

15th December 2020

FAO: policy.design@havant.gov.uk

Havant Local Plan Pre-submission Version with Amendments
December 2020

Dear Sirs,

Please find attached comments from CPRE Hampshire regarding the Pre-submission Havant Local Plan with Amendments. We submitted comments to the consultation in March 2019, and these still stand.

Our main concern relates to climate change; CPRE Hampshire would like to see significant improvements to Policy E12, or inclusion of a specific climate change policy, such that it underpins all other policies and spatial planning. At the moment, CPRE Hampshire believes that one of the most fundamental ways of combating the likelihood of adverse climate change, is to plan development where it can use better public transport and be less reliant on the car. The aspirations in the Havant Local Plan Policy E12 are more about how development can respond to climate change, and rather less about how spatial planning of future development can help prevent it. We consider that this is a missed opportunity. According to Camilla Ween, Harvard Loeb Fellow, speaking on behalf of Transport for New Homes “Transport is responsible for about 26% of greenhouse gas emissions, much arising from personal car journeys. Our society will not be able to achieve the UN goals if we do not change the way we travel; that means we need to create new communities that are NOT car dependent. That means careful consideration of where new development is located, as well as how we design new communities, for example, places that are well connected with high quality public realm and movement infrastructure that encourage people to want to move to a car-free lifestyle.” It must be a fundamental tenet of the Havant Local Plan that NO development should be permitted that relies on the car as its main means of access.

Nothing less than a drastic change to spatial strategy and a move away from Havant’s historic pattern of sprawling suburbs will enable any meaningful contribution to the fight against adverse climate change. We owe it to future generations to do our utmost to shift patterns of behaviour that have become entrenched with the use of the private car. Even electric cars will not solve many of these issues as they still leave residues from tyres and fluids and are unsustainable in terms of battery manufacture. We therefore recommend the adoption of a better policy to assist by encouraging urban redevelopment with a modal change to walking, cycling and public transport, and preventing sprawl into the countryside.

CPRE Hampshire has completed Response forms on amendments to 4 individual policies which are attached below this letter, although they are combined into one document with sections entitled B1 to B4.

Yours faithfully,

Caroline Dibden
Vice-President, CPRE Hampshire

Changes to the Pre-Submission Local Plan Representation form

PART A: CONTACT DETAILS

1 - Please provide your contact details and those of your agent (if appointed).

<i>Field</i>	<i>Insert your content below</i>
Contact name	Caroline Dibden
Organisation	CPRE Hampshire
Email	carolined@cprehampshire.ork.uk
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Postcode	SO23 0NY
Agent name (if applicable)	
Agent organisation	
Agent email	
Agent phone	
Agent address	
Agent postcode	

Further information can be found within the document 'How to submit your comment: A step-by-step guide to commenting on the Changes to the Pre-Submission Local Plan' via our website www.havant.gov.uk/local-plan. This should be read before completing the consultation form.

PART B.1: CPRE Hampshire Representation 1

Soundness

2 - Which change to the Local Plan are you commenting on?

Field	Insert your content below
Please use a change reference where possible	E12

3 - With the change(s), do you consider this version of the local plan to be sound in terms of being:

Field	Yes	No
Justified		X
Effective		X
Positively prepared		X
Consistent with National Policy		X

*4 - With the change(s) please give the reason(s) why you do or do not consider this version of the local plan to be sound.
Please be as specific and concise as possible in your response.*

Insert your content below
<p>The aspirations in the Havant Local Plan Policy E12 are more about how development can respond to climate change, and rather less about how spatial planning of future development can help prevent it. It will therefore not be effective in achieving climate change goals. CPRE Hampshire would still like to see Policy E12 improved in order to underpin all other policies and spatial planning. At the moment, CPRE Hampshire believes that one of the most fundamental ways of combating the likelihood of adverse climate change, is to plan development where it can use better public transport and be less reliant on the car. According to Camilla Ween, Harvard Loeb Fellow, speaking on behalf of Transport for New Homes “Transport is responsible for about 26% of greenhouse gas emissions, much arising from personal car journeys. Our society will not be able to achieve the UN goals if we do not change the way we travel; that means we need to create new communities that are NOT car dependent. That means careful consideration of where new development is located, as well as how we design new communities, for example, places that are well connected with high quality public realm and movement infrastructure that encourage people to want to move to a car-free lifestyle.” It must be a fundamental tenet of the Havant Local Plan that NO development should be permitted that relies on the car as its main means of access.</p> <p>Nothing less than a drastic change to spatial strategy and a move away from Havant’s historic pattern of sprawling suburbs will enable any meaningful contribution to the fight against adverse climate change. We owe it to future generations to do our utmost to shift patterns of behaviour that have become entrenched with the use of the private car. Even electric cars will not solve many of these issues as they still leave residues from tyres and fluids and are unsustainable in terms of battery manufacture.</p>

5 - Please explain what further changes are needed to make the Local Plan sound.

Please suggest revised wording of policy or text.

Insert your content below

CPRE Hampshire recommends Policy E12 is improved in order to assist meet climate change goals by encouraging a spatial approach and urban redevelopment with a modal change to walking, cycling and public transport, and preventing sprawl into the countryside.

Legal Compliance:

6 - Which change to the Local Plan are you commenting on?

<i>Field</i>	<i>Insert your content below</i>
Please use a change reference where possible	E12

7 - With the change(s), do you consider this version of the local plan to be prepared in line with legal and procedural requirements?

Please see guidance notes.

<i>Field</i>	<i>Insert your content below</i>
Yes	
No	X

8 - With the change(s) please give the reason(s) why you do or do not consider this version of the Local Plan to have been prepared in line with legal and procedural requirements?

Please be as specific and concise as possible in your response.

Insert your content below

We consider that Policy E12 represents a missed opportunity, and is contrary to Section 19 of the Planning and Compulsory Purchase Act 2004, which states "Development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change".

The NPPF Para 148 further includes the requirement that "the planning system should support the transition to a low carbon future in a changing climate", should "shape places in ways that contribute to radical reductions in greenhouse gas emissions" and Footnote 48 "in line with the objectives and provisions of the Climate Change Act 2008."

It is a very grave omission that there is no carbon reduction target in the draft Plan. Without such a target, the Plan will not meaningfully or measurably contribute to the Council's duties under the Climate Change Act 2008 and will lead to a plan that is not legally compliant.

9 - Please explain what further changes are needed to make the Local Plan legally compliant.

Please suggest revised wording of policy or text.

Insert your content below

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10 - Do you need to appear at the examination hearings?

<i>Field</i>	<i>Insert your content below</i>
Yes	Yes
No	

Please be aware that your comments within this form will carry the same weight as any evidence presented at the examination hearings. It is the inspector's choice as to who is invited to appear at the hearings.

11 - If you wish to appear before the inspector at the examination hearings, please explain why this is necessary

Insert your content below

CPRE Hampshire is a keen proponent of a spatial strategy for planning housing and development, such that it is located and designed appropriately around public transport hubs to minimise emissions and would like to appear at the hearing sessions to discuss the likely effectiveness of Policy E12 in this regard.

12 - Do you wish to be notified of the following:

- *The Local Plan has been submitted for examination*
 - *The appointment of an independent examiner*
 - *The adoption of the Local Plan*
-

<i>Field</i>	<i>Insert your content below</i>
Yes	Yes
No	

13 - Please confirm the date that this form was completed.

<i>Field</i>	<i>Insert the date of completion below</i>
Date	16 th December 2020

PART C.1: SUPPORTING DOCUMENTS

14 - Please list any supporting documents that you are submitting with this form.

Insert your content below

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PART B.2: CPRE Hampshire Representation 2

Soundness

15 - Which change to the Local Plan are you commenting on?

Field	Insert your content below
Please use a change reference where possible	EX1

16 - With the change(s), do you consider this version of the local plan to be sound in terms of being:

Field	Yes	No
Justified		X
Effective		X
Positively prepared		X
Consistent with National Policy		X

17 - With the change(s) please give the reason(s) why you do or do not consider this version of the local plan to be sound.

Please be as specific and concise as possible in your response.

Insert your content below
CPRE Hampshire understands there is an outstanding judicial process underway regarding the effectiveness of neighbouring Fareham BC's proposals for mitigating nitrate and other pollutants on the Solent and other protected waterways. At this point, CPRE Hampshire is therefore unable to endorse Havant's proposed policy until the legal issues have been resolved. If the approach set out in Policy EX1 is found not to meet the obligations under the Habitats Directive, it cannot be considered to be justified or effective and is therefore unsound.

18 - Please explain what further changes are needed to make the Local Plan sound.

Please suggest revised wording of policy or text.

Insert your content below

Legal Compliance:

19 - Which change to the Local Plan are you commenting on?

<i>Field</i>	<i>Insert your content below</i>
Please use a change reference where possible	EX1

20 - With the change(s), do you consider this version of the local plan to be prepared in line with legal and procedural requirements?

Please see guidance notes.

<i>Field</i>	<i>Insert your content below</i>
Yes	
No	X

21 - With the change(s) please give the reason(s) why you do or do not consider this version of the Local Plan to have been prepared in line with legal and procedural requirements?

Please be as specific and concise as possible in your response.

<i>Insert your content below</i>
CPRE Hampshire understands there is an outstanding judicial process underway regarding the effectiveness of neighbouring Fareham BC's proposals for mitigating nitrate and other pollutants on the Solent and other protected waterways. At this point, CPRE Hampshire is therefore unable to endorse Havant's proposed policy until the legal issues have been resolved. It is clear that Havant's obligations under the Habitats Directive must be met in order to satisfy legal requirements.

22 - Please explain what further changes are needed to make the Local Plan legally compliant.

Please suggest revised wording of policy or text.

<i>Insert your content below</i>

23 - Do you need to appear at the examination hearings?

<i>Field</i>	<i>Insert your content below</i>
Yes	Yes
No	

Please be aware that your comments within this form will carry the same weight as any evidence

presented at the examination hearings. It is the inspector's choice as to who is invited to appear at the hearings.

24 - If you wish to appear before the inspector at the examination hearings, please explain why this is necessary

Insert your content below

CPRE Hampshire's remit covers protection and enhancement of both land and seascape, including Hampshire's iconic chalk streams and rivers, and the Solent. In the absence of an outcome on the legal matters, the hearing session may be the first opportunity to evaluate the effectiveness and legality of the proposed policy.

25 - Do you wish to be notified of the following:

- The Local Plan has been submitted for examination*
 - The appointment of an independent examiner*
 - The adoption of the Local Plan*
-

<i>Field</i>	<i>Insert your content below</i>
Yes	Yes
No	

26 - Please confirm the date that this form was completed.

<i>Field</i>	<i>Insert the date of completion below</i>
Date	16 th December 2020

PART C.2: SUPPORTING DOCUMENTS

27 - Please list any supporting documents that you are submitting with this form.

Insert your content below

PART B.3: CPRE Hampshire Representation 3

Soundness

28 - Which change to the Local Plan are you commenting on?

Field	Insert your content below
Please use a change reference where possible	H8-01

29 - With the change(s), do you consider this version of the local plan to be sound in terms of being:

Field	Yes	No
Justified		X
Effective		
Positively prepared		
Consistent with National Policy		X

*30 - With the change(s) please give the reason(s) why you do or do not consider this version of the local plan to be sound.
Please be as specific and concise as possible in your response.*

Insert your content below
<p>H8-01f states that development “enhances the relevant Local Ecological Network (LEN) opportunity areas; and safeguards the connections between the South Downs NP and Chichester Harbour AONB. It is almost impossible to conceive of how the addition of 260 new houses with associated infrastructure, lighting, domestic pets, noise and disturbance etc can “enhance” and “safeguard” these important natural assets.</p> <p>The important landscape of the Southleigh Forest SINC with local surviving remnants of the Ancient Forest of Bere will suffer damaging visual and physical intrusion. The impacts on ancient semi-natural woodland are likely to be adverse, direct threats from deterioration or destruction from development, and the wider pressures from climate change. Para 170b states clearly that trees and woodland must be enhanced. These are not just words but require actions to fulfil this obligation. Para 175c of the NPPF states that “development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists”. CPRE Hampshire does not accept that exceptional reasons have been justified, and the inclusion of site H8 is thus unsound.</p> <p>H8-01i states that the Dark Night Sky Reserve of the South Downs NP will be taken into “consideration”. Whilst we welcome the addition of text recognising the existence of the reserve, the word consideration should be strengthened to allow Havant BC to incorporate sufficiently robust conditions on any future application. That said, CPRE Hampshire does not believe that since the South Downs NP boundary lies just north side of Emsworth Common Road, it will be possible to ensure that the addition of 260 houses does not negatively impact the Dark Night Sky Reserve. Attached is CPRE’s Dark Sky Map for Havant Borough.</p>

31 - Please explain what further changes are needed to make the Local Plan sound.

Please suggest revised wording of policy or text.

Insert your content below

Site H8 should be deleted from the Local Plan.

Legal Compliance:

32 - Which change to the Local Plan are you commenting on?

<i>Field</i>	<i>Insert your content below</i>
Please use a change reference where possible	

33 - With the change(s), do you consider this version of the local plan to be prepared in line with legal and procedural requirements?

Please see guidance notes.

<i>Field</i>	<i>Insert your content below</i>
Yes	
No	

34 - With the change(s) please give the reason(s) why you do or do not consider this version of the Local Plan to have been prepared in line with legal and procedural requirements?

Please be as specific and concise as possible in your response.

Insert your content below

35 - Please explain what further changes are needed to make the Local Plan legally compliant.

Please suggest revised wording of policy or text.

Insert your content below

36 - Do you need to appear at the examination hearings?

Field	Insert your content below
Yes	X
No	

Please be aware that your comments within this form will carry the same weight as any evidence presented at the examination hearings. It is the inspector's choice as to who is invited to appear at the hearings.

37 - If you wish to appear before the inspector at the examination hearings, please explain why this is necessary

Insert your content below
CPRE Hampshire's has been working closely with Save Long Copse Lane, and site H8 is of interest to many of our local members. We would like to appear at the hearings to represent their concerns. We have a particular interest in the loss of tranquillity and dark skies.

38 - Do you wish to be notified of the following:

- *The Local Plan has been submitted for examination*
 - *The appointment of an independent examiner*
 - *The adoption of the Local Plan*
-

Field	Insert your content below
Yes	X
No	

39 - Please confirm the date that this form was completed.

Field	Insert the date of completion below
Date	17 th December 2020

PART C.3: SUPPORTING DOCUMENTS

40 - Please list any supporting documents that you are submitting with this form.

Insert your content below
CPRE Dark Sky Map of Havant Borough attached as a pdf.

PART B.4: CPRE Hampshire Representation 4

Soundness

41 - Which change to the Local Plan are you commenting on?

Field	Insert your content below
Please use a change reference where possible	EX2 and H40-02

42 - With the change(s), do you consider this version of the local plan to be sound in terms of being:

Field	Yes	No
Justified		X
Effective		X
Positively prepared		
Consistent with National Policy		X

43 - With the change(s) please give the reason(s) why you do or do not consider this version of the local plan to be sound.

Please be as specific and concise as possible in your response.

Insert your content below

The problem is that it cannot be proved that winter migrant birds such as Curlew and Brent geese will choose to use Warblington Farm as an alternative to site H40, and it therefore cannot be considered to be an effective and justified site for suitable mitigation for the loss of the Campdown fields. Warblington Farm is already very well used by Chichester Harbour SPA birds and even if the Campdown birds made their way there the competition induced stress in both populations would cause them harm. The only other possible mitigation site, Broadmarsh, has been universally dismissed.

44 - Please explain what further changes are needed to make the Local Plan sound.

Please suggest revised wording of policy or text.

Insert your content below

Legal Compliance:

45 - Which change to the Local Plan are you commenting on?

<i>Field</i>	<i>Insert your content below</i>
Please use a change reference where possible	

*46 - With the change(s), do you consider this version of the local plan to be prepared in line with legal and procedural requirements?
Please see guidance notes.*

<i>Field</i>	<i>Insert your content below</i>
Yes	
No	

*47 - With the change(s) please give the reason(s) why you do or do not consider this version of the Local Plan to have been prepared in line with legal and procedural requirements?
Please be as specific and concise as possible in your response.*

<i>Insert your content below</i>

*48 - Please explain what further changes are needed to make the Local Plan legally compliant.
Please suggest revised wording of policy or text.*

<i>Insert your content below</i>

49 - Do you need to appear at the examination hearings?

<i>Field</i>	<i>Insert your content below</i>
Yes	
No	X

Please be aware that your comments within this form will carry the same weight as any evidence

presented at the examination hearings. It is the inspector's choice as to who is invited to appear at the hearings.

50 - If you wish to appear before the inspector at the examination hearings, please explain why this is necessary

<i>Insert your content below</i>

51 - Do you wish to be notified of the following:

- The Local Plan has been submitted for examination*
 - The appointment of an independent examiner*
 - The adoption of the Local Plan*
-

<i>Field</i>	<i>Insert your content below</i>
Yes	X
No	

52 - Please confirm the date that this form was completed.

<i>Field</i>	<i>Insert the date of completion below</i>
Date	

PART C.4: SUPPORTING DOCUMENTS

53 - Please list any supporting documents that you are submitting with this form.

<i>Insert your content below</i>