



PeCAN comments on East Hants draft Local Plan 2021-2040, Regulation 18, February 2024

<https://www.easthants.gov.uk/planning-services/planning-policy/local-plan/draft-local-plan-2021-2040>

This document lists the consultation comments submitted on 9 February 2024 by the Petersfield Climate Action Network to EHDC's draft Local Plan consultation. The comments were compiled by PeCAN trustees Greg Ford, Melanie Oxley, Liz Bisset, Gethin Morgan-Owen, Suzie Wilde, Louise Bevan and Peter Moss.

Overall, we support the plan and think it contains many strong policies concerning climate and nature that we hope to see adopted. Where we have spotted gaps, we have proposed some suggestions as below.

We are grateful to the planning policy team at EHDC for preparing a robust consultation text and for providing the opportunity to comment.

Section 2: Vision and Objectives

Vision statement: we suggest adding the nature emergency to the vision as follows “...respond positively to the climate emergency and the nature emergency.”

Objectives B1 to B6: we support these objectives. To bring the draft Local Plan into line with best practice, we suggest adding a reference in these objectives to the Council's area-wide net zero and nature targets in its updated Climate and Environment Strategy. For examples of how this has been done in other adopted Local Plans, see https://councilclimatescorecards.uk/question/s3_p_lu_q1/?type=district#performance

Section 4: Responding to the Climate Emergency

CLIM1: Tackling the Climate Emergency

We strongly support this policy and suggest the following small improvements:

1.3.d requires new transport infrastructure to support active travel and public transport; the impact on existing transport infrastructure should also be considered e.g. to avoid reducing the amenity or safety of existing paths.

CLIM2: Net Zero Carbon Development: Operational Emissions

We strongly support this policy. The inclusion of minimum standards for Energy Use Intensity will provide clarity for developers.



2.2 we suggest narrowing or removing the scope for developers to claim financial unviability as a reason for not meeting the standards in 2.1. As an example, see the wording under ‘Exceptional Basis Clauses’ in policy S7 of the adopted plan of Central Lincolnshire <https://www.n-kesteven.gov.uk/sites/default/files/2023-04/Local%20Plan%20for%20adoption%20Approved%20by%20Committee.pdf>

2.3 Where new non-residential buildings provide significant opportunity for heat recovery, this should be considered. For example, applications for new facilities such as data centres, waste processing, power generation, refrigeration plants etc that generate surplus heat could be required to consider how surplus heat can be re-used, for example in space heating, district heat networks, industrial processes, heating of swimming pools, etc.

2.5 There should be a presumption in favour of allowing sympathetic retrofitting measures at listed and heritage buildings, linked to amended texts at NBE14, DM4.

CLIM3: Net Zero Carbon Development: Embodied Emissions

We strongly support this policy, especially as the government intends to consult on measuring and reducing embodied carbon in new buildings shortly (see 13 Dec 2023 Future Homes and Buildings Standards consultation). The implementation notes would be a good place to discuss the environmental impacts of choosing natural versus manufactured building materials, as a way of reducing embodied carbon.

CLIM4: Renewable and Low Carbon Energy

We support this policy.

4.1 lists several reasons why a renewable or low carbon energy scheme might be deemed unacceptable. Since this is subjective, people could hold different opinions about what is acceptable, for example about how a solar farm impacts a view. We therefore suggest clarifying who makes this judgement and how, to avoid situations where one or two individuals are able to block schemes that the LPA and local residents would otherwise support.

4.3 District heating (4.50) and community energy (4.64) should be named in the main policy.

CLIM5.3: Climate Resilience

We strongly support the requirement for homes to be resilient to a changing climate and the addition of requirements on green and blue infrastructure and space to grow food.

General comments:

The main CLIM policies are excellent.

There is a big gap around retrofitting of listed and heritage buildings that could lead to missed opportunities to sympathetically retrofit listed buildings and buildings in conservation areas. Examples of measures include appropriate double glazing, solar and heat pumps. We suggest making this explicit in CLIM 2.5 as mentioned above, and also revising NBE14 and DM4 to make it easier for sympathetic retrofit measures to be allowed in heritage buildings. See guidance from Historic England <https://historicengland.org.uk/advice/technical-advice/retrofit-and-energy-efficiency-in-historic-buildings/>



We suggest that a reference should be made in this section to ensuring adequacy of electricity supply, for example in cases where triple phase electricity would be needed when heat pumps and fast EV chargers are to be used together.

Section 5: Safeguarding our Natural and Built Environment

NBE3 Biodiversity Net Gain (BNG) and Implementation:

The legal requirement for BNG recently entered into UK legislation. The document clearly outlines that planning applications must demonstrate a BNG of at least 10% *above the baseline biodiversity* that would have been recorded prior to an Outline application.

5.26 Implementing the Policy

PeCAN feels it needs to be made much clearer that BNG must reach *at least 10% over and above any compensation for lost habitat incurred by the development*, and that a plan to achieve this is now required by law and must include a costed Management Plan and Maintenance Plan to cover 30 years post development.

5.27 Measures for BNG

“Opportunities to enhance new developments through the provision of nesting and roosting features within routine building practices...” PeCAN suggests these should be listed here and made conditional, the siting of which would follow ecologist advice: swift bricks, bat bricks, hedgehog highways, and hedges rather than fences.

5.28 PeCAN asks with whom does legal responsibility lie for ensuring BNG is actually met over time (i.e. carrying out regular species and habitat surveys), and who is responsible for delivering the Management Plan and Maintenance Plan for the forthcoming 30 years? It should be clarified here whether it is the developer, the residents, the local authority, Natural England?

On page 98 there is a confusing caption beneath an image of a floristic field margin which lists developments that are exempt from BNG. This includes “biodiversity gain sites”, which, we conclude, must be a mistake.

NBE7 Managing Flood Risk and Implementation:

5.46 Water Environment - PeCAN notes that Hampshire County Council (HCC) is the designated lead Local Flood Authority and is thereby responsible for flood risk management.

PeCAN is concerned that here is a *presumption for development* even in flood risk zones (NBE7.5) and an assumption that the installation of SuDS will provide sufficient flood management (NBE7.3). We assert there should instead be a *presumption against development in flood risk zones* and we ask what evidence has been used to make a strong case for the use only of SuDS as mitigation. SuDS provide rainfall amelioration (as soak-aways) if the ground water is below surface level, but not when the water table is full. PeCAN also suggests clarification is needed to show which body will be responsible for the maintenance of SuDS over time to ensure they are providing the function expected of them. If this will be HCC, then this should be stated.

NBE7.1 states, Development "must be safe for its lifetime...without increased flood risk elsewhere and where possible reduce flood risk over-all, demonstrated through a site-specific flood risk



assessment which must take into account climate change allowances". PeCAN suggests that the climate change projections for southeast England are referred to; these will preclude much of our area from development, including some of the sites proposed by the Draft Local Plan, many of which are close to rivers.

NBE8.4 Water quality, supply & efficiency

5.60 East Hampshire District falls within an "area of serious water stress", meaning any further claims on water-consumption will put our system under yet further stress. PeCAN understands that local authorities have a legal duty to adhere to River Basin Management Plans and what they recommend with regards to water use/abstraction.

PeCAN welcomes the Plan's proposal that a minimum building standard of 95 litres/per person/per day is applied (national guideline is 110 litres/day) because of the serious water stress, but we note with alarm that development and expansion of waste-water facilities (from development), "will normally be permitted if need outweighs environmental constraints". PeCAN would like to see a description of the metric to be applied for this calculation.

NBE9 - Water Quality & Implementation

This includes the impact on the Solent Internationally Important Sites (SPA's and SAC's) and speaks about nutrient neutrality, another new legal planning obligation (NPPF December 2023). The Plan states it is critical to incorporate nutrient neutrality measures for new builds and developers must calculate the nutrient budget for their project. PeCAN suggests this needs more detail, including which bodies will be responsible for ensuring the measures are met and continue to be met over time.

5.68 PeCAN notes, with some alarm - "Commercial development proposals will not need to address nutrient neutrality as it is considered that the population that work in businesses live locally". This seems to us to let business and industry off scot-free when they are likely to be releasing nutrients and other pollutants into the water course of East Hampshire and some could have a high water demand in their activities, putting more stress on an already high water-stress area. We are concerned about this seemingly 'hands-off ' approach to non-residential development.

NBE14 Heritage assets and the Historic Environment

14.1 PeCAN would like to see a presumption in favour of sympathetically designed and installed retrofitting measures that will reduce a building's carbon footprint.

Section 7: Enabling Communities to Live Well

HWC.1 Health and Wellbeing of Communities

At first glance, parts of Policy HWC.1 seem to overlap with Policy DGC2, which is confusing for the reader. For example, HWC.1b. and DG2.2a. both talk about connections from developments to local transport services. Policy HWC.1c. overlaps Policy DGC5. It is recommended that the scope of HWC is reviewed and amended in order to clarify the document thus making it easier to use.



Perhaps the scope of Policy HWC should be reduced such that it only requires developers to complete the Active Design Checklist and to prepare a Health Impact Assessment Health at an early stage in the planning process, while additional specific policy requirements about access to transport services, sports grounds etc are set out in Policy DGC2 and DGC5. Alternatively, there may be merit in collecting together transport related policies which should be looked at early stage of the planning process. This comment is linked to the following three comments.

Unless transport issues are considered from the earliest stages of preparing development proposals, opportunities to deliver sustainable transport solutions may be lost. We have seen local examples of opportunities to provide direct and attractive walking and cycling routes being overlooked and hence lost, also examples where transport issues are not fully considered at the Pre-app stage, leading to objections from the local community and delays. Paragraph 108 of the NPPF (Dec-2023) Section 108 recognises this need to consider transport issues at an early stage, but this need is not mentioned in Policy HWC, DGC1 or DGC2. If it is not covered elsewhere within this local plan, then a policy on this topic should be added.

Policy HWC.1a. appears to reference Sports England's Active Design Principles which are relevant in this context, however the reference to these principles may not be clear to everyone.

Developers should be required to demonstrate that they have fully taken Sports England's Active Design into account early in the design process. The following amendments are recommended to address both of these points:

- The Active Design Principles should be described in the supporting text that discusses Policy HWC.
- For all residential developments of 50 homes or more, developers should be required to demonstrate compliance with the Active Design Principles by completing Sport England's Active Design Checklist and by providing robust evidence to demonstrate compliance (or provide an explanation of why compliance is not possible).
- The supporting text should also mention other planning guidance which is relevant in the early stages of planning for a large development. Active Travel England's planning tool kit is also relevant (Active Travel England recently became compulsory consultees for developments of over 150 dwellings). Their checklist is more specific and detailed, which is useful because one or two poorly designed features can significantly degrade the amenity or safety of a walking or cycling route. In the context of urban streets, Healthy Streets design checklist is relevant and is referred to by HCC in their Local Transport Plan (LPT4).

Policy HWC.1c. mentions "blue corridors". This term is not defined in the supporting text or in the Glossary. When this phrase is inserted into Google, references to migrating whales are provided! It is recommended that this term be defined.

Policy HWC.1.2 requires developers of schemes with 50 homes or more to prepare a Health Impact Assessment (HIA), but nothing specific is said about the content and methodology of such assessments. If authoritative guidance or requirements for such assessments is available then we recommend that it should be made clear that the developer's HIA should comply with this.



Section 8: Developing Green Connections

DGC2 Sustainable Transport

DGC2.2a. requires “...linkages to existing or proposed transport infrastructure and networks,.....” but there is no requirement for these linkages to be safe or suitable for all users (as required in NPPF Para 114). Furthermore it is unclear whether this clause refers to public links through the site of a proposed development, or external links from the site to the local walking and cycling networks. PeCAN recommends more robust wording including the inclusion of a requirement for coherent, direct, safe, comfortable and attractive routes (reflecting the design principles set out in DFT’s Local Transport Note (LTN) 1/20). We also recommend the addition of text to encourage proposals that are ambitious in the extent of the routes, in order to facilitate a large-scale shift towards walking and cycling for everyday trips.

Policy DGC2.2b. requires “...attractive and well-designed walking and cycling networks..” but these terms are vague, open to various interpretations and so difficult to enforce. This should be addressed by specifying that the design should follow national design guidance (as required by NPPF (Dec-23) Para 114 Part c). We recommend more robust wording including specific references to national design guidance published by Government for streets, roads, cycling infrastructure and inclusive mobility and also HCC’s technical design guidance (Manual for Streets 1 and 2, Local Transport Note (LTN) 1/20, National Design Guide, HCC’s TG10 etc). Page 112 of HCC’s Local Transport Plan (LPT4) may be helpful in this respect.

Policy DGC2.2g. seeks to protect roads, but there is no protection for walking and cycling infrastructure. This is a concern because pedestrians and cyclists are vulnerable and we are aware of several local examples of development proposals that overlooked the degradation of long-established walking and cycling routes. PeCAN recommends the addition of the following clause:

“Development proposals must demonstrate the continued safe and efficient operation of the walking and cycling routes, including PRWs, permissive paths, trails, and footways. In the case of rural routes, their tranquillity and views should be preserved. Proposals for sensitively designed new routes and proposals to upgrade the safety of existing routes, will be supported. When opportunities are presented, existing infrastructure for walking and cycling should be brought up to current standards, rather than simply replacing like for like.”

Regarding Policy DGC2.2, policy clause g. is weakly worded. PeCAN recommends that it is replaced by a more robustly worded statement. NPPF Paragraphs 114 Part d) and 115 may be helpful. We propose the following phrase: “Does not have an unacceptable impact on highway safety, capacity or congestion, or the residual cumulative impacts on the road network would be severe.”

To widen the travel choice for residents, priority should be given to good walking and cycling links to local facilities that generate a significant number of trips (or by vulnerable groups: school children, the elderly etc), such as schools, nurseries, town/village centres, transport hubs, surgeries, large employment sites, community sports facilities etc. Currently this topic is not discussed within a policy statement or within the supporting text.

It would be helpful if DGC2 addressed these common problems by including these additional statements:



- The proposed street design should remove opportunities for indiscriminate and obstructive parking that would cause safety hazards and prevent access by active modes of travel.
- Streets, footways and cycle routes must be adequately lit at night to provide safety and security for all users.

These statements are based in part on the content of a document by Active Travel England called “Standing Advice Note: Active travel and sustainable development” which was published in 2023.

The supporting text for Policy DGC2 should explain that shared-use routes (i.e. a path or surface that is available for use by both pedestrians and cyclists) must be avoided along all new or improved streets, unless they fit within the limited acceptable situations listed in LTN 1/20.

(Developers and planning officers commonly assume that routes designated as being part of the National Cycling Network (NCN) are good quality routes for walking and cycling. However in 2018 Sustrans revealed that with 62% of on-road sections were classified as very poor (source: Paths for everyone Sustrans’ review of the National Cycle Network). Hence it should be explained that it cannot be assumed that routes which form part of the NCN are safe and well designed).

DGC3 New and Improved Community Facilities

We recommend that encouragement is given to the following types of planning proposals:

- Plans that re-vitalise town centres, neighbourhood centres and local villages, to encourage residents to live locally, where the development complies with other relevant policies in this local plan.
- Investment in walking, cycling, integrated public transport and new forms of shared mobility such as electric bikes and electric car clubs, to make local trips easier and reduce the need for private car ownership, where the development complies with other relevant policies in this local plan.

DCG5 Open Space, Sport and Recreation

The penultimate paragraph in Policy DGC5.1 mentions “the green network”, but this term is not defined, nor can it be found in the Glossary. Similarly, the term “place making” is not understood. These terms should be clarified.

Community sports events can generate a significant number of vehicle movements and can also create parking congestion. Hence we strongly support the first part of the last paragraph of Policy DGC5 (“*New provision should also protect, enhance.....*”). However the last part of this paragraph seeks to protect access to the wider countryside from potential damage from the creation of new public open space. PeCAN suggests that this protection be widened such that access to the wider countryside is protected from all forms of development. A clause such as the following should be added to DGC2: “Development proposals will be encouraged where they maintain or enhance established walking or cycling links to the wider countryside from towns and villages and which meet the needs of communities both within and beyond the site’s boundaries.”

General Comments About Section 8



At an early stage in the planning process, the matters discussed in the following should be given full consideration.

- Opportunities for safe, step-free, fully accessible walking and cycling site access points must be maximised, and these should exceed the number of access points provided solely for motor vehicles (except where additional accesses would provide no benefit to people walking, wheeling and cycling).
- Within a site, routes for walking, wheeling and cycling should be shorter and more direct than the equivalent by car.
- Proposals should not prejudice the connectivity of existing and future development.

This text is based in part on the content of a document by Active Travel England called “Standing Advice Note: Active travel and sustainable development” which was published in 2023. These statements are phrased as policy statements and their inclusion is recommended. PeCAN suggests that inserting these bullets as a policy statement will give clear direction to developers to ensure that their development delivers sustainable and local travel.

NPPF (Dec-23) Paragraph 116 suggests that transport infrastructure for developments should give priority first to pedestrian and cycle movements, both within the scheme and within neighbouring areas. However, LPT4 Page 64 appears to suggest that such a statement is too adversarial, instead Policy C3 asks that appropriate consideration is given to the items in an ordered list of issues and modes, which is illustrated using the diagram borrowed from LPT4 that appears on Page 189. PeCAN recommends that an additional policy statement that is consistent with LPT4 Policy C3 is added to either Policy HWC or DGC2.

The diagram on Page 189 was taken from Page 57 of HCC’s LTP4 where an explanation of the diagram can be found. As this explanation is missing from this draft Local Plan, the purpose of this diagram is not clear. PeCAN recommends that the explanatory text from LPT4 is added near the diagram and that a reference to the diagram is added within the relevant text to emphasise that full consideration should be given to vulnerable users, people who walk, people who cycle etc, in the order of priority illustrated by this diagram.

Page 194 shows a photograph of four people cycling along a muddy track. While it is useful to have a photograph to highlight active travel, this photograph may unintentionally convey the wrong message in that it might be construed as suggest that unsurfaced cycle ways are acceptable for off-road cycle tracks. This is not the case. Unsurfaced cycle tracks pose a skid risk (source LTN 1/20, TG10). Unsurfaced tracks may be suitable for routes used by recreational cyclists on mountain bikes but they are not suitable for utility journeys of the type that this document is trying to encourage, especially for risk averse and less experienced cycle users. It is recommended that this photograph is replaced.

Table 8.1. This table proposes that the desired switch to more sustainable forms of transport is measured by analysing planning applications. PeCAN recommends that this key source of carbon emissions is monitored by directly counting trips for various modes (vehicles, pedestrians, cycling). EHDC should work with HCC to increase the number of permanent automatic cycling, walking and vehicle counters that are currently in operation in East Hampshire. Note that HCC gathers school travel data which is relevant, as is data on bus and train passenger numbers.



Section 9: Homes for all

General comments

The policies in this chapter, if implemented, should contribute indirectly to reducing carbon emissions and building/maintaining community resilience.

For example, H1.1 links the number of new homes to the settlement hierarchy and H1.2 locates housing within existing settlement boundaries, which would both reduce the number and length of car journeys and support active travel; H2.2 prioritises smaller homes for an ageing population, which would enable older people to down-size and decrease their operational carbon emissions; H3 and H4 will make it easier for different generations of a family to live closer together and for key workers to live nearer their work, also reducing journey times and increasing community resilience.

Section 11: Development Management Policies

DM1 The Local Ecological Network

PeCAN welcomes the strong emphasis on the protection and enhancement of natural habitat 'in perpetuity' during and following development. We have concerns regarding just how this will be adequately monitored over many years, given that Natural England is currently offering Standing Advice only. Hampshire does benefit from HBIC's database and maps, which are some of the most robust in the country.

DM2 Trees, hedgerows and Woodland.

PeCAN welcomes the stated protection extended to ancient woodland, mature trees and hedgerows, in particular that these are given material consideration and can result in the refusal of planning permission.

DM 3.3 Conservation areas

“consent to demolish a building in a Conservation Area will be permitted provided ...” There is no mention of e.g. bats living in these properties (unlike householders requesting planning permission). PeCAN's concerns regarding biodiversity and sustainability are not appropriately addressed here: Protected European Species surveys should be required for demolition proposals.

DM 4 Listed Buildings

This policy should be amended to allow sympathetic retrofit measures at listed buildings, as far as legally permissible.

DM 10.2 Locally Important and Non-Designated Heritage Assets

This states that planning permission will be granted after “historic desk-based study, or field evaluation in the case of archaeological interest,” has been carried out. Presumably also an assessment of the Local Ecological Network (LEN) which should be added here.

DM 14 Public Art

We support that public art must use “low-embodied carbon or recycled materials”



DM 15 Communications Infrastructure

PeCAN notes that here is no mention of materials; impact on wildlife or human health.

DM16 Self and Custom Housebuilding

PeCAN suggests it should be clarified here that self and custom build developments are also subject to the relevant CLIM and NBE policies

DM18 Residential extensions and annexes

This policy should clarify that CLIM 2.4 and 2.5 (operational emissions, existing buildings) apply.

General comment

We support the Dark Skies policy DM12. However, only DM22 mentions light spillage, yet this is relevant for all developments, especially otherwise dark, rural settings.

Appendix F: Vehicle Parking Standards

Currently Appendix F does not require any parking for oversized cycles for standard residential dwellings, businesses, health establishments etc. Cycling should be accessible to people of all ages and abilities. The Equality Act 2010 places a duty on public sector authorities to comply with the Public Sector Equality Duty in carrying out their functions (Source LTN 1/20 section 2.4). LTN 1/20 recommends that 5% should be provide for non-standard cycles to accommodate people with mobility impairments (Section 11.3.2) in standard residential dwellings.

The size of vehicle parking spaces is specified but not for cycles. The space required for storing oversized cycles should comply with Section 7.4 of DFT's, Inclusive Mobility, December 2021. Guidance about space for storing standard cycles can be found in Cycle Parking Guide for New Residential Developments by Cambridge City Council (this useful document is referenced in the SDNPA's SPD on Sustainability).

Section 4 of Appendix F specifies a minimum size for garages, but this does not allow sufficient width to allow access to a cycle without first removing the car, hence this will deter cycle use. The dimensions should be increased.

PeCAN recommends that some text is added Appendix F to require cycle parking in residential developments to be designed to make it at least as convenient and attractive for residents to use cycles as a car when making local journeys. Storage should be as near to the street as possible.

PeCAN recommends that some text is added Appendix F to require short stay cycle parking to be both convenient for access and to be secure. Passive surveillance is essential. These topics are explained in LTN 1/20 Section 11.2.3.

PeCAN feels additional guidance should be provided in Appendix F on 1) types of parking stands by referring readers to LTN 1/20 and the Cambridge City Council document, 2) the need for surveillance to provide security. (Cycle theft is a significant problem which deters cycling).



PeCAN recommends that business sites with at least 10 employees should be required to provide cycle user showers and changing facilities, as well as secure cycle storage in accordance with BREEAM NC Tra 02.

The provision of such facilities is essential if cycling is to be a credible year-round travel choice. PeCAN recommends that a policy is added to encourage the provision of covered and secure cycle parking for use by the general public at locations which generate many trips will help to increase the uptake of cycling. Covered cycle parking is of increasing relevance because e-bikes are considerably more expensive than conventional cycles and are more susceptible to damage from water ingress.

ENDS