

Some submissions on behalf of Bedhampton Heritage Alliance (BHA) on the Draft Local Plan 3036 to show the lack of soundness.

Conservation Area Review & H20

H20 has this introductory statement.

Please note that the Old Bedhampton Conservation Area, to the northeast of this site, is currently being reviewed. Details of this are at www.havant.gov.uk/oldbedhampton.

The Land South of Lower Road site is not within the Conservation Area, nor is it proposed to be through the reviewed conservation area.

Nonetheless, this process is not yet complete but is likely to be prior to or during the course of the Examination. Following its completion, if the reviewed Conservation Area differs from that currently proposed, the Council may submit proposed changes to the Inspector regarding this allocation as a result.

The Review of the Conservation Area was carried out by two of the Alliance member bodies in accordance with HBC guidance and using an approved heritage consultant. Unavoidable delays meant that it was not complete before HBC wanted to progress work on the Local Plan. They therefore used the receipt of an earlier draft to call a meeting in August 2018 (when residents could not be represented) to determine a strategy for it.

The meeting decided not to extend to the southwest “unless further evidence of its special architectural or historic interest is provided to justify its designation...” Historic England advised that “..the purpose of any consultation, therefore, should be to illicit views on whether any additional land is of such interest...” The consultant’s final report (October 2018) recommended consultation to include this area and this has not been done by HBC.

Further evidence has and continues to come to light concerning this area and this points to inconsistency of the HBC approach. To the northwest HBC propose two areas for inclusion. Bedhampton Road to include post railway development and positive buildings and those of local interest. Bidbury Mead to include the historic use of the land in association with the Manor House and to recognise the sunken land character of Kingscroft and Bidbury Lanes.

To the south west there is also evidence post railway development, positive buildings and those of local interest, a similar quantity of the historic sunken lane network and significantly evidence of Narrow Marsh Lane. This is a significant pre railway communication connection with Langstone Harbour and used to provide access to coastal lands used by the owners/occupiers of other notable buildings within the conservation area.

It is not uncommon in the operation of the planning system that when development proposals are made this can result in hitherto unrecognised constraints emerging that can affect the proposals; trees that need protection,

wildlife, archaeology, contamination and possibly buildings and other structures that need to be safeguarded. This is true of the heritage assets that have been uncovered here.

The previous Inspector did not need this evidence or extended conservation area designation to decide in favour of no development on this site. The Alliance consider that, at the minimum, a strip of land either side of Lower Road and including the cottages and converted farm buildings together with another strip of land either side of Narrow Marsh Lane to include the shelter belt (with a view to its removal) and the railway bridge would be justified and protect the future of this heritage and prevent unsympathetic alterations to those elements that form part of its historic character and setting for the rest of the Conservation Area.

A failure to take full account of the heritage to be found surrounding H20 will make the Plan unsound.

Remedy: Removal of H20 Land south of Lower Road from the Local Plan.

H20 and cumulative effect.

Representations have been made on different aspects of the proposed development of H20. This one draws together these issues to show how the cumulative impact of such a development will outweigh any benefits of it and will not justify its retention within the Plan. It draws upon the experiences and local knowledge of residents, many of who have lived in the area for a very long time and are part of a community that interacts with each other.

The case for development is based solely upon the benefits of 50 dwellings

- Justified on an urban extension greenfield site that could be developed to meet the 5 year supply of housing **but** the delivery of much if not all of any housing is likely to fall outside of this timescale. Identification of the need in 2016 with LP 2036 to be adopted in 2020 to be followed by obtaining consent before a 2 year building programme.
- The inclusion of social housing **but** this family provision is in a relatively remote location that is not sustainable.

The case against is based upon many factors including

- The irrevocable harm it will do to
 - (i) The setting of the Conservation Area.
 - (ii) The Conservation as a whole.
 - (iii) The Elms listed grade ii* and the nearest built heritage asset to the site (This status is not recognised in H20) where the use of the reception room, which generates low key revenue support for the ongoing upkeep of the building, is likely to diminish as access becomes more hazardous.
 - (iv) The levels of tranquillity to be found within the Conservation Area.

- (v) The increased levels of air pollution arising from increased traffic affecting both people and buildings.
 - (vi) The loss of the historic hedgerow and damage to the earth bank features of the ancient sunken lane part of the extensive local network which is to be protected elsewhere.
 - (vii) The evidence of the ancient Narrow Marsh Lane connection with Langstone Harbour.
 - (viii) The possible extension of the Conservation Area along Lower Road to include the sunken lane, the converted Manor Farm buildings which are of local interest and the character full workers cottages on either side of the lane.
- The damage to the sense of place that currently derives from arriving and/or departing from the 8 pedestrian 'Gateway' entry points to/from the surrounding area contrasted with only two vehicle entries, one two way the other single carriageway. The area contrasts sharply with the activity levels outside these entries. It becomes less urban and more rural with all users sharing much of the lanes and absent pavements.
 - The detrimental impact increased traffic will have on safety within the conservation area and the perception residents and visitors will have concerning their personal safety when moving through the area, particularly vulnerable people; children, elderly, users of mobility aids (walkers and scooters) but also cyclists, joggers and ramblers and their mental and physical wellbeing. This could result in yet more growth in alternative motorised choices.
 - The added traffic that will be generated to add to the increasing growth arising from changes in the occupation and lifestyles of the present housing stock, the commercial activity in the Lower Road barn, home delivery services and the impact this will have on the balance of movement in the eastern end of Lower Road with motor vehicles dominating this shared lane.
 - The impact on safety and disruption of potentially two years of construction traffic to the amenities of residents who have already had first hand experience of the problems associated with the development of recent single plots.
 - The permanent loss of good quality farming land and the impact this will have on the viability of the remaining parcels of land surrounding the development site.
 - The visual intrusion that will occur within the setting of the Conservation Area and the setting of Havant as a whole for travellers on the adjacent railway.
 - The light pollution that will occur within the night sky of the rural coastal strip that stretches along this part of the railway and A27 corridor and that could impinge upon the habitat of protected bats.

The wording of 8.32 confirms the importance of many of the above factors but reveals a number of concerns.

- The Site Opportunities & Constraints
 - (i) Fails to recognise the The Elms is Grade II*
 - (ii) Fails to identify the evidence of Narrow Marsh Lane.

- (iii) Fails to identify that the shelterbelt is composed of short life non-native species.
 - (iv) Suggests ('further screening') that this is used for screening purposes despite its content and life expectancy. This confirms that there will be an attempt to hide any development to minimise its impact upon the surroundings.
 - (v) Fails to clarify what is meant by 'semi natural open space' and if it is to be made public vis a vis the reference to dog walking. Also, is this within the site or outside it?
- H20 bi refers to
 - (i) The current conservation area and not the possible extension into Lower Road (currently under consultation).
 - (ii) It is also vague about the 'need to retain the "village" feel' and how this is to be achieved.
 - (iii) It again wrongly downgrades The Elms from its grade II* status.
 - (iv) It omits the sunken lane heritage and character of Lower Road (deeper cut running down the contours [Kingscroft Lane] and more spread running along the contours [Bidbury Lane & Lower Road]).
- H20 c refers to 'an appropriate means of access' without any clarity as to what this implies for such a critical component.
- H20 d proposes Havant Footpath 107 is enhanced. This is currently only 1 metre wide throughout most of its length (0.9m where lighting columns are provided) with private gardens either side. This restricts its use by mobility scooters and buggy users. Cyclists who ignore the current ban, which is difficult to enforce, use it. It occasionally suffers from overhanging branches and shrubs that restrict the lighting. It has two blind corners and is relatively remote from any 'natural surveillance' making unattractive to use by anyone feeling vulnerable. It is difficult to see how it could be enhanced. A couple of signposts are hardly 'Planning Gain'.
- H20 e identifies the need for mitigation measure for Solent Waders and Brent Geese, which confirm that the development will have a detrimental impact upon the current habitat.
- H20 I ii proposes development in the western part of the site but does not indicate what happens in the east or indeed, "If there is to be no development here is it needed within the site?"

There is no provision to guide the appearance of the dwellings or their layout. This could result in houses backing onto their surroundings where the exercise of permitted development rights could result in a hotchpotch of extensions, conservatories, dormers, balconies, gardens rooms, workshops and sheds adding to the detrimental visual intrusion of the development.

Policy IN5 'Future management and Management Plans' requires the future of 'common parts' to be secured by the prior establishment of a management company and Management Plan. Nationally these have had a very chequered record. Problems of finding volunteers, gathering and managing sufficient funds, chasing neighbours who fail to contribute, having sufficient expertise to

know what to do and how to do it and so on. The management of the common parts of H20 will be especially sensitive to the detrimental impact it may have on the setting of the conservation area and other surrounding land e.g. the safeguarding of the historic hedge, the maintenance of Narrow Marsh Lane, retention or preferably sympathetic replacement of the shelterbelt.

Conclusion:

There are few benefits from the development of this site and these are vastly outweighed by the harm that will be impacted upon the area and its heritage assets both immediately and potentially long term into the future. The harm will be felt not only locally but also throughout the Borough by those drawn from all sections of the community who value its heritage and want to protect it for the wellbeing, education and enjoyment of future generations.

H20 will not result in a sustainable development and therefore make the Plan unsound.

Remedy: Remove H20 from the Plan.

Summary of Concerns: The cumulative impact and harm to the Conservation Area.

- **Impact and harm to the building and setting of The Elms (Grade II*).** Nicholas Pevsner described The Elms as Havant's gem. It is located on the Lower Road blind corners. The Waterloo Room is used for receptions that help keep the building in good repair. Anything that makes it less desirable e.g. increased safety concerns and air pollution, as a residence and a community asset will threaten its future and could harm its fabric.
- **Irreparable harm to the historic and landscape setting of the Conservation Area.** The review of the Conservation Area by Murphy Associates and investigations by The Bedhampton Historical Collection have shown how historically important are the surrounding coastal rural lands and accesses, public and commercial, to Langstone Harbour and has identified where evidence still remains, e.g. Narrow Marsh Lane, to identify these linkages. The living history and education tools this provides will be eroded and/or removed. This includes connections between the users of these lands and the owners/occupiers of significant local buildings. Intrusive development will transform current open views from vantage points within the area and the coastal corridor in which Bedhampton is set and provides a sense of place for entry and exit by road and rail to Havant as a whole.
- **Irreparable harm to the evidence of a sunken lane at Lower Road to create a site access.** A network of sunken lanes pass through the area; Kingscroft Lane, Bidbury Lane and Lower Road. Their character reflects their ancient roles as significant elements of the communication pattern that has served this area for centuries, linking east west

movements with north south connections to the harbour that served the settlement before the arrival of the railway. Creating any highway access to H20 off Lower Road to urban standards (kerbs and sight lines) will remove a section of ancient hedgerow and potentially the earth bank opposite that still provide evidence of this historic component within the setting of the conservation area.

- **Loss of tranquillity through the Conservation Area.** Development off 50 family dwellings is likely to result in a doubling of movements around the Lower Road blind bends and through the remainder of the conservation area. Previously landscape and heritage studies have recognised the unique role played by Old Bedhampton as a tranquil area compared with the experiences to be found elsewhere within Havant. Existing increasing movements through the area already intrudes on this experience and a significant increase will potentially not simply erode this but remove this altogether.
- **The delivery of 50 houses will not outweigh the permanent harm done to the historic and landscape setting of the Conservation Area.** This is a test required by government against which to evaluate development proposals.

Other relevant concerns:

- **Increased safety concerns for movement through the Conservation Area especially around the 3 blind corners of Lower Road.** These arise from development of the site for family housing approximately doubling such movements and are affected by matters that have no apparent alternative solutions
 - (i) Lack of footpaths
 - (ii) Access to 10 properties within the bends.
 - (iii) The presence of two residences for elderly persons.
 - (iv) Increased use by cyclists encouraged avoiding main roads.
 - (v) Increased use by joggers.
 - (vi) Increased used by walking groups.
 - (vii) A concentration of use by mobility scooters.
 - (viii) Popular and regular use by dog walkers.
 - (ix) Reductions in the attractiveness of the area could have a detrimental impact upon the physical and mental well-being of residents and many visitors that the area currently benefits.
 - (x) Long term deep flooding on half of westbound carriageway outside 11 Lower Road, forcing users into oncoming traffic.
 - (xi) 'Rat running' through the conservation area by vehicles intending to travel eastwards arising from possible change to the B2177 junction with Brookside Road
 - (xii) No obvious acceptable 'clutter free' alternative traffic management or access arrangements.
- **Highway safety at the current mini roundabout for right turns into Brookside Road.** There is an increased risk of more backing up arising from increased (doubling) use of this junction by the

development of H20 adding to increased volumes of movements here from developments in surrounding area.

- **Loss of good quality agricultural land and detrimental impact upon viability of remainder.** Whilst land is needed for development, is it necessary or desirable to use good quality land that could impact upon the viability of the remaining parcels?
- **Links to the remaining land on either side of H20 within the developers published proposed layout open the door (Trojan Horse?) to further development.** No satisfactory answers have been provided on why, with an existing access from Lower Road adjacent to the former barn, the farmer needs another access to retained land to the west and why the sewer easement proposed on the east side cannot be within someone's garden.
- **Impact upon wildlife and loss of potential land for mitigation measures to enable development elsewhere.** A HCC ecologist's report suggests part of the area is one of the few locations where mitigation measures could be provided for developments such as that proposed at Harts Farm Way (C10) where over wintering birds are found to be significant. Raised illumination levels will however deter night time wildlife activity
- **Lack of school places to serve the development.** There is pressure on places at present that will rise with the advent of more houses on sites within the wider area with no obvious current response.
- **Lack of Health Centre facilities to serve the development.** A similar concern to those regarding education facilities.
- **No overriding need for housing on this site.** The pressure to provide a 5 year supply of housing was used to justify bringing forward this sensitive site (a recognition provided by HBC). More land has since been identified and many are proposed at significantly higher densities than previously indicated. Moreover time has now passed and it seem unlikely that much of the dwellings could now not be provided within the original timeframe.
- **No clear strategy for the remaining surrounding land.** A concern about the future management of this land to prevent pressure for further development.
- **Poor design:** If the layout presented so far by the prospective developers in response to officer guidance is not indicative of the final proposals, it gives no clarity on any final design. The presented layout does not reflect the character of Lower Road on either side of the road.
- **Premature:**
 - (i) Any development should not proceed ahead of the outcome of the Examination in Public of Draft Local Plan 2036 which will test the soundness of the proposal and other non consulted reports upon which it is based.
 - (ii) To confirm the site in advance of the adoption of the Conservation Area Review guidance.

Remedy: Remove H20 from the Plan to ensure it is sound.

Vision.

Vision (Paragraphs 2.1 to 2.27): Nowhere is there any mention of the protection and enhancement of the heritage assets of the Borough until in the Delivery Strategy (paragraph 2.29) appears “whilst preserving and enhancing the Borough’s high quality historic and natural environments”, almost as an aside which is then followed (paragraph 2.37) with “The Council will continue its guardianship of the Borough’s heritage assets so that their contribution to sense of place and educational value is safeguarded for future generations”.

Paragraph 2.39 acknowledges that the Borough has high quality landscapes and vistas that it then claims “will be maintained as such moving forwards”. The historic open landscape coastal setting of Bedhampton can currently be appreciated, inter alia, within vistas from the railway line and the Mill Lane bridge.

The proposed development of H20 will not safeguard or enhance the heritage assets of Bedhampton or maintain or enhance the current vistas. It will reduce the educational value of the area to future generations.

H20 is therefore unsustainable development and the Plan unsound.

Remedy: Explain and demonstrate how the vision of the Council guardianship of its heritage will be exercised. Then, in pursuit of the Vision regarding heritage assets and vistas, remove H20, which is inconsistent with this from the Plan to make it more sound.

History.

“The Journey of Havant Borough”.

Beginnings (paragraphs 1.27 to 1.29) make no mention of Bedhampton (Betanetone) despite its inclusion in the Domesday Book. There is also no mention of the wide range of economic activities associated with its development that relied upon its connections with Langstone Harbour and the varied uses of the coastal lands that stretch between the two and define its current setting. Neither is there mention of the impact of the railway on such ancient routes to/from the Harbour.

Havant Borough Today (paragraph 1.34) fails to mention that access to the harbours were also ‘key transport routes’ that led to its birth and remain part of its character. Havant itself did not have such a connection with either Chichester or Langstone Harbours.

A failure to recognise these distinct differences potentially impacts upon the recognition of the significance and value of the heritage assets located in Bedhampton against which the sustainability of H20 is evaluated. It weakens the soundness of the Plan.

Remedy: Provide a better summary of the significant aspects of the history and development of the whole of the Borough to better recognize the context of the plan to improve its soundness and provide a basis for evaluating the impact of development on its heritage assets.

Then in the light of this recognition remove H20 Land south of Lower Road from the Local Plan.

Landscape Capacity Study May 2015. (Kirkham Landscape Planning Ltd)

This forms part of the evidence base. The report has not been subject to public consultation and therefore tested for soundness.

In the analysis of land parcel 13.1 (pages 56 to 60 in Appendix 1), it does not identify or makes no mention of the evidence of the historic sunken lane character of Lower Road. Nor does it recognise the alien non-native nature of the shelterbelt ("Internal tree belt") east of H20. It also fails to identify the presence of the historic Narrow Marsh Lane and small railway bridge. It does recognise that the land forms part of the rural setting of the Conservation Area and that any impact of development is not just visual but also impacts upon tranquility.

Despite this, the report was used to support the inclusion of the site in the Draft Local Plan Housing Statement (LPHS) issued in July 2016. In the light of this an Independent Landscape Consultant (Lizard Landscape Design and Ecology (LLD)) was engaged by residents to provide a professional critique of the implications of these omissions. This found that the methodology adopted should have resulted in a visual sensitivity identity of 'medium' and not 'medium/low' and that development would be out of keeping with the setting of the Conservation Area, the rural character, the quality of the fields and hedgerows and have a detrimental impact on strategic views.

The LLD report also identified that, if there was to be development along a small part of the northern boundary of the land, it should be accessed in a way that does not affect the hedgerow. It might also enable Narrow Marsh Lane to be reinstated and connect to the Wayfarers Walk. Finally it would enable the shelterbelt to be removed.

Notwithstanding this possibility, simply because, from a landscape perspective, a smaller area could theoretically be developed in this way, it is not a reason for doing so and it does not follow that the benefits of development would outweigh the harm it does to the setting of the

conservation area, the conservation area itself and the environment of The Elms (grade II*). A view held by the previous Inspector

A copy of the LLD report was sent to the local planning policy team but it does not yet appear to have had any impact.

Conclusion; The landscape analysis supporting the identification of H20 for possible housing was unsound.

Remedy: Remove H20 from the Plan to make it sound.

H20 and failure to comply with NPPF 2019

H20 fails to comply with the provisions of...

- **Section 2 ‘Achieving Sustainable Development’**
Paragraph 8 b... *a well-designed and safe built environment, with accessible services*
Paragraph 8 c...*to contribute to protecting and enhancing our natural, built and historic environment*
Paragraph 9...*in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.*
- **Section 2 ‘ The presumption in favour of sustainable development’**
Paragraph 11 b *strategic policies should... provide for objectively assessed needs for housing... unless:*
i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area;
or
ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- **Section 3 ‘Plan Making’**
Paragraph 16 *Plans should:*
a) be prepared with the objective of contributing to the achievement of sustainable development.
- **Paragraph 20 ‘Strategic Policies’**
Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for
d) conservation and enhancement of the natural, built and historic environment...
- **Paragraph 32 ‘Preparing and reviewing plans’**
Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan

*has addressed relevant economic, social and environmental objectives
Significant adverse impacts on these objectives should be avoided..*

- **Section 8 ‘Promoting healthy and safe communities’**
Paragraph 91 *Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:*
 - b) are safe and accessible,*
 - c) enable and support healthy lifestyles...that encourage walking and cycling.*
- **Section 9. ‘Promoting sustainable transport’**
Paragraph 102. *Transport issues should be considered from the earliest stages of plan-making ...so that*
 - a) the potential impacts of development on transport networks can be addressed;*
 - b) opportunities to promote walking, cycling and public transport use are identified and pursued;*
 - d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account-*
- Paragraph 103.*Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes...*
- **‘Considering development proposals’**
Paragraph 108. *In assessing sites that may be allocated for development in plans,... it should be ensured that:*
 - b) safe and suitable access to the site can be achieved for all users;
and*
 - c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*
- Paragraph 110. *Within this context, applications for development should:*
 - a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas;...*
 - b) create places that are safe, secure and attractive –which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;*
- **Section 16 ‘Proposals affecting heritage assets.’**
This section has been examined in full in a separate submission.
- **Annex 1 ‘Implementation’.**
Paragraph 213. *However, existing policies should not be considered out-of-date simply because they were adopted or made prior to the*

publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework.

This refers particularly to the policy to resist development south of Lower Road set out in the Inspector's decision on the current Local Plan 2026.

Removal of H20 Land south of Lower Road from the Local Plan.

Integrated Impact Assessment and H20.

This is a regulatory requirement. It is undated but was issued in January 2019. It has not been the subject of consultation. It evaluates the Havant Borough Local Plan 2036 against a number of issues to determine if they are positive, negative or neutral and in particular if that they comply with the Equalities Act 2010 insofar as the strategies and policies impact upon equality and diversity issues.

Issue 3: Impact upon the Health and Wellbeing of any section of the community is considered +ve but this does not appear to take account of the way H20 will discourage some members of the existing residents and surrounding community who frequent the area of Old Bedhampton who will find the area less attractive and more unsafe as a result of a significant increase in traffic using the lanes and a reduction in the value placed upon heritage assets by the intrusion of development into the setting of the village. This could reduce their activity levels and have a detrimental impact upon their health and wellbeing.

This detrimental impact is not recognised in the evaluation.

Issue 4: Promotes Community Safety including crime and antisocial behaviour and is focussed only upon Policy E1 (High Quality Design) and is considered +ve but, looking at safety alone, all movement around the bends of Lower Road is already hazardous. H20 will not create a safe and accessible development for the community.

H20 will detrimentally impact upon perceptions of safety in Old Bedhampton.

Issue 8: Promotes no disadvantage to any section of the community. Again, focussed upon Policy E1, it is scored +ve. Development of H20 will however not 'ensure safe and convenient access for all in the public realm, including the elderly, the disabled and less able individuals'. It will require access along the shared sections of Lower Road and other parts of the conservation area which are not safe and convenient through a lack of footpaths and these cannot be provided. Users of this access current include elderly residents, some disabled, in two of the adjacent properties.

H20 will have a –ve impact particularly upon these residents but also existing users from further afield.

Issue 14: Contribution to perception of place. Again, relying upon inter alia Policy E1 it is judged to be +ve. H20 does not 'integrate new development with the Borough's high quality natural, built and historic environment. It intrudes into the historic landscape setting on the village and will detrimentally impact upon public perceptions of this historic place particularly in views from vantage points such as the passing railway and the Mill Lane railway bridge and also for visitors passing to and from the conservation area along Lower Road.

H20 is not positive placemaking.

Issue 29: Conservation of the natural environment. Policy E8 (Protection of Open Space) is seen as +ve. Bidbury Mead is to be protected as Local Green Space which is to be welcomed. However changes to the access arrangements between Brookside Road and the B2177 is likely to result in additional traffic using Bidbury and Kings Croft Lanes which surround the park to make journeys out of the area towards the east. H20 will add to this traffic and have a negative impact upon park users many of which are young families drawn from disadvantaged sectors of the wider community for informal free recreation.

H20 will add to the consequential problems generated by this change to the B2177 intersection.

This demonstrates how the impact of H20 will be unsound and will not result in sustainable development.

Remedy: Remove H20 from the Plan.

NPPF(2019) & Heritage and the Current Local Plan 2026.

In 2014 Inspector, Sue Turner RIBA MRTPI IHBC BARCH MSC, the independent inspector appointed by the Secretary of State for Communities and Local Government, considered the Havant Borough Local Plan (Allocations): Submission Version, December 2013.

Following public examination hearings held between 29 April and 1 May 2014, the Council received her Report on 7 July 2014. She found the Local Plan (Allocations): Submission Version to be sound, subject to a number of modifications. These modifications were incorporated in Havant Borough Local Plan (Allocations), July 2014.

Her assessment of the soundness included not allocating land south of Lower Road for 15 dwellings, as proposed by the landowner. Her report stated...

"UE30: Land South of Lower Road, Bedhampton

70.The evidence leading to non-allocation of this site is confused and fragmented. It was identified in the SHLAA as a potential housing site and is

recommended for development in the Gaps review. SA identified loss of agricultural land as a strong adverse effect, as well as noting adverse effects on the landscape, biodiversity, the adjacent conservation area and features of archaeological importance. However the site continued to feature in SHLAAs from 2010 to 2013 albeit the 2013 SHLAA, whilst retaining an estimate of 250 dwellings, indicated that access through the conservation area could limit large scale residential development. It was then discounted because the cumulative adverse effects would not be outweighed by a contribution of only 15 dwellings, with no explanation of the reduction to 15 dwellings.

71. The landowners have submitted a winter waterfowl survey undertaken between November 2013 and March 2014, which shows no use of the open fields by waterfowl. In addition they contest the Council's view that the site is grade 1 agricultural land. They argue that the site is capable of accommodating 50 dwellings.

72. Some of the adverse effects identified in SA can be overcome whilst others, such as the site's biodiversity and the grading of the land, remain matters of disagreement between the Council and the landowner. However it is clear that the site's proximity to Old Bedhampton Conservation Area through which it would be accessed is a strong factor weighing against development. This, together with uncertainty of impact on biodiversity and agricultural land, justifies the non-allocation of this site."

So, the current Local Plan 2026 is based upon this position and should form the starting point for this new Plan. Officers have therefore been asked, "What's changed?" They have replied, "We now have the NPPF and need housing." This assertion appears to be false.

It is clear from the above that the Inspector was dealing with a need for housing and at the time the original NPPF had been published in March 2012.

Solely comparing the guidance that applies to conserving and enhancing the historic environment in the 2012 version of the NPPF with that published in February 2019 (Section 12, paragraphs 126 to 141 {2012 issue} with Section 16, paragraphs 184 to 202 {2019 issue}) apart from some small reordering, little in the content of the guidance has changed (see the following summary). NPPF 2019 introduces World Heritage Sites in paragraph 184; it rewords the previous content of paragraph 141 in paragraphs 188 and 199; it removes only one paragraph 139 related to non-designated archaeological interest; it introduces in paragraph 187 the duty to keep up to date records, assess significance and predict future assets.

In the context of the current review of the Old Bedhampton Conservation Area and the implications for heritage assets identified adjacent to and within H20, which is dealt with in representations elsewhere, only this last guidance (para 187) appears significant and, despite having their attention drawn to evidence of assets worthy of protection that add to the weight against any

development of H20, the local planning authority have not included these within their sustainability assessment of this site.

Conclusion: Nothing has changed in NPPF since 2014 to lessen the significance of the need for heritage protection, indeed new evidence has added to the weight of judgment needed. Development of H20 is even more unsustainable.

Remedy: Maintain the position of the independent Inspectorate and remove H20 from the Plan.
