

# **Biodiversity and Geological Conservation Background Paper**

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**GOSPORT**  
Borough Council

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# Biodiversity and Geological Conservation Background Paper

## 1.0 INTRODUCTION

- 1.1 This document is a Background Paper to the Gosport Borough Local Plan 2038 relating to biodiversity and geological conservation issues. It also has relevance to the issues relating to green infrastructure. The Background Paper sets out the relevant national and local policy context. It includes a summary of evidence and consultation responses to various issues related to biodiversity and geological conservation.

## 2.0 POLICY CONTEXT

### National Policy

#### Natural Environment and Rural Communities Act (NERC) 2006

- 2.1 Section 40 of the NERC Act places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. A key purpose of this duty is to embed consideration of biodiversity as an integral part of policy and decision-making throughout the public sector.

#### A Green Future: Our 25 Year Plan (Defra 2018)

- 2.2 Commonly referred to as the 25 Year Environment Plan, this document sets out the Government's goals for improving the environment within a generation and leaving it in a better state within a generation. The document details how the Government intends to work with communities and businesses to achieve this. In terms of planning policy there are a number of actions set out including:

- Embedding an environmental net gain principle for development including housing and infrastructure;
- Putting in place more sustainable drainage systems;
- Developing a nature recovery network;
- Helping people improve their health and wellbeing by using greenspaces and the natural environment;
- Encouraging children to be close to nature;
- Creating more green infrastructure and planning more trees in and around towns;
- Reducing pollution and waste.

#### National Planning Policy Framework (MHCLG, 2021)

- 2.3 The National Planning Policy Framework (NPPF) recognises that the purpose of the planning system is the achievement of sustainable development which comprises economic, social and environmental objectives. With regard to the environmental objective it is necessary to contribute to protecting and enhancing the natural, built and historic environment, including helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change.

2.4 The NPPF includes a section relating to conserving and enhancing the natural environment. It states that planning policies and decisions should enhance the natural and local environment through a number of considerations including:

- protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

2.5 The NPPF also states that plans should:

- distinguish between the hierarchy of international, national and locally designated sites;
- allocate land with the least environmental or amenity value, where consistent with other policies in the NPPF;
- take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure;
- plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.

2.6 There is specific guidance relating to protecting and enhancing biodiversity and geodiversity. Plans should:

- Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity wildlife corridors and the stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation ; and
- Promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

- 2.7 It adds that when determining planning applications local planning authorities should apply the following principles:
- if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
  - development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
  - development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
  - development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
- 2.8 It clarifies that the following should be given the same protection as habitats sites:
- potential Special Protection Areas and possible Special Areas of Conservation;
  - listed or proposed Ramsar sites; and
  - sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.
- 2.9 Importantly the presumption in favour of sustainable development does not apply where development requiring an appropriate assessment because of its potential impact on a habitats site is being planned or determined.
- Planning Practice Guidance (MHCLG, last relevant update: July 2019)<sup>1</sup>
- 2.10 The Planning Practice Guidance (PPG) was published to support the NPPF and to provide further guidance where appropriate. It provides signposts to other guidance on the statutory basis for planning to minimise the impacts on biodiversity and to provide net gains where possible. It also includes an explanation of the mitigation hierarchy.
- 2.11 Local planning authorities and neighbourhood planning bodies should seek opportunities to work collaboratively with other partners, including Local Nature Partnerships, to develop and deliver a strategic approach to protecting and improving the natural environment based on local priorities and evidence. Equally, they should consider the opportunities that individual development

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<sup>1</sup> <https://www.gov.uk/government/collections/planning-practice-guidance>

proposals may provide to enhance biodiversity and contribute towards wildlife and habitat connectivity in the wider area. In considering how development can affect biodiversity, and how biodiversity benefits could be delivered through the planning system, it is useful to consider:

- The latest government policies that are relevant including the commitments in the 25 Year Environment Plan<sup>2</sup>;
- The contents of any existing up-to-date plans and strategies for biodiversity and nature recovery;
- The potential effects of a development on the habitats or species on the Natural Environment and Rural Communities Act 2006 Section 41 list (in Biodiversity 2020);
- Whether an ecological survey is appropriate;
- Opportunities to restore and enhance local ecological networks, including those that contribute to the wider Nature Recovery Network;
- Help to secure net gains for biodiversity as part of green infrastructure provision; and
- Opportunities to work strategically in order to streamline development decisions: for example by establishing a 'zone of influence' around protected sites.

#### 2.12 Relevant evidence in identifying and mapping local ecological networks includes:

- the broad geological, geomorphological and bio-geographical character of the area, creating its main landscapes types;
- key natural systems and processes within the area, including fluvial and coastal;
- the location and extent of internationally, nationally and locally designated sites;
- the distribution of protected and priority [habitats and species](#);
- areas of [irreplaceable natural habitat](#), such as ancient woodland, the significance of which may be derived from habitat age, uniqueness, species diversity and/or the impossibilities of re-creation;
- habitats where specific land management practices are required for their conservation;
- main landscape features which, due to their linear or continuous nature, support migration, dispersal and gene flow, including any potential for new habitat corridors to link any isolated sites that hold nature conservation value, and therefore improve species distribution;
- areas with potential for habitat enhancement or restoration, including those necessary to help biodiversity adapt to climate change or which could assist with the habitats shifts and species migrations arising from climate change;
- an audit of green infrastructure such as open space with urban areas;
- information on the biodiversity and geodiversity value of previously developed sites and the opportunities for incorporating this in developments; and
- areas of geological value which would benefit from enhancement and management.

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/693158/25-year-environment-plan.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/693158/25-year-environment-plan.pdf)

- 2.13 It states that Local Nature Partnerships can be a useful source of information for existing ecological networks.
- 2.14 The guidance states that local ecological networks can be identified and mapped as part of the plan-making process, with policies identifying appropriate levels of protection and opportunities to create, restore or enhance habitats and improve connectivity.
- 2.15 The PPG includes further detailed advice on Local Wildlife Sites which in Hampshire are termed as Sites of Importance for Nature Conservation (SINC) including the relevant criteria and how information is kept up to date. In Hampshire these functions are undertaken by the Hampshire Biodiversity Information Centre (HBIC), of which Gosport Borough council is a partner organisation.
- 2.16 The PPG signposts to further guidance on protected and priority species which are detailed below. It also sets out the mitigation hierarchy (Information; Avoidance; Mitigation; Compensation) as identified in paragraph 175 of the NPPF.
- 2.17 The latest guidance published in July 2019 includes significant new guidance on biodiversity and environmental net gain. In terms of biodiversity net gain this seeks to deliver measurable improvements for biodiversity by creating or enhancing habitats in association with development. This can be achieved on-site, off-site or through a combination of on-site and off-site measures.
- 2.18 Planning conditions or obligations can be applied to require that a planning permission provides for works that will measurably increase biodiversity. This can include:

|  |   |
|--|---|
| <ul style="list-style-type: none"> <li>• creating new habitats</li> <li>• providing green roofs</li> <li>• street trees</li> </ul> | <ul style="list-style-type: none"> <li>• enhancing existing habitats</li> <li>• green walls</li> <li>• sustainable drainage systems</li> <li>• range of small feature (bug hotels, swift bricks, bat boxes, hedgehog highways)</li> </ul> |
|--|---|

- 2.19 Off-site measures can be secured from habitat banks which comprise areas of enhanced or created habitats which generate biodiversity unit credits.
- 2.20 Gains need to be genuine and demonstrable. Tools such as the Defra biodiversity metric can be used.
- 2.21 Biodiversity net gain does not override the protection of designated sites, protected or priority species and irreplaceable or priority habitats set out in the NPPF.

Circular 06/05 Biodiversity and Geological Conservation - Statutory Obligations and their impact within the Planning System (2005)

- 2.20 This document sets out the legal provisions for wildlife sites and is still applicable for most types of wildlife sites. Need to be genuine and demonstrable. Tools such as the Defra biodiversity metric can be used.

### Conservation of Habitats and Species Regulations 2017

- 2.17 The 'Conservation of Habitats and Species Regulations 2017'<sup>3</sup> (which consolidate and update the 2010 Regulations) are the principal means by which the European Habitats Directive is transposed in England and Wales.

### Biodiversity 2020 Strategy (Defra 2011)

- 2.18 Section 74 (2) of the Countryside and Rights of Way Act 2000 requires the Government to produce a list identifying habitats and species which are considered of principal importance for the conservation of biological diversity in England.

### **Sub-regional policy/strategy**

### PUSH Spatial Position Statement (June 2016)

- 2.19 The formulation of the Local Plan has been guided at the sub-regional level by a consortium of South Hampshire authorities, which came together to form the Partnership for South Hampshire (PfSH, formerly PUSH). PfSH has produced a Position Statement which informs and coordinates longer term decisions about development and investment in South Hampshire and the Isle of Wight to 2034.
- 2.20 The Statement recognises the importance of the local environment including internationally protected coastal and estuarine habitats. The document sets out a number of spatial principles including three relating to the protection of the natural environment as set out in Position Statement SP1: Spatial Principles. These are:
- Minimising harm to areas designated for nature conservation interest;
  - Supporting and protecting wildlife and important biodiversity and geological resources;
  - Investing in enhancing green infrastructure.
- 2.21 Position Statement G1 on green infrastructure recognises the importance of the PfSH authorities and their partners to work together to plan, provide and manage connected networks of multi-functional green spaces. These networks will be planned and managed to deliver the widest range of environment, social and economic benefits. Types of projects include:
- Landscape scale green infrastructure projects;
  - Provision of new and enhance of existing strategic recreational facilities (such as country parks);
  - Projects that will effectively divert recreational pressure away from sensitive European sites;
  - Ecological protection and mitigation;
  - Watercourse and river corridor restoration and enhancement;
  - Coastal/seafront enhancement;
  - Greener urban design/greening the urban area initiative.

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<sup>3</sup> <https://www.legislation.gov.uk/uksi/2017/1012/contents/made>

2.22 Position Statement ENV1 on the environment requires that PfSH authorities protect the natural environment including using a number of mitigation measures including:

- Considering how development is designated and where it is located
- Managing the impacts of increased visitor pressures on the Solent (through the Solent Recreational Mitigation Strategy) and the New Forest National Park
- Managing water supply, waste water and flood risk.

PUSH Green infrastructure Strategy and Action Plan (2018)

2.23 The PUSH Green Infrastructure Strategy 2017-2034 (PUSH July 2018)<sup>4</sup> highlights the need to plan for green infrastructure including preserving and enhancing biodiversity in the sub-region in order to satisfactorily accommodate the proposed growth in South Hampshire. It is supported by a regularly updated Implementation Plan (last agreed December 2018).

2.24 The objectives of the GI Strategy are set out below:

- Enable and complement planned sustainable economic growth and development.
- Contribute to reducing flood risk on local communities.
- Improve the health and wellbeing of communities by providing green areas for recreation and by addressing the impacts of noise, air and water pollution.
- Help communities and the natural environment adapt to a changing climate.
- Protect and enhance biodiversity, providing mitigation for the impact of development taking place within the sub-region and in-combination with that taking place adjacent to it.
- Promote access to GI through greater connectivity of spaces, in so far as this does not compromise environmental sensitivities.
- Create new areas of GI to serve new and existing developments.
- Where appropriate, maximise multi-functionality of new and existing GI.
- Enhance the quality of the landscape and maintain the distinctiveness of settlement pattern and promote sense of place.
- Provide a strategic framework for locally prepared GI strategies within the sub-region.
- Integrate PUSH strategic GI priorities with those of neighbouring GI strategies / frameworks.

2.25 The GI Strategy identifies a South Hampshire Green Grid and considers opportunities to enhance it. Overarching types of projects identified in the Implementation Plan, many of which are linked to improving nature conservation interest, include:

- Landscape-scale green infrastructure projects (e.g. improving connectivity and access between woodlands dispersed across a wide area);
- the provision of new and enhancement of existing strategic recreational facilities (e.g. Country Parks);

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<sup>4</sup> <https://www.push.gov.uk/work/planning-and-infrastructure/green-infrastructure-flooding-water-management/>

- Projects that will effectively divert recreational pressures away from sensitive European sites (e.g. strategic Suitable Alternative Natural Greenspace (SANGs));
- The creation and enhancement of a network of green recreational routes (such as pedestrian and cycle paths) including improved links between urban and rural areas, and to the countryside and National Parks;
- Ecological protection and mitigation projects (e.g. creation of undisturbed refuge habitat for coastal birds);
- River corridor restoration and enhancement (blue infrastructure);
- Coastal/seafront enhancement; and
- Greener urban design/greening the urban area initiatives.

#### Hampshire Biodiversity Action Plan

2.26 The Hampshire Biodiversity Action Plan (Hampshire Biodiversity Partnership 1998 onwards) identifies species and habitats of priority concern and sets out details relating to current status, factors affecting the habitat, current action and proposed action. Its objectives for the urban area includes:

- to protect key sites of nature conservation importance in urban areas; and
- to identify and evaluate the natural features of urban areas to provide a sound basis for their protection and management.

#### The Solent Waders and Brent Goose Strategy 2020

2.27 The Solent Waders and Brent Goose Strategy (Hampshire and Isle of Wight Wildlife Trust, Natural England et al 2020)<sup>5</sup> relates to the internationally important Brent Goose and wading bird populations within and around the Special Protection Areas and Ramsar wetlands of the Solent Coast (Hampshire, Isle of Wight and West Sussex) including a number of sites within Gosport. The Strategy provides an evidence base for use in decision-making processes that may impact on the ecological network of sites used by these birds. The underlying principle of the Strategy is to wherever possible conserve extant sites, and to create new sites, enhancing the quality and extent of the feeding and roosting resource. The strategy is a long-established approach in South Hampshire with the first strategy being produced in 2002, and an updated one in 2010. This version includes a new metric-based method for assessing and prioritising sites, as well as including new maps and bird records.

#### Solent Recreation Mitigation Strategy (December 2017)

2.28 This strategy was produced by the Solent Recreation Mitigation Partnership (SRMP) which includes Gosport Borough Council. It was endorsed by PUSH Joint Committee on 5<sup>th</sup> December 2017 and then subsequently approved by Gosport Borough Council 31<sup>st</sup> January 2018. The SRMP is also known as Bird Aware Solent as part of its public-facing branding.

2.29 The Strategy provides housebuilders with a package of measures that are funded by developer contributions to mitigate recreational disturbance impacts

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<sup>5</sup> <https://solentwbgs.files.wordpress.com/2021/03/solent-waders-brent-goose-strategy-2020.pdf>

on internationally protected habitats around the Solent caused by new residential developments.

- 2.30 The importance of the Solent coastline for wildlife has been recognised by international protection designations including four Special Protection Areas (SPAs) – the Portsmouth Harbour SPA, the Solent and Southampton Water SPA, the Chichester and Langstone Harbours SPA and the new Solent and Dorset Coast SPA. These SPAs have been designated predominantly for the protection of the large numbers of waders and wildfowl which spend the winter on the Solent.
- 2.31 The protection afforded by the SPA designations has particular consequences. Under the Habitats Regulations<sup>6</sup> any plan or project can only lawfully go ahead if it can be shown that the development, either on its own or in combination with other plans or projects, will have no adverse effect on the integrity of the SPAs.
- 2.32 In accordance with these Regulations, Policy LP42 of the adopted Gosport Borough Local Plan 2029 (GBLP) relates specifically to the issue of recreational disturbance. It states that ‘all new residential development will be required to avoid or mitigate likely significant ‘alone’ and ‘in-combination’ effects on internationally important habitats caused by recreational disturbance.’ The justification text of the GBLP policy refers to the requirement for mitigation measures and references the work of the SRMP. It also refers to the Council’s Gosport Bird Disturbance Mitigation Protocol which describes how ‘in-combination effects’ can be mitigated by a financial contribution.
- 2.33 The Strategy aims to prevent bird disturbance from recreational activity which it seeks to do through a series of management measures which actively encourage all coastal visitors to enjoy their visits in a responsible manner rather than restricting access to the coast or preventing activities that take place there.
- 2.34 The Strategy includes the following elements:
- An overview of the legislation;
  - The need for mitigation including an overview of the extensive research undertaken and its key findings;
  - The overall approach and benefits of having a joint Strategy;
  - The mitigation measures;
  - Resources and funding;
  - Developer contributions; and
  - Implementation, governance and reporting.
- 2.38 The Strategy proposes:
- A team of 5-7 coastal rangers to advise people on how to avoid bird disturbance, as well as liaising with landowners, hosting school visits and undertaking other events with the public;
  - Communications, marketing and education initiatives and an officer to implement them;
  - Initiatives to encourage responsible dog walking and an officer to implement them;

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<sup>6</sup> The Conservation of Habitats and Species Regulations 2017 which consolidates all the various amendments made to the Conservation and Habitats and Species Regulations 2010 and the Conservation (Natural Habitats, &c.) Regulations 1994.

- Preparation of codes of conduct for a variety of coastal activities;
- Site specific projects to better manage visitors and provide secure habitats for the birds;
- Providing new/enhanced greenspaces as an alternative to visiting the coast.
- A partnership manager to coordinate and manage all the above.

Local Ecological Network Policy Framework (Hampshire and Isle of Wight Local Nature Partnership October 2018)

- 2.39 Gosport Borough Council is one of the partners that have formed the Hampshire and Isle of Wight Local Nature Partnership (LNP)<sup>7</sup>. The Partnership was established in 2012 following the publication of the Natural Environment White Paper (2011).
- 2.40 The LNP has produced the policy framework document in order to embed the concept of the Local Ecological Network (LEN), as promoted by the NPPF and PPG, into strategic and local plan. It recognises that each authority will have its preferred approach to the presentation of the planning policies. The document sets out suggested policies and approaches to the LEN and other nature conservation matters which will inform the Gosport Borough Local Plan 2036. The policy framework is also accompanied by the Local Ecological Network plan for the LNP are which will be updated at least once a year and will help inform the relevant planning policies.

**Local policy/strategy**

Gosport Borough Local Plan 2011-2029

- 2.41 The Gosport Borough Local Plan 2011-2029 (Adopted October 2015) includes a suite of policies applicable to biodiversity issues. The list below includes the specific policies relating to nature conservation, however the issues are also included in other policies such as those site allocation policies with nature conservation interests. These include:
- Policy LP3: Spatial Strategy - which includes reference to the need to protect internationally important habitats;
  - Policy LP41: Green Infrastructure - which includes an element to secure a net gain of on-site biodiversity;
  - Policy LP42: Internationally and Nationally Important Habitats;
  - Policy LP43: Locally designated Nature Conservation Sites;
  - Policy LP44: Protecting Species and Other Features of Nature Conservation Importance.

Gosport Bird Disturbance Mitigation Protocol (GBC, last updated 2021)

- 2.42 This document sets out the Council's procedures for collecting the relevant contributions arising from the SRMP's Solent Recreation Mitigation Strategy. The protocol was previously updated in April 2018 to reflect that each of the partners had endorsed the Solent Recreation Mitigation Strategy (December 2017) which replaced the previous interim strategy.

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<sup>7</sup> <https://hantswightlnp.wordpress.com/>

## Useful guidance

- 2.43 The TCPA has produced 'Biodiversity by Design', a useful document which describes the benefits provided by nature in the urban environment (see Appendix 1). The more recent guide Planning for a Healthy Environment (2012) produced by the TCPA and the Wildlife Trusts also provides additional useful guidance<sup>8</sup>.
- 2.44 The Trees and Design Action Group has produced 'Trees in the Townscape - A Guide for Decision Makers' which highlights the importance of trees in the urban environment. It recognises the significant multiple benefits of trees including:
- Quality of place - trees have an important aesthetic role in our townscapes.
  - Economic potential - evidence shows that the positive contribution of trees to the creation of places is good for business.
  - Health and well-being - trees influence both the physical and mental health of local communities.
    - The use of trees to remove air pollutants can be part of a wider strategy to curb respiratory illnesses.
    - Trees also contribute to creating attractive street and park settings for walking, cycling and running thus facilitating active lifestyles.
    - Trees and green spaces has been found to aid patient recovery times in hospitals.
    - Trees can also create environments that reduce stress and alleviate mental health problems.
  - Nature conservation and habitat connectivity.
  - Local food and community links- fruit trees, community orchards.
  - Traffic calming.
  - Stormwater management.
  - Air pollution control.
  - Cooling and sheltering.
  - Noise abatement.

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<sup>8</sup> <https://www.tcpa.org.uk/good-practice-guidance-for-green-infrastructure-and-biodiversity>

### **3.0 EVIDENCE**

- 3.1 The Borough has a significant amount of biodiversity interest which is of international, national and local significance. This is summarised below.

#### **Local Ecological Network**

- 3.2 The Hampshire Biological Information Centre in consultation with a variety of organisations has mapped a Local Ecological Network which will be linked to the Policies Map. There is a close relationship between ecological networks (EN) which are the linking of sites of biodiversity importance and Green Infrastructure (GI) which is a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities
- 3.3 The network comprises statutory designations (eg NNR, LNR, SAC, SPA, SSSI and Ramsar sites) non-statutory designated sites (notably Sites of Importance for Nature Conservation, SINC) and any other non-designated ancient woodlands, and other priority habitat, broad habitats including “fen, marsh and swamp”, water bodies not already designated or mapped as priority habitat and important Wader and Brent Goose sites. The Hampshire network mapping also identifies areas where there is the greatest potential to enhance the network, referred to as the network opportunities layer, based on habitat suitability indices.
- 3.4 The LEN has been mapped to inform the shaping of proposals for development such that they take account of the significance of it and enhancing it as part of the wider planning objective of achieving sustainable development. In particular the issues of fragmentation and connectivity should be addressed.
- 3.5 The mapping will be updated, as new information becomes available, annually subject to funding being made available. The mapping for Hampshire is available on the HBIC website together with a guidance note.
- 3.6 The regulations relating to the presentation of planning policies require local plans via the proposals map to indicate where policies will be applied. Given the scale and nature of the components of the LEN it is unrealistic to include it on the proposals maps of local plans. Inspectors examining local plans where the mapping of the areas affected by a policy has been an issue have taken a pragmatic approach and accepted that the relevant information can be provided outside of the local plan. It has also been acknowledged that the information will change over time as a consequence of review and more up to date information available.
- 3.7 The approach proposed by the LNP is that the descriptive nature of the policy including the glossary identifies the key components of the LEN and the reference to the mapped information should satisfy the regulations. The network map would be hosted and updated by HBIC/IoW Council.
- 3.8 The proposed LEN should not be viewed as an absolute constraint to development. That is not the intention or purpose of the LNP's approach. The definition of the network can inform at a very early stage to landowners and developers of the significance of biodiversity and to inform the development of initial proposals. It can highlight particular issues in respect of both on-site and

off-site impacts and the potential for enhancement. These can be taken account of in the master planning and design of schemes, can inform the scope for mitigation both on and off-site offsetting/compensation measures.

### **Total extent of nature conservation designations**

- 3.9 Nature conservation designations protect approximately 329 hectares within the Borough, which forms nearly 12% of its total area including water.

### **Internationally and Nationally Important sites**

- 3.10 272 hectares is designated as a Site of Special Scientific Interest (SSSI) (see Figure 1). There is a total of 225 hectares which overlaps with the internationally important sites including Ramsar sites, Special Protection Areas (SPA) and Special Areas of Conservation (SAC).

#### Internationally important sites

- 3.11 The confirmed international designations are summarised below:

- Special Protection Area (SPA): Parts of Portsmouth Harbour and the majority of the Solent have been designated as SPAs including areas within Gosport Borough, Fareham Borough and Portsmouth City. SPAs are designated under the European Union Birds Directives and Member States are required to take special measures to protect migratory, rare and vulnerable species of birds. SPAs are particularly important for birds which depend on specialised or restricted habitats for breeding, feeding, wintering or migration;
- Special Area of Conservation (SAC): Gilkicker Lagoon is a SAC, designated under the European Union Habitats Directive. This requires Member States to protect important wildlife habitats and the rare or threatened plants and animals that they support; and
- Ramsar site: Gilkicker Lagoon and parts of Portsmouth Harbour are identified as Ramsar sites. These sites are designated as wetlands of international importance under the 1971 Ramsar Convention. Gilkicker Lagoon is also important for the assemblages of rare plants and invertebrates. Where the sites are identified for waterfowl interest, the criteria are similar to those for SPAs.

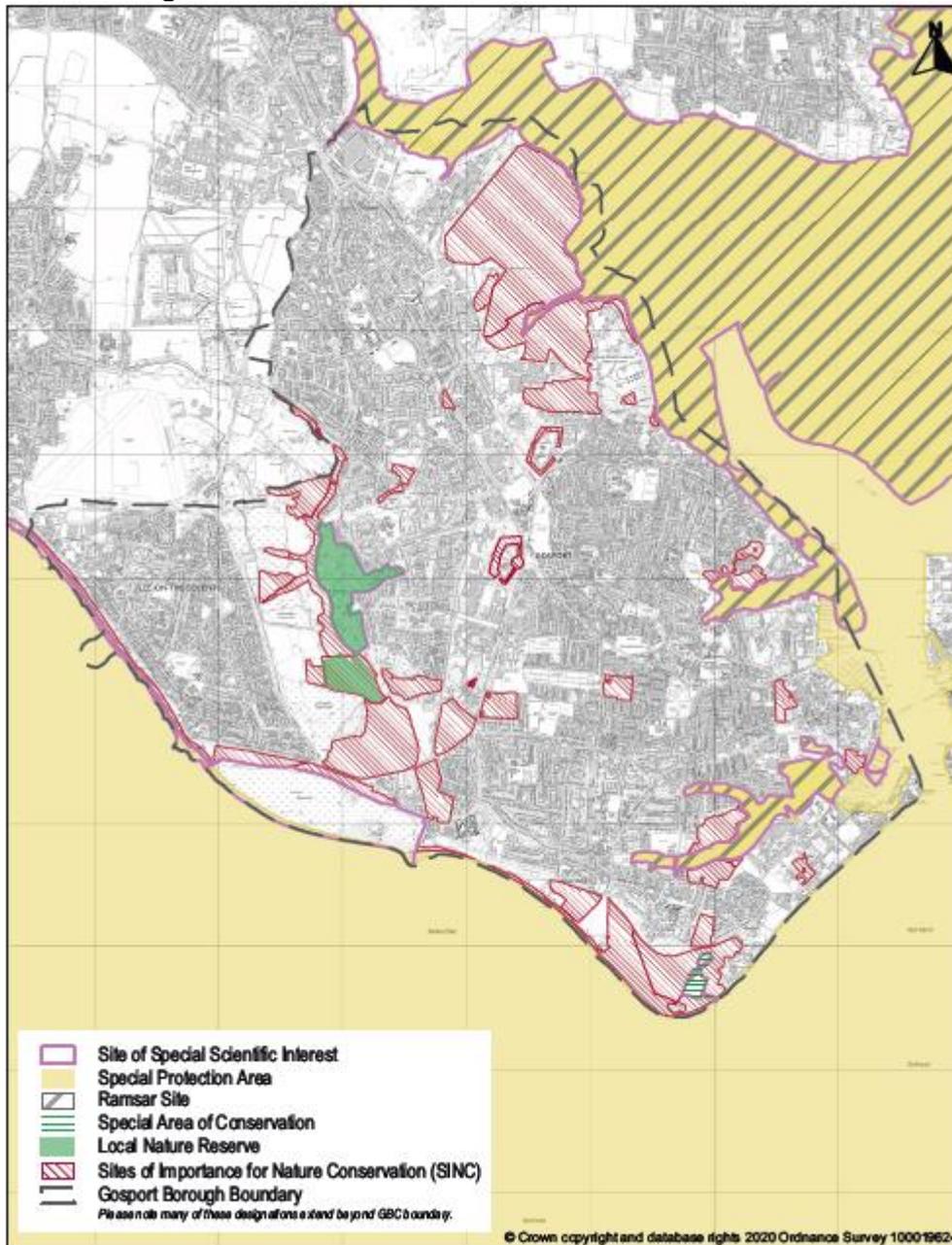
- 3.12 The key interest features for the internationally important sites have been set out in Natural England's advice for the Solent European Marine Sites (English Nature 2001) under Regulation 33(2) of the Habitat Regulations<sup>9</sup>.

- 3.13 In addition the Solent and Dorset Coast SPA was adopted in January 2020. The SPA has been identified to protect internationally important populations of Common tern, Sandwich tern and Little tern that use these coastal waters around their breeding colonies for foraging.

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<sup>9</sup> Prepared under the previous 2004 Habitat Regulations.

**Figure 1: International and National Nature Conservation Designations in the Borough**



3.14 There are a considerable number of other internationally important sites in the sub-region and consequently in accordance with the 2017 Habitat Regulations. It has been necessary to consider the impacts of the policies and proposals of the emerging Gosport Borough Local Plan 2036 on these sites in combination with other policies and proposals in the sub region and beyond. In order to consider this the Borough Council has undertaken a Habitats Regulations Assessment (HRA) of the Local Plan (prepared by Urban Edge Environmental Consultants Ltd. This report uses a number of evidence studies to help inform the assessment including:

- Integrated Water Management Study (Amec Foster Wheeler, 2018);
- The Solent Disturbance and Mitigation Project (Solent Forum, various);

- Recreation use in the New Forest SAC/SPA/Ramsar: Impacts of recreation and potential mitigation approaches (Footprint Ecology, unpublished);
- Advice on achieving Nutrient Neutrality for new development in the Solent Region (Natural England, March 2020);
- Partnership for Urban South Hampshire: Air Quality Impact Study (Ricardo, 2018);
- Air Quality Habitats Regulations Assessment for the Fareham Borough Local Plan 2036 (Ricardo 2020);
- Gosport Borough Local Plan – SRTM Modelling (Systra (2020);
- Solent Waders and Brent Goose Strategy 2019 Interim Project Report: Year One (HIWWT, 2019);
- Solent Disturbance and Mitigation Project (Solent Forum, ongoing);
- Water Resource Plans for Portsmouth Water and Southern Water.

3.15 The findings of the HRA have been incorporated into the policies and proposals of the Plan. This has been an iterative process at each stage of plan-making. Key issues addressed include:

- atmospheric pollution (particularly from road traffic);
- disturbance to birds from recreation;
- coastal squeeze;
- water abstraction;
- water quality (particularly wastewater pollution); and
- site-specific impacts (often design-related issues).

#### Recreational disturbance

3.16 The issue of recreational disturbance created by new development has been a particular area of concern and has consequently led to a number of organisations commissioning research in order to meet the requirements of the Habitats Regulations. These organisations have formed the Solent Recreation Mitigation Partnership (SRMP) and include the local planning authorities around the Solent, harbour groups, Natural England, the Environment Agency and the RSPB. The SRMP uses the brand Bird Aware Solent for public initiatives.

3.17 The project includes significant research with the first two phases involving the gathering of evidence and the third looking at mitigation. The project involved the collection of primary data, including bird surveys to look at levels of disturbance, and visitor and household surveys to gather an understanding of the level of recreational use of the Solent coast and identify the catchment area for visitors. This data was fed into a computer model simulating the impact of disturbance on bird survival rates to enable predictions to be made of the likely effects of additional recreational use of the Solent coast in the future as a result of additional residential development (based on the South East Plan housing figures). The modelling showed likelihood that additional bird deaths would arise as a result of additional development in the area surrounding the Solent coast. All the detailed reports of the SDMP have been published on the Solent Forum website<sup>10</sup>.

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<sup>10</sup>

[http://www.solentforum.org/forum/sub\\_groups/Natural\\_Environment\\_Group/Disturbance\\_and\\_Mitigation\\_P  
roject/](http://www.solentforum.org/forum/sub_groups/Natural_Environment_Group/Disturbance_and_Mitigation_Project/)

- 3.18 Natural England<sup>11</sup> have concluded that the SDMP work represents the best available research and therefore measures are required in order to ensure a significant effect, in combination, arising from new housing development around the Solent, is avoided.
- 3.19 As a result of the need for mitigation a broad level suite of mitigation measures has been produced and have now been adopted as part of the Solent Recreation Mitigation Strategy (December 2017) (as outlined in the policy section). These measures form the basis of a fully costed action plan produced by a delivery officer who identifies priorities for action. This includes:
- A team of rangers;
  - Communication, marketing and education initiatives;
  - Initiatives to encourage responsible dog walking;
  - Access management initiatives;
  - Codes of conduct;
  - New or enhanced strategic greenspaces;
  - Site specific visitor management and bird refuge projects.
- 3.20 The Alver Valley Country Park in the Borough has benefitted for funding to assist in deflecting recreational pressure from the coast (as a Suitable Alternative Accessible Greenspace (SANG)). There may also be the potential for further initiatives in the Country Park.

#### Sites of Special Scientific Interest

- 3.21 The Plan area contains all or part of five SSSIs, which are outlined below:
- Portsmouth Harbour (also a Ramsar and SPA site) contains a number of important habitats including inter-tidal mudflats and marshes which support internationally important wetland bird species;
  - Gilkicker Lagoon (also a Ramsar and SAC site) is a saline lagoon, which is a rare habitat in Britain. It supports specialised flora and fauna including several national rarities;
  - Browdown Range is an extensive shingle beach with areas of rare grass heath habitat supporting specialised plants and invertebrates;
  - The Wildgrounds is largely an acid oakwood, a type of habitat which was formerly widespread on coastal commons in Hampshire (the site is also a Local Nature Reserve); and
  - Lee-on-the-Solent to Itchen Estuary includes the coastline at Lee-on-the-Solent which is important for geological reasons, particularly for bird fossils.
- 3.22 Of the total 265 ha of SSSIs in the Borough 52.2% are considered by Natural England as being in a 'favourable or unfavourable recovering' condition in Gosport (as at 31<sup>st</sup> March 2020) (21.3% favourable, 30.9% recovering). 45.3% is classed as 'unfavourable no change' and 0.7% is unfavourable declining with 1.7% identified as destroyed<sup>12</sup>.

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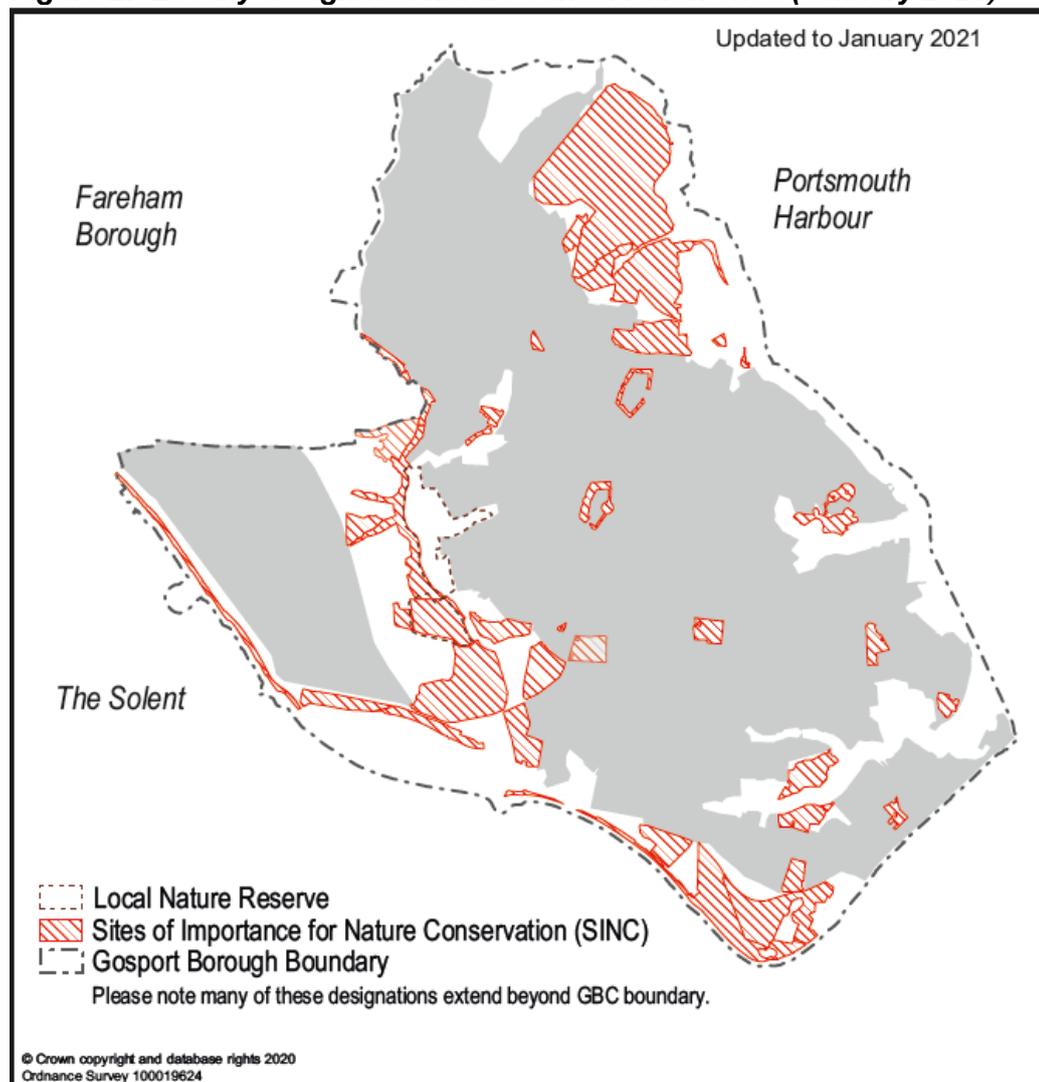
<sup>11</sup> The letter to local planning authorities can be viewed at [http://www.solentforum.org/forum/sub\\_groups/Natural\\_Environment\\_Group/Disturbance\\_and\\_Mitigation\\_Project/Advice\\_to\\_PUSH\\_and\\_Solent\\_Forum%20310513.pdf](http://www.solentforum.org/forum/sub_groups/Natural_Environment_Group/Disturbance_and_Mitigation_Project/Advice_to_PUSH_and_Solent_Forum%20310513.pdf)

<sup>12</sup> These figures are supplied by HBIC based on Natural England (NE) surveys.

### Locally Important sites

3.23 In addition to the internationally and nationally important sites, the Borough has a significant number of locally designated sites. The Borough has two designated Local Nature Reserves, the Wildgrounds, which is also a SSSI and the West of the River reserve, both located within the Alver Valley. There are also a number of Sites of Importance for Nature Conservation (SINCs). These have been proposed by the Hampshire Biodiversity information Centre and confirmed by a panel which includes the Hampshire and Isle of Wight Wildlife Trust using set criteria. These are identified by the Hampshire Biodiversity Information Centre following an ecological assessment and are considered by the Local Sites Panel. The panel comprises representatives from Natural England, Hampshire County Council and the Hampshire and Isle of Wight Wildlife Trust for ratification, in accordance with local sites guidance<sup>13</sup>. Importantly the ecological information on these sites is updated as part of a rolling programme of ecological surveys.

**Figure 2: Locally designated nature conservation sites (January 2021)**



<sup>13</sup> <http://www3.hants.gov.uk/biodiversity/hampshire/sinCs/important-sites-sinc-criteria.htm>

## Priority Habitats

3.24 The Hampshire Biodiversity Information Centre (HBIC) has produced revised data relating to the presence of priority habitats for each district in Hampshire, as outlined in the Hampshire Biodiversity Action Plan (2006). Table 1 includes the latest known information for Gosport. Further surveys are being undertaken through the Hampshire Habitat Survey Programme on the extent of priority habitats. The most sizeable type of priority habitat is intertidal mudflats (111 ha) followed by lowland mixed deciduous woodland (77ha), coastal vegetated shingle (62.6ha) and coastal and floodplain grazing marsh (59ha).

**Table 1: Hampshire Priority habits found in Gosport Borough (as at 31<sup>st</sup> March 2020)**

| Priority Habitat                           | Comments on Status   | Ha. in Gosport Borough | % of total Hants area |
|--|--|------------------------|-----------------------|
| <b>Grasslands</b>                          |  |                        |                       |
| <b>Lowland Calcareous Grassland</b>        | Comprehensive  | 0                      | 0.0                   |
| <b>Lowland Dry Acid Grassland</b>          | Comprehensive. Some overlap with Lowland Heath.  | 10                     | 0.94                  |
| <b>Lowland Meadows</b>                     | Comprehensive. Some overlap with Coastal and Floodplain Grazing Marsh and with Wood-Pasture and Parkland.                    | 20                     | 0.36                  |
| <b>Purple Moor Grass and Rush Pastures</b> | Comprehensive. Some overlap with Coastal and Floodplain Grazing Marsh.   | 1                      | 0.4                   |
| <b>Heathlands</b>                          |  |                        |                       |
| <b>Lowland Heathland</b>                   | Comprehensive. Some overlap with Lowland Dry Acid Grassland.   | 4                      | 3.05                  |
| <b>Woodland, wood-pasture and parkland</b> |  |                        |                       |
| <b>Lowland Beech and Yew Woodland</b>      | Not comprehensive. On-going work to distinguish from Lowland Mixed Deciduous Woodland.                                       | 0                      | 0.00                  |
| <b>Lowland Mixed Deciduous Woodland</b>    | Ongoing work as all ancient / non ancient woodland has been included yet not all has been surveyed for qualifying NVC types. | 74                     | 9.39                  |
| <b>Wet Woodland</b>                        | Fairly comprehensive. Areas will exist in LMDW that are not yet surveyed for qualifying types.                               | 22                     | 0.56                  |
| <b>Wood-Pasture &amp;</b>                  | Not comprehensive. Further   | 15                     | 1.43                  |

| Priority Habitat                            | Comments on Status   | Ha. in Gosport Borough | % of total Hants area |
|---|--|------------------------|-----------------------|
| <b>Parkland</b>                             | work needed to classify this habitat within historic parkland.   |                        |                       |
| <b>Arable, orchards and hedgerows</b>       |  |                        |                       |
| <b>Arable Field Margins</b>                 | Incomplete, Figures only show SINC's on arable land designated for rare arable plant assemblages.                                    | 0                      | 0.02                  |
| <b>Hedgerows</b>                            | No comprehensive information for Priority hedgerows. All hedgerows mapped as linear features (km).                                   | 25                     | n/a                   |
| <b>Traditional Orchards</b>                 | Work to be undertaken to incorporate areas recently identified by PTES under contract to NE.   | 0                      | 0.00                  |
| <b>Open waters</b>                          |  |                        |                       |
| <b>Eutrophic Standing Waters</b>            | No comprehensive information yet available.  | 1.9                    | 0.01                  |
| <b>Rivers</b>                               | Incomplete data. Approx. figures for Chalk Rivers only calculated from EA's River GIS layer (km).                                    | 0                      | n/a                   |
| <b>Wetlands</b>                             |  |                        |                       |
| <b>Coastal Floodplain and Grazing Marsh</b> | Work ongoing to verify all qualifying grazing marsh. Some overlap with Lowland Meadows and with Purple Moor Grass and Rush Pastures. | 59                     | 2.42                  |
| <b>Lowland Fens</b>                         | Comprehensive.   | 0.49                   | 0.00                  |
| <b>Reedbeds</b>                             | Not comprehensive.   | 14.5                   | 0.07                  |
| <b>Coastal</b>                              |  |                        |                       |
| <b>Coastal saltmarsh</b>                    | EA data partly verified.   | 28                     | 0.23                  |
| <b>Coastal Sand Dunes</b>                   | EA data partly verified.   | 0.4                    | 0.01                  |
| <b>Coastal Vegetated Shingle</b>            | Comprehensive  | 62.6                   | 0.06                  |
| <b>Intertidal mudflats</b>                  | EA data partly verified.   | 111                    | 1.15                  |
| <b>Maritime Cliff and Slopes</b>            | Comprehensive.   | 0                      | 0.01                  |

| Priority Habitat      | Comments on Status                              | Ha. in Gosport Borough | % of total Hants area |
|-----------------------|---|------------------------|-----------------------|
| <b>Saline lagoons</b> | Comprehensive.                                  | 9.5                    | 0.01                  |
| <b>Marine</b>         |   |                        |                       |
| <b>Seagrass beds</b>  | Not comprehensive. Separate HWT data available. | 0                      | 0.01                  |

### Distribution of Hampshire BAP species

- 3.25 The Borough has a number of BAP Priority Species which are being monitored by the Hampshire Biodiversity Information Centre. Further details are available in the latest Authority Monitoring Report and records held at the Hampshire Biodiversity Information Centre.

### Trees

- 3.26 Trees make an important element of the Local Ecological Network. Box 1 below summarises many benefits of trees which would be enhanced by increased tree coverage in the Borough.

#### Box 1: The Benefits of Trees

**Quality of Place:** Trees have an important aesthetic role in our townscapes for many reasons. They create a sense of place and make our streets and parks attractive. Trees create a sense of scale, make us feel more comfortable and bring delight in their changing colour and foliage over the seasons, they modulate light through shadow patterns on walls and pavements and frame buildings.

**Economic potential:** Trees make a positive contribution to the creation of places that are good for business. Streets lined with mature trees are also reported to decrease sale time for residential properties and support stronger values in the market. Thus emphasising the desirability of trees in neighbourhoods.

**Health and Well-being:** Trees influence both the physical and mental health of local communities. The use of trees to remove pollutants can be part of a wider strategy to curb respiratory illnesses.

Trees also contribute to creating attractive streets and park settings for walking, cycling and runner thus facilitating wider adoption of more active lifestyles. They can also create environments that reduce stress and alleviate mental problems.

**Nature conservation and habitat connectivity:** Trees bring nature into town in many ways. They act as bridges maintaining connectivity for species through an urban landscape. While not all trees have high biodiversity value, some can be crucial for the survival of countless other species including invertebrates, lichen, fungi providing the basis of a healthy food chain for bird and mammals.

**Traffic calming:** Carefully positioned trees can improve sightlines and help slow down cars and can be used as an alternative of bollards and speed

bumps.

**Stormwater management:** Trees can help contribute to reducing stormwater run-off and do so in several ways. Their canopies intercept falling rain and hold a significant proportion of it in leaves and bark. The root systems also assist.

**Cooling and sheltering:** Trees can influence ambient temperatures around buildings providing shading from the sun and shelter from winds.

**Noise abatement:** Trees and shrubs help to mask noise.

**Carbon reduction:** Planting trees remain one of the cheapest and cost effective means of drawing excess CO<sub>2</sub> from the atmosphere.

Sources: Trees in the Townscape: A Guide for Decision makers (Trees and Design Action Group) and A Guide to the Benefits of Urban trees (Greenleaf)

*Extent of ancient woodlands and veteran trees*

- 3.27 The Borough has a number of small areas of ancient woodland which are protected as either SSSI or a SINC. There are 25.7ha of ancient woodland within the Borough (19.8ha classed as ancient and semi-natural and 5.9ha classed as ancient replanted). All of the ancient woodland is located within the Alver Valley and virtually all is located within the Wildgrounds SSSI.

## Appendix 1: Benefits of Biodiversity (TCPA 2004)

### Ecological services

#### Carbon sink

Trees have a significant capacity to absorb carbon dioxide- 1 hectare of woodland can absorb emissions equivalent to 100 family cars.

#### Pollution control

Vegetation has a significant capacity to attenuate noise and filter air pollution from motor vehicles. Street trees can remove sulphur dioxide and reduce particulates by up to 75%. Noise attenuation can be as much as 30 dB per 100 metres. Wetland ecosystems are also effective in filtering polluted run-off and sewage.

#### Air conditioning

In urban areas the heat island effect can increase temperatures relative to open countryside by up to 5<sup>0</sup>C. Vegetation provides natural air conditioning. A single tree can be equivalent to five room air conditioners. Gosport benefits from onshore breezes due to its peninsula location but nonetheless trees can assist in ameliorating the effects of increased summertime temperatures.

#### Microclimate control

Vegetation can improve local microclimate conditions by providing shade in summer and can reduce wind effects created by streets and wind loads on buildings.

#### Flood prevention

Vegetation can reduce excessive run-off and increase rainfall capture. This reduces the risk of flooding in low lying areas and can also recharge soil moisture.

### Quality of life

Natural greenspaces can deliver a range of *quality of life* benefits:

- accessible green space creates opportunities for recreation and exercise increases children's creative play, social skills and concentration space;
- can encourage greater social interaction including more active use of green space including streets and communal spaces;
- participation in the design and stewardship of green space can strengthen communities
- nature reserves can create a focal point for life long learning about nature;
- can make higher density housing more attractive and liveable including improving health and well-being and encourage greater social interaction.

### Economic value

There are also potentially *economic benefits* generated by providing attractive environments for investors and visitors. This includes:

- increasing property values
- reduce management costs- less use of fertilisers, herbicides and pesticides and intensive management
- reduce health costs.

## Appendix 2: Evidence Studies and other references

### National Guidance

National Planning Policy Framework (Ministry for Housing, Communities and Local Government (MHCLG), 2021)

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1005759/NPPF\\_July\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf)

National Planning Practice Guidance (MHCLG, 2021)

<https://www.gov.uk/government/collections/planning-practice-guidance>

The Conservation of Habitats and Species Regulations 2017 HM Government, 2017 as amended)

<http://www.legislation.gov.uk/uksi/2017/1012/contents/made>

Natural Environment and Rural Communities Act (NERC) 2006

<https://www.legislation.gov.uk/ukpga/2006/16/contents>

UK Biodiversity Action Plan and subsequent supporting documents (HM Government, 1994 as amended)

[incc.defra.gov.uk/page-5155](http://incc.defra.gov.uk/page-5155)

A Green Future: Our 25 Year Plan (Defra 2018)

<https://www.gov.uk/government/publications/25-year-environment-plan>

Circular 06/05 Biodiversity and Geological Conservation - Statutory Obligations and their impact within the Planning System (2005)

<https://www.gov.uk/government/publications/biodiversity-and-geological-conservation-circular-06-2005>

Biodiversity 2020 Strategy (Defra 2011)

<https://www.gov.uk/government/publications/biodiversity-2020-a-strategy-for-england-s-wildlife-and-ecosystem-services>

Biodiversity by Design (Town and County Planning Association, 2004)

<http://urbed.coop/sites/default/files/Biodiversity%2520by%2520design.pdf>

Planning for a healthy environment- good practice for green infrastructure and biodiversity (TCPA) and the Wildlife Trusts, 2012)

<https://cumbria.gov.uk/elibrary/Content/Internet/538/755/1929/17716/17718/41338114811.PDF>

### Sub Regional Guidance

PUSH Spatial Position Statement (PFSH, 2016)

<https://www.push.gov.uk/work/planning-and-infrastructure/push-position-statement/>

The Hampshire Biodiversity Action Plan (Hampshire Biodiversity Partnership, 1998 onwards)

<https://documents.hants.gov.uk/biodiversity/HampshireBiodiversityActionPlanVolume1.pdf>

<https://documents.hants.gov.uk/biodiversity/HampshireBiodiversityActionPlanVolume2.pdf>

Solent Waders and Brent Goose Strategy (Hampshire and Isle of Wight Wildlife Trust et al, 2010)

<https://solentwbgs.files.wordpress.com/2021/03/solent-waders-brent-goose-strategy-2020.pdf>

Solent Recreation Mitigation Strategy (Bird Aware, 2017)

<http://www.birdaware.org/CHttpHandler.ashx?id=29372&p=0>

Local Ecological Network Policy Framework (Hampshire and Isle of Wight Local Nature Partnership, 2018)

<https://hantswightlnp.wordpress.com/>

### **Local Guidance**

Gosport Borough Local Plan 2011-2029 (GBC, 2015)

<https://www.gosport.gov.uk/localplan2029>

Gosport Sustainability Profile (Gosport Borough Council, ongoing)

<https://www.gosport.gov.uk/gosportprofile>

Gosport Bird Disturbance Mitigation Protocol (GBC, last updated 2021)

[https://gport1-prd.gosshosted.com/media/2656/SRMP-Gosport-Bird-Aware-Protocol-2020/pdf/SRMP\\_Gosport\\_Protocol\\_-\\_April\\_2020.pdf?m=63725478840537000](https://gport1-prd.gosshosted.com/media/2656/SRMP-Gosport-Bird-Aware-Protocol-2020/pdf/SRMP_Gosport_Protocol_-_April_2020.pdf?m=63725478840537000)

Habitats Regulation Assessment for the Gosport Borough Local Plan 2021-2038 (Urban Edge Environmental Consultants, 2021)

Link to follow