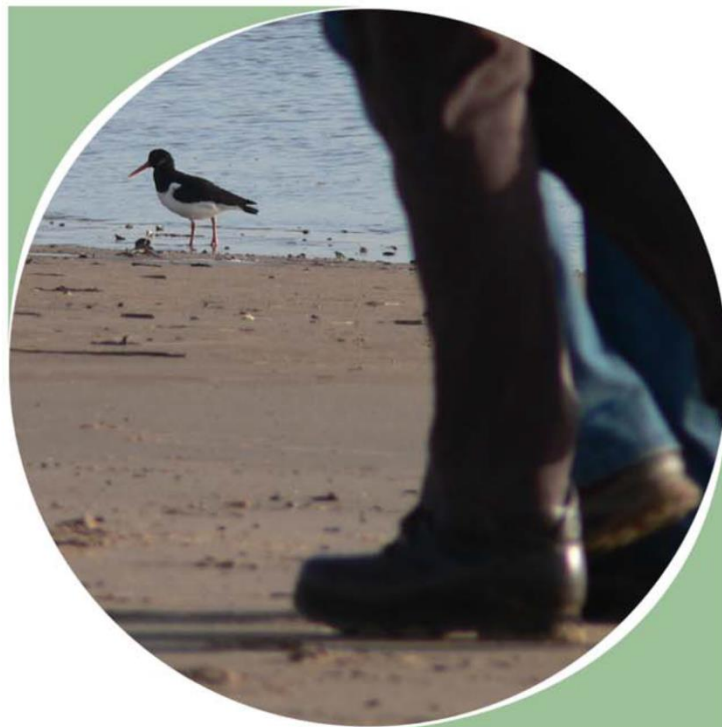


Interim Solent Recreation Mitigation Strategy

**An interim framework to mitigate the impact on the
Solent Special Protection Areas of increased visitor
pressure arising from housebuilding**



December 2014

Solent Recreation Mitigation Partnership

FOREWORD

Providing for necessary new development without an adverse impact on the environment is challenging anywhere: more so in areas surrounded by nationally and internationally important countryside and coast. Here in South Hampshire and the Isle of Wight, new housing is required to meet the needs of local people and support business expansion, but it must be built without adversely affecting the internationally renowned Solent Special Protection Areas (SPAs).

Some of the potential impacts of new development on the SPAs, such as noise or disruption to bird flight paths, will be addressed individually by the local planning authorities. However, the impact of additional people making recreational visits will be more diffuse, so it makes sense to address that impact on a pan-authority basis through this strategy. It enables housebuilding to proceed whilst safeguarding the SPAs through a pragmatic approach based on managing the coast for the benefit of people and wildlife.

The Partnership for Urban South Hampshire (PUSH) was formed in 2003 to enable collaboration on a range of topics through joint studies, strategy and action. We are now a partnership of twelve local authorities in South Hampshire and the Isle of Wight who are working together to secure sustainable development and faster economic growth whilst conserving the natural and historic environment.

PUSH part-funded the research on which this mitigation strategy is based and is pleased to now help facilitate its implementation. It makes sense for PUSH - with the involvement of Chichester District Council and the New Forest and South Downs National Park Authorities who are not PUSH members - to provide the necessary political oversight and steer for strategy implementation on behalf of our local communities. We will perform that role with diligence, to ensure that public access to the coast is maintained but is carefully managed to avoid disturbance to the birds which are such an important feature of our shores.

Councillor Seán Woodward
Chairman
Partnership for Urban South Hampshire

1. INTRODUCTION

- 1.1. The Solent is internationally important for its wildlife interest and there are various protective designations including three Special Protection Areas. These SPAs have been designated predominantly for the protection of the large numbers of waders and wildfowl which spend the winter on the Solent.
- 1.2. The substantial amount of housebuilding which is planned around the Solent could have potential impacts on the SPAs. One of these potential impacts is increased recreational activity at the coast resulting from population increases associated with the new homes. Extensive research has quantified this impact and recommended measures - known as 'mitigation measures' - to ensure that the additional recreational activity would not result in harm to the SPAs.
- 1.3. The need to look at the overall impact of planned development around the Solent has led the local planning authorities to address this matter collaboratively. The issues involved are complex and the formulation of a definitive strategy for implementing the mitigation measures will take some time. However, in order not to hold up necessary development, the local planning authorities working with partner organisations have drawn up this interim strategy. The aim is to finalise the definitive strategy by 2017.
- 1.4. This document summarises the background research, sets out the interim mitigation measures, explains how they will be funded and describes how their implementation will be monitored.
- 1.5. This publication has been produced by the Solent Recreation Mitigation Partnership which comprises the fifteen Solent local authorities, Natural England, the Royal Society for the Protection of Birds, Hampshire & Isle of Wight Wildlife Trust, and Chichester Harbour Conservancy. The local authorities are: Chichester District Council, East Hampshire District Council, Eastleigh Borough Council, Fareham Borough Council, Gosport Borough Council, Hampshire County Council, Havant Borough Council, Isle of Wight Council, New Forest District Council, New Forest National Park Authority, Portsmouth City Council, Southampton City Council, South Downs National Park Authority, Test Valley Borough Council, Winchester City Council.

2. THE SPECIAL PROTECTION AREAS

- 2.1. The Solent shoreline stretches from Hurst Castle (near Lymington) in the west to West Wittering in the east and includes the northern shore of the Isle of Wight from Warden Point (near Colwell) to Whitecliffe Bay (near Bembridge). This 250 kilometres shoreline includes the tidal sections of the rivers which flow into the Solent as well as Chichester, Langstone and Portsmouth Harbours. The Solent is internationally important for its wildlife interest and there are various protective designations including three Special Protection Areas (SPAs).
- 2.2. The three SPAs on the Solent are: Chichester & Langstone Harbours SPA; Portsmouth Harbour SPA; and Solent & Southampton Water SPA. They are shown on the map on page 12. The SPAs were designated principally for the protection of internationally significant numbers of over-wintering waterfowl (different at each) that include geese, ducks and wading birds. The Solent supports over 90,000 waders and over 10 per cent of the global population of Brent Geese. Many of these birds travel thousands of miles to over-winter on the Solent. The intertidal habitats, particularly the mudflats, shingle and saltmarshes, provide essential winter feeding and roosting grounds for these species.
- 2.3. The Solent coast, including the coastline within the SPAs, is popular with local people and enjoyed for a wide range of recreational activities. The wildlife interest is part of the specific draw for many people, and some travel quite long distances to access the coast. However, recreation and the presence of people in and around the SPAs can result in disturbance to the birds, albeit often unintentional.
- 2.4. Human disturbance of the birds can have several impacts. Birds may be more alert, resulting in a reduction in the amount of food eaten, or they may fly away from the disturbance. A bird which flies away forgoes valuable feeding time whilst in the air and also uses energy in flying - a double impact on the bird's energy reserves. If the disturbance is substantial, then food-rich areas may be little used by the birds or avoided altogether, leading to other areas hosting a higher density of birds and intensifying the competition for the available food. Ultimately, the consequence of human disturbance can be increased bird mortality or a reduction in the amount of energy which the individual bird has available at the end of the winter period to fly back to its breeding grounds. If as a consequence the birds are unable to complete their migratory journey or are not in sufficiently good condition to breed when they arrive, then this would lead to a reduction in the bird population.
- 2.5. The protection afforded by the SPA designations has particular consequences. Under the Habitats Regulations¹ any plan or project can only lawfully go ahead if it can be shown that the development, either on its own or in combination with other plans or projects, will have no adverse effect on the integrity of the SPAs.

¹ The Conservation of Habitats and Species Regulations 2010 (and subsequent amendments)

3. RESEARCH

- 3.1. Housebuilding around the SPAs will result in an increase in the number of local residents and thus the number of people visiting the coast for recreation, with a consequential risk of increased disturbance to the birds. Extensive research into this matter was undertaken during 2009-2013 through the Solent Disturbance & Mitigation Project² which preceded this Partnership. It included:-
- a desktop review of existing national and local research;
 - a survey of visitors at the Solent SPAs asking them about their visit;
 - a survey of households living close to the Solent SPAs about their use of the coast;
 - bird disturbance fieldwork at the SPAs to assess how birds respond to potential disturbance events;
 - computer modelling to establish whether the patterns of activity which were observed at the Solent SPAs could lead to increased bird disturbance;
 - recommendations on the mitigation measures that could be used to prevent housing development affecting the integrity of the SPAs.
- 3.2. Based on the research, it is estimated that around 52 million visits are made by households to the Solent coast each year, of which just over half are made by car. The majority of visitors make trips to the coast specifically to see the sea and enjoy the coastal scenery.
- 3.3. Dog walking was the most frequently observed activity, with walking, cycling and jogging being other common recreational activities. Most activities involved people staying on the shore/sea wall rather than being on the intertidal areas or in the water. Human activity that took place on the intertidal areas was more likely to result in bird disturbance; on those areas dog walking was particularly common and resulted in a disproportionate amount of the observed bird disturbance. The research found that disturbance tended to occur when the human activity was relatively close to the birds i.e. within 50 metres, and that birds tended to respond less the further the human activity was from them.
- 3.4. The Solent area is heavily populated and it is estimated that over 1.4 million people live within a ten minute drive of a car park on the Solent shoreline. Substantial additional housing is planned and much of this will be within a short distance of the coast.
- 3.5. The research predicted that while some birds will be able to compensate for increased disturbance by altering their feeding habits, a number of species will suffer increased mortality as a consequence of the additional recreational visits generated by housing development. The number of current visitors to each section of coast varies widely, as does the predicted future increase. These variations reflect differences in the attractiveness and accessibility of different parts of the coast; the variations in the predicted increase also reflect the

² The research can be seen at:

http://www.solentforum.org/forum/sub_groups/Natural_Environment_Group/Disturbance_and_Mitigation_Project/

geographical pattern of housing development foreseen by the planning authorities.

- 3.6. A key finding of the research is that the level of disturbance is determined more by how people behave and where they go, rather than purely by the number of people. Consequently, mitigation measures should focus on visitor management rather than simply curtailing access to the coast.
- 3.7. The research undertaken for the Solent considered a range of potential mitigation measures, from initiatives which will influence visitor behaviour (publicity, signage, rangers etc.) to access management and enforcement measures. The creation of new greenspace - Suitable Alternative Natural Greenspace (SANGs) - in less environmentally-sensitive locations was also seen as having the potential to deflect recreational pressure away from the SPAs. Although most people visit the coast specifically to see the sea and enjoy the coastal scenery, having a short travel time from home is also important to them and for dog walkers it is of equal importance. So the research concluded that some people may be persuaded to visit a SANG instead of going to a section of coast within the SPAs, provided that the SANG is attractive and close to their homes.
- 3.8. Overall, the research concluded that there is likely to be a significant effect on the Solent SPAs from the additional recreation which will result from new housing development. Natural England - the Government's advisor on wildlife matters - has advised that the research *"represents the best available evidence, and therefore avoidance measures are required in order to ensure a significant effect, in combination, arising from new housing development around the Solent, is avoided"*³

4. KEY PRINCIPLES

- 4.1. Taking account of the research above, the approach in this interim mitigation strategy is based on six key principles:-
- managing the coast for the benefit of both wildlife and the public;
 - all development which creates net additional dwellings within 5.6 kilometres of the Solent SPAs is likely to have a significant effect on the SPAs and requires mitigation;
 - provision of that mitigation through the preparation of a long term strategy on a sub-regional basis;
 - mitigation funding from developer contributions secured by partner local authorities;
 - a phased approach to strategy implementation;
 - ongoing monitoring and regular reviews of the strategy.

³ This advice letter can be seen at:

[http://www.solentforum.org/forum/sub_groups/Natural_Environment_Group/Disturbance_and Mitigation_on Project/Advice to PUSH and Solent Forum%20310513.pdf](http://www.solentforum.org/forum/sub_groups/Natural_Environment_Group/Disturbance_and_Mitigation_on_Project/Advice_to_PUSH_and_Solent_Forum%20310513.pdf)

- 4.2. Public access to the coast provides widespread benefits including health, education, inspiration, spiritual and general well-being. Moreover, visitor access is important in the management of the sites for nature conservation because people are more likely to want to be involved with and protect local sites if they have close links with them. So the intention is to maintain public access, but with measures to ensure that access and nature conservation interests are not in conflict. In that way, the coast can be managed for the benefit of both wildlife and the public.
- 4.3. In that spirit, this strategy aims to mitigate the impact of planned housing development so that it does not have a significant effect on the three Special Protection Areas. The scale of planned housebuilding is set out in Local Plans; most of which cover the period to 2026 but some look further ahead. So the time horizon for this strategy is 2028/9. It is thus a long term strategy, although this document is only an interim version pending completion of the definitive strategy.
- 4.4. Reflecting the research finding explained in paragraph 3.6 above, the mitigation measures will be focused on visitor management - influencing where people go and how they behave once there - rather than simply curtailing access to the coast.
- 4.5. Increases in recreational use resulting from new residents will be gradual. Consequently, the implementation of mitigation measures will be phased to mirror the pace at which new homes are expected to be built.
- 4.6. Although the prime concern of this strategy is the sections of coast which are within the Special Protection Areas, mitigation measures may relate to sections outside the SPA boundaries. This is firstly because coastal access enhancements outside the SPAs may attract people who would otherwise visit sites within the SPAs, and secondly because areas within and outside the SPAs are functionally linked with birds ranging across the SPA boundaries in order to feed/roost.
- 4.7. It is difficult to be confident of how the coastline, the distribution of birds, the distribution of prey and access patterns may change over the next 10-15 years. Sea level is rising and this may affect the numbers and distribution of birds on the Solent. Climate change may result in people using the coast differently and in seasonal shifts in bird numbers. The precise nature of the mitigation measures which are implemented over that time period will therefore need to respond and adapt to changing circumstances. To that end, there is a need for ongoing monitoring and for regular reviews of the strategy.
- 4.8. The legal requirement to assess the impact of one development proposal in combination with other plans and projects, coupled with the fact that the residents of a housing scheme in one authority's area may visit the coast within a different authority, led to the sub-regional approach which is enshrined within this document. The corollary of this approach, is that funding secured in one local authority area may be spent on mitigation measures in another area.

- 4.9. It is logical that the development which will generate the increased visitor numbers should mitigate their impact on the natural environment. This will be done through a developer contribution towards the cost of the mitigation measures being paid in respect of each net additional dwelling.
- 4.10. In comparable locations elsewhere - the Thames Basin Heaths and Dorset Heathlands SPAs - it was deemed appropriate to delineate a 'zone of influence' around the SPAs within which all housing developments should contribute to mitigation measures. That zone boundary was drawn - at a constant distance from the boundaries of the SPAs - so as to include 75 per cent of residents who regularly visit the coast. As the approach in those areas was adopted after careful scrutiny and public examination of the proposals by a planning inspector, the same principles have been used to define the equivalent zone for the Solent. On that basis, the zone within which developments will be required to contribute to mitigation measures through this Interim Strategy is 5.6 kilometres around the Solent SPAs. That zone is shown on the map on page 12.
- 4.11. Individual authorities may fine-tune the precise boundary to follow real features on the ground in order that the line does not arbitrarily divide a development site (which could otherwise mean a financial contribution being paid for one new property but not for the immediately adjoining one).
- 4.12. Based on the research above and the precautionary principle, it is assumed that any development which would result in additional dwellings within 5.6 kilometres of the Solent SPAs is likely to have a significant effect unless evidence specific to the development shows otherwise. The strategic mitigation approach set out in this document will enable the majority of housing developments to address this issue without the developer having to undertake an Appropriate Assessment and implement bespoke mitigation measures. It thus enables developers to deal with the issue quickly, simply and at minimal cost. However, developers have the choice to rely on this strategy to mitigate the likely effect of their development on the SPAs or to undertake a bespoke assessment.
- 4.13. Some schemes particularly those located close to the boundary of the SPA may need to provide mitigation measures in addition to making the financial contribution set out in this strategy in order to ensure effective avoidance/mitigation of impacts on the SPA(s). The local planning authority, with advice from Natural England, will consider the mitigation requirements for such development proposals on a case-by-case basis. Developers are encouraged to hold early discussions with the local planning authority on the mitigation needed for their scheme.

5. INTERIM MITIGATION MEASURES

5.1. Based on the research and the principles above, the following interim package of mitigation measures will be implemented:-

- a team of rangers who will work on the ground to reduce disturbance by influencing the behaviour of visitors;
- initiatives to encourage responsible dog walking and encourage dog owners to go to less sensitive parts of the coast;
- a monitoring scheme to track the implementation of mitigation measures and to assess their effectiveness;
- a project officer who will coordinate and help implement the mitigation measures in this document, undertake monitoring and prepare the definitive mitigation strategy;
- a financial contribution towards a pilot project to test the effectiveness of providing alternative recreation opportunities.

5.2. The pilot project is the creation of the Alver Valley Country Park in Gosport Borough. It will include picnic areas, trails, footpaths, cycleways, bridleways and interpretative facilities together with a visitor centre. These facilities and the Park's location in close proximity to the coast and proposed residential development sites means it has the potential to act as a Suitable Alternative Natural Greenspace (see paragraph 3.7 above) and lessen pressure on the SPAs.

5.3. As it is a pilot, an assessment will be undertaken of how the new Country Park is used by the public which will inform decisions on whether support for similar facilities is part of the definitive strategy. However, even if the Alver Valley Country Park is not fully effective as a Suitable Alternative Natural Greenspace, the local planning authorities are satisfied that the other elements of this strategy are capable of avoiding a likely significant effect on the SPAs.

5.4. The additional coastal recreational activity generated from new housing development will be a permanent feature, so the measures to prevent that increased activity having an impact on the birds must also be in place for the lifetime of the new homes. The funding contributions must therefore provide for the mitigation measures to be continued in perpetuity. This will be achieved by investing some of the funding contribution: by 2028/9 there should be sufficient money invested to generate sufficient annual income to cover the annual cost of the mitigation package set out above.

6. IMPLEMENTATION

- 6.1. Local Plans make provision for around 2,400 new homes per annum from 2014 onwards within the 5.6 kilometre zone. A contribution of £172 per dwelling is required to fund the necessary mitigation measures in perpetuity. In addition individual planning authorities may also apply an administrative charge.
- 6.2. The cost of implementing the mitigation measures will rise in line with inflation, so the £172 per dwelling contribution figure will be updated on 1 April each year in line with the Retail Price Index.
- 6.3. The authorities will require a contribution for every net additional dwelling⁴ unless the developer can demonstrate to the satisfaction of the local planning authority and Natural England that it will provide alternative measures which will fully mitigate the impact of the development. The North Whiteley and Welborne developments are expected to fall into this category.
- 6.4. Each individual local planning authority will decide which legal mechanisms to use to secure developer contributions from schemes within its area. Legal agreements/unilateral undertakings⁵ will require payment to be made on or before the commencement of development in line with the legislative requirement for mitigation measures to be in place before the scheme is allowed to go ahead. The authorities will pool the developer contributions and implement the mitigation measures through this Partnership.

7. MONITORING

- 7.1. Two types of monitoring will be undertaken:-
 - **monitoring of delivery** - which will formally record what mitigation measures have been implemented;
 - **monitoring of effectiveness** - which will evaluate the effectiveness of those mitigation measures in avoiding housebuilding having an impact on the SPAs.
- 7.1. Monitoring of delivery will focus on recording progress in implementing the measures set out in the mitigation strategy including the recruitment/deployment of the rangers, initiatives taken to encourage responsible dog walking, and progress in realising the Alver Valley Country Park. It will also record the number of dwellings permitted subject to a developer contribution, any provision of on-site mitigation, and any noteworthy decisions by planning inspectors.
- 7.2. That information is largely factual and is readily available from the partners and other coastal organisations. It will be analysed and published in an annual report. Effectiveness monitoring will be undertaken approximately every five years. This is because changes in the indicators of effectiveness occur relatively slowly and will only be discernable over a minimum period of several years.

⁴ including second homes, holiday accommodation, student accommodation and new dwellings created as a result of approval granted under the General Permitted Development Order

⁵ Under Section 106 of the Town and County Planning Act 1990 (as amended).

7.3. The definitive mitigation strategy will explain how monitoring of effectiveness will be undertaken, but it is likely to include assessing whether the number of visitors to the coast within the SPAs has changed since the 2010/11 baseline established in the SDMP research, whether there have been changes in visitor behaviour, and to what extent those changes are the result of the mitigation measures. It is anticipated that the necessary surveys will be undertaken over the winter 2018/19 enabling publication of an effectiveness monitoring report in late 2019.

7.4. The Partnership will work with Gosport Borough Council to evaluate the extent to which the Alver Valley Park is attracting people who would otherwise have gone to the coast within the SPAs. This will entail a survey which, amongst other matters, will identify the type of visitors, their home location and reasons for visiting the Park. The conclusions of that survey will help the Partnership to decide whether the definitive mitigation strategy should include proposals for similar facilities elsewhere.

8. GOVERNANCE

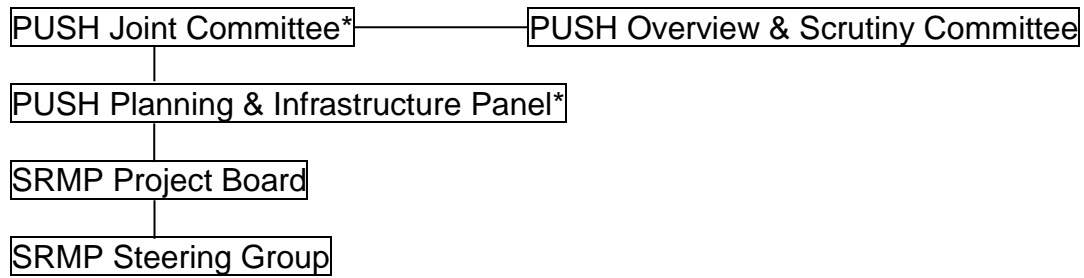
8.1. The implementation of this Interim Strategy will be overseen by councillors and officers of the local planning authorities and partner organisations:-

- the Joint Committee of the Partnership for Urban South Hampshire (PUSH) with the involvement of Chichester District Council and the New Forest and South Downs National Park Authorities which will provide political governance;
- a small Project Board of senior officers which will meet twice a year to provide a high level oversight and steer;
- a Steering Group of officers from all the partner organisations (listed in paragraph 1.5) which will meet approximately bi-monthly to manage the work;
- task-and-finish groups as/when needed.

8.2. Further details of the roles and composition of the Project Board and Steering Group are set out in the Partnership's Terms of Reference.

8.3. Reports from the Solent Recreation Mitigation Partnership will be considered by the PUSH Planning and Infrastructure Panel before then being presented to the PUSH Joint Committee. These PUSH bodies will receive a report from the Partnership annually and at other times if/when appropriate. In due course, the PUSH Joint Committee will be asked to approve the definitive mitigation strategy. Representatives of Chichester District Council, New Forest National Park Authority and South Downs National Park Authority will be invited to meetings of the PUSH Planning and Infrastructure Panel and PUSH Joint Committee when matters relating to the Solent Recreation Mitigation Partnership are to be discussed.

8.4. This diagram shows the management structure of the Solent Recreation Mitigation Partnership and its relationship with PUSH:-



* Representatives of Chichester District Council, New Forest National Park Authority and South Downs National Park Authority will be invited when matters relating to the Solent Recreation Mitigation Partnership are to be discussed.

Map showing the Solent Special Protection Areas and the zone of influence

