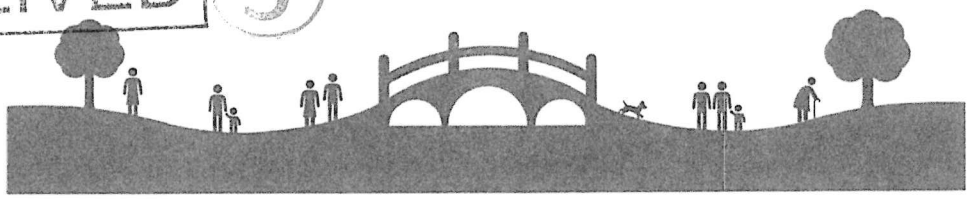
HAVANT BOROUGH COUNCIL
09 SEP 2026
RECEIVED

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

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

Havant
BOROUGH COUNCIL

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	DR.
First Name	WENDY
Last Name	MOORE
[redacted]	

[redacted]

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

Job Title

Organisation

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

Havant
BOROUGH COUNCIL

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)	

Havant
BOROUGH COUNCIL

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 Nationally Protected Landscapes
Allocation Number	? with particular reference to Chichester Harbour National landscape.
Paragraph Number	4.299, page 254 & following
Page Number	Policy - page 253

Havant
BOROUGH COUNCIL

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.

Please find my responses on the attached additional pages - numbered 7a, 7b, 7c.

I have put my modifications & suggestions immediately after the concerns I have raised re legal compliance.

9. 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.

Legal compliance

Legal compliance concern 1: re NPPF 2024-2026

Re your statement:- *'The Building a Better Future Plan has been prepared under the transitional arrangements associated with the new NPPF. As such, it will be examined under the 2024 NPPF.'*

The latest National Planning Policy Framework (NPPF), published 17 August 2026, came into effect immediately. My legality concern is In the context of the publication of the final version which replaces the previous version and updates published since December 2024.

Modifications and suggestions 1;

Address the update to the new NPPF, 2026 and reviewed all the content of the *Building a Better Future Plan* (BBFP) in the context of this new NPPF framework. Apply any necessary updates in order comply with the law.

Legal compliance concern 2: Section 3: Development Allocations.

BBFP, Section 2 (Vision, Development Strategy and Implementation, p.19) provides an exhaustive exposition of the wide variety of factors influencing decisions re Section 3-Development Allocation (p85). Most surprising is the inclusion of a 3.55 Hectare site within the boundary of the Chichester Harbour National Landscape (AONB). Despite the information given in Section 3, it is not entirely clear why this site has been proposed and designated EM08a? No associated information appears in the Appendices, whilst the Strategic Environmental Assessment presents limited data. (Build a better Future Plan: RA02 - C Appendix D - Full sustainability appraisal of sites

According to Statutory laws the purpose of our National Landscapes is to conserve and enhance the natural beauty, wildlife and cultural heritage of the areas designated. HBC's agreement with these aims is evidenced in statements within the following documents - Building a Better Future Plan, (RA03), Habitat Regulations Assessment (HRA), Havant Borough Council Tree and Woodland Strategy, (RA03) Habitat Regulations Assessment (HRA), Havant Borough Council Tree and Woodland Strategy

Modifications and suggestions 2:

In the light of the changes to the Exceptional circumstances tests in National Landscapes.in NPPF 2026, further details are needed to explain the reasoning and provide the data which led to the decision to apply the EM08a designation.

Given the location of this site within and forming part of the northern boundary of the National Landscape, (also adjacent to the Heritage area of Warblington, clarification of the decision process should be provided to allay fears that any National Landscape now has a vulnerability to unbridled infill. Please refer to maps on my page 7c

I am reluctant to place a hurdle in the planning process for additional housing quota, but cannot escape the conclusion that the EM08a designation would act as a test case and set an unacceptable precedent not only for our precious local National Landscape, but possibly Country-wide.

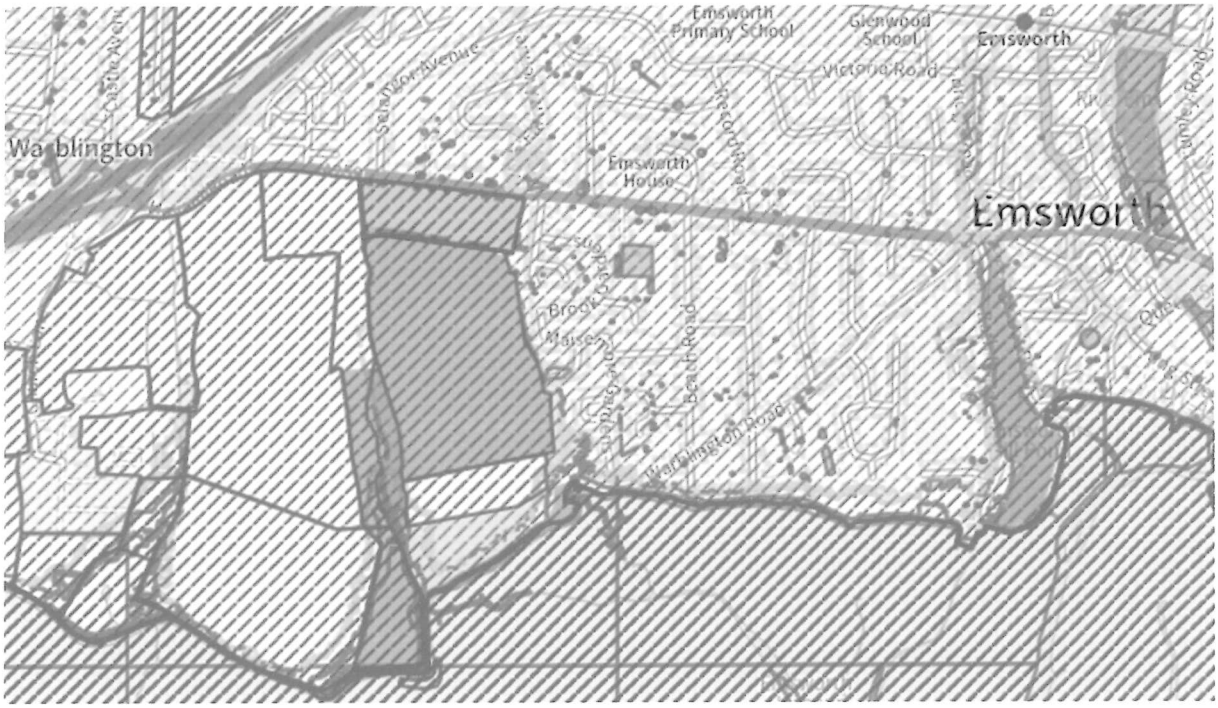
The proposed development of this site suggests a land-grab move to challenge the status quo through a legal loophole. Understandably and, having followed the guidelines to explore all reasonable alternatives, to meet their set housing targets, HBC asked for interested parties to put forward potential development sites. The legality of any decision made on this basis may lead to accusations of cronyism for councillors.

Legal compliance concern 3: Policy 30 (p.253)

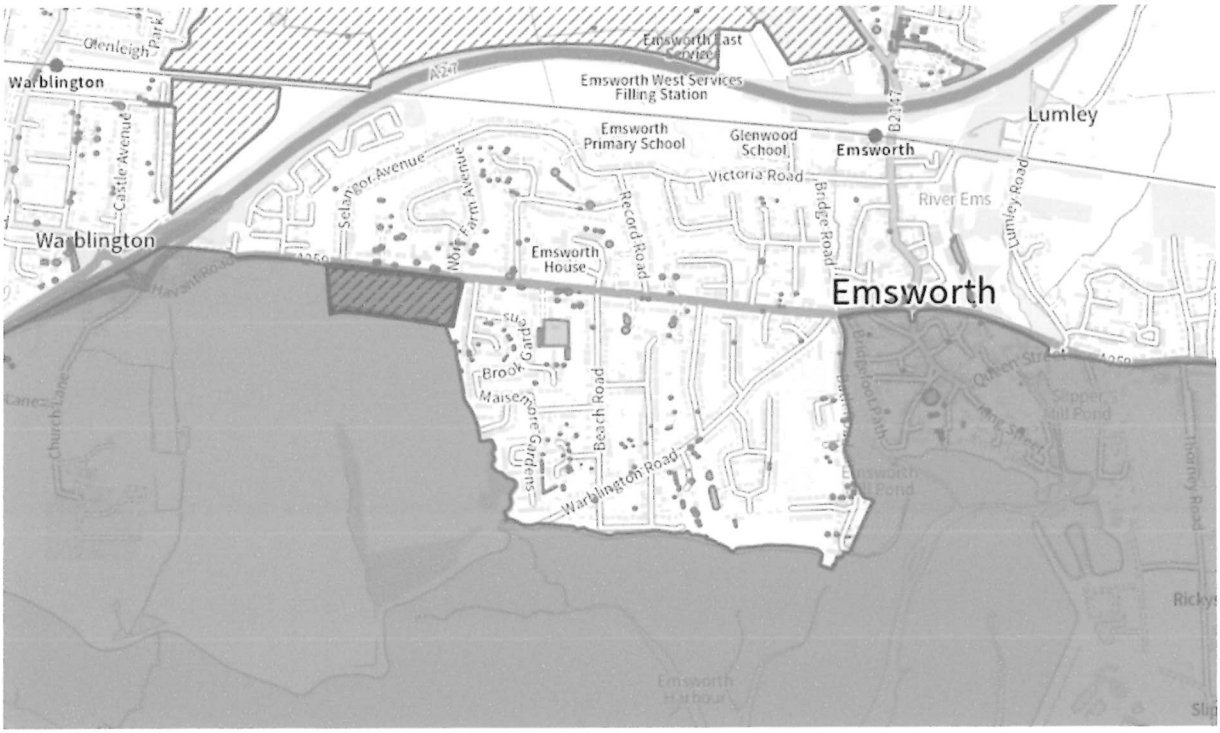
My attention has also been drawn to a wording change in Policy 30 which circumvents the 'exceptional circumstances' test. The wording reads - *development will not be permitted within Chichester Harbour National Landscape, other than where allocated within this Local Plan or where it can be demonstrated that there are exceptional circumstances and the development is in the public interest.'*

Modifications and suggestions 3:

There is no data in the Plan to explain this change, or how it will affect decision making within the Council. The inserted phrase *other than where allocated within this Local Plan* casts doubt on the priority of the legal framework within the NPPF. Decision-making would be left open to various interpretations which may complicate the outcome, or result in a less coherent document. Deleting the phrase from the wording would remove these unnecessary pressures on Council members and lead to a better-considered outcome.



Site map showing the Housing Allocation, site_**name** Land south of Havant Road**, site_ref** EM08, **status** Allocation3. Connectivity/overlap with SINC, SAP, SPA, solent wader and Brent Goose strategy, flood zones. Further details of policies and land-use designations applicable to EM08 are at The Building a Better Future Publication Plan 2026, details below.



Site map showing site EM08 within Chichester harbour AONB (shaded green) supporting Policy 30. These maps above are taken from the **Building a Better Future Publication Plan 2026** and illustrate where specific planning policies and land-use designations in the Building a Better Future Plan apply.

The Building a Better Future Publication Plan 2026 together with further details of policies and land-use designations applicable to EM08, is available through the portal at https://www.havant.gov.uk/planning-services/planning-policy/local-plan/building-better-future-plan.

Havant
BOROUGH COUNCIL

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.

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

My responses to Soundness are on the attached page 9a & 9b

Please note that legal compliance + Soundness overlap in many instances.

My suggested modifications regarding both categories are on page ~~9b~~. 9c.

SOUNDNESS

a} positively prepared YES

b) justified NO

Re The Development allocation assessments, there is insufficient detail to reach an acceptable level of accuracy. The Commentaries on each site frequently include 'exact details uncertain until planning application stage'. This seems a little too far through the process for confidence in the outcome. For EM08a it is suggested that mitigation measures should be highlighted. See my comments re Mitigation in the legal compliance section.

EM08a designation. Insufficient evidence presented re alternatives for production of acceptable level of accuracy and provide confidence in outcome.

c) effective NO

The National Landscape straddles two Counties, Hampshire and West Sussex. Together with other relevant parties, each should have equal weight in any decision-making regarding change of status of any site across the Landscape. A decision affecting a particular site will have ramifications across the area. The process should have a combined policy. The data from outcomes of the policy should be made available.

The proposed development of EM08a, is a case in point.

d) consistent with National NO

'enabling the delivery of sustainable development in accordance with the policies in this framework and other statements of national planning policy, where relevant'

1. How is 'relevance' determined? Surely any National policy must be adhered to for Legal compliance and consistency? This phrase opens the door to vested interests and subjectivity, making any decision questionable.

2. Local examples of inconsistencies include the site at Southleigh which demonstrates that protection of existing landscape features designated in accepted plans– ditches and hedges in this instance, are not effective. The ditch was filled and the long stretch of old hedgerow originally extending from the north edge of Havant thicket to the Horndean roundabout was grubbed out. This is against all the legal constraints laid down in your relevant documents.

Control of the developers once they take over the site must have improved monitoring and harsher fines. The Build a Better future Plan makes all the right statements about preserving the natural environment, but pays lip service to them as yet another preserved tree is 'accidentally' felled or knocked over, and hedges are grubbed out in daylight.

Similar transgressions have been noted at the completed site on Long Copse Lane where within a year of completion, residents were inevitably requesting planning permission to reduce overhanging branches. The trees in question were protected in the planning application but the need for housing density inevitably led to too close proximity of large trees to buildings. More liaison as the building process progressed, should have alerted all parties to these inevitable consequences. This scenario is not uncommon nationwide.

4: Modifications

Legal Compliance, Suggestions

I suggest an alternative to designating this site for development and thus avoid contentious legal issues whilst preserving a national biodiverse asset. To give some background to my suggestion I include the following description of this site in the context of its environs.

The site is within the Chichester Harbour National Landscape and is bounded to the north by the A259, which conveniently forms a physical barrier between the intensely developed land to the north side of the road, and the haven of green space to the south side, an area much appreciated for outdoor activities and wellbeing. The perimeter of the field benefits from established hedgerows and a significant number of trees protected by TPOs, a well-used footpath bounded by substantial oaks, a wide diversity of native plants, and a stream. The site boundaries are shared with the adjoining field and they meet three areas with additional conservation designations, SINC, SAC, and SPA. Together these sites create a wildlife corridor and landscape of mature hedgerows, venerable trees, special habitats, uncommon flora, and fauna including over-wintering migrant birds. The streams and springs here are a vital part of a natural interlinked drainage system flowing through the critical coastal buffer zone into Chichester Harbour close to Conigar Point. The contiguous nature of this area is vital for a flourishing Biodiverse landscape. This is recognised in the HBC Biodiversity Strategy Document where commitment is made to *'enhancing ecological connectivity by creating more, bigger, better and joined areas for biodiversity '*.

Countless hours, high expenditure, and costly legal procedures could be avoided if the site were left untouched. Even better if it were to be enhanced by another tenet of the HBC Havant Borough Biodiversity Strategy, *'enhancing ecological connectivity by creating more, bigger, better and joined areas for biodiversity.'* (HBC Biodiversity Strategy Document: Biodiversity Net Gain subsec.1.27). T

Yes, alternative development sites would need to be identified, but the net gain from preserving this site should contribute to mitigation measures required elsewhere.

The solution to this dilemma already exists in the Havant Borough Biodiversity Strategy (January 2019}. *'New development offers a potential threat to the natural environment in some cases although it also presents an opportunity to build in mitigation so that there can ultimately be a net gain in biodiversity.'*

Havant
BOROUGH COUNCIL

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.

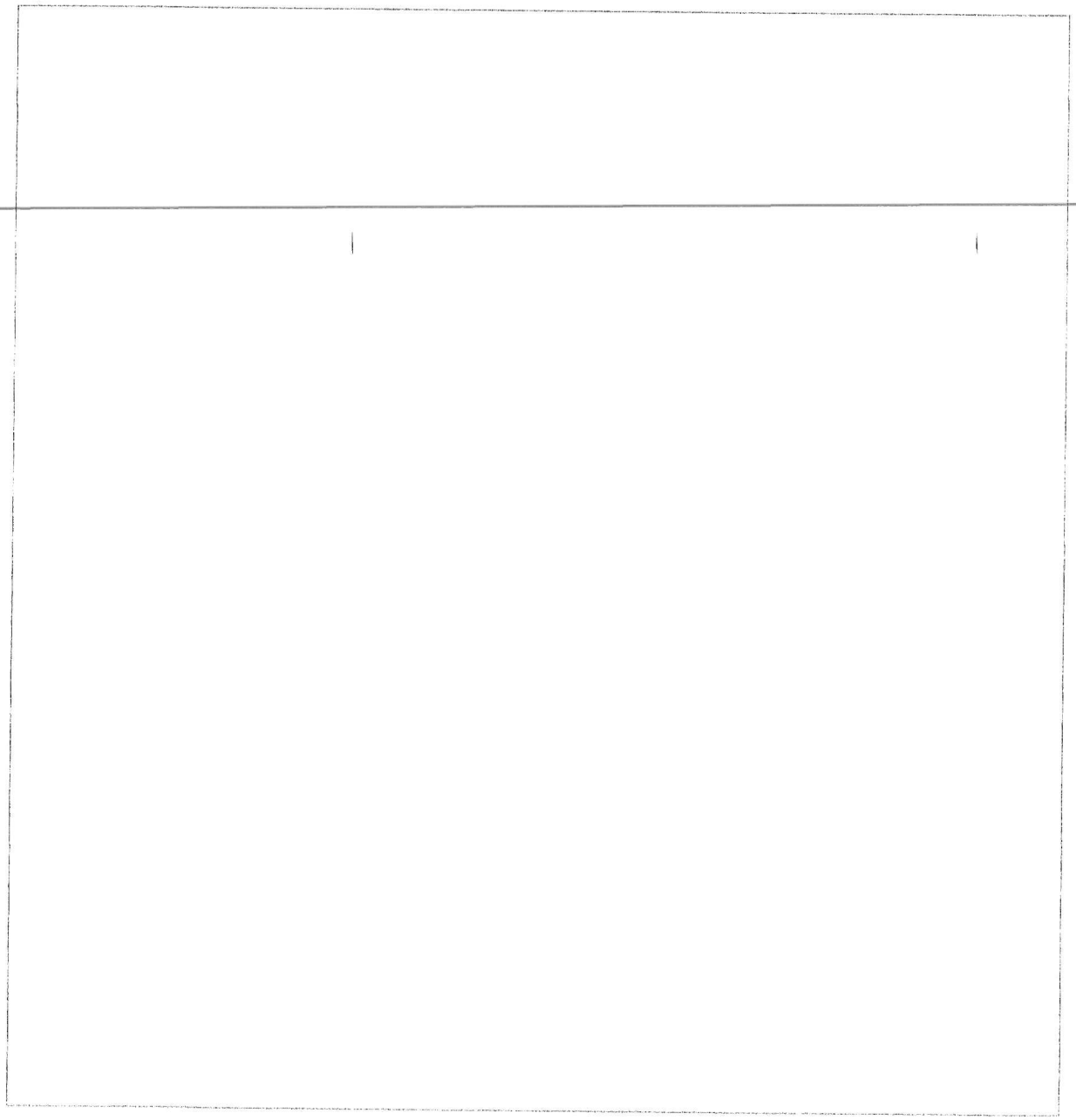
- [x] Yes, I wish to participate in examination hearing session(s)
- [ ] No, I do not wish to participate in examination hearing session(s)

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.

To give a further exposition of my arguments & proposals in the light of the new NPPF 2026.



Havant
BOROUGH COUNCIL

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.