# 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** | Patrick |
| **Last Name** | Barry |

[redacted]

Please provide the following details where applicable and/or relevant

| | |
|---|---|
| **Job Title** | Director |
| **Organisation** | Nova Planning Limited |

## 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** | Policy 6 |
| **Allocation Number** | Allocation 2 |
| **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 plan is unsound in its current form. Further evidence is required in relation to Thornham wastewater treatment capacity and the deliverability of Allocation 2 (North of Long Copse Lane) before soundness can be confirmed, including any necessary changes to the policy wording to reflect the findings of this required evidence. Please see attached submission for more detail.

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.

The plan is unsound in its current form. Further evidence is required in relation to Thornham wastewater treatment capacity and the deliverability of Allocation 2 (North of Long Copse Lane) before soundness can be confirmed, including any necessary changes to the policy wording to reflect the findings of this required evidence. Please see attached submission for more detail.

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 1 0 files to include with your form.

- File: HBC Reps 07 09 26.pdf - Download
- File: HBC Reps - Patrick Barry - 07 09 26 - (Figures).pdf - Download

## Examination Hearing Session Invitation

If your representation / representations are seeking a modification to the plan, do you consi der 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 exa mination hearing session(s), you may be asked at a later point to confirm your request to p articipate.
No details on the examination hearing session(s) have yet been determined and will be ma de available upon the submission of the Building a Better Future Plan to the Planning Inspe ctorate.

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 out line why you consider this to be necessary.
Please note the Inspector will determine the most appropriate procedure to adopt to hear th ose who have indicated that they wish to participate in examination hearing session(s). Yo u may be asked to confirm your wish to participate when the Inspector has identified the m atters and issues for examination.

Ti further articulate my submissions nd to respond to any evidential updates.

## 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

## 1. Introduction

[redacted] I do not object to the principle of residential development on the land allocated north of Long Copse Lane (Allocation 2). My concern is whether the access and movement provisions are sufficiently robust to make the allocation effective and deliverable. The representation also raises a wider cross-boundary concern as to whether planned growth draining to Thornham Wastewater Treatment Works is supported by sufficient and deliverable treatment capacity.

Long Copse Lane performs several overlapping movement and recreational functions that are directly relevant to the assessment of Allocation 2:

- It provides a direct east-west connection between the settlements of Emsworth and Westbourne, including connections to Westbourne Primary School
- It connects important local recreational spaces at Hollybank Woods and Hampshire Farm Meadows
- It connects the public rights of way within the settlement of Emsworth (south of Long Copse Lane) and the South Downs National Park (north of Long Copse Lane)
- It is home to a well-used equestrian facility which provides convenient connections to the bridleway network, via Hollybank Woods

(See Figures 1 and 2)

The lane has a rural character, reflecting its edge-of-settlement location. It is narrow, with no dedicated footways, and it currently acts as a shared surface for all road users.

A recent appeal decision (PINs ref. 6002048) concerning a site on Long Copse Lane provides further relevant context. The Inspector noted that the lane has no formal footway and concluded that uncertainty over the provision and maintenance of adequate visibility at an intensified access would prejudice the safety of users of both the development and Long Copse Lane, resulting in an unacceptable impact

on highway safety. The Inspector also referred to the need to minimise conflicts between pedestrians, cyclists and vehicles. Although the decision related to the particular circumstances of that proposal, it reinforces the need for the effects of increased traffic on this constrained shared route to be assessed expressly.

While limited widening appears to be achievable within the adopted highway to connect to the western edge of the proposed allocation to Hollybank Lane, the remaining section of the lane, between the site and the settlement of Westbourne, is particularly constrained, reducing to a single car width in various places and with little or no highway verge available to provide widening.

There is also a series of bends between the Hampshire/West Sussex county boundary and the junction with North Street, Westbourne, where forward visibility is restricted and there is insufficient space for two cars to pass. At the North Street end, parked vehicles can further reduce the effective carriageway width.

(See Figures 3 to 6)

The photographs and mapping supplied with this representation illustrate these points: the allocation and surrounding rights of way; the route's relationship to the equestrian facility; the absence of pedestrian infrastructure; the constrained bend; and the narrow approach to North Street.

These characteristics mean that the route is highly sensitive to an increase in vehicular traffic.

## 2. Context – interaction with highways evidence for ref. APP/21/00893

An outline planning application was submitted in 2021 for approximately 210 dwellings for the majority of the proposed allocation. It was subsequently withdrawn. The application was supported by a detailed Transport Assessment. That assessment expressly assigned a proportion of development traffic eastwards along Long Copse Lane towards North Street and Westbourne.

Traffic distribution was derived using 2011 Census Journey-to-Work data and a gravity model for non-work trips. I accept that these figures do not form part of the Local Plan evidence base and should not be treated as determinative of the current

allocation. They nevertheless provide relevant site-specific evidence of the likely scale and direction of traffic that should be addressed or updated through the plan-making process.

In the consultation response on that withdrawn application, West Sussex County Council recorded that all trips assigned to Chichester District, including Westbourne and other West Sussex destinations, were routed eastwards along Long Copse Lane. The previous assessment forecast 22 additional two-way movements at the Long Copse Lane/North Street junction in the AM peak and 26 in the PM peak. Again, these are not Local Plan evidence-base figures; their relevance is that they demonstrate that a material eastbound movement was previously anticipated when the site was examined in detail.

However, the principal concern for the soundness of Allocation 2 is not junction operation during the conventional AM and PM peak hours. Long Copse Lane is a walking, cycling and horse-riding route throughout the day. The relevant issue is therefore the cumulative all-day change in traffic volume and the consequent change in the character and perceived safety of a narrow shared route on which non-motorised users occupy the same carriageway as motor vehicles.

For the purposes of this representation, the most relevant contextual figure from the withdrawn application is not the peak-hour junction flow but the all-day traffic volume. West Sussex County Council recorded forecast traffic east of the site access of approximately 791 vehicle movements per day, representing an increase of approximately 190 daily vehicle movements over the no-development scenario. WSCC also expressly recognised that the increase in traffic could have a negative effect on the perception of safety for non-motorised users, although it did not regard that as sufficient to object to that particular planning application. This does not determine the soundness of the Local Plan allocation, but it demonstrates why the all-day effect on Long Copse Lane is a relevant issue that the Local Plan should address.

That conclusion related to a smaller development scenario than the current Regulation 19 allocation of around 325 dwellings. The Local Plan should therefore not rely simply upon the previous peak-hour junction conclusions. It should

demonstrate, using up-to-date evidence, the total daily traffic likely to use the constrained eastern section of Long Copse Lane and assess that increase against the route's all-day function for walking, cycling and horse riding.

The assessment considered the constrained eastern section by reference to existing traffic volumes, accident history and opportunities for vehicles to pass. However, it did not assess the route's function as a shared walking, cycling and equestrian corridor, where users have no segregated footway or bridleway and must share the carriageway with motor traffic.

It is notable that Hampshire County Council sought consideration of restricting vehicular access to Wraysbury Park Drive because of concerns about that route's suitability for additional traffic, even though it has a conventional residential highway form, an adequate carriageway width and dedicated footways. By contrast, eastbound Long Copse Lane was forecast to receive around 190 additional daily vehicle movements and West Sussex County Council acknowledged that this could adversely affect non-motorised users' perception of safety, yet no equivalent restriction was considered.

Notwithstanding this unresolved inconsistency, the highways evidence for the planning application confirms that the distribution of traffic is a relevant planning consideration, route-management scenarios are capable of being assessed and that the suitability of local routes was treated as a legitimate planning consideration.

## 3. Overlooked issue – the route to Westbourne Primary School

A further issue appears not to have been addressed in the highways evidence underpinning the emerging Plan or in the previous transport work: the relationship between Allocation 2, northern Emsworth and Westbourne Primary School.

The same contextual material from withdrawn application APP/21/00893 also identifies an issue that appears relevant to the current allocation but may not have been fully explored in the Local Plan evidence. The Transport Assessment identified Westbourne Primary School as a key local education destination and recorded it at approximately 1.2 km from the site. By comparison, St James C of E Primary School was identified at approximately 1.6 km and Emsworth Primary School at

approximately 2.8 km. The January 2022 addendum also records substantially longer alternative walking distances to Westbourne Primary via Wraysbury Park Drive or Redlands Lane than the direct route, reinforcing the practical attraction of Long Copse Lane as the shortest eastward connection.

This is important because the Highway Authority (HCC) specifically required the applicant to undertake Walking, Cycling and Horse-Riding Assessment Reviews addressing routes to school. Yet the WCHAR routes subsequently assessed were to St James Primary School and Warblington Secondary School, together with retail and town-centre destinations. Westbourne Primary School, despite being identified in the Transport Assessment as the closest primary school to the site, was not included as a school route in that WCHAR exercise.

Although the allocation lies within Hampshire and Westbourne Primary School lies within West Sussex, administrative boundaries do not determine school journeys or travel behaviour. For households in the Allocation 2 and in the northern part of Emsworth settlement, Long Copse Lane provides the most direct pedestrian and cycle route towards Westbourne School. School journeys are also concentrated at times when children and accompanying adults are especially vulnerable road users.

Current West Sussex admissions information indicates that Westbourne Primary School is not operating at its published admission number for Reception: for September 2026 its published admission number was 30 and 21 places were allocated, with all applicants who requested the school offered a place. The availability of places means that attendance by children living outside the immediate West Sussex catchment is likely and as a resident of Long Copse Lane (Hampshire), my children attended Westbourne Primary School.

The Plan evidence should therefore assess school-related pedestrian, cycle and vehicular movements towards Westbourne Primary School, including the likely use of Long Copse Lane by children from the allocation and from northern Emsworth. This should be considered as part of the all-day and school-time function of the lane, rather than being subsumed within generic peak-hour vehicle modelling.

## 4. What this means for Allocation 2 as drafted in the Plan

The Regulation 19 Plan identifies Allocation 2 as a housing allocation of around 325 dwellings.

It contains positive requirements to protect and enhance the Public Rights of Way network, provide an east-west footway and cycleway through the site, and explore links northwards. These requirements reflect and emphasise the site's movement context described above.

However, the highway requirement is expressed in very generic terms, which is not proportionate to the constrained nature of the access and its importance to sustainable movement patterns in the locality:

> *"proposals must establish an appropriate means of access and associated improvements to the satisfaction of the Highway Authority".*

The generic policy wording reflects the absence of robust evidence demonstrating whether Long Copse Lane can accommodate the proposed level of development, how development traffic is likely to be distributed, and what mitigation would be required to address its effects.

## 5. Review of the Evidence Base

5(i) Treatment of access for Allocation 2

The Sustainability Appraisal appears to address access for Allocation 2 principally through broad measures of accessibility, including the potential for walking and cycling connections and proximity to services. Those matters are relevant, but they do not establish whether a safe, effective and deliverable vehicular access strategy exists for development of around 325 dwellings or whether the likely effects of that strategy have been adequately evaluated.

In particular, the appraisal does not appear to identify or evaluate the likely east/west distribution of development traffic, the consequential all-day increase in vehicle movements on the constrained eastern section of Long Copse Lane, the effects on pedestrians, cyclists and horse riders sharing the carriageway, or the relationship with Westbourne Primary School. The wider evidence base also does

not appear to explain how the site-specific findings from withdrawn application APP/21/00893 have informed the allocation. That application forecast a material eastbound movement and recorded that increased traffic could adversely affect non-motorised users' perception of safety. There is therefore a basis to question whether the appraisal has conflated general accessibility with access feasibility and whether mitigation has been assumed rather than demonstrated.

5(ii) Wastewater treatment capacity at Thornham WwTW and implications for Allocation 2

I consider that the Plan has not yet demonstrated that the planned growth within the Thornham Wastewater Treatment Works catchment is supported by sufficient and deliverable wastewater treatment capacity.

Evidence document IT04, the independent Ricardo Review of the Position Statement for Thornham, records combined housing projections of 2,360 dwellings, comprising 1,638 dwellings in Chichester District and 722 in Havant Borough, and calculates an associated increase in dry-weather flow of approximately 1,023–1,106 $m^3$/day. The same evidence records existing indicative headroom of 713 $m^3$/day and concludes that it is uncertain whether available headroom could accommodate growth to 2039.

The June 2026 Infrastructure Delivery Plan continues to record Southern Water's estimate of 713 $m^3$/day of existing capacity at Thornham and acknowledges that increased volumetric capacity is constrained by the environmental permit unless enhanced nitrogen treatment can be achieved.

The Statement of Common Ground between Havant Borough Council and Chichester District Council states that Southern Water has confirmed funding for increased treatment capacity at Thornham during AMP8. However, the agreement expressly states that this capacity is to deal with the level of development allocated in the adopted Chichester Local Plan. It does not demonstrate that the funded capacity has also been sized to accommodate the allocations, commitments and other planned growth in the Havant Building a Better Future Plan to 2043.

The Regulation 19 evidence base does not appear to contain a current Statement of Common Ground between Havant Borough Council, Southern Water and, preferably, the Environment Agency confirming the total development expected to drain to Thornham, the resulting dry-weather-flow requirement, the additional treatment capacity to be delivered, the revised permitted capacity, funding, delivery timetable and any necessary phasing restrictions. If such evidence exists, it should be identified and made available before examination.

This is particularly important because the Infrastructure Delivery Plan records that Emsworth drains to Thornham and that Southleigh may drain to Budds Farm, Thornham or a combination of the two depending upon future capacity. The evidence base should therefore demonstrate, before examination and adoption, that this cross-boundary infrastructure issue has been dealt with rather than deferred.

## 6. Soundness and legal compliance

6(i) Allocation 2 – effectiveness and appropriateness

The allocation is not demonstrated to be appropriate under Policy PM15(1)(b) if the selected access strategy and proposed scale of development are not based on proportionate evidence addressing the known constraints, likely traffic generation and east/west distribution. It is not demonstrably effective under Policy PM15(1)(c) if a safe and deliverable access strategy, including any necessary management or restriction of eastbound traffic, is left unresolved until application stage. A capacity assessment focused only on vehicle delay would be insufficient because the relevant issue is the safe and attractive operation of a constrained shared route used by pedestrians, cyclists and horse riders.

6(ii) Thornham wastewater capacity – effectiveness and appropriateness

The evidence currently identifies projected additional dry-weather flow exceeding the stated indicative headroom and records uncertainty over whether growth to 2039 can be accommodated. I am aware that AMP8 funding has been secured for an upgrade to the treatment works, anticipated to be delivered by 2030. The housing trajectory for Policy 6 indicates delivery from Allocation 2 during years 1–11 of the Plan period, including delivery before the anticipated completion of the

Thornham upgrade. No evidence presented through the Regulation 19 consultation demonstrates that capacity has been ring-fenced for the planned growth during either years 1–11 or years 12–21 of the Plan period. This uncertainty is increased by the Infrastructure Delivery Plan's indication that Southleigh may drain to Budds Farm, Thornham or a combination of the two, depending upon future capacity. If all or part of Southleigh drains to Thornham, that additional demand must be included in the cumulative catchment assessment and in determining the capacity required from the AMP8 upgrade. I am aware that an agreement is in place to accommodate growth in the adopted Chichester Local Plan, but no equivalent agreement has been presented for the emerging Havant Local Plan. Without evidence defining total catchment growth—including the potential contribution from Southleigh—the capacity increase to be delivered, the permit position, the delivery programme and any necessary phasing, the Plan has not demonstrated that this strategic cross-boundary infrastructure is deliverable. I therefore consider that the Plan has not yet been shown to be effective under Policy PM15(1)(c) of the August 2026 NPPF. The same evidential gap also raises a separate question as to whether the Plan is appropriate and based on proportionate evidence under Policy PM15(1)(b).

6(iii) Sustainability Appraisal and legal compliance

There is also a potential legal-compliance issue under the Environmental Assessment of Plans and Programmes Regulations 2004. The SA need not reproduce a detailed Transport Assessment or detailed wastewater strategy, but it must identify, describe and evaluate the likely significant effects of the Plan and reasonable alternatives, explain material assumptions and uncertainties, and identify realistic mitigation. If the detailed appraisal does not identify the access effects for Allocation 2 or the uncertainty over cumulative wastewater capacity at Thornham, it does not provide sufficient information for an informed comparison of alternatives or a reasoned conclusion that the effects can be mitigated.

For access, the key omission is the apparent failure to distinguish broad accessibility from the feasibility and effects of the vehicular access strategy. For wastewater, the key omission is the unresolved relationship between anticipated growth, existing headroom, funded AMP8 works and environmental permitting.

Where mitigation depends upon future infrastructure, its feasibility, timing and responsibility should be sufficiently established through the evidence base and reflected in policy and phasing.

## 7. Required modifications

Allocation 2 should be modified so that the known access issue is resolved at plan-making stage rather than deferred entirely to a future planning application. The policy should require proportionate, up-to-date evidence of total daily traffic generation and east/west distribution; assessment of effects on the eastern section's function as a shared pedestrian, cycle and equestrian route; assessment of school-related movements towards Westbourne; and the feasibility and deliverability of any required mitigation, management or restriction of eastbound traffic.

For Thornham, the Council should produce an updated Statement of Common Ground with Southern Water and, preferably, the Environment Agency, confirming the complete planned-development figure for the catchment; the resulting dry-weather-flow requirement; the extent, funding and programme of the AMP8 works; the revised permitted treatment capacity; and any phasing or occupation restrictions needed to align development with delivery of the infrastructure.

## 8. Conclusion

I do not object to the principle of allocating the land north of Long Copse Lane for housing. The access objection is capable of resolution through further evidence and modification. The policy should require explicit assessment and, where necessary, management or restriction of eastbound development traffic so that the allocation is properly evidenced, clear, certain and effective.

Separately, the Plan has not yet demonstrated that planned growth draining to Thornham is supported by sufficient, permitted and deliverable wastewater treatment capacity. The cross-boundary issue should be resolved before examination and adoption through an updated Statement of Common Ground and clear evidence on total demand, AMP8 capacity, permitting, funding, timing and any necessary phasing.

Until those matters are addressed, the Plan has not been demonstrated to be sound in terms of effectiveness and appropriateness, and the adequacy of the Sustainability Appraisal and associated legal compliance remains open to question.

# Figures

**See emailed version**

# Figures

**Figure 1 –** relationship with settlements and rights of way

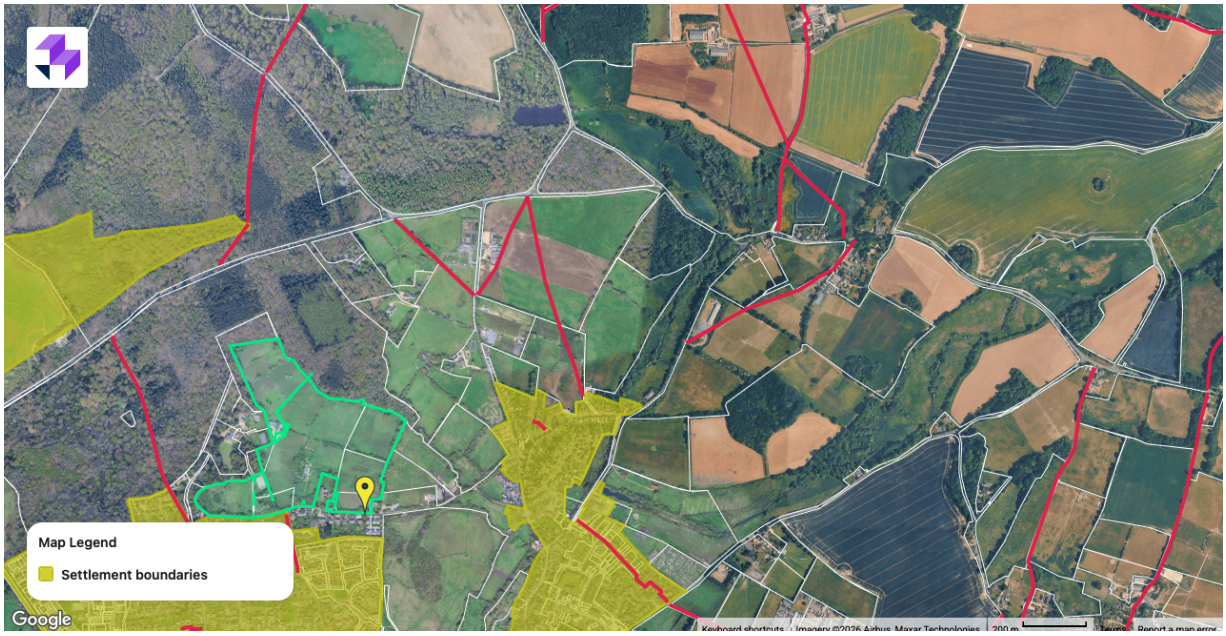


**Figure 2** - location of well-used equestrian facility

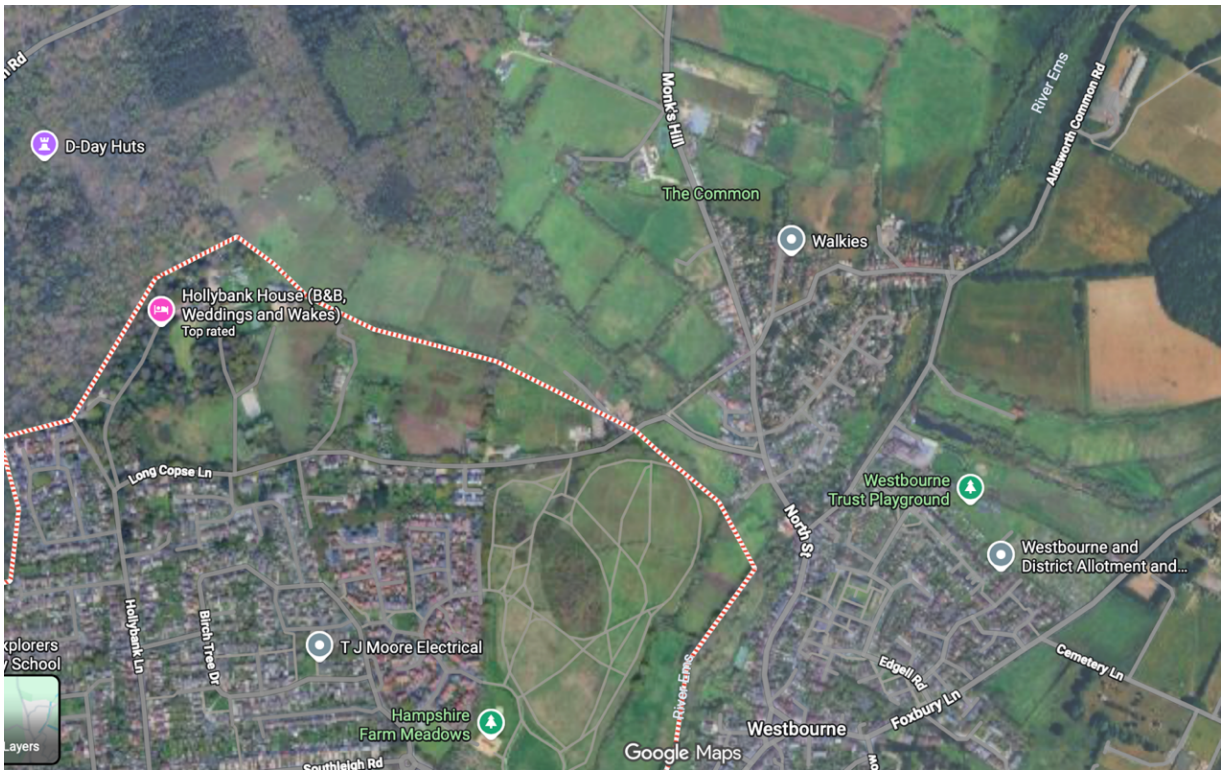

**Figure 3** – Character of Long Copse Lane (no dedicated pedestrian infrastructure; the lane acts as a shared surface for vehicles, pedestrians, cyclists and horse riders)




**Figure 4** - View looking west towards the bend (towards Emsworth)



**Figure 5** - View looking east away from bend (towards Westbourne)




**Figure 6** - View looking east to the junction of Long Copse Lane and North Street, Westbourne (carriageway width further compromised by parked cars)

