Building a Better Future Plan - Representation Form

Part A - Personal Details

Please indicate whether you are completing this form yourself or if you are an agent completing this on behalf of a client

I am completing this form myself

Part A - Personal Details (Completing form on own behalf)

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. More information on how we use your personal information can be found as part of the 'Planning Policy' privacy notice is available here.

Title	Mr
First Name	Andrew
Last Name	Hunnibal

[redacted]

Please provide the following details where applicable and/or relevant

[redacted]

Part A - Personal Details (Agent on client's behalf)

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. More information on how we use your personal information can be found as part of the 'Planning Policy' privacy notice is available here.

No Response

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

No Response

Part B - Your representation(s)

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 - you can access this document here.

Policy Number	-
Allocation Number	2 (Land north of Long Copse Lane)
Paragraph Number	-
Page Number	-

Do you consider the Local Plan is ...
(Please select as appropriate)

	Yes	No
Legally compliant	X	
Sound		X

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.

The Council's own commissioned landscape study rated the parcel containing this land at the lowest capacity category and recommended that no part of it be taken forward for growth. That study does not appear in the evidence base published for this Plan and no landscape sensitivity or capacity assessment has taken its place. Of fifty sites appraised, only four score Negative for valued landscape and all four were allocated — two of them being this site. The River Ems wildlife corridor is recorded as a strategic cross-boundary matter and deferred rather than dealt with. The soundness tests not met are justified and effective.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.
You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Allocation 2: Land north of Long Copse Lane should be deleted from the Plan in its entirety, together with the consequential amendments to Policy 6, the sources of housing supply table, the housing trajectory at Appendix 1 and the Policies Map. The safeguarding of the existing Gypsy and Traveller site at Long Copse Lane under Policy 43 is unaffected and should be retained.

Deletion makes the Plan sound because the Council's own commissioned landscape evidence recommended that no part of this land be taken forward for growth, and that study does not appear in the evidence base published for this Plan. The site is one of only four in fifty assessed as negatively affecting a valued landscape, and all four were allocated.

Deletion is achievable without creating unsoundness elsewhere. This allocation is 325 dwellings of a total supply of 7,087, or 4.4 per cent, and the trajectory records no completions on it before 2032/33 — so its removal leaves the Plan's five-year supply untouched and more than ninety-five per cent of its total supply in place.

I put forward no revised wording for any policy or criterion, and none is sought. My objection is to the allocation of this land, not to the drafting of the criteria attached to it. No revision of those criteria would meet it, because the matters set out in my representation go to whether this site should be allocated at all rather than to how an allocation of it should be worded.

If you wish to upload any documents to support your representation, please do so below. Please note that there is a maximum file size of 50MB and you can upload a maximum of 10 files to include with your form.

- File: Representation-6-Landscape.docx - Download

Examination Hearing Session Invitation

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)

Examination Hearing Session Invitation (2)

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.

The representation relies on the Council's own 2015 landscape study, on what the Constraints Study that now stands in its place says about the assessment it was unable to carry out, and on the appraisal's own landscape scoring. Why that evidence was departed from, and what landscape evidence underpins the selection, are matters that should be examined orally.

Future Notification

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 f orm will be used by the Council to notify you of these milestones.
Yes, I wish to be notified

Representation 6 — Landscape, cross-boundary matters and relative performance

Regulation 19 representation — Havant Borough Council, Building a Better Future Plan

Declaration of interest. I should record two interests. [redacted] *it lies outside both SHELAA parcels comprising Allocation 2 and no part of this representation concerns it. I am also the coordinator of the Save Long Copse Lane campaign group, which is submitting its own representation prepared with professional planning input; this representation is made in my own name and does not speak for the group.*

Why the allocation is unsound

The River Ems wildlife corridor is deferred rather than dealt with

I do not put this as a breach of the Duty to Co-operate; the Written Ministerial Statement of 27 November 2025 records the Government's position that the Duty is not retained as a distinct legal test. I put it under justified, and under the NPPF's requirement for maintaining effective co-operation, applying the test the Statement of Common Ground sets for itself at paragraph 1.3: cross-boundary strategic matters must be "dealt with rather than deferred". That paragraph also records that the December 2025 draft NPPF's replacement test of "realistic" is identical in wording to the current definition of "justified", so the test does not fall away with the change.

The June 2026 SoCG lists wildlife corridors as a strategic cross-boundary matter. Paragraph 6.30 records that the River Ems forms the boundary between the two authorities and that Chichester's Local Plan designates a strategic wildlife corridor on its eastern bank, the western bank lying within Havant Borough. The entirety of the recorded agreement, at paragraph 6.31, is that both parties recognise the river's importance as a wildlife corridor.

Havant's own Sustainability Appraisal identifies, for both EM01 and EM02, "Potential for impacts to green corridor linking Southleigh Forest with River Ems and coastal zone". SA Appendix E identified mitigation of those impacts as part of the purpose of the ecological and landscape buffer.

So: Havant's evidence base identifies that this allocation may affect the corridor; Appendix E made mitigation of that effect part of the buffer's purpose; Chichester has designated a strategic corridor on the opposite bank; and the agreed position amounts to a shared recognition of importance, with no assessment, no agreed mitigation and no agreed position on the effect of this allocation. Allocation 2 does not name the River Ems corridor at all, and criterion (m) omits the corridor from the buffer's stated purpose. Criterion (j) addresses only connections between the South Downs National Park and Chichester Harbour National Landscape. Allocation 1, by contrast, requires at criterion (l) that a named green corridor be maintained and enhanced.

I note fairly that a single 325-dwelling allocation is not automatically a strategic matter. The point has force because the Councils themselves list wildlife corridors as strategic, and because Havant's own site appraisal identifies the effect.

Landscape, and the Council's own selection test

Of the 50 sites assessed in SA Appendix D, exactly four score Negative on criterion 8a (protect and enhance valued landscape): BL05 Southleigh, EM01, EM02 and EM08a Horse's Field. Two of the four are this allocation, scored Negative because the site lies immediately south of the South Downs National Park. All four were allocated. SA paragraph 4.94 confirms that only a small number of sites was judged to have possible negative impacts on formally valued landscapes.

Appendix E concedes for both EM01 and EM02 that it is "not possible to mitigate for the loss of 'openness'" when development takes place, while suggesting character harm may be partly mitigated through layout, heights, separation and screening. Set that against SA paragraph 4.100, which records that the Council allocated all sites where mitigation of negative effects "is likely to be achievable", and did not proceed where significant doubt existed.

I acknowledge that the "loss of openness" wording appears against other allocated sites and is to that extent standard. The distinguishing feature here is criterion 8a itself. Where a criterion identifies only four sites in the entire Plan as negatively affecting a valued landscape, and every one of them is carried forward, the Inspector is entitled to ask what work that criterion did in site selection. The NPPF affords great weight to conserving landscape and scenic beauty in National Parks, and their setting is a material consideration. The Plan's own Policy 1(f) permits development "only where it has no unacceptable impacts" on international, national or local ecological designations or National Landscape designations.

The Council's own commissioned landscape evidence recommended that no part of this land be taken forward for growth

In February 2014 the Council appointed Kirkham Landscape Planning Ltd to produce the Study into the Landscape Sensitivity and Capacity and the Value of the Undeveloped Open Land in Havant Borough (May 2015). Its stated aim was to provide a robust landscape evidence base to be weighed with all the other evidence used in plan making and planning decisions, assessed against a development scenario of 35 dwellings per hectare in two or three storeys. It sits in the examination library for the withdrawn Local Plan as document EB26; it does not appear in the evidence base published for this Plan.

This allocation lies within the study's land parcel 21.3, Hollybank Wood and hinterland, surveyed on 8 August 2014. The study's assessment of that parcel is as follows:

Stage	**Rating**
Visual sensitivity	High
Landscape sensitivity	High
Landscape character sensitivity	High
Wider landscape sensitivity	Medium/High
Overall landscape sensitivity	High
Landscape value	Medium
Landscape capacity	**Low**

Low is the lowest of the study's five capacity categories. Paragraph 4.20 defines it as land which "could not accommodate areas of new development without a significant and adverse impact on the landscape character", adding that only occasional, very small scale development may be possible.

Among the potential effects the study identifies for this parcel are impact on the remnant landscape of the Forest of Bere, on important woodland and tree cover, on the prominent hillside, on the setting of the listed building and on the wooded landmark and skyline; loss of seclusion and relative tranquillity; visual impact on many sensitive receptors; extension of settlement above the 25m AOD contour; extension of development into the forest area; and erosion of the gap between New Brighton and Westbourne with the merging of settlements of distinctly different character. Under the heading of landscape mitigation and contribution to green infrastructure the study records two words: "Not required".

Its conclusion and recommendation for the parcel, in full, is this:

> *It is recommended that no part of land parcel LCA21.3 is taken forward for potential growth.*

The study did not conclude that development here should be limited, reduced in extent, or confined to a least sensitive area. For other parcels it made precisely those recommendations — a reduced part of parcel 7ii.1 as an extension of linear settlement, a reduced part of parcel 9.1 leaving northern sections open, a reduced part of parcel 11.1 below the 50m contour. For this parcel it recommended nothing be taken forward at all.

That study is not in the Regulation 19 evidence base, and no landscape sensitivity or capacity assessment has taken its place

As at the date of this representation, the Council's published list of Local Plan evidence studies and strategies contains no landscape sensitivity study, no landscape capacity study and no landscape character assessment. The only landscape-related documents on it are the Havant Borough Constraints Study and its mapping appendix, the Havant Borough Tree and Woodland Strategy, the Havant Borough Tree Management Principles, the Nature Recovery and Environmental Mitigation Opportunities report, and a study of Local Green Spaces and Destination Open Spaces. The Kirkham study appears nowhere.

The Constraints Study (Stantec, August 2024) is therefore the Council's landscape evidence for this Plan, and it does not do what the Kirkham study did. It says so itself, in terms. At paragraph 1.3 it records that "this study does not look to allocate land for development, nor does it directly inform the local plan's development strategy. It is not a site by site assessment of the suitability for development, that is addressed elsewhere in the Local Plan's evidence base and this report should not be taken as a definitive statement of the suitability of any one site for development."

Two passages within it are directly in point.

The first is paragraph 4.16, where the study identifies the assessment that ought to have been carried out, and records that it could not carry it out:

> *"County and Borough Landscape Character Areas should also be considered in terms of those which are of high quality and / or which have high sensitivity to housing development, but are not shown in the mapping here. Any very high or high sensitivity character areas should be zoned out on the basis that, typically, those areas would have little to no capacity to successfully accommodate new*

housing development without significant harm to landscape character, even with mitigation measures in place… Unfortunately, there is no dataset for County and Borough Character Areas available, so they are not illustrated on the high-level Constraints Maps."

That is the Council's own landscape consultant saying that areas of high sensitivity to housing development should be excluded from consideration, and that it did not map them for want of a dataset. The Council had nonetheless commissioned an assessment answering the same question for this land. Its own study of 2015 rated this land High for visual sensitivity, High for landscape sensitivity, High for landscape character sensitivity, High for overall landscape sensitivity, and Low — the lowest available rating — for landscape capacity, and recommended that no part of it be taken forward for growth. On the test paragraph 4.16 sets, this land is the kind of land that should have been considered for zoning out.

The second is the study's identification, at paragraph 4.42, of the areas in the Borough which are "less constrained" in landscape terms for strategic housing growth. It lists seven. Area 2 is expressly Southleigh, annotated in the report as "known as Southleigh and… identified as a potential strategic development location in the PfSH Spatial Position Statement having been previously proposed for allocation". Areas 1, 3 and 4 lie around Dunsbury Park, College Road and Portsdown, and north of the A27 at Havant. Areas 5, 6 and 7 are on Hayling Island. Land north of Long Copse Lane is not among them. The study observes at paragraph 4.37 that "the South Downs National Park lies adjacent to the Borough boundary at Emsworth Common Road, to the northern corner of Hollybank Woods", and at paragraph 4.41 that the Borough's constraints "leave few areas of opportunity in landscape terms, for strategic housing growth". At paragraph 4.43 it records that "more detailed studies would be required to determine the landscape capacity of these seven broad opportunity areas".

I do not overstate the second point, and the study's own caveats answer part of it. It says at paragraph 1.9 that identifying areas of less constraint "does not mean that land within these areas is developable — only that our strategic work did not suggest that major constraints, as set out in the NPPF, were present", and at paragraph 4.18 that the local landscape constraints it plots "are not absolute constraints and may be expected to flex to accommodate development". Absence from a list of broad opportunity areas for strategic growth is therefore not a finding that a particular site is unsuitable, and I do not present it as one.

The first point is not answered in the same way. The Council is therefore allocating 325 dwellings on land which its own commissioned landscape evidence rated High for overall landscape sensitivity and Low — the lowest available — for capacity, and recommended should not be taken forward for growth; that evidence forms no part of the published evidence base for the Plan making the allocation; and the document that now stands in its place states that such areas should have been zoned out, and that it did not map them because no dataset was available to its authors.

I ask the Council to state what landscape evidence underpins the scoring of this site against SA criterion 8a and the selection decision that followed; whether the 2015 study is regarded as part of the evidence base for this Plan; if it has been superseded, by what and when; if it has not been superseded, on what basis its recommendation for this parcel has been departed from; and whether the ratings in that study were made available to the authors of the Constraints Study, given paragraph 4.16.

Stated fairly, the 2015 study predates this Plan and the Council is entitled to update or replace its evidence; a 2015 recommendation does not bind a 2026 decision; the study itself says at paragraph

4.21 that landscape capacity is indicative and that actual capacity will be determined by more detailed assessment; and landscape is one consideration among many in a borough with severe constraints and an acute housing need. I do not say the recommendation is determinative. I say that where a plan-making authority departs from the recommendation of the landscape evidence it commissioned for this very purpose, the reasons should appear in the evidence base and be capable of testing at examination — and here neither the recommendation nor any successor assessment does appear.

The Council's own account of the trees and boundary vegetation, and the decisions it has taken about them since this Plan was published

The Plan's Key Features list for Allocation 2, at printed page 95, is the Council's own description of what is on this land. It records that "Tree Preservation Order (TPO) woodland bounds part of the northern boundary and extends into the north west of the site", that "a further area of TPO woodland wraps around the south western corner of the site", that there is "mature boundary vegetation screening the site from Long Copse Lane", that the site lies "within the setting of the South Downs National Park", and that Southleigh Forest Site of Importance for Nature Conservation is adjacent.

The Council's public register bears that out. Six Tree Preservation Orders are recorded over this land and its immediate surroundings. Three are described by reference to Long Copse Lane itself: TPO/2054/2016, a Woodland Order over "land to north of Long Copse Lane, to north and east of White Lodge", made 21 September 2016; TPO/2063/2017 over "land to the north of Long Copse Lane"; and TPO/2064/2017 over "fields to the north-east of Hollybank Farm". Three are described by reference to the land around it: TPO/2056/2016, a Woodland Order at Hollybank Farm; TPO/1974/2010 over land north and east of Hollybank Cottage; and TPO/1289/1986, an individual Order made on 13 June 1986 over an oak south-east of Hollybank House. Two of those Orders — TPO/2054/2016 and TPO/2056/2016 — are recorded on the register as **Woodland** Orders, and that classification matters here. A woodland designation does not protect a schedule of named trees. It protects the trees within the defined woodland area as a unit, including trees which grow up within it after the Order is made. The August 2026 application was nonetheless made against "T1 TPO 2054", and the Council's own published mapping of its Tree Preservation Orders explains why. On that mapping Order 2054 comprises one woodland part, W1 — a belt of protected woodland running some 250 metres, of the order of a quarter of a hectare — together with two individually protected trees. It is a composite Order, and the woodland limb of it protects the trees in that belt as a unit, including any which grow up within it hereafter.

Read against the Council's published mapping of this draft allocation, that Order sits on the site rather than beside it. Part of the woodland belt W1 falls within the allocation boundary and the remainder runs immediately along it, and both of the individually protected trees under the Order are mapped on the southern edge of the western parcel, their positions falling just inside the boundary. That mapping shows trees as symbols of standard radius rather than as surveyed canopies, so what it establishes is that these two stand on the boundary, with their mapped centres inside it. Nor is Order 2054 the only one so placed. On the same two published layers, protected trees or protected woodland under all six of the Orders named above fall within the allocation boundary, the protected woodland among them amounting to something of the order of 0.4 hectares within the site. I take that from the Council's published mapping and not from the Orders themselves, and I ask the Council to confirm it against the Orders and their maps, which it is far better placed than I am to do. If it is right, the tree constraint on this land is not a matter of designing around a handful of specimens at the margin.

Against that, the February 2026 SHELAA records that "The need for ecological mitigation and TPO woodland is likely to constrain the developable area, but detailed work has yet to be undertaken by the site promoter."

A Planning Inspector has assessed the character of this lane, and did so this year. In appeal decision 6002048, dated 24 June 2026, an Inspector dismissed an appeal against the refusal of five dwellings at Oklahoma, Long Copse Lane. His findings on the character of the lane are not confined to the appeal site. At paragraph 4 he found the frontage trees "highly visible from the public realm along Long Copse Lane, and, due to their height, age and screening effect, contribute positively to the character and appearance of the site and the surrounding area". At paragraph 5 he found that "the dense mature vegetation which lines the northern side of Long Copse Lane, results in a spacious and verdant character and appearance to the area". **The allocation fronts the northern side of Long Copse Lane**, and the vegetation the Inspector was describing is the "mature boundary vegetation" the Council's own Key Features list records. At paragraph 8 he found that replacement planting "would take some time to establish and many years to reach the height and maturity of the protected trees that would be removed", and that "the provision of replacement trees would thus fail to mitigate for or justify the removal of the protected trees".

And on 20 August 2026, three weeks before this consultation closes, the Council refused consent to fell a single oak on this land. Application APP/26/00406, at Hollybank House, Hollybank Lane, sought consent to "fell 1 No. Oak tree - Subject to T1 TPO 2054" — that is, one of the two individually protected trees scheduled under Order 2054, both of which the Council's mapping places within this allocation. The Council's tree officer recorded in his delegated report that "the application to fell one large mature oak tree - this tree is a liekly veteran status tree and displaying a number of important ecological features that would confirm that it is indeed potentially a veteran and should be managed appropriately in line with a tree of this type" [*sic*], and rejected the applicant's account of its condition, finding "the estimation of live growth left is in my opinion inaccurate in this instance with a far fuller canopy then [*sic*] indicated". Consent was refused, the stated reason being that "the tree is a significant feature in the local landscape and appears to be in adequately sound and healthy condition. Its proposed felling would result in undue loss and detriment to the visual amenities of the locality", contrary to policy DM8 and the Framework. The officer did not simply refuse. He directed how the tree was to be kept: that it "should be managed appropriately in line with a tree of this type"; that the Council "would suggest further inspection and investigation on this tree"; and that any hazards meeting the dead or dangerous definition be addressed by five-day notice, together with "any other appropriate works to manage this tree sensitively while retaining its public amenity value and not detrimental to the health of the tree". Three weeks before this consultation closes, the Council was therefore not merely declining a felling: it was setting out how a likely veteran oak on the allocated land should be conserved.

I state three limits on that decision before drawing anything from it. The application was made from an address in Hollybank Lane, and I place the tree within the allocation on the strength of the Council's published mapping of Order 2054 rather than of the Order map, which I have not seen; the mapped positions lie only a short way inside the boundary, and I invite the Council to confirm the position against the Order and its Policies Map. The officer's own record is consistent with it, in that he expected a failure to fall within the field rather than onto the highway. The officer's finding was expressly qualified — "likely" and "potentially" a veteran — and I put it no higher than he did. And a decision on an application to fell one tree is a development management judgement, not a plan-making one; the

Council will say, correctly, that an allocation does not authorise felling and that tree constraints fall to be assessed when an application comes forward.

What survives those qualifications is the inconsistency, and it is between the Plan and the access arrangement assumed for this land. Criterion (k) of this allocation requires, in mandatory terms, that boundary vegetation along Long Copse Lane be retained and enhanced. Yet the account of what developing this land requires, put before the Planning Inspectorate in June 2026 and recorded at paragraph 12 of the same appeal decision, is that "Long Copse Lane will be widened to 5.7m, vegetation removed and a new footway laid". I do not know whether that description came to the Inspector from the Council or from the appellant, and I do not put it higher than the decision does; the Council's own recorded contribution was that the result "would likely encourage higher vehicular speeds". Those two things cannot both happen. Either the works described are what this allocation requires, in which case criterion (k) cannot be complied with; or criterion (k) holds, and the access arrangement assumed for the site is not available. The Plan does not say which, and the question is not one a planning application can answer, because one half of the conflict is a mandatory criterion of the allocation itself.

The landscape consequence is the one this representation is concerned with. The Council's evidence describes mature boundary vegetation screening the site; an Inspector has found that same vegetation gives the area a spacious and verdant character, and found of the protected trees on the appeal site that replacement planting would not mitigate their loss; the Council has refused consent to fell one likely veteran oak on this land because its loss would be an undue detriment to local visual amenity; and the development of this allocation is understood to require the removal of vegetation along that frontage. If a veteran tree stands on this land — and the Council's own officer has said one likely does — paragraph 193(c) of the Framework treats it as irreplaceable habitat, to be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. The refusal post-dates the Plan and I make no criticism of the Council for its absence from the appraisal. The site assessment records the tree constraint only as likely to constrain a developable area it does not define, and none of this is reconciled anywhere in the Plan.

Relative sustainability performance

Ranked by number of negative SA scores across Appendix D, of the sites the Council has allocated EM02 (8 negatives) is second only to the Southleigh strategic site (9), with EM01 (7) close behind. Three sites score above EM02's total and were not allocated — HI04, HI08 and HI07 — together with HI16, which equals it. All are on Hayling Island, and the Plan explains at paragraph 2.23 that greenfield land on Hayling Island is not put forward for development because of the flood risk to the single access road on and off the island. I do not suggest the SA decides by counting, and I note that the rejected Hayling Island sites carry flood risk constraints that this site does not. The point is one of relative sustainability performance among the sites actually selected: this is the most negatively assessed site the Council has allocated other than its strategic site.

The modification I seek

For the reasons above, and taken with the planning balance, I ask that Allocation 2: Land north of Long Copse Lane be deleted from the Plan in its entirety, together with the consequential amendments to Policy 6, the sources of housing supply table, the housing trajectory at Appendix 1 and the Policies Map. The safeguarding of the existing Gypsy and Traveller site at Long Copse Lane under Policy 43 is unaffected and should be retained.

Why this needs to be tested at a hearing

This representation relies on the Council's own 2015 Kirkham landscape study, which recommended that no part of this parcel be taken forward and which does not appear in the Regulation 19 evidence base, on what the Constraints Study that now stands in its place says about the assessment it was unable to carry out, and on the SA's own landscape scoring. Why that evidence was departed from, and what landscape evidence underpins the selection, are matters that should be examined orally.

It also raises a conflict within the Plan which the Council should be asked to resolve on the record: criterion (k) requires the boundary vegetation along Long Copse Lane to be retained and enhanced, while the account of the works this land requires, put before the Planning Inspectorate in June 2026, is that the lane will be widened to 5.7 metres and that vegetation will be removed. Which of the two the Council intends is a matter going to whether this allocation is capable of being delivered as drafted.

I also ask that the following related matters be treated as live at examination and, so far as they bear on this allocation, examined orally. Each is a matter for Havant Borough Council to answer, and I ask that its answers be given in writing before the hearing sessions so that they can be tested:

- Conformity with the Emsworth Neighbourhood Plan (2021), which remains part of the development plan, and in particular whether an allocation of this scale on this land is consistent with its policies on landscape setting and the countryside gap.
- The trees on this land. On the Council's own published mapping, protected trees or protected woodland under six Tree Preservation Orders fall within the allocation boundary; the Plan's Key Features list records TPO woodland on the northern, north-western and south-western boundaries; and on 20 August 2026 the Council refused consent under APP/26/00406 to fell an oak, scheduled under Order 2054 and mapped within the allocation, which its own tree officer assessed as likely to be of veteran status. The February 2026 SHELAA records that the detailed work on the TPO constraint has yet to be undertaken. I ask the Council to state what survey of the tree stock on this land has been carried out for plan-making purposes, whether any tree on or adjoining the site has been assessed as ancient or veteran, and how the yield of 325 dwellings was arrived at before that work was done.

Representation form entries

Field	Entry
Respondent	Andrew Hunnibal — individual response
Contact	Longacre, Long Copse Lane, Emsworth, Hampshire PO10 7UR · ahunnibal@gmail.com
Policy Number	—
Allocation Number	2 (Land north of Long Copse Lane)
Paragraph Number	—
Page Number	Printed pp. 95–97 (PDF pp. 99–101)
Legally compliant?	Yes
Sound?	No
Test(s) of soundness	Justified; Effective
Change sought	Deletion of Allocation 2 in its entirety
Appear at hearings?	Yes
Date	4 September 2026