

Habitat Regulation Assessment (HRA) Screening Matrix and Appropriate Assessment Statement

PLEASE NOTE: Undertaking the HRA process is the responsibility of the decision maker as the Competent Authority for the purpose of the Habitats Regulations. However, it is the responsibility of the applicant to provide the Competent Authority with the information that they require for this purpose.

HRA drafting date:	04/11/2020
HRA completion date:	
Application reference:	P/20/0912/OA
Application address:	Land to East of Down End Road Fareham
Application description:	Outline Planning Application With All Matters Reserved (Except The Means Of Access) For Residential Development, Demolition Of Existing Agricultural Buildings And The Construction Of New Buildings Providing Up To 350 Dwellings, The Creation Of New Vehicular Access With Footways And Cycleways, Provision Of Landscaped Communal Amenity Space, Including Children's Play Space, Creation Of Public Open Space, Together With Associated Highways, Landscaping, Drainage And Utilities.
Lead Planning Officer:	Richard Wright
Please note that all references in this assessment to the 'Habitats Regulations' refer to The Conservation of Habitats and Species Regulations 2017.	

Stage 1 - details of the plan or project	
European site(s) potentially impacted by planning application, plan or project:	<ul style="list-style-type: none"> • Portsmouth Harbour Special Protection Area (SPA); • Solent and Southampton Water SPA; • Chichester and Langstone Harbours SPA; • Solent Maritime Special Area of Conservation (SAC); • Solent and Isle Wight Lagoon SAC; • Portsmouth Harbour Ramsar site; • Solent and Southampton Water Ramsar site; • Chichester and Langstone Harbours Ramsar site; • Solent and Dorset Coast SPA.

	<p>The three Ramsar sites listed above are not European sites subject to the Habitats Directive, the Wild Birds Directive or the Habitats Regulations. However, a similar assessment has been undertaken for the purposes of the Ramsar Convention, the NPPF and policy DSP13.</p>
<p>Is the planning application directly connected with or necessary to the management of the site (if yes, Applicant should have provided details)?</p>	<p>No. The development consists of an increase in residential dwellings, which is neither connected to nor necessary to the management of any European site or other sites listed above.</p>
<p>Are there any other projects or plans that together with the planning application being assessed could affect the site(s) (Applicant to provide details to allow an ‘in combination’ effect to be assessed)?</p>	<p>All new housing development within 5.6km of the Solent SPAs is considered to contribute towards an impact on the integrity of the Solent SPAs as a result of increased recreational disturbance in combination with other development in the Solent area.</p> <p>The PUSH Spatial Position Statement (https://www.push.gov.uk/work/planning-and-infrastructure/push-position-statement/) sets out the scale and distribution of housebuilding which is being planned for across South Hampshire up to 2034.</p> <p>There are high levels of nitrogen and phosphorus input to the water environment in the Solent with evidence that these nutrients are causing eutrophication at internationally designated sites.</p> <p>An Integrated Water Management Study for South Hampshire was commissioned by the Partnership for Urban South Hampshire (PUSH) Authorities to examine the delivery of development growth in relation to legislative and government policy requirements for designated sites and wider biodiversity. This work has identified that there is uncertainty in some locations as to whether there will be sufficient capacity to accommodate new housing growth.</p> <p>In light of this uncertainty, Natural England sets out a guide in achieving nitrogen neutrality (Working Draft, Natural England, August 2018).</p>

Stage 2 - HRA screening assessment

Screening under Regulation 63(1)(a) of the Habitats Regulations – The Applicant to provide evidence so that a judgement can be made as to whether there could be any potential significant impacts of the development on the integrity of the SPA/SAC/Ramsar.

Portsmouth Harbour SPA/Ramsar

Portsmouth Harbour qualifies as a SPA by supporting internationally or nationally important wintering populations of migratory water fowl, including Dark-bellied Brent goose, Red breasted merganser, Black-tailed and Dunlin.

Portsmouth Harbour qualifies as a Ramsar site for its intertidal mudflat areas supporting extensive beds of narrow-leaved and dwarf eelgrass, which in turn support the grazing dark bellied Brent goose populations.

Conservation objectives

Maintain or where appropriate, restore habitats and species populations of European importance to favourable conservation status.

Solent and Southampton Water SPA/Ramsar

Solent and Southampton Water qualifies as a SPA for its breeding and wintering bird species. As breeding species, the site contains Common Tern, Little Tern, Mediterranean Gull, Roseate Tern and Sandwich Tern. Over wintering birds include Black-tailed Godwit, Dark-bellied Brent Goose, Ringed Plover and Teal.

Solent and Southampton Water also qualifies as a Ramsar site under four criteria, including:

- Supporting many wetland habitats such as saline lagoons, saltmarshes, estuaries, intertidal flats, shallow coastal waters, grazing marshes, reedbeds, coastal woodland and rocky boulder reefs.
- Supporting an important assemblage of rare plants and invertebrates.
- Supporting avian assemblages of international importance
- Regularly supporting 1% of the individuals in a population of one species or subspecies of water bird (in this case, dark-bellied Brent goose).

Conservation objectives

Subject to natural change, ensure that the integrity of the SPA site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring the extent and distribution, the structure and function of the habitats of the qualifying features and the population of each of the qualifying features.

SPAs classified under the EU Birds Directive and SACs designated under the EU Habitats Directive together form the Natura 2000 network. The Habitats Directive establishes the need to properly protect these sites and identifies that this should be carried out having regard to defined 'conservation objectives'. Ramsar sites were established as part of a global convention on important wetland areas; as such, on their own, they are not part of the EU protected sites. Therefore, Ramsar sites do not have agreed conservation objectives as a requirement of EU legislation. However, Ramsar sites are generally contiguous with a number of wetland SPAs and their underlying SSSIs.

While Ramsar sites do not have defined (per EU Habitats Directive) conservation objectives, it is a requirement that any protection and management measures in place for SSSIs, SPAs, and SACs that are contiguous with Ramsar sites adequately cover Ramsar interests where those interests are wider than other underlying UK / EU designation or classification. (<https://publications.parliament.uk/pa/cm199900/cmhansrd/vo001113/text/01113w12.htm> para 12)

The key way in which this is secured through UK planning policy is through NPPF 2018 paragraph 176 which explicitly states that Ramsar sites must be considered in the same way as EU sites.

Chichester & Langstone Harbours SPA/Ramsar

The SPA qualifies by supporting breeding populations of European importance including little tern, common tern and sandwich tern and overwintering populations of European importance of bar-tailed godwit, along with overwintering populations of European importance of a number of regularly occurring migratory species such as dark bellied Brent goose, dunlin, grey plover, red shank, etc. The Ramsar qualifies for comprising two large estuarine basins linked by the channel, supporting an internationally important assemblage of species.

Conservation objectives

Maintain or where appropriate, restore habitats and species populations of European importance to favourable conservation status.

The following section discusses the potential effects that can arise from development activity (both during construction and operation/occupation) at the application site, considers the potential for impact pathways to be present between the application site, and the potential impacts on these SPAs and Ramsar sites of the identified effect via any identified pathway.

Assessment of likely significant effect

Table 1. Solent SPAs (Solent & Southampton Water SPA, Portsmouth Harbour SPA, Chichester & Langstone Harbours SPA) & corresponding Ramsar sites – assessment of likely significant effects

Potential Impacts	Comments
Increased Recreational Disturbance	<p>The proposed development is within 5.6km of the Solent SPAs. In accordance with advice from Natural England and as detailed in Policy DSP15 of the adopted Fareham Borough Local Plan (Development Sites and Policies) and the Solent Recreation Mitigation Strategy, a net increase in housing development within 5.6km of the Solent SPAs is likely to have a significant effect on those sites through a consequent increase in recreational disturbance.</p> <p>Development within the 5.6km zone will increase the human population at the coast and thus increase the level of recreation and disturbance of bird species. This impact is of concern for the populations of over-wintering birds, due to the adverse effects of disturbance on the behaviours of the birds (such as feeding and roosting) and the consequent impacts on the energy budgets of the birds.</p>

The impacts of recreational disturbance (both at the site-scale and in combination with other development in the Solent area) are analogous to impacts from direct habitat loss as recreation can cause important habitat to be unavailable for use (the habitat is functionally lost, either permanently or for a defined period). Birds can be displaced by human recreational activities (terrestrial and water-based) and use valuable resources in finding suitable areas in which to rest and feed undisturbed. These effects can be experienced either within the designated site itself, or on areas outside the designation ('supporting habitat') that are important to the important bird populations at key periods (such as roosting or foraging).

Ultimately, the impacts of recreational disturbance can be such that they affect the status and distribution of key bird species and therefore act against the stated conservation objectives of the Solent SPAs.

Portsmouth Harbour SPA and Solent and Southampton Water SPA

The application site is located approximately 900m from the Portsmouth Harbour SPA and 5.5km of the Solent and Southampton Water SPA. The additional proposed residential units are therefore considered likely to result in an increase in the visitor numbers using the coastline for walking, dog walking, jogging, cycling, and similar recreational activities. Therefore, the development will have a likely significant effect on the Portsmouth Harbour SPA and the Solent and Southampton Water SPA through an increase in recreation use of areas of the coastline within or near the designated site resulting in disturbance impacts to the important overwintering bird populations listed above.

Portsmouth Harbour Ramsar and Solent and Southampton Water Ramsar

As with the impacts on the SPAs, the increase in recreational pressure on or near coastal areas will have a likely significant effect on the Portsmouth Harbour and the Solent and Southampton Water Ramsar sites.

Other sites

Chichester and Langstone Harbours SPA and contiguous Ramsar site is located over 6.7km away.

Research through the Solent Disturbance Mitigation Project (SDMP), independently assessed through peer review and supported by Natural England, identified that residential development further away than 5.6km from relevant SPAs and Ramsar sites would not have a likely significant effect in combination with other plans or projects.

Therefore, due to the large distance and the travel times required to

	<p>visit these sites and any associated supporting habitat, it can be concluded on the basis of objective information that there are <u>no likely significant effects alone or in combination with other plans or projects on Chichester and Langstone Harbours SPA and Ramsar site.</u></p>
<p>Disturbance from construction activities</p>	<p>Birds utilising SPA or Ramsar sites or associated supporting habitats can be disturbed during the construction phase of a development, for example through noisy plant and construction / demolition activities, vibration, or visual disturbance.</p> <p>At the nearest point, the site is located over 900m away from the SPAs and corresponding Ramsar sites. Furthermore, the nearest supporting habitat outside the designated site is located over 430m to the south of the site (Primary Support Area F21). Noise, vibration, and visual disturbance during construction activity for residential development is generally at lower levels than for other more major construction schemes such as major infrastructure or industrial projects. Therefore, due to the large distance, and the presence of other residential units and undesignated semi-natural habitats that would act to buffer any disturbance impacts, no disturbance of birds on the SPA / Ramsar site or associated supporting habitat during the construction phase is likely.</p> <p><u>No likely significant effect alone or in combination with other plans and projects.</u></p>
<p>Hydrological changes</p>	<p>Water quality</p> <p>Habitats within the SPAs that are essential for supporting relevant bird populations, and habitats that form part of the criteria for contiguous Ramsar site can be adversely affected through water-borne (ground- or surface-water) pollution from development sites generated either during construction or operation / occupation.</p> <p>There are no known hydrological pathways linking the application site to the SPAs and their associated Ramsar Sites.</p> <p>The nature of the development (residential development) is not of a type that would result in groundwater pollution as might be expected from other developments such as those requiring deep excavations (quarrying, tunnelling), major infrastructure, or industrial developments. Due to the lack of any impact pathway, any likely significant effect from the development proposal on its own can be excluded.</p> <p>No in combination effects are considered likely, as any other applications in this area would be subject to a site-specific Habitat Regulations Assessment, ensuring no alone or in combination likely significant effect at screening or Appropriate Assessment stage.</p> <p><u>No likely significant effect alone or in combination with other plans</u></p>

and projects.

Foul Water

There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some designated sites. An Integrated Water Management Study for South Hampshire was commissioned by the Partnership for Urban South Hampshire (PUSH) Authorities to examine the delivery of development growth in relation to legislative and government policy requirements for designated sites and wider biodiversity. The PUSH water quality work has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. In order to address the existing uncertainty about the deterioration of the water environment, the proposals should achieve nutrient neutrality.

Natural England has reviewed the methodology used for the calculation of the nitrogen budget for the proposed development and has confirmed the methodology is acceptable. As the calculation identifies a deficit in the nitrogen budget, no likely significant effect alone or in combination with other plans and projects is anticipated. It should however be noted that the calculation is based on a water usage of a 'maximum of 110 litres per day' per person required under section G2 of the Building Regulations 2010 applicable for new dwellings. This water usage will therefore need to be secured and implemented with any planning permission. Provided that an appropriate planning condition or obligation is attached to any planning permission to secure the water usage of 110 litres per person per day, no likely significant effect alone or in combination with other plans and projects.

Flood Risk

During occupation (and to some extent during construction), developments may have effects on the wider area during flood events when runoff rates from the development site are above current levels and where that results in pollutants becoming entrained and transmitted to sensitive water ecosystems. Therefore, in the absence of mitigation, there is a likely significant effect from increased risk of flooding on the Portsmouth Harbour SPA and Ramsar Site. Due to the large distance, no likely significant effect is anticipated from increased risk of flooding on the Solent and Southampton Water SPA and Ramsar Site and the Chichester and Langstone Harbours SPA and Ramsar Site.

Water resources

Water will not be abstracted or diverted from the application site. No likely significant effect alone or in combination with other plans and projects.

<p>Air quality changes</p>	<p>Habitats within the Portsmouth Harbour SPA that are essential for supporting relevant bird populations, and habitats that form part of the criteria for the contiguous Ramsar site can be adversely affected though airborne pollution from development sites generated either during construction or operation / occupation.</p> <p>The proposals have been assessed against the Natural England Guidance – Approach to advising competent authorities on road traffic emissions and HRAs, which is designed to identify the risk of significant adverse effects undermining the achievement of an ecological site’s conservation objectives. The emissions requiring assessment for potential impacts on the interest features of Portsmouth Harbour SPA and Ramsar Site (non-breeding dark-bellied Brent geese, red-breasted merganser, dunlin and black-tailed godwit) are nitrogen deposition, ammonia and nitrogen oxides. The Air Pollution Information System website has identified dunlin and black-tailed godwit as sensitive to ammonia and nitrogen oxide emissions and Brent geese and red-breasted merganser as sensitive to ammonia and increases in nitrogen deposition.</p> <p>The submitted air quality report concludes that the PC (Process Contribution) proportion of the EQS (Environmental Quality Standard) is over 1% for annual mean nitrogen oxide emissions at two locations adjacent to the Portsmouth Harbour SPA and Ramsar Site. However predicted NO₂ concentrations are well below the relevant long-term EQS at these points for the PEC (Predicted Environmental Concentration). The area affected is on the very edge of the Portsmouth Harbour SPA and Ramsar Site and comprises inter-tidal mudflats, which are not considered to be sensitive to increases in nitrogen oxides. This part of the European site does not support significant numbers of feeding black-tailed godwit or dunlin and therefore no likely significant effects on the interest features of the European site are predicted from the scheme alone.</p> <p>In combination air quality modelling predicts the PC proportion of the EQS is over 1% for annual mean nitrogen oxide emissions at six locations adjacent to the Portsmouth Harbour SPA and Ramsar Site. However predicted NO₂ concentrations are well below the relevant long-term EQS at these points for the PEC. The area affected is on the very edge of the European site and comprises inter-tidal mudflats which are not considered to be sensitive to increases in nitrogen oxides.</p> <p>Annual mean ammonia levels are below the relevant EQS for all locations adjacent to the Portsmouth Harbour SPA and Ramsar Site and the percentage contribution remains below 1% of the relevant long-term EQS at all these locations. Therefore, no impacts on red-breasted merganser, Brent geese, black-tailed godwit and dunlin are predicted. Furthermore, the PC proportion of the EQS is less than 1% for all receptor locations for nitrogen deposition. Therefore, no impacts on Brent geese and red-breasted merganser are predicted. For full details of the modelling used and the results of the findings, please refer to the Air Quality Technical Addendum by Resource and</p>
----------------------------	---

	Environmental Consultants (REC) Ltd. (March 2019). <u>No likely significant effect alone or in combination with other plans and projects.</u>
Shortened View-Lines	Due to the large distance, absence of records of over-wintering birds using the site and presence of residential units to the south of the site, no likely significant effect alone or in combination with other plans and projects is anticipated on the sight-lines of Brent geese and waders.

Solent Maritime Special Area of Conservation (SAC)

Qualifying Features

- Estuaries - The Solent encompasses a major estuarine system on the south coast of England. The Solent and its inlets are unique in Britain and Europe for their hydrographic regime of four tides each day, and for the complexity of the marine and estuarine habitats present within the area.
- Spartina swards - The Solent contains the second-largest aggregation of Atlantic salt meadows in south and south-west England.
- There are also a number of Annex I habitats and Annex II species (qualifying feature, but not a primary reason for selection of this site) such as mudflats and sandflats not covered by seawater at low tide, coastal lagoons, Desmoulin's whorl snail etc.

Conservation objectives

Subject to natural change, maintain the qualifying natural habitats and habitats of qualifying species in favourable condition.

Assessment of likely significant effects

Given the nature of the qualifying habitats (wet and boggy and being partly or wholly submerged for much of the time), the distance (approximately 6.7km to the nearest point of the SAC) and the travel times required to access them, lack of hydrological pathways, it is unlikely that the SAC will attract a substantial number of regular visitors and therefore the habitats are unlikely to be impacted by trampling, construction activities or hydrological/air quality changes.

Solent and Dorset Coast SPA

Qualifying Features

Solent and Dorset Coast SPA aims to protect important foraging areas at sea used by qualifying interest features from colonies within adjacent, already classified SPAs. These qualifying interest features are three species of tern: common tern, Sandwich tern and little tern, all during breeding.

Conservation objectives

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

- The extent and distribution of the habitats of the qualifying features
- The structure and function of the habitats of the qualifying features
- The supporting processes on which the habitats of the qualifying features rely
- The population of each of the qualifying features, and,
- The distribution of the qualifying features within the site.

Table 2. Solent and Dorset Coast SPA – assessment of likely significant effects

Potential Impacts	Comments
Increased Recreational Disturbance	<p>The Solent and Dorset Coast SPA aims to protect important foraging areas at sea used by tern colonies. It is not considered that the development proposals will result in an increase of disturbing water-based activities (e.g. jet skiing) and therefore the foraging habitat of terns is unlikely to be impacted.</p> <p><u>No likely significant effect alone or in combination with other plans and projects.</u></p>
Disturbance from construction activities	<p>The site is located over 900m away from the SPA, and therefore due to the large distance and presence of buffers in the form of other residential units and semi-natural habitats, no disturbance during the construction phase is likely.</p> <p><u>No likely significant effect alone or in combination with other plans and projects.</u></p>
Hydrological changes	<p>See discussion in Table 1, in relation to the SPAs. The same conclusion holds for interest features of the SPA with regard to a likely increase in flood risk.</p> <p><u>Likely significant effect alone or in combination with other plans and projects</u></p>
Air quality changes	<p>See discussion in Table 1, in relation to the SPAs. The same conclusion holds for interest features of the pSPA with regard to atmospheric pollution.</p> <p><u>No likely significant effect alone or in combination with other plans and projects</u></p>

Solent and Isle of Wight Lagoons SAC

Qualifying Features

The Solent on the south coast of England encompasses a series of Coastal lagoons, including percolation, isolated and sluiced lagoons. The lagoons show a range of salinities and substrates, ranging from soft mud to muddy sand with a high proportion of shingle, which support a diverse fauna including large populations of three notable species: the nationally rare foxtail stonewort *Lamprothamnium papulosum*, the nationally scarce lagoon sand shrimp *Gammarus insensibilis*, and the nationally scarce starlet sea anemone *Nematostella vectensis*.

Conservation objectives

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- The extent and distribution of qualifying natural habitats
- The structure and function (including typical species) of qualifying natural habitats, and
- The supporting processes on which qualifying natural habitats rely

Table 3. Solent and Isle of Wight Lagoons SAC – assessment of likely significant effects

Potential Impacts	Comments
Increased Recreational Disturbance	The SAC is located over 20km from the application site and therefore no adverse impacts are likely due to the large distance. <u>No likely significant effect alone or in combination with other plans and projects.</u>
Disturbance from construction activities	The site is located over 20km away from the SAC, and therefore due to the large distance, no disturbance during the construction phase is likely. <u>No likely significant effect alone or in combination with other plans and projects.</u>
Hydrological changes	The site is located over 20km away from the SAC, and therefore due to the large distance and a deficit in the nitrogen budget of the site, no adverse impacts are likely. <u>No likely significant effect alone or in combination with other plans and projects</u>
Air quality changes	No likely significant effect alone or in combination with other plans and projects due to the large distance. <u>No likely significant effect alone or in combination with other plans and projects</u>

Would the proposal lead to a likely significant effect on European site?

YES – Stage 2 of the HRA of the planning application has concluded that the development would have a likely significant effect on the Portsmouth Harbour SPA and the Solent and Southampton Water SPA and their corresponding Ramsar sites through the in-combination effects of increased recreational activity in or near these sites arising from the increase in nearby residential development adversely affecting the behaviour of relevant bird populations to the extent that this would have a likely negative effect on the energy budgets of the birds and consequently affect their ability to survive through the winter period, spring migration and successful summer breeding.

The Stage 2 screening has also concluded that there would be a likely significant effect on the Portsmouth Water SPA and Ramsar site and Solent and Dorset Coast SPA arising from the potential increased risk of flooding, alone or in-combination with other plans/projects.

(If yes, continue to Stage 3).

Stage 3 - Appropriate Assessment

Appropriate Assessment under Regulation 63(1) - if there are any potential significant impacts, the applicant must provide evidence showing avoidance and/or mitigation measures to allow an Assessment to be made. The Applicant must also provide details which demonstrate any long-term management, maintenance and funding of any solution.

Portsmouth Harbour SPA and Ramsar Site and Solent and Southampton Water SPA and Ramsar site

The project being assessed would result in a net increase of dwellings within 5.6km of these designations. In line with Policy DSP15 of the adopted Fareham Borough Local Plan (Development Sites and Policies), and the Solent Recreation Mitigation Strategy, a permanent significant effect on the Portsmouth Harbour and Solent and Southampton water SPAs due to increase in recreational disturbance as a result of the new development, is likely. As such, in order to lawfully be permitted, the development will need to include a package of avoidance and mitigation measures. In carrying out this, proper regard must be paid to the sites' conservation objectives, which are to:

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

- The extent and distribution of the habitats of the qualifying features
- The structure and function of the habitats of the qualifying features
- The supporting processes on which the habitats of the qualifying features rely
- The population of each of the qualifying features, and,
- The distribution of the qualifying features within the site.

Fareham Borough Council formally adopted the Solent Recreation Mitigation Strategy (SRMS) in March 2018. The SRMS provides a strategic solution to ensure the requirements of the Habitats Regulations are met with regard to the in-combination effects of increased recreational pressure on the Solent SPAs arising from new residential development. This strategy represents a partnership approach to the issue which has been endorsed by Natural England.

The SRMS was developed following extensive research into the impacts of recreational disturbance on the Solent suite of SPAs (the Solent Disturbance and Mitigation Project (SDMP)). This was subject to independent peer review and subsequently fully endorsed by Natural England. Therefore, it can be concluded that this approach is based on robust and objective scientific evidence.

As set out in the SRMS, an appropriate scale of mitigation for this scheme would be:

Size of Unit	Scale of Mitigation per Unit
1 Bedroom	£337.00
2 Bedroom	£487.00
3 Bedroom	£637.00
4 Bedroom	£749.00
5 Bedroom	£880.00

The developer contributions paid to local planning authorities are pooled together for the implementation of the mitigation measures (e.g. covering the work carried out by the rangers, communications, marketing and education initiatives and site-specific visitor management projects) through the Solent Recreation Mitigation Partnership. Furthermore, some schemes, due to their scale or location in relation to the SPAs, may need to provide bespoke mitigation measures in addition to making the financial contribution, to ensure effective avoidance/mitigation of impacts on the SPAs. The application site is however neither of the scale (up to 350 units) or location (over 900m away) to require a bespoke mitigation package.

Policy DSP15 of the adopted Fareham Borough Development Sites and Policies Plan (2015) sets out the Council's approach to securing the appropriate mitigation measures to address the in-combination impact of increased recreational disturbance arising from increased housing development. It states:

“Planning permission for proposals resulting in a net increase in residential units may be permitted where ‘in combination’ effects of recreation on the Special Protection Areas are satisfactorily mitigated through the provision of a financial contribution that is consistent with the approach being taken through the Solent Recreation Mitigation Strategy.”

The application is in outline form with the scale of development reserved (see application description above which sets out the maximum level of development). Nonetheless, a legal agreement which secures the full avoidance and mitigation package set out above will need to be secured prior to the granting of any planning permission. This would ensure that the mitigation is calculated and provided at the reserved matters stage when the scale of development is known.

Without the security of the mitigation being provided through a legal agreement, a significant effect would remain likely. Providing such a legal agreement is secured through the planning process, the proposed development will not affect the status and distribution of key bird species and therefore not act against the stated conservation objectives of the European sites. No additional or further mitigation is considered to be required. Accordingly, on the best scientific evidence, officers consider that the development, subject to the proposed mitigation package, will not adversely affect the integrity of the Portsmouth Harbour and the Solent and Southampton Water SPAs alone or in combination.

The increased recreational disturbance on the Portsmouth Harbour and the Solent and Southampton Water Ramsar Sites will be mitigated by the inclusion of relatively large areas of informal and formal Public Open Space (POS) in the north, east, south and central parts of the application site. The POS will provide a high quality alternative open space, with the ability to take the pressure from the recreational activity along the coastline. Therefore, it is concluded that the provision of 3.2ha of alternative green space (7.17ha of onsite green infrastructure in the form of parks and amenity open space, outdoor sport and accessible natural greenspace) is able to absorb the additional visitor pressure and mitigate the likely significant effect on the Ramsar Sites. As such, it is not considered that there will be any adverse effects on the integrity of the Ramsar sites, alone or in combination.

Portsmouth Harbour SPA and Ramsar Site and Solent and Dorset Coast SPA

The project being assessed is likely to result in an increased risk of flooding, if unmitigated. As such, in order to lawfully be permitted, the development will need to include a package of avoidance and mitigation measures. In carrying out this, proper regard must be paid to the sites' conservation objectives of ensuring that the integrity of the sites are maintained or restored as appropriate. The submitted Flood Risk Assessment and Drainage Strategy (Odyssey, July 2020) confirms that the surface water generated by the proposed development would drain to four attenuation basins, located adjacent to the southern boundary of the site owing to the drainage catchments. On-parcel SuDS features such as permeable paving could also be utilised upstream. It is also confirmed that maintenance of the drainage system and of any implemented SuDS features would be carried out in accordance with the manufacturer guidance and through an approved maintenance management plan to minimise the residual flood risk of drainage system blockage.

The proposed infiltration basins have been designed to accommodate flows from a 1 in 100 year storm event plus 40% to account for climate change. Therefore, it is concluded that the provision of this drainage system, will avoid any adverse effects on the integrity of the Portsmouth Harbour SPA and Ramsar Site and the Solent and Dorset Coast SPA.

Stage 4 – Summary of the Appropriate Assessment (To be carried out by the Competent Authority (the local planning authority) in liaison with Natural England

In conclusion, the application will have a likely significant effect in the absence of avoidance and mitigation measures on the Portsmouth Harbour SPA and Ramsar Site, the Solent and Southampton Water SPA and Ramsar Site and Solent and Dorset Coast SPA. This represents the authority's Appropriate Assessment as Competent Authority in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the Natural Environment and Rural Communities Act 2006 to the purpose of conserving biodiversity. Consideration of the Ramsar site/s and potential Special Protection Areas is a matter of government policy set out in the National Planning Policy Framework 2018.

The authority has concluded that the adverse effects arising from the proposal are wholly consistent with, and inclusive of the effects detailed in the Solent Recreation Mitigation Strategy. The authority's assessment is that the proposed mitigation package complies with this Strategy and that it can therefore be concluded that there will be no adverse effect on the integrity of the Portsmouth Harbour SPA and the Solent and Southampton Water SPA. Similarly, the authority has concluded that the adverse effects from increased recreational disturbance on the Portsmouth Harbour Ramsar and the Solent and Southampton Water Ramsar will be mitigated through the delivery and management of the POS. There will be no adverse effect on the integrity of these Ramsar Sites with this mitigation. There will be no adverse effect on the integrity of the Portsmouth Harbour SPA and Ramsar Site and the Solent and Dorset Coast SPA, as a result of any hydrological changes (increased flood risk), provided that the SuDS measures detailed above are put in place.

In order to ensure that the nitrogen budget for the application site was correctly calculated, a planning condition, limiting water consumption to 110 litres per day per person will be imposed.

Natural England Officer:

Comments from Natural England awaited.