

EXAMINATION OF THE PORTSMOUTH LOCAL PLAN
Hearing Statement — Matter 11: Greening the City policies

Representor	CAAD Ltd for Mr Anthony Denton — ID 61450, Representation 47334
	Robert Tutton Town Planning Consultants Ltd for Mr Tony Denton / ENI Storage — ID 61449
Site	Thirty Two Acres, Eastern Road, Farlington, Portsmouth PO6 1UW (formerly St John's College Playing Fields)
Questions answered	Matter 11, Questions 13, 14, 15, 16, 17 and 18
Framework	NPPF December 2024 (ID02, paragraph 4)
Date	September 2026
Appendix	Drawing 23060/139 Rev A, one sheet
Word count	2,996 (limit 3,000, ID02 paragraph 22)

1. Introduction and scope

- 1.1** This statement is submitted on behalf of Mr Anthony Denton and ENI Land Ltd, freehold owner of Thirty Two Acres, Eastern Road, Farlington, formerly St John's College Playing Fields ("the Site").
- 1.2** Representation 47334 (Representor 61450) was made against Development Management Policy PLP46: Local Green Spaces, and sought removal of the Site from the open spaces policy. That of Representor 61449 was made against the Policies Map [KD04a] and objected to the inclusion within the designation of an area of hardstanding and two storage buildings.
- 1.3** The case advanced is not that the Inspectors should determine whether this land is demonstrably special, but that the Council's evidence base contains no assessment of it and Policy PLP46 is on that account not justified. No objection is taken to the designation of Farlington Playing Field or Farlington Triangle. The modifications sought are at section 5.
- 1.4** "The Framework" means the National Planning Policy Framework dated December 2024, per ID02 paragraph 4. "The Background Paper" means the Local Green Spaces Background Paper [TP13]. "The Plan" means the Pre-Submission Portsmouth Local Plan Composite [KD03], whose policies are prefixed PLP. "The Core Strategy" means the adopted Portsmouth Core Strategy (2012), whose policies are prefixed PCS. References prefixed MM are to the Council's schedule of suggested main modifications [PCC03], and references prefixed AM to its schedule of suggested additional modifications [PCC04].
- 1.5** A Statement of Common Ground is submitted with this statement. It sets out the matters of fact relied on below, and defines the matters which remain in dispute, in fuller detail than the word limit permits here.
- 1.6** Drawing 23060/139 Rev A is appended, showing the Site, the designation boundary, the developed features and Sections A and E. It carries labels and extents only.

2. Question 17 — consistency with paragraphs 106 to 108, and the adequacy of the methodology and evidence

The designation and the land

- 2.1** Part 1 of Policy PLP46 of the Plan designates, as a single entry, "Farlington Playing Field, St John's College Playing Fields and Farlington Triangle, Drayton & Farlington". Three separately named areas, in

different ownerships and with different characteristics and access, are designated by one line of policy and shown as one extent on the Policies Map and Figure 9.1.

2.2 The Site extends to approximately 12.81 hectares. It is in private freehold ownership, gated and without public access, and alongside the playing pitches contains the developed features listed at paragraph 2.6 of this statement.

The evidence relied upon

2.3 Paragraph 9.119 of the Plan asserts that all Local Green Spaces designated through it meet the Framework criteria, and refers to the Background Paper. The justification for this designation is one entry in the matrix at Appendix 1.

2.4 That entry records the following answers.

Criterion recorded in the matrix	Answer recorded
Is it an extensive tract of land?	No
Is it in reasonably close proximity to the community it serves?	Yes
Has the land been identified for development?	No
Is the land already protected by any existing designations?	PCS13 — protected open space
Particular local significance (PLS) — beauty	No
PLS — historic significance	No
PLS — recreational value	Yes
PLS — tranquillity	No
PLS — wildlife	Yes

2.5 It concludes the site is demonstrably special "in terms of its recreational value and wildlife" — the only limbs relied on. The comments attribute the football and cricket pitches and the clubhouse to Farlington Playing Field, and name Southsea Nomads Rugby Club and St John's College Playing Fields without describing them. They refer to scrubland and woodland providing informal paths and trails, dog walkers, traffic noise and the wildlife designations.

2.6 The entry therefore says nothing of the Site beyond naming it. The scrubland, woodland and informal paths and trails on which the recreational conclusion in part rests are not within it; so far as they lie within the designated area at all, they lie on the publicly accessible Farlington Playing Field and Farlington Triangle, as does the dog walking. The entry makes no reference to what the Site does contain: the storage containers, lockers, buildings and office container; some 380 metres of access road and the parking it serves; the redundant netball courts; the 4,307 square metre hardstanding in the south-east, disused since 1999; or the pavilion serving its own pitches. Nor does it record that the Site is private, gated and without public access, that St John's College ceased its use in May 2022, or that the rugby club's lease expired on 1 September 2023. That is the consequence of assessing three areas as one entry. The Site has not been assessed against paragraph 107 of the Framework.

The land had been identified for development

2.7 Paragraph 3.2.9 of the Background Paper [TP13] records why the criterion was added: "PPG advises that LGS designation will rarely be appropriate where the land has been identified for development. LGS should have longevity throughout the local plan period and beyond." The matrix records "no".

2.8 At the date of the Background Paper three planning applications were pending on the Site and an appeal against an enforcement notice was undetermined. All three remain undetermined, and so does the

appeal: on 3 August 2026 the Planning Inspectorate advised the Council that appeal APP/Z1775/C/25/3369774, received on 23 July 2025, lay behind 373 similar appeals and that no determination date could be given. That appeal is brought in part on ground (a) and so carries, under section 177(5) of the Town and Country Planning Act 1990, a deemed application which will remain before the Secretary of State when the Inspectors report. Fraser Range was refused designation on the basis, among others, that it "has also been identified for development (19/00420/FUL)" — a single extant application. The plan-making team had identified this land too: promoted through the Council's own call for sites, it was given a reference and carried into the October 2025 Housing and Economic Land Availability Assessment as site DF14. This entry records the opposite answer on stronger facts.

The Council's own basis for assessing school playing fields

2.9 Paragraph 3.2.4 of the Background Paper explains the recreational value criterion and states that "some school playing fields have been included for assessment as they are used by the public outside of operational hours". That is the Council's stated basis for attributing recreational value to such land.

2.10 It does not hold here. The college had closed, so there were no operational hours; such sporting use as there has been was by arrangement with the landowner, and the Site is gated with no public access. The Playing Pitch Strategy 2018–2034 [GC03] identifies St John's College (Farlington) at paragraph 3.116 among sites in the ownership of Education which are "not available for community use", and at paragraph 4.27 as unsecured use, unavailable for football and rugby. Pre-application enquiry 24/00657/PAPA05 of 23 July 2024 records that the Site is not used towards the Council's pitch provision requirements, that its pitches are not counted towards the city's total provision, and that their community benefit was unclear.

Restricted access: the stated method and the applied method

2.11 Paragraph 3.2.10 of the Background Paper records that accessibility was considered and "has not been selected as a deciding factor for designation", citing Planning Practice Guidance that land may be designated without public access. That is the stated method. In application, every other site with restricted access was refused, the restriction appearing in the reasoning:

- Rugby Camp, Hilsea — home ground of Portsmouth Rugby Football Club, pitches, "sufficient parking provision and a clubhouse"; railway and industrial estate to the east "making the site exposed to high levels of noise"; "minimal pedestrian activity at the time of the visit". Recreational value ticked alone. Not designated.
- East Lodge Recreation Ground — East Lodge Football Club, six pitches and a clubhouse, "however it is restricted access". Not designated.
- United Services Recreation Ground — Royal Navy ground offering cricket, hockey, football and athletics, used also by local clubs. Not designated.
- Horsea Allotments — "On-site access was not possible, and a large proportion of the site was shielded from public view". Not designated.
- Fraser Range — "The site is within private ownership and given the lack of access, as well as its derelict nature, there is an absence of recreational offering to the public". Not designated.

2.12 The sites designated on recreational value alone, Kingston Park and Drayton Park, are publicly accessible. Rugby Camp is the closest analogue: the Site shares each characteristic recorded there and is in addition gated, without public access, and contains hardstanding disused since 1999. Rugby Camp was refused; this designation was made. The omission is therefore not immaterial: assessed on its own facts, by the approach taken to Rugby Camp and Fraser Range, this parcel would have fallen on the same side. The grouping produced the different result.

The criteria which were not applied

2.13 Paragraph 3.2.2 of the Background Paper records that a threshold for an extensive tract of land was discussed but "was considered not relevant to Portsmouth". Paragraph 3.2.3 records that a maximum distance for proximity "was deemed not required for the context of Portsmouth". Two of the three criteria in paragraph 107 of the Framework were not applied site-specifically. The only entry engaging the extensive tract question is Portsdown Hill, recorded as "Yes?" and designated notwithstanding.

Features other than green space

2.14 Paragraph 3.2.11 of the Background Paper records that Planning Practice Guidance permits designation to include features other than green space, and that "features that contribute to the value and functionality of a LGS have been included within the designation where appropriate". That is a test: it requires a judgement that a feature contributes to the value and functionality of the space and that its inclusion is appropriate. No such judgement is recorded, the entry not identifying the features.

The wildlife limb

2.15 The wildlife justification is the Site's role as a Solent Waders and Brent Goose core area. Core Area P08C has been drawn so as to exclude the developed land within the Site: the entrance hardstanding and yard, the access road, the pavilion and the south-east hardstanding all lie outside it, while the grass to the east remains within it, as does an area within Section A which is the subject of application 25/00846/FUL; Hampshire County Council Ecology advised to the same effect on application 24/00990/PLAREG. The core area boundary thus records the developed land the Background Paper does not.

Site selection, site visits and document status

2.16 Paragraph 3.2.12 of the Background Paper records that site visits were carried out during summer to autumn 2023. Where the Council could not enter land it recorded the fact and did not designate, as the Horsea and Longmeadow entries show. It did not do so here. The Site was privately owned, locked and gated throughout, and no approach for access was made.

2.17 The Background Paper available is dated February 2026, while representation 47334 refers to an August 2024 version. The Council is asked which forms part of the evidence base, and whether this entry changed between the two.

The 2026 appeal decision

2.18 Appeal decision APP/Z1775/W/25/3371492 of 9 January 2026 concerned the container use on part of the Site. The Inspector found at paragraph 13 of that decision that the wider open space, including Thirty Two Acres, makes an important and positive contribution to the character and appearance of the area. That finding is not disputed, but it does not answer Question 17: he was applying Core Strategy Policies PCS11, PCS13 and PCS23, and gave limited weight to PLP25, PLP45 and PLP46.

The Council's subsequent review of Chapter 9

2.19 Main modifications MM120 and MM225 in the Council's schedule of suggested main modifications [PCC03] amend Figure 9.1 and the Policies Map to redraw the boundary of the Portsdown Hill Local Green Space; MM121 makes a further amendment to Figure 9.1. Main modifications are proposed to Policies PLP38 to PLP43 and PLP45 but none to PLP46, whose supporting text is amended by AM154 in the schedule of suggested additional modifications [PCC04]. The Council has therefore reviewed Figure 9.1 closely enough to redraw one boundary and republish it, and revised the supporting text to PLP46, while not assessing the designation objected to.

2.20 MM120 and MM225 also establish that the Council accepts a Regulation 19 boundary may include land which ought not to have been designated, and that the remedy is to redraw it.

3. Question 18 — whether Policy PLP46 is otherwise sound

3.1 Policy PLP46 is not justified within paragraph 36(b) of the Framework. The evidence is a single matrix entry which describes features that are not on this land, omits those that are, does not record its ownership or access, gives an answer on the development criterion which was and remains wrong, and applies a recreational value rationale the Council's own evidence shows the land does not satisfy. The Council reached the opposite conclusion at five comparable sites. The modification is confined to this entry: it requires no reconsideration of any other designation, and no view on the methodology beyond its application here. The defect is curable by main modification.

4. Questions 13 to 16 — Development Management Policy PLP45: Open Space

4.1 The Open Spaces Assessment 2020 Addendum [GC09] finds at paragraph 3.2 that provision of every type of public open space in the city will be in deficit by the end of the plan period, quantified at Table 6: amenity greenspace 86.19 hectares, natural and semi-natural 71.37, parks and gardens 46.98, children and young people 42.37, allotments 21.32. Table 9.1, which sets what new development must provide, covers three. Nothing requires new development to provide natural and semi-natural greenspace, allotments or outdoor sports facilities; the burden of meeting those deficits falls on retaining existing provision.

4.2 Paragraph 103 of the Framework requires policies to be based on robust and up-to-date assessments. The principal evidence is the Playing Pitch Strategy [GC03]. In February 2025 the Council and Sport England agreed a timetable completing an updated Strategy by late summer 2026 [SCG23]. The Council has since confirmed [PCC06] that it will not be produced and is only now being commissioned, while relying on Table 1.1 of the 2018 Strategy.

4.3 As to Question 15, Part 2 of Policy PLP45 contains four exceptions where paragraph 104 of the Framework contains three. Limb (c) corresponds to paragraph 104(c). Limb (d), permitting development where "there are wider public benefits which outweigh the harm of the loss", has no direct counterpart but reproduces the Core Strategy Policy PCS13 test, applied at paragraphs 24 to 26 of the 2026 appeal decision. Sport England objects to limb (d) as inconsistent with paragraph 103 of the Framework [SCG23]. Limbs (c) and (d) are supported. No point is taken on limb (a).

4.4 As to Question 16, the Glossary to the Plan defines open space as "All open space of public value... which offer important opportunities for sport and recreation and can act as a visual amenity". The protection in Part 2 therefore attaches to open space of public value. The Green Infrastructure background paper [TP03] treats "private open space" at paragraphs 3.2.28 and 3.2.29 as a category which does not have "quite the same breadth of benefits that publically accessible spaces do", comprising among other things school grounds and private sports clubs. It is not clear how a decision maker applies Part 2 to land the Council's own evidence records as not available for community use, not counted towards the city's provision and of unclear community benefit.

5. Modification sought

5.1 The defect is that the land was not assessed. The remedy is that it should be. The primary modification sought is therefore:

Policy PLP46, Part 1: delete the entry "Farlington Playing Field, St John's College Playing Fields and Farlington Triangle, Drayton & Farlington", with corresponding amendments to the Policies Map [KD04a] and to Figure 9.1 of the Plan. Reason: the land within the former St John's College Playing Fields has not been assessed against the criteria at paragraphs 106 and 107 of the Framework, and its designation is accordingly not justified.

- 5.2** That requires no finding as to the character or value of any of the three areas. It would not prevent the Council designating any of them in a future plan on a proper evidential basis.
- 5.3** If the Inspectors prefer to settle a boundary at examination, the alternative sought is amendment of the boundary on the Policies Map [KD04a] and in Figure 9.1 of the Plan to exclude Section A of the Site, some 2 acres at the western entrance, and Section E of the Site, some 2.5 acres in the south-east — together about 4.5 acres of the 12.81 hectare Site, as shown on drawing 23060/139 Rev A appended to this statement. That would leave Farlington Playing Field, Farlington Triangle, the playing pitches, the pavilion and the access road serving them designated, by the same mechanism as MM120 and MM225 in the Council's schedule of suggested main modifications [PCC03].
- 5.4** Neither modification depends on the outcome of planning applications 25/00701/FUL, 25/00846/FUL and 25/01043/FUL, or of appeal APP/Z1775/C/25/3369774, and neither is sought in aid of them. The land at Sections A and E of the Site is developed land which the Background Paper does not identify or assess, and it would remain so whatever became of the present uses upon it.