

Date: 25 July 2019

Your ref: N/A



Consultations Team
Fareham Borough Council
BY EMAIL ONLY

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Dear Sir/Madam,

Fareham Borough Council – Local Plan Issues and Options Consultation

Thank you for your consultation dated 7 June 2019 which was received by Natural England on the same date. We welcome the opportunity to comment on the Fareham Local Plan Issues and Options.

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.

The Plan's vision and strategy

Natural England advises that the Plan's vision and emerging development strategy should address impacts on and opportunities for the natural environment and set out the environmental ambition for the plan area. The plan should take a strategic approach to the protection and enhancement of the natural environment, including providing a net gain for biodiversity, considering opportunities to enhance and improve connectivity. Where relevant there should be linkages with the Solent Recreation Mitigation Partnership (SRMP), Solent Wader and Brent Goose Strategy (SWBGS), Hampshire Ecological Network Map, Biodiversity Action Plan, Local Nature Partnership, Countryside Access Plan, South Hampshire Green Infrastructure Strategy and nutrient offsetting projects.

Designated sites

The Local Plan should set criteria based policies to ensure the protection of designated biodiversity and geological sites. Such policies should clearly distinguish between international, national and local sites¹. Natural England advises that all relevant Sites of Special Scientific Interest (SSSIs), European sites (Special Areas of Conservation and Special Protect Areas) and Ramsar sites² should be included on the proposals map for the area so they can be clearly identified in the context of proposed development allocations and policies for development. Designated sites should be protected and, where possible, enhanced.

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

¹ International sites include: Special Protection Areas (SPAs); Special Areas of Conservation (SACs) and Ramsar sites¹. National sites include Sites of Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs) Local sites include wildlife Sites or geological sites (a variety of terms are in use for local sites).

² The following wildlife sites should also be given the same protection as European sites: potential SPAs, possible SACs, listed or proposed Ramsar sites and sites identified, or required, as compensatory measures for adverse effects on European sites

plans to provide policies for strategic or cross boundary approaches, particularly in areas where designated sites cover more than one Local Planning Authority boundary.

Natural England would welcome early discussion on the Habitats Regulations Assessment (HRA) of the plan and can offer further advice as policy options are progressed.

Priority habitats, ecological networks and priority and/or legally protected species populations

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.

Protected species are those species protected under domestic or European law. Further information can be found here [Standing advice for protected species](#). Sites containing watercourses, old buildings, significant hedgerows and substantial trees are possible habitats for protected species.

Ecological networks are coherent systems of natural habitats organised across whole landscapes so as to maintain ecological functions. A key principle is to maintain connectivity - to enable free movement and dispersal of wildlife e.g. badger routes, 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 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 paragraph 171 of the NPPF.

Where a plan area contains irreplaceable habitats, such as ancient woodland, ancient and veteran trees, there should be appropriate policies to ensure their protection. Natural England and the Forestry Commission have produced [standing advice](#) on ancient woodland, ancient and veteran trees.

Solent Wader and Brent Goose Strategy (SWBGS)

A large portion of the proposed development areas are identified in the Solent Wader and Brent Goose Strategy as supporting habitat to the SPAs. These sites are integral to the ecological network within the Solent and the continuing function of the SPAs.

All development should follow the mitigation hierarchy, avoid > mitigate > compensate, therefore we recommend that the Council take the impact on SWBGS sites into consideration when looking at allocations sites and avoid allocations on these sites wherever possible.

Where avoidance is not possible, developments impacting on the support sites will be expected to provide mitigation. A framework for guidance on mitigation and off-setting requirements has been prepared by the SWBGS Steering Group to achieve the long-term protection of the wider brent goose and wader network from land take and recreational pressure arising from new development. The non-designated sites are defined as Core Areas, Primary Support Areas, Secondary Support Areas, Low Use and Candidate sites. The long term aim is to secure permanent bird refuges across the Solent.

Natural England strongly recommends that the local plan includes policies to address the impact of development on supporting habitat in line with the Solent Waders and Brent Goose Strategy and offsetting and mitigation guidance in order to inform the Habitats Regulations Assessment.

Where allocated sites fall on land that is identified in the SWBGS, it is our advice that appropriate land is identified as permanent bird refuges to offset these allocations. Natural England advises that the local plan includes a commitment to the accepted mitigation framework and ensures there is certainty with regard to the appropriateness and deliverability of bird refuges in relation to the loss of these sites. We are keen to continue working with the Council to discuss the opportunities in the Borough and we would be happy to discuss this in further detail in due course.

Solent Recreation and Mitigation Partnership (SRMP)

Over 60,000 new homes are planned around the Solent up to 2034. Research has shown that these will lead to more people visiting the coast for recreation, potentially causing additional disturbance to these birds.

The SRMP strategy aims to prevent bird disturbance from recreational activities. It seeks to do this 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. Prepared by the Solent Recreation Mitigation Partnership of local authorities and conservation bodies, the strategy was published in 2017.

The majority of the Borough is within 5.6km of at least one of the Solent SPAs and as the Local Plan will result in a net increase in dwellings it will be required to address its impact on the SPAs from recreational pressure. Mitigation guidance is set out in the strategy and includes payment towards strategic solutions and bespoke onsite mitigation where necessary. We recommend that the Local Plan includes a policy to cover this strategic solution. We would be happy to advise on the likely mitigation requirements of allocations at the appropriate stage.

Nutrient Neutrality

New development in the Borough has the potential to detrimentally affect the the Solent and Southampton Water SPA, Solent Maritime SAC and Solent and Dorset Coast pSPA sites through the associated increases in nutrients in the water environment. There is existing evidence of high levels of nitrogen and phosphorus in the Solent water environment with evidence of eutrophication at some designated sites.

The Plan comprises new housing development and has inevitable waste water implications. It is Natural England's view that these implications, and all other matters capable of having a significant effect on designated sites in the Solent, must be addressed in the ways required by Regulation 63 of the Conservation of Habitats and Species Regulations 2017. Natural England strongly recommends that the Fareham Local Plan includes a nutrient management plan or similar strategy to offset the delivery of increased nutrients from local plan development and to achieve nutrient neutrality. We recommend that the Local Plan includes a policy to support this strategy. Natural England has written advice on calculating nutrient budgets and the potential mitigation solutions and will continue to work with Fareham Borough Council and all affected Councils to help address this issue.

Air Quality

As you are aware, the Partnership for Urban South Hampshire (PUSH) has commissioned a detailed study on the impacts of the new development on the air quality environment. This report identified areas for further assessment and it is understood that Fareham Borough Council has commissioned a study to assess local plan growth. Natural England is happy to advise further as this work progresses through the Local Plan review and Habitats Regulations Assessment.

We would also encourage the Council to work collaboratively with its PUSH partners to develop a strategic approach towards air quality.

Biodiversity Mitigation and Enhancement Plan

Natural England strongly recommends that all developments achieve biodiversity net gain. To support this approach, we suggest that the Local Plan includes a requirement for all planning applications to be accompanied by a Biodiversity Mitigation and Enhancement Plan (BMEP) that has been approved by a Hampshire County Council (HCC) Ecologist. This would encourage new proposals to incorporate biodiversity opportunities in and around developments and ensure measures to enhance biodiversity are included from the outset.

BMEPs would apply to all developments within the borough and would therefore ensure that both residential development and employment land protects and improves the local ecology by including green infrastructure and biodiversity enhancements. Retail or town centre uses would also be encouraged to seek opportunities for environmental enhancements.

By requesting a BMEP, development allocations would be required to show the environmental enhancements that are proposed and identify links to existing areas of public open space and ecological corridors and networks. Consideration could be given to enhancements on-site, as well as off-site in surrounding areas.

Early consultation with the HCC Ecologists on the scope of the BMEPs for the strategic allocation sites across the Borough will ensure the sensitivities of each site are appropriately addressed and environmental gains secured. This could include guidance on essential considerations, as well as aspirational requirements. This would also allow consideration to be given to ecological and biodiversity networks across the Borough.

The BMEP could include measures for mitigating impacts on protected species and habitats and include biodiversity compensation measures for any residual biodiversity losses that cannot be fully mitigated on site. This might include the provision of offsite replacement habitats, or an agreed financial contribution for biodiversity enhancements elsewhere calculated using a Biodiversity Compensation Framework, Environment Bank, or similar mechanism.

Natural England advises that consideration is given to an approach similar to that adopted by Warwickshire, Coventry and Solihull to secure biodiversity offsetting. If off-setting is required, development can pay for conservation projects that deliver biodiversity benefits.

Natural England recommends that consideration is given to developing a suite of projects that development within the Borough can contribute to thereby ensuring the biodiversity within the Borough is protected and enhanced. For example, partners that manage Local Nature Reserves and Sites of Importance for Natural 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 offsite compensation or additional enhancements to achieve net biodiversity gain. This approach can also be used by development with limited opportunities for biodiversity net gain on-site.

Provided an HCC approved BMEP is received and secured by any permission then your authority may be satisfied that it will have met its duties under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity', and in relation to European Protected Species Regulation 9(3) of The Conservation of Habitats & Species Regulations 2017.

Green Infrastructure

Green infrastructure refers to the living network of green spaces, water and other environmental features in both urban and rural areas. It is often used in an urban context to provide multiple benefits including space for recreation, access to nature, flood storage and urban cooling to support climate change mitigation, food production, wildlife habitats and health & well-being improvements provided by trees, rights of way, parks, gardens, road verges, allotments, cemeteries, woodlands, rivers and wetlands.

Green infrastructure is also relevant in a rural context, where it might additionally refer to the use of farmland, woodland, wetlands or other natural features to provide services such as flood protection, carbon storage or water purification.

A strategic approach for green infrastructure is required to ensure its protection and enhancement, as outlined in para 171 of the NPPF. Green Infrastructure should be incorporated into the plan as a strategic policy area, supported by appropriate detailed policies and proposals to ensure effective provision and delivery. Evidence of a strategic approach can be underpinned by Green Infrastructure Strategy. We encourage the provision of green infrastructure to be included as a specific policy in the Local Plan or alternatively integrated into relevant other policies, for example biodiversity, green space, flood risk, climate change, reflecting the multifunctional benefits of green infrastructure.

Landscape

Natural England expects the Plan to include strategic policies to protect and enhance valued landscapes, as well criteria based policies to guide development. We recommend that the Landscape Character Areas relevant to the Borough are included as evidence to inform any policies on landscape.

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 98 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 provides for new access opportunities. The plan should avoid building on open space of public value as outlined in paragraph 97 of the NPPF.

The plan should make provision for appropriate quantity and quality of green space to meet identified local needs as outlined in paragraph 96 of the NPPF. Natural England's work on [Accessible Natural Greenspace Standard \(ANGSt\)](#) may be of use in assessing current level of accessible natural greenspace and planning improved provision.

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.

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 170.

Coastal issues

The Borough's coastline is included in the North Solent Shoreline Management Plan (SMP 13) and the Local Plan should take this into account and take forward applicable actions. Local Authorities should use Shoreline Management plans as a key evidence base for shaping policy in coastal areas.

Sea level rise and coastal change are inevitable and bring both challenges and opportunities for people and nature. Sustainable coastal management needs to embrace long-term change and achieve positive outcomes for both.

Local Plans should therefore provide for coastal adaptation and work with coastal processes. Plans within coastal areas should recognise the need to respond to changes over long timescales and adopt an integrated approach across administrative and land/sea boundaries. A successful integrated approach should set levels of sustainable levels of economic and social activity whilst protecting the environment.

We would also advise that Local Plans should help facilitate the relocation of valued environmental assets away from areas of risk.

Climate change adaptation

The Local Plan should consider climate change adaption and recognise the role of the natural environment to deliver measures to reduce the effects of climate change, for example tree planting to moderate heat island effects. In addition factors which may lead to exacerbate climate change (through more greenhouse gases) should be avoided (e.g. pollution, habitat fragmentation, loss of biodiversity) and the natural environment's resilience to change should be protected. Green Infrastructure and resilient ecological networks play an important role in aiding climate change adaptation.

Additionally, the comments below relate to specific questions asked in the Issues and Options paper.

Ensuring good home design - Do you agree this is an issue the Council should be tackling? Are there any other elements of design you think are important?

We recommend that good design includes future-proofing building stock with regards to climate change, which is likely to include rising temperatures, increased frequency of extreme events (heavy rainfall, drought, heatwave) and rising sea level. The Council should consider the aims of the 25 Year Environment Plan and the Clean Growth Strategy to adapt to the effects of a changing climate which includes reducing the impact and improving the resilience of our built environment.

Meon Valley – Should the council continue to protect this area from development?

This area forms part of the Solent and Southampton Water SPA and Titchfield Haven SSSI, as well a large area being identified as SWBG sites. As a high biodiversity value area Natural England would support the continued protection and enhancement of this area for biodiversity and access and opportunities for river restoration.

Southern Water's River Itchen Drought Order Habitats Regulations Compensation Package includes the proposal for river restoration to improve chalk stream habitat in the River Meon. We advise that the Local Plan safeguards land within the Meon Valley that could contribute to this project.

We would be very happy to comment further as the plan progresses. If you have any queries relating to the detail in this letter please contact me on the numbers below.

Yours sincerely

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