

21 October 2024

Chichester District Council

Dear Council,

As requested I have reviewed the following documents to determine whether they have significant implications for the Chichester Local Plan or its HRA:

[\(Public Pack\)Agenda Document for Partnership for South Hampshire \(PfSH\) Joint Committee, 30/09/2024 18:00 \(push.gov.uk\)](#)

[Reports and Studies - Partnership for South Hampshire \(push.gov.uk\)](#)

Both of these documents identify the fact that the Bird Aware Strategy to mitigate the effects of recreational pressure from housing growth on Chichester & Langstone Harbours SPA/Ramsar site and the other North Solent SPAs has been updated to take account of nesting Sandwich Tern, Little Tern and Common Tern. The original version of the strategy only addressed non-breeding birds as only they were considered to require specific additional mitigation at the time.

Several changes have been made to the Bird Aware Strategy including:

- The duration of the strategy has been extended from 2034 to 2050.
- Based upon this extended operating period, the number of predicted dwellings has been remodelled. Over the lifetime of the strategy, it is now predicted to mitigate for just over 147,000 new dwellings
- The core team of dedicated staff will be increased from 10 to 19.
- Increased resources allocated to the dog initiative 'Coast and Country Canines'
- Increased resources allocated to communications and engagement workstreams
- Increased resources have been allocated to monitoring

The following is the key change regarding extending coverage to nesting birds: *'The strategy has been extended to provide a proportional response to meet the needs of breeding birds, by supporting the work of organisations already active in that area of work. This means that rangers will provide an element of site visits for the entire year, not just the winter period as has been the case to date'*.

It is also noted that *'Furthermore, where breeding birds are only listed in the citation of two of the three SPAs (Chichester and Langstone Harbour and Southampton and Solent Water), when the 5.6km zone of influence was mapped for these two areas, it was found to be fractionally smaller than the zone of influence for overwintering SPA birds. Dwellings proposed within the area only covered by overwintering birds will be able to pay a modestly reduced developer contribution under the revised strategy, to reflect that they do not need to contribute to mitigation measures designed to support breeding birds. In reality, this amounts to less than 1% of all projected housing, but it has still been taken into consideration for the purpose of modelling and charging'*.

The tariffs have been amended to take account of the changes made to the Bird Aware Strategy.

Paragraph 4.35 of the submitted Local Plan states *'For Chichester and Langstone Harbours SPA, Natural England advise that considered in-combination with other housing around the Solent, any increase in the number of dwellings would be likely to have a significant effect within 5.6km of the SPA boundary. Therefore, new housing developments within this zone of influence will need to provide for a package of avoidance and mitigation*

*measures. The planning authorities across the Solent have drawn up a strategic package of mitigations measures, the Bird Aware Solent strategy (<https://solent.birdaware.org/strategy>). This provides avoidance and mitigation measures sufficient to avoid an 'adverse effect' on the integrity of the European sites from new residential development and is funded in perpetuity. Developments that result in a net increase in dwellings, including holiday and student accommodation, can opt to contribute to the scheme through s106 Agreements (including Unilateral Undertakings). There is currently a scale of contributions, calculated according to the number of bedrooms in each dwelling. Details of the contribution figures are regularly updated and published each year on the council's website'. This is considered to still be valid and correct.*

Policy NE7 of the Local Plan then sets out the policy system under which financial contributions to the Bird Aware Strategy will be collected. The need to protect breeding terns has been built into the Bird Aware Strategy tariffs, but these are not specifically quoted in the Local Plan and while the Strategy is discussed no specific reference is made to either breeding or non-breeding birds. Therefore, it is not considered the Local Plan requires any amendment to reflect the updated Strategy.

The HRA of the submitted Local Plan quotes the Bird Aware tariffs at the time the report was written. These have now changed, although the report does note that the tariffs are subject to amendment. For the next iteration of the HRA of the Main Modifications of the Local Plan it may be worth updating that section of the HRA report which quotes the tariffs, subject to any comment in the Inspectors' report. However, no other amendments to the HRA are considered necessary and the latest information regarding recreational pressure on nesting terns and the changes to the Bird Aware Strategy do not alter the conclusions of the HRA.

Yours sincerely,

A handwritten signature in blue ink that reads "James Riley". The signature is written in a cursive style with a large, looped 'R' at the end.

James Riley  
Technical Director (HRA)  
AECOM Limited