

## Cumming, Claire

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**Subject:** FW: 331229 & 331220 NE response - P/20/1168/OA & P/20/1166/CU - Land To The South Of Funtley Road, Funtley, Fareham

**From:** Aziz, Rebecca <[Rebecca.Aziz@naturalengland.org.uk](mailto:Rebecca.Aziz@naturalengland.org.uk)>

**Sent:** 17 November 2020 09:32

**To:** Wright, Richard <[RWright@Fareham.Gov.UK](mailto:RWright@Fareham.Gov.UK)>

**Subject:** 331229 & 331220 NE response - P/20/1168/OA & P/20/1166/CU - Land To The South Of Funtley Road, Funtley, Fareham

Dear Richard

**RE: Fareham Borough Council - Consultation: Land to the south of Funtley Road, Funtley**

Thank you for consulting Natural England. This email forms Natural England's response to the following two separate but related consultations:

- **P/20/1168/OA** - Outline application to provide up to 125 one, two, three and four-bedroom dwellings including 6 Self or Custom build plots, Community Building or Local Shop (Use Class E & F.2) with associated infrastructure, new community park, landscaping and access, following demolition of existing buildings.- Land To The South Of Funtley Road, Funtley, Fareham
- **P/20/1166/CU** - Change of use of land from equestrian/paddock to community park following demolition of existing buildings - Land South Of Funtley Road, Fareham

Natural England note the development site for the housing is already subject to an existing recent approval for scheme for 55 dwellings (application reference P/18/0067/OA). The land currently subject to the change of use application is also already subject to existing approvals for a separate development for 27 dwellings north of Funtley road (related applications P/19/0864/RM and P/18/0066/CU).

### ADDITIONAL INFORMATION REQUIRED

#### **Deterioration of the water environment – Solent nutrients**

The proposals will involve an increase in residential accommodation in the Solent catchment served by a wastewater system, and therefore it is our advice that the development will need to achieve nutrient neutrality to address uncertainty with regards to nutrient overloading within the Solent European designated sites. The application is supported by a nutrient budget calculation within Appendix 4 of the supporting Planning Statement (Turley, October 2020) that outlines the development will

result in a nutrient burden of 67.3 kg TN/yr. It is intended to mitigate this burden via a change in land use to derive a net reduction in nitrogen reaching the Solent designated sites.

### *Mitigation*

- Community Park

It is important to note that the currently approved community park provides 3.06ha of nutrient mitigation for P/19/0864/RM for 27 dwellings (north of Funtley Road) to address a nutrient budget of 24.46 kgTN/yr, as set out in the appropriate assessment and signed Section 106 associated with the development.

The Planning Statement discusses this aspect and outlines the N benefit capacity of the community park in line with the latest Natural England nutrients guidance, which takes into account an acceptable background level of 2mg/l of nitrogen in the existing water environment. It calculates an updated area of mitigation land required for development P/19/0864/RM. It then calculates the remaining capacity with the park is 5.14ha, equating to 41.12 kgTN/yr. It outlines the remainder of the budget for the current housing application will require further offsite mitigation.

It is for you as local planning authority to determine how the issue of altering the nutrient mitigation requirements associated with development P/19/0864/RM can be addressed appropriately in planning terms. A key principle of the mitigation is that it should be delivered prior to first occupation of the development, to ensure impacts from increased nutrient release into the Solent catchment are avoided.

It will be important to ensure the delivery of mitigation for application P/19/0864/RM prior to first occupation is not compromised.

- Management of on-site mitigation

To ensure it is effective mitigation, any scheme for neutralising nitrogen must be certain at the time of appropriate assessment so that no reasonable scientific doubt remains as to the effects of the development on the international sites. This will need consideration of the delivery of mitigation, its enforceability and the need for securing the adopted measures for the duration of the development's effects, generally 80-125 years.

The supporting Planning Statement (Turley, October 2020) for the current Change of Use application with regards to the Community Park outlines: *“Following implementation of the planning permission, the land can either be transferred to the Council at an appropriate sum to cover the maintenance and management of the park for a specified period of time can be provided by the applicant, or the park can be privately managed.”*

It is Natural England's advice that control and management of the land is transferred to the local authority to ensure the long-term management of this land as public open space (with no fertiliser inputs, collection of dog waste etc.) and to ensure the principle of such mitigation will be upheld following the 80-125 year period, i.e. over the lifetime of the development. Ideally the favourable management of Great Beamond Coppice Site of Importance for Nature Conservation (SINC) should also be included as

part of a wider ecological enhancement strategy (see more on this below). Alternatively the land could be transferred to another suitable third party (such as the local Wildlife Trust, Hampshire County Council, The Land Trust etc.).

Where the mitigation land is to remain within private control, or be transferred to a third party other than the local authority, the application will need to be supported by a detailed long-term management and monitoring plan, to be agreed with the local authority, that sets out how the land will be managed and monitored, in perpetuity, to keep at the 5kgTN rate. Details of how it will be funded should also be provided. Legal step-in powers are likely to be needed for the local authority, again details of appropriate funding for this are likely to be required. Where a resident charge is proposed to fund a private management company, legally robust financial arrangements will be required to ensure payments are ring fenced for the purpose of delivering the agreed management and monitoring plans; robust financial arrangements are likely to be needed to avoid any problems with claiming monies or shortfalls in payments etc.

- Remaining budget

The Planning Statement outlines the intention for the development's remaining budget to be offset via the purchase of 'nitrogen credits' for the Warnford planting scheme, and that the details with regards to the 'precise location of the parcel of land that will be allocated to this scheme ...will be detailed within the s106'. Provided you as competent authority are confident this aspect can be appropriately legally secured, Natural England would have no concerns over this aspect of the proposed nutrient mitigation approach.

#### **Recreational Disturbance – Solent Special Protection Areas (SPAs)**

This application is within 5.6km of Solent and Southampton Water SPA and will lead to a net increase in residential accommodation. Natural England is aware that Fareham Borough Council have 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), also known as Bird Aware Solent.

Provided that the applicant is complying with the policy and the Bird Aware Definitive Strategy, Natural England are 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.

Please note, your authority's appropriate assessment should reflect the current developer contribution rates, which are updated every April in line with the Retail Price Index.

#### **Ancient woodland and Site of Importance for Nature Conservation (SINC)**

The area identified for conversion to Community Park includes the Great Beamond Coppice SINC, which also shows as ancient replanted woodland on the Natural England Ancient Woodland Inventory. Natural England supports the concept of a Community Park to the south of the developable area.

The supporting Ecological Assessment (Ecology Solutions, Sept 2020) outlines measures including a natural buffer planted up with thorny and dense species, and the potential to erect fencing to deter recreational users of the woodland from the development. However due to the scale of the housing, it is considered this SINC ancient woodland is likely to suffer detrimental impacts without further measures. Recreational impacts on woodland can include loss of ground flora, soil compaction, enrichment from dog waste, disturbance to species, cat predation etc. Natural England have concerns that this may lead to long term adverse impacts.

It is our view that the applicant seeks to incorporate Great Beamond Coppice into the Community Park to be managed for nature conservation by an appropriate management body, preferably the local authority (see above advice), to ensure its favourable long-term management to ensure no adverse impacts to the ancient woodland, and that the nature conservation interests of Great Beamond Coppice are managed and enhanced for biodiversity net gain.

It is advised a long-term management and monitoring plan for the Park is developed that outlines how the SINC itself will be positively managed along with the incorporation of further avoidance/mitigation measures designed in line with Natural England standing advice on [ancient woodland, ancient trees and veteran trees](#) and [protected species](#). It is recommended such measures include larger buffers above the 15m minimum (which is advised with specific regards to the root protection zone) and further woodland and scrub planting that improves ecological connectivity between the SINC and its environs and to mitigate some of the recreational pressures. Details should be provided with regards to which management body will deliver such a plan, a long-term monitoring strategy and appropriate level of funding to ensure the effective long-term delivery of such measures.

We advise that these issues are considered further. Natural England will be happy to provide further advice on this aspect through our [Discretionary Advice Service](#).

If you have any queries please let me know.

Many thanks,  
Becky

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