



**GOSPORT**  
Borough Council

For office use only	
Date	22.09.2014
Ref No.	
Rep 27	

# Gosport Local Plan 2011-2029 Publication Version Response Form

Town and Country Planning (Local planning)(England) Regulations 2012 Regulation 19 Consultation

**Data Protection**

Gosport Borough Council is registered under the Data Protection Act 1998. The information that you provide in completing this form will only be used by the Council in the development of the Gosport Local Plan 2011-2029. Please note that the completed form is a public document and as such will be made available for inspection and placed on the Council's website (personal details other than name of organisation/individual will be removed from version published on internet) and kept as part of the supporting documentation relating to the Local Plan.

**Name:**

Mr Steve Wood

**Agent Name:**

Mr Michael Knott

**Organisation (if applicable):**

Abbey Developments Limited

**Agent Organisation (if applicable):**

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C/O Agent

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Gosport Borough Local Plan 2011-2029 publication version document is available to view on the Gosport Borough Council's website: [www.gosport.gov.uk/localplan2029](http://www.gosport.gov.uk/localplan2029)

If you would like to discuss any element of the consultation documents further then please telephone Planning Policy 023 9254 5228

Completed forms can be emailed  
to: [planning.policy@gosport.gov.uk](mailto:planning.policy@gosport.gov.uk)  
or by post to:  
Planning Policy Gosport Borough  
Council Town Hall  
High Street  
Gosport  
Hampshire  
PO12 1EB

All comments and completed forms should  
be returned by  
**22nd September 2014**

If you would like to make another representation on the  
GBC Local Plan 2011 - 2029 Publication Version,  
Please use a separate form.

Response forms are available from the Council's website,  
in the libraries and at the Town Hall (3rd floor reception).

Comments will be considered by an inspector approved by the Secretary of State who will hold an examination into the local plan in terms of its legal compliance and 'Soundness'.

Further information on these terms is contained in the Council's Guidance Notes for making representations. Comments should focus on matters of soundness. These are defined in the National Planning Policy Framework and are reproduced below.

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

**Justified** the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

**Effective** - the plan should be deliverable over its period and based on effective joint working on cross boundary strategic priorities; and

**Consistent with National policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

1. To which part of the Local Plan does this representation relate?

Chapter  Paragraph  Policy

Policies Map

If you would like to make further comments on the GBC Local Plan 2011 - 2029 Publication Version, please use a separate form for each representation you wish to make.

2. Please indicate under what grounds you wish to submit your representation

2a Support  
*(if you have entered Support, please continue to Q8.*

2b Not Legally Compliant

2c Not Sound

3. If you consider the Local Plan is not sound, please identify which tests of soundness your response relates?

3a Positively prepared

3b Justified

3c Effective

3d Consistent with National Policy

4. Please give details of why you consider the Local Plan is not legally compliant or not sound?  
*(please be as precise as possible)*

PLEASE SEE ATTACHED

*(Continue on a separate sheet if necessary)*

5. Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound, with reference to the answer you have identified in Q3  
You will need to say why this change will make the Local Plan sound.

PLEASE SEE ATTACHED

*(Continue on a separate sheet if necessary)*

6. If your representation is seeking a change, can your representation be considered by written representations or do you consider it necessary to participate at the oral part of the Examination?

No I do not wish to participate in the examination hearings.

Yes I do wish to participate in the examination hearings.

7. If you wish to participate, please outline why you consider it necessary.

*(please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination).*

8. If you wish to support the legal compliance or soundness of the Local Plan please use the space below to provide detailed comments.

*(Continue on a separate sheet if necessary)*

9. Do you wish to be notified at the address/email stated on page 1 of any of the following

*please tick*

a. That the Local Plan has been submitted for independent examination



b. The Inspector's report has been published



c. The adoption of the Local Plan



Thank you for filling in this form.

Planning Policy,  
Gosport Borough Council,  
Town Hall,  
High Street,  
Gosport,  
HAMPSHIRE. PO12 1EB

24118/A3/MK/dw

**BY EMAIL & POST: [planning.policy@gosport.gov.uk](mailto:planning.policy@gosport.gov.uk)**

22<sup>nd</sup> September, 2014

Dear Sir/Madam,

**GOSPORT BOROUGH COUNCIL LOCAL PLAN 2011-2029 PUBLICATION VERSION (JULY 2014)**  
**REPRESENTATIONS SUBMITTED ON BEHALF OF ABBEY DEVELOPMENTS LIMITED**

We write on behalf of our client, Abbey Developments Ltd., in response to the above consultation, which seeks the views on interested parties upon the Publication Version of the Gosport Borough Local Plan (2001-2029) 'the draft Plan'.

We have set out our response to the Council's Local Plan document and the relevant evidence base and background documents.

**Summary**

Abbey Developments Ltd. objects to the proposed allocation of land at Stokesmead for open space. The land is entirely within our client's ownership and is not available for public use. The evidence base which underpins this proposal and the reasons given within the Local Plan are unsound.

This proposal is not effective and is not justified, having regard to the tests of soundness contained within the National Planning Policy Framework (NPPF). We therefore seek the removal of this allocation from the Local Plan.

Should the site continue to be allocated for open space, the Council should recognise that this proposal forms part of the overall development strategy for the Borough. The provision of new open space on such sites will inevitably release pressure to provide open space as part of development/redevelopment proposals. This would increase the value of these sites. It is therefore entirely reasonable that any prospective acquisition of our client's land will need to take account of this in assessing land value.

## Green Infrastructure and Open Space Background Paper

Gosport Borough Council has published a 'Green Infrastructure and Open Space Background Paper' (June 2014). This forms part of the evidence base of the Local Plan and has informed the overall development strategy for the Borough. Our client acknowledges that seeking opportunities within the Borough to enhance open spaces is an integral part of the Spatial Strategy. However, the methodology used within the Open Space Monitoring Report to inform the Background Paper is not considered to be justified.

The Green Infrastructure and Open Space Background paper provides a summary of the Open Space Monitoring Report and discusses that:

- There are a large number of quality open spaces which are highly valued by local residents;
- There is a need to continue to maintain and improve the quality of open spaces; and
- There are a number of medium quality open spaces that have the potential to be high quality.

In addition, the document recognises that due to the constrained nature of Gosport, larger development sites will need to assist in the delivery of strategic open space locations and other open space sites as oppose to on-site provision. Paragraph 5.0 of the Paper refers to the need for the Local Plan to '*protect existing, and provide additional high quality multi- functional green infrastructure for a variety of purposes*'.

Against this background, Abbey Developments Limited objects to the proposed open space allocation at Stokesmead. The Council has not demonstrated that it is required given that there are a high number of existing open spaces categorised as 'high value' which currently serve the local community.

## Open Space Monitoring Report

### Visual Amenity

The Council's Open Space Monitoring Report provides an assessment of the open space provision within each Ward across Gosport Borough and assesses the quality and value of each space. The Report, at paragraph 4.14, states that whilst some open spaces are not available for use by the general public they still have the ability to make a valuable contribution to the '*recreational provision for parts of the community as well as enhance the visual qualities of the area*'. As the site is in private ownership, the site does not contribute to the recreational provision for the community and arguably does not contribute to the visual quality of the area.

### Open Space Needs

Furthermore, when considering the provision of open space with the south east area of Gosport, Figures 2 and 3 of the Monitoring Report highlight that whilst the proposed allocation is situated to the east of the 400 metre radius for play space for children and young people, the quality of the neighbouring open space is assessed as 'high'. It is therefore unclear whether additional provision at Stokesmead is necessary to serve the area. When assessing the requirement for a new public park, Stokesmead falls within the 400 metres radius of high quality Parks and Gardens. The area is not therefore deficient of this type of open space.

Having regard to the above, we question the Council's requirement for allocating the site based on need and consider that the requirements to assess the specific needs of the Borough as required under paragraph 73 of the NPPF have not been met.

### *Anglesey Ward*

To assist in assessing the requirement for new open spaces, the Monitoring Report provides a breakdown of the provision of open spaces within each Ward to determine the level of existing open space provision. The overall analysis highlights that Anglesey, in which Stokesmead is situated, has the second higher number of high quality open spaces with an overall open space provision of 98.41 hectares. In addition, Figure 2 and 3 illustrated that the south east of the Borough is well provided for in terms of open space provision with several strategic open spaces serving local residents.

We note that the analysis for Anglesey Ward contained within the Monitoring Report does not identify Stokesmead as a 'private site not available for public use'. This is an error. Whilst the Council has contacted our client regarding the potential acquisition of the land, our client has confirmed that it is not willing to release the site for open space and as such the site is not available to the public.

In addition, the Council considers Stokesmead to be a high value site as assessed by the following criteria:

*Special attributes* - Abbey Developments Ltd. objects to the statement that Stokesmead is 'special to the community' as discussed in paragraph 77 of the NPPF in terms of its beauty or historical significance.

*Level of use* - There is no public use of the site for recreation as it is privately owned and not available for public use. It therefore makes no contribution to meeting the needs of the community.

*Context* - The site is privately owned and therefore not considered accessible. In addition, Anglesey Ward is well served by a network of open spaces and would not be regarded as high value in this regard.

In conclusion, our client objects to the proposed allocation of the Stokesmead site as open space.

### **Local Plan Policy LP3: Spatial Strategy**

In the case of land at Stokesmead, Abbey Developments Ltd. consider that the site, which is not publically accessible, would make a limited contribution to the provision of open space within Anglesey or the wider Gosport Area. This part of the Borough is well provided for in terms of high 'quality' and 'value' open spaces and additional provision is not required.

For the reasons given above, we object to the proposed allocation of new open space at Stokesmead.

### **Local Plan Policy LP9E: Allocations Outside the Regeneration Areas: Leisure Community Uses and Open Spaces**

Stokesmead is identified as a proposed allocation for a "public park". As explained above, the site is in the sole (private) ownership of our client. The site is not accessible to the public and makes no contribution to meeting demand. Furthermore, the Council's evidence base does not justify the proposed allocation of an additional area of open space, given that the area is already well-served.

The Council has already written to our client seeking to secure the control of the land at Stokesmead. Our client has confirmed that it is not willing to release the site. The deliverability of the site for public open space is therefore unrealistic in our view.

The proposed allocation of Stokesmead is therefore unjustified and not effective. It is therefore considered that part 3. Of Policy LP9E of the Local Plan is unsound.

Notwithstanding the above, should the proposed allocation of Stokesmead for open space be confirmed then our client seeks recognition within the Local Plan that this allocation forms part of the wider Spatial Strategy. In particular, there must be acknowledgement that any allocation of Stokesmead for open space will relieve pressure to provide on-site open space within development/redevelopment proposals in the area.

On this basis, the land at Stokesmead will increase the value of such schemes. We are therefore seeking acknowledgement within the Local Plan (and any future CIL Charging Schedule/S106 guidance) that any future acquisition of our client's land at Stokesmead should take this into account, through appropriate compensation to our client.

We trust that the enclosed representations are duly made and we look forward to receiving confirmation of their receipt. Please do not hesitate to contact the writer on 0118 943 0000 should you have any queries or require any further information.

Yours faithfully,



**MICHAEL KNOTT**  
Associate

Encs.

cc. S. Wood, Esq. - Abbey Developments Ltd. (w/encs.)