

Subject: P/18/1118/OA

Dear Jean,

Thank you very much for consulting Natural England on the amended ecological report for the above application.

Please note our comments set out in our earlier consultation response are still relevant (dated 12 October 2018, our ref – 260512). We advise that the following information is confirmed:

- **Solent Recreation Mitigation Strategy / Bird Aware Solent financial contribution**

It is noted that Section 8.3.1 of the ecological report sets out that a per-unit contribution will need to be secured with any planning permission to ensure that in-combination recreational impacts on the designated sites are fully mitigated. However, this is contrary to the Shadow HRA Assessment in Appendix VI, which concludes there is no likely significant effect.

Natural England notes that the HRA has not been produced by your authority, but by the applicant. Natural England disputes the Shadow HRA (Appendix VI) which concludes there is no likely significant effect.

As competent authority, it is your responsibility to produce the HRA. Provided that your HRA ensures the applicant is fully compliant with the Bird Aware Solent Definitive Strategy and this is secured by any planning permission, Natural England is satisfied that the applicant has mitigated against the potential adverse effects of the development on the integrity of the European site(s), and has **no objection** to this aspect of the application. We advise that Natural England is consulted on your authority's HRA under regulation 63 (3) on the Conservation of Habitats and Species Regulations (2017) in due course.

- **Clarification of the proposed measures to compensate the loss of functional area of the Solent Waders and Brent Goose Strategy Low Use site (F15)**

Section 8.3.2 of the amended ecological report recommends that the loss of the site should be offset through payment of £35,610 per hectare, to be secured through s.106 agreements, towards the management and enhancement of the wider waders and brent geese ecological network. It is noted that the application boundary is 3.95 hectares. However, the Shadow Appropriate Assessment states that this risk is indeterminable and this is disputed by Natural England.

In accordance with the Solent Waders and Brent Goose Strategy Guidance on Off-setting and Mitigation Requirements (Final Report, October 2018), proportionate mitigation is required for the loss of Low Use sites. Where impacts to Low Use sites cannot be avoided or adequately mitigated on-site, 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 approach set out in section 8.3.2 to offset the loss of the development site through payment of £35,610 per hectare is in accordance with this guidance. Provided your authority's HRA confirms that the applicant is fully compliant with this guidance and this is secured by any planning permission, this approach would be acceptable to Natural England. We advise that this is confirmed in your authority's HRA and Natural England is consulted in due course.

- **Biodiversity Mitigation and Enhancement Plan (BMEP)**

It is noted that protected species surveys remain outstanding. We advise that a Biodiversity Mitigation and Enhancement Plan (BMEP) or equivalent, is submitted prior to determination. This should be agreed by a Hampshire County Council (HCC) Ecologist with outstanding surveys completed and the mitigation and enhancement strategies confirmed, to ensure net biodiversity gain in line with National Planning Policy Framework paragraphs 8, 170, 174 and 175d.

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](#).

Please let me know if you need any further information or if you have any queries on the above.

Kind regards
Rachel

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