

Report to	Planning Committee
Date	10 May 2018
By	Director of Planning
Title of Report	Solent Recreation Mitigation Strategy
Purpose of Report	To endorse the Solent Recreation Mitigation Partnership's (SRMP) finalised Solent Recreation Mitigation Strategy.

Recommendation:

The Committee is recommended to endorse the Solent Recreation Mitigation Partnership's 'Solent Recreation Mitigation Strategy' (December 2017) for implementation with immediate effect.

I. Summary

- I.1 Large areas of the Solent coastline are internationally recognised for their habitat value as Special Protection Areas (SPA), particularly for overwintering coastal birds, which need to be able to feed and rest undisturbed. Research has shown that new homes in proximity to these areas leads to an increase in visitors to the coast for recreation which may potentially cause disturbance to the birds. Legislation requires mitigation for any impact which a proposed development, in combination with other plans or projects, is like to have on a SPA.
- I.2 Over the last several years the Solent Recreation Mitigation Partnership (SRMP) has been developing evidence and working towards the production of a strategy to mitigate the recreational impact of new housing on the Solent SPAs. The strategy is to apply to new homes built within 5.6km of the SPAs which is the area where the majority of coastal visitors live. The 5.6km zone includes the settlements of Lavant, Funtington and West Ashling in the Chichester District part of the National Park, and a small area of the Winchester District part of the National Park.
- I.3 An Interim Strategy has been in operation since 2014 and a Definitive Strategy for the long term has now been finalised. The Definitive Strategy aims to prevent disturbance from recreational activities through a series of management measures. The implementation and monitoring of these will be funded by 'developer contributions' from new homes built within 5.6km of the SPAs. The Strategy is referred to in the International Sites policy of the Submission South Downs Local Plan, and its accompanying Submission Habitats Regulations Assessment Report, which has been submitted for examination. The Strategy provides a strategic solution to ensure legislative requirements for the protection of SPAs are met, and that new homes can come forward within the 5.6km zone without adverse effects on the integrity of these internationally protected sites.

2. Background

- 2.1 The Solent Coast Special Protection Areas (SPA) include the following sites: Chichester and Langstone Harbours SPA, Portsmouth Harbour SPA, and Solent and Southampton Water SPA. These sites are internationally designated for their importance overwintering birds (such as the dark-bellied brent goose) and breeding birds (such as the little tern). These interest features of the SPAs (principally the wintering bird interest) is likely to be vulnerable to recreational disturbance from visitors of new development in the area.
- 2.2 A significant amount of development in the Solent area is expected or proposed to come forward and, in light of this, the Solent Recreation Mitigation Partnership was established to gather evidence and develop a strategy on this issue. Based on evidence of visitors to the Solent coast, a 5.6km 'zone of influence' has been identified from the boundary of the SPA's. The zone includes the majority of visitors to the Solent coast and it is therefore appropriate that new development in this area contributes to a strategy or provides measures to ensure the integrity of the Solent SPAs.
- 2.3 The 5.6km zone includes the settlements of Lavant, Funtington and West Ashling in the Chichester District part of the National Park, and a small area of the Winchester District part of the National Park. The Submission South Downs Local Plan has now been submitted for examination. Policy SD26 of this plan identifies approximately 19 homes in West Ashling. Lavant Parish has a Made Neighbourhood Development Plan which allocates approximately 65 homes. Although recreational activity arising the National Park within the 5.6km zone would be unlikely to prove significant on its own, it is likely to be significant when considered in combination with that arising from the rest of the South Hampshire sub-region.
- 2.4 To address this issue, policy SD10 (criterion seven) of the Submission South Downs Local Plan relates to the Solent Coast SPAs and requires:
'Development proposals resulting in a net increase in residential units, within the Solent Coast Special Protection Area's (SPA) (Chichester & Langstone Harbours SPA, Portsmouth Harbour SPA, and Solent & Southampton Water SPA) zone of influence shown on the Policies Map, defined as 5.6km from the boundary of these sites, may be permitted where 'in combination' effects of recreation on the Solent Coast Special Protection Areas are satisfactorily mitigated through the provision of an appropriate financial contributing to the delivery of strategic mitigation. In the absence of a financial contribution toward mitigation, an appropriate assessment may be required to demonstrate that any 'in combination' negative effects can be avoided or can be satisfactorily mitigated through a developer-provided package of measures.'
- 2.5 Since 2014 an Interim Strategy has been operating for new development permitted in the 5.6km zone. The interim strategy has enabled initial mitigation measures to be put in place so local planning authorities could continue to grant permission for new homes while a final definitive strategy and mitigation package was developed. The interim strategy allowed for applicants to pay a contribution towards delivery of mitigation or development their own bespoke mitigation for their development proposals. The developer contribution was a flat rate figure per net gain in dwelling of £181.
- 2.6 A final 'Definitive Strategy' to provide necessary mitigation for proposed new housing up to 2034 was drafted and consulted upon from 17 June to 17 September 2017. Changes were incorporated for clarity as a result of the consultation responses, and the finalised Solent Recreation Mitigation Strategy was prepared. This was endorsed by the Partnership for Urban South Hampshire Joint Committee on 5 December 2017 with a commitment to implement a three year review cycle.
- 2.7 The Strategy consists of a series of mitigation measures (Box 1) and monitoring of their effectiveness, funded by developer contributions for each net additional dwelling within the 5.6km zone, based on a new sliding scale according to the number of bedrooms (Table 1). The average cost per dwelling is approximately £564. A proportion of the contributions will be set aside to fund the measures 'in perpetuity' (calculated on an 80 years basis).

Box I - Definitive Strategy Mitigation Measures

The Strategy proposes:

- A team of 5-7 coastal rangers to advise people on how to avoid bird disturbance, liaise with landowners, host school visits, etc;
- Communications, marketing and education initiatives and an officer to implement them;
- Initiatives to encourage responsible dog walking and an officer to implement them;
- Preparation of codes of conduct for a variety of coastal activities;
- Site-specific projects to better manage visitors and provide secure habitats for the birds;
- Providing new/enhanced greenspaces as an alternative to visiting the coast;
- A partnership manager to coordinate and manage all the above.

Table I - Solent Recreation Mitigation Strategy Charges

Number of bedrooms in home	Charge per home ¹
1 bedroom	£337
2 bedrooms	£487
3 bedrooms	£637
4 bedrooms	£749
5+ bedrooms	£880

- 2.8 The developer contributions will be collected by the local planning authorities and transferred to the SRMP which will implement the measures. As noted earlier in this report, the 5.6km zone includes areas of the National Park in the Winchester District and Chichester District parts of the National Park and will therefore be managed by Winchester District Council and Chichester District Council as part of the host authority arrangements for development management.
- 2.9 Data will be collected to monitor the effectiveness of the mitigation measures and the strategy as a whole. This monitoring is integral to the mitigation 'package' and will include monitoring of visitor numbers and bird numbers and their distribution. More details are set out in the Monitoring Strategy Report².
- 2.10 The Strategy provides a strategic solution to ensure legislative requirements of the Conservation of Habitats and Species Regulations 2017³ (the Habitats Regulations), and that new homes can come forward within the 5.6km zone without adverse effects on the integrity of these internationally protected sites.

3. Other Implications

Implication	Yes/No
Will further decisions be required by another committee/full authority?	No

¹ All rates would increase annually on 1 April to take into account of inflation

² <http://www.birdaware.org/monitoring>

³ The Conservation of Habitats and Species Regulations 2017 consolidate all the various amendments made to the Conservation of Habitats and Species Regulations 2010 and the Conservation (Natural Habitats, &c.) Regulations 1994 in respect of England and Wales. The 1994 Regulations transposed Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive) into national law.

Does the proposal raise any Resource implications?	No. This is administered by the relevant host authorities already on our behalf and the final strategy does not change the process undertaken by those officers.
Has due regard been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010?	A Preliminary Equalities Impact Assessment (November 2017) was carried out on the Definitive Strategy by the SRMP; no negative impacts were identified on any of the equalities groups.
Are there any Human Rights implications arising from the proposal?	No
Are there any Crime & Disorder implications arising from the proposal?	No
Are there any Health & Safety implications arising from the proposal?	No
Are there any Sustainability implications based on the 5 principles set out in the SDNPA Sustainability Strategy.	The Solent Recreation Mitigation Strategy supports sustainable development by ensuring there is no adverse effect on the integrity of the Solent SPA's.

4. Risks Associated with the Proposed Decision

- 4.1 The Habitats Regulations prevent the NPA from giving permission to development which individually or in combination are likely to have a significant effect on a SPA. A decision to not endorse and implement the Strategy would impede sustainable development of new homes in those areas of the National Park within 5.6km of the Solent SPAs, most notably the settlements of Lavant and West Ashling.

Risk	Likelihood	Impact	Mitigation
If the SDNPA does not endorse the final SRMP strategy then the National Park would not have a strategy in place to address impacts of recreational pressure on the Solent Coast SPAs	Almost Certain (If not endorsed)	Moderate/Major New homes within the National Park in the 5.6km zone could not be permitted. It would not be possible to deliver the home proposed in the Local Plan/Neighbourhood Plan for the settlements of Lavant and West Ashling.	SDNPA endorses the final SRMP strategy or creates a bespoke strategy.

TIM SLANEY
Director of Planning
South Downs National Park Authority

Contact Officer	Katharine Stuart (Senior Planning Policy Officer)
Tel:	01730 819281
email:	Katharine.stuart@southdowns.gov.uk
Appendices	1. Solent Recreation Mitigation Strategy 2. Solent Recreation Mitigation Strategy Map
SDNPA Consultees	Legal Services; Chief Finance Officer; Monitoring Officer; Director of Planning
External Consultees	None
Background Documents	SRMP (Dec 2014) Interim Solent Recreation Mitigation Strategy: http://www.birdaware.org/CHttpHandler.ashx?id=27309&p=0 SRMP Monitoring Strategy http://www.birdaware.org/monitoring SRMP, Solent Recreation Mitigation Strategy Consultation Responses Report: http://www.birdaware.org/CHttpHandler.ashx?id=29158&p=0 SRMP (Dec 2017) Item 9 Briefing Note to the PUSH Joint Committee - Solent Recreation Mitigation Partnership Strategy: http://www.push.gov.uk/item_9_-_srmp.pdf SRMP (Dec 2017) Briefing Note to the PUSH Joint Committee Item 9 Appendix I: Principal Issues Raised and Responses Given/Changes made to the Strategy: http://www.push.gov.uk/item_9_-_appendix_1.pdf Minutes of the Partnership for Urban South Hampshire (PUSH) Joint Committee 05 December 2017: http://www.push.gov.uk/171205_final_push_minutes.pdf Solent Recreation Mitigation Strategy website: http://www.birdaware.org/strategy

