

Hampshire and Isle of Wight
Wildlife Trust
Respondent no. 06/0031

Havant Borough Council
Local Development Framework

Core Strategy
Examination In Public

Submission to the hearing session: Conservation Landscape
and Countryside

to be held on the
7th and 8th September 2010

Hampshire and Isle of Wight Wildlife Trust
Beechcroft House
Vicarage Lane
Curdrige
Hampshire
SO32 2DP

Regd Charity No 201081
Company Ltd by guarantee and Regd in England No 676313

Hearing session question addressed in this submission:

Will policies within the Core Strategy be effective in protecting the Borough's Environmental Assets?

1.0 Introduction

1.1 The positive commitment of Havant Borough Council through its engagement with the Trust and other conservation organisations clearly demonstrates their intention to protect the borough's internationally, national and locally important natural environment.

1.2 It is therefore disappointing and concerning that the Core Strategy does not provide the Trust with confidence that the development proposals within it can be delivered without an adverse effect on the international and European sites within the Borough. As such we believe the Core Strategy to be unsound based on the reasons given below.

1.3 We have, where we can, been working with Havant BC in conjunction with, RSPB and the Chichester Harbour Conservancy on suggested changes to policy to address these concerns. We believe these suggested changes shown in Appendix 1 will make the plan more flexible. However we still have concerns that the proposals within the Core Strategy will not be delivered without an adverse effect on the international and European sites within the Borough.

2.0 HRA Findings and the Trusts concerns.

2.1 The Habitat Regulations Assessment (HRA) of the Core Strategy (March 2010) identifies that the Core Strategy would lead to an adverse effect on the ecological integrity of a number of the international and European sites and that "*avoidance and mitigation measures are required to remove or reduce these effects*".

2.2 These findings were identified in relation to disturbance and recreational impacts (Section 6.3), site specific habitat loss or degradation (section 10.3) and also impacts from air pollution (section 5.4).

2.3 The Trust agrees with these findings and is extremely concerned that the avoidance and mitigation measures recommended within the HRA have not been fully transposed into the Core Strategy leaving inadequate certainty that the adverse impacts on the international and European sites will be addressed.

2.4 The Trust wrote to Havant Borough Council on the 13th May 2010 highlighting our concerns relating to the Core Strategy at the pre-submission consultation stage. It is disappointing and concerning that no significant amendments to policies have been made within the Submission version. We welcome Havant's revised policy changes for the EIP (discussed below) but feel that they do not go far enough to provide the Trust with the certainty that the adverse impacts from recreational disturbance will be avoided or mitigated for. Nor do we have the certainty that the avoidance/mitigation measures recommended within the HRA for air pollution have been fully transposed within the Core Strategy. As such we believe the Core Strategy fails to meet the requirements of

The Conservation of Habitats and Species Regulations 2010: that there will be no adverse impacts to the integrity of the European sites. As such the Core Strategy is unsound (see comments below under tests of soundness).

3.0 The Provision of Alternative Natural Green Space as part of the HRA recommended avoidance / mitigation measures

3.1 The HRA states that the effects connected with recreational pressure will be successfully avoided or reduced subject to the measures outlined in section 6.4 being successfully adopted.

3.2 One of the recommendations is the provision of “Alternative Natural Green Space” and that this will need to be over and above that provided for public open space (HRA table 6.1).

3.3 The Trust welcomes the inclusion of Policy CS 11 for Green infrastructure and Policy CS19 Developer requirements. The Trust also welcomes Havant Borough Council’s recognition and commitment to a strategic approach across South Hampshire (Core Strategy sections 7.09-11).

3.4 However we are concerned that policy CS11 nor any others within the Core Strategy identifies what or where the provision of alternative natural green space will be.

3.5 There are no proposed standards for the provision of alternative natural green space that would enable the plan to successfully achieve the avoidance or mitigation for any adverse impacts to the European designated sites. Nor have details of how much alternative natural green space will be needed, where it will be required, when it will be delivered, by whom or what the costs of its provision will be.

3.6 This key information and standards in our view are critical components required to ensure that these avoidance/mitigation measures will be achievable and successful.

3.7 PPS12 in discussing the need for infrastructure to support housing growth states that *“the Test should be whether there is a reasonable prospect of provision”* (section 4.10) and that *“infrastructure planning for the Core Strategy should include the specific infrastructure requirements of any of the strategic sites allocated to it”* (section 4.11) .

3.8 In terms of green infrastructure PPS12 also states *“that the Core Strategy should be supported by evidence of what physical, social and green infrastructure is needed to enable to amount of development proposed for the area, taking account of its type and distribution. This evidence should cover who will provide the infrastructure and when it will be provided”*(section 4.8); it then goes on further to say *“[the] infrastructure planning process should identify as far as possible, infrastructure needs and costs, phasing of development, funding sources and responsibilities for delivery”* (Section 4.9).

3.9 This in our view is not included within the Core Strategy.

3.10 The Trust recognises that the Core Strategy implementation plan does provide a list of green infrastructure projects. The plan does not, however, identify when they will be delivered nor the costs involved. The plan also does not identify whether elements of these green infrastructure projects will be suitable as the alternative natural green

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spaces that are required to meet the needs of avoidance/mitigation of the adverse disturbance and recreational impacts to the European designated sites.

Over-reliance on PUSH GI Strategy

3.11 It is noted that all the proposed green infrastructure projects in the Core Strategy implementation plan (table 9.2) are those identified within the PUSH Green Infrastructure Strategy (June 2010). Whilst the Trust is very supportive of this Strategic approach to green infrastructure provision across South Hampshire we are concerned that this is being relied upon to meet obligations under the Habitats Directive.

3.12 The sub regional PUSH Green Infrastructure Strategy (June 2010) which is being relied upon states clearly "*The key vehicle for defining the impacts of growth on internationally protected sites and habitats is the **Local Authorities individual Local Development Framework Core Strategies and associated Local Development Documents**. These need to reference the Green Infrastructure Strategy as a policy framework whilst also including policies that address the need for more locally specific responses to the emerging research and detailed development documents*" (section 1.1 our emphases).

3.13 It further states "*that as authorities finalise their Core Strategies the requisite Green Infrastructure plan needs to be ready to respond to planning applications as they are submitted while offering benefits to other aspects of work such as HRA mitigation requirements*"(section E1.12).

3.14 The Trust believes that without an assessment of the amount and location of suitable alternative natural green space required to meet the proposed growth within the Core Strategy, then the Core strategy is not adequate to inform the determination of planning applications .

4.0 Access management measures as part of the avoidance /mitigation measures

4.1 The Trust is concerned that the access management measures recommended within the HRA outlined in section 6.4 have also not been identified.

4.2 The Trust believes that these access measures are an essential component of the avoidance/mitigation measures required to remove the adverse effects from the European sites, enabling the proposed growth within the Core Strategy to be met.

5.0 Avoidance/ Mitigation measures for the impacts of Air Pollution on the European designated sites

5.1 The Trust is concerned that the certainty of delivery of avoidance/mitigation measures recommended for impacts of Air Pollution on the European designated sites is not contained within the Core strategy. We believe adequate certainty is required for impacts on air pollution as it is for disturbance.

6.0 Suggested revised policy changes

6.1 In an attempt to resolve the conservation issues in relation to disturbance, Havant Borough Council have submitted revised policy changes for our consideration at the Examination in Public. The Trust welcomes this dialogue with Havant and has been

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working in partnership with RSPB, and the Chichester Harbour Conservancy on these revised changes. The changes together with our suggested revisions are shown in Appendix 1.

6.2 We particularly welcome the revisions to Policy CS9 Housing where Havant are proposing to insert new wording.

“...between 2006 to 2026, unless it is found that this level of housing cannot be distributed without adversely affecting the integrity of protected European conservation sites. Where adverse effects cannot be avoided or adequately mitigated provision will be made up to the closest level for which it can be distributed without adversely affecting the integrity of any European sites.”

6.3 However we would question how this would be monitored and what would trigger a review of the level of housing.

6.4 The suggested revision by the three conservation organisations includes references to further research and in particular to the Solent Disturbance Mitigation Project. By doing this it gives a potential mechanism to provide a trigger to review the level of housing.

6.5 To address the issue of recreational disturbance to the European sites prior to the publication of the findings of the Solent Disturbance Mitigation project, we wish to see additional text inserted in to Policy CS16 Strategic Site Delivery and a new paragraph inserted into policy CS10 to cover dealing with development on a case by case basis in the interim prior to the Solent Disturbance Mitigation project findings.

6.6, To avoid confusion between general, multifunctional green infrastructure and avoidance/mitigation measures required for the adverse impacts to the European sites (the alternative open space and access management of the European sites) the Trust, along with the other conservation partners, would wish to include a new heading relating to Access management or other European site mitigation measures within Policy CS 19 Developer Contributions

6.7 To clarify the strict requirements for the long-term funding of mitigation measures in respect of the European sites, we also request additional policy wording in CS19.

6.8 These and other further suggestions for revision may help enable the Core Strategy to respond to the published recommendations of the Solent Disturbance & Mitigation Project and the current uncertainties.

6.9 However there will be the need for certainly that any recommendations of the Solent Disturbance & Mitigation Project can be delivered. For example if alternative green space is recommended; where it will be required? when it will be delivered? by whom or what will be the costs of its provision? This leads us back to the concerns that the Trust has over the certainty of delivery as discussed under section 3 above.

7.0 Failing the tests of soundness

7.1 The Trust believes that the Submitted Core Strategy fails the tests of soundness on the grounds given below.

7.2 The HRA to the Core Strategy has assessed the in-combination impacts and concluded that subject to their recommended avoidance and mitigation measures being successfully adopted and implemented then the effects connected to recreation pressure will be satisfactorily avoided and reduced.

7.3 The avoidance /mitigation measures recommended with the HRA have not been fully transposed within the Core Strategy. Similarly the Core Strategy does not provide the appropriate degree of certainty of delivery of these measures. This results in the negative effects of the Core Strategy in relation to the conservation objectives of the European sites not being effectively removed as required within the HRA section 12.1.

7.4 The Conservation of Habitats and Species Regulations 2010, Regulation 61(5) states *“that in light of conclusions of the assessment and subject to Reg 62 (overriding public interest) the competent authority may agree to the plan or project **only after having ascertained that it will not adversely affect the integrity of the European sites**”* (our emphases)..

7.5 As the negative effects of the Core strategy on the European sites have not been effectively removed, the Core Strategy in our view fails to meet the requirements of the Conservation of Habitats and Species Regulations 2010 and therefore is not legally compliant.

7.6 The Core Strategy also fails the tests of soundness within PPS12 as it is not consistent with national policy through failing to meet the requirements of the Conservation of Habitats and Species Regulations 2010, and also the requirements of PPS1. PPS1 which states that *“the government is committed to protecting and enhancing the quality of the natural and historic environment”* and *“those with national and international designations should receive the highest level of protection”* (section 17).

7.7 The Trust also believes that the Core Strategy fails the test of soundness on the grounds of not being effective as it is not deliverable or flexible (see our comments given under 3.7 and 3.8). Without the details of the avoidance/mitigation measures within the Core Strategy there is no certainty that the proposed avoidance/mitigation measures will be delivered or be effective in removing or reducing the adverse impacts.

7.8 The level of certainty required is also discussed within Section 21 of the government circular on Biodiversity and Geological Conservation¹ which states :

“In the Waddenzee judgement² the European court of justice ruled that a plan or project may be authorized only if a competent authority has made certain that the plan or project will not adversely affect the integrity of the site” and *“ that is the case where no reasonable scientific doubt remains as to the absence of such effects **Competent national authorities must be convinced that there will not be an adverse affect and where doubt remains as to the absence of adverse affects the plan or project must not be authorised**”* (our emphasis).

7.9 The Trust has worked with Havant and other conservation partners towards suggested revised policy changes for recreational disturbance (as discussed above) and these may provide some reassurance. However this element of reassurance and the

¹ ODPM circular 06/2005

² ECJ case C-127/02

good intentions of the Core Strategy do not provide the necessary level of confidence inherent in the obligations arising from the Habitats Regulations that the level of growth within the Core Strategy can be delivered without an adverse impact on the European sites.

7.10 We therefore ask the Inspector to take this into account when determining the soundness of the Core Strategy.

<p>Insert new point 8</p> <p>Amend supporting paragraph 2.26</p>		<p>sites from recreational disturbance: <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></p> <p>And point 8, to similarly avoid potential conflict with European site protection: <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></p> <p>Suggest following amendment to remove ambiguity of the wording relating to the proposed Hayling Billy Trail footpath: <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></p>
<p>Policy CS5 Tourism Insert new wording at end of point 1</p>		<p>Suggest additional amendment to point 1 to avoid potential conflict with the protection of the European sites from recreational disturbance: <u>‘1. Provide sustainable and small-scale recreational opportunities, where such measures</u></p>

<p>Insert new wording at end of paragraph 3.55</p>		<p><u>will not impact on nature conservation interests.'</u></p> <p>Suggest additional amendment to para 3.55 to recognise that tourist development that could lead to increased recreational pressure on the European sites and to clarify the approach to the assessment of impacts ahead of the results of the disturbance research:</p> <p><u>'However, it is recognised that this approach may need to be reviewed following the results and recommendations of the Solent Disturbance and Mitigation Project, should this research indicate that new tourist-related development could lead to damaging levels of recreational pressure on the European sites. In the interim, the Council will carry out case-by-case assessment of all new tourist development which could impact on the European site interests, as set out under Policy CS10 and its supporting text.'</u></p>
<p>Insert new wording at end of paragraph 3.56</p>		<p>Suggest the following amendments to highlight other important on-site mitigation measures which may be appropriate:</p> <p><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></p>

<p>Policy CS6 Regeneration of the Borough Insert new wording to the end of the policy</p>		<p>Request the following additional text to clarify the approach to the assessment of impacts ahead of the results of the disturbance research:</p> <p><u><i>‘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.’</i></u></p>
<p>Policy CS8 Community Safety Amend wording of point 2.</p>	<p>Insert ‘or the landscape.’ after ...designated habitats.</p>	
<p>Policy CS9 Housing Insert new wording at the end of point 1</p>	<p>...between 2006 to 2026, <u><i>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 conservation sites. Where 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</i></u></p>	

<p>Amend wording of point 4</p> <p>Insert new point 10</p>	<p><u> affecting the integrity of any European sites, even if this level is below the 6,300 strategic target.</u></p>	<p>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</u>, character and built form.</p> <p>Suggest additional point 10:</p> <p><u>‘Ensures protection of the European nature conservation site interests in line with policy CS10 and its supporting text.’</u></p> <p>(See suggested inclusion of new para 7.11 below.)</p>
<p>Policy CS10 Protecting and Enhancing the Special Environment and Heritage of Havant Borough</p> <p>Insert new wording at the end of point 2</p>	<p>Point 2 has been amended by removing the reference to the AONB Management Plan and replacing it with 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</i></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>Insert new paragraph to following supporting paragraph 7.10</p>	<p>and Disturbance Mitigation Project, coordinated by the Solent Forum' 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><u>3. Protects and where possible enhances the borough's statutory and non-statutory designated landscape, habitats and features of biological, hydrological or geological interest, 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></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><u>'It is anticipated that strategic 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 new development in the sub-region.</u></p> <p>And inclusion of new para to follow current para 7.10, to address current uncertainties of impacts:</p> <p><u>'In the interim, the Council will carry out case-by-case assessment of all new development which</u></p>
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		<u>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.'</u>
<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>'National Parks and Access to the Countryside Act 1949: Provides the legislative background to AONB designations'.</p> <p>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.'</p>	

	Include reference to CHC Design Guidelines for New Dwellings and Extensions & Chichester Harbour AONB Management Plan	
<p>Policy CS11 Green Infrastructure 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 Insert new wording in the final paragraph</p> <p>Insert new policy wording</p>	<p>...'ensure that development avoids areas at risk from coastal erosion <i>and coastal flooding</i> and that ...'</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>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>Amend wording in 'where else to look' box</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>'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 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.'</u></p>
<p>Policy CS16 Strategic Site Delivery Insert new text to end of policy</p>		<p>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:</p> <p><u>'The quantum and/or location of new housing</u></p>

		<u><i>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.
Policy CS 19 Developer Requirements Insert new wording at the end of point 6 Insert new heading Insert new policy wording	Green infrastructure (including access management measures)	Suggest instead adding new heading as follows to avoid confusion between general, multifunctional GI and mitigation measures, including alternative open space and access management of the European sites: <u><i>'11. Access management or other European site mitigation measures.'</i></u> Also request additional policy wording as follows to clarify the strict requirements for the long-term funding of mitigation measures in respect of the European sites:

		<u><i>'In the case of mitigation measures necessary for the protection of the European sites (such as Green Infrastructure or access management measures), the Council will require that developer contributions fund the costs of the measures for the lifetime of the development.'</i></u>
Policy DM1 Recreation and Open Space 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 <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.	
Policy DM4 Static Holiday Caravan Development Insert new policy point		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>Insert new supporting text</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 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</p> <p>Amend wording to correctly identify the protected areas</p> <p>Insert new policy wording</p>	<p>Reference to the AONB has been removed.</p> <p>Amendments have been made</p>	<p>Recommend further amendments to ensure protection of designated sites:</p> <p><i>‘5. Upgrades existing footpaths and ensures that</i></p>

		<p><i>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></p> <p><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></p>
<p>Policy DM9 Development in the Coastal Zone</p> <p>Amend 'where else to look' box</p>	Remove reference to AONB legislation.	
<p>The Proposals Map</p> <p>Amend boundary to include AONB boundary</p>	Proposals Map will be amended	
<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>

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>	
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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
- ~~Meets 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.

~~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

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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.