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BY EMAIL ONLY

Dear Mike and Karen

Planning applications affecting Solent Special Protection Areas (SPA)

As you will be aware Natural England have been working closely with the Solent Forum, PUSH, and the Local Planning Authorities around the Solent to identify suitable measures to avoid impacts on Solent and Southampton Water SPA, Portsmouth Harbour SPA, and Chichester and Langstone Harbours SPA ('the Solent' SPAs) from increases in recreational disturbance caused by new residential development. This follows the completion of Phase II of the Solent Disturbance and Mitigation Project (SDMP), which reported that there is a Likely Significant Effect associated with the new housing planned around the Solent.

Natural England's advice is that the SDMP work 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.

Natural England has yet to provide its formal advice on the full package of avoidance measures, recommended by Phase III of SDMP (though we anticipate providing this advice shortly). The range of measures which are put forward will need to be agreed across the Solent authorities and secured as a coherent package, if it is relied to be upon to avoid the likelihood of a significant effect arising from the scale of housing proposed in current development plans. Whatever the detail of the overall package, it is likely to take some time for it to be agreed and put in place by all of the LPAs involved. Thus to minimise the risk of a consequent delay to housing development, our advice is that an interim arrangement be considered.

Though the scale of housing development planned for in the Solent area is substantial, our understanding is that only a relatively small proportion of it is likely to come forward in planning applications in the next two or three years. Any permissions granted within this period are unlikely to be occupied for a year or more after that. Thus it is likely that any effect from permission granted henceforth would rise gradually and would not start immediately, and certainly not before the winter of 2014/15. Thus time is available for mitigation or impact avoidance delivery mechanisms to be developed and put in place, to avoid effects on the SPA before they could arise.

The SDMP Phase III has identified a number of measures which can be deployed quickly, if the will is there, and with low risk in terms of both delivery and effectiveness. These include wardening and a Solent dog project. Our expectation is, subject to the scale of housing likely to be permitted in the next two to three years, that these quick win measures could be made sufficient to address at least the potential increase in visitor numbers on the scale anticipated in this timescale. Moreover, they

are capable of being integrated subsequently into the full package of strategic measures and will be helpful in informing its design.

We expect that, if the will is there, an interim scheme of development contributions for the quick win measures could be put in place across all the Solent authorities within a small number of months. This is because:

- These measures are not infrastructure. They do not need to be funded through CIL. Therefore they would not have to wait for inclusion in CIL policy documents.
- Encouraging progress is already being made towards the recruitment of a delivery officer, who could put the measures in place
- The SDMP Steering Group, chaired by the Solent Forum, which includes planning authority officers, has already indicated a large measure of acceptance of the 'zone of influence' in which residential development is linked to activity levels in the Solent SPAs.
- Some of the authorities have already started to require contributions for measures to avoid the likelihood of significant effects arising.
- There is information from implementation of similar measures in other locations which can be used straightforwardly to estimate the costs in the Solent.

Indeed these factors suggest that the Solent authorities could agree planning obligations to secure funding contributions for avoidance measures, even for planning applications which come forward before an interim scheme is in place, because they can be confident that the level of contributions will be set and the scheme put in place in the timescale required. On the basis that this would secure the necessary avoidance or mitigation measures for housing granted permission in an interim period (unless there are other issues to be addressed), it would be open to your authorities then to conclude that the applications for which funding contributions are secured in this period are not likely to have a significant effect on the Solent SPAs.

In effect therefore, what we are proposing is a three phase approach in managing the risks of impact on the Solent SPAs:

- First, a short period from now, in which planning applications are processed on a case by case basis, in which a funding contribution is secured but not set at a specific level, pending the agreement of an interim contributions scheme.
- Second, hopefully a short number of months away, after an interim contributions scheme has been set. During this second phase the interim contributions scheme and the quick win measures would be implemented and alongside this the full package of measures would be developed
- Third, perhaps in two or three years time, the full package of avoidance measures would be introduced, with a reviewed contributions scheme.

Clearly, this phased approach would require the willing participation of the planning authorities, as it would require effort on their part to see it through within an agreed timetable. It also requires the number of houses likely to be permitted over the coming few years to be profiled, as the scale of avoidance measures and phasing both need to be linked to this profile. If the will and this profile information is there, it should be necessary at no point to refuse planning permission on strategic (non case specific) grounds relating to recreational disturbance on the SPA.

I offer the advice in this letter in the spirit of partnership. I do hope that you will consider the way

forward that I have described. Natural England stands ready to help as far as it can in finding a suitable way forward.

Yours sincerely

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