

Date: 20 May 2025
Our ref: 513018
Your ref: F/23/96606



Eastleigh Borough Council
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BY EMAIL ONLY

Customer Services
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Dear Rebecca Altman,

Planning consultation: Construction of 6 no. bungalows with associated parking and landscaping, and vehicle access from Sydney Avenue (amended description).

Location: Land rear of 12 Sydney Avenue, Hamble-le-Rice, SO31 4JP

Thank you for your consultation on the above dated 15 May 2025 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

Natural England objects to this proposal.

As submitted, we consider it will have an adverse effect on the integrity of the New Forest Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site from increased recreational disturbance. The impacts are also likely to affect the features of the associated Sites of Special Scientific Interest which underpin the above habitats site designations.

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 due to the reliance on an unproven mitigation approach which has a significant level of uncertainty regarding its effectiveness at avoiding recreational impacts on the New Forest designations. Based on the information provided, we advise it would not be currently possible to conclude no adverse effects on the integrity of the New Forest designated sites through an appropriate assessment under the Conservation of Habitats and Species 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.

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

Analysis shows that new residential development within a 13.8 km buffer zone of the New Forest designated sites is likely to have a significant effect on the sites via recreational impacts (including for example disturbance, trampling and eutrophication), alone and/or in combination with other plans

or projects. Larger developments beyond this zone but within 15km may also contribute to recreational impacts on the designated sites. Much of the borough of Eastleigh falls within the New Forest zone of influence and as such suitable mitigation should be outlined to address impacts from new residential development within these areas.

It is noted the applicant proposes to provide 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 supported this work across the affected authorities, however even interim mitigation should be demonstrated to be reliable, deliverable and effective before it can be relied upon for planning applications. We also note that the local authorities are not currently in agreement on the greenspace requirements for mitigation in this area, we would support a consistent approach and further proactive cross-boundary working on this aspect. We are supportive of a strategic mitigation approach but also note that individual developers could propose bespoke mitigation measures which we would be happy to review.

Natural England currently 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 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 interim strategy is sufficiently evidenced or incorporating of the precautionary principle where uncertainty remains. 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 Itchen Valley Country Park (IVCP) and agreed measures, and an accompanying monitoring strategy. Without this information, we advise it is not currently possible to conclude that development relying on this approach is suitably mitigated.

Consequently, **it is Natural England's view that the planning authority will not be able to ascertain that this proposed development would not adversely affect the integrity of the New Forest SPA/SAC/Ramsar.** In combination with other plans and projects, the development would be likely to contribute to a deterioration of the quality of the habitat by reason of increased access to the site including access for general recreation and dog-walking. There being alternative solutions to the proposal and there being no imperative reasons of overriding public interest to allow the proposal, despite a negative assessment, the proposal will not pass the derogation tests of Regulation 64.

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](#).

Natural England is committed to continue working with Eastleigh Borough Council and other affected local authorities to develop a strategic approach to addressing recreational impacts from new development on the New Forest designated sites. We would be happy to advise further on the issues raised within this letter.

Deterioration of the water environment - Nutrient Neutrality

Your authority has measures in place to manage potential impacts through contributions to an agreed strategic solution(s) which we consider to be ecologically sound. Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective

and reliable in preventing harmful effects on the Habitats Site(s) for the duration of the proposed development. Mitigation measure(s) to offset any positive nutrient budget should be provided within the relevant catchment area(s).

As Competent Authority it is your responsibility to ensure that you are confident that there is sufficient information to support the values used in any nutrient budget calculation that supports this application, and that any nutrient budget calculation(s) are correct.

Bespoke Occupancy

Where any bespoke occupancy value has been used within the calculator tool, it is Natural England's view that competent authorities may choose to adopt bespoke calculations for detailed planning applications, if sound robust evidence is available. These are matters for each competent authority. Natural England's advice is to take a precautionary approach that recognises any uncertainty.

Package Treatment Plant

Please note that for any budget that includes use of an onsite Package Treatment Plant (PTP), yourselves as competent authority should be satisfied that any bespoke effluent discharge figure has been suitably evidenced. This could be through using a performance test certificate, via adequate robust real-world monitoring data (minimum 12 months representing typical operation), or if these are not available then through use of the precautionary default figure within the nutrients budget calculator. The planning application should be supported by a PTP monitoring and maintenance plan. Please refer to the Environment Agency for comments on wider environmental consideration associated with PTPs and any advice in relation to permits.

Sustainable Drainage System

Where calculations include removal of nutrients through on-site Sustainable Drainage Systems (SuDS) it is essential for your authority to verify that the necessary supporting evidence has been submitted, as that forms the basis for the SuDS calculations. As highlighted in the guidance that accompanies the calculators on [Gov.uk](https://www.gov.uk), Natural England advises that SuDS calculations should be undertaken in accordance with CIRIA guidance (C808 – Using SuDS to reduce phosphorus in surface water runoff (2022) and/or C815 – Using SuDS to reduce nitrogen in surface water runoff (2023)).

In addition, the SuDS features require monitoring and management in perpetuity. Your authority must ensure that a robust ongoing management plan is appropriately secured and is enforceable in any planning permission given.

Recreational impacts on the Solent Special Protected Areas (SPAs)

This application is within 5.6km of the Solent SPA sites and will lead to a net increase in residential accommodation. Natural England is aware that Eastleigh Borough 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 (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 [Click here to enter text](#). For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Rob Sargent
Consultations – Central Casework Team