



For official use only

**Publication of the Eastleigh Borough Local Plan
June 2018
Representations**

- Please quote the paragraph, policy, or map you are commenting on (question 1 in part B).
- If you wish to speak at the Examination, you need to clearly state you wish to take part (questions 6 and 7, part B).

You must send responses to Eastleigh Borough Council by **6th August 2018**

Responses can be submitted to:

**Planning Policy & Implementation, Eastleigh Borough Council, Eastleigh House,
Upper Market Street, Eastleigh, SO50 9YN**

By E mail to:

localplan@eastleigh.gov.uk

You can submit as many comments as you would like. Please complete a separate part B for each part of the plan on which you want to comment.

This form has two parts:

- Part A – Your Details
- Part B – Your comment(s). Please expand the comments table as appropriate

PART A

1. Personal Details

2. Agent's Details (if applicable)

** 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 | Mr | Mr |
| First Name | John | Steve |
| Last Name | Lauwerys | Pickles |
| Job Title (where relevant) | | Policy Planner |
| Organisation (where relevant) | Action Against Destructive Development | West Waddy |
| Address | | 60 East St Helen St Abingdon Oxon |
| Postcode | | OX14 5EB |
| Telephone | | 01235 523139 |
| Email Address | | s.pickles@westwaddy-adp.co.uk |

3. Client Details

If you are an agent representing a specific site interest, please fill in the details below.

| | |
|---------------|---|
| Site Interest | - |
| Client's Name | - |

4. Please tick this box if you wish to be notified of future stages of the Eastleigh Borough Local Plan

5. Data Protection and Freedom of Information

For the purposes of the Data Protection Act 1998 processing of the representations you provide is necessary for the exercise of functions conferred on Eastleigh Borough Council in connection with the Local Plan under the Town and Country Planning (Local Planning) (England) Regulations 2012. **The representations will also be disclosed to the Secretary of State and may be put into the public domain, including on the council's website.**

PART B – Please copy and use a separate sheet for each representation

Name or Organisation:

Action Against Destructive Development

1. To which part of the Plan does this representation relate?

Paragraph number: 4.18 – 4.45

Policy Number: C5 & C6

Policies map: North

2. Do you consider the Plan is:

2.(1) Legally Compliant

Yes

No

2.(2) Sound*

Yes

No

2.(3) Complies with the
Duty to co-operate

Yes

No

* The considerations in relation to the Plan being “sound” are explained in the National Planning Policy Framework in paragraph 182 and are set out in Appendix A of this form. If you have entered **No** to 2.(2) please continue to Q3. In all other circumstances, please go to Q4.

3. Do you consider the Plan is unsound because it is:

(1) Not positively prepared

(2) Not justified

(3) Not effective

(4) Not consistent with national
policy

4. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please see attached sheets

(Please continue on a separate sheet/expand box if necessary)

5. Please set out what changes(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. Please note that any non-compliance with the duty to co-operate is incapable of modification at examination. You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Council should not submit the Local Plan for examination in its current form. It is fundamentally flawed due to serious issues with the consultation process and evidence base, which cannot be remedied without conducting further consultation processes allowing for effective public participation and undertaking an SA that informs rather than retrospectively justifies the decisions taken in respect of the content of the Local Plan.

The proposed strategic allocation and link road proposed under policies S5 and S6 should be removed from the Local Plan as this proposed development fails all four of the soundness tests as set out in the response to question 4. If a strategic allocation is required it is considered that this should be provided on the option D and E land as this would be much more environmentally sustainable, as set out in the response to question 4 and the attached report contained in Appendix 7.

(Please continue on a separate sheet/expand box if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

6. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

Please note, you must answer yes to this question if you wish to have the opportunity to speak at the public examination.

No, I do not wish to participate at the oral examination

Yes, I do wish to participate at the oral examination

7. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The proposed strategic allocation and associated link road proposed under policies S5 and S6 would have very significant adverse impacts on the environment and local community and Action Against Destructive Development has been specifically set up to oppose this allocation. We therefore wish to strongly make our case at the examination.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature:

S. M. Pickles

Date:

6.8.18

Appendix A

Legal compliance

In order to be legally compliant, a Local Plan must meet the requirements set out in section 20(5)a of the Planning and Compulsory Purchase Act (2004). These requirements are:

- That the Local Plan is included in the current Local Development Scheme and that key stages have been followed.
- That the process of involving the community is in line with the Eastleigh Statement of Community Involvement.
- That the Local Plan complies with the Town and County Planning (Local Planning) (England) Regulations (2012), including making the required documents available at our offices and on our website, and notifying prescribed people and organisations (including those who have asked to be notified)
- That the Local Plan is accompanied by a Sustainability Appraisal report.
- In London, Local Plans must confirm to the London Plan (this does not apply to the Eastleigh Local Plan)

Soundness and the National Planning Policy Framework (March 2012, DCLG)

Paragraph 182 of the NPPF sets out the considerations in relation to a plan being 'sound' as:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

Duty to Cooperate

The Duty to Cooperate was introduced in the Localism Act (2011). It requires Local Planning Authorities like ourselves to work together with other local authorities, and other relevant bodies to maximise the effectiveness of the strategic policies of our Local Plans.