

Date: 07 May 2020
Our ref: 313093
Your ref: APP/19/01101



FAO – Daphne Haywood

BY EMAIL ONLY

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Dear Daphne

Planning consultation: APP/19/01101 Hybrid planning application comprising; full planning application for the erection of 130 dwellings with the creation of new access onto College Road, landscape, drainage, car parking and associated works; and outline planning application for up to 650 dwellings, community and nursery facility (use class D1 and D2), retail unit (use class A1), public open space, landscaping, diversion of public right of way and associated works and infrastructure| FURTHER INFORMATION SUBMITTED

Location: Land East Of, College Road, Campdown, Purbrook, Waterloooville

Thank you for your consultation on the above dated 26 March 2020 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.

SUMMARY OF NATURAL ENGLAND'S ADVICE

OBJECTION

Natural England objects to this proposal. As submitted we consider it will:

- have an adverse effect on the integrity of the Chichester and Langstone Harbours Special Protection Area and Ramsar site.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

We have reached this view for the following reason:

- *A loss of supporting habitat for qualifying features of the Chichester and Langstone Harbours SPA and Ramsar site.*

It is noted that further information has been submitted on the area and design of the proposed mitigation area. **Natural England maintains our objection.** The comments in our earlier response still stand and further advice has been provided below.

Given the importance of the development site, the competent authority would need certainty that significant net benefits to the waders and brent goose ecological network can be secured through the creation and on-going management of replacement (offsetting) sites.

It is agreed by all parties that the development site regularly supports in excess of 100 curlew as well as brent geese. This is one of the most important sites identified within the SWBGS for curlew. We maintain that the preferred approach of the SWBGS is for development to be located outside the network of sites. Natural England strongly advises that the impacts to the supporting habitat are avoided in the first instance. This is especially relevant in this case given the importance of this site for curlew and brent geese.

Further information has been provided on the proposed offsetting site at Broadmarsh. A management plan has been submitted but this has been largely copied from an alternative planning application at Forty Acres in Havant. This application was providing an on-site Wintering Bird Mitigation Area to offset the loss of an area classified as low use and secondary support area that is primarily used by brent geese.

To replicate the ecological function of the development site, a bespoke approach is needed in this case ideally with input from a curlew specialist / ornithologist. The approach should consider the value and function of the existing site for curlew specifically, and how this can be replicated and offset. It is Natural England's view that this may be extremely difficult to achieve in this case.

Any proposed offsetting site must support habitats, or be suitable for recreating habitats that provide the same, or enhanced, ecological function as those that are to be lost or damaged. The habitat type at the development site attracts high numbers of curlew. This is likely to be due to a number of reasons, one of which is likely to be good quality soil fauna. We recommend that further information is provided on how any offsetting site can replicate and enhance this function.

Disturbance is another key issue – the ecological function of an offsetting site is likely to be seriously undermined if subject to regular disturbance from recreational use and unmanaged public access. The existing recreational pressure at Broadmarsh, which has been acknowledged by the applicant, is likely to undermine the ecological function of this offsetting site, if alternative enhanced recreational provision is not provided. One of the attractions of the Campdown site to curlew is likely to be linked to low levels of disturbance. Natural England has concerns that fencing alone would not be able to create the same secure and favoured environment that is being lost at Campdown.

The area of habitat is a further issue for consideration. Where the replacement habitat would be of equal ecological quality the area required should be of a similar extent to the site being lost or damaged. The guidance states that there may be situations however, where a greater area is required when habitat created may be of poorer quality to that lost or damaged, or there is a high level of risk involved. It is Natural England's view that this is likely to be the case in this instance. No information has been provided on whether the habitat at Broadmarsh is of or can be of similar ecological value. The area proposed is significantly less than the 26.6 ha to be lost. In such cases the test will be to ensure the replacement habitats provide a clear and permanent net gain for the target species.

Given the importance of the development site and the risk associated with this proposal, it is Natural England's view that any proposed offsetting site needs to be supported by robust evidence on the appropriateness of the size, habitat type and levels of existing disturbance, with evidence that it is functioning and effective in advance of any loss.

Additional questions raised by applicant

The applicant has also raised a number of queries for Natural England's consideration. These include the level of empirical evidence that is needed to support an offsetting site, whether the site is still in suitable condition and the implications of the likely future use of the development site in the absence of a planning application.

The level of empirical evidence required for offsetting sites depends on ecological function that needs to be replicated, the suitability of the offsetting site and associated risk involved with the proposal. It is our view that it will be difficult to replicate the ecological function of the Campdown site given the high numbers of curlew. The risk is therefore high. We also have concerns with the offsetting site as there has been no evidence that the site has been used by curlew in the past. The additional information submitted refers to wader records, but no information is available on the species recorded. We are aware of historic records of brent geese and oystercatcher on these sites. As there is significant risk associated with a proposed offsetting option, empirical evidence is one way of providing the certainty needed for the Habitats Regulations Assessment. The offsetting site is owned by the local planning authority. We have advised in our response to earlier local plan consultations that it could be progressed as a strategic bird reserve to provide evidence that it would be suitable for brent geese and curlew. This option has not yet been progressed.

We have recent records of regular use of the site by curlew and brents. In cases where a Solent Waders and Brent Goose Strategy site falls out of appropriate management, the site would retain its classification until evidence has been provided for reclassification. Reclassification of a site will be considered if confirmed by 3 consecutive years of survey to the agreed survey methodology under appropriate habitat management conditions for waders and / or brent goose usage throughout the survey period.

In response to your comments on the likely future use of this land if development is not progressed, we direct you to the Environmental Impact Assessment (Agriculture) (England) Regulations 2006. The EIA regulations protect rural land in England that's uncultivated or semi-natural from changes in agricultural activities that might cause damage by increasing productivity.

It is Natural England's view that the land at the development site is semi-natural in character given that it is used by brents and high numbers of curlews. Given the regular, high numbers of curlew that use the site, it is assumed that the soil fauna is of a high quality. We therefore advise that prior to any change in agricultural use, an EIA screening decision application is made to Natural England. Further guidance is available [here](#). We would be happy to provide further information on this process as due course.

Further information required – objection

Further information has been requested in our response dated – 03 February 2020 (303109). These comments still stand and please refer to this response for further information.

Should the developer wish to explore options for avoiding or mitigating the effects described above with Natural England, we advise they seek advice through our [Discretionary Advice Service](#).

Should the proposal change, please consult us again.

If you have any queries relating to the advice in this letter please contact me on 07717808691.

Yours sincerely

Rachel Jones
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Thames Solent Area Team
Natural England