

Site:	Campdown, Havant
Client:	Persimmon Homes
Job Number:	A100376
File Location:	\\LDS-DC-VM-002\Group Ecology\Projects\Projects A100000 on\A100376 Campdown\REPORTS

Introduction

This letter has been prepared to provide additional ecological information and clarification following comments received on 24/12/19 by Tristan Norton, Hampshire County Council Senior Ecologist and on 03/02/20 by Rachel Jones, Natural England Thames Solent Team on the hybrid planning application for residential development at Campdown in Havant (APP/19/01101).

This letter focusses on matters relating to overwintering birds and the Chichester and Langstone Harbours Special Protection Area (SPA).

Hampshire County Council – 24/12/19

The application site is listed within the Solent Waders & Brent Goose Strategy (SWBGS) as Sites H02A, H04B, H113 and H125 with records of both dark-bellied brent geese and wader species using these sites. I have personally observed both brent geese and curlew within H02A, the latter in substantial numbers, and both were directly observed flying to the site from Chichester & Langstone Harbours SPA/Ramsar. The birds I observed used the site for feeding, resting and bathing. The proposals would result in the direct loss of substantial areas of SWBGS Primary and Secondary Support Areas and Low Use Areas, entailing essentially all available habitat at the site and would therefore clearly have a demonstrable impact on the nearby SPA/Ramsar via impacts to functionally-linked habitat. There is no provision for on-site mitigation in the submitted proposals and it is evident that avoidance of impacts has not guided development proposals.

Tables 1 and 2 set out baseline data for the Site from the SWBGS.

Table 1 Data from SWBGS 2015

Site Code	Waders Recorded Post-2010 Strategy	Maximum Count of Waders	Brent Geese Recorded Post-2010 Strategy	Maximum Count of Brent Geese
H02A	Yes	1	Yes	70
H106	N/A	N/A	N/A	N/A
H113	N/A	N/A	N/A	N/A
H125	N/A	N/A	N/A	N/A

Table 2 Data from SWBGS 2019

Site Code	Max Count	Network Score	GB Score	SPA Score	SPA Assm Score	Total Score	Num Recs	Classification
H02A	200		0	3	0	3	92	Primary Support Area
H113	45		0	2	0	2	7	Secondary Support Area
H106	80		0	3	0	3	6	Primary Support Area
H125	300		0	2	0	2	15	Secondary Support Area

As set out in the Winter Bird Survey Report, WYG have also undertaken a series of winter bird surveys during 2015/16 and 2016/17 at the site. These surveys revealed that up to 50 brent geese were utilising the site and up to 150 curlew. During these surveys both species were recorded during most visits.

Since the 2015 interim version of the SWBGS, additional areas of the Site have been included within the strategy (H113, H106 and H125). However, from the number of records in Table 2 it is clear that H02A remains the most heavily used area of the site. The WYG surveys (which covered 24 separate occasions) showed that whilst on most surveys, flocks of brent geese and curlew were present within H02A, they did on occasion move into H125 and H113. No wading birds were recorded within H106 during any WYG survey. Although these sites qualify as Primary and Secondary support areas by virtue of the peak counts recorded, this is based on a small number of records when the birds associated with H02A were instead present within these fields.

As a result of the proposed development, H113 (c.7.2 ha), H106 (c.7.4 ha) and H125(c.3.5 ha) will be lost, and part of H02B (c.5.2 ha of a total area of 10.9 ha). However, as discussed above, these sites are not used simultaneously. This impact is acknowledged within the application and it is accepted that in the absence of mitigation there would be an adverse effect on the integrity of the Chichester and Langstone Harbour SPA. Due to the potential for occupation-phase impacts, and the area of supporting habitat on site, (in particular the c.5.2 ha of H02B which is the main area in regular use) it has been considered that providing off-site compensation is the best option to mitigate adverse effects on the SPA whilst delivering the quantum of development which the draft allocation for the site calls for. As it is believed that the proposed mitigation can avoid an adverse effect on the integrity of the SPA, there is no requirement to progress with an assessment of alternatives which comprises Stage 3 of the Habitats Regulations Assessment Process.

The loss of this SPA supporting habitat will need to be compensated in order to provide a site of comparable function for the same population of SPA birds. Given the size of the area to be lost this is by no means a straightforward situation. Of particular concern is the ability to provide a suitable compensatory site for curlew. It is clear that the Campdown area is attractive to significant numbers of curlew (potentially the single largest terrestrial site for this species in the Chichester & Langstone Harbours SPA catchment, with c.4% of the total SPA wintering population occurring at this site) and



thus of very high conservation value. Curlews are a fast-declining species and are currently the subject of much attention in the scientific conservation community.

As compensation for the loss of habitat within the Site, it is proposed that a mitigation area is created on land owned by Havant Borough Council at Broadmarsh. This comprises H07A and H07B within the SWBGS. These are listed as core and primary support sites respectively, however this designation is due to their location within the wider network and proximity to the Chichester and Langstone Harbours SPA. Surveys conducted over three years by Havant Borough Council found no evidence of use by wading birds (including searches for goose droppings). This was considered likely to be a result of unmanaged access by dog walkers and the unsuitable condition of the habitat (scrub encroachment, long grass and absence of water). However, there is evidence of historic use by both waders and brent geese. According to HBIC data supplied in 2015, H07A once had a peak count of 100 waders and 200 brent geese, and H07B a peak count of 37 waders and 13 brent geese. This suggests that the location of the mitigation area is suitable for waders (including curlew) as well as brent geese. The proposed mitigation area also exceeds the area of H02B to be lost (c.8 ha to c.5.2 ha) which is the main area of the site used by overwintering birds. This suggests that the mitigation area is large enough to be used by waders and brent geese (which will typically forage towards the centre of high tide sites where visibility is high and away from trees and other vegetation which could harbour predators). Curlew are red-listed due to a historic decline which is one of the reasons for their inclusion as a qualifying feature of SPAs where significant populations are present (such as Chichester and Langstone Harbours). However, it should be noted that according to the BTO¹ the decline in curlew has slowed with WBS (Winter Bird Survey) showing changes of -35% from 1992 – 2017 compared to -13% for 2007 – 2017 and -4% for 2012 – 2017. The BBS (Breeding Bird Survey) has shown a similar trend with a recent increase with changes of -36% from 1967 – 2017 compared to -18% from 1992 – 2017, -5% from 2007 – 2017 and a 4% increase from 2012 – 2017.

The proposed mitigation strategy is for a new bespoke wintering bird refuge located at Broadmarsh in Havant, c.1km south of the site. Whilst this site has been mooted as a potential permanent bird refuge, no firm details of this have been agreed between the applicant and Havant Borough Council, the landowners. The use of the Broadmarsh area is, on paper, sensible: the entire site lies within local authority ownership and it is immediately adjacent to intertidal habitat which supports substantial numbers of SPA bird species, including brent geese and curlew. It is to be hoped that by providing a permanent refuge in such close proximity to the SPA intertidal, the birds will choose to use it when conditions are to their liking.

Further detailed proposals have been prepared setting out the intended actions for the establishment, management and monitoring of the proposed mitigation area. Final details of legal agreements, any land transfer, commuted sums etc. will be dealt with through the final Section 106 agreement. As mentioned above, the location is suitable for both waders and brent geese with H07A and H07B qualifying as core and primary support sites respectively due to their location within the wider network and proximity to the Chichester and Langstone Harbours SPA.

¹ Massimino, D., Woodward, I.D., Hammond, M.J., Harris, S.J., Leech, D.I., Noble, D.G., Walker, R.H., Barimore, C., Dadam, D., Eglington, S.M., Marchant, J.H., Sullivan, M.J.P., Baillie, S.R. & Robinson, R.A. (2019) BirdTrends 2019: trends in numbers, breeding success and survival for UK breeding birds. BTO Research Report 722. BTO, Thetford.

However, the success of any proposed mitigation is essential. The key issue deterring bird use of the existing Broadmarsh site is likely human disturbance. The Broadmarsh fields are heavily used by walkers and dog walkers, with a network of informal paths present across all open areas, and birds do not have sufficient disturbance-free habitat to use. It is also unclear whether birds using the Campdown site will use Broadmarsh if available, or whether they are most likely to continue use of the 'traditional' habitat at Campdown. Curlew in particular are unlikely to settle in habitats with regular disturbance.

Further detailed proposals have been prepared setting out the intended actions for the establishment, management and monitoring of the proposed mitigation area. This includes measures to prevent recreational disturbance of birds using the mitigation area through the establishment of suitable fencing and hedging to prevent access. Similar measures have been accepted for the prevention of disturbance at similar mitigation sites for waders and brent geese such as Forty Acres Farm in Bedhampton. As discussed above, the position of the mitigation area and historic use by both waders and brent geese suggests that birds will use the mitigation area once the habitat is made suitable and disturbance is removed. Furthermore, the proposed mitigation will secure suitable habitat in perpetuity whilst the long-term value of the site is uncertain. Grazing has now ceased at the site which has resulted in a much longer grassland sward becoming established, with the knock on effect that overwintering birds have been absent over 2019/20 (with a large number appearing to move to the site at Forty Acres Farm). In the long term, in the absence of development the site will be likely be managed to grow biofuel crops which will not provide a suitable overwintering foraging resource (see Appendix A which sets out information from the landowners regarding their obligations).

Whilst the proposal for a permanent wintering bird refuge at Broadmarsh is acceptable in principle (it is the only potentially-viable option other than to reduce the developed area and retain existing habitat), no details have been provided that demonstrate if this deliverable and there is minimal confidence that it would be successful. I am not aware of any detailed discussions between the applicant and Havant Borough Council that would provide confidence that mitigation is achievable. Additionally, given the importance of the Campdown site there would need to be confidence that any proposed mitigation would be likely to succeed in attracting birds. In early pre-application discussions the idea was floated of trial experiments at Broadmarsh: the use of temporary fencing (perhaps with decoys) to create undisturbed habitat and monitoring of birds' reactions. This has not occurred. If trials had proven successful then there would be a much-increased confidence in the proposed mitigation.

Further detailed proposals have been prepared setting out the intended actions for the establishment, management and monitoring of the proposed mitigation area. This includes habitat management works to create optimum habitat for waders and brent geese which is not currently present. This will comprise a short grassland sward with a high clover content to provide nutrient-rich foraging for geese and support a rich invertebrate biomass for waders. Areas of scrub will be removed to increase the openness of the area making it more attractive for birds and disturbance from recreation will be prevented. As discussed above, the position of the mitigation area and historic use by both waders and brent geese suggests that birds will use the mitigation area once the habitat is made suitable and disturbance is removed. Discussions have been held with the Havant Borough Estates team to determine that the proposed mitigation at Broadmarsh is acceptable in principle. Further discussions will be held through the determination period to agree delivery details to be secured within the Section 106 Agreement, these will therefore be required before permission can be granted.

On the issue of SPA supporting habitat I cannot support the current proposals: there will be a net loss of important supporting habitat and with no demonstrable compensatory solution. It is not clear if the proposed mitigation is either deliverable or likely to succeed: on that basis I do not see how the loss of SPA supporting habitat is consistent with the requirements of the Habitats Regulations. A carefully-crafted bespoke solution is required and this must be based upon detailed evidence that provides reassurance that any mitigation package is deliverable and is more likely than not to prove effective.

As above, further detailed proposals have been prepared setting out what actions will be undertaken to create optimum habitat conditions within the mitigation site, and to prevent disturbance from human recreation. It also sets out how the site will be managed and what monitoring will be undertaken over the next 80 years. Although the proposed mitigation does not provide a like for like compensation in terms of area compared to that to be lost on site (taking into account all four SWBGS sites), it is larger than the c.5.2 ha of H02B which will be lost which is the main area used by wintering birds on site (as evidenced by both the WYG surveys and HBIC data). Furthermore, it is in a more valuable location in terms of the wider SWBGS network and is adjacent to the SPA. Finally, it will provide suitable habitat in perpetuity whereas the habitat suitability of the site is reliant entirely upon the management of the site which is in private ownership (and has become unsuitable following the removing of grazing from the site).

Natural England 03/02/20

The development site regularly supports brent geese (records of a maximum of 300 brent geese on H125) and regular records of in excess of 100 curlew, which is over 5% of the SPA population (records of a maximum of 133 curlew on H02A). It is understood that the area to be lost is 26.6 hectares which is in a rural setting with very limited disturbance. This is one of the most important sites identified within the SWBGS for curlew.

The latest figures from HBIC which show peak counts for the site are set out in Table 2. It should be noted that although the total site measures 26.2 ha, not all of this will be lost. Approximately 3 ha will be retained to the north of the site where a Scheduled Ancient Monument is located. Furthermore, not all of the site is suitable for wintering birds, nor is it designated within the SWBGS. As a result of the proposed development, H113 (c.7.2 ha), H106 (c.7.4 ha) and H125 (c.3.5 ha) will be lost, and part of H02B (c.5.2 ha of a total area of 10.9 ha). However, these sites are not used simultaneously. From the number of records in Table 2 it is clear that H02A remains the most heavily used area of the site. The WYG surveys (which covered 24 separate occasions) showed that whilst on most surveys, flocks of brent geese and curlew were present within H02A, they did on occasion move into H125 and H113. No wading birds were recorded within H106 during any WYG survey. Although these sites qualify as Primary and Secondary support areas by virtue of the peak counts recorded, this is based on a small number of records when the birds associated with H02A were instead present within these fields.

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.

The site is a draft allocation within the Havant Borough Local Plan (and was also included within the previous iteration of the plan). Given the large housing need for the borough (as well as neighbouring authorities within the PFSH region) it is not possible to avoid all sites within the SWBGS, in particular

as many also provide optimum locations for housing in relation to transport, sustainability, local facilities etc. It is proposed that the loss of supporting habitat is compensated through habitat creation and management at Broadmarsh.

If avoidance is not possible, any offsetting area provided should be suitable for at least the number of brent geese and waders recorded on the site in terms of habitat type, area, disturbance, timing and availability of habitat and geographical location. There is a requirement for the offsetting area to fulfil the same special contribution and particular function of the areas lost or damaged for the same species of birds. It is Natural England's view that this may be extremely difficult to achieve in this case.

As compensation for the loss of habitat within the Site, it is proposed that a mitigation area is created on land owned by Havant Borough Council at Broadmarsh. This comprises H07A and H07B within the SWBGS. These are listed as core and primary support sites respectively, however this designation is due to their location within the wider network and proximity to the Chichester and Langstone Harbours SPA. Surveys conducted over three years by Havant Borough Council found no evidence of use by wading birds (including searches for goose droppings). This was considered likely to be a result of unmanaged access by dog walkers and the unsuitable condition of the habitat (scrub encroachment, long grass and absence of water). However, there is evidence of historic use by both waders and brent geese. According to HBIC data supplied in 2015, H07A once had a peak count of 100 waders and 200 brent geese, and H07B a peak count of 37 waders and 13 brent geese. This suggests that the location of the mitigation area is suitable for waders (including curlew) as well as brent geese.

Natural England has serious concerns about the appropriateness of the proposed offsetting site - Broadmarsh Coastal site - to replicate and enhance the ecological function of the proposed development site. Our areas of concern include its size, habitat type and levels of existing disturbance.

Although the proposed mitigation does not provide a like for like compensation in terms of area compared to that to be lost on site (taking into account all four SWBGS sites), it is larger than the c.5.2 ha of H02B which will be lost which is the main area used by wintering birds on site (as evidence by both the WYG surveys and HBIC data). Habitat creation works are proposed to create optimum habitat within the mitigation area including a nutrient-rich short grass and clover sward (which will also support a high invertebrate biomass for waders) and the creation of scrapes to hold water during the winter months, recreating the conditions within H02B. Furthermore, measures are proposed to prevent recreational disturbance of birds using the mitigation area through the establishment of suitable fencing and hedging to prevent access. Similar measures have been accepted for the prevention of disturbance at similar mitigation sites for waders and brent geese such as Forty Acres Farm in Bedhampton.

Limited information has been provided on the size of the offsetting area. The Havant Local Plan Biodiversity Strategy stated that the Broadmarsh Coastal Area included a core area of 1.3 ha and the potential to extend into a wider site area of 3.6 ha, although this part is currently used for informal recreation. The proposed offsetting site is significantly smaller than the area to be lost and, given the size, it is Natural England's view that it is unlikely to replace the ecological function of the existing supporting habitat. The function of the offsetting area is potentially further compromised by existing recreational pressure.

Further detailed proposals have been prepared setting out the intended actions for the establishment, management and monitoring of the proposed mitigation area. H07A measures c. 5.0 ha (minus 0.2 ha which comprises an existing car park) and H07B c.3.2 ha. Although the proposed mitigation does not provide a like for like compensation in terms of area compared to that to be lost on site (taking into account all four SWBGS sites), it is larger than the c.5.2 ha of H02B which will be lost which is the main area used by wintering birds on site (as evidenced by both the WYG surveys and HBIC data). Furthermore, it is in a more valuable location in terms of the wider SWBGS network and is adjacent to the SPA. Finally, it will provide suitable habitat in perpetuity whereas the habitat suitability of the site is reliant entirely upon the management of the site (and has become unsuitable following the removing of grazing from the site). As detailed above, measures have been proposed to prevent disturbance of birds using the mitigation area as a result of recreation during the winter months.

There have been no records of curlew using the Broadmarsh Coastal Park site. No evidence has been provided that the habitat type could be suitable. We strongly recommend that robust evidence is provided to support whether the proposed offsetting site can replicate and enhance the ecological function of the existing site. We advise that this includes creating appropriate foraging conditions at the offsetting site and monitoring to evidence whether the offsetting site is used by curlew and whether it fulfils the same function.

As discussed above, the site is currently unsuitable for curlew because it does not support suitable habitat over winter, there are large areas of scrub which reduce the openness of the site and there is a high level of disturbance. Data from HBIC obtained in 2015 does show three records of curlew from Broadmarsh/Bedhampton Shore between 2002 and 2007. Furthermore, the same data set contains no records of curlew from the application site (whereas WYG surveys later in 2015 did record them). Furthermore, those records which are available of curlew are typically held to two- or four-digit grid references which makes identifying locations in detail extremely difficult. In short, the absence of records does not inherently mean that the mitigation area cannot support curlew given the provision of suitable habitat and removal of disturbance. According to HBIC data supplied in 2015, H07A once had a peak count of 100 waders and 200 brent geese, and H07B a peak count of 37 waders and 13 brent geese. This suggests that the location of the mitigation area is suitable for waders (including curlew) as well as brent geese. As discussed above, detailed proposals have been prepared setting out proposed habitat creation works to create optimum habitat within the mitigation area including a nutrient-rich short grass and clover sward (which will also support a high invertebrate biomass for waders) and the creation of scrapes to hold water during the winter months, recreating the conditions within H02B.

It is Natural England's view that it may be possible to create appropriate conditions at Broadmarsh Coastal Park for brent geese, although the capacity is very dependent on the design and availability of land given existing recreational pressure. Natural England therefore recommends that further evidence needs to be provided to support this approach.

As discussed above, further detailed proposals have been prepared setting out the intended actions for the establishment, management and monitoring of the proposed mitigation area.

The timing and availability of any offsetting habitat is critical given the importance of this site for curlews and brent geese. Essentially, the offsetting site needs to be 'in time' to offset the adverse effects which are being addressed, with evidence to show it is functioning and readily available to SPA birds prior to any loss or damage to the original site. It is Natural England's view that any proposed

offsetting site needs to be supported by 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.

As above, further detailed proposals have been prepared setting out what actions will be undertaken to create optimum habitat conditions within the mitigation site, and to prevent disturbance from human recreation. It also sets out how the site will be managed and what monitoring will be undertaken over the next 80 years. The hybrid application includes details for Phase 1 which occupies the north west of the site and H106. Although H106 is listed as a Primary Support Area, this is on the basis of only six records. As detailed above, no wading birds were recorded within H106 during any WYG survey, which spanned 24 survey visits, each for four hours. Timings have been set out for proposed habitat creation and infrastructure works within the mitigation area. It is proposed that these take place within the first suitable period following the granting of planning permission. This will coincide with commencement of development on Phase 1. During this period, suitable habitat will also be maintained on site (within H02B for example) with construction-phase measures including acoustic and visual screening during the overwintering period. Further development phases will be subject to further reserved matters applications (which will involve further consultation with Natural England) and development within those phases will only take place once all measures to establish the mitigation area have been completed to the satisfaction of Natural England and Havant Borough Council, and any commuted sums for long-term management and maintenance made.

Summary

In summary, further detailed proposals have been prepared setting out what actions will be undertaken to create optimum habitat conditions within the mitigation site, and to prevent disturbance from human recreation. It also sets out how the site will be managed and what monitoring will be undertaken over the next 80 years. Although the proposed mitigation does not provide a like for like compensation in terms of area compared to that to be lost on site (taking into account all four SWBGS sites), it is larger than the c.5.2 ha of H02B which will be lost which is the main area used by wintering birds on site (as evidence by both the WYG surveys and HBIC data). Furthermore, it is in a more valuable location in terms of the wider SWBGS network and is adjacent to the SPA. Finally, it will provide suitable habitat in perpetuity whereas the habitat suitability of the site is reliant entirely upon the management of the site (and has become unsuitable following the removing of grazing from the site). Therefore it is considered that with the application of this mitigation there will be no adverse effect on the integrity of Chichester and Langstone Harbours SPA.



David West CEnv MCIEEM

Associate Ecologist



Appendix A: Further Information on Land Management

From: [REDACTED]
Sent: 24 March 2020 20:08
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Campdown consultee tracker

Good evening Dave

You asked me to comment on the likely agricultural use of the Campdown land if a development proposal is not forthcoming.

I preface this commentary with a statement of fact. The Trustees legal duty is to maximise benefit to the Beneficiaries of the Trust. As agricultural land, the 'best interests of the Beneficiaries' at Campdown is synonymous with the best financial return.

I have liaised with Ian and the separate landowners are likely to continue their collaboration into the ongoing management of the land should a development permission not be forthcoming. You should therefore consider that the whole site would be managed as one from an agricultural perspective – at least for the short/medium term.

Speaking of the Trust land, historically, in living memory, the Campdown land has been farmed both in-hand and let, and has been used as a dairy farm with associated grazing, beef grazing, arable cropping and casual grazing on short term licences. Income to the Trust has varied according to the prevailing agricultural incomes and the management decisions taken from time to time.

Incomes in recent years (for casual grazing) have been poor and there have been a number of associated management problems too so it's highly unlikely that, in the absence of a development plan going forward, grazing by licence will continue. In-hand farming of such a small, isolated area is not feasible and so cropping of the land through contract labour and machinery managed by the Trustees at arm's length is the most likely scenario.

At this stage a full analysis of the potential alternative cropping options is not completed but it seems likely that growing crops for energy (on a pre-agreed sale contract) will provide the most suitable medium-term use of the land. That suitability is judged on financial return, management simplicity and sensitive environmental farming best practice. Growing the perennial crop Miscanthus, for example, is a tried and tested option of the type likely to be favourable to the Trust, planted once for 3+ years duration and harvested annually.

Whilst we do not have a fixed agronomic plan at that stage (and indeed we hope very much for a development permission), should development not come to pass the land will be farmed as 'commercially' as possible and the close-cropped grass, present in most recent years, is very unlikely to continue.

I hope this answers your question?

Kind regards

Nick