



**HAVANT BOROUGH COUNCIL LOCAL
DEVELOPMENT FRAMEWORK
CORE STRATEGY EXAMINATION**

**Supplementary submission on behalf of the
Royal Society for the Protection of Birds (RSPB)
Respondent number: 06/0687**

**Session 2 (7/8 September 2010)
Conservation, Landscape & Countryside**

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I. Introduction

I.1. The Royal Society for the Protection of Birds was founded in 1889. It is a registered charity incorporated by Royal Charter and is Europe's largest wildlife conservation organisation, with a membership of over 1 million. The principal objective of the RSPB is the conservation of wild birds and their habitats. The RSPB therefore attaches great importance the conservation of the 'Natura 2000' network of sites of European nature conservation importance (the European sites), as well as the national network of Sites of Special Scientific Interest (SSSI) notified by Natural England that assist in the attainment of this objective.

I.2. The RSPB objected to the following policies in the Havant Submission Core Strategy:

- CSI Health & Wellbeing
- CS5 Tourism
- CS6 Regeneration of the Borough
- CS9 Housing
- CSI0 Protecting and Enhancing Special Environment and Heritage of Havant Borough
- CSI5 Concentration and Distribution of Development within the Urban Areas
- CSI6 Strategic Site Delivery
- CSI9 Developer Requirements
- DM1 Recreation and Open Space
- DM4 Static Holiday Caravan Development

I.3. Our objections principally related to concerns regarding the lack of flexibility in the policies to respond to potential spatial and quantitative restrictions or mitigation requirements in respect of new development which it is acknowledged are likely to be necessary following the results of the Solent Disturbance and Mitigation Project.

I.4. In the absence of this and other critical information regarding the internationally important nature conservation interests within and surrounding the Borough, we further submitted that the Core Strategy had not been founded on a robust and credible evidence base; and that, without appropriate policy in place to provide the necessary protection to the European sites over the lifetime of the Plan, the Core Strategy also failed to meet the requirements of the Conservation of Habitats and Species Regulations 2010 (the Habitats Regulations), and therefore could not be considered legal compliant.

I.5. Subsequent to responding to the submission draft, the RSPB has given further consideration to the issues of recreational disturbance and of a possible way forward that could improve the soundness of Core Strategy in light of the current uncertainties, while also meeting the requirements of the Habitats Regulations. We have also considered the Council's proposed changes to the

Landscape Policies (Revision 2, 10 August 2010; Appendix 1), which we greatly welcome.

- 1.6. This supplementary submission sets out the main reasons for the RSPB's overarching concerns in respect of recreational disturbance, our views on the Council's proposed changes to the Landscape Policies (in so far as they address our previous representations to the Submission Core Strategy), and our further recommendations which we consider could address remaining deficiencies to the soundness and legal compliance of the Core Strategy.
- 1.7. This statement principally addresses the Question 23 of the Issues for Hearing Programme – i.e. Will the CS be effective in protecting the Borough's environmental assets? – with particular reference to recreational impacts on the Special Protection Areas within and surrounding Havant Borough. Question 24 under the Conservation, Landscape & Countryside topic is not considered relevant to the RSPB's representation and therefore has not been considered in this submission.

2. Recreational Impacts on the European Sites

- 2.1. The Havant Core Strategy makes provision for 6,300 additional new dwellings between 2006 and 2026.
- 2.2. The cumulative effects of growing human populations around sensitive European sites are increasingly well recognised, and accordingly have been highlighted as a critical issue in the Habitats Regulations Assessment for the Havant Core Strategy (HRA) [SD09/02]. The HRA identified a *likely significant effect* on the Solent European sites¹ as a result of increased recreational pressure arising from housing and tourism policies in the Core Strategy, and recommended the implementation of mitigation measures to prevent *adverse effects* on the integrity of these sites.
- 2.3. The RSPB has raised concerns that the list of mitigation measures set out in table 6.1 of the HRA are not reflected in the Core Strategy, for example, no clear link is made in the Core Strategy between tourism-development and increased levels of recreational disturbance to the European sites, and reference to potential recreational impacts arising from development is only mentioned in once in the supporting text to policy CS10. We have raised further concerns about the ability of the Council to implement some of the mitigation measures identified in the HRA, and the clarity/suitability of other suggested measures aimed at addressing the issues of recreational disturbance.

¹ Chichester and Langstone Harbours SPA/Ramsar site; Portsmouth Harbour SPA/Ramsar site; and Solent and Southampton Water SPA/Ramsar site.

- 2.4. We acknowledge, however, that the impacts of recreational disturbance on the Solent European sites are not yet fully understood, and therefore it may be too early to prescribe the precise measures that may be necessary to protect the European sites from future development. In the supporting text to Policy CS10, the Core Strategy identifies that a comprehensive programme of work is underway (The Solent Disturbance and Mitigation Project² (SDMP)) to assess the current and future impacts of recreational pressure on the Solent Special Protection Areas (SPAs), and highlights the Council's support of this multi-agency and NGO funded programme of research. This programme of research will clearly be highly significant to the future of development around the Solent. However, the results and recommendations (including recommendations for Solent-wide mitigation measures, as appropriate) arising from the SDMP are unlikely to be available until Spring/Summer 2011 at the earliest.
- 2.5. In light of the uncertainties of the cumulative effects of new development around the Solent ahead of the results of the SDMP, we consider that the Core Strategy must provide significant flexibility to allow the Council to respond to the results and recommendations of this important programme of work in a timely manner. It should be recognised that the results of the SDMP could lead to the need for a fundamental modification to the spatial and quantitative delivery of development within the Borough, in addition to the potential introduction of strategic, developer-funded mitigation measures, such as alternative open space and access management measures to the European sites. We consider that the Core Strategy should therefore provide clear and consistent direction in respect of these potentially wide-ranging changes against each of the development policies which could be affected in order to ensure complete clarity to the Plan reader.
- 2.6. In the interim period, the Core Strategy should clarify that development which (on advice from Natural England) could impact on the European sites will be considered on a case-by-case basis, with bespoke mitigation measures applied, as appropriate, in order to ensure no adverse effect on the integrity of the designated sites. We consider that such a policy approach could enable Havant and the other Solent local authorities to satisfy the tests of the Habitats Regulations and of soundness set out in PPS12 in respect of their forthcoming core strategies, in advance of the results of the SDMP.

3. Proposed Policy Changes

- 3.1. We consider that the recent Proposed Changes to Landscape Policies issued by Havant Borough Council (Appendix I) go some way towards addressing our concerns regarding the lack of sufficient flexibility of the Core Strategy and

² http://www.solentforum.org/forum/sub_groups/Nature_Conservation_Group/solent_disturbance/

safeguards to the European sites in the interim period.

- 3.2. In particular, we welcome the proposed changes to the wording of Policy CS9 (Housing) which acknowledges that revisions may be necessary to the overall housing target for the Borough, should it be found that this level of housing cannot be delivered without leading to adverse effects on the integrity of the European sites. This reflects the wording within policy NRM5 (Conservation and Improvement of Biodiversity) of the former South East Plan, and helps to provide a safeguard to the European sites in light of new evidence coming forward during the Plan period.
- 3.3. We further welcome the Council's proposed wording changes to Policy CS10 (Protecting and Enhancing Special Environment and Heritage of Havant Borough), which requires that development responds to the emerging evidence and recommendations of the SDMP and other relevant research. This is an important addition which will help provide the necessary policy 'hooks' should strategic mitigation or other more significant restrictions on new development be found necessary.
- 3.4. However, following detailed discussions with the Hampshire and Isle of Wight Wildlife Trust and Chichester Harbour Conservancy, we consider that additional wording is necessary to provide full flexibility and clarity in respect of the potential changes to development delivery that may be necessary during the lifetime of the Core Strategy, and to provide further clarity in respect of a number of individual policy proposals which could directly lead to impacts (again linked to recreational disturbance) on the European sites without careful design and further assessment. We have set out these additional changes (in addition to some small amendments to the Council's current proposed policy changes) in Appendix 2 for the Inspector's consideration. These changes are jointly agreed by the RSPB, the Hampshire and Isle of Wight Wildlife Trust and Chichester Harbour Conservancy.
- 3.5. We acknowledge that the proposed additional wording set out in Appendix 2 would lead to some repetition and cross-referencing within the Core Strategy, and understand that such an approach is generally considered unnecessary. However, we feel that the most robust approach to protecting the European sites from new development is to provide consistency in the relevant policies and cross-references to the more detailed approach set out in the supporting text to policy CS10.
- 3.6. We accept that this is not normal practice for a Development Plan Document, which should be read as a whole, but we consider that the results of the SDMP are of such significance to the future approach to development delivery in the Borough that the issues do justify repetition where they could affect the current draft policies. In our view, this is the most robust way to provide the flexibility which is necessary to allow the plan to proceed under the current uncertainties

in respect of recreational disturbance to the European sites.

- 3.7. The three conservation bodies consider that the proposed changes set out in Appendix 2 would allow confidence in the delivery of the necessary mitigation measures and hence for the Core Strategy to pass the strict tests of the Habitats Regulations and the further test of soundness set out in PPS12.
- 3.8. However, should the Inspector consider the policy changes proposed by the conservation bodies inappropriate, we suggest that an alternative approach could be to introduce a new standalone policy clearly setting out the approach to the protection of the Borough's nature conservation assets (in particular the European sites), incorporating principles set out in Policy NRM5 of the former South East Plan.
- 3.9. Key points that we consider should be included in such a policy are as follows:
 - the need to protect the European sites (including the supporting sites and features outside the boundaries of these sites) within and adjacent to the Borough from increased recreational disturbance arising from new development;
 - the Council's 'duty of regard' as set out in Section 74 of the CRoW Act 2000 and Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006;
 - the Council's commitment to implementing the Solent Waders and Brent Goose Strategy (2010);
 - the Council's commitment to supporting the Solent Disturbance and Mitigation Project;
 - the potential need to review the current proposed spatial and quantitative delivery of development within the Borough following the results and recommendations of the SDMP;
 - the likely future need for a developer-funded, strategic approach to mitigation, including (but not necessarily limited to) alternative open space and access management measures, following the recommendations of the SDMP;
 - the need for mitigation measures to be provided ahead of occupation of new housing and for the lifetime of the development;
 - the precautionary approach to be taken in respect of proposals for new housing development in the Borough in the interim, with the potential requirement for appropriate assessment and avoidance/mitigation measures, to be assessed on a case-by-case basis.

We would be happy to provide our advice on the content of such a policy should the Inspector consider this to be a more appropriate approach.

<p>Policy CS10</p> <p>Amend wording in paragraph 7.03</p> <p>Amend wording in point 2. & paragraph 7.12</p>	<p>...a number of locally listed buildings, an Area of Outstanding Natural Beauty, 14 conservation areas...</p> <p>Reference to the AONB has been removed from the policy but remains in paragraph 7.12</p>
<p>NEW CS POLICY covering the AONB</p> <p>Insert new wording in 'where else to look' box</p>	<p>See suggested wording at end of table</p> <p><i>'National Parks and Access to the Countryside Act 1949: Provides the legislative background to AONB designations'.</i></p> <p>CRoW Act 2000: 'Brought in the requirement for local authorities to have a 'duty of regard' to AONBs and to produce an AONB Management Plan.'</p> <p>Include reference to CHC Design Guidelines for New Dwellings and Extensions & Chichester Harbour AONB Management Plan</p>
<p>Policy CS11</p> <p>Insert new wording at the end of point 4</p> <p>Amend source of GI definition</p> <p>Amend wording at paragraph 7.20</p>	<p>...new green infrastructure (<i>including access management measures</i>) either through onsite provision...</p> <p>Amended to: 'South East Green Infrastructure Framework 2009'</p> <p>PUSH published its Green Infrastructure <i>Final Strategy in June 2010</i>, which identifies...</p>
<p>Policy CS13</p> <p>Insert new wording in the final paragraph</p>	<p>...'ensure that development avoids areas at risk from coastal erosion <i>and coastal flooding</i> and that ...'</p>
<p>Policy CS 14</p> <p>Amend wording in paragraph 7.45</p> <p>Amend wording in 'where</p>	<p>Delete reference to 'Chichester Harbour Conservancy Documents' and add 'AONB Landscape Character Assessment and Design Guidelines for New Dwellings and Extensions' after 'AONB Management Plan'</p> <p>Rename links to 'Chichester Harbour AONB Design</p>

else to look' box	Guidelines for New Dwellings and Extensions' and Chichester Harbour AONB Management Plan' and add 'AONB Landscape Character Assessment'.
Policy CS 19 Insert new wording at the end of point 6	Green infrastructure (<i>including access management measures</i>)
Policy DM1 Insert new wording at point 2 Insert new point 3	2. ...another type of open space, for example Green Infrastructure , for which the Council's Open Spaces Plan has identified a deficit. 3. If the land has been identified within the Hampshire and Isle of Wight Brent Goose Strategy as providing habitat for Brent Geese then it must be demonstrated that any impact on this habitat can be fully mitigated.
Policy DM9 Amend wording in point 1 Amend wording to correctly identify the protected areas	Reference to the AONB has been removed. Amendments have been made
Policy DM9 Amend 'where else to look' box	Remove reference to AONB legislation.
The Proposals Map Amend boundary to include AONB boundary	Proposals Map will be amended
The Proposals Map Amend to show Coastal Zone Amend to show designations	Proposals map has been amended Proposals map will be amended to Show SPA, SAC, SSSI, Ramsar, SINC s and Local Wildlife sites
Glossary Amend AONB definition	<i>'Is a nationally important landscape designated for its outstanding landscape value, with the primary purpose of conserving and enhancing natural beauty. AONBs have been confirmed by Government as having the highest status of protection in relation to landscape and scenic beauty'.</i>

Policy CS

Chichester Harbour Area of Outstanding Natural Beauty (AONB)

Development will be permitted where it:

- Carefully assesses the impact of individual proposals, and their cumulative effect, on the **Chichester Harbour AONB**, and its setting;
- is appropriate to the economic, social and environmental well-being of the area or is desirable for the understanding and enjoyment of the area;
- Conserves and enhances the special qualities of the Chichester Harbour AONB (as defined in the Chichester Harbour AONB Management Plan) ; and
- Does not detract from the policy aims of the Chichester Harbour AONB Management Plan.

Opportunities for remediation and improvement of damaged landscapes will be taken as they arise.

Proposals that have an adverse effect will not be permitted unless it can be demonstrated that they cannot be located on alternative sites that would cause less harm and that the benefits of the development clearly outweigh any adverse impacts.

Development proposals that would be significantly detrimental to the special qualities of the Chichester Harbour AONB and its settings will not be permitted.

Supporting text

Chichester Harbour AONB is a unique landscape comprising sheltered open water areas with contrasting narrow channels. The movement of the tide exposes bare mudflat and saltmarsh creating a wide, open and remote wilderness. The undeveloped character of the harbour is almost unique on the south coast and its status as a Ramsar wetland, a Special Protection Area, a Candidate Special Area of Conservation and a Site of Special Scientific Interest reflect its European importance to nature conservation. The largely flat hinterland includes highly productive farmland, as well as woodlands and hedgerows that contribute to the rural character of the area. The flatness of the landscape makes the AONB particularly vulnerable to visual intrusion from inappropriate development, both within or adjacent to the boundary, which can often be seen from significant distances across inlets, the main harbour channels, or open countryside. The Borough Council will have particular regard to these characteristics in determining development proposals affecting the AONB.

Chichester Harbour Conservancy has produced an AONB Management Plan, which is endorsed by Havant Borough Council, Chichester District Council, West Sussex County Council and Hampshire County Council. The Conservancy has also produced an AONB Landscape Character Assessment and Design Guidelines for New Dwellings and Extensions, both of which have been endorsed by the Borough Council. The AONB Management Plan and its supporting documents identify the distinctive features and characteristics of the landscape and provide the framework for the management and ongoing spatial planning of Chichester Harbour AONB. Proposed development affecting the AONB should be of the highest design quality and applicants are encouraged to seek pre-application advice from Chichester Harbour Conservancy.

Appendix 2

Havant Borough Council Core Strategy

Proposed Further Changes to Core Strategy Policies

Jointly submitted by Chichester Harbour Conservancy, the Hampshire & Isle of Wight Wildlife Trust and the RSPB

All new suggested text and deleted is indicated in bold and underlined. Red text indicates further amendments to policy changes proposed by Havant Borough Council (Havant Borough Council Proposed Changes to Landscape Policies – Revision 2, 10 August 2010); blue text indicates additional changes (and justifications) to further policies or supporting text, as proposed by the three conservation bodies.

Core Strategy Reference	Further Proposed Changes	Additional CHC/ Wildlife Trust/RSPB Proposed Changes
Policy CS1 Health and Wellbeing Replace point 12	<i>'In Chichester Harbour Langstone Harbour and along the Hayling Waterfront involves the modification of existing moorings and berths. New additional moorings and berths will not be permitted. New jetties and slipways will only be permitted where it can be demonstrated that they are for essential public use. <u>No new infrastructure or modifications will be permitted where it cannot be demonstrated that there will be no net loss of inter-tidal habitat and that disturbance or other damage to the international site features will be avoided. All development and modifications shall conserve and enhance the existing features for which the highly sensitive landscape and / or nature conservation areas have been identified.</u>'</i>	

<p>Insert new point 7</p>		<p>Suggest additional amendment to point 7 to avoid potential conflict with the protection of the European sites from recreational disturbance: <i><u>‘Contributes effectively to the opportunities for increasing cycling for all types of trips, creating and improving linkages within the borough, particularly along the stream corridors and along the coast between Emsworth, Havant and the borough boundary near Broadmarsh in accordance with the council’s Walking and Cycling Strategy and in accordance with the protection of designated nature conservation interests.’</u></i></p>
<p>Insert new point 8</p>		<p>And point 8, to similarly avoid potential conflict with European site protection: <i><u>Supports the increased footpath and cycle use through the design of development, linkage and signage where such measures will not lead to increased recreational disturbance to designated nature conservation sites.’</u></i></p>
<p>Amend supporting paragraph 2.26</p>		<p>Suggest following amendment to remove ambiguity of the wording relating to the proposed Hayling Billy Trail footpath: <i><u>‘It may be necessary to divert the path inland to avoid disturbance to the more sensitive parts of the coast where existing public access is limited, such as the eastern coastline of Hayling Island.’</u></i></p>

		<i><u>‘Where impacts cannot be avoided, mitigation schemes measures will be put in place as necessary, for example, these may take the form of on-site access management measures such as information boards to help visitors understand the local area and its wildlife, or measures to manage, screen or divert visitors from sensitive areas.’</u></i>
Policy CS6 Regeneration of the Borough Insert new wording to the end of the policy		Request the following additional text to clarify the approach to the assessment of impacts ahead of the results of the disturbance research: <i><u>‘Proposals which could impact on nearby nature conservation sites will be assessed on a case-by-case basis ahead of the Solent Disturbance and Mitigation Project, to ensure no adverse effects on the integrity of the designated interest features, as set out under Policy CS10 and its supporting text.’</u></i>
Policy CS8 Community Safety Amend wording of point 2.	Insert ‘ or the landscape. ’ after ...designated habitats.	
Policy CS9 Housing Insert new wording at the end of point 1	...between 2006 to 2026, <i><u>unless following further research (eg the results of the Solent Disturbance and Mitigation Project) it is found that this level of housing cannot be distributed without adversely affecting the integrity of protected European</u></i>	

<p>Amend wording of point 4</p> <p>Insert new point 10</p>	<p><i>conservation sites. Where <u>further assessments show that part of the Core Strategy target cannot be delivered without adverse effects, which cannot be avoided or adequately mitigated, then the plan will only make provision for the level and location of development for which it can be concluded that there will be no adverse effect on will be made up to the closest level to the 6300 housing target for which it can be distributed without adversely affecting the integrity of any European sites, even if this level is below the 6,300 strategic target.</u></i></p>	<p><i>4. Achieve a suitable density of development for the location, taking into account accessibility to public transport and proximity to employment, shops and services in addition to respecting the surrounding <u>landscape, character and built form.</u></i></p> <p>Suggest additional point 10:</p> <p><i><u>'Ensures protection of the European nature conservation site interests in line with policy CS10 and its supporting text.'</u></i></p> <p>(See suggested inclusion of new para 7.11 below.)</p>
<p>Policy CS10 Protecting and Enhancing the Special Environment and</p>	<p>Point 2 has been amended by removing the reference to the AONB Management Plan and replacing it with</p>	

<p>Heritage of Havant Borough</p> <p>Insert new wording at the end of point 2</p> <p>Amendment to supporting paragraph 7.09</p> <p>Insert new wording to point 3</p> <p>Amendment to supporting paragraph 7.10</p>	<p>the following text:</p> <p><i>‘Responds to the emerging evidence from the Solent Disturbance and Mitigation Project, the published <u>findings and</u> recommendations, and future related research’.</i></p> <p>(A new policy has been included to cover the AONB).</p> <p>‘Research is under way‘ is replaced by <i>‘The Solent and Disturbance Mitigation Project, coordinated by the Solent Forum’</i> is currently under way...</p>	<p>Suggest additional text to recognise the need to also protect off-site designated site features within the Borough:</p> <p><i>3. Protects and where possible enhances the borough’s statutory and non-statutory designated landscape, habitats and features of biological, hydrological or geological interest, <u>including off-site features such as brent goose feeding sites and wader roosts (as identified in the Brent Goose Strategy (2002) or the updated Solent Waders and Brent Goose Strategy (2010))</u></i></p> <p>Suggest additional amendment to para 7.10 to recognise that it is not only housing development that could lead to increased recreational pressure:</p> <p><i>‘It is anticipated that strategic</i></p>
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<p>Insert new paragraph to following supporting paragraph 7.10</p>		<p><i>mitigation/avoidance measures will be necessary across South Hampshire, in order to prevent additional recreational pressure on the European sites from the cumulative effects of increased housing <u>new development</u> in the sub-region.</i></p> <p>And inclusion of new para to follow current para 7.10, to address current uncertainties of impacts:</p> <p><u><i>‘In the interim, the Council will carry out case-by-case assessment of all new development which could impact on the European site interests. Mitigation measures may be required to avoid or reduce impacts. However, where uncertainty of the impacts or the effectiveness of mitigation measures exists, development will not be permitted, irrespective of conformity with other policies in the Core Strategy, unless otherwise in compliance with Regulation 62 (in relation to overriding public interest) of the Conservation of Habitats and Species Regulations 2010.’</i></u></p>
<p>Policy CS10</p> <p>Amend wording in paragraph 7.03</p> <p>Amend wording in point 2. & paragraph 7.12</p>	<p>...a number of locally listed buildings, an Area of Outstanding Natural Beauty, 14 conservation areas...</p> <p>Reference to the AONB has been removed from the policy but remains in paragraph 7.12</p>	

<p>NEW CS POLICY covering the AONB</p> <p>Insert new wording in 'where else to look' box</p>	<p>See suggested wording at end of table</p> <p><i>'National Parks and Access to the Countryside Act 1949: Provides the legislative background to AONB designations'.</i></p> <p><i>CRoW Act 2000: 'Brought in the requirement for local authorities to have a 'duty of regard' to <u>the purpose of</u> AONBs and to produce an AONB Management Plan.'</i></p> <p>Include reference to CHC Design Guidelines for New Dwellings and Extensions & Chichester Harbour AONB Management Plan</p>	
<p>Policy CS11 Green Infrastructure</p> <p>Insert new wording at the end of point 4</p> <p>Amend source of GI definition</p> <p>Amend wording at paragraph 7.20</p>	<p>...new green infrastructure (<i>including access management measures</i>) either through onsite provision...</p> <p>Amended to: 'South East Green Infrastructure Framework 2009'</p> <p>PUSH published its Green Infrastructure <i>Final Strategy in June 2010</i>, which identifies...</p>	
<p>Policy CS13 Flood and Erosion Risk</p> <p>Insert new wording in the final paragraph</p>	<p>...'ensure that development avoids areas at risk from coastal erosion <i>and coastal flooding</i> and that ...'</p>	

<p>Insert new policy wording</p>		<p>Recommended additions from Pages 65-67 of Habitats Regulations Assessment (relating to waste water treatment) should be included to strengthen Policy CS13.</p>
<p>Policy CS 14 High Quality Design Amend wording in paragraph 7.45</p> <p>Amend wording in ‘where else to look’ box</p>	<p>Delete reference to ‘Chichester Harbour Conservancy Documents’ and add ‘AONB Landscape Character Assessment and Design Guidelines for New Dwellings and Extensions’ after ‘AONB Management Plan’</p> <p>Rename links to ‘Chichester Harbour AONB Design Guidelines for New Dwellings and Extensions’ and ‘Chichester Harbour AONB Management Plan’ and add ‘AONB Landscape Character Assessment’.</p>	
<p>Policy CS15 Concentration and Distribution of Development within the Urban Areas Insert new point 4</p>		<p>Request the following additional text to recognise the potential need to review the spatial distribution of development following the results of the SDMP and to clarify the approach to the assessment of impacts ahead of the results of the disturbance research:</p> <p><u><i>‘However, it is recognised that the spatial distribution of development may need to be reviewed following the results and recommendations of the Solent Disturbance and</i></u></p>

		<u><i>Mitigation Project, in order to fully protect the European sites. In the interim, all development proposals that could impact on the European site interests will be assessed on a case-by-case basis, as set out under Policy CS10 and its supporting text.'</i></u>
Policy CS16 Strategic Site Delivery Insert new text to end of policy		Request the following additional text to recognise the potential need to review the approach to the delivery of housing within the strategic sites following the results of the SDMP and to clarify the approach to the assessment of impacts ahead of the results of the disturbance research: <u><i>'The quantum and/or location of new housing development within the strategic sites may need to be reviewed following the results and recommendations of the Solent Disturbance and Mitigation Project in order to protect the European site interests. In the interim, all development proposals that could impact on the European site interests will be assessed on a case-by-case basis, as set out under Policy CS10 and its supporting text.'</i></u>
Policy CS17 Effective Provision of Infrastructure Insert new policy wording		Recommended additions from Pages 65-67 of Habitats Regulations Assessment (relating to waste water treatment) should be included to strengthen Policy CS17.

<p>Insert new point 3</p>	<p><i>3. If the land has been identified within the <u>South East Hampshire Coast and Isle of Wight Brent Goose Strategy (2002) or the updated Solent Waders and Brent Goose Strategy (2010)</u> as providing habitat for Brent Geese <u>or waders</u> then it must be demonstrated that any impact on this habitat can be fully mitigated.</i></p>	
<p>Policy DM4 Static Holiday Caravan Development Insert new policy point</p> <p>Insert new supporting text</p>		<p>Recommend inserting additional policy criterion to recognise that static holiday homes could contribute to recreational pressure of European sites or impact on landscape: <u><i>‘3. The development would not otherwise impact on designated landscape or nature conservation interests.’</i></u></p> <p>Recommend additional supporting text to clarify the approach to the assessment of impacts ahead of the results of the SDMP:</p> <p><u><i>‘Static holiday caravan sites are frequently associated with the coastal area, and therefore extensions or enhancement to such sites could lead to increased recreational pressures on the European sites. It is recognised that the results and recommendations of the Solent Disturbance and Mitigation Project may lead to the need to restrict and/or mitigate the effects of new tourist</i></u></p>

		<p><u><i>development, including static caravan sites. In the interim, all development proposals that could impact on the European site interests will be assessed on a case-by-case basis, as set out under Policy CS10 and its supporting text.'</i></u></p>
<p>Policy DM9 Development in the Coastal Zone Amend wording in point 1 Amend wording to correctly identify the protected areas <u>Insert new policy wording</u></p>	<p>Reference to the AONB has been removed. Amendments have been made</p>	<p>Recommend further amendments to ensure protection of designated sites:</p> <p><u><i>'5. Upgrades existing footpaths and ensures that public access is retained and provided to connect existing paths along the waterfront where appropriate, where it can be demonstrated that it will not result in increased recreational disturbance to designated sites.'</i></u></p> <p><u><i>8. Provides recreational opportunities that do not adversely affect the character and appearance of the coast, or impact on designated nature conservation interests.</i></u></p>

<p>Policy DM9 Development in the Coastal Zone</p> <p>Amend ‘where else to look’ box</p>	<p>Remove reference to AONB legislation.</p>	
<p>The Proposals Map</p> <p>Amend boundary to include AONB boundary</p>	<p>Proposals Map will be amended</p>	
<p>The Proposals Map</p> <p>Amend to show Coastal Zone</p> <p>Amend to show designations</p> <p>Amend to show brent goose and wader sites</p>	<p>Proposals map has been amended</p> <p>Proposals map will be amended to Show SPA, SAC, SSSI, Ramsar, SINCs and Local Wildlife sites</p>	<p>Further recommend the Proposals Map included the brent goose and wader sites from the new Wader and Brent Goose Strategy (2010).</p>
<p>Glossary</p> <p>Amend AONB definition</p>	<p><i>‘Is a nationally important landscape designated for its outstanding landscape value, with the primary purpose of conserving and enhancing natural beauty. AONBs have been confirmed by Government as having the highest status of protection in relation to landscape and scenic beauty’.</i></p>	

Policy CS

Chichester Harbour Area of Outstanding Natural Beauty (AONB)

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- Carefully assesses the impact of individual proposals, and their cumulative effect, on the **Chichester Harbour AONB**, and its setting;
- is appropriate to the economic, social and environmental well-being of the area or is desirable for the understanding and enjoyment of the area;
- Conserves and enhances the special qualities of the Chichester Harbour AONB (as defined in the Chichester Harbour AONB Management Plan) ; and
- ~~Meets Does not detract form~~ the policy aims of the Chichester Harbour AONB Management Plan.

Opportunities for remediation and improvement of damaged landscapes will be taken as they arise.

~~Development should not undermine the integrity of rural gaps, or the predominantly open and undeveloped character of the AONB.~~

Proposals that have an adverse effect will not be permitted unless it can be demonstrated that they cannot be located on alternative sites that would cause less harm *~~and there is a case for overriding public interest which outweighs the landscape value of the area as set out in national policy, coupled with deliverable, long-term mitigation of the impacts. and that the benefits of the development clearly outweigh any adverse impacts.~~*

Development proposals that would be significantly detrimental to the special qualities of the Chichester Harbour AONB ~~or and~~ its settings will not be permitted.

Supporting text

Chichester Harbour AONB is a unique landscape comprising sheltered open water areas with contrasting narrow channels. The movement of the tide exposes bare mudflat and saltmarsh creating a wide, open and remote wilderness. The undeveloped character of the harbour is almost unique on the south coast and its status as a Ramsar wetland, a Special Protection Area, a Candidate Special Area of Conservation and a Site of Special Scientific Interest reflect its European importance to nature conservation. The largely flat hinterland includes highly productive farmland, as well as woodlands and hedgerows that contribute to the rural character of the area. The flatness of the landscape makes the AONB particularly vulnerable to visual intrusion from inappropriate development, both within or adjacent to the boundary, which can often be seen from significant distances across inlets, the main harbour channels, or open countryside. The Borough Council will have particular regard to these characteristics in determining development proposals affecting the AONB.

Chichester Harbour Conservancy has produced an AONB Management Plan, which is **adopted endorsed** by Havant Borough Council, Chichester District Council, West Sussex County Council and Hampshire County Council. The Conservancy has also produced an AONB Landscape Character Assessment and Design Guidelines for New Dwellings and Extensions, both of which have been endorsed by the Borough Council. The AONB Management Plan and its supporting documents identify the distinctive features and characteristics of the landscape and provide the framework for the management and ongoing spatial planning of Chichester Harbour AONB. Proposed development affecting the AONB should be of the highest design quality and applicants are encouraged to seek pre-application advice from Chichester Harbour Conservancy.