

Date: 13 January 2023
Our ref: 415090
Your ref: F/22/93119



Mr Gary Osmond
Senior Planning officer
Eastleigh Borough Council

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BY EMAIL ONLY

Dear Gary,

Planning consultation: HRA & Appropriate Assessment & Nutrient Budget Calculator - Relocation of existing mobile home, replacement of existing dayroom & siting of additional mobile home.

Location: Cost A Lot Stables, Blind Lane, West End, Southampton SO30 2HJ

Thank you for your consultation on the above dated 30 November 2022 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 – Recreational impacts on the New Forest Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar

Natural England objects to this proposal. As submitted, we consider it will have an adverse effect on:

- New Forest SAC, SPA and Ramsar

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 reasons:

- *The planning proposal, as currently submitted, is likely to lead to an increase in recreational disturbance in the New Forest designated sites via increasing visitor numbers and there is not enough information to demonstrate that the impacts will be suitably mitigated.*

Further Advice on Mitigation

Habitats Regulations Assessment

Natural England notes that your authority, as competent authority, has undertaken an

appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process, and a competent authority should have regard to Natural England's advice.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for any adverse effects, it is the advice of Natural England that **it is not possible** to ascertain that the proposal will not result in adverse effects on the integrity of the sites in question.

Natural England advises that the assessment does not currently provide enough information and/or certainty to justify the assessment conclusion and that your authority should not grant planning permission at this stage.

Further assessment and consideration of mitigation options is required, and Natural England provides the following advice on the additional assessment work required.

Recreational impacts on the New Forest SAC, SPA and Ramsar – OBJECTION

The HRA identifies that the development will contribute to an increase in recreational pressure on the New Forest designated sites, in combination with other planned development within the identified 13.8km catchment zone. The Appropriate Assessment outlines that mitigation will be provided in the form of a financial contribution towards Eastleigh Borough Council's Interim Mitigation Strategy to address recreational impacts on the New Forest designated sites. Natural England understands this strategy was approved at a cabinet committee meeting in March 2022, to last for 5 years up to March 2027, while cross-boundary partnership work with other affected local authorities and Natural England progresses the development of a longer term, strategic, proportionate, and co-ordinated approach to suitably address the impacts from planned growth across the area.

Natural England have serious concerns with various elements of the interim strategy, including the reduced provision of Suitable Alternative Natural Greenspace (SANG), the lack of information on increasing visitor capacity at the Itchen Valley Country Park (IVCP) and lack of an accompanying monitoring strategy. This leads to a significant level of uncertainty remaining as to the effectiveness of the proposed in-borough measures. Additionally, we have concerns that the approach will harm ancient woodland at the proposed SANG site east of Allington Lane due to pressure from increased access.

We do not consider the approved Interim strategy is precautionary enough. We advise that further information is provided that demonstrates the effectiveness of providing SANG at a 2ha/1000 people standard, an assessment of current visitor levels/increased capacity at IVCP and agreed measures, and an accompanying monitoring strategy. Without this information, we advise it is not **currently possible to conclude no adverse effects on the integrity of the New Forest designated sites**.

Additionally, information on how impacts on ancient woodland from increased access will be avoided and/or mitigated at the proposed SANG site should be provided to demonstrate alignment with requirements in the National Planning Policy Framework regarding irreplaceable habitat and Natural England's [standing advice on ancient woodland, ancient trees and veteran trees](#).

Nutrient Impacts on Solent and Southampton SPA and Ramsar site, Solent Maritime SAC and River Itchen SAC and SSSI – FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES

Nutrient Budget

On 16 March 2022 we wrote to your authority about the availability of an updated package of tools and guidance in relation to nutrient impacts. An updated nutrient budget calculator for the Solent was released on 20 April 2022

We note the nutrient budget dated 30 November 2022 has been calculated using Natural England's latest guidance on nutrient neutrality to calculate the proposed development will result in result in an additional **3.14 kg Total Nitrogen (TN)/year** and **0.11 Total Phosphorus (TP)/year pre-2025**, reduced to **0.06 TP/year post-2025**, discharging to the Solent designated sites.

Provided the competent authority is assured and satisfied that the site areas used in the calculation are correct and that the existing land uses are appropriately precautionary, then Natural England raises no concerns with regard to the nutrient budget.

Please note the calculation is based on all wastewater from the development being treated at Chickenhall Eastleigh WWTW. If this situation changes, a reassessment of the nutrient calculation will be required and an updated HRA necessary.

Water Usage

It is advised that a suitable water consumption rate is appropriately secured with any granting of planning permission. In accordance with the Nutrient Neutrality Generic Methodology, we advise that the water consumption rate used within any nutrients budget(s) should be 10 litres/per person/per day higher than the rate secured. This is in line with the precautionary approach and accounts for potential changes to less water efficient fittings throughout the lifetime of the development. For example, where 100 litres/per person/day is appropriately secured, 110 litres/per person/day would be applicable within the nutrients budget calculations for the proposed development.

Nitrogen mitigation

It is noted Eastleigh Brough Council's Nutrient Neutrality Offset Scheme will be used to neutralise the additional nutrient burden that will arise from the proposed development. It has been calculated this development will result in a positive nitrogen output of **3.14 kg/N/yr**. We note the requisite mitigation measures will be secured through the use of a planning condition which will ensure this mitigation has been purchased.

Provided the above measures can be secured, together with long term management and maintenance to ensure effective mitigation for the lifetime of the development, Natural England raises no further concerns.

Phosphate mitigation

Natural England have considered the Council's Phosphate Mitigation Strategy, which relies on the strategic land use change the Council has already secured for nitrogen mitigation. We note that the P baseline figures for the relevant parcels of land have been ascertained using the Natural England Itchen calculator (2022). We are largely supportive of the scheme as an

interim approach, however some further detail and clarification is required in order to ensure the approach is robust and precautionary:

- Geohydrology and surface flow pathways – there is no supporting evidence regarding the geohydrology of the land parcels and how this may affect P leaching rates into the Itchen and which drainage pathways are taken. It appears that roughly a fifth of the strategic land discharges into the Itchen SAC (the river itself) approximately 1.5km below the discharge point at Chickenhall WwTW. A key principle of P mitigation is that it has to take effect prior to the discharge – on a river this means upstream of the wastewater discharge. It is advised these aspects are reassessed for the purpose of the calculations. Any land draining below the point of wastewater discharge from new development is likely to have to be discounted.
- Baseline P loading figures – further clarification is required regarding the baseline figure for Parcel 35, in relation to differing soil types and drainage at the site. We recommend the figures underpinning the strategy are clearly set out within an appendix or similar supporting document for clarity and transparency purposes, confirming soil and drainage types and previous land uses, and how these have been applied to the calculator.
- Define development this scheme can support – clear confirmation is needed of which development within Eastleigh borough this approach can be applied to, i.e. development discharging below the point of mitigation taking effect.

Until the above aspects can be addressed, and the overall interim strategy agreed with Natural England, we advise it is not yet possible to make a conclusion of no adverse effect on integrity within the appropriate assessment where the proposal relies on this scheme as it currently stands.

Water Resources

Natural England strongly recommend that all new development adopt a higher standard of water efficiency of 100 litres/per person/day including external water use and re-use in line with Southern Water's Target 100 demand reduction programme. Consideration should be given to the use of grey water recycling systems and efficient appliances. We note that your authority's Position Statement advises new developments to adopt this higher standard of water efficiency. We recommend this figure is appropriately secured with any granting of planning permission.

Recreational Disturbance to Solent SPAs – NO OBJECTION SUBJECT TO SECURING APPROPRIATE MITIGATION

This application is within 5.6km of Solent SPAs and will lead to a net increase in residential accommodation. Natural England is aware that Southampton City Council have adopted planning policy to mitigate against adverse effects from recreational disturbance on the Solent SPA sites, as agreed by the Solent Recreation Mitigation Partnership (SRMP), also known as Bird Aware Solent.

Provided that the applicant is complying with the policy and the Bird Aware Definitive Strategy, Natural England are satisfied that the applicant has mitigated against the potential adverse effects of the development on the integrity of the European site(s) and has no objection to this aspect of the application.

Please note, your authority's appropriate assessment should reflect the current developer contribution rates, which are updated every April in line with the Retail Price Index.

Sites of Special Scientific Interest

The above impacts on Habitats sites (SAC/SPA) may also impact SSSIs. Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Further general advice on the protected species and other natural environment issues is provided at Annex A.

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 07436902849.

Yours sincerely

Rosie Carter
Sustainable Development Advisor
Thames Solent Area | Natural England
www.gov.uk/natural-england

ANNEX A

Natural England offers the following additional advice:

Landscape

Paragraph 174 of the [National Planning Policy Framework](#) (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland, or dry-stone walls) could be incorporated into the development to respond to and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Landscape Institute](#) Guidelines for Landscape and Visual Impact Assessment for further guidance.

Protected Species

Natural England has produced [standing advice](#)¹ to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 175 and 179 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and are included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found on [Gov.uk](#).

Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 180 of the NPPF. Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. Natural England and the Forestry Commission have produced [standing advice](#) for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Biodiversity duty

Your authority has a [duty](#) to have regard to conserving biodiversity as part of your decision

¹ <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#)