

Gosport Borough Local Plan 2011-2029: Proposed Modifications

Summary of Consultation Responses (July 2015)



GOSPORT
Borough Council

List of organisations/individuals making representations

Rep No	Name of organisation/individual	Agent/Consultant where applicable
RepM1	Advanced Marine Innovation Technology Subsea Ltd	
RepM2	Hornet Services Sailing Club	
RepM3	Environment Agency	
RepM4	Hampshire & IoW Wildlife Trust	
RepM5	Historic England	
RepM6	Mr Perry	
RepM7	Natural England	
RepM8	Home Builders Federation	
RepM9	Abbey Developments Ltd	Barton Willmore
RepM10	Hampshire County Council	

Summary of Responses to Main Modifications

Main Modification	Plan Ref	Representation No.	Summary of Representation	GBC response
MM1	7.1	RepM6	Policy does not cover the Haslar Detention Centre	The policy deliberately does not include the Haslar Detention Centre (now as the Immigration Removal Centre) as part of the regeneration area as there has been no indication that it would be released for development.
MM1	LP6	RepM7	The LPA is advised that development in Haslar Gunboat Yard would need to comply with the Gosport Bird Disturbance Mitigation Protocol and the Solent Recreation Mitigation Partnership (SRMP) Strategy.	It is recognised that the Gosport Bird disturbance mitigation Protocol would apply to this site. Policy LP42 which applies to all development sites in the Borough makes direct reference the SRMP and the protocol.
MM1	LP6 (1)	RepM6	This wording limits the role of the LPA	The only part of the consultation is connected with the addition the Haslar Gunboat Yard and not the preceding text.
MM1	LP6 (4)	RepM6	No reference to rising sea levels	The only part of the consultation is connected with the addition the Haslar Gunboat Yard and not the preceding text. In any event this issue is addressed in LP6 point 1b.

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MM1	7.140 sub bullet 3	RepM2	Add sentence to end of bullet point. HSSC signed a new 25 year lease (2040) with the MOD in 2015 for the full use of Blockhouse 3 with an option to renew for a further 25 years (2065).	Agree. Consider additional sentence provides a factual update.
MM1		RepM5	Support as the Mixed use inclusion of Gunboat Yard within the mixed use allocation will give the historic buildings on the site the best chance of a secure future.	Noted
MM1	Policies Map	RepM5	Amendment should specify which mixed uses are incompatible with flood risk	This issue is addressed in LP6 point 1b.
MM2	Paragraph 13.14	RepM6	Proposed wording would enable Gosport Borough Council to move council tenants to other authorities and for Portsmouth and Southampton Councils to move their council tenants into neighbouring authorities.	This is not the intention of the proposed modification.
MM2		RepM8	MM2 does not clarify what the OAN is for Gosport itself. This is not explicitly stated in the local plan or the Main Modifications. The comment in MM2 makes it clear that Gosport Council does not consider it feasible to identify an OAN figure for Gosport. This is troubling because this is so clearly contrary to national policy. The Council continues to maintain erroneously that it is not obliged to say precisely what the OAN is because the PUSH SHMA 2014 only considers the OAN in aggregate. MM2 maintains this misreading of the NPPF.	The Council has put forward evidence to the examination as to why it is using the PUSH South Hampshire Strategy 2012 figure and has demonstrated in its evidence that it is unable to meet SHMA 2014 figure and is committing to an early review of the local plan once the new South Hampshire Strategy has been produced.

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			<p>This is a major flaw. It is essential that the plan clearly articulates what the OAN is. The local plan should be clear about the size of the unmet need. This will help inform the preparation of new South Hampshire Strategy and help guide the other local planning authorities of the HMA who will need to prepare plans that will address the shortfall in Gosport. This is necessary so that the latter part of the text of MM2 that refers to the role of the South Hampshire Strategy in relocating the Gosport unmet need to other districts is effective.</p> <p>The HBF considers that the local plan must be amended to include the following:</p> <p>“...This SHMA identifies an objectively assessed housing need for the PUSH area and the constituent authorities. This will be the starting point for identifying housing requirements. The PUSH SHMA 2014 identifies that Gosport’s OAN is for 415 dpa. The plan is unable to accommodate this housing need in full. It is only able to provide 170 dpa. Consequently there is a shortfall of 245 dpa.”</p> <p>The following parts of the modified text should be deleted:</p> <p>“Gosport is not a separate housing market in itself so arguably does not have an</p>	<p>Gosport is not distinct housing market it is part of the wider Portsmouth Housing Market Area as identified in the SHMA 2014.</p>

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			<p>entirely distinct district housing need. However, to the extent that there can be an objectively assessed housing need specifically for Gosport...”</p> <p>These should be deleted because these are statements that run counter to the NPPF.</p> <p>The underlying principle behind ‘Localism’ is for councils to take responsibility for their actions. By providing only 170 dpa the evidence in the PUSH SHMA 2014 suggests Council will not be providing anywhere near its full housing needs. This will have severe social and economic consequences for its residents, especially poorer households who will be priced-out of the Borough by more affluent in-comers.</p>	
MM2		RepM9	<p>The Gosport Local Plan does satisfy the requirements of the NPPF in terms of planning to meet the full objectively assessed housing needs of the area.</p> <p>There is an inconsistency in approach when compared with the Inspectors decision on the Eastleigh Local Plan.</p>	<p>The Council has put forward evidence to the examination as to why it is using the PUSH South Hampshire Strategy 2012 figure and has demonstrated in its evidence that it is unable to meet SHMA 2014 figure and is committing to an early review of the local plan once the new South Hampshire Strategy has been produced.</p>

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			GBC should undertake further work to identify additional housing supply including the allocation of housing at Stokesmead.	Irrespective of the argument regarding the objectively assessed need the Council put forward evidence at the hearing session that it does not consider the Stokesmead site suitable for housing development.
ALL		RepM3	No comment	

Summary of Representations to Minor Modifications

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Para 1.6	RepM6	The frequent review of the local plan means that its status will reduced	The local plan will need to be reviewed to be compliant with the NPPF. No change proposed.
Para 3.44	RepM4	S is missing from habitats	Amend
Para 7.57	RepM4	S is missing from habitats	Amend
Para 7.112	RepM4	<p>Paragraph is out of date as the presence of roosting bats, slow worms and badgers has been confirmed. Also propose additional wording</p> <p><i>an Ecological Management Plan should be prepared and European Protected Species Mitigation licences will need to be sought from the statutory licencing authority where appropriate</i></p>	<p>Amend 2nd sentence There is also evidence of badgers, <u>roosting bats, reptiles</u> and nesting birds on-site the potential for bats and reptiles</p> <p>Add new sentence at end of paragraph <u>An Ecological Management Plan should be prepared and European Protected Species Mitigation licences will need to be sought from the statutory licencing authority where appropriate.</u></p>
Para 7.155 and LP42	RepM4	The title of the of the policy should be changed from Internationally and Nationally important Habitats to Internationally important sites or Internationally important Species and Habitats	The name of the Policy was not subject to representations at the Publication stage and is not subject to change as a result of the proposed modifications. It is considered that the title of the policy should remain unchanged.
Para 9.24	RepM6	The word exceptional should not be replaced by certain due to flood risk.	Any proposed development needs to comply with Policy

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			LP45 Flood Risk. Therefore the proposed modification can be justified in flood risk terms. No change proposed.
Policy LP44 and associated paragraphs	RepM4	Welcome use of wording in policy but consider that Borough council should be aiming for a 'no net loss in biodiversity' and ensuring these ecological networks are maintained as well as prioritising BAP species	The Policy does refer to ensuring no net loss of biodiversity and makes reference to BAP species. It is not considered that further amendments are required. The issue of ecological networks is covered under LP41 Green Infrastructure. No change proposed.
Policy LP26	RepM6	The replacement of the word pitch with site is restricting the powers of the LPA.	The Modification was made on the advice of HCC. No change proposed.
Policy LP34 3(b)	RepM6	Proposed wording ignores difficulties of securing off-site planning permission	The wording does not suggest that an off-site planning permission has to be secured. A financial contribution can be secured instead. No change proposed.
Paragraph 12.76	RepM7	The text should be amended to reflect the fact the Gosport Bird Disturbance Mitigation Protocol also makes it clear that certain development , due to the proximity to the SPA or their size may lead to significant effects alone, in which case additional avoidance and mitigation measures will be required.	Add new sentence to end of paragraph. <u>Certain developments, due to the proximity to the SPA or their size may lead to significant effects alone, in which case additional avoidance and mitigation measures will be required.</u>
Para 12.97	RepM6	What happens if the developer goes	The liability is placed on the

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		bankrupt where doe the liability for flood defences lie?	land owner and a stop notice would be issued to prevent occupation until it can be demonstrated that the development is safe. No change proposed.
Para 12.99	RepM10	<p>Since Hampshire County Council made representations in September 2014 on the pre-submission Gosport Borough Local Plan (2011 – 2024), the Government (DCLG) published a consultation on ‘Further changes to statutory consultee arrangements for the planning application process’. The consultation paper proposed a number of measures including a proposal to make Lead Local Flood Authorities a statutory consultee on for major planning applications with surface water drainage implications.</p> <p>In its response to the consultation Government later confirmed that it would take this proposal forward. Accordingly, on 24th March it laid a statutory instrument making the Lead Local Flood Authority a statutory consultee by adding the consultation requirement to Schedule 5 of the Development Management Procedure Order. This came into effect from 15th April this year.</p> <p>The Borough Council may, therefore,</p>	<p>Agree. Add to the following sentence to the end of paragraph</p> <p><u>When considering major developments, (10 or more houses, or sites larger than 1ha), the Borough Council will consult Hampshire County Council, as Lead Local Flood Authority, on the management of surface water drainage.</u></p>

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		<p>wish to consider further amending the plan prior to its adoption to ensure that it is up to date and consistent with current Government policy. It is suggested that the following sentence is added to paragraph 12.99 of the pre-submission local plan: 'When considering major developments, (10 or more houses, or sites larger than 1ha), the Borough Council will consult Hampshire County Council, as Lead Local Flood Authority, on the management of surface water drainage.'</p>	
Para 12.100	RepM6	This paragraph should not be deleted until Hampshire CC's alternative approach is known.	HCC have now responded and an additional sentence is proposed to be added to paragraph 12.99. No change proposed.
Glossary SPD	RepM6	A profusion of SPDs will create another burden of constraints	This statement merely defines what an SPD is. No change proposed.
Appendix C	RepM6	The proposed removal of the allotments north and west of Little Anglesey Road and the former railway line from the conservation is opposed.	The modification merely rectifies a topographical offset error to the north of Gosport Park. There have been no changes to the boundary in relation to the allotments and railway track. No change proposed.
Appendix F	RepM4	Amendment to Priddys Hard SINC	The Council acknowledged that the buildings within the SINC did not contribute to the

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			nature conservation objectives of the SINC and therefore should be excluded. However it considered that the track should remain within the SINC as it forms part of the integral ecological compartment of the SINC. No change proposed.

Other Comments Received

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Whole Local Plan	RepM1	Concern over the amount of employment land that is being built on for housing development. Support the measured progress that has been set out in the original local plan.	Noted