which have been agreed with the Trust):

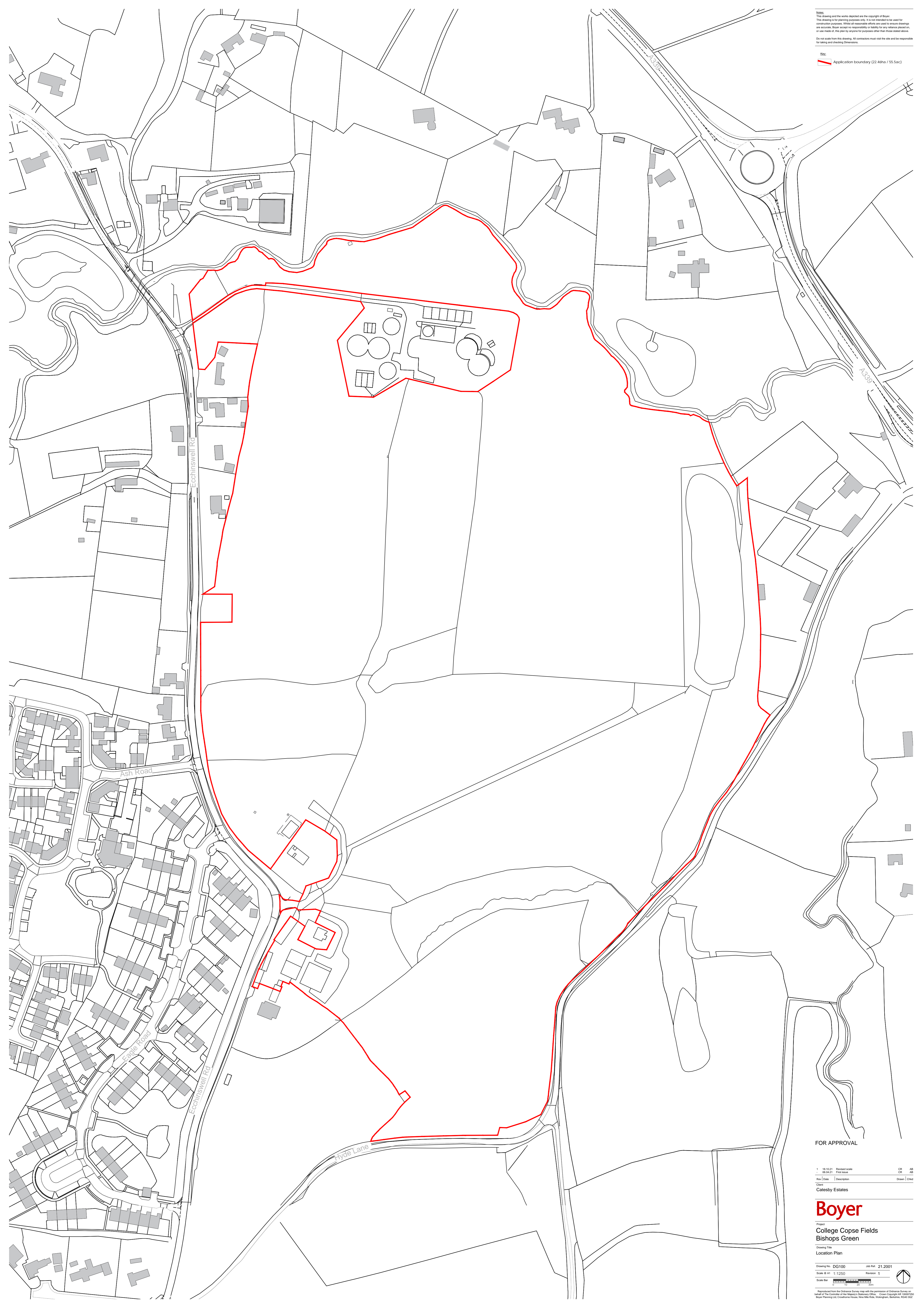
**10.0 CONCLUSION**

- 10.1 Catesby recognises and commends the work the Parish Council has undertaken to prepare this Neighbourhood Development Plan, including its general objectives and aspirations.
- 10.2 However, as detailed in these representations, Catesby considers many elements of Neighbourhood Development Plan do not meet the basic conditions.
- 10.3 Catesby would welcome discussions taking place between the Council, Parish Council, Examiner and other relevant stakeholders to rectify the issues raised in these representations, with the aim of allowing sustainable development to take place in the parish, and specifically at Bishops Green.

**APPENDIX A: SITE LOCATION PLAN**

Notes:  
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Key:  
Application boundary (22.46ha / 55.5ac)



FOR APPROVAL

Rev	Date	Description	Drawn	CHK
1	18.10.21	Revised scale	CR	AB
—	06.04.21	First issue	CR	AB

Client:  
Catesty Estates

**Boyer**  
Project:  
College Copse Fields  
Bishops Green  
Drawing Title:  
Location Plan

Drawing No. DG100 Job Ref. 21.2001  
Scale @ A1 1:1250 Revision 1  
Scale Bar 0 10 20 30m

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Jessica Wells

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From: [REDACTED]  
Sent: 15 November 2022 14:37  
To: Local Plan  
Subject: Historic England advice on case PL00787962

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Dear Sir/Madam

I am writing in relation to the following:

NDP: Neighbourhood Development Plan  
Ecchinswell Sydmonton and Bishops Green Neighbourhood Plan  
[Case Ref. PL00787962; HE File Ref. ; Your Reference. ]

Thank you for inviting Historic England to comment on the Regulation 16 Submission version of this Neighbourhood Plan.

We do not consider it necessary for Historic England to provide detailed comments at this time. We would refer you if appropriate to any previous comments submitted at Regulation 14 stage, and for any further information to our detailed advice on successfully incorporating historic environment considerations into a neighbourhood plan, which can be found here: <https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/>.

We would be grateful if you would notify us on [e-seast@HistoricEngland.org.uk](mailto:e-seast@HistoricEngland.org.uk) if and when the Neighbourhood Plan is made by the council. To avoid any doubt, this letter does not reflect our obligation to provide further advice on or, potentially, object to specific proposals which may subsequently arise as a result of the proposed plan, where we consider these would have an adverse effect on the historic environment.

Please do contact me, either via email or the number above, if you have any queries.

Yours Sincerely

Catharine Rowden on behalf of Louise Dandy  
Business Officer

Work with us to champion heritage and improve lives. Read our Future Strategy and get involved at [historicengland.org.uk/strategy](https://historicengland.org.uk/strategy).

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## Jessica Wells

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**From:** Matt Melville  
**Sent:** 16 December 2022 11:00  
**To:** Cllr Marian Dain  
**Cc:** Jessica Wells; Local Plan  
**Subject:** LPA comments on Reg 16 ESG Neighbourhood Plan  
**Attachments:** ESG - Indicative housing requirement - December 2022.pdf; BDBC response to ESG Regulation 16 consultation.pdf

Dear Marian

Please find attached the Local Planning Authority's comments on the Submission Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan. These comments have been agreed by the Cabinet Member for Planning and Infrastructure. You will note that the format of these comments is based around the table in the LPA's response to the Regulation 14 consultation, but includes an additional column to explain whether our previous comments have been met or not.

In light of the recent resolution to approve the planning application for 42 new homes at Woodside View in Bishops Green, I also attach a new letter setting out the LPA's view on the parish's housing requirement (and how this relates to the requirements of para 14 of the NPPF). The council will also recommend to the examiner that this supersedes Appendix 1 (in some places called Appendix A) of the submission Neighbourhood Plan.

As previously discussed, we will forward you the other consultation comments as soon as possible after the consultation closes.

Please do not hesitate to contact Jess or me if you have any further queries.

With best wishes

Matt

Matt Melville  
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## How the LPA's comments on the Pre-Submission draft Plan have been addressed in the Submission Neighbourhood Plan and Remaining Issues.

The table below sets out the comments provided by the LPA in response to the pre-submission Regulation 14 consultation in 2022, and how these have been addressed by the submission version of the Plan.

Section/ Policy (Reg 14)	Section / Policy (Reg16)	Regulation 14 Plan Issue	Relevant National Guidance (NPPF and PPG) and Local Policy	Potential options/actions	Regulation 16 Plan comment
General	General	<p>The Neighbourhood Plan period should align with the adopted Local Plan and only cover the period up to 2029 (as this is the period of time covered by the Local Plan's strategic policies).</p> <p>Although it is recognised that the Plan seeks to meet needs beyond this period, strategic policies have not yet been finalised through the Local Plan Update.</p> <p>It should be noted that the examiner for the Burghclere NP identified that a similar change was necessary to meet the basic conditions.</p>		Revise end date of plan period	<p>The Plan has an end date of 2039 to align with what is currently proposed for the Local Plan Update (LPU).</p> <p>Although the LPU housing requirement is not yet finalised, the NP now includes new para 3.12 which states that the parish council 'is committed to an early review should the housing number for the parish increase as the LPU advances'. The LPA is satisfied that this provides sufficient flexibility to ensure needs would be met over the LPU period and addresses the earlier concern.</p>
Policy ESBG2: Housing Supply to meet local needs	Policy ESBG2: Housing Supply to meet local needs	Criterion A – In BP3 the use of the term 'up to' implies that that the identified number of windfall dwellings would be a maximum.	ALP Policy SS1 supports the principle of development in SPBs.	Change to 'approximately'. It is noted that this approximate yield is explained in para 5.15.	<p>Met</p> <p>It is noted that the plan allocates two sites for a total of 20 dwellings, including 15 dwellings at Bishops Green. This is line with the indicative housing figure requested from and provided by the LPA</p>

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					(in accordance with NPPF para 67), as set out in the letter in Appendix 1. It is also recognised that the PC has made a commitment to reviewing their plan should the LPU requirement increase (para 3.12).
Policy ESBG2: Housing Supply to meet local needs	Policy ESBG2: Housing Supply to meet local needs	<p>Criterion B - It is unclear what is meant by the term 'affordable to buy in terms of size and facilities' and whether this refers to affordable or market homes. It is noted that both of the site allocations (Policies ESBG3 and 4) include specific criteria relating to housing mix, so this criterion in this overarching policy may not be necessary.</p> <p>25% of the affordable housing should be First Homes (not all housing). The council's 'First Homes Interim Policy Statement' is likely to be superseded over the life of the Plan. Suggest policy just refers to the requirement for 25% First Homes.</p>	<a href="http://www.gov.uk">First Homes - GOV.UK (www.gov.uk)</a>	<p>Consider whether Criterion B is required and, if so, whether the tenure can be made clearer.</p> <p>If criterion is to be retained, it should be required that 25% of the affordable housing (not all housing) is First Homes.</p>	<p>The original comments have been met.</p> <p>It is suggested that criterion B should state '<u>at least</u> 30%' (discount on First Homes), and the policy could be made clearer by removing reference to BDBC's Housing Market Assessment (as this is an evidence base document rather than a policy setting document).</p>
Policy ESBG2: Housing Supply	Policy ESBG2: Housing Supply	Clause Di) – Concern how this requirement aligns with emerging national policy. The Written Ministerial Statement on First	The Written Ministerial Statement on First Homes (May	Remove or loosen restriction on number of FHESs in parish.	<p>Partially Met</p> <p>Although it is in the supporting text, criterion D(iii) could helpfully set out that</p>

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to meet local needs	to meet local needs	<p>Homes (May 2021) requires that:</p> <p>‘Local authorities should support the development of these First Homes exception sites, suitable for first-time buyers, unless the need for such homes is already being met within the local authority’s area’.</p> <p>It is recognised that the PPG requires that First Homes exception sites should be ‘proportionate in size to the existing settlement’. If more than one site came forward around a settlement its cumulative impact could be disproportionate. It may therefore be reasonable to restrict development to one FHES around each settlement (rather than one in the whole parish, as currently drafted).</p> <p>It may also be helpful to clarify that FHESs should be adjacent to settlements (as set out in the WMS) and that they cannot come forward in the AONB (as set out in the PPG).</p>	<p>2021)</p> <p>PPG ID 70-026-20210524</p>	<p>Consider including additional locational requirements.</p>	<p>FHESs will not be permitted in the AONB (as this could be relevant to Ecchinswell).</p> <p>It is also suggested that Criterion D(iii), bullet 2, is amended so it refers to all heritage assets (not just designated ones)</p>

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Policy ESBG3: Housing in Bishops Green (and para 5.21)	Policy ESBG3: Housing in Bishops Green (and para 5.19)	<p>Criterion B I - It is suggested that:</p> <ul style="list-style-type: none"> <li>• The policy expresses the types of housing mix in percentages to improve clarity</li> <li>• The policy focuses on the house size (no. of bedrooms), rather than typologies that relate to the type of final occupier which cannot be controlled.</li> <li>• The policy is made clearer about how the housing mix relates to tenure. Suggest it focuses on the market units so the affordable mix can be determined based on needs at the time.</li> </ul>	BDBC Housing SPD PPG ID: 41-041- 20140306	Revise policy wording to provide greater clarity about housing mix.	<p>It is recognised that criterion B I has been amended to address some of the original concerns. However, there are a number of remaining issues (and new issues arising from those changes):</p> <ul style="list-style-type: none"> <li>- It is not clear how the mix of dwellings relates to the housing mix requirements newly introduced in Policy ESBG2.</li> <li>- There are concerns about the use of 'typologies'. These are not explained in the supporting text.</li> <li>- The policy is not clear whether particular proportions of each housing typology are required.</li> <li>- Are the homes 'suitable as first homes', actually intended to be first homes (affordable homes) as defined in national policy?</li> </ul>
Policy ESBG3: Housing in Bishops Green	Policy ESBG3: Housing in Bishops Green	<p>Criterion B II -</p> <ul style="list-style-type: none"> <li>• Should require the provision of safe and convenience access for all users (i.e. rather than just the current reference to vehicular access).</li> </ul>	ALP Policy CN10 (Transport)	Consider revising policy wording	<p>The first bullet point has been addressed by a change to criterion III.</p> <p>It is suggested that the term 'like for like' (hedgerows) would be difficult to implement and should be made more precise.</p>

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		<ul style="list-style-type: none"> <li>• Could also explicitly require the provision of replacement hedges (i.e. setback clear of the access visibility splays, etc.).</li> </ul>			
Policy ESBG3: Housing in Bishops Green	Policy ESBG3: Housing in Bishops Green	<p>Criterion B III –</p> <ul style="list-style-type: none"> <li>• The provision of a new footway to provide safe and convenient access for the future residents to/from Eagle Road and the other local amenities appears desirable, subject to this being accepted by the Local Highway Authority. Subject to the views of the LHA, the footway could be a requirement of the planning consent rather than a financial contribution (as drafted).</li> <li>• It is unclear whether the ‘Slow the pace’ contribution could be justified, particularly given the scale of the development and the likely extent of impact upon the highway (see also comments on Policy ESBG18).</li> </ul>	NPPF Paragraph 57	Revise policy wording	Partially met.  It remains unclear what development would need to do to ‘support’ the slow the pace measures.

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Policy ESBG3: Housing in Bishops Green	Policy ESBG3: Housing in Bishops Green	Criterion B VI – Suggest policy includes reference to tree lined streets. It is recognised this is included within the Design Code but it could also benefit from being explicitly stated in the policy.	NPPF para 131- Planning policies and decisions should ensure that new streets are tree-lined	Revise policy wording	Not addressed in the Plan, however it is recognised that this is included within the design code.
Para 5.31	Para 5.29	This refers to Appendix T which provides a Design Report for the site. This paragraph should explain the purpose of this Design Report and its relationship with the design brief required by criterion C.  Unless the document is to be given particular status, it is considered that Appendix T could be an evidence base document (demonstrating what could be achieved on the site) rather than an appendix to the plan.	PPG ID: 41-041- 20140306	Consider status of site promoter's design report	Met
Sketch plan (page 35)	Sketch plan (page 44)	It is unclear if the sketch is consistent with the policy and supporting text as it is unclear if the site could accommodate the required number of dwellings and the required parking and waste facilities.		Revise supporting sketch.	Partially Met  Although the status of the concept development framework is caveated in para 5.29, it is suggested the general location of residential dwellings and their gardens is shown in a less distinct manner to provide more flexibility for

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		<p>It is suggested that it may be more appropriate to have a 'higher-level' diagram here. This would identify the general location of the principal land uses, accesses, pedestrian and cycle link, buffers, landscaping etc.</p> <p>This would also provide greater scope for the more detailed design matters to be satisfactory addressed closer to the planning application stage.</p>			detailed design matters to be considered through the planning application stage.
Policy ESBG4: Housing in Ecchins well	Policy ESBG4: Housing in Ecchins well	<p>Criterion B I –</p> <ul style="list-style-type: none"> <li>• The policy could express the types of housing mix in percentages to improve clarity</li> <li>• The policy focuses on the house size, rather than typologies that relate to the type of final occupier which cannot be controlled.</li> </ul>	PPG ID: 41-041-20140306	Revise policy wording	Partially Met – however the reference to 'generally' one or two bedroom homes is not precise, and it is not clear how it relates to the housing mix in Policy ESBG2.
Policy ESBG4: Housing in Ecchins well	Policy ESBG4: Housing in Ecchins well	Criterion B II – It is unclear how the scheme is expected to make efficient use of the site, given the yield is set out in the policy.		Suggest criterion is deleted.	Met

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ESBG4: Housing in Ecchins well	ESBG4: Housing in Ecchins well	and convenient access for all users (rather than just vehicular).		wording	
Policy ESBG4: Housing in Ecchins well (paras 5.39 and 5.40)	Policy ESBG4: Housing in Ecchins well (paras 5.34)	<p>Criterion B IV – It is unclear whether ‘consideration of a green path’ is a requirement for it to be delivered as part of the development, or not. A requirement would need to meet the tests for planning obligations, as set out in NPPF para 57.</p> <p>Para 5.39 – Further information regarding the deliverability of the green path is likely to be needed. Detail on the specifics of the path such as the connections, width, management would also be useful.</p> <p>Concern about the suitability of taking a financial contribution towards ‘Slow the Pace’ measures, particularly given the scale of development (see also comments on Policy ESBG18).</p>	NPPF para 57	Revise policy wording	<p>Not met.</p> <p>The policy still seeks ‘consideration of a green path’, and the related supporting text has been removed. It is not clear whether the delivery of this is path a requirement of development. Suggest removal of reference to the green path if there is no further information on its deliverability.</p>
Policy ESBG4: Housing Policy	Policy ESBG4: Housing Policy	<p>There is reference to the homes being ‘affordable to buy’. It is presumed that this means small market homes rather than</p> <p>Criterion B III – should provide safe</p>		<p>Revise supporting text.</p> <p>Revise policy</p>	<p>Met.</p> <p>Met</p>

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Ecchins well (para 5.34)	Ecchins well	discounted market sales affordable housing. First Homes could not be required on a development of market homes.			
Para 5.43	Para 5.35	This refers to Appendix U which provides a Design Report for the site. This paragraph should explain the purpose of this Design Report and its relationship with the design brief required by criterion C.		Revise supporting text.	Met.
Sketch plan (page 39)	Sketch plan (page 47) (linked to B V)	It is unclear as to whether this is consistent with this policy and the supporting text. Suggest it would be more appropriate to provide a higher-level site layout that would then provide greater scope for the more detailed design matters to be satisfactorily addressed closer to the planning application stage.		Revise supporting plan	Partially Met.  There will be many ways to achieve a satisfactory scheme on this site with alternative approaches to the layout. It is therefore suggested that it would be better to just show constraints on the plan to allow the design/layout considerations to be addressed at planning application stage. To align with this, it is suggested that Criteria B(VI) should remove reference to development being focussed within the footprints of the existing buildings and structures.
ESBG5: Design Quality	ESBG5: Design Quality	The design codes may need to be applied to developments which don't involve new or altered buildings, but that still have an		Revise policy wording.	Met

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		<p>impact on the landscape character of an area (for example a solar farm).</p> <p>Policy should not require the use of the checklist, as there are other ways to demonstrate compliance with the Design Code. The policy could require high quality design that is in keeping with the locally distinctive character of the area and in accordance with the Design Code. The supporting text could signpost that the checklist is the most appropriate way of doing this.</p> <p>Would question whether the second bullet point unnecessarily duplicates the requirement to comply with the Design Code in the introductory text.</p>			
ESBG7: Commu nity Engage ment in Design	ESBG7: Commu nity Engage ment in Design	It is considered that it could be clearer for applicants if policies ESBG5 and ESBG7 were combined as these policies both relate to design, and the Building for a Healthy Life Assessment would be best included in the Design and Access Statement (as part of describing the design of the		Revise policy wording. Consider merging policies ESBG5 and ESBG7	Although the LPA still considers it would be clearer if policies ESBG5 and ESBG7 were merged (as community engagement should be a mechanism to achieve high quality design), this does not affect the basic conditions.

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		<p>scheme).</p> <p>In relation to criterion A, 'engagement with the community' may not be appropriate for all scales of development (such as a small extension). This could be limited to 'development proposals which are likely to generate public interest, and particularly with regard to design issues'.</p>			
ESBG9: Support for Homewo rking	ESBG9: Support for Homew orking	<p>Residential development/extensions to facilitate home working should only be within residential curtilages regardless of whether the sites are in the settlement or the countryside.</p> <p>The policy could explicitly support the provision of facilities to allow 'Work Near Home', as supported by para 5.64.</p>		Revise policy wording.	Met
ESBG10 : Broadba nd and mobile commu nications	ESBG10: Broadba nd and mobile commu nications	<p>Criterion A – It is reasonable to require the developer to provide suitable ducting (to facilitate a connection) but not to make the connection itself which is a commercial matter.</p>		Suggest policy criterion is amended to remove requirement for the connection to be installed.	Met
ESBG11	ESBG1	Criterion A - It is recognised that the		Suggest the open	Met.

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: Community Facilities	1: Community Facilities	<p>open areas (Ecchinswell recreation ground, Digweeds and Access Land) have community value, however it is not clear how the requirements of Part B would be applied to them (and whether they should be included in this policy).</p> <p>The recreation ground and Digweeds are also Local Green Spaces – which could result in a policy tension, as the LGS policy is less permissive.</p>		areas are removed from this policy.	It is noted that Policy ESBG 14 applies to the open areas around some of the community facilities. The policy maps should be updated to ensure the community facilities are excluded from the LGS designations.
ESBG12 : Green Infrastructure Network and Recovery	ESBG12: Green Infrastructure Network and Recovery	<p>The general principle of connecting habitats to the green infrastructure network is supported. It is recognised that the Parish Council has worked with the Hampshire Biodiversity Information Centre (HBIC) to identify important habitats (Appendix L).</p> <p>It would be helpful if the NP was explicit that ‘the network’ (as addressed by the policy) was all of the habitats shown on the map and the green corridors between them (ie everything on the map).</p> <p>The evidence base should explain</p>		Revise policy wording	<p>Partially Met.</p> <p>Evidence document H provides extensive detail about the statutory and non-statutory habitats within the parish. However, there still does not appear a clear evidence base to explain or justify the precise width/alignment of the proposed green corridors that connect the habitats. Discussion with HBIC has indicated that the proposed corridors have been ‘informed by data and advice’ supplied by HBIC rather than ‘reviewed by and supported by the HBIC’. The wording of para 5.69 should be updated to reflect this.</p>

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		<p>how the green corridors have been identified in terms of their sizes/widths and locations.</p> <p>In relation to Criterion B, requirement should be to '<u>maintain or improve</u> the functionality of the network'. The BNG should be calculated in accordance with the relevant Defra metric, which may change over the life of the Plan.</p> <p>Criterion C. The mitigation hierarchy would need to be applied on all sites, but the metric and net gain plan is only required for developments over 0.1ha.</p>			<p>The policy should refer to the council's interim guidance note on BNG (<u>or successor document</u>) to ensure it is future-proofed.</p>
ESBG13 : Valued Landscapes and key Views	ESBG13: Valued Landscapes and key Views	<p>Criterion B – It would be clearer if this criterion just related to the key views as the policy tests for development in the AONB are already set out in criterion A.</p> <p>It is not necessary to refer to the AONB as a valued landscape as NPPF para 176 gives the AONB specific protection (and there is scope for confusion as the Local Plan Update is considering identifying separate valued</p>		Revise policy wording	<p>Partially Met</p> <p>The change has been made to criterion B. However, criterion A still refers to the 'valued landscape', which could cause some confusion.</p>

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		landscapes in the borough).			
ESBG14 : Local Green Spaces	ESBG1 4: Local Green Spaces	<p>The areas of land identified as LGS are justified in Appendix S and would appear to meet the criteria set out in national policy.</p> <p>It should be noted that the Ashford Hill NP examiner amended the wording of the proposed LGS policy:</p> <p>99. Following a Court of Appeal case with regard to the lawfulness of a LGS policy in a neighbourhood plan: (<i>Lochailort Investments Limited v. Mendip District Council and Norton St Philip Parish Council</i>, [2020] EWCA Civ 1259), I consider it necessary to modify this policy by simply listing the LGS sites. This will ensure that there can be absolutely no doubt regarding the lawfulness of the policy. The restrictions on development with regard to LGS designation will continue to</p>		Suggest deletion of first sentence of criterion B.	<p>Met – Paragraph 5.81 of the supporting text seeks to allocate a further LGS on the site allocation in Bishops Green.</p> <p>It is suggested that this should also be identified in Policy ESBG14 to provide greater clarity.</p>

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		<p>apply through the NPPF. This will ensure that policies for managing development within a LGS are consistent with those for Green Belts. This ensures that the policy meets the Basic Conditions.</p> <p>It is therefore suggested that the first sentence of criterion B is deleted to be consistent with this approach.</p>			
ESBG16 : Zero Carbon buildings	ESBG16: Zero Carbon building s	<p>The LPA supports the principle of including measures to mitigate climate change (and the principle of zero carbon buildings), however it is noted that the NP policy goes beyond what national planning policy currently allows. There is some inconsistency in how Local Plan inspectors have addressed this issue, but the council is not aware of such policies being permitted in neighbourhood plans. Furthermore, the Written Ministerial Statement 2015 explicitly prevents neighbourhood plans setting local standards.</p> <p>It is agreed that the principles set</p>	<p>Written Ministerial Statement of 25 March 2015</p> <p>PPG ID: 6-012-20190315</p>	<p>Revise policy to set out general principles and a recommended standard.</p>	<p>The LPA is of the view that the policy does not meet the basic conditions because it does not have regard to national planning policy (as set out in the original comments).</p>

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		<p>out in criterion A are relevant for minimising energy use. However, it is suggested that the standards identified in criterion B should be expressed as a recommendation (or a standard to be encouraged) rather than a policy requirement. As a consequence of this, criteria C, D and E would not be required.</p>			
ESBG17 : Carbon 'Sinking' (Sequestration)	ESBG17: Carbon 'Sinking' (Sequestration)	<p>While sequestration would reduce development's whole life carbon emissions, there are concerns about the reasonableness of the approach and how it would comply with national policy.</p> <p>Notwithstanding the above, should you decide to retain the policy, it would be helpful for the supporting text to explain the standard required from the Woodland Carbon Code.</p> <p>Further explanation should also be provided in relation to how the requirement fits with the Public Open Space requirements. It is also not clear how the financial contribution (in criterion B) would be calculated, where the contribution would be spent, and how it would</p>	NPPF para 57 (requirements for planning obligations)	Delete policy or revise policy wording	Met. Policy has been removed.

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		meet the requirements of a planning obligation as set out in NPPF para 57.			
ESBG18 : Encouraging Active and Sustainable Travel	ESBG17: Encouraging Active and Sustainable Travel	<p>The Local Highway Authority (LHA) would normally determine when a development proposal would be likely to have a material impact on the safe and efficient operation of the highway, and when improvement/ mitigation is necessary. The proposed approach should be discussed with the LHA.</p> <p>There are concerns about whether it would be suitable for Section 106 to fund the 'Slow the Pace' measures, and it is considered that this could best be funded through the parish's portion of CIL. It is uncertain whether the contribution would be justified (given the relatively low scale of development), how it would be calculated, and the deliverability of the proposed schemes, and whether it would meet the requirements for a planning obligation as set out in NPPF para 57.</p>	NPPF para 57 NPPF para 113	Consider revising policy wording. Parts of the policy relating to 'Slow the Pace' could be moved into Chapter 6 to be implemented through the neighbourhood portion of CIL.	<p>Criterion B. The requirement to consider the need for off-site mitigation (in the second part of this para) would not be suitable for all scales of development. It is unlikely that small-scale residential development would result in additional traffic movements to justify the delivery of specific off-site mitigation. It is considered that these requirements should therefore be restricted to major development and/or funded using the parish's portion of CIL. It is also considered mitigation should only be required where the impact would be significant (rather than 'likely adverse') as per para 110d of the NPPF.</p> <p>It is also considered that the requirement to provide a financial contribution towards a 'package of sustainable transport measures' in criterion C could be best met through the neighbourhood portion of CIL. This would align with the council's Planning Obligations for Infrastructure SPD which states that, 'The cumulative impacts of development on the borough's transport and highways</p>

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		<p>Many of these proposals in the table on page 68 would be dependent upon securing the approval and actions by Hampshire CC (as the LHA) including any associated statutory processes, and possibly West Berkshire Council with respect to the A339 to the north. For example, it is understood that any changes to the existing speed limits within the parish would need to be progressed by Hampshire County Council including the associated statutory processes for amending the existing Road Traffic Orders, etc.</p> <p>This table also suggests the proposed designation of various "Quiet Lanes." However, it is understood that this would need to be agreed with HCC in the first instance, and that such a designation would need to accord with the relevant statutory processes (e.g. Quiet Lanes and Home Zones (England) Regulations, etc.).</p> <p>Criterion E – Cycle parking is required for all new dwellings as per</p>			<p>network, which cannot be directly linked to a specific development, will not be mitigated using planning obligations. Instead, the council may support these through the use of CIL receipts...'</p>

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		the Parking SPD July 2018.			

Appendices		Met?
General	<p>Consider which documents are appendices (to be published and adopted as part of the Plan) and which are evidence base documents that support and explain the proposed plan policies.</p> <p>It is recognised that it is important for the Design Code to be an appendix.</p> <p>The SEA should be a standalone document that is submitted alongside the Plan.</p>	Met
Appendix C (Now Policy Maps Booklet)	<p>Some of the maps make it slightly difficult for the reader to orientate themselves as the base map has limited labels in terms of roads and settlement names etc (for example, the movement plans).</p> <p>If the Plan is 'made' in its current form, care will be required to ensure that the Green Infrastructure Network is accurately translated to the council's GIS system, so it is identified for all relevant planning applications.</p> <p>The maps in the Plan should also be high quality.</p> <p>BDBC can assist with the preparation of maps is required.</p>	<p>Partially Met – If the parish boundary line was made thicker on the movement plans it may help make the map clearer.</p> <p>Consider if the GIS data can be shared with the council so that it can be put on an interactive webviewer to help applicants and officers.</p>
Appendix D (Now Appendix B of the Plan)	<p>The Design Code is considered to be a good analysis of the character of the Neighbourhood Plan area and contains helpful Specific Design Principles.</p> <p><u>Section 4: Design Codes.</u> Suggest that the Area Wide Design Principles and the Specific Design Principles as applied to the Character Areas are each given their own reference using letters and numbers. This will greatly help the LPA and consultees such as the Parish Council</p>	Met

	<p>refer to individual principles when applying them to a development proposal.</p> <p><u>Design Code 03: Building Typology (page 67)</u>  Area Wide Design Principles first BP1 could be reworded to say:</p> <p style="padding-left: 40px;">‘New development should positively respond to the type, scale and form of existing buildings which define the character of the LLCA within which it is located and of immediately adjoining buildings’.</p> <p>Area Wide Design Principles 4<sup>th</sup> bullet which starts “Detached and semi-detached houses are the dominant type of building....” could be deleted as this point about having regard to the type of building in the area is already covered by bullet 1.</p> <p>Area Wide Design Principles 5<sup>th</sup> bullet starting “Independent two-storey...” could perhaps be deleted since this is a description of character and is not a design principle and, in any event, is covered by the bullet which follows it.</p> <p>Area Wide Design Principles last two bullets starting “Development should....” and “Future development....”. These principles address questions regarding the uses of buildings and meeting various needs. So should these bullets be deleted and these issues addressed elsewhere in the Plan?</p> <p><u>Design Code 06: Parking and Utilities (page 74)</u>  Area Wide Design Principles first bullet. Delete ‘minimum’ as applied to the local planning authority standards.</p> <p><u>Design Code 08: Sustainability - Built Form (pages 77-78)</u>  Area Wide Design Principles. It is recognised that the energy efficient technologies and measures listed here are only given as examples as what could be encouraged as appropriate to the circumstance and they are not necessarily required for all developments. It is suggested that the optional nature of these measures is emphasised within the context of how development can meet the requirements for sustainable construction and management in accordance with national and local requirements.</p>	<p>Met</p> <p>Met</p> <p>Met</p> <p>Met</p> <p>Met</p> <p>Met</p> <p>Met</p> <p>Met</p> <p><u>Front page</u>  It should state on the front page that this is Appendix B.</p> <p><u>Design Code 02: Green Infrastructure and Open</u></p>
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		<p>The word 'Space' is missing from the title.</p> <p><u>Design Code 05: Architectural Details and</u> The word 'Materials' is missing from the title.</p> <p><u>Design Code 07: Preserving and Enhancing Views, Landmarks and</u> The word 'Gateways' is missing from the title.</p> <p><u>Design Code 08: Sustainability - Built Form</u> Area Wide Design Principles. First paragraph, last sentence. For the sake of clarity, the words "The following" could be inserted before "energy efficient technologies and measures are optional..."</p>
Appendix J (now supporting evidence F)	<p>Introduction – consider the definition of Green Infrastructure in the NPPF which refers to blue spaces, economic benefits and linking to climate change.</p> <p>NPPF Glossary</p> <p>Green infrastructure: A network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.</p>	Not Met

**Annex A: Minor Changes suggested**

Minor changes suggested to Neighbourhood Plan		Met?
General comment	General point, as this is a development plan document (with considerable decision-making status) it would be stronger if the policies stated where development will be permitted rather than supported/resisted.	Partially met – Some examples have been highlighted in the main comments.
Appendices	Suggest some of the reports are evidence base documents. Suggest retained appendices are listed on the contents page.	Met
Introduction; Heritage Section	<p>There should be reference to non-designated heritage assets. For example, the following sentence could be included:</p> <p style="padding-left: 40px;">Non-designated heritage assets may also be identified during the planning process. These are buildings, monuments, sites, archaeological remains, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not designated heritage assets.</p>	Met
Para 2.21 (now para 2.23)	<p>Para. 2.21 refers to the A339 as being a ‘trunk road north of the parish.’ However, it is understood that the A339 extending from Basingstoke towards Newbury was previously detrunked. Therefore, this section of the A339 is no longer a ‘trunk road’ such that it is simply a ‘principal road’ (A road) which is managed by HCC within Hampshire and WBC from the county border towards Newbury, etc.</p> <p><a href="#">The A339 Trunk Road (West Berkshire/Hampshire County Boundary at Knights Bridge, near Bishops Green to south of the A30 Blackdam Roundabout)(Detrunking) Order 2003</a>  <a href="#">The A339 Trunk Road (B4640 Swan Roundabout to West Berkshire/Hampshire County Boundary) (Detrunking) Order 2003</a></p>	Met
Para 2.36	(New comment)	‘the Hampshire Biodiversity Records Centre confirms a net loss of 158 hectares of priority habitat between 2011 and 2021’.

		Although losses are identified, some of this is due to mapping changes which HBIC always caveat.  Suggest caveat added to text.
Policy ESBG2	The <del>extra</del> -homes allocated... (unclear what is meant by extra)	Met
Policy ESBG2/ESBG3/ESBG4	Suggest use of word 'Approximately' (in relation to capacity) rather than 'About'.	Met
Policy ESBG2	Para 5.13 refers to protection under paragraph 14 of the NPPF. The reader might need help understanding what this means.	Met
Policy ESBG3	In the interests of clarity, it may be advisable to update the references to a 'pedestrian path' and an 'improved footpath' (para. 5.27) to 'new footway.'	Met
Policy ESBG4	The policy refers to the 'U2' Ecchinswell Road. The <a href="#">HCC website</a> indicates the road forms part of the 'C155', therefore it is recommended that this is updated accordingly throughout the plan (including the road network diagram on page 68).	Met
Policy ESBG7	Building for <u>a</u> Healthy Life (typo).	Met
Policy ESBG12	The council could ask HBIC to undertake surveys of any land that they might be considering for habitat improvement, including St Lawrence's Churchyard which has the meadow saxifrage.	NA
Para 5.68 (now para 5.61)	Refer to 'NERC Act Section 41 Priority Habitats' rather than BAP habitats	Met
Policy ESBG18	Para 5.93 – In the interests of clarity, rather than the existing reference to 'Hampshire CC Transport & Roads' perhaps it is more precise to refer to HCC as the Local Highway Authority (i.e. for the parish and the rest of Hampshire).	Met

Maps	In some places the maps are insert maps, in others they're inset maps. It is difficult to identify where the inset maps are located on the main policies map.	Met
Maps	For policies which do have maps such as ESBG13 and ESGB14, it may be worth considering if the maps are more useful viewed alongside the policy.	<p>Not Met – The NPG have taken the approach to place the maps at the end of the plan document.</p> <p>For the Local Green Spaces these could be shown separately from the rest of the policies are a closer zoom however, it is noted additional maps are included in the supporting evidence. In addition, as noted under the ESBG11 comment ensure that the community facilities are excluded from the Local Green Space areas on the map.</p> <p>It might be worth considering if individual location maps for the Community Facilities would be helpful in the supporting evidence akin to the LGS approach in the supporting evidence.</p> <p>For example the village hall and recreation ground are difficult to see in the policy map booklet. The hatching is similar to the hatching used on the character area.</p>

		
Appendix J (Now Supporting Evidence Document F)	Para 3.5 SINC's designated by Hampshire SINC Partnership not HCC.	Met
Appendix K (Now Supporting Evidence Document G)	LNRSs developed at county scale (not local authority)	Met
Appendix P (Now Supporting Evidence Document L)	Page 1- XX needs to be replaced with a date or removed.	Met



**Basingstoke  
and Deane**

Basingstoke and Deane Borough Council  
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Basingstoke, Hampshire RG21 4AH  
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[customer.service@basingstoke.gov.uk](mailto:customer.service@basingstoke.gov.uk)  
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Marian Dain  
Ecchinswell, Bishops Green and Sydmonton  
Parish Council  
Sent via email

16 December 2022

Dear Marian,

**Indicative housing number for Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan**

I write in relation to previous correspondence dated 1 June 2022 that provided an indication of the parish's identified housing requirement (in line with National Planning Policy Framework paragraph 67). The purpose of this letter is to update the Local Planning Authority's (LPA) position in light of changing circumstances.

In this previous correspondence the LPA indicated that, based upon the findings of the draft Settlement Study (as discussed at Economic, Planning and Housing Committee in January 2022), the parish's identified housing requirement would be 15 homes in Bishops Green, and none in Ecchinswell. As you are aware, the Settlement Study is an evidence base document produced to inform the Local Plan Update's spatial strategy, however neither the document itself nor any resultant spatial strategy has been formally agreed or endorsed by the council.

Notwithstanding this, the study provides figures that take 'into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy for the local planning authority', as required by NPPF para 67. It therefore takes into account the considerations highlighted in national policy and so reflects the LPA's current thinking on the parish's local housing requirement.

On this basis, the submission EBGs Neighbourhood Plan proposed to allocate a site for approximately 15 homes in Bishops Green, and a site for 5 homes in Ecchinswell. Recognising the uncertainty of the evidence base, the plan also included a commitment to undertake an early review the plan if the housing number increased before the LPU was adopted.

However, since that earlier correspondence, a planning application for up to 42 new dwellings at Woodside View in Bishops Green has received a resolution to approve

(22/00174/OUT). When this application is approved, subject to it being implemented, it will meet the village's housing requirement identified through the Settlement Study.

As you are aware, in order for the parish to receive the additional protection from speculative development offered by NPPF para 14, it must (inter alia) 'contain policies and allocations to meet its identified housing requirement'.

In this regard, the Local Planning Authority is of the view that the housing requirement figures identified through the Settlement Study are minimums. This approach reflects the NPPF's presumption in favour of sustainable development and would be consistent with the neighbourhood planning policy in the current Local Plan which sets parish targets of 'at least' a certain number of homes. It is therefore the LPA's view that the allocation of 15 homes in Bishops Green would still provide 'policies and allocations' to meet the parish's identified housing requirement.

In relation to Ecchinswell, the draft settlement study initially identified a requirement for six dwellings in the village based upon its proportional share of the borough's need. All the other housing requirements identified by the study have been rounded to the nearest five, however the requirements for Ecchinswell and the other very small settlements were rounded down to zero. This was a policy decision (not related to the actual level of need) as it was not considered proportionate to require communities to produce neighbourhood plans for such a small number of homes.

The actual level of need identified by the study for Ecchinswell, rounded to the nearest five (consistent with the other settlements), should therefore be five dwellings, and the neighbourhood plan would contain 'policies and allocations' to meet this. Although the site is not directly adjacent to the proposed SPB (as required by Policy SS5 in the adopted Local Plan), the council's draft LPU (as set out in the papers for Economic, Planning and Housing Committee for June 2022) proposes to include greater flexibility where there are no suitable alternative sites within or adjacent to the SPB.

It is therefore the LPA's view that subject to the LPA continuing to satisfy the other requirements of NPPF para 14 (as detailed in previous correspondence), the ESBG Neighbourhood Plan (as submitted) would include 'policies and allocations to meet its identified housing requirement', which would provide greater protection from speculative development for the whole parish.

I hope that this is of assistance. Please let me know if you would like to discuss any of the above in more detail.

Yours sincerely,

**Joanne Brombley**  
**Planning Policy Manager**

**Jessica Wells**

---

**From:** [REDACTED]  
**Sent:** 19 December 2022 09: 7  
**To:** Local Plan  
**Subject:** 20221219 M N S R F DEFENCE RESP NSE Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan Regulation 16  
**Attachments:** 20221107 M D Response.pdf

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DIO ref: 10056770

Planning ref: Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan Regulation 16

Dear Planning Policy Team

Please find attached my letter, confirming the safeguarding position of the Ministry of Defence, in respect of the above policy consultation

Kind Regards

**Chris Waldron**  
Assistant Safeguarding Manager  
**St George's House | Defence Infrastructure Organisation Head Office |**  
**DMS Whittington | Lichfield | Staffordshire | WS14 9PY**

[REDACTED]



Website: [www.gov.uk/dio/](http://www.gov.uk/dio/)

Twitter: @mod\_dio

Read DIO's blog <http://insidedio.blog.gov.uk/>

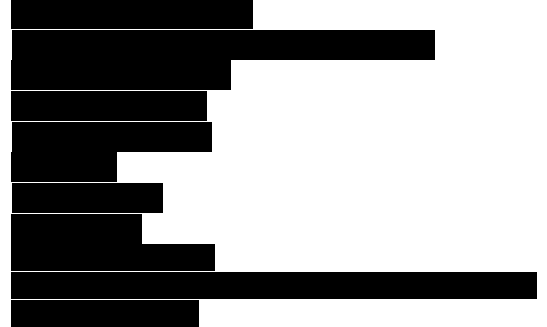


# Ministry of Defence

Planning Policy Team  
Basingstoke and Deane Borough Council  
Civic Offices  
London Road  
Basingstoke  
RG21 4AH

# Defence Infrastructure Organisation

Safeguarding Department



19<sup>th</sup> December 2022

**Your Ref: Basingstoke and Deane Borough Council - Ecchinswell, Sydmonton and Bishops Green  
Neighbourhood Plan Regulation 16  
DIO Ref: 10056770**

Dear Sir/Madam

It is understood that Basingstoke and Deane Borough Council are undertaking a consultation regarding the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan submission under Regulation 16, which sets out a vision for the neighbourhood area and planning policies which will be used to determine planning applications locally and guide development in the neighbourhood area up until 2039.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a statutory consultee in the UK planning system to ensure designated zones around key operational defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites are not adversely affected by development outside the MOD estate. For clarity, this response relates to MOD Safeguarding concerns only and should be read in conjunction with any other submissions that might be provided by other MOD sites or departments.

Paragraph 97 of the National Planning Policy Framework 2021 requires that planning policies and decisions should take into account defence requirements by '*ensuring that operational sites are not affected adversely by the impact of other development proposed in the area.*' To this end MOD may be involved in the planning system both as a statutory and non-statutory consultee. Statutory consultation occurs as a result of the provisions of the Town and Country Planning (Safeguarded aerodromes, technical sites and military explosives storage areas) Direction 2002 (DfT/ODPM Circular 01/2003) and the location data and criteria set out on safeguarding maps issued by Department for Levelling Up, Housing and Communities (DLUHC) in accordance with the provisions of that Direction.

The MOD have an interest within the area covered by the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan, in a new technical asset known as the East 2 WAM Network, which contributes to aviation safety by feeding into the air traffic management system in the Eastern areas of England. There is the potential for development to impact on the operation and/or capability of this new technical asset which consists of nodes and connecting pathways, each of which have their own consultation criteria. Elements of this asset pass through the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan area of interest.

The Safeguarding map associated with the East 2 WAM Network has been submitted to DLUHC for issue. As is typical, the map provides both the geographic extent of consultation zones and the criteria associated with them. Within the statutory consultation areas identified on the map are zones where the key concerns are the presence and height of development, and where introduction of sources of electro-magnetic fields (such as power lines or solar photo voltaic panels and their associated infrastructure) are of particular concern.

The review or drafting of planning policy provides an opportunity to better inform developers of the constraints that might be applied to development as a result of the requirement to ensure defence capability and operations are not adversely affected.

**Copies of these plans, in both GIS shapefile and .pdf format, can be provided on request through the email address above.**

In addition, and where development falls outside designated safeguarding zones, the MOD may also have an interest, particularly where the development is of a type likely to have an impact on operational capability by virtue of scale, height, or physical properties. Examples of these types of development include renewable energy development such as the installation of wind turbine generators or solar photo voltaic panels, or any development that would exceed a height of 50m above ground level. Both tall (of or exceeding a height of 50m above ground level) structures and wind turbine development introduce physical obstacles to low flying aircraft. Solar PV development can compromise the operation of communications and other technical assets by introducing substantial areas of metal that degrade signals and, depending on the location of development, may produce glint and glare to the detriment of aviation safety. Wind turbines may impact on the operation of surveillance systems such as radar where the rotating motion of their blades can degrade and cause interference to the effective operation of these types of installations, potentially resulting in detriment to aviation safety and operational capability. This potential is recognised in the Government's online Planning Practice Guidance which contains, within the Renewable and Low Carbon Energy section, specific guidance that both developers and Local Planning Authorities should consult the MOD where a proposed turbine has a tip height of, or exceeding 11m, and/or has a rotor diameter of 2m or more.

In summary, the MOD have no concerns with the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan but would wish to be consulted wherever the criteria associated with the East 2 WAM Network is triggered in order that appropriate assessments can be carried out and, where necessary, requests for required conditions or objections be communicated.

I trust this clearly explains our position on this update. Please do not hesitate to contact me should you wish to consider these points further

Yours sincerely

*C Waldron*

Chris Waldron  
DIO Assistant Safeguarding Manager

**Jessica Wells**

---

**From:** National Grid Avison Young - [Redacted]  
**Sent:** 1 December 2022 11:07  
**To:** Local Plan  
**Subject:** RE: Notification of Publicity of the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan  
**Attachments:** 1 -12 Ecchinswell NP Reg 16.pdf

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Dear Sir / Madam

We write to you with regards to the current consultations as detailed above in respect of our client, National Grid.

Please find attached our letter of representation. Please do not hesitate to contact me via [nationalgrid.uk@avisonyoung.com](mailto:nationalgrid.uk@avisonyoung.com) if you require any further information or clarification.

Kind regards

Tom Wignall

**Tom Wignall**  
Graduate Planner

[Redacted]  
[Redacted] [avisonyoung.com](http://avisonyoung.com)  
Central Square South, Orchard Street, 3rd floor, Newcastle upon Tyne NE1 3AZ

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**From:** Local Plan Local.plan basingstoke.gov.uk  
**Sent:** 07 November 2022 15:40  
**To:** Local Plan Local.plan basingstoke.gov.uk  
**Subject:** Notification of Publicity of the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan

CAUTION: External Sender

d d r r d

Basingstoke and Deane Borough Council is now in receipt of the final submission version of the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan (NP) along with all accompanying documentation required under the Regulations. The Ecchinswell, Sydmonton and Bishops Green NP sets out a vision for the neighbourhood area and planning policies which will be used to determine planning applications locally and guide development in the neighbourhood area up until 2039. The Submission Ecchinswell, Sydmonton and Bishops Green NP will be subject to formal public consultation open

r M d r  
r d d r d d

The Submission Ecchinswell, Sydmonton and Bishops Green NP consists of the following:

- Submission Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan
- Consultation Statement (and appendices)
- Basic Conditions Statement
- Strategic Environmental Assessment report and decision notice
- Site assessment report
- Equalities Impact Assessment

These submission documents and supporting evidence base documents are available to view on the council's website at [www.basingstoke.gov.uk/ESBGNP](http://www.basingstoke.gov.uk/ESBGNP).

These submission documents, along with a guidance note, are also available for public inspection at:

- Basingstoke and Deane Borough Council Offices (8:30am - 5:00pm on Mondays to Thursdays, and 8:30am - 4.30pm on Fridays);
- Basingstoke Discovery Centre (8:30am - 6:30pm on Mondays to Fridays, and 8:30am - 4:30pm on Saturdays);
- Tadley Library (9:30am - 5:00pm on Mondays, Fridays and Saturdays, and 9:30am - 1:30pm on Tuesdays)
- Newbury Central Library, The Wharf, Newbury, RG21 5AU (9am - 5pm Monday- Wednesday and Friday, 9am- 6pm Thursday and 10am - 4pm on Saturdays).
- The Royal Oak, Ecchinswell Rd, Ecchinswell, Newbury RG20 4UH (Wednesday - Friday 12 noon – 3pm and 5pm – 11pm and Saturday 12 – 11pm and Sunday 12 noon – 10pm)
- Or by contacting the Parish Council at [clerk@ecchinswell-pc.gov.uk](mailto:clerk@ecchinswell-pc.gov.uk) or phone 07748 733388

r r r

Representations in relation to the Ecchinswell, Sydmonton and Bishops Green NP and supporting documents should be submitted to the borough council using one of the following methods:

- r r at [Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan Submission \(Regulation 16\) | Basingstoke and Deane Borough Council Online Consultation Portal](#)
- r r r r r r r Planning Policy Team, Basingstoke and Deane Borough Council, Civic Offices, London Road, Basingstoke RG21 4AH
- r r r r r r r [local.plan@basingstoke.gov.uk](mailto:local.plan@basingstoke.gov.uk)

r r r d r d r r d  
r d d M d r d r d. All responses will then be forwarded to the plan's examiner once he/she is appointed.

When making your representation, please can you indicate whether you wish to participate in an Examination Public Hearing (should the examiner decide there is a need for one) and also whether you wish to be notified about the Examiner's Report and the 'Made' Ecchinswell, Sydmonton and Bishops Green NP.

If you require further information, or advice on how to respond to this consultation please contact Basingstoke and Deane Borough Council's Planning Policy Team by telephoning 01256 845450 or by emailing the team at [local.plan@basingstoke.gov.uk](mailto:local.plan@basingstoke.gov.uk).

You are receiving this email as you are registered on the council's planning policy database or are a statutory consultee. If you wish to amend your details or remove your details from the database, please contact [local.plan@basingstoke.gov.uk](mailto:local.plan@basingstoke.gov.uk).

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Data Protection – personal data you provide to the council will be processed in line with the General Data Protection Regulation (GDPR) and Data Protection Act 2018. For more information on how your information is used; how we maintain the security of your information and your rights, including how to access information that we hold on you and how to complain if you have any concerns about how your personal details are processed, please see our [privacy statement](#)

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Our Ref: MV/ 15B901605



15 December 2022

Basingstoke and Deane Borough Council

[local.plan@basingstoke.gov.uk](mailto:local.plan@basingstoke.gov.uk)

**via email only**

Dear Sir / Madam

**Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan - Regulation 16 Consultation**

**November – December 2022**

**Representations on behalf of National Grid**

National Grid has appointed Avison Young to review and respond to Neighbourhood Plan consultations on its behalf. We are instructed by our client to submit the following representation with regard to the current consultation on the above document.

**About National Grid**

National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales. The energy is then distributed to the electricity distribution network operators across England, Wales and Scotland.

National Grid Gas plc (NGG) owns and operates the high-pressure gas transmission system across the UK. In the UK, gas leaves the transmission system and enters the UK's four gas distribution networks where pressure is reduced for public use.

National Grid Ventures (NGV) is separate from National Grid's core regulated businesses. NGV develop, operate and invest in energy projects, technologies, and partnerships to help accelerate the development of a clean energy future for consumers across the UK, Europe and the United States.

**Proposed development sites crossed or in close proximity to National Grid assets:**

An assessment has been carried out with respect to National Grid's electricity and gas transmission assets which include high voltage electricity assets and high-pressure gas pipelines.

National Grid has identified that no assets are currently affected by proposed allocations within the Neighbourhood Plan area.

National Grid provides information in relation to its assets at the website below.

- [www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/](http://www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/)

Please also see attached information outlining guidance on development close to National Grid infrastructure.

**Distribution Networks**

Information regarding the electricity distribution network is available at the website below:

[www.energynetworks.org.uk](http://www.energynetworks.org.uk)

Information regarding the gas distribution network is available by contacting:

[plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com)

**Further Advice**

Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our assets. We would be grateful if you could add our details shown below to your consultation database, if not already included:

**Matt Verlander, Director**

[Redacted]

Avison Young  
Central Square South  
Orchard Street  
Newcastle upon Tyne  
NE1 3AZ

**Spencer Jefferies, Town Planner**

[Redacted]

National Grid  
National Grid House  
Warwick Technology Park  
Gallows Hill  
Warwick, CV34 6DA

If you require any further information in respect of this letter, then please contact us.

Yours faithfully,



**Matt Verlander MRTPI  
Director**

[Redacted]

**For and on behalf of Avison Young**

National Grid is able to provide advice and guidance to the Council concerning their networks and encourages high quality and well-planned development in the vicinity of its assets.

#### Electricity assets

Developers of sites crossed or in close proximity to National Grid assets should be aware that it is National Grid policy to retain existing overhead lines in-situ, though it recognises that there may be exceptional circumstances that would justify the request where, for example, the proposal is of regional or national importance.

National Grid's '*Guidelines for Development near pylons and high voltage overhead power lines*' promote the successful development of sites crossed by existing overhead lines and the creation of well-designed places. The guidelines demonstrate that a creative design approach can minimise the impact of overhead lines whilst promoting a quality environment. The guidelines can be downloaded here: <https://www.nationalgridet.com/document/130626/download>

The statutory safety clearances between overhead lines, the ground, and built structures must not be infringed. Where changes are proposed to ground levels beneath an existing line then it is important that changes in ground levels do not result in safety clearances being infringed. National Grid can, on request, provide to developers detailed line profile drawings that detail the height of conductors, above ordnance datum, at a specific site.

National Grid's statutory safety clearances are detailed in their '*Guidelines when working near National Grid Electricity Transmission assets*', which can be downloaded here: [www.nationalgridet.com/network-and-assets/working-near-our-assets](http://www.nationalgridet.com/network-and-assets/working-near-our-assets)

#### Gas assets

High-Pressure Gas Pipelines form an essential part of the national gas transmission system and National Grid's approach is always to seek to leave their existing transmission pipelines in situ. Contact should be made with the Health and Safety Executive (HSE) in respect of sites affected by High-Pressure Gas Pipelines.

National Grid have land rights for each asset which prevents the erection of permanent/ temporary buildings, or structures, changes to existing ground levels, storage of materials etc. Additionally, written permission will be required before any works commence within the National Grid's 12.2m building proximity distance, and a deed of consent is required for any crossing of the easement.

National Grid's '*Guidelines when working near National Grid Gas assets*' can be downloaded here: [www.nationalgridgas.com/land-and-assets/working-near-our-assets](http://www.nationalgridgas.com/land-and-assets/working-near-our-assets)

#### How to contact National Grid

If you require any further information in relation to the above and/or if you would like to check if National Grid's transmission networks may be affected by a proposed development, please visit the website: <https://lsbud.co.uk/>

For local planning policy queries, please contact: [nationalgrid.uk@avisonyoung.com](mailto:nationalgrid.uk@avisonyoung.com)

Jessica Wells

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[Redacted]

[Redacted]

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[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

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[Redacted]

[Redacted]

[Redacted]

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From Beata Ginn [Redacted]

Sent 12 December 2022 17:49

To [Redacted]

Cc [Redacted]

[Redacted]

Subject: NORMAL RESPONSE: 18386 Notification of Publicity of the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan

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Thank you for inviting National Highways to comment on the above Consultation.

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such National Highways works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

We will therefore be concerned with proposals that have the potential to impact the safe and efficient operation of the SRN, in this case the A34.

We have reviewed documents in relation to the above consultation and have 'No Comments'.

Regards

Mr

r r

National Highways | Bridge House | Walnut Tree Close | Guildford GU1 4L

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<https://nationalhighways.co.uk/our-roads/planning-and-the-strategic-road-network-in-england/>

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| <https://nationalhighways.co.uk> |

[info@nationalhighways.co.uk](mailto:info@nationalhighways.co.uk)

*Registered in England and Wales no 9346363 | Registered Office: Bridge House, 1 Walnut Tree Close, Guildford, Surrey GU1 4LZ*

Consider the environment. Please don t print this e-mail unless you really need to.

Date: 19 December 2022  
Our ref: 412992  
Your ref: Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan -  
Regulation 16



Local.plan@basingstoke.gov.uk

**BY EMAIL ONLY**

Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

### **Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan - Regulation 16**

Thank you for your consultation on the above dated 07 November 2022

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

**Natural England does not have any specific comments on this draft neighbourhood plan.**

However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.

For any further consultations on your plan, please contact: [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Louise Wyatt  
Sustainable Development Lead Adviser  
Thames Solent Team

# Annex 1 - Neighbourhood planning and the natural environment: information, issues and opportunities

## Natural environment information sources

The [Magic](http://magic.defra.gov.uk/)<sup>1</sup> website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: **Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, National Parks (England), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) and Sites of Special Scientific Interest (including their impact risk zones)**. Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available [here](#)<sup>2</sup>.

**Priority habitats** are those habitats of particular importance for nature conservation, and the list of them can be found [here](#)<sup>3</sup>. Most of these will be mapped either as **Sites of Special Scientific Interest**, on the Magic website or as **Local Wildlife Sites**. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.

**National Character Areas (NCAs)** divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found [here](#)<sup>4</sup>.

There may also be a local **landscape character assessment** covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.

If your neighbourhood planning area is within or adjacent to a **National Park** or **Area of Outstanding Natural Beauty (AONB)**, the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.

General mapped information on **soil types** and **Agricultural Land Classification** is available (under 'landscape') on the [Magic](http://magic.defra.gov.uk/)<sup>5</sup> website and also from the [LandIS website](http://www.landis.org.uk/)<sup>6</sup>, which contains more information about obtaining soil data.

## Natural environment issues to consider

The [National Planning Policy Framework](#)<sup>7</sup> sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](#)<sup>8</sup> sets out supporting guidance.

**Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.**

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<sup>1</sup> <http://magic.defra.gov.uk/>

<sup>2</sup> <http://www.nbn-nfbr.org.uk/nfbr.php>

<sup>3</sup> <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

<sup>4</sup> <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

<sup>5</sup> <http://magic.defra.gov.uk/>

<sup>6</sup> <http://www.landis.org.uk/index.cfm>

<sup>7</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/807247/NPPF\\_Feb\\_2019\\_revised.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/807247/NPPF_Feb_2019_revised.pdf)

<sup>8</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>

## Landscape

Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.

If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.

## Wildlife habitats

Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed [here](#)<sup>9</sup>), such as Sites of Special Scientific Interest or [Ancient woodland](#)<sup>10</sup>. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

## Priority and protected species

You'll also want to consider whether any proposals might affect priority species (listed [here](#)<sup>11</sup>) or protected species. To help you do this, Natural England has produced advice [here](#)<sup>12</sup> to help understand the impact of particular developments on protected species.

## Best and Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 171. For more information, see our publication [Agricultural Land Classification: protecting the best and most versatile agricultural land](#)<sup>13</sup>.

## **Improving your natural environment**

Your plan or order can offer exciting opportunities to enhance your local environment. If you are setting out policies on new development or proposing sites for development, you may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development. Examples might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Think about how lighting can be best managed to encourage wildlife.
- Adding a green roof to new buildings.

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<sup>9</sup><http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

<sup>10</sup> <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

<sup>11</sup> <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

<sup>12</sup> <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

<sup>13</sup> <http://publications.naturalengland.org.uk/publication/35012>

You may also want to consider enhancing your local area in other ways, for example by:

- Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy (if one exists) in your community.
- Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision.
- Identifying green areas of particular importance for special protection through Local Green Space designation (see [Planning Practice Guidance on this](#) <sup>14</sup>).
- Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks, changing hedge cutting timings and frequency).
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition, or clearing away an eyesore).

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<sup>14</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/local-green-space-designation/>

**Jessica Wells**

---

**From:** yatt, Louise [REDACTED]  
**Sent:** 19 December 2022 16: 1  
**To:** Local Plan  
**Subject:** NE Response Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan - Regulation 16  
**Attachments:** Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan - Regulation 16.pdf

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Dear Planning policy team,

Thank you for you consultation on Regulation 16 - Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan. Please find attached our response.

Kind regards,

D d d r

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[REDACTED]

[r d](#)



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**Jessica Wells**

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**From:** NR Land use Planning [REDACTED]  
**Sent:** 0 November 2022 11:00  
**To:** Local Plan  
**Subject:** NR Land use Planning - Application Neighbourhood Plan Ecchinswell, Sydmonton and Bishops Green  
**Attachments:** image001.png; image002.png

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[REDACTED]

----- Original Message -----  
**From:** Local Plan - Basingstoke and Deane <local.plan@basingstoke.gov.uk>  
**To:** local.plan@basingstoke.gov.uk;  
**Cc:**  
**Sent:** 07 11 2022 11:00  
**Subject:** Notification of Publicity of the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan



Online response form [Return representation form or submit written comments by post to](#) [Return representation form or submit written comments by email to](#)

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**Jessica Wells**

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**From:** [REDACTED]  
**Sent:** 10 November 2022 12: 1  
**To:** Local Plan  
**Subject:** Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan

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**Primary Care Team**  
**North and Mid Hampshire**  
**Hampshire and Isle of Wight Integrated Care Board**  
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Jessica Wells

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From: Policy, Planning [REDACTED]  
Sent: 23 November 2022 11:17  
To: Local Plan  
Subject: RE: Notification of Publicity of the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan  
Attachments: 221219 ESBG Representation Form.pdf  
  
Follow Up Flag: Follow up  
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Dear Sir/Madam,

Thank you for your email below, inviting Southern Water to comment on the submission version of the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan.

Please find the completed representation form attached. We look forward to being kept informed of the Plan's progress.

Yours faithfully,

**Charlotte Mayall**  
Strategic Planning Lead  
Hampshire, West Sussex & Isle of Wight

M. 07908 255007  
[southernwater.co.uk](http://southernwater.co.uk)



---

From: Local Plan <Local.plan@basingstoke.gov.uk>  
Sent: 07 November 2022 15:40  
To: Local Plan <Local.plan@basingstoke.gov.uk>  
Subject: Notification of Publicity of the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan

**Notification of Publicity of the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan (Regulation 16)**

Basingstoke and Deane Borough Council is now in receipt of the final submission version of the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan (NP) along with all accompanying documentation required under the Regulations. The Ecchinswell, Sydmonton and Bishops Green NP sets out a vision for the neighbourhood area and planning policies which will be used to determine planning applications locally and guide development in the neighbourhood area up until 2039. The Submission Ecchinswell, Sydmonton and Bishops Green NP will be subject to formal public consultation open **now through to 5pm on Monday 19th of December 2022.**

## What does the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan consist of and where can it be viewed?

The Submission Ecchinswell, Sydmonton and Bishops Green NP consists of the following:

- Submission Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan
- Consultation Statement (and appendices)
- Basic Conditions Statement
- Strategic Environmental Assessment report and decision notice
- Site assessment report
- Equalities Impact Assessment

These submission documents and supporting evidence base documents are available to view on the council's website at [www.basingstoke.gov.uk/ESBGNP](http://www.basingstoke.gov.uk/ESBGNP).

These submission documents, along with a guidance note, are also available for public inspection at:

- Basingstoke and Deane Borough Council Offices (8:30am - 5:00pm on Mondays to Thursdays, and 8:30am - 4.30pm on Fridays);
- Basingstoke Discovery Centre (8:30am - 6:30pm on Mondays to Fridays, and 8:30am - 4:30pm on Saturdays);
- Tadley Library (9:30am - 5:00pm on Mondays, Fridays and Saturdays, and 9:30am - 1:30pm on Tuesdays)
- Newbury Central Library, The Wharf, Newbury, RG21 5AU (9am - 5pm Monday- Wednesday and Friday, 9am- 6pm Thursday and 10am - 4pm on Saturdays).
- The Royal Oak, Ecchinswell Rd, Ecchinswell, Newbury RG20 4UH (Wednesday - Friday 12 noon – 3pm and 5pm – 11pm and Saturday 12 – 11pm and Sunday 12 noon – 10pm)
- Or by contacting the Parish Council at [clerk@ecchinswell-pc.gov.uk](mailto:clerk@ecchinswell-pc.gov.uk) or phone 07748 733388

## How can you make your representations?

Representations in relation to the Ecchinswell, Sydmonton and Bishops Green NP and supporting documents should be submitted to the borough council using one of the following methods:

- **Online response form** at [Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan Submission \(Regulation 16\) | Basingstoke and Deane Borough Council Online Consultation Portal](#) **Return representation form or submit written comments by post to:** Planning Policy Team, Basingstoke and Deane Borough Council, Civic Offices, London Road, Basingstoke RG21 4AH
- **Return representation form or submit written comments by email to:** [local.plan@basingstoke.gov.uk](mailto:local.plan@basingstoke.gov.uk)

**Only those representations that are made in writing and that are received by the council within the consultation period (ending 5pm on Monday 19th of December) will be considered.** All responses will then be forwarded to the plan's examiner once he/she is appointed.

When making your representation, please can you indicate whether you wish to participate in an Examination Public Hearing (should the examiner decide there is a need for one) and also whether you wish to be notified about the Examiner's Report and the 'Made' Ecchinswell, Sydmonton and Bishops Green NP.

If you require further information, or advice on how to respond to this consultation please contact Basingstoke and Deane Borough Council's Planning Policy Team by telephoning 01256 845450 or by emailing the team at [local.plan@basingstoke.gov.uk](mailto:local.plan@basingstoke.gov.uk).

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**Planning Policy Team**

[www.basingstoke.gov.uk](http://www.basingstoke.gov.uk)

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|---------------------------------------|--------------------------|--------------------------------|--------------------------|
| An individual                         | <input type="checkbox"/> | A town or parish council       | <input type="checkbox"/> |
| A district/borough council            | <input type="checkbox"/> | A borough councillor/MP        | <input type="checkbox"/> |
| On behalf of an organisation          | <input type="checkbox"/> | On behalf of a community group | <input type="checkbox"/> |
| A landowner/developer/agent/architect | <input type="checkbox"/> | Other                          | <input type="checkbox"/> |

**PART B**

**PLEASE USE A SEPARATE SHEET FOR EACH REPRESENTATION**

**1. Which part of the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan does your representation relate to?**

- a. Paragraph  b. Policy  c. Other

**2. Do you support or oppose that part of the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan?**

- Support  Oppose

**Please provide comments on the part of the neighbourhood plan that you refer to in Q1.**

Please remember that the examiner will test whether the neighbourhood plan meets the basic conditions and other relevant legal requirements. Your representation(s) should therefore aim to address whether or not the neighbourhood plan meets the basic conditions.

Continue on next page or on a separate sheet if necessary

**Please state any improvements or modifications that you feel should be made to the neighbourhood plan.**

Continue on a separate sheet if necessary

The majority of neighbourhood plan examinations are expected to be through written representations. However, should the examiner decide there is a need for a public hearing, please state below whether you would like to participate.

**3.** If a public hearing is necessary would you like to participate?

a. No, I do not wish to participate at the examination public hearing

b. Yes, I wish to participate at the examination public hearing

**4.** If a public hearing is required please outline why you consider that your participation is necessary. Please note the examiner will determine the most appropriate procedure.

Continue on a separate sheet if necessary

## Data Protection Statement

In complying with the General Data Protection Regulation (GDPR), Basingstoke and Deane Borough Council confirms that it will process personal data gathered from this form only for the purposes relating to the consultation. It is intended to publish responses to the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan consultation on the council's website. This will include publication of names of respondents and company names (where appropriate). Please ensure you do not include any personal information in Part B of the document. Copies of all consultation responses, including Part A, will be available to view at the council offices, and photocopies can be made of these representations on request.

Personal information will also be shared with the appointed examiner, who may wish to contact you to discuss your comments and concerns, prior to the examination of the neighbourhood plan.

Please indicate below if you wish to be kept informed of the progress of the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan and if you are happy for us to contact you.

- a. **If you wish to be notified of the Examiner's Report please tick box**
- b. **If you wish to be notified of the 'Made' Neighbourhood Plan please tick box**

Basingstoke and Deane Borough Council is the data controller for the personal information you provide on this form. You can contact the council by phone on 01256 844844, via email to [customer.service@basingstoke.gov.uk](mailto:customer.service@basingstoke.gov.uk) or by writing to us at Civic Offices, London Road, Basingstoke RG21 4AH. The council's Data Protection Officer can be contacted at [dpo@basingstoke.gov.uk](mailto:dpo@basingstoke.gov.uk)

We will process personal data provided on this form only for the purposes relating to this consultation. A summary of consultation responses may be reported to the relevant council Committee and published on the council's website.

As a public authority the council is subject to the provisions of the Freedom of Information Act (FOIA) and Environmental Information Regulations (EIR). This means we may be required to disclose information provided as part of this consultation if it is requested. Personal data will not be disclosed under FOIA or EIR.

- we will share your information with the appointed examiner for the purpose of examining the neighbourhood plan.
- we will not disclose any information to other organisations unless we are required by law to do so
- your personal details will only be held as long as is needed for this consultation and in accordance with our retention policy

For further details on how your information is used; how we maintain the security of your information and your rights, including how to access information we hold on you and how to complain if you have any concerns about how your personal details are processed, please visit [www.basingstoke.gov.uk](http://www.basingstoke.gov.uk) or email [dpo@basingstoke.gov.uk](mailto:dpo@basingstoke.gov.uk)



David Wilson

E: [REDACTED]  
M: +44 (0) 7747 647031

Issued via email:  
local.plan@basingstoke.gov.uk

1<sup>st</sup> Floor West  
Clearwater Court  
Vastern Road  
Reading  
RG1 8DB

13 December 2022

## Review Basingstoke – Ecchinswell Sydmonton and Bishops Green Publication Neighbourhood Plan (Regulation 16)

Dear Sir/Madam,

Thank you for allowing Thames Water to comment on the above.

Thames Water are the statutory sewerage undertaker for the northern part of the Basingstoke & Deane Borough and are hence a “specific consultation body” in accordance with the Town & Country Planning (Local Planning) Regulations 2012. Water supply services are provided by Southern Water. We have the following comments on the draft Neighbourhood Plan:

### **Infrastructure Development - Comments on Wastewater/Sewerage Infrastructure**

Wastewater/sewerage [and water supply] infrastructure is essential to any development. Failure to ensure that any required upgrades to the infrastructure network are delivered alongside development could result in adverse impacts in the form of internal and external sewer flooding and pollution of land and water courses and/or low water pressure.

Thames Water seeks to co-operate and maintain a good working relationship with local planning authorities in its area and to provide the support they need with regards to the provision of sewerage/wastewater treatment [and water supply] infrastructure.

A key sustainability objective for the preparation of Local Plans and Neighbourhood Plans should be for new development to be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. Paragraph 20 of the revised National Planning Policy Framework (NPPF), 2021, states: “Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for... infrastructure for waste management, water supply, wastewater...”

Paragraph 11 states: “Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:

a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt

to its effects”

Paragraph 28 relates to non-strategic policies and states: “Non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development. This can include allocating sites, the provision of infrastructure...”

Paragraph 26 of the revised NPPF goes on to state: “Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary...”

The web based National Planning Practice Guidance (NPPG) includes a section on ‘water supply, wastewater and water quality’ and sets out that Local Plans should be the focus for ensuring that investment plans of water and sewerage/wastewater companies align with development needs. The introduction to this section also sets out that “Adequate water and wastewater infrastructure is needed to support sustainable development” (Paragraph: 001, Reference ID: 34-001-20140306).

It is important to consider the net increase in wastewater and water supply demand to serve the development and also any impact that developments may have off site, further down the network. The Neighbourhood Plan should therefore seek to ensure that there is adequate wastewater [and water supply] infrastructure to serve all new developments. Thames Water will work with developers and local authorities to ensure that any necessary infrastructure reinforcement is delivered ahead of the occupation of development. Where there are infrastructure constraints, it is important not to under estimate the time required to deliver necessary infrastructure. For example: local network upgrades take around 18 months and Sewage Treatment & Water Treatment Works upgrades can take 3-5 years.

The provision of water treatment (both wastewater treatment and water supply) is met by Thames Water’s asset plans and from the 1st April 2018 network improvements will be from infrastructure charges per new dwelling.

From 1st April 2018, the way Thames Water and all other water and wastewater companies charge for new connections has changed. The economic regulator Ofwat has published new rules, which set out that charges should reflect: fairness and affordability; environmental protection; stability and predictability; and transparency and customer-focused service.

The changes mean that more of Thames Water’s charges will be fixed and published, rather than provided on application, enabling you to estimate your costs without needing to contact us. The services affected include new water connections, lateral drain connections, water mains and sewers (requisitions), traffic management costs, income offsetting and infrastructure charges.

Thames Water therefore recommends that developers engage with them at the earliest opportunity (in line with paragraph 26 of the revised NPPF) to establish the following:

- The developments demand for Sewage/Wastewater Treatment and network infrastructure both on and off site and can it be met; and
- The surface water drainage requirements and flood risk of the development both on and off site and can it be met.

Thames Water offer a free Pre-Planning service which confirms if capacity exists to serve the development or if upgrades are required for potable water, waste water and surface water requirements. Details on Thames Water's free pre planning service are available at:

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/water-and-wastewater-capacity>

In light of the above comments and Government guidance we consider that Neighbourhood Plan should include a specific reference to the key issue of the provision of wastewater/sewerage [and water supply] infrastructure to service development proposed in a policy. This is necessary because it will not be possible to identify all of the water/sewerage infrastructure required over the plan period due to the way water companies are regulated and plan in 5 year periods (Asset Management Plans or AMPs). We recommend the Neighbourhood Plan include the following policy/supporting text:

### **PROPOSED NEW WATER/WASTEWATER INFRASTRUCTURE TEXT**

***“Where appropriate, planning permission for developments which result in the need for off-site upgrades, will be subject to conditions to ensure the occupation is aligned with the delivery of necessary infrastructure upgrades.”***

***“The Local Planning Authority will seek to ensure that there is adequate water and wastewater infrastructure to serve all new developments. Developers are encouraged to contact the water/waste water company as early as possible to discuss their development proposals and intended delivery programme to assist with identifying any potential water and wastewater network reinforcement requirements. Where there is a capacity constraint the Local Planning Authority will, where appropriate, apply phasing conditions to any approval to ensure that any necessary infrastructure upgrades are delivered ahead of the occupation of the relevant phase of development.”***

### **Comments in relation to Flood Risk and SUDS**

The National Planning Practice Guidance (NPPG) states that a sequential approach should be used by local planning authorities in areas known to be at risk from forms of flooding other than from river and sea, which includes "Flooding from Sewers".

When reviewing development and flood risk it is important to recognise that water and/or sewerage infrastructure may be required to be developed in flood risk areas. By their very nature water and sewage treatment works are located close or adjacent to rivers (to abstract water for treatment and supply or to discharge treated effluent). It is likely that these existing works will need to be upgraded or extended to provide the increase in treatment capacity required to service new development. Flood risk sustainability objectives should therefore accept that water and sewerage infrastructure development may be necessary in flood risk areas.

Flood risk sustainability objectives should also make reference to 'sewer flooding' and an acceptance that flooding can occur away from the flood plain as a result of development where off site sewerage infrastructure and capacity is not in place ahead of development.

With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, watercourses or surface water sewer. It is important to reduce the quantity of surface water entering the sewerage system in order to maximise the capacity for foul sewage to reduce the risk of sewer flooding.

Limiting the opportunity for surface water entering the foul and combined sewer networks is of critical importance to Thames Water. Thames Water have advocated an approach to SuDS that limits as far as possible the volume of and rate at which surface water enters the public sewer system. By doing this, SuDS have the potential to play an important role in helping to ensure the sewerage network has the capacity to cater for population growth and the effects of climate change.

SuDS not only help to mitigate flooding, they can also help to: improve water quality; provide opportunities for water efficiency; provide enhanced landscape and visual features; support wildlife; and provide amenity and recreational benefits.

With regard to surface water drainage, Thames Water request that the following paragraph should be included in the Neighbourhood Plan: ***“It is the responsibility of a developer to make proper provision for surface water drainage to ground, water courses or surface water sewer. It must not be allowed to drain to the foul sewer, as this is the major contributor to sewer flooding.”***

### **Specific Comments on Wastewater/Sewerage Infrastructure**

Paragraph 2.25 refers to capacity issues at the sewage treatment works (STW) serving Bishops Green.

Bishops Green STW is a very small site with a population equivalent of only 6. Greenham Common STW generally performs well.

Therefore, we currently do not have any capacity issues at these STWs. However, if there was significant growth in the catchment, then we would potentially need to look at upgrades. The Neighbourhood Plan should be updated accordingly.

### **Draft Site Allocations**

The information contained within the Neighbourhood Plan will be of significant value to Thames Water as we prepare for the provision of future wastewater [and water supply] infrastructure.

The attached table provides Thames Water’s site specific comments from desktop assessments on water supply, sewerage/waste water network and waste water treatment infrastructure in relation to the proposed sites, but more detailed modelling may be required to refine the requirements.

Early engagement between the developers and Thames Water would be beneficial to understand:

- What drainage requirements are required on and off site
- Clarity on what loading/flow from the development is anticipated

The time to deliver upgrades shouldn’t be underestimated it can take 18months – 3 years from the time of certainty and in some cases it may be appropriate for a suitably worded planning condition to be attached to ensure development doesn’t outpace the upgrades. Developers are encouraged to engage at the earliest opportunity to discuss their development needs via Thames waters pre planning service

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/water-and-wastewater-capacity>

We recommend developers attach the information we provide to their planning applications so that the Council and the wider public are assured water and waste matters for the development are being addressed.

Where developers do not engage with Thames Water prior to submitting their application, this will more likely lead to the recommendation that a Grampian condition is attached to any planning permission to resolve any infrastructure issues.

We trust the above is satisfactory, but please do not hesitate to contact David Wilson on the above number if you have any queries.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'D Wilson', written in a cursive style.

David Wilson  
Thames Water Property Town Planner

## Jessica Wells

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**From:** da id wilson [REDACTED]  
**Sent:** 1 December 2022 09:27  
**To:** Local Plan  
**Cc:** ohn Georgoulas  
**Subject:** Ecchinswell Sydmonton and Bishops Green Publication Neighbourhood Plan Regulation 16  
**Attachments:** 22.12 Ecchinswell NP Reg 16.pdf; 22.12 Ecchinswell Sydmonton np s ES ABLE. Is

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Dear Sir/Madam

Please find attached our response to the above consultation.

Regards  
David

**David Wilson MRT I**  
Property Town Planner  
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## Jessica Wells

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**From:** Simon Packer [REDACTED]  
**Sent:** 19 December 2022 16: 9  
**To:** Local Plan  
**Cc:** [REDACTED]  
**Subject:** Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan Submission Regulation 16  
**Attachments:** Ecchinswell Sydmonton and Bishops Green Neighbourhood Plan Submission Regulation 16 .pdf

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Dear Sir/Madam,

On behalf of our client, Hathor Property, please find attached representations relating to the above Plan.

We would welcome acknowledgement of safe receipt in due course.

Kind Regards

Simon

**Simon Packer**

Director

**Turley**



[REDACTED]



[REDACTED]

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19 December 2022

**Delivered by email and post**

Planning Policy Team  
Basingstoke and Deane Borough Council  
Civic Offices  
London Road  
Basingstoke  
Hampshire  
RG21 4AH

Dear Sir/Madam

**ECCHINSWELL, SYDMONTON AND BISHOPS GREEN NEIGHBOURHOOD PLAN SUBMISSION  
(REGULATION 16)**

These representations are submitted on behalf of our client, Hathor Property. Hathor Property have an interest in land north of Bishops Green, known as Woodside View.

My client submitted representations to the Regulation 14 Ecchinswell, Sydmonton, and Bishops Green Neighbourhood Plan (ESBG NP) promoting the site as an allocation, and there has been ongoing dialogue with the Parish Council with regard to the potential of the site as an allocation in advance of these representations. Part of the site was assessed (reference site BGB) within the draft Site Assessment Report submitted in support of the Regulation 14 ESBG NP.

However, although it scored favourably in related technical assessments relative to all other sites, and the consultation feedback with Parish residents identified a community preference for its allocation in Bishops Green, it was not subsequently included as an allocation within the Regulation 14 ESBG NP.

The Sustainability Appraisal (SA) for the ESBG NP Regulation 16 continues to assess the site as BGB, based on a capacity of 15 units. Table NTS1 confirms it has been assessed as a 'potential site option' through the SA process. The ESBG NP continues not to include the site as an allocation.

Significantly, the site formed part of a larger proposal that recently secured a resolution to grant outline planning permission for up to 42 dwellings at the Basingstoke & Deane Borough Council (BDBC) Development Control committee on 7<sup>th</sup> December (22/00174/OUT). A S106 is currently being advanced with a view to formal outline permission being granted in the near future.

6th Floor North  
2 Charlotte Place  
Southampton  
SO14 0TB

My client recognises that BDBC confirmed by letter of 1st June 2022 that an indicative figure of 15 dwellings for Bishops Green was appropriate based on the emerging evidence base of the revised Local Plan. However, as set out in previous representations submitted, there remains considerable uncertainty with the overall housing provision and distribution within the emerging BDBC Local Plan. The decision has recently been taken to defer progress on the Local Plan whilst more evidence is sought on housing requirements and the appropriateness of using the Standard Method, and there is little prospect of this being resolved in the short term.

My client considers the resolution to grant planning permission represents an important opportunity to review the approach to delivering housing allocations within the Plan. It is acknowledged that much hard work has been completed to date and the Plan is now at Regulation 16 stage. However, the reconsideration of this site as a preferred allocation at this stage offers significant benefits.

The capacity of the site of up to 42 units would not only meet the indicative requirement emerging from the Local Plan, but also provide a significant buffer. This additional flexibility will help to ensure the Neighbourhood Plan remains robust in the event that Local Plan housing requirement and/or spatial strategy evolves as it progresses through stages to adoption, and requirements for the Parish are increased.

In addition, it would provide for a significant level of affordable housing (17 units) to meet identified needs. My client recognises that the feedback from the community identified a preference for affordable 'market' dwellings, rather than traditional affordable tenures such as shared ownership and social rent. However, as advised by the Council's Strategic Housing Manager in response to the planning application, as of September 2022 there was a need for 24 affordable houses within the Parish. The Parish affordable housing need has increased since the ESBG NP evidence was prepared and this provision will make a more than healthy contribution to meeting this need.

This need not require a significant overhaul of the ESBG NP. My client would welcome the opportunity of discussing this further with the Parish Council in advance of further progress on the ESBG NP.

Yours sincerely



Simon Packer  
**Director**

