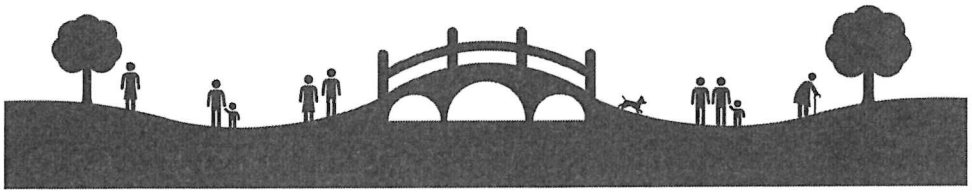
Havant
BOROUGH COUNCIL



Publication Building a Better Future Plan (Regulation 19) Representation Form

This is the final consultation before the plan is formally submitted for an Examination by an independent Inspector. At this stage, comments can only be made about whether the Plan is legally compliant and/or sound.

We highly recommend that you refer to the supporting guidance note when completing your response, as this provides further information about what is meant by soundness and legal compliance as well as assistance in completing each question.

The supporting guidance note can be found online at www.havant.gov.uk/localplan or can be requested by calling 023 9244 6019.

All representations must be returned by 5.00pm on 9 September 2026.

Once completed, please use the pre-paid envelope provided with this survey to post your response back to Havant Borough Council by the above date.

If you have any questions about this survey, please contact our Planning Policy Team at 023 9244 6019.

If you wish to comment on more than one part of the plan, please complete and submit a form for each part of the Plan you wish to comment on.

HAVANT BOROUGH COUNCIL
20 AUG 2026
RECEIVED

About this representation form

The form has two parts:

Part A - Personal Details - this only needs to be completed once for each form submission.

Please note that representations are not confidential and will be published on the Council's website. However, personal details, other than the respondent's name and/or organisation will be redacted. Personal details will be sent to the Planning Inspectorate in line with the Privacy Notice.

Part B - Your representation(s) - please fill in a separate submission for each representation you wish to make.

Please also use Part B as appropriate to request to be notified of stages of the Local Plan examination and adoption, and to request to participate in the examination hearings.

Privacy Notice

The personal data you provide will be used to ensure that representations comply with government guidance and that they can be used as part of the Local Plan examination process. More information on how we use your personal information can be found as part of the 'Planning Policy' privacy notice is available on our website at **www.havant.gov.uk/privacypolicy** or can be requested by calling 023 9244 6019.

A copy of each representation will be made available to the Planning Inspectorate and to the person appointed by the Secretary of State to conduct the examination (i.e. the Inspector), Representation(s) will also be 'made available' in line with the Regulations (The Town and Country Planning (Local Planning) (England) Regulations 2012). This includes publication on the LPA's website.

More information on how the Planning Inspectorate uses your personal information can be found on our website at:
www.gov.uk/government/publications/planning-inspectorate-privacy-notices

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Part A - Personal Details

1. Please indicate whether you are completing this form yourself or if you are an agent completing this on behalf of a client – please select one option.

☒ I am completing this form myself

☐ I am an agent completing this form on behalf of a client

If you are completing this form yourself, please go to Section 3 below.

If you are an agent completing this form on behalf of a client, please go to Section 4 (on page 4).

Section 3. Personal Details (Completing form on own behalf)

2. Please provide the following personal details.

Please note that these details are required for all representations and your information will be shared with the Planning Inspectorate.

The personal data you provide will be used to ensure that representations comply with government guidance and that they can be used as part of the Local Plan examination process.

Title	MR.
First Name	KEITH
Last Name	DAVIES
[redacted]	

Postcode	PO10 7PA
[redacted]	

3. Please provide the following details where applicable and/or relevant

[redacted]	

Once you have completed this section, continue to page 6 of this form.

Section 4. Personal Details (Agent on client's behalf)

4. If an agent is appointed, please provide the following information:

Please note that these details are required for all representations and your information will be shared with the Planning Inspectorate.

The personal data you provide will be used to ensure that representations comply with government guidance and that they can be used as part of the Local Plan examination process.

Title	
First Name	
Last Name	
Job Title	

Organisation	
Address Line 1	
Address Line 2	
Postcode	
Telephone Number	
Email Address	

5. Please provide the following information about the client for whom you are completing this form on their behalf

Title	
First Name	
Last Name	
Organisation (if applicable)	

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5. Part B - Your representation(s)

Please complete this section of the form for each representation you wish to make on the Building a Better Future Plan.

Please note in your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

This form allows you to submit one representation on the Building a Better Future Plan. If you wish to submit a representation on a separate part of the Plan, please complete this form in its entirety and then start a new form for your separate representation.

6. Which part of the Building a Better Future Plan does your representation relate to?

Please provide as much detail as possible.

If you wish to make a change to the Policies Map, please comment on the corresponding policy, and explain what change you would wish to make. If you would be helpful if you could show this in visual form

A full list of policies and allocations can be found in the contents page(s) of the Publication Plan.

Policy Number	30
Allocation Number	3
Paragraph Number	ALL.
Page Number	98

SHELAA REF EM08a

7. Do you consider the Local Plan is ...

(Please select as appropriate)

	Yes	No
Legally compliant	☐	☒
Sound	☐	☒

8. Please give details of why you consider the Building a Better Plan is not legally compliant or is unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan, please also use this box to set out your comments.

You are welcome to attach additional pages to your response form.

- **Subject:** Policy No 30, Allocation No 3 (SHELAA Ref EM08a: The Horsefield, Emsworth, Page 98)

Grounds for Objection: Not Legally Compliant and Not Sound

1. **Major Development in a National Landscape (AONB):**

The allocated site is designated as part of a National Landscape. National policy dictates that major developments should only be permitted in these protected areas in exceptional circumstances and where it can be demonstrated that they are in the public interest. Nowhere in the Plan does the Council prove or justify such exceptions—and a standard shortfall in general housing numbers is explicitly not a permitted reason under national policy. The absence of robust, detailed evidence renders the inclusion of this site **Unsound** (failing the "justified" criterion).

2. **Procedural Flaws and Lack of Consultation:**

During the formal public consultation period, this site was *not* included in the draft Plan. Local residents were explicitly advised by both local councillors and Senior Planning Officers that the site was protected and could **not be legally developed.**

3. **Late and Unjustified Inclusion:**

The site was mysteriously inserted into the Plan during late May without any transparent justification satisfying the statutory exceptions required for protected landscapes. This renders its inclusion both **Unsound** and **Not Legally Compliant** due to a failure in procedural fairness.

4. **Inadequate Time for Public Scrutiny:**

Nothing materially changed between the close of consultation and the 11th-hour inclusion of this site. This late addition denied local residents, and statutory consultees sufficient time to conduct research, submit meaningful comments, and engage with HBC Planning officers. For this reason too, the plan fails **the test of soundness**.

5. **Statutory Duty to Conserve and Enhance:**

Under the Countryside and Rights of Way (CRoW) Act 2000 (as amended by the Levelling-up and Regeneration Act 2023), the Council has a statutory duty to take measures that actively conserve and enhance National Landscapes, and to "seek to avoid harm and contribute to the conservation and enhancement" of the area. Building over 80 houses on this sensitive site will cause direct, irreversible harm. Consequently, Policy 30 is **Not Legally Compliant** with statutory obligations.

6. **Dangerous Legal Precedent:**

Implementing Policy 30 with its current wording risks opening the "floodgates" for development across protected land within the Chichester Harbour Basin, setting a damaging legal precedent for National Landscapes throughout the UK. This directly conflicts with primary legislation protecting these landscapes.

Practical Infrastructure and Environmental Constraints

Aside from the legal and policy failures, practical constraints render the site entirely unsuitable:

- **a) Overstretched Infrastructure:** Local support services, including doctors' surgeries and schools, are already at or beyond capacity.
- **b) Flood Risk:** The site is prone to flooding (photographic and local evidence can be provided upon request).
- **c) Inadequate Sewerage System:** The existing sewage network lacks capacity. During and after heavy rainfall, residents experience severe drainage issues (such as being unable to flush toilets), leading to regular untreated sewage discharges by Southern Water into local waterways—creating an unacceptable public health hazard.

To proceed with allocation while infrastructure is fundamentally deficient makes the inclusion of this site **Totally Unsound**.

Required Action Sought

To make the Local Plan legally compliant and sound, the following modifications must be made:

- **Remove site EM08a (The Horsefield, Emsworth)** from the site allocations.
- **Remove the phrase** *"other than where allocated within this Local Plan"* from Policy No 30.

Failure to remove these items risks invalidating the entire Local Plan and could lead the Planning Inspector to conclude that the Plan is unsound in its entirety.

10

6. Examination Hearing Session Invitation

11. If your representation / representations are seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Please note that while this will provide an initial indication of your wish to participate in examination hearing session(s), you may be asked at a later point to confirm your request to participate.

No details on the examination hearing session(s) have yet been determined and will be made available upon the submission of the Building a Better Future Plan to the Planning Inspectorate.

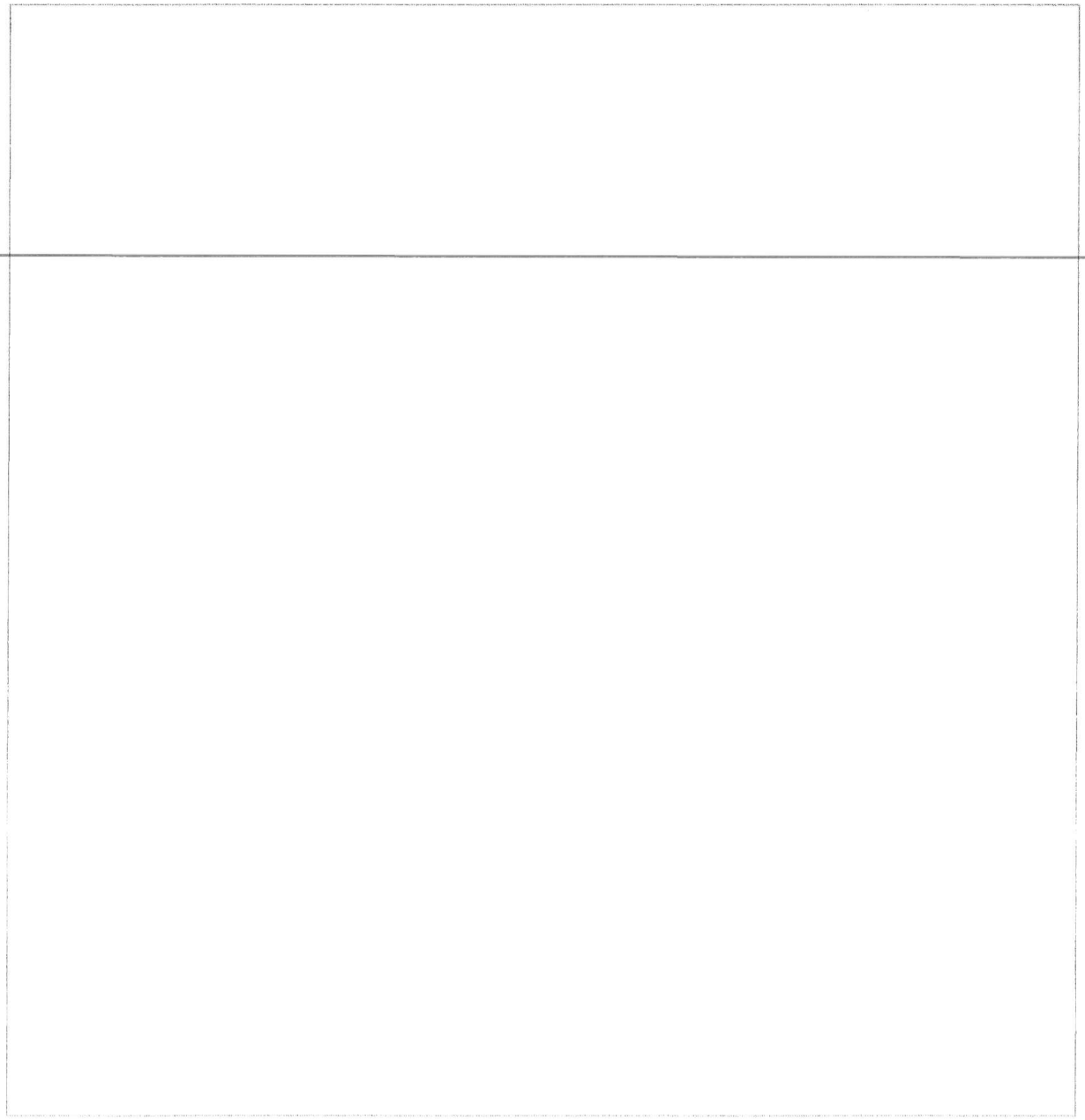
☐ Yes, I wish to participate in examination hearing session(s)

☒ No, I do not wish to participate in examination hearing session(s)

If you do not wish to participate in examination hearing session(s), please continue to page 13 of this form.

12. If you indicated that you wish to participate in the examination hearing session(s), please outline why you consider this to be necessary.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in examination hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.



8. Future Notification

13. Do you wish to be notified of any of the following milestones in the Building a Better Future Plan process?

These milestones include:

- **The Local Plan has been submitted for examination**
- **The publication on the Inspector's Report**
- **The adoption of the Local Plan**

If you indicate that you wish to be notified, the email address you provided in Part A of the form will be used by the Council to notify you of these milestones.

☑ Yes, I wish to be notified

☐ No, I do not wish to be notified

Thank you for submitting your views to this important consultation.

Please use the pre-paid envelope provided with this survey to post your response back to Havant Borough Council by 9 September 2026.