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Our ref: 260512
Your ref: P/18/1118/OA



Jean Chambers
Fareham Borough Council

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BY EMAIL ONLY

Dear Jean,

Planning consultation: P/18/1118/OA Demolition of existing buildings and development of up to 75 dwellings, open space, vehicular access point from Newgate Lane and associated and ancillary infrastructure. Land at Newgate Lane, Fareham

Location: Land at Newgate Lane, Fareham

Thank you for your consultation on the above dated 03 October 2018 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES

As submitted, the application could have potential significant effects on the Solent and Southampton Water Special Protection Area. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation:

- Clarification of the proposed measures to compensate the loss of functional area of the Solent Waders and Brent Goose Strategy Low Use site (F15)
- A Biodiversity Mitigation and Enhancement Plan (BMEP), or equivalent, that has been agreed by a Hampshire County Council (HCC) Ecologist with protected species surveys completed prior to determination.

Without this information, Natural England may need to object to the proposal.

Please re-consult Natural England once this information has been obtained.

SPA Supporting Habitat

The proposed development will result in the loss of part of a Solent Waders and Brent Goose Strategy (SWBGS) Low Use site (F15). The Solent Waders and Brent Goose Strategy (SWBGS) aims to protect the network of non-designated terrestrial wader and brent goose sites that support the Solent Special Protection Areas (SPA) from land take and recreational pressure associated with new development. Guidance on mitigation and off-setting requirements has been prepared by the SWBGS Steering Group and the latest version of this document is attached for your information.

The level of mitigation and off-setting required is dependent on the importance of the site within the ecological network and how these non-designated sites support the wider designated Solent SPA network. All Low Use sites have the potential to be used by waders or brent geese. These sites

have the potential to support the existing network and provide alternative options and resilience for the future network. The in-combination loss of these sites would impact on the continued ecological function of the wader and brent goose network. In all cases proportionate mitigation, off-setting and/or enhancement measures will be required.

Natural England therefore advises that further information is provided on the proposed measures to compensate the loss of part of F15. Where impacts cannot be avoided or adequately mitigated on-site, proportionate mitigation would comprise off-setting or enhancement measures via payment towards the management and enhancement of the wider waders and brent geese ecological network.

The attached guidance includes an approach for calculating the compensatory funding for the loss of the functional area of a Low Use site. Alternative approaches to calculating the cost of replacement sites are possible and will be examined on a case-by-case basis. If on-site mitigation is not possible, Natural England strongly recommends that the developer sets out the level of compensatory funding proposed for agreement with Natural England and the local planning authority.

Natural England would be happy to provide further advice on mitigation and off-setting requirements and we recommend that the developer uses our [Discretionary Advice Service](#).

Biodiversity Mitigation and Enhancement Plan

Natural England does not hold locally specific information relating to protected species, local or national biodiversity priority habitats and species, local sites (biodiversity and geodiversity) and local landscape character. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the [Hampshire Biodiversity Information Centre](#) and other appropriate bodies. In some instances, further surveys may be necessary through an ecological appraisal to be agreed by an HCC ecologist.

Natural England has published Standing Advice on protected species. Please note Standing Advice is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation. If you have any specific questions not covered by our Standing Advice, or have difficulty in applying it to this application please contact us at consultations@naturalengland.org.uk.

In order for your authority to be assured that the proposal meets the requirements of the standing advice and the additional requirements for biodiversity enhancement as set out in National Planning Policy Framework paragraphs 8, 118, 170, 174 and 175d, Natural England recommends that the application is supported by a Biodiversity Mitigation and Enhancement Plan (BMEP), or equivalent, that has been agreed by a Hampshire County Council (HCC) Ecologist.

It is noted that a number of protected species surveys are outstanding and this work will need to be completed prior to determination. The BMEP should set out both the proposed mitigation measures and the enhancement measures to show how net biodiversity gain will be achieved.

Other advice

Solent Recreation Mitigation Contributions

This application site is within 5.6km of the Solent and Southampton Water SPA and will lead to a net increase in residential dwellings. Natural England is aware that Fareham Borough Council has adopted planning policy to mitigate against adverse effects from recreational disturbance on the Solent SPA sites, as agreed by the Solent Recreation Mitigation Partnership (SRMP) Definitive Strategy.

Provided that the applicant is complying with this policy and an appropriate planning condition or obligation is attached to any planning permission to secure the contributions towards this mitigation

measure, Natural England is satisfied that the applicant has mitigated against the potential adverse effects of recreational disturbance on the integrity of the European site(s).

Water Resources

Natural England encourages all new development to adopt the higher standard of water efficiency under the Building Regulations (which equates to 110 litres /head/day including external water use) and re-use in line with best practice. Consideration should be given to the use of grey water recycling systems and efficient appliances.

Soils and Land Quality

From the documents accompanying the consultation we consider this application falls outside the scope of the Development Management Procedure Order (as amended) consultation arrangements, as the proposed development would not appear to lead to the loss of over 20 ha 'best and most versatile' agricultural land (paragraph 112 of the National Planning Policy Framework).

For this reason we do not propose to make any detailed comments in relation to agricultural land quality and soils, although more general guidance is available in Defra [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#), and we recommend that this is followed. If, however, you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Green Infrastructure

The proposed development is within an area that Natural England considers could benefit from enhanced green infrastructure (GI) provision. As such, Natural England would encourage further incorporation of GI into this development.

Multi-functional green infrastructure can perform a range of functions including improved flood risk management, provision of accessible green space, climate change adaptation and biodiversity enhancement.

Landscape

This proposal does not appear to be either located within, or within the setting of, any nationally designated landscape. All proposals however should complement and where possible enhance local distinctiveness and be guided by your Authority's landscape character assessment where available, and the policies protecting landscape character in your local plan or development framework.

On receipt of the information requested, we will aim to provide a full response within 21 days of receipt. Please be aware that if the information requested is not supplied, Natural England may need to consider objecting to the proposal on the basis of potential harm to the above designated site.

Should the developer wish to explore options for avoiding or mitigating effects on the natural environment with Natural England, we recommend that they use our [Discretionary Advice Service](#).

Yours sincerely
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Dorset, Hampshire and Isle of Wight