



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

**Statements addressing Inspector's Questions  
for hearing session considering**

**CONSERVATION, LANDSCAPE AND COUNTRYSIDE**

**Statement of  
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**On behalf of  
BARRATT HOMES SOUTHAMPTON  
(Ref:-PPUD/08/0434)**

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## CONSERVATION, LANDSCAPE AND COUNTRYSIDE

This representation is supported by the submission of ACD Landscape Architects which is appended to this submission as amplifying evidence.

### Question 23

Will the CS be effective in protecting the Borough's environmental assets?

- 1.0 Policy CS10 Protecting and Enhancing the Special Environment and Heritage of Havant Borough is deficient in terms of the treatment of the AONB and in the manner in which strategic gaps are addressed. The representation below elaborates upon concerns in respect of the role of Gaps and the AONB in protecting the Borough's environmental assets.

### Question 24

Should there be a separate policy to protect the AONB? Are local designations still relevant and useful? Should the gaps be retained?

#### **1.0 INTRODUCTION**

- 1.1 This Response is submitted on behalf of Barratt Homes Southampton and addresses both the subject of Strategic Gaps and the Importance of the AONB. The company has acquired an interest in land at Havant Road, Emsworth (UE2b) and Emsworth Road, Havant (UE2a). This land lies north and south of the A27 close to its junction with the A259. It will be promoting land at UE2b for development.
- 1.2 Both UE2a and UE2b lie within a currently defined Strategic Gap.

#### **2.0 STRATEGIC GAPS**

- 2.1 It is acknowledged that the South East Plan has been abolished but it provided advice in the context of Strategic Gaps that remains valid. This is especially the case as it is recognised that edge of settlements are the most sustainable locations for new development. The Core Strategy makes no reference to a review of gaps and their boundaries, indeed, Policy CS10, refers to their maintenance.
- 2.2 It is evident that the Borough Council recognises the potential of land in gaps to provide sustainable locations for development. For example Dunsbury Hill Farm, which is the only Strategic Employment Allocation, is situated in the

central part of the Gap between Havant and Waterlooville. Furthermore, other housing proposals in the Council's proposals identified as Urban Extensions are in Strategic Gaps.

- 2.3 The South East Plan referred to the abandonment of strategic gaps in the Region but there is a specific reference to gaps in South Hampshire. The South East Plan advised that gaps may be protected in future plans in South Hampshire but *only after rigorous testing*. Paragraph 16.6 of the South East Plan stated:-

**South Hampshire has a dense and complex settlement pattern, and accommodates a population of nearly one million people. Within the urbanised parts of the sub-region, there are substantial areas of undeveloped land. If local authorities in South Hampshire consider the inclusion of local gaps to be essential in terms of shaping the settlement pattern, this policy approach will need to be tested through development plan documents.**

- 2.4 It is evident that this principle should still apply to the Borough of Havant. Strategic gaps which were sub-regional policies with no national support had been dropped and did not appear in the main part of the South East Plan. The possibility of retaining the gaps policy had been confirmed in the South Hampshire Section of the South East Plan but this was subject to future scrutiny.
- 2.5 It is not known at this stage what policy will replace the South East Plan but it is known that the adopted Local Plan ceases to have statutory effect after March 2011. It appears that Policy CS10 attempts to preclude development on greenfield land and this should be modified to recognise the flexibility required to meet the housing requirement.
- 2.6 Paradoxically, paragraph 9.4 of the Draft Core Strategy 2009 recognised that "expansion on urban edges can also be effective where links can be most easily made with the existing infrastructure networks." Land at UE2b is amongst the most sustainable in the Borough and it has very little if any demands upon infrastructure.

#### National Guidance

- 2.7 The Council should review all of its countryside policies and have regard only to the character of the countryside as required by PPS7 Paras 24 and 25). The protection of the countryside should be re-assessed to ensure that protection is placed only where it is appropriate. Sustainability in terms of

development provision should outweigh countryside considerations unless they are fully justified by the circumstances.

- 2.8 Paragraphs 24 and 25 PPS7 refer to 'local landscape designations' and these paragraphs state:-

#### Local landscape designations

24. The Government recognises and accepts that there are areas of landscape outside nationally designated areas that are particularly highly valued locally. The Government believes that carefully drafted, criteria-based policies in LDDs, utilising tools such as *landscape character assessment*, should provide sufficient protection for these areas, without the need for rigid local designations that may unduly restrict acceptable, sustainable development and the economic activity that underpins the vitality of rural areas.

25. Local landscape designations should only be maintained or, exceptionally, extended where it can be clearly shown that criteria-based planning policies cannot provide the necessary protection. *LDDs should state what it is that requires extra protection, and why.* When reviewing their local area-wide development plans and LDDs, planning authorities *should rigorously consider the justification for retaining existing local landscape designations.* They should ensure that such designations are based on a formal and robust assessment of the qualities of the landscape concerned.

- 2.9 General guidance on the issue of gaps should be addressed in the Core Strategy and it should not await the examination of the Development (Allocations) Plan to inform the public that gaps are no longer to be protected unless justified by rigorous testing. The Development (Allocations) Plan can provide the detailed analysis required by the former South East Plan.
- 2.10 The Core Strategy currently names the gaps and appears to make the assumption that all of the gaps should be retained. There is no evidence of any reconsideration of their need, or of their boundaries, let alone 'rigorous testing'.

### **3.0 AREA OF OUTSTANDING NATURAL BEAUTY**

- 3.1 It is evident that if there is a need to develop on 'greenfield' land then the AONB should be afforded a higher level of protection than strategic gaps. Gaps should only be precluded if there are other areas of countryside that have less landscape quality and have greater merit in terms of sustainability.
- 3.2 The Council should not undermine the national significance of the AONBs by favourably identifying land for development in the AONB (eg UE11). This is contrary to national guidance and undermining the Core Strategy before it is adopted.
- 3.3 The Core Strategy should also make clear that the Chichester Harbour Area of Outstanding Natural Beauty has national protection which will take precedence over local designations.

### **4.0 CONCLUSION**

- 4.1 The Core Strategy is regarded as unsound because it has recognised the national importance of Areas of Outstanding Natural Beauty and yet the SHLAA has accepted an urban extension in the AONB which flouts its own guidance. The national guidance and the hierarchy of designations need to be reinforced in the Core Strategy.
- 4.2 ACD Landscape has provided detailed guidance on the protection of Areas of Outstanding Beauty and it is considered that specific reference should be made to this in the Core Strategy.
- 4.3 The Core Strategy is also regarded as unsound because it fails to make adequate provision to rigorously review the proposed Strategic Gaps as proposed in the former South East Plan. It is evident that this guidance is still relevant and necessary.
- 4.4 Reference should be made to the fact that the Council acknowledges that the gap '*policy approach will need to be tested through development plan documents.*'

RESPONSE TO THE HAVANT BOROUGH LOCAL DEVELOPMENT FRAMEWORK

PRE-SUBMISSION CORE STRATEGY (MARCH 2010)

Session 5 Conservation, Landscape and Countryside

OBJECTION ON BEHALF OF BARRATT HOMES SOUTHAMPTON

PPUD/08/0434

23. Will the Core Strategy policy be effective in protecting the Borough's environmental assets?

In table 1.1, Part 6 the Core Strategy objective stated is to *'Deliver the effective stewardship of the unique qualities of the ...natural environment'* of Havant Borough and goes on to qualify that *'This will be achieved by making sure that the needs of the natural environment...are respected in the Core Strategy policies and strategic site proposals.'*

The Core Strategy places great emphasis on the natural beauty and environmental assets in the borough, while avoiding specific reference as far as possible to the Area of Outstanding National Beauty designation and the statutory obligations of protection for the Chichester Harbour area.

The Council already has a statutory duty under the Countryside and Rights of Way Act 2000 *'In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.'*

However there are concerns that this policy is not sufficient to provide the protection and enhancement of the special environment of Havant Borough as, in the delivery strategy it is stated that the Core Strategy policies contained in Policy CS10 must be considered by developers and all policy criteria will have to be met, but the Councils own plans, proposing future development options, the Strategic Housing Land Availability Assessment 3<sup>rd</sup> Edition, 2009, offers a site, UE11 that is;

- 1 Within the Chichester Harbour Area of Outstanding Natural Beauty although the Management Plan, to which Havant Borough Council is a partner, states

that it will resist any application that would result in harm to the area by reducing the plot size.

- 2 Adjacent to a SINC, although it is stated in the Chichester Harbour AONB Management Plan, to which Havant Council is a partner, that 'Areas around existing designated sites can also be part of an overall habitat network'
- 3 Is in the most highly sensitive category for landscape vulnerability and overall physical/experiential/ visibility sensitivity in the Borough as assessed in the Havant Borough LDF Landscape Assessment.
- 4 Is within the Havant/Emsworth local gap, when the Havant Borough Council document on Strategic and Local Gaps (para 2.13) considers it unnecessary to include the area of Chichester Harbour Area of Outstanding Natural Beauty on the grounds that the designation would provide the necessary protection for the landscape/countryside and thus maintain the separation of the settlement. If local designations are to be retained and be relevant, e.g. Gaps they should protect the most vulnerable and sensitive areas if the statutory designation is not adequate.
- 5 Is outside the defined settlement boundary and breaches the boundary of the AONB thereby establishing a precedent and increasing the vulnerability of the rest of the designated area.

Additionally it states that development will be started there within five years.

There needs to be clear recognition of the statutory designations and attendant responsibilities and levels of protection to be maintained for the AONB area within the Core Strategy. Currently the Core Strategy appears not to be effective in protecting the Borough's environmental assets particularly the Chichester Harbour AONB.

24. Should there be a separate policy to protect the AONB?

There is already a Management Plan for the Chichester Harbour Area of Outstanding Natural Beauty which goes to great lengths to stress the value of the designated area and its assets and how these are to be protected and Havant Borough Council are partners in this Management Plan.

The Council's Strategic and Local Gaps document *states* in section 2.6 '*Areas that would be conserved as open and rural by national designations would be excluded from the gap to avoid duplication. The area covered by Chichester Harbour AONB would be excluded.*'

If however they are able to still promote development within this area with statutory protection over other sites within the immediate vicinity, for example UE2b which lies on the opposite side of the road, outside the AONB and which is partly already designated LCA25, Emsworth western suburbs and therefore within the urban area, then there appears to definitely be a need for a separate far more stringent policy to protect the AONB.

Are local designations still relevant and useful –e.g. Gaps?

The current policy framework for Gaps produced by PUSH, which Havant Borough Council have chosen to retain are designed as '*spatial planning tools designed to shape the pattern of settlements – they are not countryside protection or landscape designations*': to retain open land adjacent to urban areas, but the Council's Strategic and Local Gaps document states that '*It is recommended that the level of policy effectiveness afforded by the strategic gap policy is regarded as being more akin to national designations such as AONB policy*'.

This contradictory advice would suggest that the Gaps policy needs to be reviewed and revised in the light of the Council's own landscape assessment and evaluation reports.