

## HAVANT BOROUGH PRE-SUBMISSION CORE STRATEGY- PUBLIC CONSULTATION – COMMENTS FROM THE FRIENDS OF CHICHESTER HARBOUR.

The Friends of Chichester Harbour (registered charity 1051162) was formed 22 years ago for the benefit of the public to help protect the countryside and wildlife of Chichester Harbour Area of Outstanding Natural Beauty (AONB) and to advance education of the public in relation to the harbour. Its membership has grown to over 3,000 members with 26 local Corporate and Group Members supporting the charity.

The AONB shoreline is 48 miles in length, 15 miles of which are within the Havant Borough area. So nearly one third of this nationally and internationally important area needs its protection to be clearly written into this local authority's strategic planning.

The eastern shoreline of Hayling Island is particularly important to the wildlife conservation of the AONB. Here there are several quiet stretches providing roosting, breeding and safe areas for the wildlife on land and in the marine environment along its shore.

Chichester Harbour Conservancy has professionally qualified staff who are well versed in international and national environmental legislation and experienced in its best practice.

It is therefore disappointing that their comments and suggestions in getting the AONB correctly written into the Core Strategy seem not to have been accepted in full following previous public consultations.

The Friends of Chichester Harbour support the Harbour Conservancy's proposed amendments in their entirety in this current consultation and request that their expert opinion in giving the AONB its correct place in the Core Strategy is accepted.

The Friends would like to emphasise the following where the input from the Harbour Conservancy seems not to have been implemented.

### **NOT CONSISTENT WITH NATIONAL OR REGIONAL POLICY**

- **Omissions from the Proposals Map booklet:** The AONB boundary should be clearly shown along with any special nature conservation designations.
- **Low proportion of housing on previously developed land (PDL):** Guidance from the **South East Plan** is that local authorities should seek to achieve at least 60% of all new development on previously developed land. There is no explanation in the Core Strategy why this is not being followed.
- **Lack of detail and reference to the AONB –** The Friends consider that the locally distinctive qualities and characteristics that make up the outstanding natural beauty of Chichester Harbour AONB provide the justification for a local interpretation of higher-level policy, in accordance with paragraph 11.8 of the South East Plan.

## NOT LEGALLY COMPLIANT

- **Incorrect titles/descriptions etc given to the Chichester Harbour AONB Management Plan:** Havant Borough Council's Core Strategy needs to acknowledge the status of the AONB Management Plan as set out in Section 89 of the Countryside and Rights of Way Act 2000 (CRoW Act). The text throughout the Core Strategy seems to lack this.
- **Incorrect definition of the Countryside and Rights of Way (CRoW) Act 2000:** The National Parks and Access to the Countryside Act 1949 provides this legislative background. This should be clarified as proposed in the Harbour Conservancy's submission.
- **Failure to acknowledge to the 'duty of regard':** The Core Strategy DM section on 'Conservation Areas' mentions under PPG15 the council's statutory duty to preserve the character and appearance of conservation areas. A similar 'duty of regard' applies to AONBs and this should be similarly acknowledged. This lack of the 'duty of regard' is threaded through various policies in the Core Strategy.
- **Inadequate wording in Policy DM9: 'Development in the Coastal Zone':** In order to reflect the primary purpose of AONB designation as set out in the Acts, i.e. the conservation and enhancement of natural beauty, point 1 of Policy DM9 should state 'conserves and enhances', rather than 'respects'.
- **Incorrect glossary definition of AONB:** To state that AONBs are 'an area of countryside with significant landscape value' significantly underplays and misrepresents the national importance of AONBs. The Harbour Conservancy's submission gives a suggested definition.
- **Incorrect SSSI and SPA boundaries on the 'nature designations' map:** The map omits an area at Northney covered by these designations.

## NOT EFFECTIVE

- **Shortcomings of Policy CS1: 'Health and Wellbeing':** Point 12 of Policy CS1: 'Health and Wellbeing' should emphasise the message that additional moorings and berths would not be acceptable in Chichester Harbour.
- **Lack of reference to the Solent Disturbance and Mitigation Project:** On page 56 of the Council's 'response to summary of representations' it says that reference to the Solent Disturbance and Mitigation Project is accepted – and that its purpose will be explained in paragraph 2.24, along with the purpose of the 'coastal refuge area' identified in the Green Infrastructure Strategy. This purpose is not explained.

- **Ambiguity of wording in paragraph 2.26:** Paragraph 2.26 states that *‘the extension of the popular Hayling Billy Trail through the eastern side of Hayling Island and along the Solent, where possible, would be an attractive amenity for both local residents and visitors.* It should be emphasised that the route of any trail would avoid sensitive nature reserves.
- **Shortcomings of Policy CS19: ‘Developer Requirements’:** Policy CS19. This policy should require avoidance or mitigation measures for recreational pressure impacts.
- **Lack of flexibility relating to current uncertainty surrounding impacts of recreational disturbance:** Table 6.1 of the Habitats Regulations Assessment states that *‘The Core Strategy should secure sufficient flexibility for the spatial distribution of development to be adjusted in order to respond to the findings and recommendations of this latest work once it is available’.* The Core Strategy does not appear to acknowledge the need for this flexibility.
- **Lack of evidence supporting effectiveness of mitigation measures for recreational disturbance:** The conclusion in paragraph 6.5 of the Habitats Regulations Assessment states that *‘It is considered that, subject to the measures outlined in section 6.4 being successfully adopted and implemented, effects connected with recreational pressure will be satisfactorily avoided and reduced.’* The mitigation measures outlined in section 6.4 have not been tested, nor the results of the Solent Disturbance and Mitigation Project reported yet.
- **Recommendations from Habitats Regulations Assessment not incorporated:** Page 65 of the Habitats Regulations Assessment recommends the inclusion of further policy to strengthen Policy CS17: ‘Effective Provision of Infrastructure’ relating to waste water. The Friends fully support this policy and question why this has not been incorporated as recommended. The recommendations relating to Brent goose and wader roosts in Table 10.2 of the Habitats Regulations Assessment should also be reflected in the Core Strategy.
- **‘Coastal Zone’:** Accompanying text to Policy DM9: It is not clear to the reader where the ‘Coastal Zone’ is. The Policy refers to the AONB; however, the title refers to the ‘Coastal Zone’ which has a different boundary to the AONB.

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 Chairman  
 Friends of Chichester Harbour

14 May 2010