



**Vale of White Horse Local Plan Part One:
Strategic Sites and Policies**
Publication Stage Representation Form

Ref:

(For official
use only)

Name of the Local Plan to which this representation relates:

Vale of White Horse Local Plan

Response form for the Vale of White Horse strategic planning policy document, the Local Plan Part one. Please return to Planning Policy, Vale of White Horse District Council, Benson Lane, Crowmarsh, Wallingford, OX10 8ED or email planning.policy@whitehorsedc.gov.uk no later than Friday 19 December 2014 by 4.30 pm precisely.

This form has two parts –

Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. 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.*

2. Agent's Details (if applicable)

Title

Ms

First Name

Sally

Last Name

Wallington

Job Title

Letcombe Brook Project Officer

(where relevant)

Organisation

Letcombe Brook Project

(where relevant)

Address Line 1

Vale and Downland Museum

Line 2

Church Street

Line 3

Wantage

Line 4

OXON

Post Code

OX12 8BL

Telephone Number

[REDACTED]

E-mail Address

[REDACTED]

(where relevant)

Part B – Please use a separate sheet for each representation

Name or Organisation :Letcombe Brook Project

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

Paragraph	<input type="text"/>	Policy	46. Conservation and Improvement of Biodiversity	Proposals Map	<input type="text"/>
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4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input type="text"/>	No	<input type="text"/>
4.(2) Sound (Positively Prepared, Effective and Justified)	Yes	<input type="text"/>	No	X
4 (3) Complies with the Duty to co- operate	Yes	<input type="text"/>	No	<input type="text"/>

Please mark as appropriate.

5. 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.

Housing allocation close to the Letcombe Brook and corridor

Sites bordering the brook include:

Monks Farm – 750 houses

South of East Hanney – 200 houses

Crab Hill – 1500 houses

Proposed developments on these sites should be rejected due to the important biodiversity interest and ecological assets which would be subject to unacceptable levels of disturbance from people and their pets. Chalk streams are globally rare habitats and cannot be recreated or offset elsewhere, or associated protected species such as water vole and otter supported elsewhere as they are reliant on water.

Biodiversity on site:

Priority habitats and protected species

- Letcombe Brook BAP Priority Habitat – chalk stream with protected species
- Protected species:
 - Water vole - burrows on site, water vole seen survey LBP& BBOWT, August 2014
 - Otter - using Letcombe Brook and corridor, survey LBP & BBOWT 2014
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 - Traditional Orchard BAP Priority Habitat Site, site reference OXON 0694
 - Lowland Meadows BAP Priority Habitat

Reason

1. Ref: National Planning Policy Framework

In line with the National Planning Policy Framework all developments in the Vale will be expected to contribute to the Government's commitment to halt the loss of biodiversity and deliver net gains where possible.

The National Planning Policy Framework (NPPF) paragraph 109 recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. *Chalk streams are globally rare habitats and cannot be recreated or offset elsewhere, to support protected species such as water vole and otter.*

Paragraph 118 of the NPPF states that if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused and that opportunities to incorporate biodiversity in and around developments should be encouraged.

2. Ref: Local Plan 2031

Theme four: Protecting the environment and responding to climate change

Core Policy 46: Conservation and Improvement of Biodiversity

Development likely to result in the loss, deterioration or harm to habitats or species of importance to biodiversity or of importance for geological conservation interests, either directly or indirectly, will not be permitted unless:

- i. the need for, and benefits of, the development in the proposed location outweighs the adverse, effect on the relevant biodiversity interest;
- ii. it can be demonstrated that it could not reasonably be located on an alternative site that would result in less or no harm to the biodiversity interests;
- iii. measures can be provided (and secured through planning conditions or legal agreements), that would avoid, mitigate against or, as a last resort, compensate for the adverse effects likely to result from development.

(The above has not been tested or proven)

The habitats and species of importance to biodiversity and sites of geological interest considered in relation to points i to iii comprise:

- Sites of Scientific Interest (SSSI)
- Local Wildlife Sites
- Local Nature Reserves
- **Priority Habitats and species listed in the national and local Biodiversity Action Plan**
- Ancient Woodland and veteran trees
- **Legally Protected Species**
- Locally Important Geological Sites.

The level of protection and mitigation should be proportionate to the status of the habitat or species and its importance individually and as part of a wider network.

It is recognised that habitats/ areas not considered above (i.e. Nationally or Locally designated and not priority habitats) can still have a significant biodiversity value within their local context, particularly where they are situated within a Conservation Target Area and/or they have good potential to be restored to priority habitat status or form/have good potential to form links between priority habitats or act as corridors for priority species.

These habitats will be given due weight in the consideration of planning applications. **If significant harm to these sites cannot be avoided (through locating on an alternative site with less harmful impacts)** it will be expected that mitigation will be provided to avoid a net loss in biodiversity or, as a last resort, compensation will be required to offset the impacts and achieve a net gain in biodiversity.

3. Ref: Vale of the White Horse District Council – Design Guide 2014 extracts

Habitats

A:20 - Priority habitats have not all been mapped and it is not uncommon for these to be identified as a result of development proposals. **(There are few unimproved permanent pastures along the corridor and are unlikely to have been surveyed so it is uncertain as to what the overall loss would be in terms of habitat would be especially including all the other permanent grasslands proposed for development eg Monks Farm).** If this is the case the presumption would be against allowing development unless it can be demonstrated that the proposals can avoid impacts on the priority habitats and provide enhancements for the long term. If it is not possible to avoid impacts on priority habitats or provide sufficient on site mitigation then the developer would be expected to provide off site compensation. Biodiversity offsetting is favoured as a means of compensating for the loss of Priority habitats.

A.21 - Early consultation with the Council is recommended for any development that has direct or indirect impacts on a designated site or priority habitat. Indirect impacts would include things such as disturbance resulting from noise, light, dust or increased pressure from people or their domestic pets. **(There would be significant disturbance from people and domestic pets. There has been no ecological assessment undertaken for this site).**

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. (NB 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.

Reduce housing allocation along the Letcombe Brook corridor. Identify the requirement for funding a community Letcombe Brook Project to reduce the impact of people and disturbance on the brook.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, 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.

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

☒

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

☐

Yes, I wish to participate at the oral examination

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

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:



Date:

18/12/12