
From: Shavelar, Jonathan [REDACTED]
Sent: 10 December 2021 16:53
To: Grygiel, Jayson; Planning Policy Internet
Cc: PlanningPolicyConsultation
Subject: RE: 368920 Natural England Local Plan Response
Attachments: ufm138.pdf; Natural England Gosport Draft Local Plan Response.pdf

Dear Gosport Borough Council,

Thank you for consulting Natural England on your Draft Local Plan. Please find our written response attached. Please let me know if you have any queries or if there is anything you would like to discuss.

Kind regards,

Jonathan Shavelar | Planning Lead Adviser,

Thames Solent Team,

Natural England

4th Floor

Eastleigh House

Upper Market Street

Eastleigh

Hampshire

SO50 9YN

From: Grygiel, Jayson [REDACTED]
Sent: 03 December 2021 12:36
To: Shavelar, Jonathan [REDACTED] Planning Policy Internet
[REDACTED]
Subject: RE: 368920 Natural England Local Plan Delay

Dear Jonathan

I can confirm that the arrangement set out in your e-mail is acceptable as this is a Regulation 18 consultation.

Please note that at the next Local Plan stage (Regulation 19) the Council will not have the same level of flexibility and that we will require comments within a statutory six week period.

I trust this is of assistance and I look forward to receiving your representation next week.

Kind regards

Jayson

Jayson Grygiel

Manager of Planning Policy

Planning and Regeneration | Gosport Borough Council

023 9254 5458

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Gosport Borough Local Plan 2038 Consultation: Have your Say

[REDACTED]

by 3rd December 2021.

[REDACTED]

From: Shavelar, Jonathan [REDACTED]

Sent: 03 December 2021 12:12

To: Planning Policy Internet <Planning.Policy.Internet@gosport.gov.uk>

Subject: 368920 Natural England Local Plan Delay

Dear Gosport Borough Council,

Thank you for consulting Natural England on your draft Local Plan. I apologise that we are not able to send a formal response in line with the deadline of today. Our work on the local plan is progressing but has been delayed due to staff illness and high workloads. I will endeavour to have the response with you by Friday 10th December. Please let me know if this is unacceptable.

Many thanks,

Jonathan Shavelar | Planning Lead Adviser,

Thames Solent Team,

Natural England

4th Floor

Eastleigh House

Upper Market Street

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Hampshire

SO50 9YN

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Date: 10 December 2021
Our ref: 368920



Clare Foster,

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

BY EMAIL ONLY

T

Dear Gosport Borough Council,

**Gosport Borough Local Plan 2038 (Regulation 18)
Habitats Regulations Assessment for the Gosport Borough Local Plan 2038**

Thank you for your consultation on the above dated 24 September 2021 which was received by Natural England on the same date.

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

Our response is set out below and provides advice relating to the Gosport Borough Local Plan and the Habitats Regulations Assessment Screening Assessment Report ('The HRA Screening').

The Plan's vision and strategy

Natural England welcomes the Plan's recognition of the ongoing climate change emergency and the need for proposals to demonstrate how they have been designed and adapted to mitigate the impacts of climate change and to reach Net Zero by 2050. The Plan stipulates that 'growth must not be at the expense of our environment' which Natural England fully support. The Plan includes a number of environmental policies which will enable a strategic approach to the protection and enhancement of the natural environment, including providing a net gain for biodiversity.

Designated sites

The Local Plan includes Policy D5, a criteria-based policy which will ensure the protection of designated biodiversity and geological sites. Such policies should clearly distinguish between international, national and local sites. Policy D5 is comprehensive in setting out the process for assessing proposals which might impact sites designated for nature conservation. Policy LE5 also provides more detail relating to Locally Designated Nature Conservation Sites, which is welcomed.

The Plan could benefit from showing designated sites on the allocation or 'plan' maps such as PLAN 9-19, or including an additional appendix to allow a simpler assessment of possible impacts.

Policy D5 also addresses specific issues relating to SPA functionally-linked land and nutrient neutrality, more detailed comments on these issues can be found below in the HRA section.

The Local Plan should be screened under Regulation 105 of the Conservation of Habitats and Species Regulations 2017 (as amended) at an early stage so that outcomes of the assessment can inform key decision making on strategic options and development sites. It may be necessary to

outline avoidance and/or mitigation measures at the plan level, which will usually need to be considered as part of an Appropriate Assessment, including a clear direction for project level HRA work to ensure no adverse effect on the integrity of internationally designated sites. It may also be necessary for plans to provide policies for strategic or cross boundary approaches, particularly in areas where designated sites cover more than one Local Planning Authority boundary. We note that, although at an early stage, this approach has been taken, and we provide comments on the HRA Screening below.

Priority habitats and ecological networks

The Local Plan should be underpinned by up to date environmental evidence. This should include an assessment of existing and potential components of local ecological networks. This assessment should inform the Sustainability Appraisal, ensure that land of least environment value is chosen for development, and that the mitigation hierarchy is followed and inform opportunities for enhancement as well as development requirements for particular sites.

Priority habitats and species are those listed under Section 41 of the Natural Environment and Rural Communities Act, 2006 and UK Biodiversity Action Plan (UK BAP). Further information is available here: [Habitats and species of principal importance in England](#). Local Biodiversity Action Plans (LBAPs) identify the local action needed to deliver UK targets for habitats and species. They also identify targets for other habitats and species of local importance and can provide a useful blueprint for biodiversity enhancement in any particular area.

Ecological networks are coherent systems of natural habitats organised across whole landscapes so as to maintain ecological functions. Policy D5 includes consideration of the wider Local Ecological Network (LEN) above and beyond those sites which have been designated for their nature conservation value. A key principle of the Plan should be to maintain connectivity - to enable free movement and dispersal of wildlife e.g. badger routes, mammal passages, bat flight paths, river corridors for the migration of fish and staging posts for migratory birds.

Local ecological networks will form a key part of the wider Nature Recovery Network (NRN) proposed in the 25 Year Environment Plan. Where development is proposed, opportunities should be explored to contribute to the enhancement of ecological networks. Planning positively for ecological networks will also contribute towards a strategic approach for the creation, protection, enhancement and management of green infrastructure, as identified in the NPPF.

'PLAN 5' is a map showing the Green Infrastructure Network within the Borough which to some extent also maps the LEN. Where possible, Natural England would encourage cross-boundary cooperation with Fareham Borough Council in developing proposals to ensure ecological connectivity between the Boroughs. Your intention to do this is set out in point 1 of Policy D4 and we welcome this. Gosport holds a suite of sites, namely the Browdown SSSI, Alver Valley Country Park, and the Wildgrounds SSSI which are, to some extent, ecologically connected. The ecological connectivity and function of these sites could potentially be harmed if future development surrounds and isolates them. Maintaining a functional link outside of the borough towards the north of Stubbington and Titchfield Haven SSSI could be a potential focus of the future LNRS.

Where a Plan area contains irreplaceable habitats, such as ancient woodland or ancient and veteran trees, there should be appropriate policies to ensure their protection. Policy LE7 specifically addresses this comprehensively. For information, Natural England and the Forestry Commission have produced [standing advice](#) on ancient woodland, ancient and veteran trees.

Local Nature Recovery Strategy (LNRS)

Work is underway within Natural England and with partners on several of the key elements of the Environment Act 2021, including Nature Recovery Networks and Local Nature Recovery Strategies.

It should be noted that the term Nature Recovery Network (NRN) is used to refer to a single, growing national network of improved joined-up, wildlife rich places which will benefit people and wildlife. Local Nature Recovery Strategies (LNRSs) will be the key mechanism for planning and mapping local delivery of the NRN. LNRSs will form a new system of spatial strategies for nature

that will be mandated by the Environment Act. They will cover the whole of England and will be developed by Responsible Authorities (RAs) appointed by the Secretary of State, usually at a county scale. Each strategy will:

- Map the most valuable existing habitat for nature
- Map specific proposals for creating or improving habitat for nature and wider environment goals
- Agree priorities for nature's recovery

It is the government's intention that mandatory biodiversity net gain will provide a financial incentive for development to support the delivery of LNRs through an uplift in the calculation of biodiversity units created at sites identified by the strategy. LNRs have also been designed to help local planning authorities deliver existing policies on conserving and enhancing biodiversity and to reflect this in the land use plans for their area.

Five LNR pilots across the country ran from August 2020 until May 2021. Please see this [report](#) that shares the main lessons and findings. This report will inform the development of the LNR policy for the rollout of the strategies across England.

The Plan does not contain reference to a Local Nature Recovery Strategy. Given that national guidance on LNRs and their relationship to strategic planning is still in development, it is recommended that Local Plan policy recognises and references its support to the delivery of the emerging NRN and LNR covering the area.

Climate change

Climate change is already impacting on nature and society in England. The projected scale and rate of climate change, coupled with existing environmental pressures, has serious implications for the natural environment and the services it provides to society. The faster that we can rapidly reduce greenhouse gas emissions, the more we can reduce the overall pressure on the natural environment. Positive management, guided by the best available evidence, can build resilience to the impacts of climate change.

Nature-based solutions are essential to achieve this. These involve the restoration of ecosystems for the long-term benefit of people and nature. Examples include:

- Expansion of tree and woodland cover - to strengthen woodland habitat networks, protect soils, provide shade whilst capturing additional carbon from the atmosphere.
- Restoration and creation of [priority habitats](#) such as lowland meadows, lowland fens and rush pastures. This improves places where people live and recreate, protecting carbon stores and strengthening the nature recovery network.
- Natural floodplain management, through the use of tree planting, habitat creation and restoration, to alleviate flooding further downstream.
- Retrofitting of green and blue infrastructure such as trees and sustainable urban drainage systems (SUDS) in urban localities to address flood risk and heat island effects

The Plan suitably recognises the significance of climate change. Not only does it contain a specific climate change policy (D1), but climate change is also considered, referenced or embedded throughout other policies. The ambitious climate-specific policy includes measurable targets for reducing greenhouse gas emissions and includes a clear commitment to achieving the national statutory target of net zero emissions by 2050. Point 1e of Policy D1 begins to recognise the value of nature-based solutions and we would recommend the following actions are implemented to strengthen the Plan:

1. Identify opportunities to increase tree and woodland cover consistent with the UK target. Wherever possible, this should provide multi-functional benefits. This should be informed by the Biodiversity Action Plan. Careful consideration of whether or not places are a suitable location for woodland planting is required, ecologically valuable areas of non-woodland should be avoided.

2. Identify areas where nature-based solutions can provide benefits to people whilst reducing climate change vulnerability in the natural environment.
3. Identify habitats and protected sites that are particularly vulnerable to the impacts of climate change and consider how the planning system can work to reduce these vulnerabilities.

We advise that these actions are integrated into a strategic approach alongside green infrastructure, health and wellbeing, biodiversity net gain, natural flood management, air and water quality to deliver multifunctional benefits to people and wildlife. The Plan should make clear that development will be consistent with these policies, to ensure sustainable development is properly achieved across the Plan period.

Meaningful targets must be set and they must be appropriately monitored over the Plan period to demonstrate the effectiveness of the Plan/Policy in addressing climate change. Appropriate monitoring and review of the targets will ensure appropriate remedial action can be taken as necessary.

Natural England has published a range of resources to help with the recommended actions; please see links listed under Annex 1 of this letter. Natural England would be happy to advise further on this aspect of the Local Plan development.

Green and Blue Infrastructure

Natural England acknowledges and welcomes that the Plan takes a strategic approach for the provision and ongoing management of Green Infrastructure (GI). The Plan embeds GI into numerous policies such as D9. We recommend the Plan outlines the need for securing the long term management of new and existing green infrastructure (GI) and for protecting it from future development. Options could include the use of [conservation covenant agreements](#), [LNR declaration](#), [Fields in Trust](#) designation, green space designation in [neighbourhood plans](#) or [Town and Village Green](#) registration. Alternatively land can be passed on to a suitable NGO, or to your Council, or a Town or Parish Council.

Policy and supporting text should set minimum accessibility, quantitative and quality requirements for new green infrastructure. Natural England recommends this is achieved by adopting [Accessible Natural Greenspace Standards](#) (ANGSt) or replacement standards if revised, as a minimum requirement for new housing development. ANGSt includes the quantity, accessibility, quality and services standards for accessible greenspaces. Natural England is currently leading national work on a Green Infrastructure Standards project, expected to launch summer 2022. This will be a vital contribution to delivery of the 25 Year Environment Plan. We will be happy to continue to advise your authority as this work progresses.

The Local Plan should also reference the following green infrastructure policy standards:

- Keep Britain Tidy runs the [Green Flag Award](#) scheme on behalf of Government. Anyone can apply to have their greenspace assessed against the Green Flag Award Quality standard, for payment of a fee. The Award is adaptable to a range of types of greenspace including parks, gardens, social housing, etc.
- The Sensory Trust published '[By All reasonable Means](#)' which sets good practice guidance on providing access to the natural environment for people of all abilities. Although not all areas will be able to provide this (such as some wildlife areas), the aim is to get the majority of areas accessible to all at least in part.
- The Forestry Commission has developed guidelines for [Tree canopy cover](#), to be set for a local area, based on evidence showing that 20% is a good aspiration, depending on the current level.
- The Woodland Trust recommend [woodland access standards](#). Accessible woodland of at least 2 ha should be available with 500 m of new homes and woodland of at least 20 ha within 4 km.

The plan should ensure new green infrastructure and habitat creation is monitored to ensure that it develops in accordance with its stated intention.

New development located in easy walking distance from existing natural greenspace and publicly accessible nature reserves will benefit substantially by the presence of such facilities and will, through an increase in visitors, likely increase ongoing visitor management costs. Where the management of the green infrastructure is not already secured (e.g. through SANG payments), local plan policy should require development to make a financial contribution appropriate to the scale of the development to the managers of the reserve / greenspace to cover these additional costs. This is particularly important where the nature reserves, or nature parks, are run by charities that do not have secured income to cover the in perpetuity management costs associated with new housing development.

The Plan should commit the authority to developing a strategic approach to maintaining and enhancing networks of habitats and green infrastructure (as required by NPPF paragraph 175). Where possible the provision of GI should be influenced by the Local Biodiversity Action Plan and Biodiversity Opportunity Area targets.

Green Infrastructure - Health & Wellbeing

There is increasing recognition of the importance of nature and place as a determinant of individuals' mental and physical health. Existing evidence¹ shows that access to natural green spaces can help reduce stress, fatigue, anxiety and depression, and boost immune systems and encourage physical activity. The risk of chronic diseases such as asthma may also be reduced.

The [Defra 25 Year Plan](#) outlines nature-based actions that can be taken to help people connect to the natural environment to improve health and wellbeing. Such actions can include 'greening' our towns and cities, planting urban trees, encouraging children to access nature in and out of school and improving access for all in local green spaces.

It is estimated that the provision of parks and greenspaces across Britain saves the NHS at least £110 million a year solely through reduced visits to GPs², and their improved availability can help reduce health inequalities across society³.

The provision of enhanced green infrastructure and sites of nature conservation value can not only help address some of the health problems of Borough residents, but can also benefit society in other ways including improvements to local air and water quality, reducing the risk of flooding, alleviating noise levels and aiding climate change adaptation.

Biodiversity Net Gain

Natural England welcomes that the Plan contains a specific biodiversity net gain policy (LE8). Biodiversity net gain is a key tool to help nature's recovery and is also fundamental to health and wellbeing, as well as creating attractive and sustainable places to live and work in. The policy sets out the requirement for development proposals to use the latest DEFRA biodiversity metric to demonstrate how a minimum biodiversity net gain of ten per cent will be achieved.

Please note that Natural England are currently developing formal advice in relation to the newly published Environment Act 2021. We are now in the two-year transition period where biodiversity net gain will become mandatory for Town and Country Planning Act schemes.

The policy is currently set to apply to developments that meet the threshold set out in LE8 (2). These thresholds are those that fall outside of the DEFRA [small sites metric](#). At this time, there is still not a strict legal requirement for Local Planning Authorities to ensure mandatory net gain, however work is progressing on secondary legislation of the newly passed Environment Act 2021. It should be expected that the legislation will clarify the thresholds for development that will be

¹ [Evidence Statement on the links between natural environments and human health](#), University of Exeter and Defra, 2017; Urban Green Spaces and Health, World Health Organisation Regional Office for Europe, 2016, 9-10.

² [Revaluing Parks and Green Spaces Measuring their economic and wellbeing value to individuals](#), Fields In Trust, 2018

³ Marmot, M. Fair society, healthy lives : the Marmot Review : strategic review of health inequalities in England post-2010. (2010) ISBN 9780956487001

required to provide net gain. The Planning Advisory Service recently published [Biodiversity Net Gain FAQs](#) in partnership with Natural England and DEFRA which contains some information relating to mandatory net gain.

Given the current uncertainty surrounding future requirements, the Plan may wish to set out a requirement for the development and adoption of a Supplementary Planning Document (SPD) which can set out further detail relating to mandatory net gain, upon which the Council can build. Due to the need to ensure net gain is delivered in a suitably strategic way, and having regard to the timescales of the legislative requirement for net gain and further national guidance, Natural England would support the development of such an SPD if necessary, and would encourage the Plan to outline this as a clear intention of the Council, in order to provide further guidance and support to aid sustainable development across the borough. Natural England will be happy to advise further to aid the development of such an SPD.

The policy includes the requirement for a Biodiversity Plan that sets out ongoing management and maintenance arrangements for the proposed measures. The Biodiversity Plan should also include the requirement for a monitoring regime to ensure the ongoing management of the site is effective.

The policy wording states that biodiversity net gain 'will be secured on-site in most instances'. The policy could more explicitly state that on-site provision is the preferred option, unless there are mitigating circumstances which mean this is not possible. We acknowledge that in some instances on-site provision may be difficult, and Natural England recommends that consideration is given to developing a suite of projects and opportunities, towards which development can contribute to, thereby ensuring the biodiversity across the Borough is protected and enhanced.

Points 1 & 2 of LE8 set out that biodiversity net gains should contribute towards the wider network of green infrastructure and the local ecological network. Paragraph 5.34.7 shows the Council are considering how to best to locate and provide net gain. Linking biodiversity net gains to strategic delivery of ecological and green infrastructure networks is key to achieving meaningful ecological gain, and Natural England would advise the Plan considers how net gain can contribute to the NRN and LNRS.

We would recommend the Plan includes some consideration of the best and most suitable sites to deliver 'strategic' biodiversity net gain. Partners that manage Local Nature Reserves and Sites of Importance for Nature Conservation in the Borough could submit projects to the local planning authority to enhance the ecological value of these sites. These projects could be funded by development that requires off-site compensation or additional enhancements to achieve biodiversity net gain. This approach could also be used by development with limited opportunities for biodiversity net gain on-site.

Applying the mitigation hierarchy

The Plan's approach to biodiversity net gain should be compliant with the mitigation hierarchy, as outlined in paragraph 175 of the NPPF. The policy should ensure that biodiversity net gain is not applied to irreplaceable habitats and should also make clear that any mitigation and/or compensation requirements for designated sites should be dealt with separately from biodiversity net gain provision.

Policies and decisions should first consider options to avoid adverse impacts on biodiversity from occurring. When avoidance is not possible impacts should be mitigated and finally, if there is no alternative, compensation provided for any remaining impacts. Biodiversity net gain must be additional to any habitat creation required to mitigate or compensate for impacts. It is also important to note that net gains can be delivered even if there are no losses through development.

The following may also be useful considerations in developing Plan policies:

- Use of a map within the plan. Mapping biodiversity assets and opportunity areas ensures compliance with national planning policy and also helps to clearly demonstrate the relationship between development sites and opportunities for biodiversity net gain.

- Use of a biodiversity net gain target. Any target should be achievable and evidence based and may be best placed in lower tier documents or a Supplementary Planning Document, to allow for regular updates in line with policy and legislation.
- Consideration should be given to thresholds for different development types, locations or scales of development proposals and the justification for this. Setting out the scope and scale of expected biodiversity net gains within Infrastructure Delivery Plans can help net gain to be factored into viability appraisals and land values. Natural England considers that all development, even small scale proposals, can make a contribution to biodiversity. Your authority may wish to refer to Technical Note 2 of the [CIEEM guide](#) which provide useful advice on how to incorporate biodiversity net gain into small scale developments.
- Policy should set out how biodiversity net gain will be delivered and managed and the priorities for habitat creation or enhancement in different parts of the Plan area. The Plan policy should set out the approach to onsite and offsite delivery. Natural England advises that on-site provision should be preferred as it helps to provide gains close to where a loss may have taken place. Off-site contributions may, however, be required due to limitations on-site or where this best meets wider biodiversity objectives set in the development Plan. Further detail could be set out in a supplementary planning document.

Calculating Net Gain

Please note that the Defra [Biodiversity Metric 3.0](#) was published this year, which supersedes Biodiversity Metric 2.0. We advise that this metric is used to measure gains and losses to biodiversity resulting from development, and implement development plan policies on biodiversity net gain. Net gain specifically should derive strictly from habitat enhancement and creation, required as calculated using the metric.

Wider environmental gains

Natural England focusses our advice on embedding biodiversity net gain in development plans, since the approach is better developed than for wider environmental gains. However your authority should consider the requirements of the NPPF (paragraphs 73, 104, 120 and 174) and seek opportunities for wider environmental net gain wherever possible. This can be achieved by considering how policies and proposed allocations can contribute to wider environment enhancement, help adapt to the impacts of climate change and/or take forward elements of existing green infrastructure, open space or biodiversity strategies. Opportunities for environmental gains, including nature based solutions to help adapt to climate change, might include:

- Identifying opportunities for new multi-functional green and blue infrastructure.
- Managing existing and new public spaces to be more wildlife friendly and climate resilient (e.g. by sowing wild flower strips, changing cutting regime of open spaces and road verges). [O'Sullivan et. al](#) (2017) provide a useful example of cost-effective, low-maintenance management for species-rich grassland on road verges and the value they can contribute to biodiversity and ecosystem services⁴.
- Planting trees, including street trees, characteristic to the local area to make a positive contribution to the local landscape.
- Improving access and links to existing greenspace, identifying improvements to the existing public right of way network or extending the network to create missing footpath or cycleway links.
- Restoring neglected environmental features (e.g. a hedgerow or stone wall or clearing away an eyesore)
- Designing a scheme to encourage wildlife, for example by ensuring lighting does not pollute areas of open space or existing habitats.

⁴ Odhran S. O'Sullivan, Alison R. Holt, Philip H. Warren, Karl L. Evans, Optimising UK urban road verge contributions to biodiversity and ecosystem services with cost-effective management, Journal of Environmental Management, Volume 191, 2017, Pages 162-171, ISSN 0301-4797,

Any habitat creation and/or enhancement as a result of the above may also deliver a measurable biodiversity net gain.

Monitoring of net gain

Your Plan should include requirements to monitor biodiversity net gain across the Borough. This should include indicators to demonstrate the amount and type of gain provided through development. The indicators should be as specific as possible to help build an evidence base to take forward for future reviews of the Plan, for example the total number and type of biodiversity units created, the number of developments achieving biodiversity net gains and a record of on-site and off-site contributions.

LPAs should work with local partners, including the Local Environmental Record Centre and wildlife trusts, to share data and consider requirements for long term habitat monitoring. Monitoring requirements should be clear on what is expected from landowners who may be delivering biodiversity net gains on behalf of developers. This will be particularly important for strategic housing allocations and providing as much upfront information on monitoring will help to streamline the project stage.

Housing Allocations

We would encourage the consideration of biodiversity net gain delivery in relation to the allocations of sites within the Plan. The following considerations may be useful to ensure opportunities for biodiversity net gain are secured:

- Does the site present significant risks to biodiversity? If so, have alternative sites with lesser impacts been explored?
- What site specific recommendations can help deliver biodiversity net gain, for example what further survey work may be required at the planning application stage?
- Whether the site can accommodate on-site biodiversity net gain provision or whether there is a need for off-site contributions? What types of habitat creation or enhancement are most appropriate?
- Does there need to be any restrictions on the type of development that will be acceptable or particular parts of the site that should be not be developed?

During the site selection process, potential sites should be judged in accordance with all policies in the NPPF, including selecting land with the least environmental value, where consistent with other policies. The Biodiversity Metric can be useful during this process to understand the opportunities on a site, test indicative biodiversity net gains and to ensure sites of high biodiversity value are not selected.

Natural England encourages developers promoting sites for inclusion in the Plan to use its [Discretionary Advice Service](#) to discuss opportunities for biodiversity net gains on individual sites. This helps to ensure evidence is provided and appropriate ways to deliver biodiversity net gain can be included in site allocations if they progress. This can also help speed up the planning application stage.

Flood Risk Management & Surface Water Drainage

Natural England expects the Plan to consider the strategic impacts on water quality and resources as outlined in the NPPF. We would also expect the Plan to address flood risk management in line with paragraphs 159-169 of the NPPF.

The Local Plan should be based on an up to date evidence-base on the water environment and as such the relevant River Basin Management Plans should inform the development proposed in the Local Plan. These Plans (available [here](#)) implement the EU Water Framework Directive and outline the main issues for the water environment and the actions needed to tackle them. Local Planning Authorities must, in exercising their functions, have regard to these plans.

The Local Plan should contain policies which protect habitats from water related impacts and where appropriate seek enhancement. Priority for enhancements should be focussed on European sites, SSSIs and local sites which contribute to a wider ecological network.

Sustainable Urban Drainage Systems

Natural England supports well designed sustainable drainage schemes (SuDS). In addition to the management of the quantity of surface water, SuDS can significantly reduce a development's impacts on surrounding water quality and above-ground SuDS features can contribute to Green Infrastructure, biodiversity net gain and natural capital provision(s). Where a development site drains or is hydrologically linked to a designated site, it is particularly important that SuDS are appropriately designed to protect the water quality of the receiving waterbody and the designated site. We advise that policy ensures SuDS schemes are designed to maximise other environmental benefits wherever possible and where there could be impacts to designated sites, water quality is protected and management and monitoring is secured for the lifetime of the development.

Water Quality & Nutrient Impacts

It is Natural England's view that there is a likely significant effect on the internationally designated Solent sites due to the increase in wastewater from new housing. The Plan might wish to cite the latest Natural England [Advice on Nutrient Neutrality](#). Policy D5 2e) sets the requirements for development proposals which might cause an impact to designated sites via discharging wastewater.

Paragraph 2.6.42 indicates that a potential mitigation option for nutrient impacts could be implementing a program which ensures water use of 100 litres per person per day in residential development. Natural England advise that this is a suitable mitigation option only where the Local Planning Authority owns the housing stock or has control over the installation and maintenance of infrastructure within the housing for the lifetime of the development. Any new strategy to address nutrient impacts should be agreed with Natural England.

Paragraph 2.6.42 also suggests that the provision of 'green open space' is a potential mitigation measure. We would recommend that this wording is changed to provide more clarity and instead refers to 'land use change'.

Where wetlands are proposed as a fundamental component of the mitigation strategy, it will be necessary to take a bespoke approach in the design of each wetland with suitable specialist input, preferably an accredited member of the [Constructed Wetlands Association](#), to ensure the necessary confidence in the level of mitigation it will provide. Such design will need to take into account the hydraulic loading rates (HLR), inlet N concentrations, temperature and geomorphology to ascertain accurate N removal efficiency rates.

Work and research is currently progressing into the potential for SuDS to provide nutrient mitigation. Provided they have the relevant level of design detail and provide reasonable certainty as to their effectiveness, they may be an appropriate mitigation measure.

Soils

The Local Plan should give appropriate weight to the roles performed by the area's soils. These should be valued as a finite multi-functional resource which underpins our wellbeing and prosperity. Decisions about development should take full account of the impact on soils, their intrinsic character and the sustainability of the many ecosystem services they deliver.

The Plan should safeguard the long term capability of best and most versatile agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future in line with National Planning Policy Framework paragraph 174.

Air Pollution

Potential impacts to the natural environment have been considered as part of the Habitats Regulations Assessment (HRA), and Natural England provide comments on this below.

Access and Rights of Way

Natural England advises that the Plan should include policies to ensure protection and enhancement of public rights of way and National Trails, as outlined in paragraph 100 of the NPPF.

Recognition should be given to the value of rights of way and access to the natural environment in relation to health and wellbeing and links to the wider green infrastructure network. The Plan should seek to link existing rights of way where possible, and provide for new access opportunities. The Plan should avoid building on open space of public value as outlined in paragraph 99 of the NPPF.

Legally Protected Species

Protected species are those species protected under domestic or European law. Further information can be found here: [Standing advice for protected species](#). Natural England note the Plan contains a comprehensive policy (LE6) which sets out clear criteria to inform planning decisions relating to impacts to protected species.

Sites of Least Environmental Value

In accordance with the paragraph 171 of NPPF, the plan should allocate land with the least environmental or amenity value. Natural England expects sufficient evidence to be provided, through the SA and HRA, to justify the site selection process and to ensure sites of least environmental value are selected, e.g. land allocations should avoid designated sites and landscapes and significant areas of best and most versatile agricultural land and should consider the direct and indirect effects of development, including on land outside designated boundaries and within the setting of protected landscapes.

Plan Allocations

Policy D6: Gosport Strategic Open Spaces

Point 5d of Policy D6 suggests that the Council support integrating the existing playing fields 'often referred to as the Polo Field' between Grange Road and Privett Road into the Alver Valley Country Park. These proposals would have the potential to affect SPA functionally linked land, which forms part of a network of terrestrial sites located outside of the Solent SPAs boundaries used by SPA species (including qualifying features and assemblage species) as alternative areas for roosting and foraging. These sites support the functionality of the designated sites and are therefore protected in this context. The playing field (G02) is classified as Core Area for the Solent Waders and Brent Geese. Any impacts must be properly assessed and any identified impacts are addressed in line with the [SWBGS Guidance on Mitigation and Offsetting Requirements](#).

SS Policies

Most of the site allocations within the SS policies include a reference to the 'need to accord with the NPPF and Policy DE5 relating to protecting the integrity of internationally important habitats'. It is assumed that this is meant to refer to Policy D5 of the Plan.

Habitats Regulations Assessment Screening

Air Quality

The Habitats Regulations Screening document considers the impacts of atmospheric pollution on designated sites, both within the Plan area, and in-combination with Fareham Borough. Natural England agree with the conclusions of the Screening document in relation to the Plan area. Natural England are not able to advise on the appropriate scope for in-combination assessment.

Please note that the method for assessing in-combination effects has changed in the past few years due to a number of high profile appeal decisions. They include the following: The Wealden Judgement; The People Over Wind Case; and CJEU Ruling In The Netherlands Nitrogen And Agriculture Cases C-293/17 and C-294/17. Please note that ammonia (NH₃) from traffic emissions should also be factored into assessments. It is advised air quality impacts on interest features of nationally and locally designated sites is also carried out as part of an assessment of impacts on SSSIs and wider biodiversity.

Coastal Squeeze

The HRA Screening adequately considers potential impacts in relation to coastal squeeze. Natural England agree that overarching Plans such as the North Solent Shoreline Management Plan and River Hamble to Portchester Strategy have undergone Habitats Regulations Assessment with

derogation and have been [approved](#) by the Secretary of State. Natural England agree that any development in compliance with the North Solent SMP policies can be screened out of Appropriate Assessment.

Recreational Disturbance

The Screening document correctly identifies the potential Likely Significant Effects on the; Solent and Southampton Water SPA/Ramsar, the Portsmouth Harbour SPA/Ramsar and the Chichester and Langstone Harbours SPA/Ramsar. Assessment is also made regarding supporting/functionally linked habitat and Natural England have no further comments to make.

Site-Specific Impacts

Fig 5.12 of the Screening document shows the Core and Primary Support areas classified as part of the SWBGS. It should be noted that this map does not include Secondary Support or Low-use sites which are referred to in the text of paragraph 5.7.3.

The distance-based screening criteria (Table 5.10) also only refers to 'Core / Primary / Secondary BG / wader' sites. Any site which supports the SPA Qualifying Features should be considered functionally linked land, and any potential effects must be assessed in line with the Habitats Regulations. The non-designated sites are classified as Core Areas, Primary Support Areas, Secondary Support Areas, Low Use and Candidate Sites and a map of sites can be viewed [here](#). Sites are classified based on certain criteria and the Strategy is regularly updated and reviewed.

The methodology used to assess Likely Significant Effect of allocations on Functionally Linked Land is suitably robust. The SPA Qualifying Features are opportunistic and highly mobile, so it is important that these criteria should be re-examined and considered at later stages of the planning process, as per Plan Policy D5, 2d.

Natural England agree with the conclusion of the Screening document.

Water Quality

Natural England agree with the conclusion of Likely Significant Effects made in the Screening document. We also welcome the work undertaken to produce a nutrient budget for the Local Plan allocations which will help to inform the design and implementation of any required mitigation.

Please also note our earlier comments in relation to Water Quality and Policy D5 for the next stage of the Habitats Regulation Assessment.

New Forest SPA

As the HRA Screening document refers to, Footprint Ecology, a national leader in the field of recreational impacts on protected sites, conducted recent studies and analysis on the impact of recreational activities of the special interest features of the New Forest designated sites. A series of reports focussing on different aspects of the work were published and these can be found on the New Forest National Park Authority website [here](#). The work identifies that visitor levels at the sites (and associated impacts) will increase by a predicted 11.4% with new housing coming forward over the period 2018-2036. The majority of visitors to the New Forest designated sites originate from within a straight-line 13.8km radius (the zone in which 75% of visitors live). Additional visitors will be likely through tourism.

The [Zone of Influence report](#) provides clarification and advice relating to the establishment of an appropriate 'zone of influence' or 'catchment area' within which visitors from new development are likely to have a significant impact on the New Forest. It makes several recommendations including use of the 75th percentile to define a zone of influence (i.e. the 13.8km zone), with scope to adjust this to reflect particular circumstances; it recommends the exclusion of several districts from the 13.8km zone based on low visitor levels – this includes the borough of Gosport. It also recommends that large developments just outside of the zone of influence, particularly those within 15km of the protected sites, should be subject to Habitats Regulations Assessment (HRA) and that mitigation may be required.

Natural England agree with the above recommendations and we therefore advise your Council that large development in the Gosport borough, within 15km of the New Forest designated sites, assess impacts on a case by case basis via HRA in consultation with Natural England. We advise this applies to EIA development so that any potential effects from significant residential (or touristic) development is captured. Mitigation, where assessed as required, may take the form of provision of very high quality local greenspace and/or a per dwelling contribution towards direct measures at the designated sites to address residual impacts.

The HRA Screening acknowledges the main points above, but concludes the Draft Local Plan is not considered likely to significantly affect the New Forest SAC/SPA/Ramsar either alone or in-combination with other plans and projects. Natural England disagree with this conclusion and would advise the Plan screens in this impact pathway, taking it through to Appropriate Assessment and outlining the suitable mitigation options.

If you have any queries relating to the advice in this letter please contact me at

[REDACTED]
Yours faithfully

Jonathan Shavelar
Thames Solent Team

Climate change resources

Please see below links to further resources that may be useful in developing local policy to address climate change within the local authority area.

- The [Climate Change Adaptation Manual](#) - provides extensive information on climate change adaptation for the natural environment. It considers the potential impacts of climate change on individual priority habitats and outlines possible adaptation responses. It includes the Landscape Scale Adaptation Assessment Method to assist those wanting to undertake a climate change vulnerability assessment for an area larger than an individual site or specific environmental feature, focussing on identifying vulnerabilities to climate change.
- The [National Biodiversity Climate Change Vulnerability Model](#) is a mapping tool that helps identify areas likely to be more vulnerable to the impacts of climate change.
- [Carbon Storage and Sequestration by Habitat 2021 \(NERR094\)](#) – a recently updated report that reviews and summarises the carbon storage and sequestration rates of different semi-natural habitats that can inform the design of nature-based solutions to achieve climate mitigation and adaptation.
- The [Nature Networks Evidence Handbook](#) – aims to help the designers of nature networks by identifying the principles of network design and describing the evidence that underpins the desirable features of nature networks. It builds on the Making Space for Nature report of Lawton et al. 2010), outlining some of the practical aspects of implementing a nature network plan, as well as describing the tools that are available to help in decision making.
- [Natural England Climate Change webinars](#) - a range of introductory climate change webinars available on YouTube.