



**HAVANT BOROUGH COUNCIL
LOCAL DEVELOPMENT FRAMEWORK**

CORE STRATEGY EXAMINATION

SESSION 5: STRATEGIC SITES

**Submission by Natural England (Respondent no. 06/07/01)
15 September 2010**

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1. Introduction

- 1.1. Natural England is responsible for ensuring that England's natural environment, including its land, flora and fauna, freshwater and marine environments, geology and soils, are protected and improved. It also has a responsibility to help people enjoy, understand and access the natural environment. Natural England was established by the Natural Environment and Rural Communities Act 2006. It was formed by the amalgamation of three founder bodies:
 - Countryside Agency, the landscape, access and recreation elements
 - English Nature
 - Rural Development Service, the environmental land management functions of Department for Environment, Food and Rural Affairs (Defra)
- 1.2. We received the powers of the founder bodies e.g. awarding grants; designating Areas of Outstanding Natural Beauty and Sites of Special Scientific Interest; managing certain National Nature Reserves; overseeing access to open country and other recreation rights; and enforcing the associated regulations.

2. Hearing question 17: Are the strategic sites justified, supported by sound evidence?

- 2.1. In our response to Havant Borough Pre-submission Core Strategy DPD, Natural England expressed concerns that Havant Thicket Reservoir was included in the list of Strategic Sites (Policy CS16). We considered that the Core Strategy could potentially be undermined by including this proposal as the need for the Reservoir had not been proven and that there may be insurmountable objections in relation to the protection of European sites, Ancient Woodland and protected species. This clearly raised issues over deliverability of the Strategy.
- 2.2. As currently written, it is clear that the Havant Thicket Reservoir policy is neither justified nor supported by sound evidence. The Secretary of State has just refused to examine the Water Resource Management Plan which proposed the Havant Thicket Reservoir, as it has been changed to a point where it requires further public consultation. The need for the reservoir has yet to be demonstrated and the Core Strategy, despite promoting the site for the Reservoir, has failed to give full consideration to the environmental impacts of the scheme, in particular in its omission from the Habitats Regulations Assessment of the Core Strategy, which appears to assume this will be conducted at the planning application stage. Given that the Core Strategy includes a policy to “permit development” at Havant Thicket, the Habitats Regulations Assessment must consider whether and how this could proceed without adverse impact on the integrity of the European Sites, before the Core Strategy can legally be adopted.
- 2.3. We consider that the Policy could be modified to reflect the requirements to justify the need for the reservoir and to fully demonstrate, through Habitats Regulations Assessment, that there will be no adverse effect on the integrity of European sites before any planning permission may be granted. Without appropriate policy safeguards in place, the plan cannot be considered to be effective and legally compliant and therefore cannot be adopted.

- 2.4. Policy CS16 Strategic Site Delivery currently states: 'The strategic sites are critical to the Core Strategy vision. The council will permit development at the following strategic sites in accordance with the Development Requirements set out in the strategic site profiles:.....Havant Thicket'.

Natural England objects to the current wording of this Core Strategy Policy. Specifically, it is inappropriate for the council to state at this stage that it 'will permit' development of Havant Thicket Reservoir. Our reasons are as follows:

- a. It is premature because Portsmouth Water does not yet have an **approved** water resources management plan in place that demonstrates Havant Thicket is needed to meet the water resource requirements of the Havant Core Strategy. Currently, Portsmouth Water have identified a need for Havant Thicket from 2035 in its revised draft Water Resource Management Plan (July 2010) but this need is contested and a final plan that includes Havant Thicket has not yet been approved by Defra.
 - b. This policy predetermines the outcome of the planning application process before due process of Environmental Impact Assessment and Habitats Regulations Assessment of Havant Thicket have been completed.
 - c. There is a fundamental contradiction in the Core Strategy in how water resources are addressed. The Core Strategy Habitats Regulations Assessment concludes no adverse on integrity of European protected sites. This conclusion is based upon a planning assumption that due to water efficiency measures there will be no significant net increase in water demand and hence no significant net increase in wastewater generation. If this conclusion is sound, it is not consistent with the position stated elsewhere in the Core Strategy that Havant Thicket reservoir is required to meet the demand for increased water supply.
- 2.5. To address these concerns we recommend that this policy is amended with regard to Havant Thicket reservoir to state that the council will safeguard the strategic site for reservoir development (rather than permit), should it become necessary in future to develop a major new strategic resource in the region. We therefore commend the following amendment to the Inspector.

'Policy CS16 Strategic Site Delivery:

The strategic sites are critical to achieving the Core Strategy vision. The Council will permit development at the following strategic sites in accordance with the Development Requirements set out in the strategic site profiles:

1. Havant Public Service Village
- ~~2. **Havant Thicket Reservoir**~~
3. Dunsbury Hill Farm
4. Major Development Area and Waterlooville Town Centre Integration
5. Woodcroft Farm

The Council will safeguard the site for Havant Thicket Reservoir site as a strategic site, should it become necessary in future to develop a major new reservoir in the

area, and subject to the Development Requirements set out in the strategic site profile.

We would also suggest that the strategic site profile for Havant Thicket Reservoir should also be amended to include, as the first bullet point under the section on key site constraints:

'Habitats Regulations Assessment to fully demonstrate that there will be no adverse effect on the integrity of European sites of nature of nature conservation importance'.