



SOLENT ENVIRONMENTAL MITIGATION SCHEME BUSINESS CASE

1. Introduction

- 1.1 The Solent is internationally important for its wildlife and there are three Special Protection Areas (SPAs) to protect over-wintering waders and wildfowl. Legislation stipulates that a development scheme can only lawfully go ahead if it can be shown that it will have no adverse effect on the integrity of the SPAs.
- 1.2 A substantial amount of housebuilding is planned around the Solent to meet future housing need and to support the sub-regional economy. Research has shown that the increased recreational activity at the coast resulting from population increases associated with the new homes will impact on the three Solent Special Protection Areas and are therefore unlawful unless mitigation measures are put in place.
- 1.3 This document sets out the business case for Local Growth Deal funding for the creation of new strategic greenspaces which will provide people with alternative locations for recreational opportunities. These greenspaces form part of a strategic approach to mitigation which also includes visitor management measures funded from other sources. Together, this overall approach delivered through a partnership of planning, delivery and regulatory authorities will provide the mitigation necessary to enable housing development to go ahead without it having an impact on the SPAs.
- 1.4 Without Growth Deal funding, other ways would need to be found to fund the new strategic greenspaces which would deter development and significantly delay and potentially jeopardise the delivery of housebuilding.

2 The need for mitigation

- 2.1 The Solent supports internationally-significant numbers of over-wintering waterfowl including over 90,000 waders and more than 10 per cent of the global population of Brent Geese. The intertidal habitats, particularly the mudflats, shingle and saltmarshes, provide essential winter feeding and roosting grounds for these birds, many of which travel thousands of miles to over-winter here.
- 2.2 Over 1.4 million people live within a ten minute drive of the Solent shoreline and it receives around 52 million visits each year. Visitors to the Solent coast travel

relatively short distances: most less than six miles. Dog walking is the most frequent activity, with walking, cycling and jogging being other common ones. The presence of people can result in disturbance to the birds, albeit often unintentional. Such disturbance reduces the birds' opportunities to feed which can mean they have insufficient energy to survive the winter or to complete their migratory journey to their summer-time habitats. If that occurred, there would be a reduction in the bird population.

2.3 Much of the 250 kilometres long Solent coast is within the three Special Protection Areas (SPAs) which were designated principally for the protection of those over-wintering birds. Under the Conservation of Habitats and Species Regulations 2010 (and subsequent amendments) 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.

Planning strategies

2.4 The South Hampshire Strategy¹ prepared by Partnership for Urban South Hampshire (PUSH) in 2012 provides a sub-regional framework for individual authorities' local plans and site allocations for housing. That PUSH spatial strategy, as it is often called, provides for the construction of 55,600 net additional dwellings between 2011 and 2026. The strategy recognises that the planned housing development could result in an adverse impact on the SPAs and that avoidance and mitigation measures will be needed.

2.5 Supporting planned growth and dealing with its potential effects on the natural environment was a key driver behind PUSH preparing the South Hampshire Green Infrastructure Strategy in 2010 and the associated Implementation Framework in 2012². The Strategy aims to provide a high quality of life for people who live and work in the area, and provide an element of the mitigation strategy for new development.

2.6 The Implementation Framework identifies key strategic projects which sub-regional bodies can focus on, such as Horsea Island Country Park, Alver Valley Country Park, South West Hampshire Forest Park and Manor Farm Country Park. The Implementation Framework also includes the delivery of a mitigation strategy which would involve a combination of direct interventions, such as access management, and with the provision of new or improved green infrastructure provision to draw people away from more sensitive areas of the coast.

¹ Can be seen at:

http://www.push.gov.uk/work/planning-and-infrastructure/south_hampshire_strategy.htm

² Both documents can be seen on the PUSH website at:

<http://www.push.gov.uk/work/sustainability-and-social-infrastructure.htm>

Evidence base

2.7 That research³, which was undertaken during 2009-2013 and funded by PUSH and other bodies, studied visitor access patterns around the Solent coast, how visitor activities affect the birds, and the likely impact of further housebuilding. It included:-

- a desktop review of existing national and local research;
- a survey of visitors at the coast;
- a survey of households across the Solent area about their use of the coast;
- fieldwork to assess how birds respond to disturbance events;
- computer modelling to establish whether, and to what extent, planned housebuilding would lead to increased bird disturbance.

2.8 The research found that the substantial housebuilding which is planned around the Solent, much of it within a short distance of the coast, will result in an increase in the number of local residents and increased numbers of people visiting the coast for recreation. The research predicted that a number of bird species will suffer increased mortality as a consequence of the additional recreational visits generated by housing development.

Natural England's formal advice

2.9 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*"⁴

2.10 In summary, planned housebuilding around the Solent will create additional recreational pressures which will impact on the three Solent Special Protection Areas unless mitigation measures are put in place. Without those mitigation measures, the development cannot lawfully go ahead. In the absence of mitigation solutions, developers will look elsewhere to develop.

3 The approach to mitigation provision

3.1 The Solent local authorities in concert with Natural England, the Environment Agency, Royal Society for the Protection of Birds and Hampshire & Isle of Wight Wildlife Trust have been working together on this topic for many years and jointly funded the research described above. In early 2014, they formed a partnership -

³ The research can be seen at:

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

⁴ This advice letter can be seen at:

http://www.solentforum.org/forum/sub_groups/Natural_Environment_Group/Disturbance_and_Mitigation_Project/Advice_to_PUSH_and_Solent_Forum%20310513.pdf

the Solent Recreation Mitigation Partnership - to implement the mitigation measures which will enable housebuilding to proceed without having an impact on the SPAs. The Partnership in tandem with PUSH are the promoters of this bid.

3.2 Public access to the coast provides widespread benefits including health, education and general well-being. It also supports jobs in recreation-related businesses. The Partnership's intention is to maintain public access but with measures to ensure that conflict between people and nature conservation interests is minimised.

3.3 The research described above concluded that a range of potential mitigation measures were needed. Consequently, the Partnership is pursuing a two-pronged approach:

- Visitor management measures to reduce disturbance by influencing people's behaviour at the coast;
- New greenspace which will provide alternative venues away from the SPAs, for recreational activities especially those which are most likely to cause disturbance.

3.4 The visitor management measures include a team of rangers who will reduce disturbance by influencing the behaviour of visitors, publicity initiatives to encourage responsible dog walking, and enhanced signage. These are revenue and minor capital expenditure items. They are being funded by developer contributions from all new housing schemes across the Solent. The Solent local authorities have agreed a single contribution rate across the Solent area of £172 per dwelling. The authorities are pooling the developer contributions and through the Solent Recreation Mitigation Partnership will implement the mitigation measures.

3.5 In contrast, the creation of new greenspace - Suitable Alternative Natural Greenspace (SANGs) - in less environmentally-sensitive locations is seen as having the potential to deflect recreational pressure away from the SPAs. The creation of SANGs entails major capital expenditure - such as land acquisition, engineering works, surface treatment, planting and building construction - in order to meet potential users' expectations in terms of visual appearance, recreational offer, car parking, and associated facilities.

3.6 The Solent Recreation Mitigation Partnership has compiled an Interim Mitigation Strategy⁵ which primarily focuses on the visitor management element. This interim document was prepared relatively quickly in order to enable some housing development to proceed in the short term and avoid the several years' development hiatus which occurred around the Thames Basin Heaths SPA.

3.7 Work on the definitive mitigation strategy has now begun and includes the creation of strategic new greenspace. The interim strategy only provides a short

⁵ Can be seen at: <https://www.portsmouth.gov.uk/ext/community-and-environment/environment/solent-recreation-mitigation-strategy.aspx>

term and partial solution, so hence the intention is to have the definitive strategy in place by 2017.

- 3.8 This will bring the Solent into line with other SPAs where there is a two-pronged mitigation approach described in paragraph 3.3 above. The most notable and longest established of those is for the Thames Basin Heaths SPA⁶ which extends over eleven local planning authorities in the Berkshire/Hampshire/Surrey area. There, the developer contribution required varies between local authorities and according to dwelling size, but typically is £3,500-£5,000 per dwelling with one authority requiring £11,900 per four-bedroom property. The bulk of those contributions is for SANGs.

4 The bid

Four strategic greenspaces

- 4.1 This bid seeks capital funding to enable the creation of four new strategic greenspaces as part of the two-pronged mitigation requirement described in paragraph 3.3 above.
- 4.2 Each project needs a unique combination of land acquisition and on-site works, in order to create greenspaces which will provide an attractive alternative to visiting the coast within the SPAs. Two projects involve the creation of completely new publicly accessible greenspaces; the other two are transformational enhancements to existing areas. The four are at key locations across the Solent area: they are well related to areas of planned major housing growth and well placed to intercept people who would otherwise have gone to the coast within the SPAs.

Benefits

- 4.3 An assessment of the impact of the four projects on the delivery of new development undertaken with the involvement of the lead agency/organisation for each project and Natural England shows that the projects would help support the delivery of almost 10,000 new homes on the mainland part of the Solent LEP area.
- 4.4 Without Growth Deal funding, the four projects would have to await the availability of funding from other sources, with a consequential delay to their realisation which in turn could mean that substantial housing development was unable to go ahead because of insufficient mitigation measures being available.
- 4.5 The four projects will create a small number of jobs during their construction phase and also in their subsequent maintenance and operation. More importantly, the housebuilding which is facilitated by these projects will provide part of the labour supply including higher level skills required by local businesses. The resulting greenspaces will enhance the Solent's 'quality of life

⁶ The Thames Basin Heaths Joint Delivery Framework can be seen here:
<https://www.runnymede.gov.uk/CHttpHandler.ashx?id=5045&p=0>

offer' helping to attract and retain businesses and talented employees. According to a leading private sector development director: "*Inward investors are looking for well qualified labour and high quality property... after these basics they will look for quality of life*".

4.6 In summary, Growth Deal funding will help to facilitate the delivery of planned housing development in the Solent area. There will also be other benefits for the Solent environment and its economy.

Alternatives considered

4.7 Without Local Growth Deal funding, the alternatives would be to await funding being available for the projects from other national or local public sector sources, or to obtain the funding through developer contributions, or to require developers to provide greenspace themselves.

4.8 There are no other identified funding sources for these projects at present. So with public expenditure being constrained currently and for the foreseeable future, there is considerable uncertainty about whether and when the necessary major funding for the projects would become available. This could mean a serious delay to development.

4.9 Securing the funding through developer contributions would mean substantially increasing the £172 per dwelling currently required in the Solent area. The £3,500-£5,000 per dwelling typically required around the Thames Basin Heaths SPA shows the order of magnitude. The Partnership considers that a figure of that order would impose a high burden on housebuilding with a consequential adverse impact on scheme viability and delivery; more likely, developer funding for other key infrastructure would have to be significantly reduced in order to divert money to mitigation greenspace creation. Requiring developers to provide greenspace themselves would similarly add to development costs and would only be possible for larger sites.

Fit with the Solent Strategic Economic Plan

4.10 The Solent Strategic Economic Plan 'Transforming Solent Growth Strategy'⁷ has, as one of its six objectives: "*Provide new housing to support our growing workforce*". It has set a target of delivering 24,000 homes by 2020. The challenge is to unlock the potential of the two cities and wider Solent area with the focus being on six strategic priorities. Infrastructure is one of the priorities highlighting the importance of enabling development, in particular housing, to come forward.

4.11 The Plan recognises the ecological and landscape importance of the Solent area, particularly the coastal and estuarine habitats much of which has been designated as Special Protection Areas. It highlights the importance of new development not having an adverse impact on the natural environment.

⁷ See page 14 at: http://solentlep.org.uk/uploads/documents/LR_Solent_LEP_Brochure_Final.pdf

4.12 The importance of the natural environment is reflected in its inclusion as one of the Plan's Priorities for Action: "*In order to secure delivery of projects in the pipeline, the Plan will need to provide for environmental mitigation through the implementation of additional green infrastructure and the Solent Disturbance Mitigation Project*". (The latter having since been re-named as the Solent Recreation Mitigation Partnership).

5 Project Delivery

Start Date

5.1 A phased approach to project delivery is proposed with two projects commencing in quarter 1 of 2015/16 and two in quarter 1 of 2016/17.

Third party funding

5.2 The projects do not rely upon third party funding. 'In kind' support - in the form of project management and meeting the cost of securing the necessary consents - will be provided by the lead agency/organisation for each individual project.

Relevant Consents

5.3 It is envisaged that the necessary consents (planning permission, drainage consents and licenses to undertake works in protected habitats) can be obtained within the necessary timescales as the key agencies involved are supporting this bid.

Contracting Arrangements

5.4 The lead agency/organisation will manage their individual project and construction will be undertaken either by their own staff or by securing a contractor to undertake the proposed works in accordance with standard procurement procedures.

Risk Register

5.5 The most significant overall risk is that if funding is not available for these projects then the delivery of housebuilding in the sub-region will be potentially jeopardised through the lack of a high level strategic approach to mitigation.

5.5 The project-specific risks vary from project to project, but some or all of the following are common to all and will be managed are as follows:-

<i>Risk</i>	<i>Avoidance/mitigation action</i>
Land acquisition not finalised or is delayed.	Ongoing contact with land owner to confirm position on acquisition and keep the sale on track.
Planning permission and/or other consent is delayed or if refused.	Ongoing contact with consenting authorities.

	Ensure all necessary information for a decision is supplied to the consenting authority.
Construction delayed due to bad weather.	Work which is sensitive to bad weather will be carried out during the summer/autumn to minimise the risk of adverse weather conditions.
Inflation increases in construction costs are greater than expected.	Adjustments would be made to the scope of the projects in order to stay within the overall funding envelope.
Inability to acquire the land or inability to secure all the necessary consents for one of the projects.	A future phase of one of the other projects will be advanced or an alternative project will be brought forward in a different location.
Landowners become aware that land is being sought for mitigation purposes which may result in them seeking higher land prices.	This is probably unlikely in the short term, and in any event only potentially affects the two projects where land acquisition is involved. Negotiations are at an advanced stage for one of these two, which means that only one site is potentially at risk.

5.6 The preparation of the definitive mitigation strategy (paragraph 3.8 above) during this year and next year will identify further strategic greenspace projects. The aim is to have a pipeline of greenspace projects which will mitigate longer term housing development including that which will be required from the roll-forward of the PUSH Spatial Strategy (see paragraph 2.2 above) which is now underway. One of those could, if needed, be the alternative project mentioned above.

Governance

5.7 The accountable body for the implementation of this bid will be the Partnership for Urban South Hampshire (PUSH). PUSH meetings which deal with Solent disturbance mitigation involve representatives of Chichester District Council, New Forest National Park Authority and South Downs National Park Authority, even though they are not PUSH members, because the mitigation measures and associated developer contributions cover parts of each of those authority's area.

5.8 The lead agency/organisation for each project will be responsible for implementing the delivery of the individual projects and achieving the key milestones for each.

Monitoring and evaluation

5.9 PUSH and the Solent Recreation Mitigation Partnership will monitor the progress of each individual project. The lead agency/organisation for each project will provide a quarterly progress report to the Solent Recreation Mitigation Partnership which will be considered by the Partnership's bi-monthly Steering Group meetings. The Steering Group comprises representatives of all the Solent local authorities, Natural England, Environment Agency, Royal Society for the

Protection of Birds and Hampshire & Isle of Wight Wildlife Trust which means it is well placed to address and resolve any difficulties or delays.

5.9 PUSH and the Solent Recreation Mitigation Partnership in tandem with the lead agency/organisation for each project, will evaluate the success of the projects through surveys to assess the extent to which the projects are diverting people away from the SPA coastline and the number of homes which have been approved for development. Inevitably, such evaluation can only be undertaken after changed visitor patterns have become established following the opening of the new greenspace facilities. Visitor surveys will need to be undertaken over the winter season, as that is when disturbance to over-wintering birds needs to be avoided.