

PINS Ref: APP/X1735/W/20/3259067 LPA Ref: APP/19/00427

Land at Lower Road, Bedhampton, Havant, PO9 3LJ.

Proof of Evidence on behalf of Bedhampton Heritage Alliance.

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1.0 Introduction:

- 1.1 Old Bedhampton is a much-valued unique and special place. It is a village with all the rural hallmarks located on the edge of urban Havant. At its core: ancient church, brook, green, Manor House, Rectory, Glebe Lands and historic large houses. An eclectic mix set in an open coastal rural setting that wraps around 2/3rds of its core. This wider context contains workers cottages that reflect the hierarchy of its historic development.
- 1.2 Its setting has surviving remnants of important ancient links to Langstone Harbour at Mill Lane and Narrow Marsh Lane that were significantly safeguarded by railway bridges; unlike many other crossing points on this section of the line.
- 1.3 It is founded at a strategic location in the landscape. It is at the ancient meeting point for movements along the 4 compass points, east west and north south. This intersection is likely to have been the focal point for the original settlement of the village and indeed Havant itself. Evidence for this remains today and provides a living history of these origins and the centuries of subsequent growth.
- 1.4 It contains many heritage assets, both designated and non-designated, that all contribute to its rich history and are worthy of protection. This is recognised by its status as a Conservation Area and its setting. This generation should act as guardians of these assets for the benefit of future ones.
- 1.5 Much of Havant has been developed post-war as part of the reconstruction and regeneration of southeast Hampshire giving it a general uniformity of urban and sub urban architectural style. Old Bedhampton is a very different place; readily accessible and with a public domain enjoyed by residents drawn from throughout the Borough and beyond. It is a cul-de-sac that has been by-passed by 20th century urban development to the north and northwest. This has consequently helped to safeguard its amenities and character. It is here that visitors from all sectors of society come to experience a step back in time, moments to enjoy nature, take recreation, experience relative tranquillity, recharge their human batteries and well-being.
- 1.6 Vehicular entry is restricted to one single lane access road and a two-lane entry point. These carry the burden and dangers of increasing traffic growth. The extensive lack of footpaths adds to the character of the village but means that all users share much of the vehicular domain. For drivers, the roads lead nowhere. There are no practical alternatives to the present arrangements. This gives rise to concerns that existing safety hazards and the balance between all users of the public domain will be exacerbated by the 41% increased traffic arising from the proposal.
- 1.7 Walkers, joggers, ramblers and cyclists enjoy 8 entry points, 6 of them traffic free. Each route has a different character and links to and from the surrounding area. The majority of visitors enjoy the area on foot. The experience they enjoy from their sense of arrival

and progression is not only visual but also the relative tranquillity of the area. It provides a marked contrast between their urban habitat and the taste of countryside they savour here. A step back in time to Old Bedhampton plays to all their senses. It provides a human attachment to place. Memories are made here...shared and handed down.

- 1.8 The proposal will destroy a whole western segment of this relationship and experience. Development here will directly and indirectly harm the present and future of the range of designated and non-designated heritage assets found both within the Conservation Area and its setting and on the site itself.
- 1.9 It will detrimentally change the character and amenity throughout the Conservation Area. It will destroy evidence of parts of the historical significance of the settlement: the 'sunken lane' character of Lower Road and the connection to and from Langstone Harbour and the hinterland.
- 1.10 Coincidentally, it will also detrimentally impact upon the open rural setting that provides feeding grounds for Brent Geese and Bechstein's bats and remove high quality farmland from production. The proposal fails to demonstrate that any public benefits it might provide will outweigh the cumulative significant and demonstrable harm it will generate.

2.0 Relevant planning history

- 2.1 On 13th February 2020, under delegated power, a proposal (Ref APP/19/01083) for development immediately west of Old Manor Farm was refused. Reason 1 was based upon it being contrary to policies in the Core Strategy, Allocations, Pre-Submission Plan and the National Planning Policy Framework (NPPF). Reason 2 included reference to the impact upon this designated heritage asset and the failure by the applicant to assess the impact the development will have upon its setting as advised by paragraph 189 of the NPPF.
- 2.2 This decision to refuse consent includes harm to the setting of the assets in the satellite section of the Conservation Area and sets a precedent for this proposal.
- 2.3 At the time of writing the decision regarding the registration of the Right of Way on Narrow Marsh Lane is still awaited. If this changes an update will be provided. The purpose of this registration is to reinstate public access to the whole of this section of surviving ancient route. The Alliance believes that, regardless of the outcome of the Right of Way, the status of Narrow Marsh Lane as a non-designated heritage asset will not change.

3.0 Background to the Development Management Committee's decision

- 3.1 It is not the purpose of this proof to submit evidence on the whole of the Local Plan preparation and the case against the inclusion of this

site (H20) within the Draft Allocations. That will await the Examination in Public (EiP) later this year. Work over the last 4 years and associated reports to Council will have not however escaped the attention of members of the Development Management Committee (DMC).

- 3.2 A brief outline of this work is provided here to explain two features: Firstly, the impact knowledge of the work will have had upon the members of DMC. Secondly, the doubts surrounding the soundness of the Draft Local Plan and the inclusion of the site (H20) within its allocations, which places considerable doubts upon the appellants reliance on the Draft Local Plan to support their proposal.
- 3.3 The Alliance believe that work on the Draft Local Plan 2036 has not followed the good practice principles of Survey, Analysis and then Plan. A drop in the 5-year housing land supply prompted the work and is far from adopted – being pre-Examination currently and attracting only limited weight in the planning balance.
- 3.4 A Housing Statement was produced as part of the evidence base for the Draft Local Plan in July 2016. It focussed upon Greenfield sites that might be developed quickly. The Statement came only 2 years after the current Plan Allocations document was adopted. The EiP Inspector, Sue Turner, had dismissed the appeal-site landowners' case for 15 dwellings. She specifically excluded this appeal site based upon the harm of potential development not being outweighed by any public benefit.
- 3.5 The allocation of UE30 was based upon limited evidence that included a flawed landscape sensitivity and capacity study. The analysis in the Sustainability Appraisal lacked evidence on such things as highways, an ecological update and significantly out-of-date Conservation Area Guidance.
- 3.6 This resulted in a petition from 1785 signatories and 126 formal objections based upon the allocation being unsound. More objections than any other site. At each stage of the process councillors will have known proposed development at the appeal site was controversial.
- 3.7 With agreement from the Council, the Alliance commissioned a Conservation Area Review. After an unfortunate delay, this too came to the Council following public consultation when members voted to add the Old Manor Farm buildings within a 'satellite' extension to the conservation area boundary, against the officers' recommendation. Again DMC members would have been present and heard public depositions.
- 3.8 Both DMC meetings had depositions. Members will have been reminded of the controversy and sensitivity of this location. The committee minutes do not include all the matters raised. The pre-committee site visits will have added to members' findings.
- 3.9 From these visits, DMC Members will have appreciated not only the visual impacts but will have experienced the amenities and ambiance of the area. They will have been able to assess the significant weight to be attributed to the protection of these heritage

assets and the degree of harm caused by the proposed development.

- 3.10 Each member may have attached different weights to the issues raised, wildlife, character, safety, loss of heritage and so on. Their collective value judgement will have been soundly based upon all of this experience and their duty to protect the Borough's heritage assets. Given the context, DMC will have reasonably expected anything proposed here to be exceptional and provide significant positive public benefits to the area. They judged it did not and thus refused the application.

4. The Conservation Area Review and the Heritage Assets:

- 4.1 The Housing Statement Sustainability Appraisal relied upon Kirkham's "Landscape Sensitivity and Capacity Study". Their study failed to recognise
- (i) The non-native incongruous nature of the conifer shelterbelt east of the site.
 - (ii) The 'sunken lane' character of Lower Road and
 - (iii) The presence of the ancient Narrow Marsh Lane crossing the site.
- 4.2 Having failed to get the authors to amend their report, the Alliance commissioned a landscape study from Lizard Landscape Design and Ecology that confirmed these missing features. HBC were given the Lizard report. This did not prompt HBC to revise the Sustainability Appraisal but it did prompt an examination of the Conservation Area Guidance. This confirmed it was out of date and the Planning Policy Team had not consulted their Conservation Officer.
- 4.3 The Borough subsequently agreed that the Alliance could commission a review in accordance with their standard brief, a shortlist of consultancies, an agreed selection and the right for the Borough to accept or reject the findings.
- 4.4 Sadly due to the death of the appointed consultant, the work was tragically delayed. Fortunately, an associate of the original appointee took up the task.
- 4.5 Pressure to progress the Draft Local Plan resulted in a meeting on 13th August 2018 and a decision by HBC, before receipt of the consultant's final report in October 2018, to exclude any land south of Lower Road, including the appeal site, from the public consultation regarding changes to the conservation area boundary.
- 4.6 The meeting note shows that officers were concerned to prevent any public debate regarding possible development at the site. They were also determined to down play the significance of the non-designated historic heritage assets here. They had previously not addressed these in the Sustainability Appraisal.
- 4.7 On completion of her Review, the consultant's professional recommendation was for public consultation on possible boundary extensions including land up to and including Narrow Marsh Lane, either side of 'sunken lane' Lower Road (including part of the

appeal site), the former farm buildings and workers cottages opposite. This was not done but at the Council meeting members decided to include the farm buildings.

- 4.8 The dialogue surrounding these events established that, in the view of the Planning Policy Team, the recognised 'sunken lane' character of Lower Road, when compared to others within Hampshire, was not sufficiently remarkable. The Alliance pointed out that, remarkably for Havant, Lower Road was originally the route of the turnpike and forms parts of an extended network of sunken lanes through the Conservation Area including Bidbury and Kingscroft Lanes. The latter are now included in the extended Conservation Area boundaries.
- 4.9 Regarding Narrow Marsh Lane the Borough's view was that since it was not a registered Right of Way and had no physical or significant built environment impact it did not justify a boundary extension. The provision of a wide bridge over the railway to maintain this route does however suggest otherwise.
- 4.10 The Alliance believes that Narrow Marsh Lane provides evidence that could mark the origin of Bedhampton and possible Havant itself. Expert opinion from Dr Dominic Fontana has confirmed the ancient historic significance of Langstone Harbour and the Lane led from there directly to the eastern base of Portsdown Hill where easier access to and from the Forest of Bere could be gained. The surviving sections of this route have done so for millennia. Now is not the time to do further harm to them based upon a small gap in housing numbers.
- 4.11 The consultant's report also included early mapping evidence interpreted from the Historic Collection 18th Century deed records. This shows how land either side of the public Lane was used by notable residents. This emphasises its role in the more recent history of the village. The collection may yet reveal more fascinating history to be best appreciated by retention of the Lane.
- 4.12 Within living memory public access to the Lane was uninhibited until such time as trespass to Pick-Your-Own (PYO) crops resulted in a lock being introduced. The PYO was also responsible for the introduction of the shelterbelt conifer trees, both alien in nature and not following an historic alignment, It now serves no useful purpose and prevents long distance views across the open setting from the vantage point of the Mill Lane railway bridge. This is not the only place to appreciate the open setting, particularly from within Lower Road. The conifers have reached the end of their life and their removal would fully restore the open setting. It does not need a development to achieve this.
- 4.13 As a remnant of a significant pre-settlement ancient lane, the full width, (as shown on the survey base of the Drainage Strategy Drawing), and its setting should be safeguarded regardless of whether it is a registered Right of Way.

5. Highway and safety issues.

- 5.1 The traffic studies that accompany the proposal have primarily looked at capacity. The Alliance are concerned about the environmental capacity of the area to absorb increased vehicle movements and the impact this will have upon the amenity and tranquil character of the whole of the Conservation Area. These concerns are coupled with those of safety for all users of the public realm and access to it, particularly at the Brookside Road entrance and throughout the blind corners of Lower Road.
- 5.2 In the autumn of 2018, a site meeting between Andrew Woods a Hampshire County Council Highways Officer and two local residents discussed a number of issues. Mr Woods identified that the road width (4.3m /14ft) on the bends is too narrow to have a centre line. He put measures in place, inter alia, to remove the centre markings (remnants of this are still evident) and introduce the lines at the sides.
- 5.3 This confirms that a safety issue here already exists. A family car (e.g. Ford Mondeo) is 2.122m wide. If two cars meet Head-on at the bends there is no room for any other unfortunate road user. One vehicle must stop to avoid any impact. When commercial vehicles are involved there is even greater danger.
- 5.4 Residents frequently encounter problems here that go unreported for a host of reasons. These are not all 'near misses' that may generate some anger or surprise about poor behaviour. It also includes 'heart racing' escapes that create shock when the behaviour of the other party may be perfectly reasonable. I can personally give 3 such accounts none of which were reported.
- 5.5 Even if they have never had an actual accident here residents have a perception that the bends are unsafe for all users. The more traffic increases here the more these perceptions and their impact upon everyone's amenities will increase making the area less attractive. The same is also true for other parts of the public domain within the Conservation Area such as the junction of Bidbury Lane and Brookside Road.
- 5.6 The absence of records has resulted in an absurd claim by the appellants that the bends have an *impeccable* safety record. Using their method, they calculate that a daily pedestrian user of the bends may do so for 76 years without encountering the risk of a collision with a vehicle! The Alliance has sought expert advice that confirms there is a gross mathematical error in this assessment. Using the appellant's data our advisors compute that pedestrians may encounter such problems at any time of day or night every other day. No accounts have yet been made in relation to other users such as the disabled or infirm who will be exposed for longer time and have less room to avoid a collision.
- 5.7 It has not been possible to reach any agreement with the appellants on this comparison through the Statement of Common Ground process. This remains a matter for the Inspector to come to a view.

- 5.8 The capacity calculations are based upon the 85th-percentile speed and emergency stopping capacity. This is the average speed and, by implication, some will regularly exceed this speed adding to the dangers here. The figures are now historic and do not take into account the increased use of online facilities and the noticeable growth of delivery vehicles during the pandemic: commercial vehicles often with pressing time schedules.
- 5.9 The anticipated transfer to electric vehicles will add another aspect to this safety issue if no warning of an approaching vehicle will be heard.
- 5.10 One further location generates concerns. The entry and exit junction of Brookside Road and Bedhampton Road (B2177).. Looking at the right turn into Brookside Road where a waiting bay in the central reservation officially caters for 2 vehicles. Film evidence taken during an afternoon peak, analysed and shared with HBC, showed 3 vehicles waiting for 1 minute for an opportunity to make this move. Fortunately, no other vehicle joined them blocking the mini roundabout. Any blockage here quickly backs up to the Rusty Cutter Roundabout on the A3M. The appellants predict a 30% increase in traffic entering Brookside Road at peak times which will exacerbate this concern.
- 5.11 A number of development proposals in the surrounding area have prompted a current review of the mini roundabout by Hampshire County Council who is concerned that Portsdown Hill Road is reaching its capacity. Entry from this road is inhibited by a poor sightline of traffic entering from Bedhampton Hill Road. A similar situation exists with Maylands Road and the sightline to Portsdown Hill Road.
- 5.12 Looking ahead, one potential solution may lie in a change to traffic light control. This would not cater for right turns out from Brookside Road. This traffic would be faced with turning left and making a 1-mile U-turn detour through the A3M junction and 4 sets of lights. It seems quite likely that this will result in significant 'rat running' along Bidbury and Kingscroft Lanes with a detrimental impact upon amenity and safety in this part of the Conservation Area.
- 5.13 The development will add a substantial amount of traffic making such an intrusive choice. No consultation has yet been carried out on this. If the situation changes before the Inquiry an update will be given.

6. Planning Balance of the Proposal: Harm v Public Benefit

- 6.1 This is the focus of the Alliance objection. Each topic envisages harm without sufficient public benefit to indicate support for the proposals. Together the issues also have a significant cumulative impact.
- 6.2 The proposal will directly and indirectly harm the range of designated and non-designated heritage assets found within the Conservation Area and detrimentally change the character and

amenity throughout the Conservation Area, as well as the historical significance of the Conservation Area itself and its setting. The proposal fails to demonstrate any public benefits that would accrue to the Conservation Area that might outweigh the significant and demonstrable harm it generates.

6.3 In summary, there will be harm to and from

- (i) The 40+% increase in traffic movements passing through the core of the Conservation Area causing harm to the ambiance, increasing safety concerns and the likelihood of accidents in known vulnerable locations and disturbing the amenity and tranquillity. This increase will add to the consequential impact of changes that will occur within the Conservation Area arising from restrictive changes to the main road junction as a result of developments elsewhere.
- (ii) The loss of the rural setting, its character and the loss of associated wildlife habitats of protected species.
- (iii) The harm to the open coastal rural and historic landscape corridor that separates Bedhampton from Langstone Harbour.
- (iv) The loss of historic hedgerow and its impact upon the 'sunken lane' character of Lower Road and the detrimental impact this will have upon the sense of place currently derived at this point of entry/exit to this area.
- (v) The loss of part of the ancient Narrow Marsh Lane and the open setting of whatever remains.
- (vi) The loss of the connection of the Old Manor Farm 'satellite' Conservation Area with its open and agricultural setting.

6.4 The closest individual heritage asset at 100/150m within the adjacent core of the Conservation Area is the Grade II* Listed "The Elms". This landmark building provides one of the memorable images of Old Bedhampton. Nicholas Pevsner described it as "Havant's gem". Not only will the additional traffic, be funnelled directly past its frontage, increase the safety concerns here but also anything that reduces its attractiveness as a place for the elderly to live may threaten its overall viability.

6.5 Attracting residents to occupy the apartments is not easy. They have historic character but have drawbacks such as uneven floor levels, noise transfers and community access to the common areas. Vacant units reduce essential income.

6.6 Common ownership by the Manor Trust, in theory, enables some limited cross subsidy for essential repair and maintenance to be provided by the adjacent care home, "The Lodge". However The Lodge itself has difficulty in attracting clients and potential income losses. It does not provide full nursing care or premium specialist care such as dementia. Mobile and wheelchair-user residents are already not comfortable venturing out.

6.7 Until recently, The Manor Trust faced similar difficulties in attracting occupiers and matching income with essential expenditure at The Manor House and after 40 years of guardianship the Manor Trust had to sell the property. The proposed development provides no

benefit to these Lower Road properties only harm to their setting and attractiveness will arise.

- 6.8 Reason 2 on the decision notice provides a list of some of the impacts, or harms, that will be done by the proposals. The size of payments these require are an indication of substantial mitigation measures here to compensate for the substantial harm generated.
- 6.9 The village is self-contained and evidence within the Landscape and Visual Appraisal (Lizard, July 2018, LLD1453-LPL-REP-001) finds that the landscape capacity of the appeal site is Medium / Low and an extension of built development into the area *“would be out of keeping with the existing settlement pattern and result in an adverse effect on the setting of the Old Bedhampton Conservation Area with the loss of rural qualities of agricultural fields and hedgerows and views of rural character from Public Rights of Way”*. This goes beyond the immediate boundaries of Old Bedhampton and considers the detrimental impact upon this wider landscape and settlement pattern. The proposal provides no benefits to this wider context.
- 6.10 In addition to there already being two farm gateways off Lower Road the proposed access will remove a substantial section of ancient hedgerow that forms part of a continuous section that contributes to the ‘sunken lane’ character of Lower Road. The proposal provides no alternative means to compensate for this loss in a way that will respect this character.
- 6.11 The context of the appeal site within Old Bedhampton is rural in character with substantial sections of highway devoid of footpaths. Any traffic that enters the village does not pass through. As described above, there are safety concerns arising from the shared use of the public realm. The proposals will add to these problems throughout the whole of the Conservation Area. The proposals seek to justify a capacity for growth but provide no solution for the harms to safety.
- 6.12 Conflicts arising from greater vehicle movements will reduce the attractiveness for walkers and cyclists and impact generally on the attractiveness of the area for recreation and well-being. The proposals provide nothing that will prevent this reduction in attractiveness.
- 6.13 Greater disturbance of the tranquil setting, loss of rural character and erosion of a sense of place and distinctiveness will result in a reduction in the quality of life for existing residents and all visitors. Good planning is about good place making and the proposals fail to provide this.
- 6.14 High quality agricultural land and soil will be lost and secondary sites for protective species will be lost. Light pollution will be introduced to the area.
- 6.15 Pressure on social infrastructure will increase affecting the whole surroundings. There is no integration with the existing dwellings. The proposal is introspective. It is one barrier away from a ‘gated community’. The proposed management company is unlikely to manage the community allotments, orchard and play

space in an integrated way when existing residents are not subject to the covenants that will bind the new residents. Old Bedhampton already has allotments and play space. The proposals provide no significant public benefits for these.

- 6.16 Lower Road at present forms a clear, physical and defensible boundary between the built form of Old Bedhampton and the open agricultural land to the south. The appeal scheme site layout provides potential points for later extension that would further erode, dominate and eventually consume this open countryside to the south, east and west, to the next physical boundary of the railway line. This destroys the ability to protect and enhance the noted heritage assets within their historically appropriate rural settings. No public benefit arises.
- 6.17 An enclosed suburban housing design screened on all sides by planting contributes nothing of significance to the permeable rural character of the village.
- 6.18 The location is on the extremes of convenient access to many local facilities. It cannot objectively be said to be sustainable and would be heavily reliant on the private car to meet day-to-day needs. This is not a good location for social housing where residents are less likely to own a private car and would thus be disadvantaged by their inaccessibility. The benefit of this provision is diluted by these circumstances.
- 6.19 The appellants have recently submitted a fresh application making small changes to the layout in the northwest corner ostensibly to overcome the grounds for refusal. This suggests that they admit the appeal scheme does not sufficiently take into account the harm to the relationship with the setting of the Old Manor Farm part of the Conservation Area. The open rural setting is not retained or enhanced.
- 6.20 The justification for the allocation of the site in the Draft Local Plan 2036 was based upon the ability to quickly develop Greenfield land to meet the 5-year need. This is lost. Realistically this site is not deliverable within 5 years and notwithstanding the land supply position, any public benefit cannot demonstrably outweigh the identified harm to heritage assets and other planning considerations. The appellants have failed to do this.
- 6.21 This is the sole site within the Draft Plan that detrimentally affects heritage assets. The allocation conflicts with the heritage policies within the Draft. It is the site most likely to be removed through the EiP process. The appeal should fail and hopefully the site be removed from the Draft Local Plan.

7. Conclusions:

- 7.1 The NPPF is clear that “great weight should be given to the conservation of heritage assets” when determining planning applications and appeals. Harm to heritage assets must weigh heavily against benefits. The decision maker must attribute the appropriate weight to the benefits, in this case the provision of new

houses, but these houses are outside of the settlement boundary where the principle of development is resisted, and the slight shortfall in the five-year supply means only limited weight should be given to meeting that need against the significant weight of heritage protection. The small shortfall in housing across Havant does not need to be met on greenfield sites nor in the settings of this Conservation Area.

7.2 Refusal of this appeal will prevent harm to ambience, amenity and safety; harm to the intrinsic character and the irreparable harm caused by the destruction of ancient historic evidence.

7.3 My evidence demonstrates, with the benefit of extensive local knowledge, that the special historic significance of the Old Bedhampton Conservation Area and Grade II* Listed The Elms will be irreparably harmed if the appeal is allowed and there are few if any significant public benefits that weigh against this conclusion.