

1 October 2024

Dear Andrew,

1. As you know, Portsmouth City Council (**'PCC'**) is progressing the preparation of its Local Plan which will set local planning policy for Portsmouth City to 2040 (**'the Local Plan'**). The Pre-Submission version of the Local Plan is attached as **Appendix 1** to this letter. Tipner West and Horsea Island East is allocated as a strategic site for a new employment marine hub, some housing, flood defences and a bridge to the mainland under draft Policy PLP3. This is mission critical to the regeneration of Portsmouth.
2. It has been clear to PCC for some time that the development of a new marine employment hub at Horsea Island East and Tipner West cannot be delivered without some adverse effects on the Portsmouth Harbour Special Protection Area (**'SPA'**)/Ramsar site. That is because a marine employment hub requires deep water access which necessitates some dredging and permanent loss of inter-tidal habitat within the SPA/Ramsar site.
3. Under regulation 107(1) of the Conservation of Habitats and Species Regulations 2017 (as amended) (**'the 2017 Regulations'**), a plan-making authority may only give effect to a plan that has negative implications for a European site if it is satisfied that, there being no alternative solutions, the land use plan must be given effect for imperative reasons of overriding public interest (**'IROPI'**). Having considered and discounted potential alternative solutions, PCC considers – exceptionally – that there are imperative reasons of overriding public interest which justify the adverse effects on the SPA/Ramsar site in this case.
4. Under regulation 107(3) of the 2017 Regulations, a plan-making authority may request the Secretary of State's opinion as to whether the reasons relied on constitute IROPI. On 4 May 2023, PCC wrote to you as the plan-making authority to request the Secretary of State's opinion as to whether the reasons relied on by PCC to progress its (then) draft Policy PLP5 allocating Tipner West and Horsea Island East, notwithstanding the adverse effect on the SPA/Ramsar site, were IROPI. On 22 September 2023, you replied that a decision on the request would be premature. You said:

“The stage at which it should be possible to make an assessment would be when there is a finalised alternatives assessment, a completed assessment of the implications of the plan for the integrity of the sites concerned, and a proposed compensation strategy.”

5. Since your letter of 22 September 2023, PCC has progressed the preparation of the Local Plan to the Regulation 19 consultation stage. Draft Policy PLP5 has become draft Policy PLP3. The Pre-Submission Local Plan has also been subjected to a Habitats Regulations Assessment ('HRA') which is attached to this letter as **Appendix 2**. Furthermore, there is a new national Government, and the new Secretary of State made clear in her speech on changes to national planning policy to the House of Commons on 30 July that *"delivering economic growth is our number one mission."*
6. Chapter 8 of the HRA assesses draft Policy PLP3 against the three statutory derogation tests to consider whether the Local Plan can be adopted with draft Policy PLP3 as written. The HRA includes PCC's finalised alternatives assessment, a completed assessment of the implications of the Plan for the integrity of the sites concerned, the rationale for PCC's conclusion that there are IROPI, and the rationale for PCC's conclusion that there is sufficient suitable compensatory habitat available to enable it to conclude with a high degree of confidence that an adequate compensation scheme can be delivered.
7. PCC therefore considers that the Secretary of State as the "appropriate authority" now has all the information required to provide an opinion under regulation 107(3) of the 2017 Regulations. We therefore invite the Secretary of State to re-engage with our May 2023 request and provide an opinion on whether the reasons relied on by PCC for progressing draft Policy PLP3, notwithstanding its implications for a European site, are considered to be IROPI. We hope it will be possible for such opinion to be given before the end of October 2024 to ensure it is received prior to the submission of the Local Plan for Examination-in-Public in line with our Local Development Scheme and paragraph 226c of the draft National Planning Policy Framework.
8. In support of this request, the Secretary of State is asked to have regard to the PCC Statement of Case dated April 2023, as previously submitted to the Secretary of State in May 2023. The PCC Statement of Case continues broadly to reflect PCC's position. However, as more than a year has passed since that document was finalised, the Secretary of State is also invited to refer to:
 - a. The Pre-Submission Portsmouth Local Plan dated July 2024 (**Appendix 1**);
 - b. The Habitats Regulations Assessment of the Portsmouth Local Plan dated April 2024 (**Appendix 2**);

- c. The regulation 19 consultation responses from key stakeholders, including Natural England, the Environment Agency, RSPB and Hampshire and Isle of Wight Wildlife Trust ('**HIWWT**') (**Appendix 3**) and PCC's summary responses to those representations (**Appendix 4**);
 - d. An example of a pro-forma letter generated by RSPB and HIWWT and submitted, with minor amendments, by 6,910 representors during the regulation 19 consultation (**Appendix 5**); and
 - e. An updated summary of evidence in support of PCC's IROPI case based on the need for a marine employment hub in the Solent region (**Appendix 6**).
9. We set out below a summary of PCC's case as it has progressed in light of the up-to-date text of (now) draft Policy PLP3 and the up-to-date HRA completed in April 2024.

SUMMARY OF CASE

The site

- 10. The Site is identified in Figure 4.2 at p. 33 of the Local Plan. It comprises Tipner West and Horsea Island East. It is a peninsula located immediately adjacent to the M275 motorway at the northwest part of Portsea Island and is bounded on three sides by Tipner Lake, which is part of Portsmouth Harbour. Portsmouth Harbour is a designated SPA and Ramsar Site, valued for the habitat it provides in particular to Brent Geese and wading birds. The Site also falls within the Solent and Dorset Coast SPA which aims to provide protection for breeding Tern species.
- 11. In 2013, the Site was identified as a key element of the Portsmouth and Southampton City Deal ('**the City Deal**') (**Appendix A2 to the Statement of Case April 2023**). The City Deal (an agreement between central government, local government and local businesses) aims to maximise the economic strength of Portsmouth, Southampton and the wider Solent area, by supporting further growth in the area's maritime, marine and advanced manufacturing sectors. It included a central Government grant of £48.75m to PCC to help deliver the following:
 - a. Maximising the economic impact of marine and maritime assets in the area;
 - b. Unlocking critical employment sites to enable the marine, maritime and advanced manufacturing sectors of the region's economy to expand;
 - c. Providing new housing to support the growing workforce;

- d. Ensuring people have the right skills to access employment in those growing sectors;
 - e. Providing effective support to small and medium enterprises to enable them to grow, including marine and maritime small and medium enterprises.
12. A key part of the City Deal was the transfer of land at the Site from the Ministry of Defence to PCC. The objective of that land transfer was to enable the delivery of approximately 2,370 new homes on the Site and nearby (at Tipner East and Port Solent) and 58,000sqm of employment floorspace for the growth of marine and advanced manufacturing sectors in the Solent sub-region.
13. Since 2013, PCC has explored options for delivering on the City Deal at the Site:
- a. In 2019, PCC ran a public consultation as part of its emerging Local Plan on the Tipner Strategic Development Area as a potential strategic location to help meet the City's current and long term housing and employment needs. A so-called 'Super Peninsula' at Tipner West was proposed as an option, involving substantial land reclamation (in excess of 22ha) from the Portsmouth Harbour SPA/Ramsar site.
 - b. In 2021, as part of its Regulation 18 Local Plan consultation, PCC consulted on three options for Tipner West and Horsea Island East:
 - i. Option 1: Innovative Sustainable Community. A community of up to 4,200 new homes and a marine employment hub (providing approx. 59,000 sqm of employment floorspace) involving substantial land reclamation from the Portsmouth Harbour SPA/Ramsar site.
 - ii. Option 2: Regeneration of Existing Area. Carrying forward the extant Core Strategy proposal for a development of 1,500 homes, 25,000 sqm of employment space and community facilities.
 - iii. Option 3: No development at Tipner West.
 - c. During and as a result of the consultation, a number of other options were considered, including a variation of Option 2 for redevelopment of the existing landmass in line with the City Deal requirements (58,000sqm marine employment and 1,250 homes).
 - d. In October 2022, PCC ruled out both Option 1 for a Super Peninsula (because of its environmental impact) and the Option 3 do-nothing scenario (because of the costs of maintaining the existing Site in the absence of any growth-

related public benefit) and agreed a set of principles to bring forward an alternative option based on the variation of Option 2 (set out in (c) above). Those principles included satisfying the terms of the City Deal and maximising job creation, while minimising land reclamation, prioritising the protection of the terrestrial SPA/Ramsar, and satisfying the regulatory requirements of Natural England and the Environment Agency.

e. Those Guiding Principles have since been updated and now state:

“(1) Develop options that have regard to the Conservation Objectives of the SPA/Ramsar Sites in respect of their bird populations and other qualifying features, subject to the procedures set out within the Conservation of Habitats and Species Regulations 2017 (as amended) (The Habitats Regulations).

(2) Deliver nature-focused place-making to contribute to Greening of the City, in line with the City Vision 2040, which achieves more than the statutory biodiversity requirement.

(3) Provide a minimum of 814 homes and maximum of 1,250 homes & a minimum of 58,000 sqm of marine focussed employment space (Minimum affordable housing at 30%) alongside enabling infrastructure to satisfy the terms of City Deal.

(4) Maximise local job creation.

(5) Minimise costs and impact on City Council finances & services to the public.

(6) Seek to continue to work in partnership with Royal Society for the Protection of Bird (RSPB), Hampshire & Isle of Wight Wildlife Trust (HIWWT), Ministry of Defence and Historic England to develop proposals that are capable of satisfying the regulatory requirements of Natural England (NE), the Marine Management Organisation (MMO) and the Environment Agency (EA).

(7) Minimise land reclamation to meet the principles listed above.”

14. In line with those Guiding Principles and the Coastal Concordat for England, PCC has engaged closely with key stakeholders (including Natural England, the Environment Agency, the Marine Management Organisation, Historic England, the RSPB, and Hampshire and Isle of Wight Wildlife Trust) in the development of what has now become draft Policy PLP3 of the Plan. Since early 2021, this engagement has largely been through the Tipner West Regulatory Panel, which is chaired by PCC as the LPA and includes attendees from PCC as the site promoter along with the relevant statutory bodies and both the RSPB and the Wildlife Trust attending as guest contributors to the Panel meetings. For the avoidance of doubt, the engagement of these stakeholders in the development of draft Policy PLP3 does not equate to their endorsement of the Policy.

Draft Policy PLP3

15. Draft Policy PLP3, and its introductory and supporting text, should be read in full at pp 33 – 43 of the Local Plan. The draft Policy allocates the Site for:
 - a. A marine hub with a working quayside and up to 58,000 m² of marine employment floorspace (class E(g) offices, research and development, light industrial, B2 general industrial and B8 storage or distribution);
 - b. A new community with between 814 and 1,250 residential dwellings (class C3);
 - c. A bridge between Tipner West and Horsea Island East for the use of sustainable transport modes only;
 - d. Flood defences along the peninsula edges of Tipner West and Horsea Island East in line with robust climate change scenarios;
 - e. Shops selling essential goods, including food, where the shop's premises do not exceed 280 m² (class F2a); and
 - f. Meeting places for the principal use of the local community (class F2b).
16. Draft Policy PLP3 does not prescribe the design, scale, density, massing, or layout of uses across the two parts of the site. Nor does it prescribe the minimum or maximum footprint of the housing or marine hub elements. Those are matters to be addressed at the planning application stage. However, the draft Policy embeds a 'nature positive' presumption. Save for the dredging necessary to ensure deep water access to the marine employment hub, Policy PLP3 requires a proposed development to avoid any further loss of, or damage to, the Portsmouth Harbour SPA/Ramsar site unless it can be demonstrated that such further loss or damage is the minimum necessary to deliver a viable and feasible development.
17. That approach has been adopted in recognition of the fact that the policy allows flexibility in terms of design, scale, density, massing, layout and footprint across the two parts of the Site, and the fact that current evidence suggests project viability is challenging. It may therefore be necessary, to ensure a viable and/or feasible project, to: i) construct the proposed bridge using piers planted in inter-tidal SPA habitat (instead of, for example, constructing a free-span bridge); ii) reclaim a limited area of subtidal SPA/Ramsar habitat for the marine hub (instead of, for example, creating additional space through cantilevered platforms); and/or iii) provide housing on terrestrial SPA/Ramsar habitat within the Site (instead of, for

example, providing built development only on the non-designated areas across Horsea Island East and Tipner West). However, as these matters are not currently established beyond doubt, the Policy requires them to be addressed at the planning application stage under:

- a. criterion (2)(g) of PLP3, which requires an applicant for planning permission to prove that any loss of habitat beyond the inevitable dredging is necessary to deliver a viable or feasible development; and
 - b. criterion 6 of PLP3, which requires submission of a project-level HRA which addresses the three derogation tests, including the requirement to demonstrate the absence of alternative solutions, as set out in regulations 64 and 68 of the 2017 Regulations.
18. Consideration of alternative designs, scale, density, massing, development footprint and layout of the project within the Site (including as between the Tipner West and Horsea Island East parts of the Site) is therefore a matter for the project-level HRA, not the plan-level HRA.

The HRA

Appropriate assessment

19. The HRA includes an Appropriate Assessment at chapter 6 and its conclusion and recommendations are set out in chapter 7. The Appropriate Assessment concludes that draft Policy PLP3 will have an adverse effect on the integrity of Portsmouth Harbour SPA/Ramsar site on account of the fact that it will:
- a. inevitably cause the loss of 2.1ha of intertidal habitat as a result of the dredging necessary to provide deep water access to the marine employment hub;
 - b. likely cause the loss of 0.3ha of intertidal habitat for the insertion of bridge piers;
 - c. possibly cause:
 - i. the loss of 0.5ha of subtidal habitat as a result of land reclamation for the marine employment hub; and
 - ii. the loss of up to 3.6ha of terrestrial habitat for housing on land south of the firing range.
20. The Appropriate Assessment also records that the requirement in draft Policy PLP3 to improve flood defences within the Site is likely to have an adverse impact on the

Portsmouth Harbour SPA/Ramsar site through a contribution to “coastal squeeze”, but it notes that this impact has already been accounted for in the derogation case for the North Solent Shoreline Management Plan,

The absence of alternative solutions

21. The HRA includes an assessment of alternative solutions in Chapter 8 (8.5 – 8.75). The HRA proceeds in line with case law that requires the LPA to consider a wide range of alternatives. However, an alternative is only an alternative solution for the purposes of regulation 107 of the 2017 Regulations if it would deliver the same overall objective as the original proposal, is financially, legally and technically feasible, and is less damaging to the protected site.
22. The overall objective of draft Policy PLP3 includes:
 - a. the Project Objective (paragraph 4.13): *“To create a marine employment hub in the Solent region with access to deep water, and of sufficient scale to enhance and expand the marine business cluster, along with critical infrastructure, and sufficient housing to help enable delivery of the development as well as support the growth in the marine workforce.”* The critical infrastructure referred to in the Project Objective includes flood defences along the peninsula edges of Tipner West and Horsea Island East and the bridge between Tipner West and Horsea Island East.
 - b. as supported by “The Vision” (paragraph 4.17): *“In 2040, Tipner West & Horsea Island East will form a new gateway to the City along with Tipner East and will be home to a new healthy and happy community. There will be a thriving new marine business hub that provides both jobs and opportunities for lifelong learning. People will live in good quality homes that are carbon neutral and will enjoy the new open space on Horsea Island. They will make fewer journeys by car and instead will make use of new and improved public transport connections and infrastructure, including a bridge to the mainland. New climate change resilient sea defences will defend the community alongside the existing residents of north Portsea Island. Historic land contamination will have been prevented from leaching into the Harbour. The Harbour's nationally and internationally designated saltmarsh and mudflat supporting populations of Brent Geese and wading birds will be cherished and protected, whilst the site's naval heritage will be positively enhanced in the public interest. The whole Tipner peninsula will be home to a community where residents, workers and visitors co-exist in harmony with nature.”*
 - c. The core elements of Policy PLP3 itself, in particular criteria 1(a) – (d).__

23. The HRA (paragraph 8.5) identifies the following elements that are necessary for the delivery of the overall objective:
- a. Sea defences and site decontamination;
 - b. Marine employment hub;
 - c. Bridge; and
 - d. Enabling development in the form of housing.
24. The HRA adopts a disaggregated approach to the consideration of alternative solutions; that is, it considers whether there are alternative solutions to each element of the overall objective individually. But it acknowledges that this exercise is – to some extent – theoretical because project viability is likely to mean that the elements of the project can only be delivered as a ‘package deal’ on the same site.
25. The HRA concludes that there are no feasible alternative solutions to the delivery of any individual element of the overall objective or to the combined package:
- a. As for sea defences and site decontamination, these are urgent and necessary protective measures. The IROPI case in support of the North Solent Shoreline Management Plan (‘**NSSMP**’) to deliver the sea defences has already been approved by the Secretary of State: see **Appendix A8 to the Statement of Case April 2023**. However, the only available source of funding to deliver the necessary sea defences and site decontamination is the cross subsidy from the delivery of draft Policy PLP3 as a whole, together with the City Deal funding associated with the delivery of draft Policy PLP3.
 - b. As for the marine employment hub, there is a pressing social and economic need for such a hub in the Solent region and there are no alternative sites available that can deliver a marine employment hub that meets the overall objective (see an updated summary of the evidence in support of this case in **Appendix 6**).
 - c. As for the bridge, this has been identified as critical infrastructure in the Portsmouth Infrastructure Delivery Plan (‘**IDP**’), there are no preferable alternative bridge alignments, and the failure to provide a bridge in this location would not deliver on the overall objective of the Policy.

- d. As for housing, this is currently the highest value land use for the purposes of enabling development and off-site provision would neither generate sufficient return to support project viability, nor would it deliver on the overall objective.
26. As the primary driver for the location of the development as a whole is the marine employment hub, the absence of feasible alternative sites for that hub dictates that there are no feasible alternative sites for the combined marine employment hub and housing 'package'. Moreover, the use of an alternative site for the marine employment hub and housing package would risk the need to return the £48.7m City Deal grant that is critical to delivering the necessary infrastructure improvements on site, including flood defences and site decontamination.
27. As above, consideration of alternative designs, scale, density, massing and layout of the project within the Site is a matter for the project-level HRA not the plan-level HRA. Although the HRA refers to two project options currently shortlisted by the promoter team (Options A and B at figs 5 and 6, p.94), it does not treat those options as the only viable options to deliver Policy PLP3 and does not reach any conclusion on whether there are "alternative solutions" to those options (e.g. using the developable area on Horsea Island East). Those are matters that will need to be addressed at the planning application stage in a project-level HRA when viability and feasibility evidence is clearer.

The existence of IROPI

28. The HRA considers whether there are IROPI at Chapter 8 (8.76-8.128). Consistent with the April 2023 Statement of Case, it identifies the following imperative reasons of public interest:
- a. **Flooding risk to human health and safety.** The HRA notes that current flood defences at Tipner West and Horsea Island East are in critical need of repair and/or replacement. Should they fail, flood waters would pass through Tipner East and Stamshaw, putting more than 200 existing homes, and many more planned homes at Tipner East, at risk. All of Portsmouth's coastline including the Tipner peninsula is designated as 'hold the line' in the NSSMP. The IROPI case in support of the NSSMP has already been approved by the Secretary of State: see **Appendix A8 to the Statement of Case April 2023**. The IROPI case for PLP3 is that the only way to deliver the sea defences for which IROPI has already been established is through cross-subsidy through the implementation of Policy PLP3, including through the use of City Deal funding tied to the delivery of Policy PLP3.

- b. **Contaminant leachate risk to the integrity of the SPA/Ramsar site.** The HRA notes that Tipner West is currently contaminated with both inorganic and organic contaminants. It records the risk, in the absence of mitigation measures, of contaminant leachate affecting the integrity of the SPA/Ramsar habitat. Draft Policy PLP3 constitutes part of the Council's strategy to meet its legal obligation to take steps to protect the national site network from pollution.
 - c. **The creation of a marine employment hub in the Solent.** There is a clear and pressing need for a marine employment hub in the Solent region. The delivery of a marine employment hub, in line with the City Deal, will drive much needed economic growth in the region, building on natural advantages to provide jobs and improve lives. The characteristics of the Site make it uniquely suitable for this hub. See a summary of updated evidence in support of this case in **Appendix 6**.
- 29. The HRA also notes that the housing element of the allocation is enabling development necessary to cross-subsidise other elements of the project to support financial viability. It also records that the housing delivered will help to meet a high level of unmet housing need in the area. The allocation will also deliver improvements in transport connectivity, and public access to open space and heritage assets.
- 30. The HRA then considers whether the imperative reasons of public interest override the adverse impact on the SPA/Ramsar site. In conducting this exercise, the HRA proceeds on the reasonable worst-case (but not inevitable) scenario that Policy PLP3 will result in: 2.1ha of intertidal habitat from dredging for the marine hub; 0.3ha of intertidal habitat for the bridge piers; 0.5ha of subtidal habitat from land reclamation for the marine hub; and 3.6ha of terrestrial habitat from development on land south of the firing range.
- 31. Having regard to this reasonable worst-case scenario, the HRA notes that the scale and nature of the loss of SPA/Ramsar habitat would be small compared to the total designated habitat in the SPA/Ramsar site; it does not perform a unique ecosystem function, is not irreplaceable, and is capable of compensation. In those circumstances, the HRA concludes that the imperative reasons of public interest set out above clearly override the adverse effects on SPA/Ramsar integrity.

Compensation

32. While the adequacy of compensation provision is not a matter for the Secretary of State when providing an opinion under regulation 107(3) of the 2017 Regulations, the HRA concludes (8.129 – 8.139) that there can be a high degree of confidence – at the strategic planning stage – that an applicant for planning permission will be able to secure the necessary compensation once the quantum and nature of the required compensatory habitat is known. The promoter has identified compensatory sites that provide, or could provide, suitable habitat that far exceeds the quantum that is likely to be required at the planning application stage. The LPA's expert ecologist agrees that the sites identified are, or could be made to be, suitable for compensation, and the LPA's planning lead is satisfied that the quantum of compensatory land identified is such that it is very unlikely that – by the time of a planning application – it will be exhausted through use for other purposes.
33. As noted at 8.136 of the HRA, PCC's LPA team are currently working with the Site promoter to ensure that further information can be made public about the availability and suitability of the potential compensation sites. We expect to publish a Supplement to the HRA by 11 October 2024 and will forward this for your consideration as soon as it is available.

REGULATION 19 CONSULTATION RESPONSES

34. The regulation 19 responses from Natural England, the Environment Agency, the RSPB and the Hampshire & Isle of Wight Wildlife Trust are set out in **Appendix 3** with the LPA's summary responses at **Appendix 4**. The pro-forma letter generated by RSPB and HIWWT and submitted by 6,910 consultees, with minor amendments, is at **Appendix 5**.

TIMING OF THIS REQUEST

35. This request for an opinion under regulation 107(3) of the 2017 Regulations is made prior to the submission of the Portsmouth Local Plan for Examination in Public. It is hoped that the opinion will be given before the end of October 2024 in order to inform the decision of the plan-making authority to submit for Examination. In this regard we continue to liaise with PINS and the Planning Advisory Service.
36. RSPB and HIWWT have objected to this timing because (amongst other things) they say that it will deprive the Examination of the opportunity to consider the range of matters relevant to IROPI and/or may require the Secretary of State to reconsider her opinion in light of new information arising at the Examination.

37. The objections are without merit. Regulation 107(3) exists precisely to enable a plan-making authority to seek an early opinion from the Secretary of State on IROPI in order to inform the progression of a land-use plan. To defer the consideration of a regulation 107(3) opinion until after the conclusion of the Examination would therefore defeat the statutory purpose and represent a failure of fiscal probity by the Council.
38. An Inspector in the proposed Examination would, in the absence of genuinely new information, be bound by the Secretary of State's opinion. But the Inspector would be entitled to have regard to genuinely new information relevant to IROPI when deciding whether the Plan is sound and legally compliant. The Secretary of State, in turn, would be entitled to have regard to genuinely new information when deciding whether to exercise her discretion under regulation 107(6) of the 2017 Regulations.
39. Accordingly, the timing of this request is consistent with the statutory purpose and does not cause any prejudice to public stakeholders.

CONCLUSION

40. There are no alternative solutions to deliver the overall objective of draft Policy PLP3 and there are clearly IROPI justifying the limited harm to the Portsmouth Harbour SPA/Ramsar site as assessed in the reasonable worst-case scenario.
41. Having regard to PCCs Statement of Case (April 2023), and in light of the new documents referred to above, PCC invites the Secretary of State to re-engage with our May 2023 request under regulation 107(3) of the 2017 Regulations and provide an opinion, if possible, before the end of October 2024.
42. Please do get in touch if you have any questions.

Kind regards,

Lucy Howard

Lucy Howard

Head of Planning Policy

Portsmouth City Council

Appendix 1: Pre-Submission Portsmouth Local Plan (July 2024)

Pre-Submission Portsmouth Local Plan

July 2024



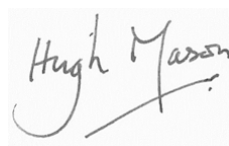
Foreword

I am pleased to present the Pre-Submission version of the Portsmouth Local Plan. This Plan has been prepared to meet the challenges facing our City in the next decades. It builds upon the foundations laid in previous City plans, but is wholly new in addressing the opportunities and challenges set out in the Imagine Portsmouth 2040 Vision and the changed demands of the present time.

The Local Plan sets out policies against which individual planning applications will be assessed. It allocates strategic sites such as the City Centre, which are fundamental to maintaining the vitality of our local economy. The development of these strategic sites will require the careful balancing of different and competing demands. Some of this development is likely to be controversial, but the Plan has involved the production of a very detailed evidence base on relevant matters including housing, employment, green space and transport.

There has been ongoing consultation during the production of this Plan and many people have contributed to the process. This Pre-Submission version of the Plan has incorporated many ideas and suggestions from a wide range of participants and I would like to thank everyone who has helped us create it and has contributed to its comprehensive evidence base.

I am conscious that this is a large and complex document, but I would encourage you to consider it carefully and send in comments before it is finalised prior to submitting it for examination.



Councillor Hugh Mason

Portfolio Holder for Planning Policy & City Development

Have your say

The consultation on the Pre-Submission Portsmouth Local Plan will run from 09 July to 23.59 on 03 September 2024.

The quickest and easiest way to input into the consultation is to access the online form at www.portsmouth.gov.uk/localplan.

Alternatively you can send your comments by email to policyconsultations@portsmouthcc.gov.uk or write in to the Council at Planning Policy, Portsmouth City Council, Civic Offices, Guildhall Square, Portsmouth PO1 2AU.

Or you can fill out a paper comment form from the Civic Offices or a deposit point (Central, Cosham, Fratton and Southsea Libraries) and return it to the Council at the above address.

Please outline which document and section of the document you are responding to. Do be as descriptive as possible using the policy number, paragraph numbers and/or site names you are responding to and supporting evidence documents where relevant. Also, remember to provide all the supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

A name and postal address must be provided for the comments to be accepted. Anonymous or confidential representations without this personal information cannot be accepted.

Everyone is welcome to comment on the Local Plan. All comments received in writing will be passed in their entirety to the Local Plan Inspector, who is appointed on behalf of the Government to examine the Plan. This means that any comments you make will be considered by the Council and the Inspector. Further information on the examination process is on the Government website¹. Please ring 079901 38226 if you have any queries.

This is a technical consultation that focuses solely on legal compliance, compliance with the Duty to Cooperate and soundness. For the plan to be legally compliant it needs to meet all legal and procedural requirements. All local planning authorities, including Portsmouth City Council, are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries, for example housing need and transport. The government defines a Local Plan as sound if it is:

- a) Positively prepared: providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) Justified: an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) Effective: deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) Consistent with national policy: enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

¹ <https://www.gov.uk/guidance/local-plans>

Contents

Chapters

1: Introduction	1
2: Vision & Objectives	7
3: Development Strategy & Core Policies.....	10
4: Strategic Sites.....	30
5: Site Allocations	90
6: Homes	122
7: Thriving Economy	157
8: Climate Emergency.....	182
9: Greening the City	207
10: Infrastructure.....	239
11: Heritage	258
12: Monitoring	268

Appendices

Appendix 1: List of Policies to be superseded by the Portsmouth Local Plan	291
Appendix 2: Identified small/medium sites from the 2023 Housing & Economic Land Availability Assessment (HELAA) of less than one hectare with capacity for five or more dwellings.....	294
Appendix 3: Identified sites from the 2023 Housing & Economic Land Availability Assessment (HELAA) of more than one hectare with capacity for five or more dwellings..	296
Appendix 4: Marketing Requirements for Change of Use Applications.....	297

Glossary

Glossary.....	299

Policies

Core Policy PLP1: Design.....	21
Core Policy PLP2: Climate Emergency	26
Strategic Site Allocation Policy PLP3: Tipner West & Horsea Island East	36
Strategic Site Allocation Policy PLP4: Tipner East	46
Strategic Site Allocation Policy PLP5: Lakeside North Harbour.....	52
Strategic Site Allocation Policy PLP6: Portsmouth City Centre.....	60
Strategic Site Allocation Policy PLP7: Fratton Park & the Pompey Centre	71

Strategic Site Allocation Policy PLP8: St James' & Langstone Campus	77
Strategic Site Allocation Policy PLP9: Horsea Island Open Space	85
Site Allocation Policy PLP10: Land West of Portsdown Technology Park	94
Site Allocation Policy PLP11: Port Solent.....	99
Site Allocation Policy PLP12: St John's College	104
Site Allocation Policy PLP13: Fraser Range.....	108
Site Allocation Policy PLP14: The News Centre, Hilsea	114
Site Allocation Policy PLP15: Somers Orchard	119
Strategic Policy PLP16: Housing Target.....	125
Strategic Policy PLP17: Affordable Homes	129
Development Management Policy PLP18: Housing Mix.....	134
Development Management Policy PLP19: Housing for Specific Groups	140
Strategic Policy PLP20: Houses in Multiple Occupation	143
Development Management Policy PLP21: Residential Density	146
Development Management Policy PLP22: Space Standards	149
Area Allocation Policy PLP23: Estate Renewal	150
Development Management Policy PLP24: Gypsies, Travellers & Travelling Showpeople .	154
Strategic Policy PLP25: Employment Target.....	163
Development Management Policy PLP26: Safeguarding Employment Land.....	164
Development Management Policy PLP27: Employability & Skills	166
Development Management Policy PLP28: Town Centres	171
Development Management Policy PLP29: Small Local Shops	174
Strategic Policy PLP30: Cultural and Visitor Economy	178
Strategic Policy PLP31: Flooding	185
Development Management Policy PLP32: Sustainable Drainage Systems	189
Development Management Policy PLP33: Sustainable Construction and Onsite Renewable Energy	194
Development Management Policy PLP34: Renewable Energy	198
Development Management Policy PLP35: Air Quality and Pollution.....	200
Development Management Policy PLP36: Coastal Zone	204
Development Management Policy PLP37: Contaminated Land	206
Strategic Policy PLP38: Green Infrastructure	212
Strategic Policy PLP39: Biodiversity.....	216
Development Management Policy PLP40: Biodiversity Net Gain	222
Development Management Policy PLP41: Trees & Hedgerows	224
Strategic Policy PLP42: Solent Waders and Brent Geese Sites	226
Strategic Policy PLP43: Recreational Disturbance on International Nature Designations .	228
Strategic Policy PLP44: Nutrient Neutrality in International Nature Designations	232

Development Management Policy PLP45: Open Space.....	234
Development Management Policy PLP46: Local Green Spaces	237
Strategic Policy PLP47: Movement and Transport	242
Development Management Policy PLP48: Access and Parking	245
Development Management Policy PLP49: Public Realm	248
Development Management Policy PLP50: Infrastructure Delivery.....	251
Development Management Policy PLP51: Electronic Communication and Utilities Infrastructure.....	253
Development Management Policy PLP52: New & Existing Community & Leisure Facilities	256
Strategic Policy PLP53: Historic Environment	260
Development Management Policy PLP54: Listed Buildings.....	264
Development Management Policy PLP55: Conservation Areas	264
Development Management Policy PLP56: Archaeology.....	266

Map & Diagrams (Figures)

Figure 2.1: Local Plan objectives	8
Figure 3.1: Key diagram.....	11
Figure 3.2: Map of the Partnership for South Hampshire sub-region	13
Figure 3.3: Map of the City Deal area in Portsmouth.....	16
Figure 3.4: The ten characteristics of well-designed places.....	19
Figure 3.5: Design process for Portsmouth	20
Figure 4.1: Strategic site allocations.....	32
Figure 4.2: Map of Tipner West & Horsea Island East.....	33
Figure 4.3: Map of Tipner East.....	44
Figure 4.4: Map of Lakeside North Harbour	50
Figure 4.5: Map of Portsmouth City Centre	57
Figure 4.6: Map of Fratton Park & the Pompey Centre.....	71
Figure 4.7: Map of St James' and Langstone Campus	76
Figure 4.8: Horsea Island Open Space	83
Figure 4.9: Permitted landscape masterplan for the eastern part of Horsea Island.....	84
Figure 5.1: Site allocations.....	92
Figure 5.2: Map of Land West of Portsdown Technology Park.....	93
Figure 5.3: Map of Port Solent	97
Figure 5.4: Map of St John's College.....	104
Figure 5.5: Map of Fraser Range	107
Figure 5.6: Map of the News Centre, Hilsea.....	113

Figure 5.7: Map of Somers Orchard	118
Figure 6.1: Residential density zones in Portsmouth	147
Figure 6.2: Map of Estate Renewal in Portsmouth	152
Figure 7.1: The Economy of Portsmouth	157
Figure 7.2: Portsmouth's Town Centre Hierarchy	169
Figure 8.1: Current and Future Flood zones in Portsmouth if defences were not built	183
Figure 8.2: Flood Risk Management Steps	186
Figure 8.3: Example of how SuDS can reduce run-off rates from development on greenfield sites and return these to pre-development levels (Source: Southern Water)	191
Figure 8.4: Drainage hierarchy for management of surface water	192
Figure 8.5: The Energy Hierarchy	196
Figure 8.6: Coastal Zone.....	203
Figure 9.1: The Portsmouth Green Grid including Local Green Spaces and Green Corridors	211
Figure 9.2: Designated nature conservation sites in Portsmouth	215
Figure 9.3: Principle of Biodiversity Net Gain	222
Figure 9.4: Nitrate sources in the Solent	230
Figure 10.1: Example of solar canopy within Portsmouth International Port	247

Tables

Table 3.1: Development need and supply in Portsmouth	12
Table 4.1: Strategic site delivery	31
Table 4.2: Monitoring and Delivery Framework for Tipner West & Horsea Island East	43
Table 4.3: Monitoring and Delivery Framework for Tipner East	49
Table 4.4: Monitoring and Delivery Framework for Lakeside North Harbour.....	56
Table 4.5: Monitoring and Delivery Framework for Portsmouth City Centre	69
Table 4.6: Monitoring and Delivery Framework for Fratton Park & the Pompey Centre	75
Table 4.7: Monitoring and Delivery Framework for St James' & Langstone Campus.....	83
Table 4.8: Monitoring and Delivery Framework for Horsea Island Open Space.....	89
Table 5.1: Site allocations delivery	91
Table 5.2: Monitoring and Delivery Framework for Land West of Portsdown Technology Park	96
Table 5.3: Monitoring and Delivery Framework for Port Solent.....	103
Table 5.4: Monitoring and Delivery Framework for St John's College.....	106
Table 5.5: Monitoring and Delivery Framework for Fraser Range.....	112
Table 5.6: Monitoring and Delivery Framework for The News Centre.....	117
Table 5.7: Monitoring and Delivery Framework for Somers Orchard	121
Table 6.1: Sources of new homes in Portsmouth	124

Table 6.2: Worked example showing affordable housing provision	131
Table 6.3: Recommended housing mix	133
Table 6.4: Worked example showing housing mix.....	136
Table 7.1: Sources of Employment Land in Portsmouth.....	162
Table 7.2 Town Centre Hierarchy descriptions.....	171
Table 8.1: Portsmouth City Council strategies that address the Climate Emergency.....	182
Table 9.1: Open Space requirements for new development.....	234
Table 11.1 Historic assets in Portsmouth	258
Table 12.1: Local Plan Monitoring	290

Chapter 1: Introduction

What is the Portsmouth Local Plan?

- 1.1 The Portsmouth Local Plan is the statutory development plan for Portsmouth and it will guide development in the City up to 2040. Adopted minerals and waste plans and the 'made' neighbourhood plan for Milton also form part of the development plan for Portsmouth. The planning system in this country is plan-led and statute states that decisions on planning applications must be taken in accordance with the development plan unless material considerations indicate otherwise. Accordingly this Local Plan will be used in the determination of planning applications in Portsmouth.

What does the Portsmouth Local Plan seek to achieve?

- 1.2 The Portsmouth Local Plan seeks to achieve the Imagine Portsmouth 2040 Vision².
- 1.3 The Local Plan sets out how the City Council believes the City should develop. It allocates the strategic sites that are fundamental to achieving the 2040 Vision and a number of other allocations. It includes City-wide policies against which all individual planning applications will be assessed. It identifies the required physical and social infrastructure necessary to support new development and meet future needs. The Local Plan was prepared mindful of risks and changes and it allows for flexibility to ensure the vision and objectives are met.

What makes Portsmouth unique?

- 1.4 Portsmouth is unique in a number of ways, which each bring its own issues and challenges.
- 1.5 Portsmouth is the UK's only island city. However, the City boundary extends on to the mainland and its highest point is at Fort Southwick on Portsdown Hill at 131 metres above sea level. Portsea Island is separated from the mainland by Portsbridge Creek. Southsea Seafront looks out on the Solent, while Portsmouth Harbour and Langstone Harbour are located to the west and east respectively.
- 1.6 Portsmouth is the UK's most densely populated city outside London. Portsmouth is home to approximately 208,100 people living on a land area of just 40 square kilometres. It is obvious that there are no opportunities for urban extensions and there are very few large sites available for development.
- 1.7 Portsmouth has been the home of the Royal Navy since the twelfth century and the armed forces form a significant part of the City's fabric. An estimated 37,600 people in Portsmouth are members of the armed forces community representing 18% of the total population³.
- 1.8 Most of Portsmouth is extremely flat, low lying and is located next to the sea. It is therefore one of the UK's cities most vulnerable to flooding. Coastal defence schemes are underway for North Portsea Island and Southsea.

² <https://imagineportsmouth.co.uk/>

³ <https://www.royalnavy.mod.uk/our-organisation/bases-and-stations/naval-base/portsmouth>

1.9 Despite its highly urban nature, Portsmouth is surrounded by statutory sites designated for their conservation interest. The sites have a special significance for their breeding bird populations of terns, overwintering bird populations of international importance and a range of rare maritime and coastal habitats.

1.10 Last but not least, Portsmouth was named the UK's second coolest city to live in 2022 by the Nomads Nation website⁴. Portsmouth was beaten only by London, while coming ahead of traditionally hipster places such as Brighton, Edinburgh and Manchester.

What time period does the Local Plan cover?

1.11 The plan period for the Portsmouth Local Plan is 2020-2040. This is in line with the Imagine Portsmouth 2040 vision and national policy that requires strategic policies to look ahead over a minimum fifteen year period from adoption.

What is the Policies Map?

1.12 The Policies Map illustrates how the policies in the development plan will apply. It shows the boundaries for all allocations in the City. It shows where specific policies apply, such as town and local centres. It also shows, where practicable, other planning constraints, for example, international, national and local nature conservation designations. It does not show all constraints and reference should be made to relevant websites, for example, the Environment Agency website which has up to date flood zone mapping.

1.13 The Policies Map is not itself part of the statutory development plan. It will therefore be edited as required to reflect updated information, for example, the making of further neighbourhood plans.

What is the structure of the Local Plan?

1.14 The Local Plan includes a vision, objectives and policies, which together provide a planned framework for assessing planning applications and guiding development in the City. The structure of the Local Plan is as follows:

- The Imagine Portsmouth 2040 Vision sets out how we want the City to be like in 2040. A set of objectives act as stepping stones between the Vision, the Development Strategy and the policies.
- The Development Strategy sets out how the Local Plan will help to achieve the 2040 Vision illustrated within the Key Diagram. The core policies address the climate emergency and set out the City Council's expectations on excellent quality design.
- The Strategic Site allocations are fundamental to achieving the 2040 Vision for the City and each Strategic Site will deliver on specific Local Plan objectives.
- The Site Allocations will deliver significant numbers of new homes in the City and other multiple benefits.
- City-wide strategic and development management policies are set out in these six chapters: Homes, Thriving Economy, Climate Emergency, Greening the City, Infrastructure and Heritage.
- The housing and economic development targets are the first policies in the chapters on Homes and the Thriving Economy.

⁴ <https://nomadsnation.com/best-places-to-live-in-the-uk/>

- The final chapter of the Local Plan explains how the policies will be reviewed and monitored.
- There are four appendices. The first lists all the development plan policies that will be superseded by this Local Plan, the second and third identifies small and medium sites for housing and the fourth sets marketing requirements for change of use applications.
- The Glossary explains technical terms used in the Local Plan.

What are the statutory requirements for the preparation of the Local Plan?

1.15 The statutory requirements for the preparation of local plans are set out in the Planning and Compulsory Purchase Act 2004⁵ and the Levelling Up and Regeneration Act 2023⁶. Guidance is contained in the National Planning Policy Framework⁷ (NPPF) and Planning Practice Guidance⁸. Local plans are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. The tests of soundness are that it is positively prepared, justified, effective and consistent with national policy.

How should the Local Plan be used?

1.16 It is important that the Local Plan is read as a whole. All its policies should be viewed together and not in isolation in the preparation and consideration of planning applications. All relevant development plan policies will be taken into account in determining planning applications, along with other material considerations in a proportionate manner. The policies in this Local Plan do not list or cross reference all other policies that may be relevant.

What evidence supports the Local Plan?

1.17 All the Local Plan policies are underpinned by relevant and up-to-date evidence, which is adequate and proportionate, focused tightly on supporting and justifying the policies concerned and takes into account relevant market signals. A Whole Plan Viability Assessment⁹ was carried out, which tested the ability of a range of types of development to viably meet Local Plan requirements and the Community Infrastructure Levy. Statements of Common Ground were prepared for each of the allocations, which provide evidence that the development proposals are both viable and feasible. An Integrated Impact Assessment¹⁰ was prepared to assess the negative and positive impacts that the proposed policies would have on overarching matters such as income deprivation and poverty; changes were made to the Local Plan where appropriate. All the supporting documents relevant to the preparation of this Local Plan form the Core Document Library¹¹, which is published on the City Council's website.

⁵ <https://www.legislation.gov.uk/ukpga/2004/5/contents>

⁶ <https://bills.parliament.uk/bills/3155>

⁷ https://assets.publishing.service.gov.uk/media/65a11af7e8f5ec000f1f8c46/NPPF_December_2023.pdf

⁸ <https://www.gov.uk/government/collections/planning-practice-guidance>

⁹ <https://www.portsmouth.gov.uk/newlocalplanevidencedoce>

¹⁰ https://www.portsmouth.gov.uk/wp-content/uploads/2024/04/Appendix_5_Integrated-Impact-Assessment-IIA.pdf

¹¹ <https://www.portsmouth.gov.uk/newlocalplaneevidence>

Sustainability Appraisal

1.18 The purpose of a Sustainability Appraisal (SA) is to promote sustainable development through the integration of social, environmental and economic considerations into the preparation of the Local Plan. Both the Local Plan and its SA meet the requirements of the Strategic Environmental Assessment Directive. The City Council considers that this plan sets out an appropriate strategy for development in Portsmouth taking into account the reasonable alternatives. The policies and sites identified in the Local Plan have been appraised against sustainability objectives on an iterative basis. These iterations identify how emerging policies help to achieve the relevant social, environmental and economic objectives, and recommend how sustainability could be improved. These recommendations have been taken into account in the drafting of this Local Plan.

Habitat Regulation Assessment

1.19 The objective of the Habitat Regulation Assessment (HRA) is to identify any aspects of the Local Plan that would cause Likely Significant Effects on, or adverse effects on the integrity of internationally designated nature conservation sites. The assessment is undertaken alone and where necessary in-combination with other plans and projects. Under the Conservation of Habitats and Species Regulations 2017 (as amended), an Appropriate Assessment is required where a plan or project is likely to have a significant effect upon a European Site, either individually or 'in combination' with other projects. Should the HRA identify potential adverse effects, it also advises on appropriate policy mechanisms for delivering mitigation. Due to the allocation of Tipner West and Horsea Island East, it has not proved possible to avoid or mitigate all adverse effects on integrity. Therefore a further stage of the HRA has been required that sets out a series of derogation tests, which must be passed before the Local Plan can be adopted.

1.20 The City boundary comprises several international sites designated for their nature conservation interest namely: the Portsmouth Harbour SPA / Ramsar, the Chichester and Langstone Harbours SPA / Ramsar, the Solent & Dorset Coast SPA and the Solent Maritime SAC. Further European sites lie within 10 km of the City's boundary, including the Solent & Isle of Wight Lagoons SAC and the Solent & Southampton Water SPA / Ramsar. The wider Solent area is generally regarded as a region of significant ecological value and sensitivity. Given the urban nature of southern Hampshire, an extensive evidence base relating to potential impact pathways has been developed. Furthermore, there are well-established issues, for example, recreational disturbance and functionally linked habitat loss for which strategic mitigation measures have already been developed including Bird Aware Solent.

How were people consulted on the Local Plan?

1.21 The views and input of the local community and key stakeholders are vital to the City Council and there has been a considerable amount of public engagement on the Portsmouth Local Plan. All rounds of consultation have been in line with the Statement of Community Involvement¹² and the Local Plan Regulations¹³. The following

¹² <https://www.portsmouth.gov.uk/services/development-and-planning/planning-policy/statement-of-community-involvement/#:~:text=The%20Statement%20of%20Community%20Involvement,managing%20new%20development%20in%20Portsmouth.>

¹³ <https://www.legislation.gov.uk/uksi/2012/767/contents/made>

consultations have taken place and all the responses were analysed and helped inform the final version of the Plan:

- Issues and Options¹⁴ (2017)
- Local Plan Evidence Base¹⁵ (2019)
- Tipner Strategic Development Area¹⁶ (2019)
- Portsmouth Local Plan 2038 Regulation 18 Consultation Document¹⁷ (2021)

1.22 There have also been bespoke consultations on specific aspects of the Local Plan, such as the Infrastructure Delivery Plan and the Viability Assessment.

How does the Local Plan relate to neighbourhood plans?

1.23 The Local Plan establishes the strategic planning policy framework for neighbourhood plans and Neighbourhood Development Orders, including Community Right to Build Orders. At a local level, neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. When a neighbourhood plan is 'made' (adopted), it becomes part of the development plan for the City. Its policies will be used to determine planning applications within its designated area alongside the Local Plan and mineral and waste plans.

1.24 All neighbourhood plans need to be in general conformity with the core and strategic policies in the Local Plan. They can allocate land for development in line with these policies and can also formulate development management policies specific to their areas. The focus of neighbourhood planning should be on guiding development rather than stopping it.

1.25 At the time of Local Plan adoption, there was one made neighbourhood plan namely the Milton Neighbourhood Development Plan (2021 - 2036)¹⁸.

Duty to Cooperate

1.26 The City Council has worked collaboratively with many other bodies to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in this Local Plan. Evidence of this is provided in the Duty to Cooperate Statement¹⁹ published at the same time as this Plan.

1.27 The principal way in which Portsmouth City Council meets the Duty to Cooperate is through its active membership of the Partnership for South Hampshire (PfSH). This sub-regional partnership of twelve local authorities around the Solent aims to improve the environmental, cultural and economic performance of the South Hampshire area. PfSH works with partners to dissolve the boundaries of individual local authorities and to make the most of the opportunities that can be shared across the wider South Hampshire area. The Portsmouth Local Plan takes account of wider issues and opportunities affecting the PfSH sub region. PfSH strategies are referenced as relevant in the Plan although these

¹⁴ <https://www.portsmouth.gov.uk/wp-content/uploads/2020/05/Local-Plan-Issues-and-Options.pdf>

¹⁵ <https://www.portsmouth.gov.uk/wp-content/uploads/2020/05/Local-Plan-Update.pdf>

¹⁶ <https://www.portsmouth.gov.uk/wp-content/uploads/2020/05/Tipner-Strategic-Development-Area.pdf>

¹⁷ <https://www.portsmouth.gov.uk/wp-content/uploads/2021/09/207.9-Local-plan-2021-document-FULL-ACCESSIBLE.pdf>

¹⁸ <https://www.portsmouth.gov.uk/wp-content/uploads/2022/10/Milton-Plan-Final-adopted.pdf>

¹⁹ <https://www.portsmouth.gov.uk/newlocalplanevidencedoch>

are non-statutory and therefore can only inform decision making. A PfSH Statement of Common Ground is agreed annually by the local planning authorities.

1.28 Several bilateral Statements of Common Ground have been agreed with individual neighbouring local authorities. These are referenced in the Duty to Cooperate Statement along with an explanation of how they have helped to shape Local Plan policies.

What does the Portsmouth Local Plan replace?

1.29 The Portsmouth Local Plan supersedes the following development plan documents and all their policies:

- The Portsmouth Plan (Core Strategy) adopted in 2012
- Saved Policies from the Portsmouth City Local Plan 2001-2011 adopted in 2006
- Southsea Town Centre Area Action Plan adopted in 2007
- Somerstown and North Southsea Area Action Plan adopted in 2012

1.30 Appendix 1 of this Local Plan lists all the policies in the above named plans that will be superseded and what they will be replaced by.

Does the Local Plan deal with minerals and waste?

1.31 Portsmouth City Council is the minerals planning authority and the waste planning authority for the City. We work with our partner authorities namely Hampshire County Council Southampton City Council, New Forest National Park Authority and South Downs National Park Authority (collectively known as the Hampshire Authorities) to prepare minerals and waste plans. This Local Plan does not deal with minerals and waste, but its policies are, when relevant, a material consideration in the determination of minerals and waste applications.

How will the Local Plan be monitored and reviewed?

1.32 The final chapter of the Local Plan explains how it will be monitored and reviewed. Annual monitoring will be undertaken as part of the Council's Authority Monitoring Report²⁰ and if appropriate, a review or partial review of the Plan will be undertaken to ensure it is responsive to any changes in circumstances.

²⁰ <https://www.portsmouth.gov.uk/services/development-and-planning/planning-applications/annual-monitoring-reports/>

Chapter 2: Vision & Objectives

2.1. The Portsmouth Local Plan seeks to achieve the Imagine Portsmouth 2040 Vision²¹:

In 2040 Portsmouth will be an island city with an incredible waterfront, a rich cultural heritage and a strong maritime history. With a naval base, international port and strong local links across the south, we are the centre of culture and enterprise for our area. In 2040 we are very proud of Portsmouth, how we behave towards each other and how it feels to live here.

2.2. The Imagine Portsmouth Vision was the culmination of two years' work by the City Council. It brought together around 2,500 people representing residents, businesses and organisations, who lived and worked in Portsmouth. They talked about their hopes and dreams for their city. They created big, bold plans for what they wanted in the future for themselves, their families, their communities, their businesses and their co-workers.

2.3. The City Council adopted the Portsmouth 2040 Vision in January 2021. The Portsmouth Local Plan is about implementing this Vision through both its allocations and its City wide policies.

2.4. We have developed six strategic objectives from this high level vision. These objectives are the stepping stones between the high level Vision and our Local Plan policies. They will deliver the Vision within the remit of the Local Plan and the consideration of planning applications. All six objectives are important and they are all interlinked. They are therefore being considered holistically in the Local Plan and in the determination of planning applications.

2.5. Each strategic objective is illustrated with an icon. Each Local Plan policy achieves one or more of the strategic objectives. We illustrate this with icons throughout the Local Plan by showing which strategic objective a particular policy will address. For, example, the Strategic Site allocation of Tipner East with its proposed new homes and transport interchange seeks to deliver 'a healthy and happy City' and 'a City with easy travel.' An example of a City-wide policy delivering on the objectives is the strategic policy on biodiversity net gain, which seeks to deliver on 'greening the City.'

2.6. The strategic objectives for the Portsmouth Local Plan are illustrated in figure 2.1 and explained in more detail below.

²¹ <https://imagineportsmouth.co.uk/the-vision/>



Figure 2.1: Local Plan objectives

A healthy and happy City

2.7. We do everything we can to enhance wellbeing for everyone in our city by offering the education, care and support that every individual needs for their physical and mental health. All our residents and communities live in good homes where they feel safe, feel like they belong, and can thrive.

A City rich in culture and creativity



2.8. People in Portsmouth enjoy a vibrant cultural scene that makes the most of our location, our heritage and our creative energy. We are full of things to do and places to be, welcoming locals and visitors with diverse events, attractions and venues that positively benefit our people and our City. We are known locally, regionally and internationally as a great waterfront and City destination that brings people together.

A City with a thriving economy



2.9. Portsmouth supercharges local businesses and entrepreneurs and attracts investment nationally and internationally from businesses of all sizes. We build strong partnerships between employers and people to develop an excellent skills base and offer brilliant career opportunities to young people, students and adults, growing a better future for us all.

A City of lifelong learning



2.10. Our young people are encouraged to develop high, positive aspirations, and are fully invested in to make the most of their talent and potential. Adults have a wide range of education opportunities to choose from at every stage of life that empower them and enrich their lives.

A green City



2.11. We have excellent air quality because of our green spaces and sustainable transport, and this means our people live healthy and active lives. We are carbon neutral, use renewable energy and actively work to address climate change. We protect and enhance both our land and maritime environment for future generations.

A City with easy travel



2.12. Fewer journeys are made by car because we have excellent public transport connections between bus, train, cycling and walking routes, making it easier and more enjoyable to be out and about. We encourage and support more walking and cycling, and we make it easy for people to travel regionally, nationally and internationally for work and pleasure.

Chapter 3: Development Strategy & Core Policies

Introduction

3.1 This chapter sets out the development strategy for the Local Plan and a key diagram showing the island geography of the City. It sets out the targets for both new homes and jobs in the City along with details of unmet need. It introduces the Partnership for South Hampshire²² (PfSH), which is the main mechanism for meeting the Duty to Cooperate in the sub-region. The chapter finishes with the two core policies, which are relevant to all development proposals in the City. They relate to high quality design and the climate emergency.

Development strategy

3.2 The development strategy for the Portsmouth Local Plan seeks to implement the 2040 Imagine Portsmouth Vision. It is an ambitious development strategy in order to deliver positive outcomes for everyone with a vested interest in the City whilst addressing the twin climate and biodiversity emergencies. Although the strategy is aspirational, it recognises that the capacity for growth in the City is limited by land supply, flooding and nature conservation designations. The development strategy runs as a golden thread throughout the Local Plan.

The development strategy for Portsmouth from 2020 to 2040 is to maximise the potential of developable sites focusing on the strategic sites whilst addressing the climate emergency, greening the City and achieving high quality design.

Key diagram

3.3 The key diagram, forming figure 3.1, shows the island geography of the City and the drivers behind the development strategy and individual policies.

3.4 In terms of development sites, it shows the location of the strategic sites allocated in the Local Plan. There are icons highlighting which of the Local Plan strategic objectives are driving the individual allocations. For example, a Thriving Economy is the policy driver at Lakeside. The key diagram also shows the area allocations for estate renewal, for example, Paulsgrove and Buckland. Our city and town centres, including Gunwharf Quays, are shown with a Thriving Economy icon.

3.5 In terms of much valued green and blue spaces, the key diagram shows Portsmouth Harbour, Langstone Harbour and the Solent along with their nature conservation designations. It also shows the main open spaces of the City such as Portsdown Hill and Southsea Common.

3.6 In terms of infrastructure, the key diagram shows the train lines, main roads, ferry links and the new sea defences.

3.7 Portsmouth does not of course exist in isolation and its immediate neighbours of Winchester City, Havant, Gosport and Fareham Boroughs are shown on the key

²² <https://www.push.gov.uk/>

diagram. Cross boundary working with these and other local authorities through PfSH is discussed under Duty to Cooperate.

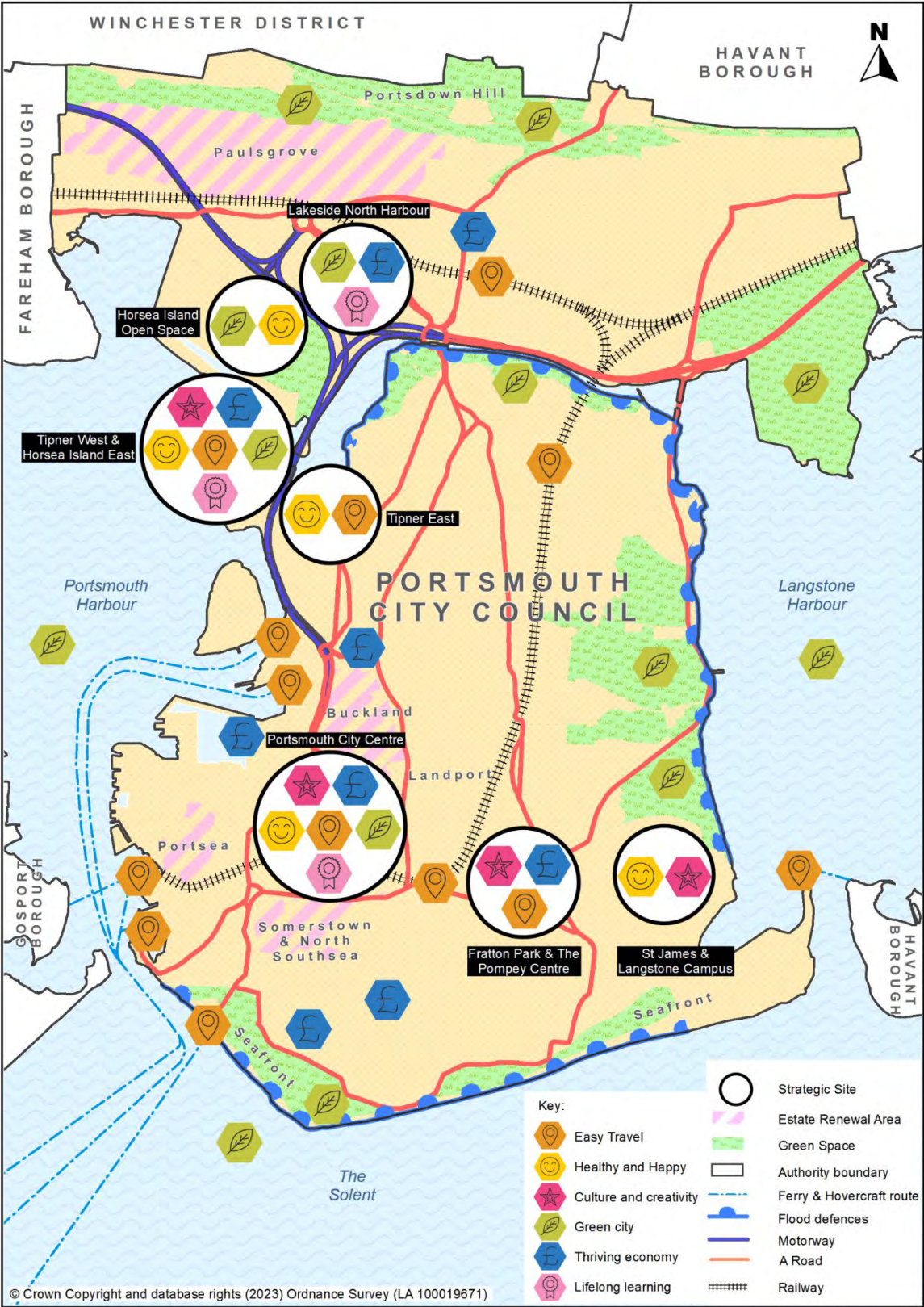


Figure 3.1: Key diagram

Development targets

3.8 The development targets for new homes and jobs in the City for this Local Plan have been prepared in line with the development strategy and are based on robust evidence in regard to the City's development needs, land supply and constraints. The headline figures are set out in table 3.1 and full details are set out in chapters 6 and 7 of the Local Plan and its supporting evidence base.

Housing need	Housing supply	Unmet need
17,980 2020-40	13,603 2020-40	4,377 2020-40
899 per year	680 per year	219 per year
Employment need	Employment supply	Unmet need
138,800 m ² 2020-40	138,429 m ² 2020-40	None

Table 3.1: Development need and supply in Portsmouth

3.9 The housing need figures set out in table 3.1 have been calculated using the standard methodology. Government policy set out in the National Planning Policy Framework (NPPF) states that the outcome of the standard method is an advisory starting point for establishing a housing requirement for the area. The Council is ambitious for growth in the City, but recognises that this is constrained by its island geography and multiple interrelated constraints of flooding, contaminated land and nature conservation designations.

3.10 Policy PLP16 sets a housing requirement target for Portsmouth of 13,603 new homes from 2020 to 2040 or approximately 680 new homes per year. There is an unmet housing need in the City of 219 homes per year. The City Council has been in pro-active discussions with its neighbouring local authorities on this important cross-boundary strategic matter. The adopted Fareham Local Plan²³ makes provision for 800 homes to help meet Portsmouth's identified need. This reduces the total unmet need in the City to 3,577 homes equating to 179 homes on an annualised basis. Discussions on helping to meet this unmet need are ongoing with our other neighbouring authorities in south east Hampshire namely Winchester City, Havant, Gosport and Fareham Boroughs and East Hampshire District Councils; full details are set out in the Duty to Cooperate Statement²⁴.

3.11 The City Council's Economic Development and Regeneration Strategy (2019-36) sets ambitious targets for the City including the creation of 7,000 new jobs. Despite the economic setbacks of the pandemic and Brexit in the early part of the plan period, the City Council is on track to meet these targets. The need for new employment floorspace in the City can be met by our supply of sites through both allocations and permissions.

Partnership for South Hampshire

3.12 Portsmouth City Council is an active member of PfSH, which was originally formed in 2003 as the Partnership for Urban South Hampshire (PUSH). It is a partnership of district and unitary authorities, together with Hampshire County Council and the New Forest National Park Authority, working together to support the sustainable growth of the

²³ https://www.fareham.gov.uk/pdf/planning/local_plan/1.FLP2037.pdf

²⁴ <https://www.portsmouth.gov.uk/newlocalplanevidencedoch>

South Hampshire sub-region. The area covered by PfSH and the authorities involved is shown in figure 3.2.

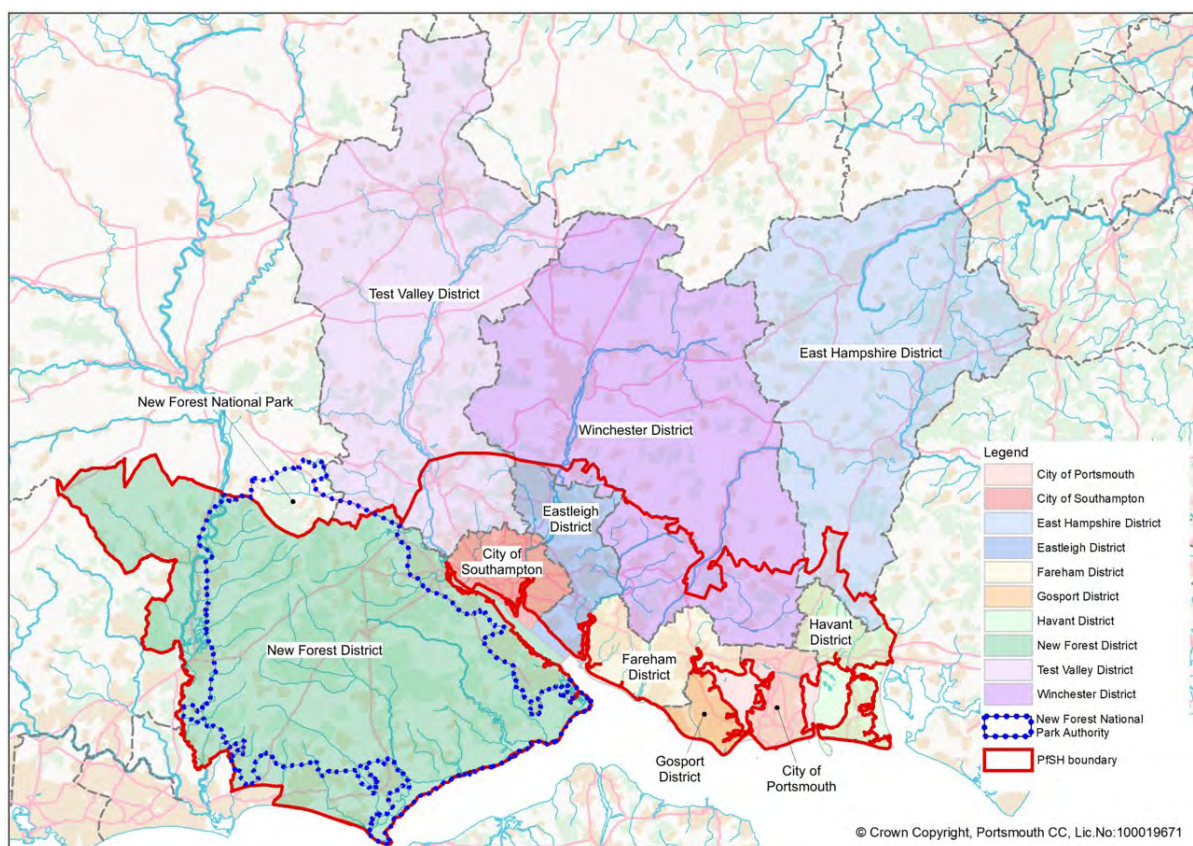


Figure 3.2: Map of the Partnership for South Hampshire sub-region

3.13 The Partnership has a strong track record in collaborative working to achieve common goals in South Hampshire. The Partnership was heavily involved in the production of a sub-regional strategy for development that formed part of the South East Plan. This strategy was tested through public examination and when adopted by the Secretary of State, formed part of the development plan at that time and informed the production of local plans.

3.14 The ethos of collaborative cross boundary working continued in South Hampshire after the abolition of regional planning and the revocation for the South East Plan in 2013. As well as joint working between member authorities, PfSH works with partner agencies in the sub-region and Government departments to deliver joint strategies and pool resources. PfSH has successfully developed a number of innovative solutions to challenging issues and thus unlocked development in the sub-region whilst recognising its constraints.

3.15 A number of Statements of Common Ground have been produced by PfSH over the years. The last one was signed by Joint Committee in September 2023²⁵. It sets out the key strategic cross-boundary planning issues including housing needs and the methodology and framework for the preparation of the new Spatial Position Statement published in December 2023. It is a snapshot of housing need and supply in the sub-region divided up between its constituent local authorities from 2022-36. The overall

²⁵ <https://www.push.gov.uk/wp-content/uploads/2023/09/ITEM9-1.pdf>

deficit was estimated to be 14,531 homes at that time with 2,481 of the deficit arising in Portsmouth. The Statement of Common Ground states that the shortfall is best defined as need that is not yet planned for, rather than need that it is definitively unmet. It states that the shortfall would diminish over time as local plan reviews get underway and emerging plans are progressed.

- 3.16 The Statement of Common Ground identifies six local planning authorities that are less likely/unlikely to meet their housing needs: New Forest District, New Forest National Park Authority, Southampton, Gosport, Portsmouth and Havant. It states that the PfSH authorities are taking a two-stage approach to addressing the needs of those authorities, including Portsmouth, that are unable to meet their housing needs in full. In the first stage, the following authorities are identified as more likely to be able to meet and potentially exceed their housing need: East Hampshire, Eastleigh, Fareham, Test Valley and Winchester. The precise contribution from each authority will be determined through their respective local plan processes.
- 3.17 In the longer term and in stage two, Broad Areas of Search for Growth identified in the Spatial Position Statement will be considered through Local Plans. These were identified by considering the combination of a relative absence of strategic constraints, relative proximity to opportunities and services, and their scope in principle for good public and active travel connectivity. The broad areas would require further investigation and technical work to determine their suitability as specific locations for development, and to test their capacity, deliverability, infrastructure and mitigation needs to achieve allocations in Local Plans. A preliminary assessment suggests that the areas of search have a combined capacity for around 7,500 dwellings, subject to deliverability, infrastructure and mitigation.
- 3.18 It should be noted that Portsmouth is not the only local planning authority in South Hampshire where growth is constrained. The sub-region is bounded by two national parks, an Area of Outstanding National Beauty, the coast/estuaries, a range of international, national and local biodiversity designations and it needs to accommodate land for biodiversity mitigation and net gain. It is already heavily built up in places, with areas of valued countryside often important in landscape terms or as settlement gaps protecting the identity of individual towns and villages. Some areas are less accessible by public transport. The Statement of Common Ground states that the need to accommodate significantly more homes for people in the medium and longer term, including in the areas of search, will need to be carefully tested through local plans against all of these important characteristics to achieve the optimum solution.
- 3.19 The PfSH Spatial Position Statement²⁶ was approved by Joint Committee in December 2023. It aims to provide guiding principles for local plans to help deliver sustainable development within South Hampshire. It should be noted that it is not an upper tier plan with which future local plans will need to conform. It does, however, help inform the preparation of and strategic co-ordination of local plans under the duty to cooperate. Table 1 of the Spatial Position Statement compares housing need and supply along with shortfalls and surpluses for each local authority in PfSH as a snapshot in time. On this basis the latest shortfall is 11,771 dwellings (2023 – 2036). Several evidence based

²⁶ <https://www.push.gov.uk/wp-content/uploads/2023/11/Item-9-Spatial-Position-Statement-1.pdf>

documents²⁷ supporting the Spatial Position Statement were published at the same time including the Broad Areas of Growth Assessments.

3.20 The Spatial Position Statement does retain the strategic principle of focusing growth on cities/urban areas first to maximise housing delivery within existing urban areas and identifies a number of existing strategic development locations in SPS7. It also identifies new Broad Areas of Search for Growth as follows:

- South-east/east of Eastleigh Town (Eastleigh)
- Havant Town Centre (Havant)
- Waterlooville Town Centre (Havant)
- Southleigh (Havant)
- East of Romsey (Test Valley)
- South-west of Chandler's Ford (Test Valley)
- East of Botley (Winchester)

3.21 . The sites that fall within the broad areas of search will need to be tested through the local plan preparation process, including against other sites that may be available or promoted within individual local planning authority areas. The local plan process will also need to resolve the quantum and form of development on sites and the infrastructure that will need to be provided to support development and make it sustainable.

3.22 Collaborative cross-boundary working has taken place for the evidence gathering, formulation of policies and monitoring of this Local Plan. Further details are set out in each chapter where relevant and in the Duty to Cooperate Statement. The following key activities have been undertaken by the City Council as part of PfSH to address strategic cross-boundary matters:

- **Housing:** Portsmouth along with Havant, Gosport and the southern parts of Winchester and East Hampshire Districts form the eastern housing market area for the sub-region. A strategic housing market assessment and an update were prepared for the whole sub-region and informed the housing policies in the Local Plan. As noted above, Fareham Borough Council has made a commitment in their Local Plan to meeting unmet housing need in Portsmouth.
- **Employment:** Portsmouth along with Havant, Gosport and the southern part of Winchester District form the eastern functional economic market area for the sub-region. An economic profile and an employment needs study were prepared for the whole sub-region and informed the employment policies in the Local Plan. The City Council also works closely with Solent Local Enterprise Partnership to determine economic priorities.
- **Greening the City:** PfSH have developed innovative solutions to issues relating to international nature conservation designations in and around the Solent. Bird Aware Solent²⁸ aims to prevent bird disturbance from recreational disturbance funded by developer contributions for new homes built within 5.6 kilometres of the coast. Whilst nutrient mitigation²⁹ for new housing development has helped to tackle nutrient neutrality in the Solent. Indeed it is the only area of the country to have done so.

²⁷ <https://www.push.gov.uk/work/planning-and-infrastructure/push-position-statement/#:~:text=The%202023%20Spatial%20Position%20Statement,sustainable%20development%20withi n%20south%20Hampshire.>

²⁸ <https://birdaware.org/solent/about-us/our-strategy/>

²⁹ <https://www.push.gov.uk/our-partnership-and-nutrient-neutrality/>

There are plans for a sub-regional country park as part of improvements to green infrastructure in the Spatial Position Statement.

- **Transport:** Solent Transport's Sub-Regional Transport Model (SRTM) was used to inform and evidence the Portsmouth Local Plan.

City Deal

3.23 The Southampton and Portsmouth City Deal³⁰ signed in 2013 is between the Government, local businesses and leaders from Southampton, Portsmouth and Hampshire Councils and the Solent Local Enterprise Partnership. It aims to provide £953 million of investment into the Southampton and Portsmouth areas, creating more than 17,000 jobs. The aim is to maximise the economic strengths of Portsmouth, Southampton and the wider Solent area, by supporting further growth in the area's maritime, marine and advanced manufacturing sectors.

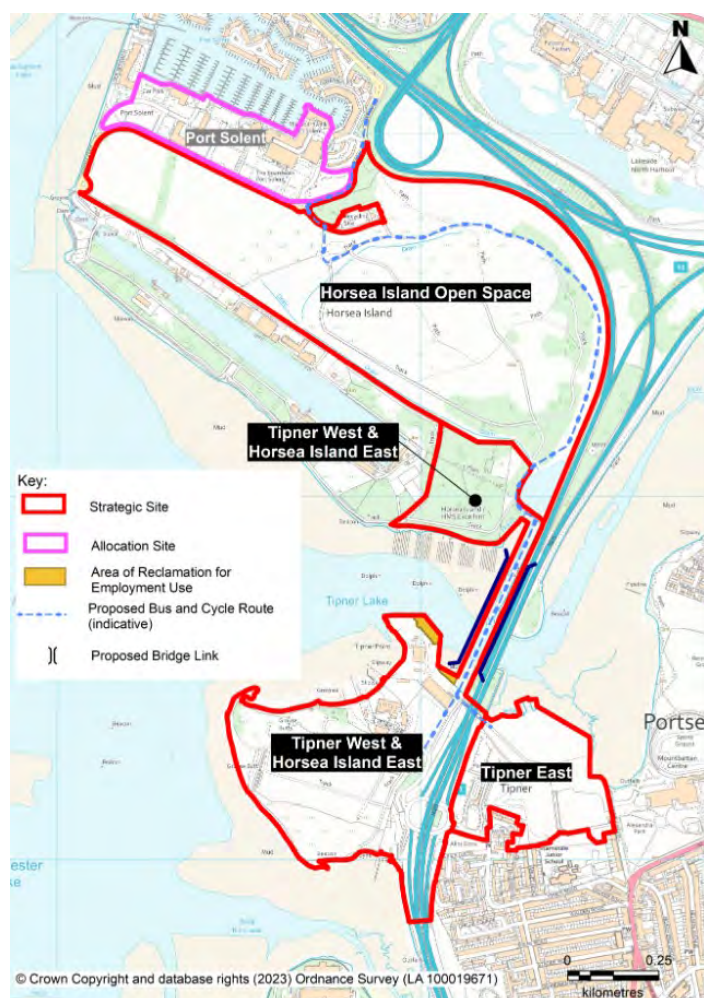


Figure 3.3: Map of the City Deal area in Portsmouth

3.24 At the heart of the Southampton and Portsmouth City Deal is an ambitious proposal to maximise the impact of marine and maritime assets by unlocking critical employment and housing sites in both cities. The critical City Deal site in Portsmouth is Tipner-Horsea

³⁰

https://assets.publishing.service.gov.uk/media/5a7c3d4be5274a1b004226bd/20131111_Southampton_and_Portsmouth_City_Deal_Document_and_Implementation_Plans.pdf

Island whilst the key site in Southampton is Watermark West Quay. The City Deal partners committed to:

- Agree a funding package for both sites utilising significant local funding sources, private sector investment (including developer contributions) and Government investment. This funding will facilitate the provision of enabling infrastructure to be undertaken – making these sites ready for private sector investment.
- Support land assembly on the Tipner-Horsea island site through the transfer of Ministry of Defence owned land, with an overage agreement, to local partners.
- Agree to expedite planning applications which relate to the relocation of Ministry of Defence related facilities.

3.25 City Deal states that unlocking Tipner-Horsea Island fully will enable the provision of 2,370 new homes and 58,000 square metres of employment space for the growing marine and advanced manufacturing sectors of the Solent economy. This will help create over 3,700 permanent jobs. The site is comprised of five pieces of land: Port Solent, Tipner West, Tipner East, Horsea Island East and the Tipner Firing Range. These are all allocated in this Local Plan and figure 3.3 is a map of the sites.

Core Policies

3.26 There are two core policies in this chapter, which provide the overarching framework for evaluating all development proposals in the City. The first core policy is on design and the development of beautiful places. The second core policy is on the climate emergency and seeks to mitigate and adapt to climate change. They are both mission critical for achieving the 2040 Vision.

Design

Introduction

3.27 Well-designed developments and environments help to create better places and to instil a sense of place and belonging for its users and residents. The 2020 report from the Building Better, Building Beautiful Commission³¹ states that beauty 'is the benchmark that all new developments should meet. It includes everything that promotes a healthy and happy life, everything that makes a collection of buildings into a place, everything that turns anywhere into somewhere, and nowhere into home.'

3.28 The City benefits from many examples of beautiful buildings and places at a range of scales. However, there is always scope for improvement. When poorly considered, a development's design - from individual details on a building to a masterplan for a major scheme - has the capacity to erode the overall quality of an area. In this context, achieving visually attractive high-quality outcomes, including buildings and places, within Portsmouth is an ongoing priority for the Council.

3.29 Over time, Portsmouth has been characterised and shaped by its history. This has been heavily influenced by its geographical location and relationship with the sea, from its maritime beginnings through to its post-war revival as a waterfront City. This has given rise to the present character of Portsmouth, which has a mix of buildings and streets, the history of which can be traced back to the twelfth Century, through to the Victorian, wartime bombing and post-war revival up to the modern-day.

31

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/861832/Living_with_beauty_BBBBC_report.pdf

- 3.30 Portsmouth should continue to recognise its unique maritime heritage and characteristics, whilst looking ahead to establishing itself as a City renowned for its high quality architecture and public spaces. It can then continue to thrive as a vibrant city, which people want to live, work, and visit.

Design Vision

- 3.31 Based on the Imagine Portsmouth 2040 vision that this Local Plan has adopted, a Design Vision for Portsmouth has been produced. This sets out the expectation of how the City should develop going into the future.

In 2040 Portsmouth will be a thriving, vibrant City with a strong maritime history, a rich cultural heritage, and an incredible waterfront.

Portsmouth will be a City that celebrates its rich cultural and maritime heritage, with a focus on respecting and celebrating the City's historical, environmental, and coastal features. This involves appreciating the City's iconic landmarks and their settings, such as the Guildhall and the Spinnaker Tower, by preserving and enhancing important key views, as well as conserving important environmental features such as Langstone Harbour and Farlington Marshes.

Portsmouth will have a distinctive character and a strong sense of identity that will help promote the City locally, regionally, and internationally as a great waterfront and city destination. The character of Portsmouth will be enriched by high-quality architecture and place-making through a mix of traditional and contemporary buildings, public spaces and streetscapes, that showcase the City's creative energy and celebrate its cultural heritage.

Portsmouth will deliver a variety of residential, commercial, educational and recreational opportunities to meet the needs, health, and wellbeing of its population. Portsmouth will be a city that supports local businesses and entrepreneurs. It will be a city that attracts and enables investment from a range of industries, creating significant employment opportunities and a thriving economy.

Portsmouth will have a high quality joined-up network of green parks, open spaces and trees, with a variety of welcoming and inviting parks and open spaces that provide opportunities for residents to live active and healthy lives.

Portsmouth will be a city that is accessible and easy to navigate, with a focus on providing sustainable transport modes that offer a realistic alternative to the private car. Portsmouth will have an excellent network of inclusive, safe cycling and walking routes, whilst a variety of public transport options will make it easy to travel around the City and beyond.

Portsmouth will be a net zero-carbon city that is proactive and committed in protecting and enhancing the environment for future generations. Sustainability, climate resilience and low carbon will be at the heart of the City's buildings, transport, and infrastructure, ensuring meaningful measures are in place to address the impacts of climate change.

National policy and guidance on design

- 3.32 The National Planning Policy Framework (NPPF) states that achieving high quality places and buildings is fundamental to the planning process. The NPPF requires that Local Plans set out a clear design vision and expectations, reflect local aspirations, and

are grounded in an understanding and evaluation of each area's defining characteristics. The National Design Guide³² and National Model Design Code³³, which support the NPPF, provide more detailed guidance on the key characteristics of what constitutes well-designed development and the components of a quality place; these are illustrated in figure 3.4.



Figure 3.4: The ten characteristics of well-designed places

3.33 In the context of Portsmouth, developers and agents should consider how development proposals can positively contribute towards Portsmouth's design vision through the lens of the ten characteristics.

3.34 Well-designed places and buildings are achieved when a development project is grounded upon the design process from its earliest stage, whilst recognising that the design process is iterative in order to optimise the design of proposals.

3.35 Design concepts should have a clearly expressed 'story', which may draw its inspiration from the site, its surroundings, or wider context. Equally, if appropriate, the concept may introduce new approaches to complement or contrast with its context.

3.36 Figure 3.5 illustrates the preferred design process for development in Portsmouth. The design process should be approached as an iterative one, which seeks to come to an optimal design outcome for a particular site. In order to work out the optimal design proposal for a site, the design process for a scheme should be developed from an

³²

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/962113/National_design_guide.pdf

³³ <https://www.gov.uk/government/publications/national-model-design-code>

understanding of the site and its context, including identification of opportunities and constraints. From following through with this early stage in sufficient detail, a design vision can be formulated that will encapsulate the overall development outcomes for the site, which then can be translated into design parameters. After this, it may be necessary to test conceptual plans with the City Council, local community/stakeholders, and/or a design review panel. Using this feedback, the next stage will be to finalise the design parameters, principles, and justification, and reflect these into the final proposed plans for submission. However, since the design process is iterative, the process may still necessitate revisiting previous stages in order to fully investigate design issues and options, which may be in response to feedback received from committee/stakeholder engagement and/or in the course of the pre-application or planning application stages.

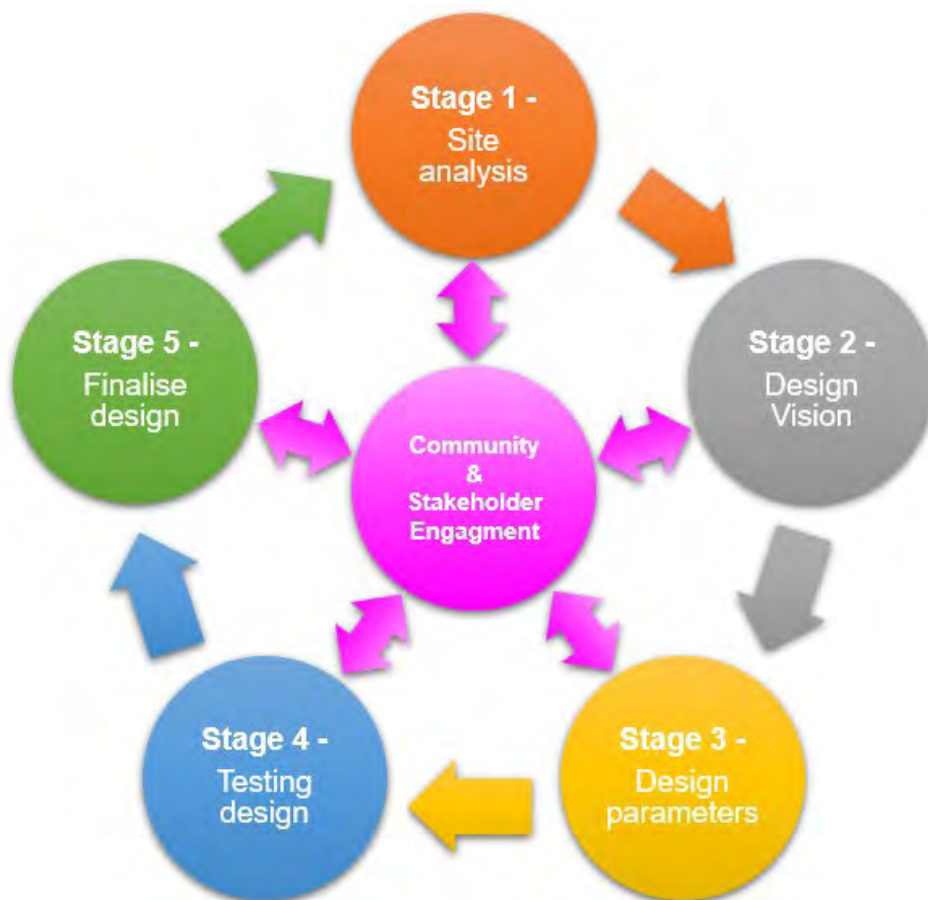


Figure 3.5: Design process for Portsmouth

3.37 Developers and their agents are strongly advised to engage with the community and key stakeholders throughout the process (and as early as possible) to seek for their input into design concepts and proposals, using approaches such as co-design, workshops. Effective and meaningful community engagement is a way to gather information, feedback, and to co-create and develop ideas and concepts. This is especially true for major development proposals as they have a greater magnitude of impact and change upon the communities and built environment within a particular area. With these points in mind, proposals for major development will be expected to fully document the project's design process and engagement through a Design and Access Statement or similar.

Core Policy PLP1: Design



The Council will ensure that a high standard and quality of design and place-making that support beauty is achieved in the City. This will be realised by assessing development proposals against the following criteria:

- 1. Development proposals will be supported provided that they make a positive contribution towards achieving the Portsmouth Design Vision.**
- 2. Development proposals will be permitted where the following key design and place-making characteristics and components have been demonstrated:**
 - a) Context: understanding and relating positively to the site and its local and wider context, including the:**
 - i. Rhythm of existing and surrounding buildings' building height, alignment and roof line/pitch;**
 - ii. Townscape, streetscape, views, and vistas;**
 - iii. Existing buildings or townscapes of heritage value; and**
 - iv. Existing natural environment and open space.**
 - b) Identity - responding positively to existing local character and identity through creating memorable, distinctive and attractive buildings and places through the use of:**
 - i. Architectural style, detailing and ornamentation;**
 - ii. Material quality, sustainability, durability, colour, finish/texture, and detail; and**
 - iii. Fenestration.**
 - c) Built form - creating appropriate forms and types of development, including outstanding or innovative architectural solutions, through the consideration of the following aspects:**
 - i. Access;**
 - ii. Appearance;**
 - iii. Height;**
 - iv. Massing;**
 - v. Scale;**
 - vi. Form;**
 - vii. Landscaping;**
 - viii. Layout and orientation;**
 - ix. Siting and alignment;**
 - x. Setting;**
 - xi. Density; and**
 - xii. Floorplan.**
 - d) Movement: integrating a network of routes for all modes of transport, using a clear structure and hierarchy of connected streets with well-considered access arrangements, parking, servicing, and utilities infrastructure.**
 - e) Nature: creating high quality green open spaces and/or public spaces and/or streets, with a variety of landscapes and activities, including play and recreation.**

- f) **Public spaces:** creating well-located, high quality and attractive public spaces that are clearly defined, durable, accessible, and safe, along with the following considerations:
 - i. Including public art where appropriate, giving due consideration to prominent and sensitive locations; and
 - ii. Providing well-designed spaces that support social inclusion, health, and wellbeing.
 - g) **Uses:** providing or connecting with a mix of uses that provide for day to day needs of users and/or occupiers.
 - h) **Homes:** providing an appropriate mix and variety of home sizes and tenures that have sufficient internal and external space, and that also have appropriate and adequate provision for parking, storage, waste, servicing, and utilities.
 - i) **Resources:** creating development that reduces resource requirements; is adaptable; and uses materials, measures and technologies to minimise its environmental impact and maximise resilience to climate change.
 - j) **Lifespan:** designing safe, robust, long-lasting, well-managed and maintained development, which is accessible and adaptable to users' changing needs and evolving technologies, and which fosters a sense of ownership and belonging for its users and communities.
3. Development proposals for large-scale major development and/or development of sites within a sensitive location will be permitted where they have positive regard to any design code or design guide relevant to the site. Where a developer/applicant is required to produce a design code for a site, this should be based on effective community/stakeholder engagement, reflect local aspirations for the development of the site, address the National Design Guide and the National Model Design Code, and have due regard to the Council's Urban Characterisation Study³⁴.
4. Development proposals will be supported provided that they help to overcome crime and disorder, and the fear of crime, through its design, layout, and other deterrent features.
5. Development proposals will be refused where they give rise to unacceptable adverse impacts in relation to the amenity of neighbouring occupiers as well as future occupiers/users of the development.
6. Development proposals will be permitted where it can be demonstrated that development will avoid, minimise, or where necessary mitigate, adverse direct or cumulative impacts in relation to the following factors:
- i. Outlook / aspect;
 - ii. Sense of enclosure;
 - iii. Direct or perceived overlooking / privacy;
 - iv. Daylight / sunlight;
 - v. Noise;
 - vi. Odour;
 - vii. Glare; and
 - viii. Micro-climatic effects.

³⁴ <https://www.portsmouth.gov.uk/newlocalplanevidencedocm>

7. Development proposals for a tall building(s) will be assessed against the following criteria:

- a) **Development proposals for a tall building(s) will be supported provided it is located within the following preferred areas as identified on the Policies Map:**
- The Hard
 - City Centre/Dockyard/Portsmouth International Port
 - Kingston Crescent/Estella Road
 - Fratton
 - Tipner
 - Port Solent
 - Cosham

Outside of the above preferred areas, there is a presumption against permitting a tall building(s) unless the particular merits of a proposal outweigh this general presumption.

- b) **Where proposals for a tall building(s) fall within 500 metres of an SPA, SSSI, SAC and/or Ramsar sites, and supporting functionally linked habitats appropriate mitigation measures, shall be secured, in consultation with Natural England, to ensure there is no adverse effect on ecological integrity.**

- c) **Development proposals for a tall building(s) should have regard to the Tall Buildings Supplementary Planning Document³⁵ or future equivalent.**

Supporting text

3.38 The purpose of this policy is to deliver on the Council's priority for high quality design and place-making of development within Portsmouth.

3.39 It is expected that applicants/developers use the ten characteristics of a well-designed place as a lens through which the design of a proposal is formulated, and justification can be made to demonstrate that it makes a positive contribution to achieving the Portsmouth design vision.

3.40 The design process of a proposal, especially major developments, should be well-followed and well-documented. Where required, comprehensive Design and Access Statements (or similar, as appropriate) will be expected as part of a pre-application or planning application submission³⁶, and the design rationale/justification for the proposal must be provided to aid in the assessment process.

3.41 Large-scale major developments should be supported by detailed masterplans, or development frameworks and, where appropriate, design guides or codes. Such tools and documents are expected to be produced in collaboration and consultation with the community and stakeholders. The Urban Characterisation Study provides a baseline analysis of the existing character of the City. Therefore, design guides or codes should utilise the Urban Characterisation Study to inform the earlier stages of the design code process as prescribed by the National Model Design Code.

³⁵ <https://www.portsmouth.gov.uk/wp-content/uploads/2020/05/development-and-planning-buildings-tall-buildings-spd.pdf>

³⁶ The guidance on the type of applications that require a Design and Access Statement should be followed, as per PPG Paragraph: 030 Reference ID: 14-030-20140306 (or future equivalent)
<https://www.gov.uk/guidance/making-an-application#Design-and-Access-Statement>

- 3.42 Householder and minor developments are expected to deliver high quality design, although it is considered that the evidence and justification included as part of any application is proportionate to the scale and nature of the proposal.
- 3.43 Changes to approved development schemes at the post-permission stage also have the potential to erode design quality. In light of this, the Council will seek to ensure that the quality of approved development is not materially diminished between planning permission and building completion stage through the use of planning conditions or other agreements.
- 3.44 Design proposals must consider that every person has the right to feel and be safe in the places and environments that they live, work, and visit. Furthermore, poorly designed developments have the potential to cause issues that result in the loss of amenity for neighbouring occupiers and users. Therefore, good design practices and processes (including measures to support the strategy for tackling violence against women & girls) are expected to be utilised to overcome any potential for safety and/or amenity issues.
- 3.45 Tall buildings³⁷ can impact positively and negatively on the character and appearance of an area. If they are well designed and located appropriately within an area, they can create a sense of excitement, indicate success and wealth, and become something to be proud of. If they are poorly designed, however, they can detract from the character of an area and become a burden both for the local population and local authority.
- 3.46 Portsea Island is mainly flat and does not rise above sea level by more than a few metres at any point. As a result, the City's buildings are the dominant feature of the city skyline and make a significant contribution to the character of Portsmouth and the wider area. This means it is especially important to make the correct decisions on the location of tall buildings in the city and insist on the highest standards of architectural quality.
- 3.47 Historically in Portsmouth, tall buildings have been dealt with on an ad-hoc basis which has not always produced the best results. Therefore, it is important to have a coherent strategy setting out appropriate locations and design criteria for tall buildings.
- 3.48 The council has identified eight areas of opportunity where tall buildings are considered acceptable in principle. These areas are regarded as suitable for a variety of reasons including:
- Proximity and ease of access to public transport;
 - Proximity to local commercial/shopping centres;
 - The presence of existing tall buildings within the area; and
 - The suitability of their character and other townscape and ecological factors.
- 3.49 The design of tall buildings, for example building height and lighting schemes, should be such that there are no adverse effects on sight lines and flight lines of birds in European sites or functionally linked habitats. Building design should also ensure that the risk of bird collisions is minimised. Where tall buildings fall within 500m of an SPA, SSSI, SAC and/or Ramsar sites, and supporting functionally linked habitats, appropriate mitigation measures shall be secured, in consultation with Natural England in line with guidance set out in the Habitat Regulations Assessment (paras 6.8.1 / 6.8.2) supporting the Local Plan.

³⁷ A tall building is considered to be: any building above five storeys in height i.e. six storeys or more in height and/or any building of 20m or above in height.

3.50 A project-level Habitats Regulations Assessments (HRA) of development proposals will be undertaken at the planning application stage. It is advised that applicants discuss these issues with Portsmouth City Council's ecologist and Natural England at an early stage.

Climate Emergency

Introduction

3.51 There is a climate emergency because our climate is changing faster than nature, or we, can adapt to it. We have a limited time to keep global temperatures within a limit that the Earth can recover from, so we have to take action now.

3.52 The Climate Change Act 2008 legislates climate action in the UK with targets to reduce its emissions. The Act was amended in 2019 to legislate for net zero carbon emissions by 2050. It is important to note that net zero carbon targets are interim targets before a net negative is achieved, where removals of carbon are greater than that emitted. Net negative is required to reduce the elevated concentrations of greenhouse gases in the atmosphere causing climatic changes. The Climate Change Strategy will be adapted in the future to determine new net negative targets

3.53 Portsmouth City Council declared a climate change emergency in March 2019. The Council considers that that we are in the middle of global changes to our climate that pose threats to our health, our planet and our children's and grandchildren's future. It considers that there is no time to waste if we are to avoid the consequences of a rise in global warming. As a low lying island city, Portsmouth is especially vulnerable to the impacts of climate change, with most of it identified as being at risk of flooding by the Environment Agency. The City Council sets out in its Climate Emergency Strategy³⁸ how it will respond to this emergency and outlines its first steps in this urgent race against time.

3.54 The Climate Emergency Strategy sets out specific interventions for all housing in the City in order to ensure, Portsmouth residents have good quality homes. Efforts to support the transition to a low carbon future and be "future-fit" for changing climates needs to be enhanced for both existing homes, buildings, and other infrastructure but also in new development projects. When we think about being "future-fit", we need to consider the lifetime of that structure and how well suited it is for the future, both in terms of carbon emissions and climate change. This means taking transformative actions to modify existing structures and thinking about how to create new ones. The benefits of applying climate change thinking in this area are substantial, from reducing the use of higher carbon energy sources, reducing energy and fuel poverty, and improving indoor and outdoor air quality.

3.55 The Climate Emergency Strategy sets out a number of area specific mitigation measures to support and encourage carbon emission reductions:

- Promoting increased domestic and commercial energy efficiency and usage reduction.
- Promoting decarbonisation of our utility services.

38

<https://democracy.portsmouth.gov.uk/documents/s25687/Response%20to%20Climate%20Emergency%20Strategy%20appendix%20A.pdf>

- Promoting lower carbon fuel and onsite renewable energy sources.
- Enhanced PCC planning requirements for low carbon and carbon neutral development for new developments and existing build enhancements, that also support low carbon travel and transport.
- Promoting measures to reduce water usage and water waste.
- Promoting measures to increase re-use or recycling of building materials and reduce waste

3.56 In December 2023 the Government issued a Written Ministerial Statement³⁹ preventing local energy efficiency standards for buildings that go beyond current or planned buildings regulation. This has prevented the City Council from including ambitious targets for energy efficiency in this Local Plan in line with its Climate Change Strategy. The Council is disappointed by this decision and encourages the Government to bring in the necessary changes to the energy efficiency building regulations at the earliest possible opportunity.

3.57 The Climate Emergency Strategy sets out a number of adaptation measures to increase resilience:

- Understanding the climate change risks and any opportunities to our homes, buildings, and infrastructure.
- Building resilience into our homes, buildings, and infrastructure.
- Enhanced planning requirements to demonstrate climate change resilience.
- Community resilience and planning.
- Improving the provision of advice to building users around heat waves and increasing temperatures.

3.58 Strategic City-wide policies on flooding, sustainable drainage systems, sustainable construction, renewable energy, the coastal zone, air quality and pollution and contaminated land are set out in the Climate Emergency chapter of the Local Plan. It is also addressed as necessary in the Strategic Site allocations.

Core Policy PLP2: Climate Emergency

1. Development proposals will be supported provided that they:

- Reduce greenhouse gas emissions and store carbon;**
- Minimise energy use and demonstrate that residual energy demand can be met with renewable forms of energy;**
- Maximise the generation of energy from renewable and low carbon sources of energy;**
- Are designed to adapt and be resilient to the impacts of local climate change;**
- Reduce the risk of flooding both now and in the future, taking account of predicted sea level rises and the impact on areas vulnerable to coastal change;**

³⁹ <https://questions-statements.parliament.uk/written-statements/detail/2023-12-13/hcws123#:~:text=Statement%20made%20on%2013%20December%202023&text=As%20a%20Government%2C%20we%20continue,the%20homes%20and%20building%20sector.>

- f) **Maximise water re-use and the protection of water resources;**
- g) **Prioritise active travel and effective public transport over car use wherever possible;**
- h) **Deliver green infrastructure and enhance biodiversity;**
- i) **Prevent and minimise waste and encourage re-use, recycling, and resource recovery; and**
- j) **Encourage the reuse of existing buildings and structures.**

2. Development proposals for major development must be supported by a Sustainability Statement, which clearly demonstrates how it meets the objectives set out in Part 1 of this policy.

Supporting Text

3.59 The purpose of this policy is to ensure that new development meets the objectives set out by the City Council's Climate Change Declaration and Climate Change Strategy.

3.60 Direct greenhouse gas emissions from buildings accounted for 17% of UK greenhouse house gas emissions. These emissions are mainly the result of burning fossil fuels for heating. Emissions from electricity use, known as indirect emissions, are caused primarily by the use of lighting and appliances. Development should minimise the amount of Green House Gases that it emits during construction and across its lifetime. The BREEAM standards⁴⁰ provide guidance for the development industry on how this can be achieved through BREEAM home and Technical Standards. It is important that development takes a Whole Life Standard approach to reduction of emissions.

3.61 Development should look to take a fabric efficiency first approach to ensure that buildings minimise energy use. Only when this approach has been applied should development look to meet any remaining residual energy demand from renewable energy sources.

3.62 The most common types of renewable energy anticipated to be provided as part of new development in Portsmouth are solar energy and wind energy. There may also be specific circumstances where tidal energy is appropriate. Although biomass energy is a renewable energy source, due to the production of localised emissions other forms of renewable energy should be prioritised where possible. In addition, ground and air source heat pumps may be appropriate for smaller scale development.

3.63 Development in the City needs to take account of the risks associated with climate change, in order to reduce negative impacts and build resilience. The largest risks to the

⁴⁰ https://bregroup.com/products/breeam/breeam-solutions/breeam-net-zero-carbon/?infinity=ict2~net~gaw~cmp~17562588451~ag~148561404696~ar~655459529267~kw~reducing%20carbon%20footprint%20in%20construction~mt~b~acr~3626112201&gclid=EAlaIQobChMIkuKc0qvF_wlVl-3tCh0jgQmlEAAAYASAAEgl22fD_BwE

City from climate change are flood risk from rising sea levels and overheating, exacerbated by climate change and the urban heat island effect.

- 3.64 Overheating is a major risk to the City caused by climate change related extreme heatwave events. The densely developed, urban nature of much of Portsmouth means that it is already susceptible to a phenomenon known as the Urban Heat Island. This is the process by which the manmade surfaces of urban areas that tend like tarmac, concrete and stone, absorb and store heat all day, then reradiate it at night. The result is that temperatures in the City tend to be higher than surrounding rural areas. Whilst the Urban Heat Island effect can occur independently of climate change, the increasing temperatures projected to occur with climate change serve to compound and exaggerate the problem making urban areas like Portsmouth particularly at risk from this climate impact. The Adapting to Climate Change Background Paper provides detail on the risk and potential management approach⁴¹.
- 3.65 The other major risk from climate change for Portsmouth, is increased risk of flooding from the sea. The coastal nature of the City, coupled with the low-lying nature of Portsea Island means that Portsmouth is subject to an existing high level of flood risk. A significant proportion of the city falls within the Environment Agency flood zones 2 or 3, areas that are at medium or high risk of flooding and these areas of elevated flood risk will expand into the future due to sea level rise. Much of the city is protected or proposed to be protected by the North Portsea⁴² and Southsea Coastal Schemes. The North Portsea scheme is designed to protect against a 1 in 500 year flood event and take account of the climate change to 2100, whilst the Southsea⁴³ scheme is protected to a 1 in 200 year standard. The future requirements for flood defence and resilience in the city are set out in Policy PLP25. The position as set out in that policy has been informed by and SFRA level 1 carried out jointly with the authorities in the Partnership for South Hampshire and further detailed SFRA level 2 specific to Portsmouth.
- 3.66 Development proposals will need to take opportunities to maximise water efficiency and use of water resources. This could include the use of water efficiency measures such as tap aerators, water saving appliances and metering. Rainwater harvesting also has significant water saving potential including water butts for householders and larger storage tanks as part of larger schemes. Grey water recycling also has the potential to provide significant water savings.
- 3.67 Development that impacts the Source Protection Zone on Portsdown Hill⁴⁴, should be designed to ensure that no pollutants from the development are able to percolate into the aquifer. Further detail on Source Protection Zones can be found on the Government's website⁴⁵.
- 3.68 To encourage the uptake and continued use of sustainable modes of transport in order to tackle climate change, the location, design and layout of development will need to show priority being given to pedestrian, cycle movements and access to sustainable

⁴¹ [https://www.portsmouth.gov.uk/wp-content/uploads/2021/09/Adapting to Climate Change through the Local Plan April 2021 compressed.pdf](https://www.portsmouth.gov.uk/wp-content/uploads/2021/09/Adapting_to_Climate_Change_through_the_Local_Plan_April_2021_compressed.pdf)

⁴² <https://coastalpartners.org.uk/project/protecting-the-future-of-north-portsea-island/>

⁴³ <https://southseacoastalscheme.org.uk/>

⁴⁴ <https://magic.defra.gov.uk/MagicMap.aspx>

⁴⁵ <https://www.gov.uk/guidance/groundwater-source-protection-zones-spzs>

transport modes. There is the potential to further increase the uptake in sustainable transportation methods by improving and upgrading or providing railway, bus, cycle and other infrastructure. Improvements can make public and sustainable transport a more attractive option, Policy PLP47 of the Local Plan, Movement and Transport sets out the transport requirements for the Local Plan.

- 3.69 Green Infrastructure plays an important role in, mitigating and adapting to climate change, enabling, and supporting healthy lifestyles through outdoor recreation and access and enhancing biodiversity. The Council will expect development to contribute to urban greening as set out in Policy PLP38 Green Infrastructure. Green infrastructure should always be provided onsite in the first instance unless it can be proved that this is not feasible to do so. Development proposals which could adversely impact upon existing green infrastructure assets will only be granted permission where suitable mitigation is satisfactorily agreed and secured. This is to ensure that the local green infrastructure network is continually safeguarded and does not become fragmented.
- 3.70 Sustainable design and construction should strive to make the most efficient use of natural resources and their transportation. Opportunities should be maximised to reuse or recycle materials within the construction process, including the reuse of old buildings where appropriate. Waste products should be reduced, re-used or recycled as much as possible. These practices will also help to reduce embodied carbon within the construction process. Proposals will need to take account of the current and emerging Hampshire Minerals and Waste Plans⁴⁶ prepared by the Hampshire Authorities including the City Council.
- 3.71 The reuse of existing buildings and structures is a key consideration when addressing embodied carbon in construction. The reason that existing buildings are usually more sustainable than new buildings is that the quantity of carbon emissions during construction of a new building is large in comparison to the annual operating emissions of the building, especially as operations become more energy efficient and energy supplies transition to renewable generation. Wherever practicable development should look to reuse the existing structures as part of the redevelopment of brownfield sites. Embodied carbon calculators provide a way in which development can calculate the carbon saving of reuse vs new build.
- 3.72 Development proposals for major development must be supported by a Sustainability Statement either as a standalone document or as part of a Design and Access Statement. Details on what is required for a Sustainability Statement are found in the supporting text to Policy PLP33 in the Climate Emergency chapter of the Local Plan.

⁴⁶ <https://www.hants.gov.uk/landplanningandenvironment/strategic-planning/hampshire-minerals-waste-plan->

Chapter 4: Strategic Sites

Introduction

- 4.1 A number of strategic sites are allocated in this chapter. The quantum of development are set out in table 4.1 and a map showing their locations forms figure 4.1. All of the sites are mission critical for achieving the Imagine Portsmouth 2040 Vision in different ways. This is illustrated with the use of icons to show which of the strategic objectives of the Local Plan will be achieved on the site, and an individual vision is set out for each strategic site. The policies in this chapter are strategic and any policies relating to these sites in neighbourhood plans should align with them.
- 4.2 The majority of the sites are allocated for mixed use redevelopment, but some are allocated for a single land use. All of the allocations are supported by robust evidence most notably the Housing and Economic Land Availability Assessment (HELAA)⁴⁷, which is the Council's main evidence based study on land supply. References to more detailed individual studies are cited in the text. It should be noted that all the development requirements set out in these policies are site specific and requirements set by City-wide policies such as affordable housing are not repeated here. The quantum of development set in these policies are indicative yields only and may be subject to further change through the development management process. The local planning authority will therefore take a flexible approach to the actual quantum of development subject to robust evidence being provided to justify them in forthcoming planning applications.
- 4.3 Flooding is a significant issue in Portsmouth and therefore, the Strategic Flood Risk Assessment (SFRA) Level 2⁴⁸ was produced to assess flood risk at strategic and allocated sites. Following the assessment, the recommendations contained within have been used to inform both site specific policies and the City-wide policies PLP31 (Flooding) and PLP32 (Sustainable Drainage Systems). It should be noted that all strategic and allocated sites will need to be supported by a robust, site specific flood risk assessment and a sequential approach to land use planning must be applied to each site. The SFRA Level 2 also provides information relating to current and future flood defence projects within Portsmouth. Further details relating to these schemes and their delivery across Portsmouth can be found in the Infrastructure Delivery Plan⁴⁹.
- 4.4 A monitoring and delivery framework is set out at the end of the supporting text for each strategic site. This shows the types and amounts of development associated with the Strategic Site and the anticipated rate of development. Information is also provided on delivery mechanisms and triggers where relevant. Chapter 12 (Monitoring) includes targets and indicators for all the strategic sites, which will be reported on annually in the Authority Monitoring Report. These reflect the monitoring and delivery frameworks within this chapter.

⁴⁷ https://www.portsmouth.gov.uk/wp-content/uploads/2024/04/02-PCC_Housing-and-Employment-Land-Availability-Assessment_2023-Report_FINAL-latest-version-for-CDL.pdf

⁴⁸ <https://www.portsmouth.gov.uk/newlocalplanevidencedocs>

⁴⁹ <https://www.portsmouth.gov.uk/newlocalplanevidencedocg>

Site	Homes	Commercial floorspace (net)	Other benefits
Tipner West & Horsea Island East	814-1250	58,000 m ² marine hub	• Flood defences • Land decontamination • New bridge
Tipner East	1,056	716 m ² commercial floorspace (Classes E, F1 and F2) 840 m ² ancillary commercial uses at the transport hub	• Transport hub with 2,650 car parking spaces • Flood defences • Land decontamination
Lakeside North Harbour	-	50,000 m ²	• 20% Biodiversity Net Gain
Portsmouth City Centre	4,158	1,546m ² (20,000m ² gross)	• 2.9ha park • 20% Biodiversity Net Gain at City Centre North • Enhanced Culture and Leisure offer
Fratton Park & the Pompey Centre	710	Expanded stadium Hotel Mixed conference and event facilities	• Off road link from the station to the Pompey Centre and Fratton Park
St James' & Langstone Campus	417	-	• Retention of public access and parkland setting
Horsea Island Open Space	-	-	• 64 ha of open space • Bus Way linking Tipner to Port Solent.

Table 4.1: Strategic site delivery

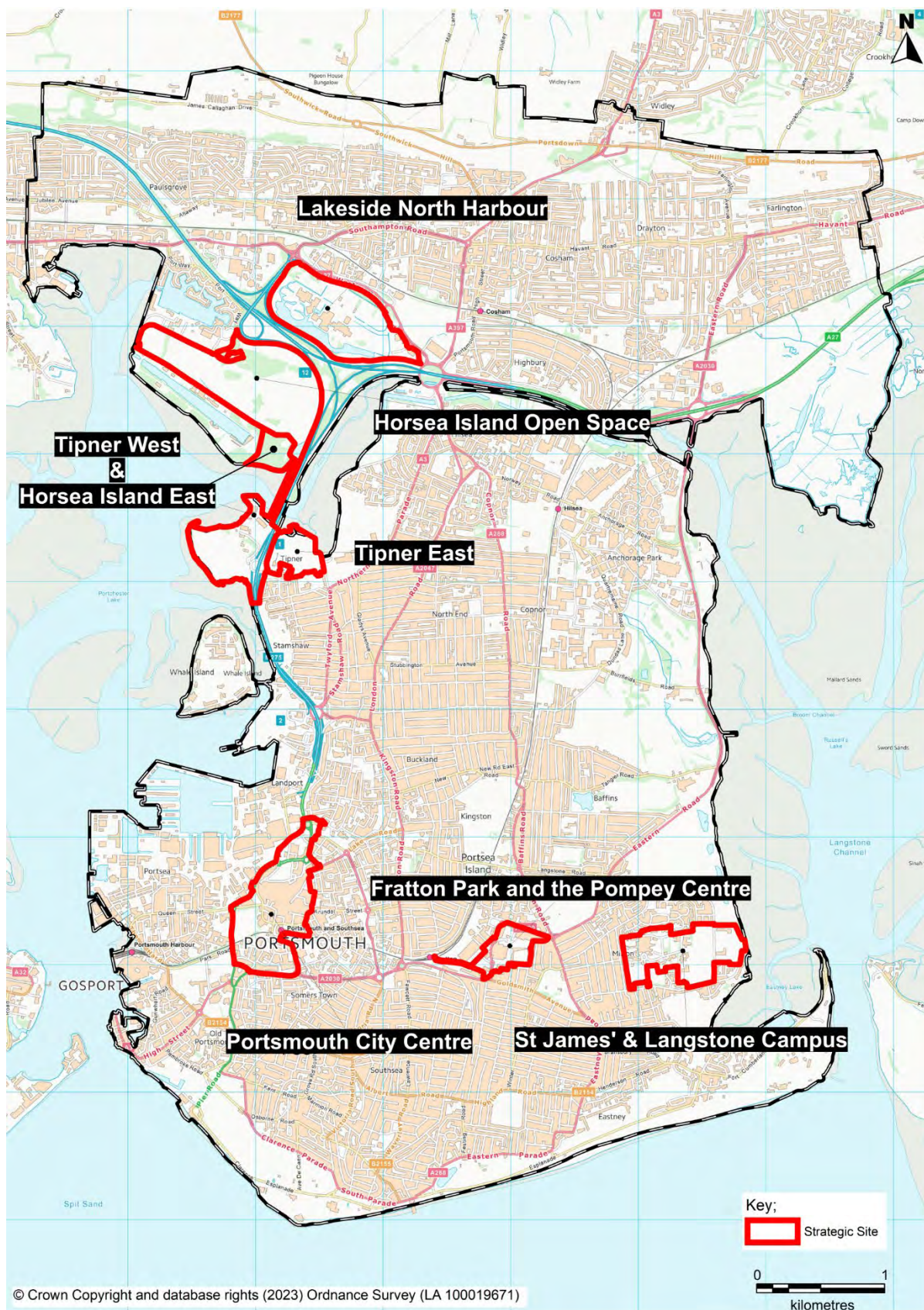


Figure 4.1: Strategic site allocations

Tipner West & Horsea Island East

Introduction

4.5 Tipner West & Horsea Island East is allocated as a strategic site, because its development as a new marine hub with a new bridge to the mainland is key to the regeneration of Portsmouth. Furthermore the new sea defences and land decontamination will benefit the northern part of Portsea Island. It is located immediately adjacent to the M275 motorway at the northwest part of Portsea Island and is bounded on three sides by Tipner Lake, which is part of Portsmouth Harbour. The site is allocated alongside the allocation for Tipner East (which forms Policy PLP4), and together they will form a new gateway to the City. A large area of open space is being created to the north of the site on Horsea Island, which will be available for the new residents and visitors to enjoy; this is allocated under Policy PLP9. As discussed in the Development Strategy chapter of this Local Plan, the wider Tipner-Horsea Island area, including Port Solent, is one of the two principal sites identified in the Southampton and Portsmouth City Deal. A map of Tipner West & Horsea Island East with the proposed bridge linking the two parts of the site is shown as figure 4.2.

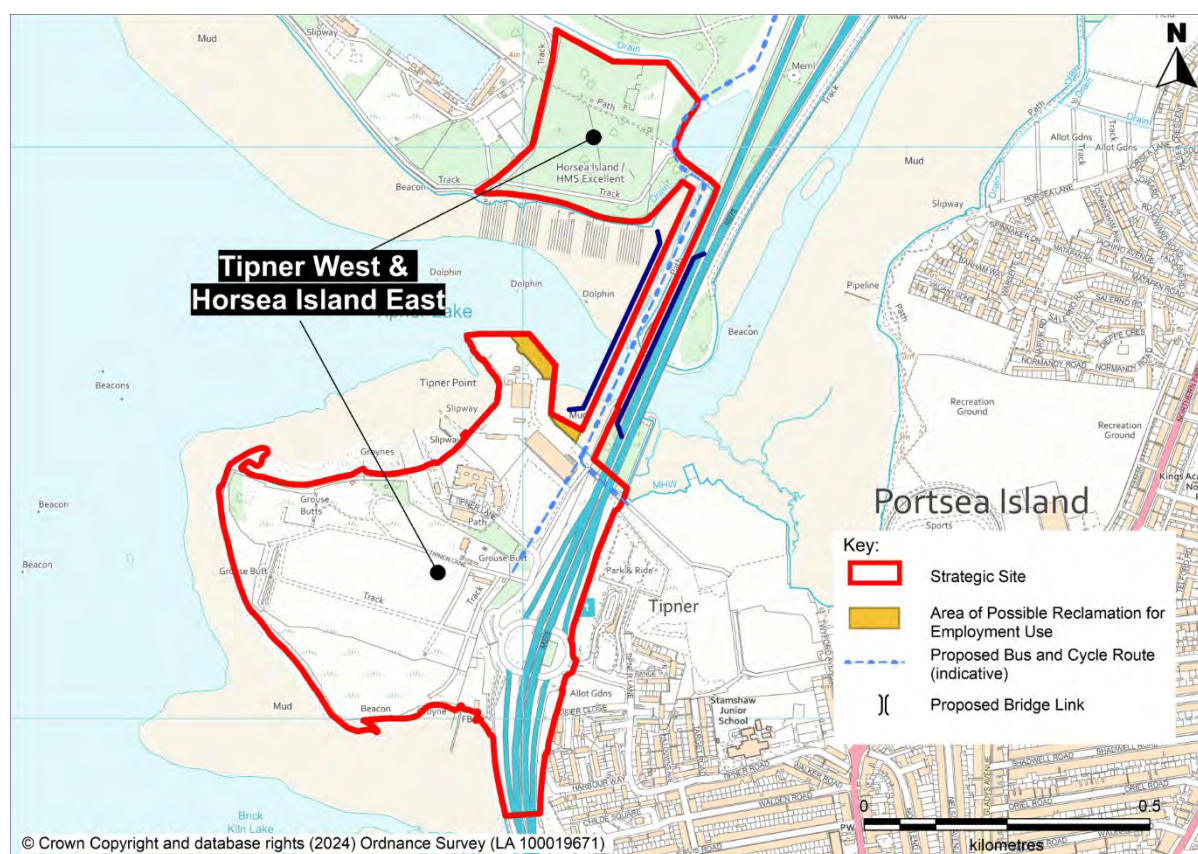


Figure 4.2: Map of Tipner West & Horsea Island East

4.6 There is deep water access at Tipner West and the principal driver behind this allocation is the creation of a new marine hub, which will create new jobs in this key sector of the City's economy. Supporting its development for marine employment is the classification of Tipner West as a Tier 1 waterfront site in the Maritime Futures: Solent Waterfront Sites Report⁵⁰ (2015) by the Solent Local Enterprise Partnership (now 'Solent Partners').

⁵⁰ https://solentlep.org.uk/media/1341/maritime_futures_-_solent_waterfront_sites_-_169_15_.pdf

It was given this classification based on its attributes when assessed against three defined criteria namely marine access (water depth and access), presence of marine and maritime activities and development potential. The Solent is a prime location within the UK to deliver development to meet the pressing needs of the marine and maritime sector. This is recognised in its recent designation as a Freeport. A failure to meet the demands of the marine and maritime sector in the Solent could result in its growth potential not being attained with inward investment to the UK being compromised. New homes will be provided as a form of enabling development for the marine hub and the enhancement and re-use of the heritage assets on the site. There will be a new bridge linking not only the two halves of the site, but also linking the wider communities of Paulsgrove and Port Solent to the City Centre. The development will deliver urgently required sea defences for the northern part of Portsea Island and site de-contamination.

- 4.7 Tipner West is currently partly derelict and contains a number of unrelated land uses including a former Ministry of Defence firing range, boatyards, recycling, storage and a special educational needs school. The site is in need of significant remediation to address historic polluting uses. Its redevelopment, as recognised in the City Deal, presents an opportunity to vastly improve the quality of the environment in this part of the City, but critically to facilitate the delivery of necessary sea defences. These would together with site decontamination works, protect the integrity of the nearby nature conservation sites and associated habitats from harmful leachate contamination and inundation from flooding.
- 4.8 The site itself and the adjacent Portsmouth Harbour are important for nature conservation with the Harbour designated as a Special Protection Area (SPA) and Ramsar site, whilst also being recognised nationally as a Site of Special Scientific Interest (SSSI). In addition, the former firing range is recognised as a primary feeding site for Brent geese. These nature conservation issues will need to be addressed as part of any development on this site.
- 4.9 The coastline of Tipner West and a significant portion of Horsea Island East lies within Flood Zone 3. The north west corner of Horsea Island east lies within Flood Zone 1. Tipner West is covered by the North Solent Shoreline Management Plan (SMP) (section 5aPI01). The Portsea Island Coastal Strategy Study (PICSS) was developed to build on policies set out in the North Solent SMP. In addition to the North Solent SMP, Horsea Island East is also covered by the Porchester to Emsworth FCERM Strategy. These plans and strategies provide recommendations for flood management measures that should be implemented to protect residents from flooding. Further information can be found in the SFRA Level 2
- 4.10 The Local Plan is supported by a Habitats Regulations Assessment⁵¹ (HRA). The objective of this assessment is to identify any aspects of the Plan that is considered likely to have a significant effect on a protected habitats site⁵² either individually or in combination with other plans or projects. The HRA concludes that the proposed

⁵¹ https://www.portsmouth.gov.uk/wp-content/uploads/2024/05/PLP_HRA_FINAL.pdf

⁵² Any site which would be included within the definition at <https://www.legislation.gov.uk/ukxi/2017/1012/regulation/8/made>, as amended by <https://www.legislation.gov.uk/ukxi/2019/579/contents/made>, for the purpose of those regulations, including Special Areas of Conservation (SAC) and Special Protection Areas (SPA) (part of the National Site Network) and internationally designated Ramsar Sites."

development of Tipner West & Horsea Island East will have adverse effects upon the integrity of Portsmouth Harbour SPA and Portsmouth Harbour Ramsar site.

4.11 The Conservation of Habitats and Species Regulations 2017 do not allow competent authorities to consent plans or projects that may have an adverse effect on the integrity of a designated habitats site unless specific derogation tests are met. These tests relate to alternative solutions, imperative reasons of overriding public interest (IROPI) and compensatory measures. Government Guidance⁵³ on the derogation tests was followed in the HRA of this Local Plan. The full results of all three derogation tests are set out in the HRA and conclude the following:

- There are no feasible alternative solutions to the Plan's proposals for Tipner West and Horsea Island East as set out in Policy PLP3 that would be less damaging or avoid damage to the designated sites.
- The benefits of the development enabled by Policy PLP3 amount to imperative reasons of public interest capable of overriding the adverse effects on the integrity of the Portsmouth Harbour SPA and Ramsar Site.
- There is sufficient land identified for delivery of necessary compensatory measures to demonstrate a high likelihood that sufficient compensatory habitat is capable of being secured at the planning application level.

4.12 The planning history of the site is long and complex. Part of the site was allocated along with Tipner East in the 2012 Portsmouth Plan. As part of the preparation of the current Plan a consultation was carried out focusing solely on a Tipner Strategic Development Area⁵⁴ in order to establish the most appropriate site boundary and land uses for the area. The responses to that consultation fed into the three options proposed in the Regulation 18 version of the Local Plan published in 2021. The first option proposed was for an innovative sustainable community or 'super peninsula' involving significant areas of land reclamation. This option along with a do-nothing scenario were ruled out by the City Council in October 2022, which then adopted Guiding Principles⁵⁵ for the site; these were updated by the City Council in March 2024⁵⁶ and form a material consideration in the preparation of this Plan.

4.13 The consideration of options has formed an important element of the extensive work done on this strategic site and is explained in more detail in the Sustainability Appraisal and the HRA. The development proposed in Policy PLP3 is a hybrid of the various options put forward for the site. It aligns with the overarching Project Objective that was noted by the City Council in October 2023 and an updated version of which was agreed in March 2024⁵⁷ as follows:

To create a marine employment hub in the Solent region with access to deep water, and of sufficient scale to enhance and expand the marine business cluster, along with critical

⁵³

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/82647/habitats-directive-iropi-draft-guidance-20120807.pdf ; <https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site>

⁵⁴ <https://www.portsmouth.gov.uk/wp-content/uploads/2020/05/Tipner-Strategic-Development-Area.pdf>

⁵⁵ <https://democracy.portsmouth.gov.uk/documents/s41717/Tipner%20West%20Report.pdf>

⁵⁶ <https://democracy.portsmouth.gov.uk/documents/s50877/240223%20-%20Tipner%20Cab%20update%20FINAL.pdf>

infrastructure, and sufficient housing to help enable delivery of the development as well as support the growth in the marine workforce.

- 4.14 The development proposed in Policy PLP3 is also consistent with the Guiding Principles, which seek to deliver nature-focused placemaking, maximise job creation in the marine hub and avoid or minimise land reclamation at this gateway site.
- 4.15 The City Council has sought to work in partnership with all interested parties in the development of Tipner West & Horsea Island East. There is a Coastal Concordat Working Protocol between the City Council as the Local Planning Authority, Natural England, the Environment Agency, the Marine Management Organisation, Historic England, the Royal Society for the Protection of Birds and the Hampshire and Isle of Wight Wildlife Trust. They are all members of a Regulatory Panel the purpose of which is to align consultation processes and avoid duplication in relation to the HRA and Environmental Impact Assessment. The Working Protocol and the minutes of all the Panel's meetings are published in a background paper⁵⁸.
- 4.16 The evidence base supporting this allocation is detailed and extensive. It is summarised in the Tipner West & Horsea Island East Topic Paper⁵⁹ and all relevant documents are included in the core document library supporting this Plan.

Vision

- 4.17 In 2040, Tipner West & Horsea Island East will form a new gateway to the City along with Tipner East and will be home to a new healthy and happy community. There will be a thriving new marine business hub that provides both jobs and opportunities for lifelong learning. People will live in good quality homes that are carbon neutral and will enjoy the new open space on Horsea Island. They will make fewer journeys by car and instead will make use of new and improved public transport connections and infrastructure, including a bridge to the mainland. New climate change resilient sea defences will defend the community alongside the existing residents of north Portsea Island. Historic land contamination will have been prevented from leaching into the Harbour. The Harbour's nationally and internationally designated saltmarsh and mudflat supporting populations of Brent Geese and wading birds will be cherished and protected, whilst the site's naval heritage will be positively enhanced in the public interest. The whole Tipner peninsula will be home to a community where residents, workers and visitors co-exist in harmony with nature.
- 4.18 It should be noted that the objective of the allocation for HRA purposes is made up of the overarching Project Objective, the vision for the site and the following policy.



Strategic Site Allocation Policy PLP3: Tipner West & Horsea Island East

- 1. Tipner West & Horsea Island East, as shown on the Policies Map, is allocated for the mixed use development of the following uses and large scale infrastructure:**

⁵⁸ <https://www.portsmouth.gov.uk/newlocalplanevidencedocw>

⁵⁹ <https://www.portsmouth.gov.uk/newlocalplanevidencedocj>

- a) A marine hub with a working quayside and up to 58,000 m² of marine employment floorspace (class E(g) offices, research and development, light industrial, B2 general industrial and B8 storage or distribution);
 - b) A new community with between 814 and 1,250 residential dwellings (class C3);
 - c) A bridge between Tipner West and Horsea Island East for the use of sustainable transport modes only;
 - d) Flood defences along the peninsula edges of Tipner West and Horsea Island East in line with robust climate change scenarios;
 - e) Shops selling essential goods, including food, where the shop's premises do not exceed 280 m² (class F2a); and
 - f) Meeting places for the principal use of the local community (class F2b).
2. Development proposals for the above named uses will be permitted provided that they meet all of the following site specific development requirements:
- a) Create a new landmark gateway to the City of Portsmouth to be demonstrated through a conceptual site-wide masterplan with an accompanying design code framework that delivers beautiful place-making and has regard to the National Model Design Code;
 - b) Break down the barriers, both physical and perceived, created by the M275 motorway and Portsbridge Creek. This will be achieved through the design of both buildings and spaces to create excellent connections with new development at Tipner East and the wider area. The design, scale and massing of the scheme needs to respond sensitively to the significance of Portchester Castle including its setting, taking into account its dominance in Portsmouth Harbour and the contribution made by views to and from the Castle to its significance;
 - c) Allow views to and from Tipner West and notable landmarks within the zone of visibility including Portchester Castle, the Spinnaker Tower and His Majesty's Naval Base;
 - d) Integrate green and blue infrastructure into the masterplanning and design of the development and seek to mitigate the urban heat island effect;
 - e) Submission of a site-wide Arboricultural Impact Assessment is required, which includes a proposed Tree Removal, Replacement and Retention Plan and Tree Protection Plan that protects the trees of highest value.
 - f) Identify and incorporate opportunities to conserve, restore and recreate priority habitats and ecological networks;
 - g) Except for the minimum dredging necessary to establish and maintain deep water access to the marine hub, avoid the loss of or damage to SPA/Ramsar habitats. If that is not viable or feasible, minimise such loss or damage to that

required to enable the viable and feasible development of the site in line with the development quantum set out in this Policy whilst protecting the integrity of the international, national and local nature designations ⁶⁰;

- h) Incorporate car-free streets wherever feasible, with 'Mobility as a Service' and sustainable transport modes prioritised;**
- i) Improve off-road pedestrian and cycle provision linking Port Solent and Tipner to the City Centre, nearby public open spaces including Horsea Island Open Space, recreational facilities including the Mountbatten Centre and other local shops and services;**
- j) Provide safe and efficient vehicular access to and from the M275 and the surrounding non-strategic road network;**
- k) Deliver or contribute proportionally to the relevant transport and highways mitigation measures identified within the Local Plan Strategic Transport Assessment⁶¹ and/or Infrastructure Delivery Plan⁶²;**
- l) Mitigate likely significant effects from recreational disturbance to protected bird populations through a bespoke developer-provided package of measures for the lifetime of the development as advised by Natural England;**
- m) Provide for public access for all along the waterfront where feasible and without causing unmitigated recreational disturbance to protected bird populations;**
- n) Deliver appropriate surface water and foul drainage infrastructure together with required nutrient neutrality and water usage mitigation measures to support the Environment Agency in achieving and/or maintaining at least 'Good' water quality status and to protect designated habitats within the Portsmouth Harbour Waterbody (pursuant to the Water Environment Regulations);**
- o) Future development of the site will require land raising and construction of flood defences. Their implementation should be informed by the SFRA Level 1 and 2;**
- p) Deliver surface water management measures to make provision for storage during high tide events, when the surface water drainage may be subject to tide locking;**
- q) Mitigate and remediate contamination from current and historic uses; and**
- r) Provide a skills & employability plan for both the construction and occupation stages of the development.**

⁶⁰ Notably the Portsmouth Harbour SPA and Ramsar site, Portsmouth Harbour SSSI and Solent and Dorset Coast SPA – as required by the Habitats Regulations (2017) (as amended) and related national habitats legislation.

⁶¹ <https://www.portsmouth.gov.uk/newlocalplanevidencedocu>

⁶² <https://www.portsmouth.gov.uk/newlocalplanevidencedocg>

- 3. The Listed Buildings located on Tipner West must be retained, restored and re-used. The Scheduled D-Day Slipways adjoining Horsea Island East must also be retained, and where feasible restored. Their fabric and setting must be conserved, and where desirable/possible enhanced. This will include the investigation, recording and safeguarding of known and potential finds of archaeological significance, including those as may be identified below mean high water springs.**
- 4. A segregated bus way, alongside a new pedestrian and cycle way between Tipner West and Horsea Island via a new bridge and on to Port Solent, will be established, operated and maintained.**
- 5. The deep water access to Tipner Point and the new marine hub quaysides will be maintained, with dredging as necessary, to support optimal boat access at all times whilst protecting the Scheduled D-Day Slipways and acceptable sediment transport conditions.**
- 6. A shadow, project level Habitat Regulations Assessment (HRA) will be required to be submitted along with the planning application, and as necessary for any phased applications, to the local planning authority as competent authority. On account of the fact that delivery of the Policy will inevitably result in the loss of some designated SPA/Ramsar habitat and will likely result in the loss of some functionally linked habitat, the HRA must among other things:**
 - a) provide sufficient evidence for the local planning authority to conclude, in consultation with Natural England and Secretary of State, that all three derogation tests have been passed.**
 - b) demonstrate that any loss of functionally linked habitat, including that identified as a primary or secondary support area in the Solent Waders and Brent Goose Strategy⁶, will be mitigated through the provision of replacement functionally linked supporting habitat of equal or greater quality and quantity, which fulfils the same special contribution and particular function of the areas lost or damaged for the same species of birds.**
- 7. An Environmental Impact Assessment (EIA) will also be required to be submitted along with the planning application, and as necessary for any phased applications, to the local planning authority.**
- 8. Whilst the City Council wishes to see a comprehensive development of the site, it recognises that planning applications may come forward separately or in phases. As well as complying with the development requirements set out above, all development proposals need to demonstrate consistency with other permissions granted and emerging proposals, including any Transport and Works Act Order, Harbour Revision Order, Marine Licence of other marine and environmental consents as may be required. All development proposals will be supported by appropriate site phasing and sequencing strategies to ensure a holistic approach is taken to the delivery of development. Planning applications will need to demonstrate potential landscaping or other solutions for land comprising later phases in the event that such phases do not come forward within an agreed timeframe.**

Supporting text

- 4.19 The purpose of this policy is to allocate Tipner West and Horsea Island East as part of a new gateway for Portsmouth with a new marine hub, homes, flood defences and a bridge.
- 4.20 The principal driver behind this allocation is the creation of a new marine hub. This will include a mixture of employment uses with the focus being on research and development and advanced manufacturing. Any offices provided on the site would be incidental to these uses and should be functionally linked to the marine hub.
- 4.21 The housing requirement is set as a range. The lower number provides the minimum number of homes required as part of the City Deal whilst the upper number provides certainty for the HRA in terms of impact on the integrity of the national and internationally designated sites.
- 4.22 The proposed bridge (and other works that might be deemed to affect navigation, such as dredging or reclamation) may be subject to separate consenting routes, including a Transport and Works Act Order (TWAo) or Harbour Revision Order application, alongside likely Marine Licence(s) and other environmental permits (unless incorporated within the TWAo). Applications for Orders are made by the developer(s) to the relevant Secretary of State rather than the City Council and in line with the relevant governing Rules⁶³.
- 4.23 A local shop selling convenience goods for the local community will be allowed on the site. Although this floorspace is more than the ceiling set in Policy PLP29 for such shops, it is considered acceptable in order to support a sustainable community and reduce the need to travel.
- 4.24 Tipner West has a range of assets that are of historic interest, including the nationally important Tipner magazine complex (listed at Grade II), which comprises late eighteenth and mid nineteenth century magazines, shifting house, cooperage and boundary wall. To ensure that their value and the positive contribution that they can make to character of any scheme is fully realised, any development proposals for the site should be based on a detailed assessment, of the significance of the assets and their setting. This assessment must then positively inform any detailed design proposals for the site. Opportunities to provide public access to the heritage assets and/or their surroundings on Tipner West along with interpretation/explanation of their significance should be explored and are encouraged where feasible.
- 4.25 Second World War landing craft slipways are located on the southern shore of Horsea Island. They are the largest surviving remains of infrastructure created to support D-Day on 6th June 1944 at the end of the Second World War; a Research Report on the slipways has been published by Historic England⁶⁴. They were designated as Scheduled Monuments in 2022 and all development proposals for the site should retain, conserve and where possible enhance the slipways and their setting. The Scheduled

⁶³ <https://www.legislation.gov.uk/ukxi/2006/1466/contents/made>

⁶⁴ <https://historicengland.org.uk/research/results/reports/8244/HorseaIslandSecondWorldWarLandingCraftSlipways>

Portchester Castle is located approximately one mile to the north west of Tipner peninsula, across the open water of Portsmouth Harbour. Any development proposals for the site should also seek to understand the significance of the Castle and its setting, and where possible respond to the presence of the asset in terms of impact on views both from, and towards the Castle.

- 4.26 The policy set out in the North Solent Shoreline Management Plan⁶⁵ for this part of the coast is 'hold the line', which means maintaining or upgrading the level of protection provided by existing coastal defences. The Portsea Island Coastal Strategy Study⁶⁶ (2011) builds on the policies in the Shoreline Management Plan and sets out how the coastline surrounding Portsea Island will be managed for the next 100 years. The new flood defences that will protect both the site and the northern part of Portsea Island must be agreed in writing by the City Council as the Lead Local Flood Authority and the Environment Agency. It should be noted that any development proposed on land within 16 metres of a flood defence structure would require an Environment Agency defined Flood Risk Activity Permit FRAP. An adequate buffer should be maintained to allow management and maintenance works to the flood defence structure in the future. All applicants must therefore engage as early in the process as possible to deliver an appropriate buffer zone.
- 4.27 The site is flat and low-lying and a significant part of Tipner West lies in flood zones 2 and 3. It was assessed as part of the SFRA Level 2, which made a number of recommendations to avoid and control flood risk. Flood defences and ground raising will be required to enable development at this site. This should be informed by the SFRA level 1 and 2 and must incorporate detailed site specific wave overtopping calculations along with suitable calculations for freeboard.
- 4.28 Financial contributions may be sought where more vulnerable uses within the site will benefit from the development of future flood defence improvements.
- 4.29 New development should discharge runoff to the sea following suitable treatment. Storage of surface water should be managed when the sea level rises to a height that will not allow for drainage.
- 4.30 The site has a prominent location at the top of Portsmouth Harbour with views to and from prominent landmarks both within and beyond the City boundaries. A Landscape and Visual Impact Assessment prepared in accordance with the Landscape Institute's Guidelines⁶⁷ is required to identify the effects of the proposed development on views and on the landscape itself.
- 4.31 In addition to the range of international and national nature conservation designations relating to this strategic site, there are other forms of biodiversity, which form an important element of the collective nature conservation resource. These include the Elm Cultivar Trial on Horsea Island East managed by the Hampshire Wildlife Trust to protect White Letter Hairstreak Butterflies⁶⁸, which are identified as a species of principal importance under Section 41 the 2006 NERC Act. Development proposals should

⁶⁵ <https://www.northsolentsmp.co.uk/>

⁶⁶ <https://coastalpartners.org.uk/project/portsea-island-coastal-strategy/>

⁶⁷ <https://www.landscapeinstitute.org/technical-resource/landscape-visual-impact-assessment/>

⁶⁸ <https://butterfly-conservation.org/butterflies/white-letter-hairstreak>

identify and incorporate opportunities to conserve, restore and recreate their priority habitats and ecological networks.

4.32 In delivering a viable and feasible development in line with the City Deal, applications should seek to avoid or otherwise minimise adverse impacts upon the integrity of international and national habitat designations in line with the Habitat Regulations and in consultation with Natural England.

4.33 The Appropriate Assessment of the HRA prepared for this Local Plan concluded that the delivery of this Policy would have an adverse effect on the integrity of the Portsmouth Harbour SPA/Ramsar site. The HRA therefore considered the statutory derogation tests. The sequential legal tests for a derogation to be granted are:

1. There are no feasible alternative solutions that would be less damaging or avoid damage to the site.
2. The proposal needs to be carried out for imperative reasons of overriding public interest (IROPI).
3. The necessary compensatory measures can be secured.

4.34 The HRA concluded that sufficient information exists at the Local Plan level to be able to conclude that these tests are met for the Tipner West and Horsea Island East (Policy PLP3).

4.35 A project level HRA, addressing all three derogation tests, will be required as part of any significant planning application for the site's development. As the details of development will be clear at the planning application stage, and there will be no further tier in the planning approval process, the project level HRA will be required to address the three derogation tests in substantially more detail than the Local Plan HRA. Engagement with the local planning authority and members of the Regulatory Panel including Natural England is encouraged from the beginning of this process.

4.36 The project level HRA should also address the impact of development on functionally linked habitats. It is likely that there will be a loss of habitat that is functionally linked to Solent's SPAs / Ramsars namely Primary Support Areas P60 and P76, as identified in the Solent Waders and Brent Goose Strategy. Furthermore, Core Area P75 lies within 100 metres of the allocation boundary. Core Areas and Primary Support Areas are functionally linked land that contribute to the integrity of SPA/Ramsar sites. All functionally linked habitat parcels lie in close proximity to the Portsmouth SPA/Ramsar, indicating that they are likely to be used by SPA/Ramsar waterfowl in order to minimise energy expenditure. Non-breeding bird surveys between October and March (typically two survey seasons) will be required to inform the detailed design of the offsetting mitigation habitat that will be provided to ensure no adverse effect on integrity.

4.37 All loss of this functionally linked land should be mitigated in line with Policy PLP42: Solent Waders and Brent Geese Sites and the Mitigation and Off-setting Requirements set out in the Solent Waders and Brent Goose Strategy and to the satisfaction of the local planning authority and Natural England. The planning application will need to be supported by a bespoke Habitats Regulations Assessment to ensure that the development does not result in adverse effects on site integrity.

Monitoring and Delivery Framework

4.38 A key component of the phasing relates to the compensatory habitats required under the derogation tests of the Habitat Regulations. The compensation measures including the legal, technical and financial arrangements must be secured before the harm occurs. National Guidance states that compensation measures should normally be delivered before the first adverse effect on the designated sites occurs, as this reduces the risk of the project undermining the integrity of the network of sites.

Types & amounts of development	Timescale	Delivery	Monitoring	Triggers & potential actions
Sea defences, land decontamination and land raising/servicing	2025-30		In line with site-wide approved phasing strategy and planning condition/legal agreement	To be completed prior to the commencement of development
58,000 m ² of marine employment floorspace (class E(g) offices, research and development, light industrial, B2 general industrial and B8 storage or distribution)	58,000 m ² 2035-40 with some likely to come forward beyond the plan period	The marine hub will be delivered through a successful bid for Government funding	In line with Site-wide approved phasing strategy and planning condition/legal agreement secured through TWAO	If not delivered in line with approved Site Wide Phasing Strategy and condition/legal agreement secured via TWAO.
814 to 1,250 homes	400 2025-35; 414-850 homes 2035-2040 with some likely to come forward beyond the plan period	The new flood defences will be delivered prior to the commencement of development	In line with Site-wide approved phasing strategy and planning condition/legal agreement	If not delivered in line with approved Site Wide Phasing Strategy and condition/planning obligations via legal agreement.
A bridge between Tipner West and Horsea Island East	2025-40	PCC as landowner is actively seeking external partners and funding	In line with the terms of any site planning permission as may be granted.	Development is unlikely to be able to proceed without prior delivery of the compensatory habitat.
Local shop and community facilities	Open for business when the first homes and business premises are occupied	Through the development Management process; working in partnership with developers and land owners	Housing and employment monitoring in the AMR	They should be delivered before the occupation of the first home

Table 4.2: Monitoring and Delivery Framework for Tipner West & Horsea Island East

Tipner East

Introduction

4.39 Tipner East is a prominent site located immediately adjacent to the M275 motorway at

the northwest part of Portsea Island. It is bounded by Tipner Lake to the north, which is part of Portsmouth Harbour, while to the south is the residential area of Stamshaw with terraced housing and a primary school. The site is allocated along with Tipner West & Horsea Island East in this Local Plan and together they will form a new gateway to the City. As discussed in the Development Strategy chapter of this Local Plan, the wider Tipner-Horsea Island area is one of the two principal sites identified in the Southampton and Portsmouth City Deal. A map of Tipner East is shown as figure 4.3.

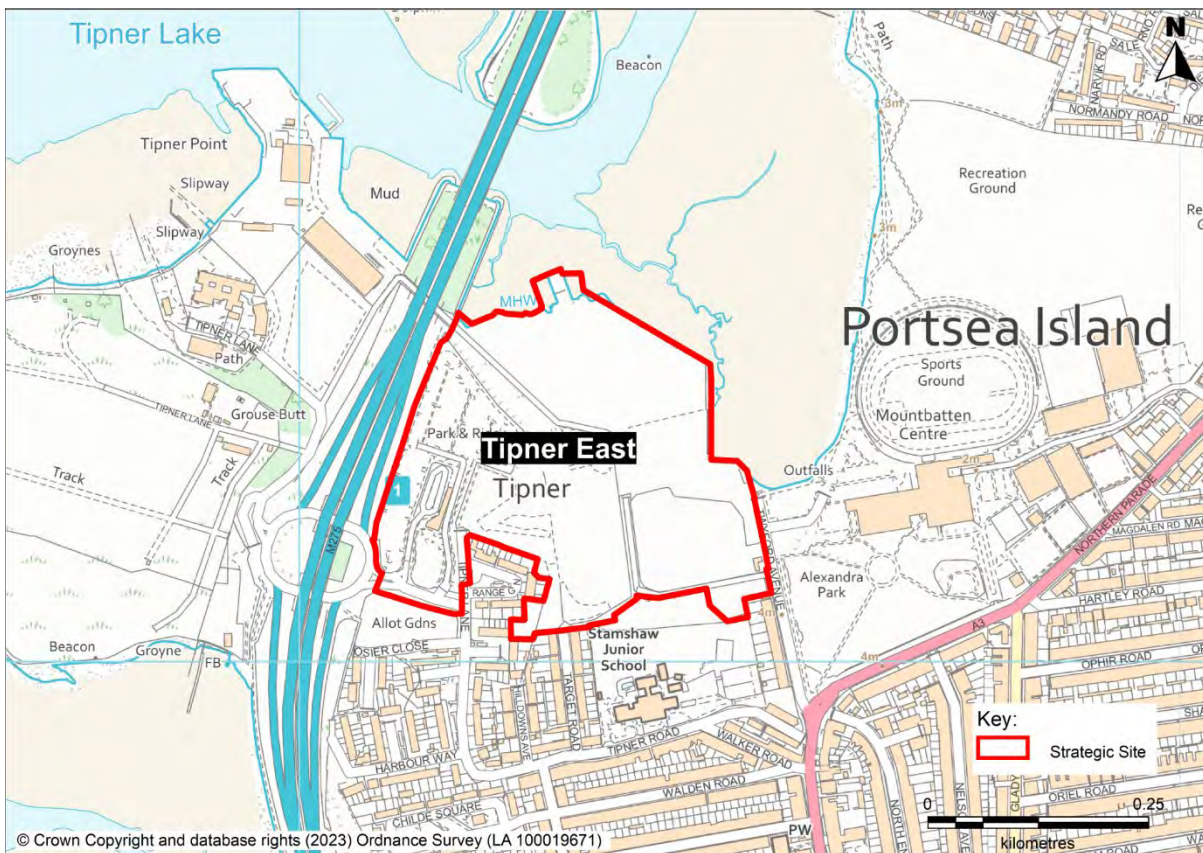


Figure 4.3: Map of Tipner East

4.40 The site is subject to a number of key constraints. It is adjacent to Portsmouth Harbour Ramsar, Portsmouth Harbour SSSI, Portsmouth Harbour SPA and Dorset and Solent Coast SPA. The likely significant effects of development have been considered through the Habitat Regulation Assessment (HRA) and several specific development requirements are included in the allocation policy to ensure no adverse impact on the integrity of the international designations.

4.41 The site is flat and low-lying and part of Tipner East lies in flood zones 2 and 3. Tipner East is covered by the North Solent Shoreline Management Plan (SMP) (section 5aPI01). The Portsea Island Coastal Strategy Study (PICSS) was developed to build on

policies set out in the North Solent SMP. These plans and strategies provide recommendations for flood management measures that should be implemented to protect residents of Portsmouth from flooding. Further information can be found within the SFRA Level 2

- 4.42 A new sea wall path and adjacent open space will be a considerable asset to the development, but will need to be closed when high tides and strong winds combine.
- 4.43 The map shows the location of the strategic site between the M275 motorway and the local highway network and close to the City's main leisure centre and a local primary school. It is important that development proposals do not increase the risk of rat running with motorists diverting off the motorway through the local road network. The two points of access to the site are Twyford Avenue and Tipner Lane. Tipner East is well served by sustainable transport routes. The Pilgrims Trail and the King Charles III England Coast Path pass through the site along with National Cycle Route 22.
- 4.44 The site has a long history of polluting land uses dating back to the 1860s. At the time of writing (spring 2024) the remediation works were underway in line with the Construction Environmental Management Plan approved for planning application (10/00849/OUT).
- 4.45 Tipner East has been the subject of a number of planning applications, which have in turn provided a substantial body of evidence for the site. This includes the Environmental Impact Assessment Scoping Opinion for residential development (22/00003/EIASCO), the permitted scheme for 835 new homes from Vivid Homes (22/01292/FUL) and the application for 221 new homes from Bellway (21/01357/FUL), which has been approved pending the completion of a legal agreement at the time of writing (Spring 2024). Further evidence on Tipner East is provided in the HELAA and the SFRA.
- 4.46 The development of a new multi modal transport hub for the City is a key component of the vision for Tiner East. The Government identified Portsmouth as one of several cities where concentrations of nitrogen dioxide are unlikely to be reduced without swift action. The City Council therefore introduced a Clean Air Zone in November 2021. The new transport hub at Tipner East should have a positive impact on air quality particularly at the City Centre Strategic Site allocated under Policy PLP6. The modal shift to more sustainable forms of transport outlined in Local Transport Plan 4 will reduce the number of private cars accessing the City Centre and encourage them to use the Park and Ride instead. The current Park & Ride facility opened in 2014 and provides 665 car parking spaces and a regular bus service into the City Centre. Outline consent was granted in 2022 for a multi-storey transport hub, which would replace the existing facility and provide a maximum of 2,650 car parking spaces along with ancillary commercial and leisure uses (22/00024/OUT). The new transport hub would serve the new residents and businesses of Tipner and facilitate lower on-site parking provision both here and in the City Centre. It will also help to meet the demand of car parking spaces from the nearby Portsmouth International Port and support the increase in cruise liners visiting the City. The City Council as the landowner and transport authority is actively seeking external partners and funding for the new transport hub.

Vision

4.47 In 2040, Tipner East will form a new gateway to the city along with Tipner West and will be home to a new healthy and happy community. People will live in good quality homes. There will be a new multi modal transport hub including a busy Park & Ride service to both the wider City and the international port. New climate resilient sea defences will defend the new community alongside the existing residents of north Portsea Island. Historic land contamination will have been prevented from leaching into the Harbour. The nationally and internationally designated saltmarsh and mudflat supporting populations of Brent Geese and wading birds will be cherished and protected. The whole Tipner peninsular will be home to a community where residents, workers and visitors co-exist in harmony with nature.



Strategic Site Allocation Policy PLP4: Tipner East

1. Tipner East, as shown on the Policies Map, is allocated for the mixed use development of the following uses:
 - a) A new community with up to 1,056 residential dwellings (class C3);
 - b) A new multi-modal transport hub with 840 m² ancillary commercial uses;
 - c) A number of commercial and community uses including a convenience store, a restaurant/café and a community space;
 - d) Flood defences in line with robust climate change scenarios.
2. Development proposals for the above named uses will be permitted provided that they meet all of the following site specific development requirements:
 - a) Create a new landmark gateway to the City of Portsmouth to be demonstrated through a suitably scaled conceptual site-wide masterplan with an accompanying design code framework that delivers beautiful place-making and has regard to the National Model Design Code;
 - b) Break down the barriers, both physical and perceived, created by the M275 motorway and Ports Creek. This will be achieved through the design of both buildings and spaces to create excellent connections with new development at Tipner West and the wider area;
 - c) Integrate green and blue infrastructure into the masterplanning and design of the development and seek to mitigate the urban heat island effect and uncomfortable/unsafe wind conditions;
 - d) Incorporate car-free streets wherever feasible with reduced car parking standards and enhanced cycle parking with 'Mobility as a Service' and sustainable transport modes prioritised;
 - e) Improve off-road accessible pedestrian and cycle provision linking Port Solent and Tipner to the City Centre, nearby public open spaces including Horsea

Island Open Space, recreational facilities including the Mountbatten Centre and other local shops and services;

- f) Provide safe and efficient vehicular access to and from the M275 and the surrounding non-strategic road network;**
- g) Deliver or contribute proportionally to the relevant transport and highways mitigation measures identified within the Local Plan Strategic Transport Assessment and/or Infrastructure Delivery Plan;**
- h) Provide for public access along the waterfront where feasible and without causing unmitigated recreational disturbance to protected bird populations;**
- i) Safeguard the routes of the Pilgrims Trail, the King Charles III England Coast Path and National Cycle Route 22 through the site;**
- j) Any loss of supporting habitat identified in the Solent Waders and Brent Goose Strategy will be mitigated through the provision of replacement supporting habitat of equal or greater quality and quantity that fulfils the same special contribution and particular function of the areas lost or damaged for the same species of birds.**
- k) A shadow, project level Habitat Regulations Assessment (HRA) will be required to be submitted along with the planning application(s) to the Local Planning Authority as competent authority. This must provide sufficient evidence for the Local Planning Authority to undertake an Appropriate Assessment, in consultation with Natural England, and to be satisfied that the mitigation measures proposed by the applicants would result in no significant effects upon the integrity of the National Site Network, whether alone or in combination with other plans and/or projects in the area;**
- l) Deliver appropriate surface water and foul drainage infrastructure together with required nutrient neutrality and water usage mitigation measures to support the Environment Agency in achieving and/or maintaining at least 'Good' water quality status and to protect designated habitats within the Portsmouth Harbour Waterbody (pursuant to the Water Environment Regulations); and**
- m) Deliver surface water management measures to make provision for storage during high tide events, when the surface water drainage may be subject to tide locking;**
- n) Future development of the site will require land raising and construction of flood defences. Their implementation should be informed by the SFRA Level 1 and 2;**
- o) Mitigate and remediate contamination from current and historic uses; and**
- p) Whilst the City Council wishes to see a comprehensive development of the site, it recognises that planning applications may come forward separately or in phases. As well as complying with the development requirements set out above, all development proposals need to demonstrate consistency with other**

permissions granted and emerging proposals. All development proposals will be supported by appropriate site phasing and sequencing strategies to ensure a holistic approach is taken to the development. Planning applications will need to demonstrate potential landscaping or other solutions for land comprising later phases in the event that such phases do not come forward within an agreed timeframe.

Supporting text

- 4.48 The purpose of this policy is to allocate Tipner East as part of a new gateway for Portsmouth with homes and a new multi modal transport hub for the City.
- 4.49 The housing requirement will deliver a high density scheme in a prominent gateway location, which will be served by the new multimodal transport hub. The commercial uses at the transport hub could include a café, convenience shop, car share office, bicycle rental and ancillary offices. The commercial and community uses for the new housing estate could include a local convenience store, a community space and remote working office space.
- 4.50 With its new multi modal transport hub, Tipner East should be an exemplar for sustainable transport with Mobility as a Service. Sustainable transport routes should be safeguarded and vehicular access carefully managed to preclude the development of a rat run through the estate. A low car use approach should reinforce strong links to public transport.
- 4.51 The site is flat and low-lying and a small part of Tipner East lies in flood zones 2 and 3. It was assessed as part of the Level 2 Strategic Flood Risk Assessment, which made a number of recommendations to avoid and control flood risk.
- 4.52 Flood defences and ground raising will be required to enable development at this site. This should be informed by the SFRA level 1 and 2 and must incorporate detailed site specific wave overtopping calculations along with suitable calculations for freeboard.
- 4.53 New development should discharge runoff to the sea following suitable treatment. Storage of surface water should be managed when the sea level rises to a height that will not allow for drainage.
- 4.54 It is likely that there will be a loss of habitat that is functionally linked to the Solent SPAs / Ramsar sites namely Secondary Support Area 139 and Low Use Site P136. Furthermore, Low Use Sites P38 and P39 lie within 100 metres of the allocation boundary. All functionally linked habitat parcels lie in close proximity to the Portsmouth Harbour SPA/Ramsar, indicating that they are likely to be used by SPA/Ramsar waterfowl in order to minimise energy expenditure. Non-breeding bird surveys between October and March (typically two survey seasons) will be required to inform the detailed design of the offsetting mitigation habitat that will be provided to ensure no adverse effect on integrity. All loss of this functionally linked land should be mitigated in line with Policy PLP42: Solent Waders and Brent Geese Sites and the Mitigation and Off-setting Requirements set out in the Solent Waders and Brent Goose Strategy and to the satisfaction of the local planning authority and Natural England. The planning application will need to be supported by a bespoke Habitats Regulations Assessment.

Monitoring and Delivery Framework

Types & amounts of development	Timescale	Delivery	Monitoring	Triggers & potential actions
Enabling works and sea defence wall	2023-2025	Vivid are constructing the sea wall and associated infrastructure	Environment Agency	Underway
1,056 homes	431 (2025-2030) 625 (2030-2040)	Bellway and Vivid building out	Residential monitoring within the AMR	Development progress will be monitored through the AMR. If there is a lack of progress further work will be undertaken to ascertain the reason and propose interventions
Transport hub with 2,650 car parking spaces and 38 bus services per hour	Phase 1 of 1 no. multi story car park and active travel hub by 2030; Phase 2/3 of 2 no. multi story car parks by 2035	PCC as landowner is actively seeking external partners and funding	Monitoring of the Local Transport Plan (LTP4)	Reserved matters application needs to be permitted by June 2025 to keep extant permission
716 m ² commercial floorspace	2030-2035	To be delivered along with the transport hub	Commercial monitoring within the AMR	Development progress will be monitored through the AMR. If there is a lack of progress further work will be undertaken to ascertain the reason and propose interventions
840 m ² ancillary commercial uses at the transport hub	2030-2035	To be delivered along with the transport hub	Commercial monitoring within the AMR	

Table 4.3: Monitoring and Delivery Framework for Tipner East

Lakeside North Harbour

Introduction

4.55 Lakeside North Harbour is Portsmouth's premier business location, which won Business Park of the Year in 2022 and Workplace of the Year in 2023 at the South Coast Property Awards. It is a key employment site within the sub-region, hosting businesses from a range of sectors including finance, legal, I.T, research and development,

marketing and public bodies and online retailers. It was originally built for IBM as a regional headquarters in the 1970s and has been owned by Portsmouth City Council since 2019. A map of the site is shown as figure 4.4.

4.56 Lakeside covers more than fifty hectares of land. One of its greatest assets is its parkland setting with a sizeable lake to the rear of the main buildings from which its name is derived. It currently comprises five, linked but distinct, offices known as Buildings 1000 to 5000. The main office campus is supported by on-site amenities located at Central Square as well as a Porsche car showroom, crèche facilities, a hotel and leisure centre and substantial surface car parking. It is bound by the strategic road network: the M27 to the south, A27 to the east and north and the M275 to the west. A shared footpath / cycle way runs to the north of the site, linking it to the City and the wider area, and a shuttle bus runs to the nearby Cosham District Centre.

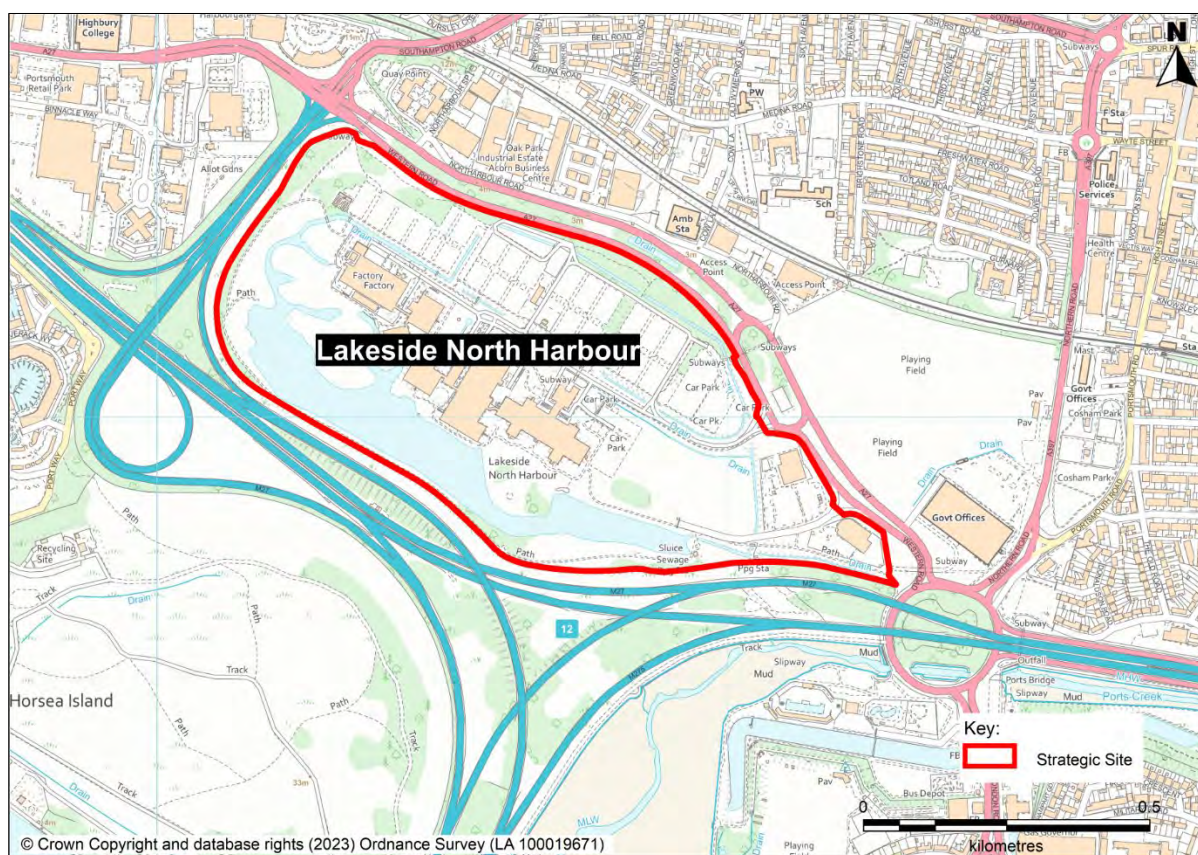


Figure 4.4: Map of Lakeside North Harbour

4.57 Lakeside has been assessed as both an existing and potential employment site in a number of studies including the Approach to Employment Land Study by the BE Group⁶⁹, which describes it as 'the primary location for B1 employment in Portsmouth'. The Business Needs, Site Assessments and Employment Land⁷⁰ Study by Lambert Smith Hampton describes 'the magnetic appeal of Lakeside (which) attracts the majority of occupiers seeking office space in Portsmouth'. Lakeside was assessed for its potential for commercial development in the HELAA and 50,000 m² of new office floorspace was

⁶⁹ <https://www.portsmouth.gov.uk/wp-content/uploads/2020/05/development-and-planning-employment-land-study.pdf>

⁷⁰ <https://www.portsmouth.gov.uk/wp-content/uploads/2020/05/development-and-planning-employment-land-study.pdf>

considered to be achievable due to its strong market appeal and well-managed and promoted image. The study noted that Lakeside commands prime rents as Portsmouth's premier office location and features an impressive occupier offer, facilities and efficient office layouts.

- 4.58 Lakeside was assessed in the Housing and Economic Development Needs Assessment⁷¹ (HEDNA), which noted the high accessibility, high quality of the buildings and high quality parkland setting. In terms of the overall need and supply of offices in the City the HEDNA flags up an indication of a potential over-supply of office floorspace across the City unless there is a more pronounced return to office usage in the future. Lakeside is thriving as a business park with 94% occupancy as of summer 2023. This is in line with the 'flight to quality' whereby office tenants seek out prime office properties such as Lakeside. The HEDNA considered the allocation of the site for offices to be appropriate, but advised that a mix of other leisure, retail or commercial uses could be considered if new offices did not come forward during the plan period. It is therefore considered that the allocation will be implemented in the final five years of the plan period subject to market interest.
- 4.59 Planning permission has been granted for a number of development schemes at Lakeside over the years although not all of them have been implemented. This includes several highways and access improvement schemes including the formation of a new access road onto Western Road.
- 4.60 Lakeside was built on reclaimed land from the northern section of Portsmouth Harbour in the 1970s. This gives rise to a number of issues and challenges relating to biodiversity and flooding. Part of the site is designated as a Site of Importance for Nature Conservation (SINC) and is partially within an indicative high tide roost under the Solent Waders and Brent Goose Strategy (Secondary support area). The parkland provides opportunities for mitigating the impact of development on the SINC. It also provides considerable potential for on-site Biodiversity Net Gain. There are a number of trees on site of significant value, which are worthy of protection including some elms, which host White Letter Hairstreak Butterflies.
- 4.61 Lakeside is currently located entirely within flood zone 1. However, it is estimated that in 2122 much of the site will be in flood zones 2 and 3a. The site was assessed in the Level 2 Strategic Flood Risk Assessment, which made a number of recommendations to avoid and control flood risk. These are carried forward to the development requirements for the allocation.
- 4.62 Since Lakeside is a business park located on the edge of the City, one of its business attractions is the substantial on-site car parking available for employees and visitors to the site. In order to promote sustainable modes of travel to and from the site, all development proposals to expand the business offer must safeguard and where possible enhance pedestrian and cycle links to the City Centre and Cosham. The Strategic Transport Assessment has examined the benefits of the creation of a new access on to the Western Road (A27); these proposals have been identified as highly beneficial in enabling the site to be developed in a manner which addresses potential significant congestion on the adjacent local and strategic road networks and further details of the

⁷¹ https://www.portsmouth.gov.uk/wp-content/uploads/2024/04/4-Portsmouth-HEDNA_Final-Report-Dec-2023-CONFIDENTIAL-1.pdf

supporting assessments are set out in the Transport Study and the Infrastructure Delivery Plan supporting the Local Plan.

- 4.63 The site is allocated for a total of 50,000 m² of new office floorspace in this Local Plan. The majority of the allocation would be through the intensification of the site with the re-development of a proportion of the extensive surface level car parking. This is considered suitable due to the proximity to bus, rail and cycle lane connections, and the likely continuation of home and hybrid working. The remaining part of the allocation is currently open grassland located between Building 1000 and the newly completed Village Hotel and Porsche Showroom. The site owner is working on a masterplan for the site and it is important that all development proposals are brought forward in a coordinated manner.

Vision

- 4.64 In 2040, Lakeside will still be the premier location for high quality business space in Portsmouth. It will be a thriving hub for new and expanding businesses set within a campus location where parkland and waterways are of recognised ecological value and where sustainable travel links to the City and wider locality are achieved.

Strategic Site Allocation Policy PLP5: Lakeside North Harbour



- 1. Lakeside North Harbour, as shown on the Policies Map, is allocated for 50,000 m² of new office floorspace class E(g)(i)**
- 2. If a robust marketing campaign of at least twelve months, its scope having been agreed in writing in advance by the local planning authority, clearly demonstrates that there is insufficient market demand for new offices at this location, development proposals for other commercial uses that complement the existing office park will be allowed.**
- 3. A new secondary access point at Lakeside to be provided on to the Western Road (A27) in accordance with the general arrangement plan (figure 12/GB01T23C11-dwg-101-8.1 in Appendix H) of the Strategic Transport Assessment, or such alternative as may be developed and agreed with PCC Highways.**
- 4. Development proposals for the above named uses will be permitted provided that they meet all of the following site specific development requirements:**
 - a) A masterplan and design code for the whole site should be prepared, submitted and approved as part of a site-wide planning application, to ensure that all future development at Lakeside is brought forward in a holistic manner;**
 - b) A high standard and quality of design is achieved which is sympathetic to the existing high quality, campus-style setting of the business park and the areas and networks of recognised ecological value;**
 - c) An Employment & Skills Plan for both the construction and occupation stages of the development shall be submitted with planning applications or otherwise agreed in writing through either a planning condition or s106 legal agreement, prior to the start of development;**

- d) To meet the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended), the developer should provide evidence that the allocated site will not result in the loss of habitat that is functionally linked (Candidate Site P138) to Solent's SPAs / Ramsars. To demonstrate this, non-breeding bird surveys between October and March (typically two survey seasons) may be required to determine if the allocation itself or land adjacent to it, constitute an area of significant supporting habitat. If the site is found to be functionally linked to Habitats sites, mitigation and / or avoidance measures will be required, and the planning application will need to be supported by a bespoke Habitats Regulations Assessment to ensure that the development does not result in adverse effects on site integrity. Appropriate avoidance and mitigation measures to be provided to the satisfaction of the local planning authority and Natural England;**
- e) Biodiversity Net Gain of at least 20% is demonstrated as deliverable through the development and secured in perpetuity (at least 30 years) on site;**
- f) An Arboricultural Impact Assessment, Arboricultural Method Statement and associated Tree Protection Plan is submitted and implemented that protects trees throughout the site;**
- g) A site specific Flood Risk Assessment will be prepared in accordance with the recommendations of the Strategic Flood Risk Assessment Levels 1 and 2 supporting this Local Plan;**
- h) Flood management measures should be incorporated within the site in accordance with the SFRA Level 1 and 2 to reduce the risk to more vulnerable development and key infrastructure now and in the future;**
- i) Proposals for surface water management should make provision for storage during high tide events, when the surface water drainage may be subject to tide locking;**
- j) The provision of a Sustainable Drainage System (SuDS) to mitigate the risk of surface water flooding;**
- k) Evidence is provided of the current and historical contamination of the site and provision made for any necessary remediation to the satisfaction of the local planning authority;**
- l) Effective access arrangements that are safe and suitable for all users;**
- m) A Travel Plan to minimise car use by current and prospective occupants of Lakeside and to maximise use of sustainable modes of transport;**
- n) Deliver or contribute proportionally to the relevant transport and highways mitigation measures identified within the Local Plan Strategic Transport Assessment and/or Infrastructure Delivery Plan.**

Supporting text

- 4.65 The purpose of this policy is to allocate land for the expansion of Lakeside and consolidate its position as the City's premier business location.
- 4.66 The provision of 50,000 m² of new office floorspace at Lakeside will provide opportunities for Portsmouth's premier business park to provide more first class accommodation for businesses in South Hampshire. It is expected that the office development would come forward towards the end of the plan period.
- 4.67 Other commercial development will be permitted if robust evidence is provided that there is no market interest in new offices on the site. A marketing period should be agreed in writing in advance with the local planning authority and should follow as a minimum the requirements set out in Appendix 4 of the Local Plan.
- 4.68 The site was found to be unsuitable for housing both in the HELAA and the HEDNA for two overarching reasons. Firstly, housing would diminish the high quality business offer of Lakeside. Secondly, the site is not a sustainable location for housing as it is remote from local facilities, is bounded by busy roads and would be an isolated place to live.
- 4.69 The previous development proposals for the site included an indicative design for a new access point on to the A27 Western Road; this would take the form of a "left in, left out" junction which would allow westbound traffic from the site to avoid the existing main access. Testing undertaken as part of the Strategic Transport Assessment (STA) has shown that providing this access would have a significant beneficial effect on traffic circulation in the area (including significantly reducing the risk of "blocking back" of traffic in the peak hours toward the Portsbridge Roundabout). The exact form of the access would be subject to further discussion with PCC Highways and amendment to reflect any new site Masterplan, however, figure 12/GB01T23C11-dwg-101-8.1 in Appendix H of the STA shows the general arrangement of the required junction, and delivery of this infrastructure will be required as part of the wider scheme.
- 4.70 All development proposals for this strategic site should form part of a masterplan, which should include a design code to be agreed in writing by the local planning authority. It is important that the new business premises complement the existing buildings and enhance Portsmouth's premier office location in accordance with Core Policy PLP1.
- 4.71 The Portsmouth Economic Development and Regeneration Strategy seeks to address skills and education deficiencies in the City. Employment and Skills Plans at both the construction and occupation stages of development are a practical way that local people can benefit from development. Advice should be sought from the City Council at the earliest opportunity on the matter.
- 4.72 The south eastern part of Lakeside is identified as Candidate Site P138 of the Solent Waders and Brent Goose Strategy. Surveys will need to be carried out in accordance with Policy PLP42: Solent Waders & Brent Geese Sites of this Local Plan and the Guidance on Mitigation and Off-setting Requirements⁷² Non-breeding bird surveys may be required between October and March (typically two survey seasons) to determine if the allocation itself or land adjacent to it, constitute an area of significant supporting

⁷² <https://solentwbgs.files.wordpress.com/2021/03/swbgs-mitigation-guidance-oct-2018.pdf>

habitat. If the site is found to be functionally linked to Habitats sites, mitigation and / or avoidance measures will be required, and the planning application will need to be supported by a bespoke Habitats Regulations Assessment to ensure that the development does not result in adverse effects on site integrity in line with Policy PLP42 of this Local Plan and the Guidance on Mitigation and Off-setting Requirements and to the satisfaction of the local planning authority and Natural England.

- 4.73 The City Council is seeking the provision of 20% biodiversity net gain on strategic sites, which it owns. The parkland setting of Lakeside should provide ample opportunities to achieve this. This should be done in accordance with Policy PLP40 of the Local Plan and the version of the Government metric current at the time of the application.
- 4.74 There are a number of individual trees and groups of trees on the site that are of value and worthy of retention. Over two hundred of the trees are covered by individual Tree Preservation Orders (TPO) and there is one Mixed Woodland TPO. The findings of the Arboricultural Impact Assessment and Arboricultural Method Statement should inform the Tree Protection Plan to be agreed in writing by the local planning authority.
- 4.75 Lakeside is currently located entirely within flood zone 1. However, it is estimated that in 2122 much of the site will be in flood zones 2 and 3a. The site specific flood risk assessment should incorporate recommendations set out within both the SFRA Level 1 and 2 to demonstrate how flood risk will be managed to ensure that the development is safe over its lifetime. Flood risk management measures such as appropriate land raising will be required to enable development of more vulnerable uses, key infrastructure and safe access and escape routes. This should be informed by the SFRA level 2.
- 4.76 New development should discharge runoff to the sea following suitable treatment. Storage of surface water should be managed when the sea level rises to a height that will not allow for drainage.
- 4.77 Details of a suitable sustainable drainage system that mitigates the risk of flooding must be agreed in advance with both the local planning authority and the Lead Local Flood Authority.
- 4.78 Lakeside is located on an historic landfill associated with the reclamation of land in Portsmouth Harbour. Development at the site, including piling foundations, poses risks to groundwater from mobilising contaminants and creating new pathways for pollutants.
- 4.79 Lakeside is bounded by the strategic road network and there is a substantial quantum of surface level car parking. In order to service the new commercial premises planned for the site, a new access on to Western Road may be necessary. Any new access arrangements for the site should be agreed in writing with both the local planning authority and the local highway authority. It is important that non-motorised access is both protected and enhanced as part of any new access proposals.
- 4.80 All Travel Plans proposed for the site should comply with Policy PLP47: Movement and Transport of the Local Plan, the Local Transport Plan 4 (2021 –2038) and any successor documents and the Local Cycling and Walking Infrastructure Plan and any successor documents.

Monitoring and Delivery Framework

Types & amounts of development	Timescale	Delivery	Monitoring	Triggers & potential actions
50,000 m ² new office floorspace	2035-2040	Private sector development in response to business interest	Through the development Management process; working in partnership with developers and land owners	If lack of interest is demonstrated in new office floorspace through a robust marketing campaign then other commercial uses will be allowed

Table 4.4: Monitoring and Delivery Framework for Lakeside North Harbour

Portsmouth City Centre

Introduction

4.81 Portsmouth City Centre is recognised as a focal point for new development and regeneration for the City and the sub-region. Given its importance to the City and wider region, the Council is committed to the regeneration of the City Centre to create a thriving, attractive, and vibrant environment for its residents, businesses and visitors. A map of the site is shown as figure 4.5.

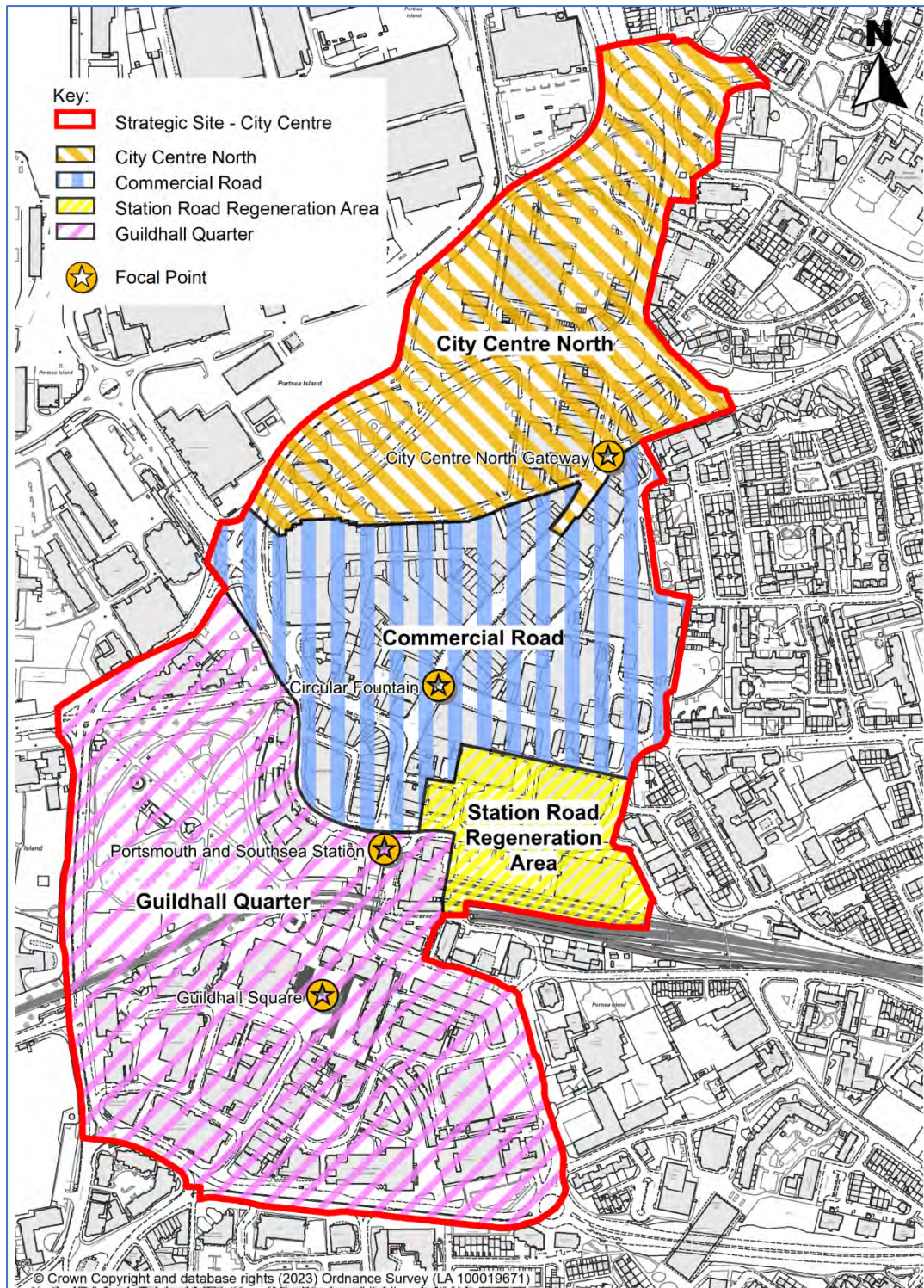


Figure 4.5: Map of Portsmouth City Centre

4.82 Located to the centre-west of Portsea Island, the City Centre is an area of some 60 hectares extending from Hope Street in the north to Guildhall Walk and Winston Churchill Avenue to the south. Directly adjacent to the west of the City Centre lies the HM Naval Base. To the east and south lies the respective residential areas of Buckland, Landport and Somerstown. At the heart of the City Centre is the Commercial Road shopping area, which also includes the shops and commercial uses on Arundel Street and in the Cascades Shopping Centre. To the south of Commercial Road lies

Portsmouth & Southsea Railway Station, itself a Grade II listed building, with a railway viaduct forming a physical barrier to the area to the south. This area has seen some recent development in the form of purpose-built student accommodation. To the west lies the ever popular Victoria Park (Grade II listed Park and Garden) and Portsmouth St John RC Cathedral (Grade II listed building). The southern area of the City Centre comprises the civic areas of the Guildhall and its square. Opposite the Guildhall lies the Civic Offices. To the South is Guildhall Walk, which is known for its cultural and leisure offer with pubs, restaurants and cafes plus it is the home of the refurbished and extended New Theatre Royal. Adjoining Winston Churchill Avenue are the law courts, the police station and student accommodation.

4.83 The site is currently located within flood zone 1, although it is predicted that by 2122 the southwest portion of the site will be located within flood zones 2 and 3. More vulnerable development should provide mitigation and ensure safe access in these locations. Development should take account of the recommendations set out within the SFRA Level 2, in particular, relating to surface water flooding.

4.84 It is considered that, through long-term redevelopment, the City Centre has the potential to become a diverse, vibrant and attractive area that has the capacity to deliver a large number of new homes, business premises, social/leisure venues and community facilities. This will make a major contribution to meeting the City's development needs and strengthen the identity and vitality of the City Centre and its economy including both the daytime and nighttime activity.

4.85 There have been several attempts to redevelop the City Centre North, which lies north of Charlotte Street. The area occupied by the former Tricorn Centre was proposed for redevelopment in the 2000's as a retail led scheme. Changes in the retail market away from high street retailers and to online shopping combined with the late 2000's recession meant that these proposals were not realised. In 2013 the City Council published a City Centre Masterplan⁷³. This sets out a development strategy for the City Centre, including an approach to development for the following specific areas:

- Commercial Road Shopping Area: Proposals focused on the reconfiguration of the road network to improve pedestrian connectivity, the delivery of environmental improvements to Commercial Road including the pedestrianisation of Edinburgh Road and Commercial Road south to create a new space for the city centre's market.
- North of Market Way: Proposals for this area focused on the reconfiguration of the road network and improve pedestrian and public transport.
- Station Square and Station Street: Proposals for this area included the development of a business hub for the City supporting at least 10,500m² of office space, and encouraged the creation of a transport interchange on Station Street.
- The Guildhall Area: Proposals for this area were for the Guildhall to become the heart of the City's civic and cultural life. Guildhall Walk was identified for its early evening economy role. Though restrictions to the amount of drinking establishments, takeaways and nightclubs were also proposed.

⁷³ <https://www.portsmouth.gov.uk/wp-content/uploads/2020/05/development-and-planning-city-centre-masterplan-supplementary-planning-document-SPD.pdf>

4.86 In 2021 the City Council published a City Centre Development Strategy⁷⁴. The Development Strategy set out 12 design principles for the City Centre to be Welcoming, Connected, Diverse, Delightful, Beautiful, Green, Healthy, Safe, Enduring, Resilient, Intelligent and Playful. The Development Strategy divided the City Centre into five areas with proposals for each. The areas were as follows:

- Landport Gate (north of Hope Street) - For this area the Development Strategy considered a mix of residential and employment options across a number of blocks of up to 20 storeys in height.
- New Landport (between Charlotte Street and Hope Street) - For this area the Development Strategy proposed a residential led mixed use development including commercial and civic uses. The Strategy proposed development heights of between 3 and 10 storeys in this area.
- Paradise (Commercial Road and the surrounding retail areas) - For this area the Development Strategy proposed retail at ground floor level with residential above in buildings of up to 6 storeys. The Strategy also proposed a new park within this area of the City Centre.
- Work Station (bordering Stanhope Road and Station Road) - For this area the Development Strategy proposed a mix of commercial and residential buildings in a range of between 6 and 20 storeys. In addition a new square / public open space was proposed for Portsmouth and Southsea Station.
- Guildhall and Victoria (north of Winston Churchill Avenue / south of Portsmouth and Southsea Station and Victoria Park) - For this area the Development Strategy proposed a residential led mix of uses in the 4 to 15 storey range.

4.87 Since the City Centre Masterplan and City Centre Development Strategy were written there has been a significant amount of new and proposed development proposed in the City Centre. There has been significant purpose-built student accommodation built in the City Centre including Catherine House, Stanhope House and Crown Place. Some of the most notable proposals coming forward include the: Outline planning application (22/01243/CS3) for City Centre North which proposes the demolition of existing buildings and the construction of up to 2,300 residential units, and up to 10,000 m² non-residential uses. City Centre North also proposes the realignment of the Road network, most notably the diversion of traffic onto Hope Street and developing part of the area currently occupied by Market Way. There have also been proposals for residential and hotel uses for the Slindon Street Post Office (20/00407/OUT / 20/00152/FUL) and proposals for residential / hotel development at land adjacent to Catherine House (17/01807/FUL). There are also further proposals in pre application planning for the former Debenhams site and former Matalan sites.

4.88 There is a range of evidence based studies supporting the allocation of this strategic site. This includes the HELAA, which identified a total of thirteen sites in the City Centre with potential to deliver 4,158 dwellings and 20,000 m² of gross employment floorspace (1,546 m² net gain when losses are taken into account). The Portsmouth Emissions Based Assessment⁷⁵ looked at the City Centre because poor air quality is a recognised issue with three AQMAs designated in the vicinity (7, 11 and 12). The assessment found that there is a predicted increase in NOx in the short term impacting parts of AQMA 11,

⁷⁴ https://www.portsmouth.gov.uk/wp-content/uploads/2021/09/Portsmouth-City-Centre-Development-Strategy-Jan-21_compressed.pdf

⁷⁵ <https://www.portsmouth.gov.uk/newlocalplanevidencedocx>

however it is expected that the NOx emissions will substantially decline across the plan period, due to changes in the vehicle fleet. Further detailed modelling may be needed to investigate if additional short-term mitigation is required.

Vision

4.89 In 2040, Portsmouth City Centre will fulfil its potential as a centre of culture and creativity for the City. There will be a thriving business and retail offer centred around Commercial Road and enhanced cultural provision focused on Guildhall Square and Guildhall Walk. The new park at City Centre North and the historic Victoria Park will, along with tree lined thoroughfares, make it a green and pleasant centre for residents and visitors. People will live in good quality homes, which are carbon neutral and located close to jobs and bustling services. People will make fewer journeys by car and instead will make use of new and improved public transport connections including the enhancing Portsmouth and Southsea Train Station. Rapid Transit Improvements will provide easy access to wider South Hampshire including its two national parks, London and the continent. It is the home of Portsmouth University, which will be one of the top one hundred young universities in the world. Overall, the new City Centre will be a green cultural centre for the City, which is home to a happy, healthy and thriving community.



Strategic Site Allocation Policy PLP6: Portsmouth City Centre

- 1. Portsmouth City Centre, as shown on the Policies Map, is allocated for the comprehensive mixed-use development of the following uses:**
 - a) 4,158 dwellings;**
 - b) 20,000 m2 office class E(g)(i) floorspace (1,546 m2 net);**
 - c) A new 2.9 ha park at City Centre North; and**
 - d) Culture, arts, civic and leisure uses.**
- 2. Development proposals for the above named uses will be permitted provided that where appropriate they meet the following site-specific development requirements:**
 - a) Enhance the range of City Centre commercial uses;**
 - b) Protect and enhance the existing open spaces as shown in figure 4.5;**
 - c) Improve pedestrian and cycle connectivity to the surrounding residential areas;**
 - d) Incorporate car-free streets wherever feasible, with 'Mobility as a Service' and sustainable transport modes prioritised;**
 - e) Deliver or contribute proportionally to the relevant transport and highways mitigation measures identified within the Local Plan Strategic Transport Assessment and/or Infrastructure Delivery Plan;**

- f) Any severe impacts on the highways network identified as resulting from development as part of the City Centre strategic site must be mitigated following a robust assessment and reduce the impact of traffic to an appropriate level;
 - g) Provide evidence that air quality in adjoining AQMAs is not worsened;
 - h) Evidence is provided on the current and historical contaminative uses of the site and provision made for any necessary remediation;
 - i) Complement the proposals set out in the University of Portsmouth Estate Masterplan where relevant;
 - j) Major development in the City Centre should demonstrate how its design enhances the centre's appearance and considers the needs and safety of all its users including reducing crime, through the provision of a design code;
 - k) Major development including major commercial development should provide an employment and skills plan to demonstrate how the proposals provide opportunity for local workers;
 - l) Major Development should provide a travel plan to demonstrate how it is contributing to a shift to sustainable and public transport in in the centre; and
 - m) Development protects trees within the City Centre and takes opportunities to plant more and provide enhanced greening.; and
 - n) An Arboricultural Impact Assessment, Arboricultural Method Statement and associated Tree Protection Plan is submitted and implemented that protects trees throughout the site;
3. **Proposals for the comprehensive redevelopment of the City Centre North (as shown in figure 4.5) for 2,300 dwellings and 20,000 m² of new office floorspace and provision of a new green space will be supported. These proposals will have to demonstrate that they create a new residential community with a focus on delivering integrated green space, connectivity and promote community integration. Proposals at the City Centre North Focal Point should look to create a gateway to the City Centre North Development linking it to the northern end of Commercial Road. Proposals in City Centre North should include the following elements within a master plan; a Large Urban Green green space; Improved Connections to wider neighbourhoods and amenities; Streets and Squares for play and socialising; commercial opportunities; a new Primary Mobility Hub at Commercial Rd; and creation of a cyclable and walkable neighbourhood. Biodiversity Net Gain of at least 20% is demonstrated and secured in perpetuity (at least 30 years) on site. Proposals must take into account the character and significance of the Mile End Conservation Area by minimising harm to the significance and appreciation of the conservation area, and responding sensitively to St Agatha's Church (Grade II*) and All Saint's Church (Grade II) in terms of massing, scale and orientation.**

4. **Proposals falling within the City Centre Commercial Area (as shown in figure 4.5) should include town centre uses at ground floor level. Proposals which retain and enhance active frontages in this area including outside / street seating will be supported. Outside of the commercial frontages schemes that deliver high-density mixed-use development will be permitted provided they improve connectivity between the retail area, and the surrounding areas and contribute to a modal shift to sustainable transport. Proposals within this area should provide space to accommodate and avoid negative impact on the markets which use Commercial Road. Interventions at the Arundel Street Focal Point should protect and enhance the fountain and take opportunities to utilise the space for cultural events.**
5. **Development within the Station Road Regeneration Area (as shown in figure 4.5) will be permitted where they provide a significant contribution to the City's housing and other needs by providing good quality, high density and tall buildings. Proposals impacting the area around Portsmouth and Southsea Train station should contribute to improved connectivity and street scene within the City Centre, without unacceptable harm to the historic environment. Proposals in this area should create a gateway to the City linking the commercial core around Commercial Road to the Cultural and Civic Centre focused on Guildhall Square and Guildhall Walk.**
6. **Proposals within the Guildhall Cultural Regeneration Quarter (as shown in figure 4.5) will be permitted where they contribute to the existing mix of cultural, civic and town centre uses. Development within this area should protect and enhance the significance including the setting of heritage assets and look to raise the overall quality of the area's built environment. By sensitively incorporating the area's listed buildings and responding positively to their significance and the wider historic environment, proposals should help to enhance the character and appearance of and the Guildhall & Victoria Park Conservation Area. The Guildhall Square and Guildhall Walk will be a focal point for cultural, community, and civic development. Proposals that reinforce this role will be supported. Proposals that create active frontage facing onto Guildhall Square will also be supported.**

Supporting text

- 4.90 The purpose of this policy is to shape new development within Portsmouth City Centre so that it will adapt and thrive into the future. The City Centre will be a culture and leisure destination and provide a large number of new homes and significant office space to meet the future needs of the City.
- 4.91 The City Centre is one of the main locations for residential (4,158 dwellings) and commercial (20,000m² sqm gross, 1,546m² net) development in the City to 2040. Within the City Centre there are a number of existing commercial buildings such as the Slindon St Post Office which are proposed to be reused for residential; this results in a reduction in the overall gain in office space. Within the City Centre that main area of development is expected to be City Centre North with provision for a total for 2,300 dwellings and all of the commercial floorspace. In addition to City Centre North, there is a cluster of residential development coming forward around Station Road, with large development sites at Debenhams, Matalan, the former sorting Office and adjacent to Catherine House. In addition to these areas there is anticipated to be further infill housing development within the centre.

- 4.92 Proposals should protect and enhance the retail offer of the City Centre, as set out in Policy PLP28: Town Centres and have regard to enhancing / complimenting the main focal points for intervention as set out in this policy. It is anticipated that with current retail trends away from traditional big box retailers and the large scale of new residential development proposed in and around the City Centre that the role of the centre will change over the plan period. The City Centre will become more a culture and leisure focused destination with an increase in the food and drink offer and more independent retailers.
- 4.93 With the exception of Victoria Park there is little open space within the City Centre. It is important therefore that any proposals which impact the open spaces within the City Centre seek to protect and enhance these spaces and their role. This needs to include careful consideration of active frontages/ and access to these spaces as well as the visual impact of buildings on the spaces.
- 4.94 The proposals at City Centre North include the provision of a significant open space in the form of a new green space. It is important that any revised proposals retain this provision and consider carefully the green space's future users and potential for delivering biodiversity net gains.
- 4.95 The City Council is seeking the provision of 20% biodiversity net gain on strategic sites, which it owns. The City Centre North portion of the City Centre allocation is Council owned, and therefore a target for 20% BNG is being applied to this area. As the City Centre has a low baseline level of biodiversity, there is a significant opportunity to make a positive impact in increased biodiversity. This should be done in accordance with Policy PLP40: Biodiversity Net Gain and the version of the Government metric current at the time of the application.
- 4.96 Proposals should deliver or contribute proportionally to the relevant transport and highways mitigation measures identified within the Local Plan Strategic Transport Assessment; Infrastructure Development Plan and / or Local Transport Plan (LTP4). Any severe impacts on the highways network identified as resulting from development as part of the City Centre strategic site must be mitigated following a robust assessment and reduce the impact of traffic to an appropriate level. Any assessment must consider the projects included within the LTP4 and contribute to their delivery where appropriate.
- 4.97 Proposals should encourage a shift to more sustainable modes of transport incorporating 'mobility as a service' such as Electric Cycle and Scooter Hire and should incorporate increase cycle parking provision as set out in Policy PLP47: Movement & Transport.
- 4.98 Air quality in proximity to the City Centre Road network is a recognised issue and in response to this the City Council has implemented a Clean Air Zone which covers the City Centre Area which imposes charges on the most polluting vehicles. The Portsmouth Emissions Based Assessment⁷⁶ found that air quality in the City Centre is substantially impacted by how the road network of the area is laid out due to the volumes of traffic passing through the Centre. Proposals such as City Centre North that propose revised road layouts should ensure that these improve and do not worsen air quality.

⁷⁶ <https://www.portsmouth.gov.uk/newlocalplanevidencedocx>

Development proposals should take opportunities to improve air quality and mitigate negative impacts on air quality in the adjoining AQMA's as required.

- 4.99 Proposals within the City centre should consider the provision of reduced levels of parking in line with Policy PLP48 and the emerging Parking Supplementary Planning Document, and inclusion of infrastructure for sustainable forms for transport in order to create further modal shift. Wherever possible development should include car free streets, which should link to the existing pedestrianised routes in the City wherever possible. Proposals for further pedestrianisation and for closing roads to private cars will be welcomed. Major Development should provide a travel plan as part of the evidence submitted in order to demonstrate how it is meeting these objectives.
- 4.100 Proposals on the southern edge of the City Centre should take account of the Estate Masterplan⁷⁷ produced by the University of Portsmouth, and developers should work positively with the University as the major landowner in that part of the City.
- 4.101 The City Centre is one of the least green parts of the City. Proposals should wherever possible retain tree cover, protect trees cover by TPO (TPO148, TPO0050, TPO069), and take opportunities to green both spaces and buildings in the City Centre through the use of the Urban Greening Factor in line with policy PLP38: Green Infrastructure.
- 4.102 Major development in the City Centre should demonstrate how its design enhances the centre's appearance and considers the needs of all its users, through the provision of a design code. This should include detailed consideration of the needs as defined through equalities impact assessment, and the protected characteristics of those users.
- 4.103 The following sections of supporting text relates to the areas and focal points identified in figure 4.5.

City Centre North

- 4.104 City Centre North currently comprises a surface level car park to the north of the Cascades formerly occupied by the Tricorn Centre, the site of a former Sainsbury's store and a number of tired commercial units and surrounding surface level car parks. In addition the listed church, of St Agatha's, falls within the site area. The area is proposed for significant redevelopment for 2,300 dwellings, and 20,000 m² of commercial floorspace. The following paragraphs set out the key aspects of the development proposals.
- 4.105 A substantial new green space will create a new link between St Agatha's and All Saints Church with extended links to the south to Victoria Park and enabling future connections to the north creating a safe network of cycle paths and pedestrian routes. Creating green connections to the City through the implementation of green corridors, green spaces parks and playgrounds will be used to improve the well-being for the wider community as well as the residents on site. Green avenues will be created to reach out from the central green space and aim to link out to the wider city centre. These additional green spaces will aim to promote an active lifestyle whilst allowing the community to rediscover the local ecology. City Centre North is expected to deliver 20% Biodiversity Net gain, this is over and above the standard applied elsewhere in the City Centre and wider City centre as a whole as the site in City Council ownership and the Council

⁷⁷ <https://www.port.ac.uk/sites/default/files/2022-10/uop-estate-masterplan-section-3-and-4-sep-2016.pdf>

intends to take a proactive approach to Biodiversity on its assets. Proposals should protect and incorporate the existing mature trees on the eastern side of Flathouse Road, which the City Council is proposing to protect with TPO's.

4.106 City Centre North is the single largest development site in the City with the potential to deliver 2,300 dwellings. In order to do this the development will need to make careful use of both density and height. Proposals will need to carefully consider how larger buildings fit within the setting of the area. The northern part of the City Centre North site is potentially suitable for larger / taller buildings. Consideration will need to be given to the interaction with Hope Street and the Dockyard, as well as the frontages facing the new green space. There is potential within the scheme to create new landmark taller buildings, with heights of upwards of 20 storeys possible if well designed. An additional important consideration will be how development, especially any tall buildings, would impact on the character of the Mile End Conservation Area, including the birthplace of Charles Dickens, which is a Grade I listed building. This area manages to remain a haven of relative tranquillity. The Mile End Conservation Area Guidelines state that "The Conservation Area is separated from modern development by the boundary wall which blocks off Old Commercial Road at its southern end and serves both as a pedestrian entranceway into the Conservation Area and as a screen to mask the area from modern development". The effectiveness of such screening needs to be considered when large scale development is proposed.

4.107 The development of City Centre North should encourage a modal shift away from the use of the private car to prioritise use of sustainable transport given the sustainability of its location. This should be done in a number of ways including: removing Market Way and associated junctions; ensuring pedestrian and other sustainable transport connection to the wider City Centre and City; creating slower routes along Commercial Road that connect back to Queen Street; allowing for a safer and more enjoyable Proposed Pedestrian Routes; providing safer route connections to the wider cycle network in Portsmouth; creating pedestrian routes around the Cascades Centre, Victoria Park, Flathouse Rd, Ferry Port, Commercial Road retail & Conservation areas.

City Centre North Gateway Focal Point

4.108 The large-scale development at City Centre North will need to connect to the City Centre at the northern end of Commercial Road. This gateway will play an important role in the success of both the City Centre North development scheme and Commercial Road as a retail destination. The gateway should look to use active frontages to blend commercial use into the City Centre North scheme and create a welcoming and accessible space for both residents of city Centre North and the wider area.

City Centre Commercial Area

4.109 The cultural and leisure destination of the City Centre Commercial area is focused on the key retail and commercial streets of Commercial Road and Arundel Street, as well as the Cascades Shopping centre. This area forms the Core Commercial Area of the City Centre allocation. Proposed uses, should include retail, commercial, leisure, and culture and service use as set out in Policy PLP28 Town Centres. Within the City Centre Commercial area proposals for non-town centre uses will need to be carefully considered to ensure they do not create adverse impacts upon the commercial role of the centre. Proposals should protect and incorporate the existing mature trees on Commercial Road which are being considered for future protection by TPO. Within much of this area non

town centre uses may be acceptable at above ground floor level only; Policy PLP28: Town Centres sets out the detailed requirements related to town centre use. The role of the centre is anticipated to change over the plan period as retail continues to move away from the traditional large national High Street retailers it is expected that the centre will have an increased independent retailer and food and drink offer. The proposal for significant levels of new residential development in the wider City Centre will support these types of business which in turn will support the culture and leisure offer of the centre. Proposals for these types of users in the centre will be supported. Proposals will also be supported for businesses creating additional active frontage and using the street for outdoor seating, where they accommodate the markets and other on street events.

4.110 Within this Area there are limited opportunities for large scale redevelopment due to a larger number of landowners and occupiers. The main exception to this is the site currently occupied by the Tesco superstore and NCP car park. This site has potential to deliver additional residential development in conjunction with a re-provided supermarket. There is opportunity to encourage a shift to sustainable transport modes in the City Centre through a reduction in the overall parking provision and improving the connectivity of the site to Commercial Road and Arundel Street, and to improve pedestrian linkage between the City centre and the adjoining Landport residential Area.

4.111 Within the City Centre Commercial Area there are two listed buildings namely St Agatha's and All Saints Churches. Proposals for redevelopment within this area must retain these buildings and respond sympathetically to their settings. The southern portion of the area borders the Guildhall & Victoria Park Conservation Area and proposals on adjoining sites should respond sympathetically to the park and the Cathedral.

4.112 Within the City Centre Commercial Area space will need to be set aside to accommodate the ongoing provision of the market. The Commercial Road Market currently runs every week on Thursdays, Fridays and Saturdays.

Arundel Street Fountain Focal Point

4.113 The fountain at the junction of Arundel Street and Commercial Road will be the focus of streetscene improvements. Interventions should protect and enhance the fountain and take opportunities to utilise the space for cultural events.

Station Road Regeneration Area

4.114 This Area of the City Centre has seen extensive redevelopment in recent years with more development proposed. The Area forms the setting of one of the main entrances to the City at Portsmouth and Southsea Station and links the commercial centre around Commercial Road to the City's main cultural offer around the Guildhall Square. The area was formerly characterised by mid twentieth century commercial uses of a moderate height with the exception of the former Zurich Building (now Catherine House) and the former Post Office Sorting Office. The Area has seen significant tall building construction in recent years, with Catherine House, Stanhope House, Crown Place and the Travel Lodge having all significantly increased building heights and densities in this area of the City Centre. In addition to the schemes that have already been developed significant further construction at height is proposed within this area of the City Centre including: Land adjacent to Catherine House (17/01807/FUL), at 19 storeys providing 147 dwellings and a 222 bed hotel; Debenhams site (subject to pre app) (partly in the City centre Commercial Area) for 523 units; The former Slindon Street Post Office

(20/00407/OUT) 19 Storeys providing 176 dwellings; Matalan subject to pre app for 615 dwellings over three towers.

- 4.115 This area of the City Centre has significant potential to deliver mixed use development at density and height including a large quantum of residential development. Proposed buildings of height and density should consider the setting of Portsmouth and Southsea Station (Grade II listed), the Cenotaph (Grade II* Listed, and Victoria Park Grade II listed). Advantage should be taken of the space created by the railway line to incorporate taller buildings. Proposals for development fronting Commercial Road Adjacent to Portsmouth and Southsea Station should have active ground floor frontage comprising town centre uses. This is intended to improve connection between Commercial Road and Guildhall Square connecting the two areas of the city.

Portsmouth and Southsea Train Station focal point

- 4.116 This area is key for the implementation of sustainable transport measures and promoting modal shift in the City Centre. The area in front of the Station has the potential to act as a significant gateway to the City, and proposals that enhance the setting of the station and improve the street scene / landscaping of the area will be welcomed. The Station building is listed, however, its quality has been impacted by later additions and poor maintenance, leading to it feeling unkept and unwelcoming. Enhancements to the Station building in order to improve its role as a gateway, and its legibility, permeability and accessibility for users will be encouraged. Commercial uses in the Station will be supported.

Guildhall Quarter

- 4.117 The southern portion of the City is the focus for cultural and civic offer of the City. In addition to the Guildhall itself, the Area includes the Civic Offices Central Library, New Theatre Royal, Law courts and numerous Portsmouth University buildings. The area includes a significant portion of the Portsmouth University Campus including both teaching buildings and student accommodation. This area of the City Centre is the focal point of its cultural and leisure offer.
- 4.118 Guildhall Walk connects to the southern side of Guildhall Square and as well as being the home of the New Theatre Royal forms a throughfare of cultural and entertainment uses and the supporting and complementary uses in the form of pubs and restaurants and cafes. Guildhall walk is well used by the wider population of the City most notably the student population and is one of the City's main cultural and evening economy destinations. Policy PLP28: Town Centres seeks to support opportunities to enhance and grow this part of the City's economy.
- 4.119 To the north west of the Guildhall and university campus lie Victoria Park and the City's Roman Catholic Cathedral. The Registered Park (grade II listed) is an important green space with a large number of mature trees, and historic monuments and features. It lies within the Guildhall & Victoria Park Conservation Area The park is protected by conservation area no 18 'Victoria Park'. The park is well loved, and used by the public, and is the only large area of public open space currently in this part of the city.
- 4.120 This area of the City is characterised by mid-rise development. The overall quality of the buildings is mixed although there are a number of buildings of high value with much of the area protected by conservation area status. Not every building is of a high quality

and there are areas of ground level paved parking within the area which do little to add to its setting. Proposals for development / redevelopment within this area of the City Centre should respect the character and setting of the Guildhall & Victoria Park Conservation Area (no.18) and aim to raise the overall quality of the townscape of the area through careful use of high quality materials reflecting the finer architectural examples around Guildhall Square and Guildhall Walk. Proposals for mid-rise development of a scale similar to the those in the vicinity should be sympathetic. Proposals will need to take account of the settings of heritage assets, which include among others Victoria Park (Grade II), the Grade II* Cenotaph and listed buildings along Guildhall Walk including the New Theatre Royal (Grade II*). These and other assets make an invaluable contribution to the character of the area and their heritage significance needs to be protected and better revealed through sensitive design.”

Guildhall Square - Focal Point

- 4.121 Guildhall Square is one of the most important and recognisable public spaces in the City Centre. It is already an attractive and well used space with a programme of events and is used as a setting for formal occasions by the University, City Council and the Royal Navy. The square also provides a strong civic function as a well as adjoining key cultural and entertainment venues including the Guildhall and the Central Library.
- 4.122 The Square is also at the junction of key pedestrian routes through the City Centre particularly the north / south route from Commercial Road past the Station and into Guildhall Walk. The square is busy with a through-flow of people, particularly during the day and thought should be given to community safety after dark.
- 4.123 The Civic Offices are showing their age and do not meet modern standards for energy efficiency. In addition following COVID and the rise in working from home the offices are occupied to a lesser degree than previously. Any proposals for the redevelopment on the Civic Offices should provide an enhanced level of active frontage onto the Square to make more use of it as a space when not being used for events.
- 4.124 The Guildhall, Guildhall Square and Guildhall Walk should act as a focal point for cultural and civic activities and create enhanced connectivity between Commercial Road and Portsmouth and Southsea Station to the North and Guildhall Walk and the University to the south.

Monitoring and Delivery Framework

Types & amounts of development	Timescale	Delivery	Monitoring	Triggers & potential actions
4,158 homes	1,721 dwellings to 2030, 2,437 dwellings between 2030 and 2040.	Through the development Management process; working in partnership with developers and land owners	Housing number and Employment floorspace monitoring in the AMR	Development progress will be monitored through the AMR. If there is a lack of progress further work will be undertaken to ascertain the reason and
Commercial floorspace 1,546 m²	2030-2040 years	Through the development	Housing number and Employment	

(20,000 m² Gross) office		Management process; working in partnership with developers and land owners	floorspace monitoring in the AMR	propose interventions
Provision of supporting infrastructure including but not limited to street scene improvements, new open space at City Centre North and improved provision for the market	2020-2040	Through the development Management process; working in partnership with developers and land owners	Infrastructure Delivery monitoring in the AMR in line with the requirements set out in the IDP	

Table 4.5: Monitoring and Delivery Framework for Portsmouth City Centre

Fratton Park & the Pompey Centre

Introduction

- 4.125 Fratton Park has been the home of Portsmouth Football Club (PFC) since 1899; its setting in the heart of the City and its historic structure means the site and its activities play an important cultural role in the City's identity. There has been a long and varied history to the redevelopment of Fratton Park and the surrounding land. The football club has explored numerous options to increase the capacity of the stadium, including the possibility of relocating to another part of the City.
- 4.126 The Council believes the accessibility in terms of the proximity to Fratton Railway Station with frequent train services to a variety of destinations, good bus routes and the number of residential units within walking and cycling distance of Fratton Park means that it remains the most sustainable location for a football stadium.
- 4.127 PFC has expressed aspirations to expand its seating capacity with a redeveloped North Stand being the preferred option. The stadium has a current capacity of 21,000, however a future expansion will seek to increase this to between 26,000 and 30,000 utilising the ancillary car park adjacent to the north of the stadium.
- 4.128 To the north of the stadium beyond the ancillary car park are several light industrial units which bound the southern side of Rodney Road. Several of these units are under the ownership of PFC. Residential dwellings located along Alverstone Road and Carisbrooke Road/Frogmore Road bound the east and south of the stadium.
- 4.129 An application (A*37086/AA) for the expansion of Fratton Park and wider development was approved in 2001, demonstrating the feasibility of future redevelopment. This proposed a 35,000 all seater stadium with supporting facilities including office/industrial/warehousing units; non-food retail; restaurants and associated vehicle parking.

- 4.130 The expansion of Fratton Park will seek to further increase the stadium's capacity and secure the long-term future of Fratton Park as the home of PFC. Regeneration of the stadium along with improvements to the public realm, accessibility and environmental quality would greatly improve the visitor experience of a key City landmark. Fratton Park will remain a presence at the heart of Portsmouth and its cultural identity will be secured.
- 4.131 As part of the redevelopment of the area, the property in the Club's ownership on the southern side of Rodney Road could also potentially support a mixed use residential-led development.
- 4.132 Associated uses facilitated by the expansion of the stadium could include small scale commercial, business or service such as conference and event facilities to allow growth of business on non-match days.
- 4.133 The Pompey Centre is a modern purpose built scheme developed in 2003 on 24.1 acres. It is located to the south-west, west and north-west of Fratton Park beyond Tesco which was developed following approval of planning application 14/00128/FUL in 2014. The Pompey Centre is an area of warehouse-style retail and trade outlets, including some large superstore units, fast food outlets, a hotel, leisure facilities, medical centre and residential units fronting Goldsmith Avenue and Fratton Way. Planning permission was granted in 2022 to subdivide Unit 4 (B&Q) to provide three new retail units. There is extensive surface car parking, much of which is currently underutilised. To better optimise the use of land, this area offers a great opportunity to deliver a high quality residential led mixed use scheme that will act as a gateway into Fratton Way.
- 4.134 The existing road layout and location of the railway line prevent easy pedestrian movement and cycle movements to and throughout the site. The locality is dominated by a car-based layout and vehicular movements. The road network, which is a popular east to west travel corridor is often highly congested along Goldsmith Avenue and Fratton Way. At rush hour and on match days this is exacerbated further and puts pedestrians at risk, especially those walking to the stadium. This in turn leaves a bland, unintuitive public realm for pedestrians with no notable green space or features.
- 4.135 Figure 4.6 is a map of Fratton Park and the Pompey Centre and shows an indicative off road pedestrian and cycle route through the site that connects the western and eastern extent and allows safe access for visitors using the train. This route will provide links to both the Pompey Centre and Fratton Park and deliver wider public realm improvements.

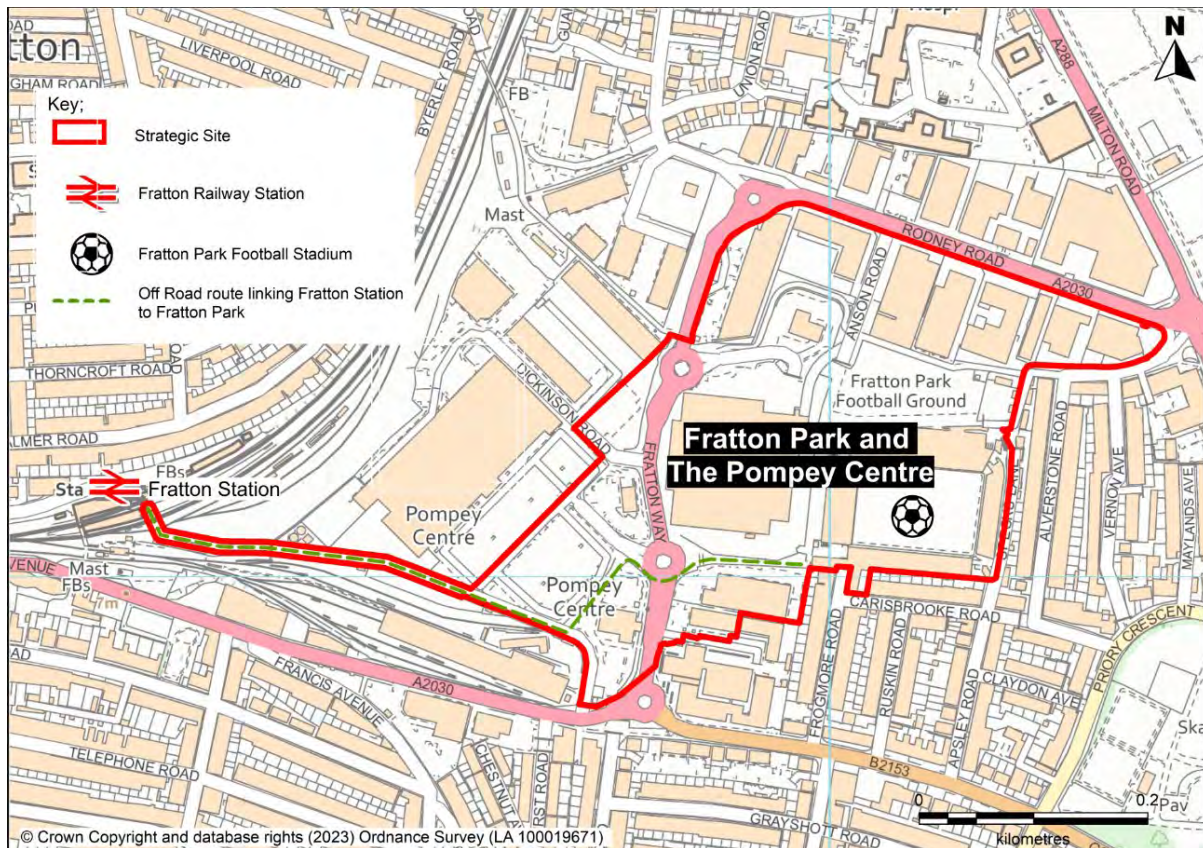


Figure 4.6: Map of Fratton Park & the Pompey Centre

Vision

4.136 In 2040, Fratton Park and the Pompey Centre will be a revitalised locality and a cultural hub. Fratton Park will remain the home of Portsmouth Football Club. A club run by its community, for its community. The football club will host games in a well-designed, expanded stadium. New homes and new jobs will encourage a thriving economy and new safe and accessible green links throughout the site will hand the area back to pedestrians.



Strategic Site Allocation Policy PLP7: Fratton Park & the Pompey Centre

1. Fratton Park and the Pompey Centre, is allocated for the mixed-use development of the following uses:

- a) Expansion to the north stand of Fratton Park Football Stadium to increase the capacity from 21,000 to between 26,000 and 30,000;
- b) Approximately 710 residential dwellings with ground floor active uses;
- c) Supporting hotel (approximately 145 rooms);
- d) Mixed conference and event facilities.

- 2. An appropriate, accessible off-road pedestrian and cycle route connecting Fratton Station to the Pompey Centre and Fratton Park shall be provided with wider public realm improvements. Development will be expected to integrate with this route.**
- 3. Development must incorporate active frontages and entrances that promote activity and successfully engage with the public realm particularly along the off-road pedestrian and cycle route and in other appropriate locations.**
- 4. Whilst the City Council wishes to see a comprehensive development of the site, it recognises that planning applications may come forward separately or in phases. It is important that the planning of the sites is co-ordinated. Therefore, developers will be expected to demonstrate how their proposals for a particular part of the site fits into the overall vision of the area, other permissions granted and emerging proposals. Planning applications will need to demonstrate potential landscaping or other solutions for land comprising later phases in the event that such phases do not come forward within an agreed timeframe.**
- 5. Development proposals for the above named uses will be permitted provided that they meet all of the following site specific development requirements:**
 - a) The design, height and density of development should integrate with and complement the existing context and character of the site and be developed in accordance with other policies within this plan;**
 - b) Effective access arrangements that are safe and suitable for all users;**
 - c) Deliver or contribute proportionally to the relevant transport and highways mitigation measures identified within the Local Plan Strategic Transport Assessment and/or Infrastructure Delivery Plan;**
 - d) A Travel Plan and Transport Assessment must be submitted as part of any proposal. These must assess the potential transport impacts and implications, propose mitigation measures and identify opportunities to implement effective sustainable transport initiatives;**
 - e) The provision of Sustainable Drainage Systems (SuDS) in order to mitigate the risk of surface water flooding; and**
 - f) A network of interconnecting green and public access corridors throughout the site will be delivered to enhance the level of green infrastructure and encourage net gains in biodiversity.**

Supporting text

- 4.137 The purpose of this policy is to allocate land for the expansion and improvement of Fratton Park and to regenerate the wider area in order to greatly improve the local and visitor experience.**
- 4.138 The poor pedestrian infrastructure and the busy nature of the local road network pose a risk to the safety of all pedestrians including locals, visitors and football supporters, especially on match days. Appropriate pedestrian and cycle access improvements should be delivered across the site as part of the overall public realm enhancement. The**

delivery of an off road, safe pedestrian access route from Fratton Station to the Pompey Centre and Fratton Park will avoid the main road network and allow visitors to safely access the site without needing to use pavements adjacent to busy roads. This route is important in the delivery of this strategic site to ensure a safe environment for all and enhance pedestrian experience.

- 4.139 Development throughout the site should be designed to provide well defined entrances, active frontages and edges, taking advantage of opportunities for natural surveillance. This will ensure integration with and maximise the advantages of a new pedestrian link to the station and encourage residents and visitors to cycle and walk through the development.
- 4.140 Due to the various land ownerships within the strategic site, it is understood that development proposals may come forward independently of one another. This must not lead to the delivery of development within the strategic site that distinctly differs to other developments that may have come forward prior; or existing neighbouring built form. Effective collaboration between landowners must be evidenced to show how a holistic approach has been reached.
- 4.141 Applications should demonstrate through a robust design and access statement how development complies with a design code, which should be produced in collaboration with the Local Planning Authority and the local community. It is important that the new development complements and responds to the existing built form and enhances the historic and cultural identity of this locality. Careful consideration should therefore be given to design including but not restricted to building height, mass, density and materials.
- 4.142 To further improve safety for existing and future residents, detailed plans must be provided that show how safe access and egress will be implemented for all modes of transport. All Travel Plans and Transport Assessments for the site should comply with Policy PLP47 (Movement and Transport) of the Local Plan, the Local Transport Plan 4 (2021 –2038) Portsmouth's Parking Standards and Transport Assessment SPD the Local Cycling and Walking Infrastructure Plan and any successor documents.
- 4.143 Any new access or highways arrangements for the site should be informed by the Strategic Transport Assessment and agreed in writing with the Local Planning Authority, the Local Highway Authority and National Highways. It is important that non-motorised access is both protected and enhanced as part of any new access proposals. Parking arrangements must be delivered in accordance with the Parking Standards SPD and any successor documents.
- 4.144 The site as existing comprises a significant amount of hard landscaping and poor quality public realm, including a large amount of bland surface parking. The redevelopment of this area allows an opportunity to deliver green infrastructure and high quality public realm across the site. The route from the station to Fratton Park and the surrounding developments must incorporate an appropriate level of greening to create an attractive alternative to driving.
- 4.145 The provision of green infrastructure can also help deliver SuDS. This strategic site presents an opportunity to significantly reduce surface water run off by implementing appropriate levels of SuDS in accordance with Policy PLP32 of the Local Plan.

Monitoring and Delivery Framework

Types & amounts of development	Timescale	Delivery	Monitoring	Triggers & potential actions
Expansion to the north stand of Fratton Park Football Stadium to increase the capacity from 21,000 to between 26,000 and 30,000	2035 - 2040	Through the development Management process; working in partnership with developers and land owners	Infrastructure monitoring in the AMR	Development progress will be monitored through the AMR. If there is a lack of progress further work will be undertaken to ascertain the reason and propose interventions
Off road pedestrian and cycle route	Prior to occupation of homes and opening of Fratton Park expansion	Through the development Management process; working in partnership with developers and land owners	Infrastructure monitoring in the AMR	
460 residential dwellings	2030 - 2040	Through the development Management process; working in partnership with developers and land owners	Residential and employment monitoring within the AMR	
250 residential dwellings	2035 - 2040	Through the development Management process; working in partnership with developers and land owners	Residential and employment monitoring within the AMR	
Supporting Hotel and mixed conference and event facilities	Open for business when the Fratton Park Stadium expansion opens	Through the development Management process; working in partnership with developers and land owners	Employment monitoring within the AMR	
Small scale ground floor commercial/retail units	Open for business when the first homes and	Through the development Management process; working	Residential and employment monitoring	

	business premises are occupied	in partnership with developers and land owners	within the AMR	

Table 4.6: Monitoring and Delivery Framework for Fratton Park & the Pompey Centre St James' & Langstone Campus

Introduction

4.146 The St James' and Langstone Campus strategic site is located in Milton, an area on the eastern edge of Portsea Island with a predominantly suburban character. The site itself consists of two main development areas. The first is the Grade II listed St James' Hospital and its grounds which occupy the western part of the strategic site and is under multiple ownerships as shown on the map below. These include the developers PJ Livesey, Homes England and Solent NHS Trust. The second main area comprising the eastern part of the site is the former University of Portsmouth Langstone Campus (owned by the University of Portsmouth). A map of the site is shown as figure 4.7.

4.147 St James' Hospital comprises a Byzantine Gothic hospital complex set in a wider parkland setting. The grounds of the hospital contain a number of ancillary buildings associated with the former mental hospital and medical use. Of particular note is the chapel designed by George Rake in the early English style. The hospital and the chapel both date to 1879 and are listed as Grade II. These buildings along with the surrounding landscape including mature trees, open spaces and vistas are the key contextual features for development to protect and respond to.

4.148 The main Grade II hospital building and some of its grounds are locally distinctive within the wider setting of Portsmouth, although they have become surplus to requirements. An application for redevelopment comprising 209 dwellings on the extent of land owned by PJ Livesey (formerly NHS Property Services) was granted planning permission in August 2023 following an appeal. The location of the development was considered sustainable by the inspector at appeal who stated that occupiers of the proposed development are unlikely to be dependent on the use of the car as the site is highly accessible to everyday shops and services by other transport means. The inspector also found that there would be no harm to highway safety in accordance with the Development Plan and the NPPF. Redevelopment of the whole site was modelled as part of the PCC Strategic Transport Assessment which demonstrates that the whole site will not have any cumulative severe impacts to road network, subject to identified network improvements.

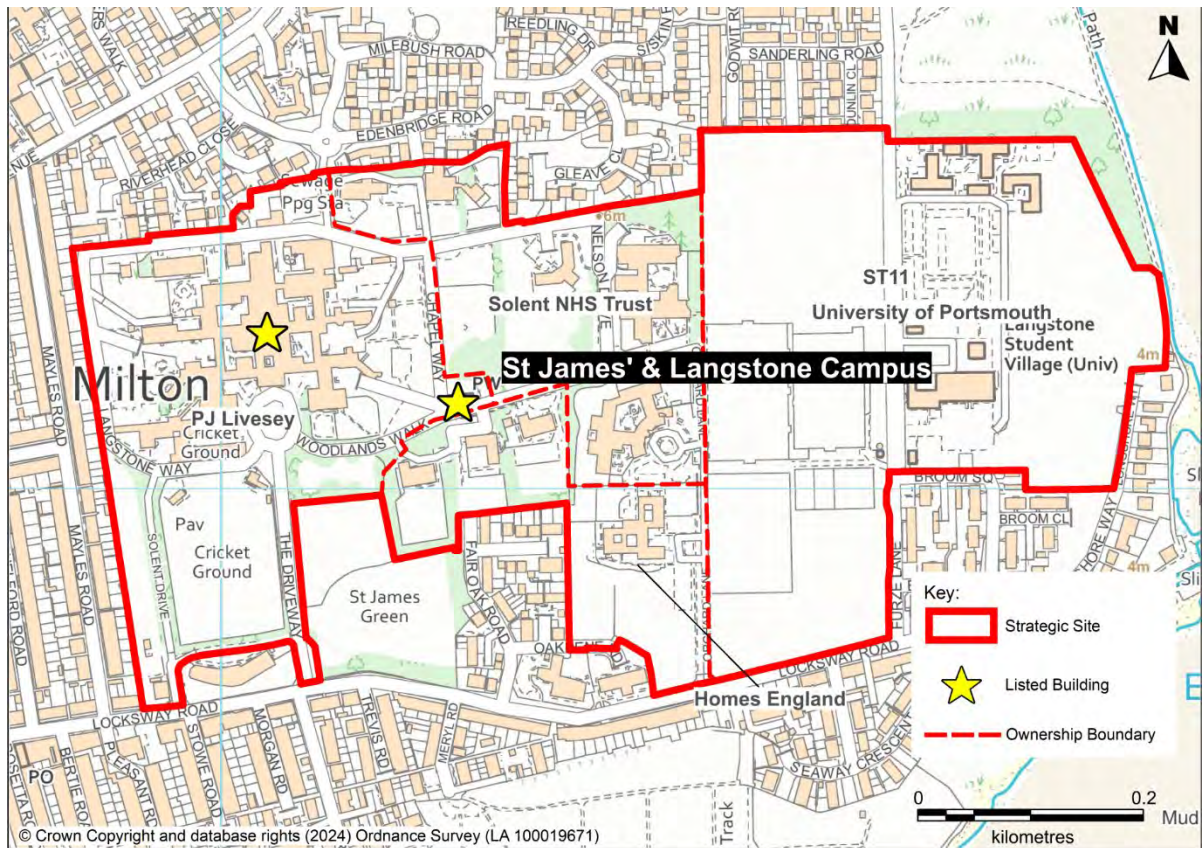


Figure 4.7: Map of St James' and Langstone Campus

- 4.149 To the southeast of the main hospital, beyond the chapel is a plot under the ownership of Homes England which is also available for redevelopment. This plot is occupied by the former Harbour School, various other buildings, including two curtilage listed villas, and areas of open space. This plot is currently under consideration for 107 dwellings (application reference 18/00288/OUT). The land to the north of this plot and to the east of the main hospital, held by Solent NHS Trust is both currently used and is to be retained for any potential future health related development that may be required. This parcel of land includes The Limes and The Orchards hospitals.
- 4.150 The former University of Portsmouth Langstone Campus occupies the eastern extent of the strategic site, extending to the coast and is within the ownership of the University of Portsmouth. It is sensitive in terms of nature conservation as it is located adjacent to Chichester and Langstone Harbours SPA, Solent Maritime SAC, Chichester and Langstone Harbours Ramsar site and Langstone Harbour Site of Special Scientific Interest (SSSI).
- 4.151 The former halls of residence were located centrally within this plot, although have since been demolished in the most part. 3/4 storey buildings occupy the northern extent of this brownfield strip with one high rise block remaining towards the south. To the east of this brownfield land adjacent to Langstone harbour is a large grass playing field which is also identified as a 'Core Area'⁷⁸ for Brent Geese and Solent Waders. To the west is a

⁷⁸

<https://hiwwt.maps.arcgis.com/apps/instant/minimalist/index.html?appid=f4bbd6fe517647cba8bf0f3b8cfb7c1b>

mix of grass and artificial playing pitches which are identified as Secondary Support Areas for Brent Geese and Solent Waders.

- 4.152 The Milton Common Local Nature Reserve Mitigation and Management Framework (2022)⁷⁹ seeks to mitigate any alone impacts caused by resultant recreational pressure from the development. The framework calculates a fee per dwelling that must be paid by the developer to allow improvements to Milton Common in accordance with the framework. This will encourage users here as opposed to the neighbouring SPA and SAC.
- 4.153 Most of the site is located within flood zone 1, although a small section of the site along the eastern coastline is located within flood zones 2 and 3. A sequential approach to development should be taken within the site. Portsea Island is covered by the North Solent Shoreline Management Plan (SMP) (section 5aPI01 and 5aPI02). The Portsea Island Coastal Strategy Study (PICSS) was developed to build on policies set out in the North Solent SMP. These plans and strategies provide recommendations for flood management measures to protect residents of Portsmouth from flooding. Further information can be found within the Portsmouth SFRA Level 2.
- 4.154 Despite the strategic site comprising two distinctively separate parcels of land; where feasible, efforts should be made to connect the two sites via walking and cycling routes to offer easy access for local residents across the entire site. This will allow access to shared open spaces, the coastline and any other facilities.
- 4.155 The St James' and Langstone Campus site falls within the Milton Neighbourhood Plan area. Further detailed policy guidance for the site can be found in the adopted Milton Neighbourhood Plan⁸⁰.

Vision

- 4.156 In 2040, St James' and Langstone Campus will be home to a new healthy and happy community on the edge of Langstone Harbour. The site's rich cultural heritage and green spaces will be enjoyed by both residents and visitors.



Strategic Site Allocation Policy PLP8: St James' & Langstone Campus

- 1. St James' & Langston Campus, as shown on the Policies Map, is allocated for the development of the following uses:**
- a) Approximately 417 dwellings including potential elderly person and sheltered accommodation;**
 - b) Healthcare facilities;**
 - c) Education facilities;**

⁷⁹ <https://www.portsmouth.gov.uk/wp-content/uploads/2023/12/Milton-Common-LNR-framework-aa-accessible.pdf>

⁸⁰ <https://www.portsmouth.gov.uk/wp-content/uploads/2022/10/Milton-Plan-Final-adopted.pdf>

- d) Recreation, sports and other community facilities.
2. Development proposals for the above named at uses will be permitted on the St James' part of the site provided that they meet all of the following site-specific and overarching development requirements:
- a) Retain, and conserve the significance and setting of St James' Hospital (Grade II listed), and the Chapel (Grade II listed), and all other heritage assets in the hospital grounds;
 - b) All proposed developments must be accompanied by a heritage statement;
 - c) The design and layout must conserve, or enhance and appropriately integrate into the locally distinct parkland landscape setting and open character of the site;
 - d) An Arboricultural Impact Assessment, Arboricultural Method Statement and associated Tree Protection Plan is submitted and implemented that protects trees throughout the site;
 - e) Integrate the following open spaces into new development to ensure public access is retained: The St James' Hospital Cricket Pitch, The Dog Park, land to the north west of the listed chapel and land to the east and west of Chapel Way;
 - f) Provides safe, permeable and convenient north-south pedestrian and cycle links from Locksway Road to Longfield Road and across the wider site; and
 - g) Provides off site highway network improvements including the junction improvements at Locksway Road / Milton Road and Milton Road / Goldsmith Avenue to improve traffic flow and reduce any highway safety concerns.
3. Development proposals for the above named at uses will be permitted on the Langstone Campus part of the site provided that they meet all of the following site-specific and overarching development requirements:
- a) A Landscape and Visual impact assessment should be submitted to ensure there is no adverse impact on the coastal landscape and views into the site or out over Chichester and Langstone Harbour from the site;
 - b) Development must retain, where possible, playing pitches and fields;
 - c) Public access must be retained and enhanced to key open spaces and playing fields across the site;
 - d) The north-south bus/cycleway connection along Furze Lane is retained and enhanced; and
 - e) Safe, accessible off-road walking and cycling routes through the site are provided, linking areas to the north and south.

- 4. Development proposals for the above named uses will be permitted provided that they meet all of the following site-specific development requirements:**
- a) Provision of appropriate mitigation for any direct recreational disturbance upon the adjacent Langstone and Chichester Harbour SPA, Solent Maritime SAC and any other nationally or locally designated habitat sites including supporting habitats;**
 - b) Proposals should meet the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended). The developer should provide evidence that the allocated site will not result in the loss of habitat that is functionally linked (Core Area P23B, Secondary Support Area P25) to Solent's SPAs / Ramsars. To demonstrate this, non-breeding bird surveys between October and March (typically two survey seasons) may be required to determine if the allocation itself or land adjacent to it, constitute an area of significant supporting habitat. If the site is found to be functionally linked to Habitats sites, mitigation and / or avoidance measures will be required, and the planning application will need to be supported by a bespoke Habitats Regulations Assessment to ensure that the development does not result in adverse effects on site integrity;**
 - c) Flood management measures should be incorporated within the site in accordance with the SFRA Level 1 and 2 to reduce the risk to more vulnerable development and key infrastructure now and in the future;**
 - d) Proposals for surface water management should make provision for storage during high tide events, when the surface water drainage may be subject to tide locking;**
 - e) The provision of a Sustainable Drainage System (SuDS) to mitigate the risk of surface water flooding;**
 - f) A Travel Plan and Transport Assessment must be submitted as part of any proposal. These must assess the potential transport impacts and implications, propose mitigation measures and identify opportunities to implement effective sustainable transport initiatives;**
 - g) Deliver or contribute proportionally to the relevant transport and highways mitigation measures identified within the Local Plan Strategic Transport Assessment and/or Infrastructure Delivery Plan;**
 - h) Provide pedestrian and cycle links throughout the site to allow safe and convenient movements across the full extent and to wider parts of the City.**

Supporting text

- 4.157** The purpose of this policy is to deliver high-quality development across the whole strategic sites taking into consideration its constraints and opportunities. This policy seeks to avoid fragmented development of a site that is under multiple ownerships. Instead, it seeks to deliver development that responds positively to the historic significance, local character, high quality landscape setting and important habitats.

- 4.158 The St James' part of the strategic site is allocated for 297 residential dwellings with the University of Portsmouth owned part allocated for 120 residential dwellings. Education, recreation and community facilities will be delivered across the site.

St James'

- 4.159 The strategic site contains two listed buildings, the hospital and the chapel, buildings of historic importance and other heritage assets. The hospital is a good example of a late Victorian asylum, with an impressive principal elevation, symmetrical plan form, communal hall, external airing courts and chapel set within a wider expansive landscape. It survives largely intact, though it has been much extended in the latter part of the twentieth century. Proposals should minimise harm to the architectural and historic interest of the building and allow the primacy of the main building to be retained. Proposals are encouraged to enable the building's heritage significance to be better revealed and appreciated. The chapel is little altered externally with some limited twentieth century alterations to the interior. It is of special architectural interest, much of which is seen in the exterior of the building. In addition to these listed buildings are other buildings of historic importance and other heritage assets, including the hospital grounds themselves (which are included on the Hampshire Gardens Trust Register and thus considered a non-designated heritage asset). Therefore, to ensure any development conserves or enhances these, a heritage statement must be prepared and submitted. This must assess and understand the significance of any assets and ensure that any subsequent design proposals carefully and sympathetically respond to the presence and significance of the assets.
- 4.160 The parkland landscape and character of the site is unique within Portsmouth and therefore, development must respond sensitively to the surrounding context in which it is located. A Design and Access Statement must be submitted which sets out how the development will sympathetically respond to, and integrate with the landscape, existing built form and heritage assets to ensure the areas distinctive character is conserved.
- 4.161 The hospital grounds contain a large number of mature trees and planting. Proposed development should retain and incorporate existing trees protected by Tree Protection Orders (TPOs) including TPO177 and TPO215. An Arboricultural Impact Assessment, Arboricultural Method Statement and associated Tree Protection Plan must be submitted as part of any application to ensure protection of important trees on site and set out any future management plans.
- 4.162 The hospital grounds currently contain a number of open spaces used informally by the local community for walking and recreation. As part of any proposed scheme, public access is to be retained and enhanced. This includes access to the existing listed Chapel and retention of the of Cricket Pitch as a public facility.
- 4.163 Informal pedestrian and cycle access through the site from Locksway Road to Longfield Road is enjoyed by the public is long established and this should be retained and enhanced as part of any development scheme. Public realm improvements should deliver inclusive active walking and cycling routes.

Langstone

- 4.164 The location of this strategic site offers the potential to deliver a residential-led scheme of the highest quality. Views out over Chichester and Langstone Harbour should be

enhanced and should be achievable throughout the site. Views from the coastline towards the site should be carefully considered to ensure the experience of people walking along the coastline is not diminished when looking inland. A Landscape and Visual impact Assessment should demonstrate how these views have been taken into consideration and incorporated throughout the development.

- 4.165 The playing fields which bound the eastern and western boundary of the former halls of residence at Langstone are used by both the University and several local sports clubs. It is important therefore that as part of any development, an appropriate level of open space is retained and enhanced to allow their continued use by the local community.
- 4.166 The Langstone Campus currently benefits from a north-south bus and cycle route (along Furze Lane) which runs between the University buildings and the western playing fields linking Locksway Road and Moorings Way. Development proposals for the Langstone Campus site would be expected to retain and enhance this link as part of any redevelopment for buses and cyclists. Further sustainable routes should be created linking to surrounding footpaths and cycle routes, providing a safe, attractive, permeable and convenient environment for both pedestrians and cyclists.
- 4.167 The central brownfield strip of land that was previously occupied by student halls of residence is the preferred location for future development. If robust viability assessments shows the need to extend the development boundary, this should be westward to avoid the flood zone and core area for Brent Geese. Reprovision of open space should be provided across the site where development results in a significant loss of existing open space.

Overarching development requirements

- 4.168 Measures must be taken to ensure that any direct recreational impact on nationally designated sites and supporting habitat is alleviated. The site contains Core and Secondary support areas for Brent Geese and is located in close proximity to several others. The developer should provide evidence that the allocated site will not result in the loss of habitat that is functionally linked to Solent's SPAs / Ramsars. To demonstrate this, non-breeding bird surveys between October and March (typically two survey seasons) may be required to determine if the allocation itself or land adjacent to it, constitute an area of significant supporting habitat. If the site is found to be functionally linked to Habitats sites, mitigation and / or avoidance measures will be required, and the planning application will need to be supported by a bespoke Habitats Regulations Assessment to ensure that the development does not result in adverse effects on site integrity. Proposals will need to be determined in line with Policy PLP42 of this Local Plan and the Guidance on Mitigation and Off-setting Requirements. These include the Solent Waders and Brent Goose Strategy 2020, Milton Common Local Nature Reserve Mitigation and Management Framework 2022 and any subsequent guidance documents. Mitigation must also be to the satisfaction of the Local Planning Authority and Natural England.
- 4.169 It is estimated that in 2122 much of the eastern extent of site will be in flood zones 2 and 3a. A sequential approach to land use planning should therefore be applied within the site. The most vulnerable aspects of development should be steered towards the areas at lowest risk. A site-specific flood risk assessment should incorporate recommendations set out within both the SFRA Level 1 and 2 to demonstrate how flood risk will be managed to ensure that the development is safe over its lifetime. This may

include appropriate land raising and any other measures to protect more vulnerable land uses, key infrastructure and safe access and escape routes.

- 4.170 New development should discharge surface water runoff to the sea following suitable treatment. Storage of surface water should be managed when the sea level rises to a height that will not allow for drainage.
- 4.171 A site specific Flood Risk Assessment will be prepared in accordance with the recommendations of the Strategic Flood Risk Assessment Levels 1 and 2 supporting this Local Plan;
- 4.172 This site presents an opportunity to provide significant net reduction in surface water run-off given the level of greenfield land on site. Details of suitable sustainable drainage systems that mitigate the risk of flooding must be agreed in advance with both the Local Planning Authority and the Lead Local Flood Authority. Surface water run off must be in accordance with Policy PLP32 of this Local Plan.
- 4.173 To further improve safety for future residents, detailed plans must be provided that show how safe access and egress will be implemented for all modes of transport. All Travel Plans and Transport Assessments for the site should comply with Policy PLP47: (Movement and Transport) of the Local Plan, the Local Transport Plan 4 (2021 –2038) Portsmouth's Parking Standards and Transport Assessment SPD the Local Cycling and Walking Infrastructure Plan and any successor documents.
- 4.174 Any new access arrangements for the site should be agreed in writing with both the Local Planning Authority and the Local Highway Authority. It is important that non-motorised access is both protected and enhanced as part of any new access proposals.
- 4.175 Parking arrangements should be delivered in accordance with the Parking Standards SPD and any successor documents and Policy TSP2 Balanced Transport Provision of the Milton Neighbourhood Plan.

Monitoring and Delivery Framework

Types & amounts of development	Timescale	Delivery	Monitoring	Triggers & potential actions
209 residential dwellings	2025 - 2030	Through the development Management process; working in partnership with developers and land owners	Residential monitoring within the AMR	Development progress will be monitored through the AMR. If there is a lack of progress further work will be undertaken to ascertain the reason and propose interventions
88 residential dwellings	2025 - 2030	Through the development Management process; working in partnership with developers and land owners	Residential monitoring within the AMR	
120 residential dwellings	2030 - 2035	Through the development	Residential monitoring	

		Management process; working in partnership with developers and land owners	within the AMR	

Table 4.7: Monitoring and Delivery Framework for St James' & Langstone Campus Horsea Island Open Space

Introduction

4.176 Horsea Island was an island located off the northern shore of Portsmouth Harbour. It has been gradually subsumed by reclamation and is now connected to the mainland. In the early 1970s, the eastern tidal mudflats of Paulsgrove Lake between Horsea Island and the mainland at Paulsgrove to the north were reclaimed, with much of the area destined to become a landfill site, the remainder to form the Port Solent leisure complex. In 1998 planning permission (A829932/AM) was granted for the recontouring and restoration of the former landfill site, in a number of phases as the landfill was closed, with the landfill not permitted to continue operating past 2008. The landfill site closed in 2006 and was allocated in the 2006 Local Plan as a recreational park with woodlands and meadows. A map of the proposed open space forms figure 4.8.

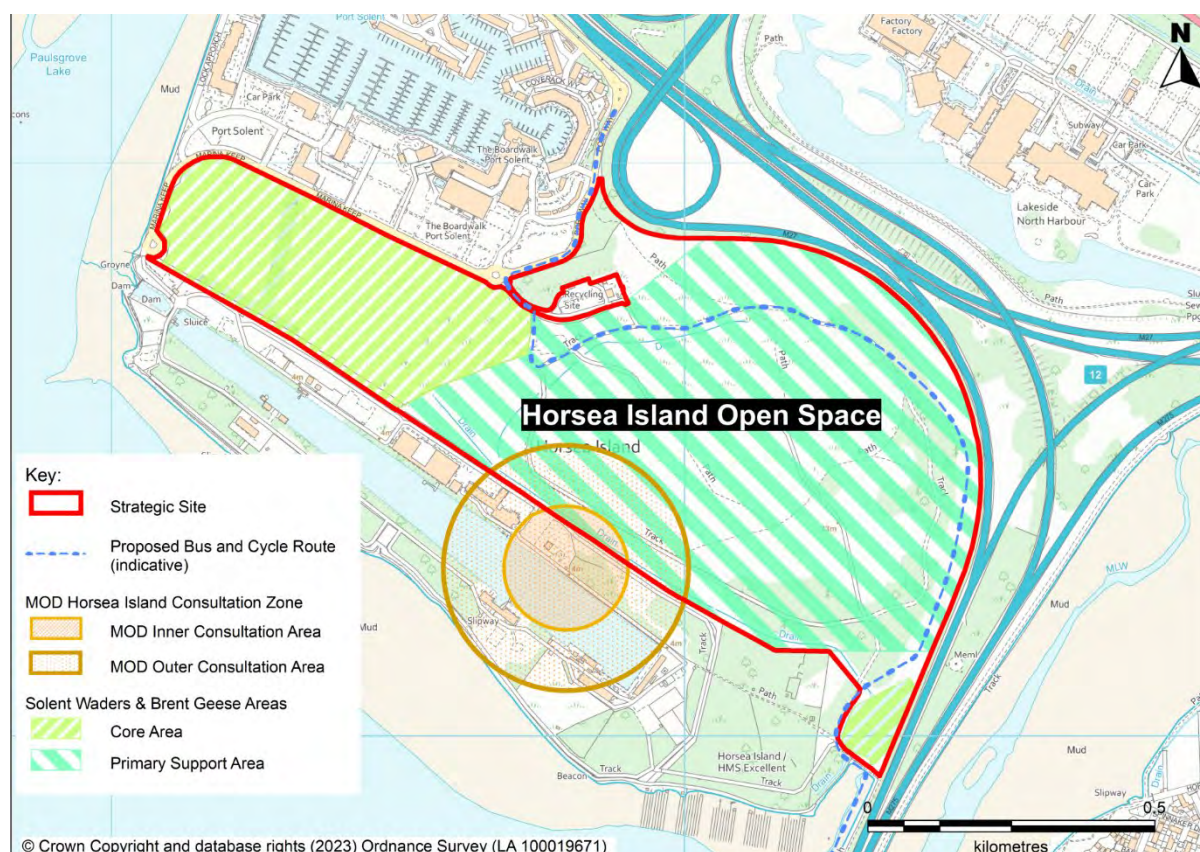


Figure 4.8: Horsea Island Open Space

4.177 The City Council and Veolia who hold the integrated waste management contract with the Council are currently carrying out an assessment to determine the exact extent of protections needed. Proposals will need to take account of this study.

4.178 The site is subject to remediation as permitted by application A*29932/AM, which required the provision of the Landscape Masterplan. This was submitted and set out the proposed approach for the site including the following mix for habitat types: woodland planting; amenity grassland; wildflower meadow and meadow areas with Gorse. In addition, areas of existing vegetation were to be retained. A map from the Landscape Masterplan forms figure 4.9.

4.179 The Masterplan also detailed proposed arrangements for public access including provision of a car park adjacent to the Household Waste Recycling Centre now permitted (17/O1191/FUL), a park road, cycleway and footpath network. It is anticipated that some of the proposals as set out in the Landscape Masterplan may have to be adapted to take account of the latest information related to the MoD's exclusion zone, updated environmental information and results of the work currently being undertaken in regard to retained gas infrastructure.



Figure 4.9: Permitted landscape masterplan for the eastern part of Horsea Island.

4.180 This policy is concerned with the former landfill site and its redevelopment and reuse for public open space. The southeastern portion of Horsea Island is covered by policy

PLP3: Tipner West and Horsea Island East, whilst Port Solent is allocated under policy PLP11.

- 4.181 The proposed Strategic Open Space is bordered to the south by the MoD Defence Diving School, to the west by Paulsgrove Lake, to the North and East by Port Solent and the M275 motorway and to the south east by the Horsea Island East site. The Strategic Site includes all of the Former Landfill including the land to the South of Marina Keep; The Household Waste Recycling Centre is being retained in its current use and is excluded from the site.
- 4.182 As discussed in the Development Strategy chapter of this Local Plan, the wider Tipner-Horsea Island area is one of the two principal sites identified in the Southampton and Portsmouth City Deal. The City Deal sought funding by bringing together the development sites at Tipner West and East, Horsea Island East and Port Solent in a unified strategy. The development of Horsea Island as an open space with improved public transport connectivity in the form of a new busway was integral to the City Deal approach, linking Port Solent and Horsea Island East. The Horsea Island Open Space will help to serve the open space requirements of the residents of Tipner West and will be accessed directly from Tipner via a proposed new bridge linking Horsea Island East and Tipner West. A map of the site forms figure 4.9.

Vision

- 4.183 In 2040, Horsea Island will host a large public open space as part of a green gateway for the City. It will be home to a wide range of plant and animal species alongside the adjoining protected Portsmouth Harbour. It will provide a significant new habitat for wildlife with many newly planted trees. The new open space will be used by the new residents of Tipner as well as residents of the wider City and visitors and provide significant green space on the doorstep of the existing communities at Port Solent and Paulsgrove. Horsea Island will provide a significant space for recreation and leisure which will benefit the health and well-being of the residents. The Space will create and enhance significant views to and from Portsdown Hill, Porchester Castle and the Dockyard. It will balance the need for public access to open space with safe use of the former landfill. New and improved public transport, walking and cycling connections, including the segregated busway / cycle and pedestrian link, will enable people to make fewer journeys by car to and from Horsea Island, and improve sustainable transport connections between Tipner and Port Solent and improve connectivity in the western part of the city.



Strategic Site Allocation Policy PLP9: Horsea Island Open Space

- 1. Horsea Island Open Space, as shown on the Policies Map, is allocated for the development of the following uses:**
- a) Strategic public open space;**
 - b) Improved habitat for wildlife;**
 - c) Infrastructure supporting the provision of the strategic open space;**

- d) Infrastructure supporting the ongoing remediation of the former landfill site; and
 - e) Provision of a segregated busway / cycle and pedestrian link between Tipner West and Port Solent, via a new bridge at Horsea Island East.
2. Development proposals for the above-named uses will be permitted provided that they meet all of the following site-specific development requirements:
- a) The new open space provision should consider the needs and safety of the intended users and the need to provide accessible multi- functional spaces;
 - b) The open space provides for a mosaic of habitat that links to and supports the habitat of the neighbouring Portsmouth Harbour Special Protection Area and recognises the role of the site as Core and Primary supporting habitat for waders and Brent Geese;
 - c) To meet the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended), the developer should provide evidence that the allocated site will not result in the loss of habitat that is functionally linked to Solent's SPAs / Ramsars⁸¹. To demonstrate this, non-breeding bird surveys between October and March (typically two survey seasons) may be required to determine if the allocation itself or land adjacent to it, constitute an area of significant supporting habitat. If the site is found to be functionally linked to Habitats sites, mitigation and / or avoidance measures will be required, and the planning application will need to be supported by a bespoke Habitats Regulations Assessment to ensure that the development does not result in adverse effects on site integrity.' Proposals will need to comply with and Policy PLP 42 of this plan and take account of the guidance set out in and the Solent Waders and Brent Goose Strategy Guidance on Mitigation and Off-setting Requirements;
 - d) Proposals will need to be in line with the restrictions imposed by the MoD exclusion zone as shown on figure 4.9 in line with the MoD's guidance on exclusion zones;
 - e) Public access will be restricted from the areas of the site needed to be protected for infrastructure related to the safe extraction of gases from the former landfill, as shown on figure 4.9;
 - f) Proposals will take account of the approved plan for landscaping and maintenance of the former landfill site which impacts the eastern portion of the Strategic Horsea Island Open space as shown in figure 4.9; and

⁸¹ The western portion of the site and the small southern portion of the site are Core Areas P48A/P48B and P75 protected for Brent Goose and Waders; the eastern portion of the site as shown on figure 4.9 is also a Primary Support area P48C for Brent Goose and Waders.

- g) Allow views to and from the Open Space and notable landmarks within the zone of visibility including Portchester Castle, the Spinnaker Tower and His Majesty's Naval Base.**

Supporting text

- 4.184 The purpose of this policy is to allocate a new strategic open space for the City of Portsmouth on the former landfill site of Horsea Island.
- 4.185 The open space should act as a recreational space for the adjoining community at Port Solent, the proposed new community at Tipner and the needs of the wider populace of the City. The space should provide a multifunctional role providing for both the needs of residents and wildlife, with importance place on being inclusive for residents and visitors of all ages, abilities and socio-economic backgrounds.
- 4.186 This will be subject to ensuring that the open space is safe for future public use. To this end the City Council and Veolia need to be satisfied that measures are in place to secure the safety of the public and protect the infrastructure for methane gas and leachate extraction on Horsea Island Open Space. There is currently a network of well and pipes on site, which are responsible for the removal of the methane for burning at a facility adjoining the Household Waste Recycling Centre. The leachate is removed through a separate pipe network for disposal into the sewerage system. Proposals for the site will need to include provision for the maintenance and monitoring of this equipment and to ensure that it does not pose a risk to the public if tampered with. Due to this some of the equipment may need to be restricted from public access, Consultants are currently undertaking assessment of the site on the behalf of Veolia to determine the potential impact of the retained gas infrastructure on future public access.
- 4.187 Proposals should support the provision of physical infrastructure necessary for the delivery of the Strategic Open Space. These are indicated in the Landscape Masterplan and include the busway, cycle routes, pedestrian paths and a car park accessed from Port Solent.
- 4.188 The open space is in close proximity to the Portsmouth Harbour SPA. This designated due to its populations of for the following species: Dark-bellied brent goose, Red Breasted Merganser, Dunlin and Black-tailed godwit. Proposals should look to connect to and enhance the adjoining SPA/ Ramsar where possible.
- 4.189 The western part of Horsea Island is identified as Core Area P48A / P48B of the Solent Waders and Brent Goose Strategy and the eastern part of the site is identified as Primary Support Area P48C. In addition a small area adjoining the southern part of the site is identified as Core Area P75. Development impacting these areas will require mitigation. in accordance with Policy PLP42: Solent Waders & Brent Geese Sites of this Local Plan and the Guidance on Mitigation and Off-setting Requirements⁸² and to the satisfaction of the local planning authority and Natural England. To meet the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended), the developer should provide evidence that the allocated site will not result in the loss of habitat that is functionally linked to Solent's SPAs / Ramsars. To demonstrate this, non-breeding bird surveys between October and March (typically two survey seasons) may be required to determine if the allocation itself or land adjacent to it, constitute an area of significant supporting habitat. If the site is found to be functionally

⁸² <https://solentwbgs.files.wordpress.com/2021/03/swbgs-mitigation-guidance-oct-2018.pdf>

linked to Habitats sites, mitigation and / or avoidance measures will be required, and the planning application will need to be supported by a bespoke Habitats Regulations Assessment to ensure that the development does not result in adverse effects on site integrity.'

- 4.190 Adjacent to the proposed Strategic Open space on the south western side is the Defence Diving School, which is an MoD run facility. Part of the site is used for munitions storage. There is therefore an exclusion zone around the store which impacts part of the adjoining open space. Within the exclusion zone the MoD is required to be consulted in relation to any planning applications in respect of the following development: to carry out building, mining, or other operations to make any material changes in the use of buildings or other land. It has been confirmed that there are limitations on the numbers of people who can pass through the exclusion zone within any given 24-hour period. It is therefore not possible to have unrestricted public access within this area of the open space. This area of the open space should therefore be considered for uses that do not require public access.
- 4.191 The restrictions associated with the MoD exclusion area limit the route of the bus way proposed through the site. It was initially anticipated that the busway would skirt the former landfill on the southern side. However, due to the presence of the exclusion zone and the limitations it places on the numbers of people who can be present, an alternate route on the northern site is being considered.
- 4.192 The busway was originally proposed in order to support the aspirations in the City Deal. It is envisaged that the bus / cycleway through the Horsea Island strategic space would link the development sites at Port Solent, Horsea Island East and Tipner. It is an integral part of the wider development proposals within this area of the city and provides a key additional sustainable transport link between the City Centre and Port Solent, helping to shorten public transport journey times and enable modal shift.
- 4.193 As a former landfill the proposed Strategic Open space has a pronounced topography, in the form of two main mounds / hills. The site is in proximity to a number of key landmarks in Portsmouth and the surrounding area including Portsdown Hill, Tipner, the Port and Portchester Castle. Proposals on the Strategic open space should consider the impact on these views and take advantage of them to draw visitors to the open space.

Monitoring and Delivery Framework

Types & amounts of development	Timescale	Delivery	Monitoring	Triggers & potential actions
64ha of Strategic Open Space	Post 2030	Through partnership working with Veolia to continue to develop the space, to make it ready for public access	Through the AMR in consultation with Veolia	By 2027, if the site is not anticipated to be ready to be opened for public access in 2030 further assessment will be needed by PCC / Veolia to determine the measures

				needed to expediate access.

Table 4.8: Monitoring and Delivery Framework for Horsea Island Open Space

Chapter 5: Site Allocations

Introduction

- 5.1 This chapter allocates a number of important sites, which will deliver multiple benefits for the City particularly new jobs and homes. The quanta of development are set out in table 5.1 and a map showing their locations forms figure 5.1. The policies in this chapter are strategic and any policies relating to these sites in neighbourhood plans should align with these strategic policies. Icons are shown for each site allocation to illustrate which of the strategic objectives of the Local Plan will be achieved there.
- 5.2 All of the allocations are supported by robust evidence most notably the Housing and Economic Land Availability Assessment (HELAA)⁸³, which is the Council's main evidence based study on land supply. References to more detailed individual studies are cited in the text including the Strategic Flood Risk Assessment (SFRA) Level 2⁸⁴. It should be noted that all the development requirements set in these policies are site specific and requirements set by Citywide policies such as affordable housing are not repeated here. The quantum of development set in these policies are indicative yields only and may be subject to further change through the development management process. The local planning authority will therefore take a flexible approach to the actual quantum of development subject to robust evidence being provided to justify them in forthcoming planning applications.
- 5.3 Flooding is a significant issue in Portsmouth and therefore, the SFRA Level 2 was produced to assess flood risk at strategic and allocated sites. Following the assessment, the recommendations contained within it have been used to inform both site specific policies and the wider strategic policies PLP31 (Flooding) and PLP32 (Sustainable Drainage Systems). It should be noted that all strategic and allocated sites will need to be supported by a robust, site specific flood risk assessment and a sequential approach to land use planning must be applied to each site. The SFRA Level 2 also provides information relating to current and future flood defence projects within Portsmouth. Further details relating to these schemes and their delivery across Portsmouth can be found in the Infrastructure Delivery Plan.
- 5.4 A monitoring and delivery framework is set out at the end of the supporting text for each allocation site. This shows the types and amounts of development associated with the Site Allocation and the anticipated rate of development. Information is also provided on delivery mechanism and triggers where relevant. Chapter 12 (Monitoring) includes targets and indicators for all the allocations, which will be reported on annually in the Authority Monitoring Report. These reflect the monitoring and delivery frameworks within this chapter.

⁸³ https://www.portsmouth.gov.uk/wp-content/uploads/2024/04/02-PCC_Housing-and-Employment-Land-Availability-Assessment_2023-Report_FINAL-latest-version-for-CDL.pdf

⁸⁴ <https://www.portsmouth.gov.uk/newlocalplanevidencedocs>

Site	Homes	Commercial floorspace (net)	Other benefits
Land West of Portsdown Technology Park	-	12,500 m ²	Regeneration of a mainly brownfield site in a prominent location
Port Solent	500	-	Marine uses, improved accessibility, improved sea defences
St John's College	212	-	Improved connectivity, protected heritage assets
Fraser Range	134	-	New sea wall
The News Centre	100	-	Electric bus depot
Somers Orchard	565	-	Improved connectivity, Over 50% affordable housing

Table 5.1: Site allocations delivery

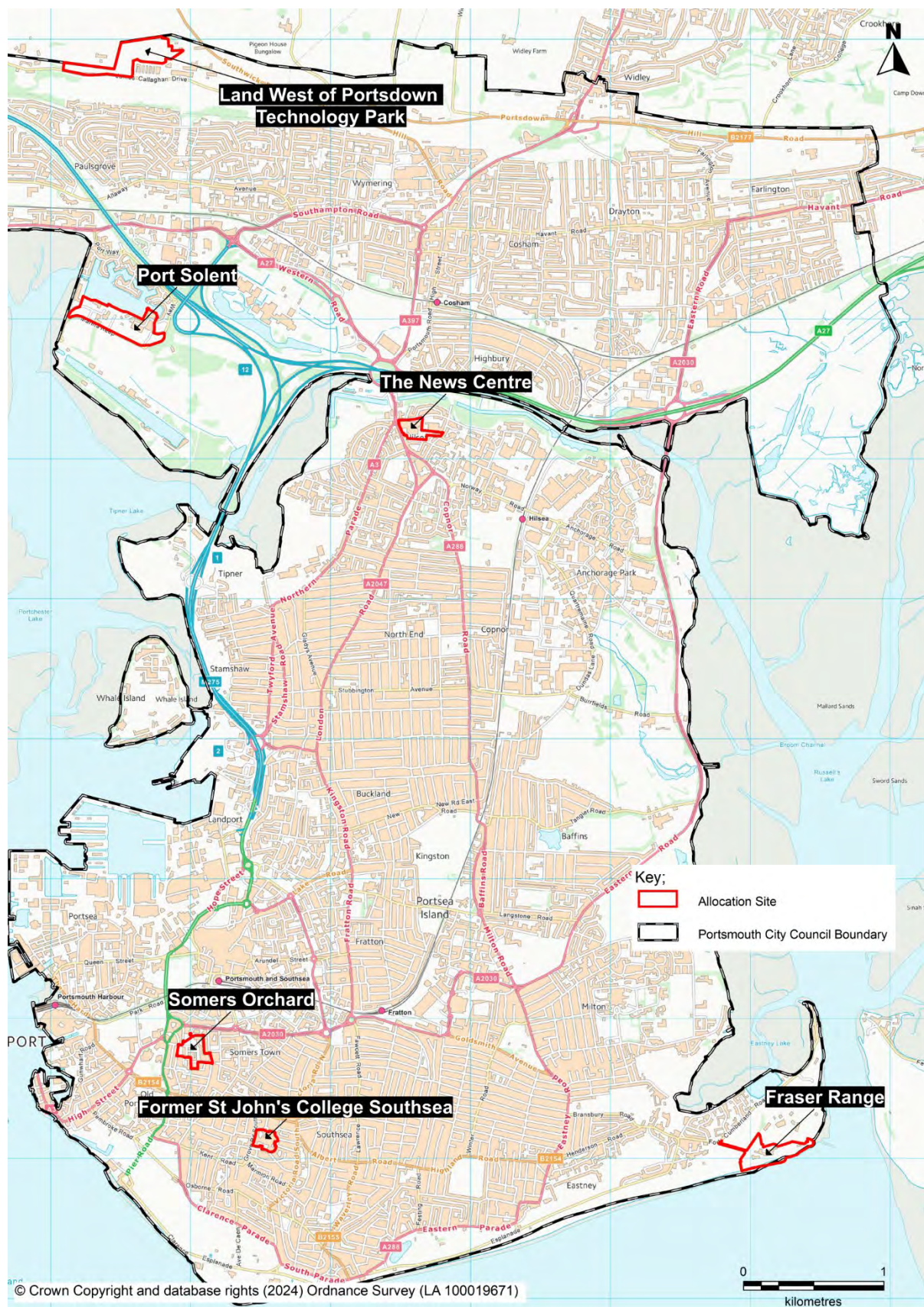


Figure 5.1: Site allocations

Land West of Portsdown Technology Park

Introduction

5.5 Land West of Portsdown Technology Park is a predominantly brownfield site located on the prominent ridge of Portsdown Hill, which is the extensive chalk escarpment to the north of the City. The site forms part of the former Ministry of Defence Portsdown Main site, an art-deco building built in the 1950s, which closed in 1997 and was demolished in 2011. The site is mainly vacant although the footprint of the main building is clearly visible with a few small derelict buildings. There are some temporary, low value uses on site. The majority of the site's former buildings were situated on the southern and western half of the site, broadly on the ridge of the hill, with the north-eastern slopes largely undeveloped and in agricultural use. The location and design of all new buildings will need to be carefully considered in terms of their impact on views in this prominent location. A map of the site is shown as figure 5.2 and shows the City boundary running through it.

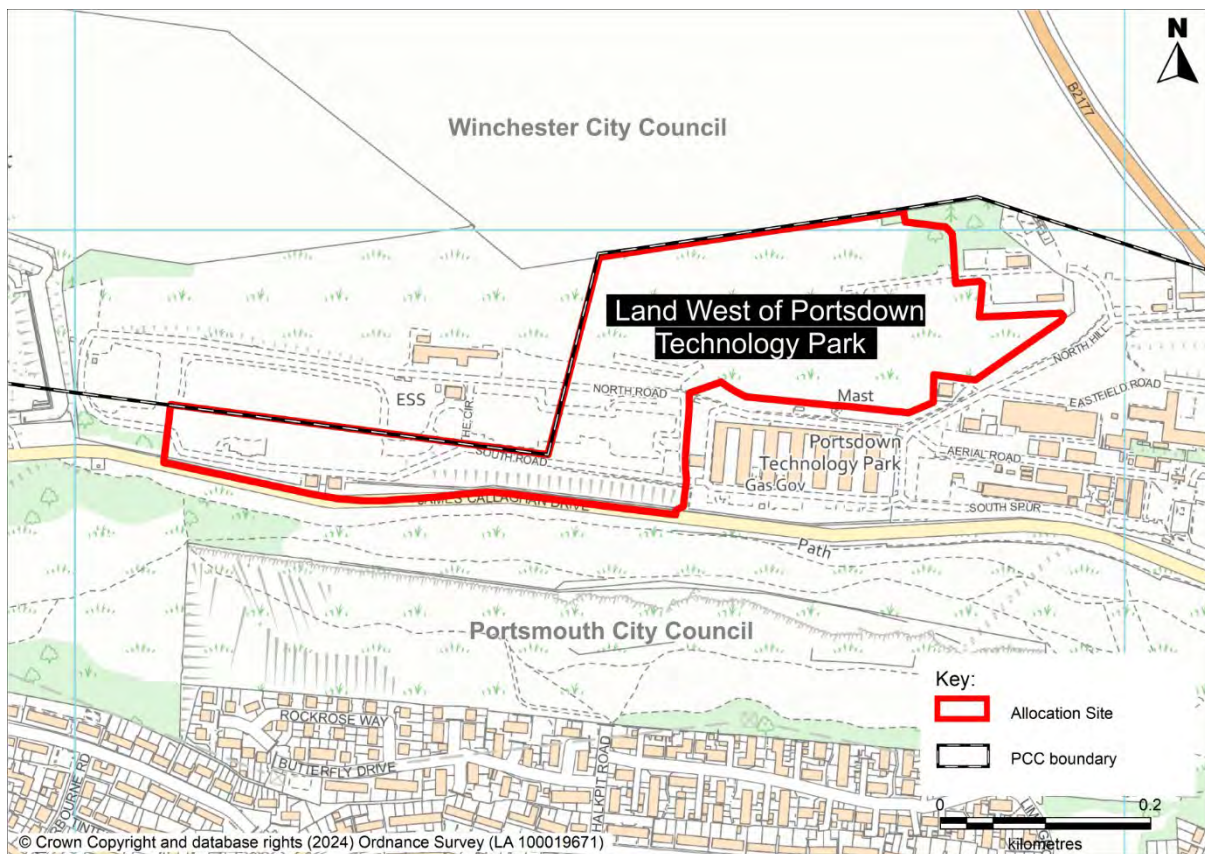


Figure 5.2: Map of Land West of Portsdown Technology Park

5.6 The site is located within a cluster of defence related businesses in a strategic location overlooking Portsmouth Harbour. Portsdown Technology Park is immediately adjacent to the site and it hosts the recently opened National Maritime Systems Centre Innovation and Collaboration Hub. A number of businesses operate from the Portsdown Technology Park including QinetiQ, Metaverse VR and Sirius Analysis. The allocation site is an obvious location for further business development in this cluster.

5.7 The site has been assessed as a potential employment site in a number of studies. The HELAA considered that it has potential for large scale employment intensification within

the existing employment area. The HEDNA⁸⁵ considered it to be suitable for business development and an obvious extension to the existing technology park. The Approach to Employment Land Study by the BE Group⁸⁶ considered that the site would be suitable for a specialist, niche employment use, rather than to meet generic future demand.

- 5.8 The administrative boundary between Portsmouth City Council and Winchester City Council runs through the site, but the allocation lies entirely in Portsmouth. Fareham Borough adjoins the site to the west. The City Council is liaising with both Councils as a cross boundary issue on the development of the site.
- 5.9 The site is accessed from James Callaghan Drive, which is a single lane road with steep approaches; there is also a private internal road called North Hill. The existing road network is restricted and is a constraint to the intensification of vehicle movements.
- 5.10 At the time of writing (autumn 2023), the southern part of the site fronting James Callaghan Drive has extant permission for the conversion of the vacant former Portsdown Main guard posts for small-scale sui generis use. The far western part of the site bordering Fort Southwick and adjacent the Winchester City Council administrative boundary has extant permission for approximately 1,400 m² floorspace for research and development units, with development outwith the Portsmouth administrative boundary for landscaping.
- 5.11 There are a number of important heritage and nature conservation designations in close proximity to the site. The Scheduled Monument of Fort Southwick is immediately adjacent to the western boundary whilst archaeological finds in the area date back to the Bronze Age. Proximity to the Roman fort of Porchester and its position overlooking the sea point to possible look out points or signalling stations in the wider area. Portsdown Hill Site of Special Scientific Interest is located on the other side of the road to the south.



Site Allocation Policy PLP10: Land West of Portsdown Technology Park

- 1. Land West of Portsdown Technology Park, as shown on the Policies Map, is allocated for the following use:**
- a) 12,500 m² Research & Development class E(g)(ii) and/or manufacturing (class B2).**
- 2. Development proposals for the above named uses will be permitted provided that they meet all of the following site specific development requirements:**
- a) Provide an Employment & Skills Plan for both the construction and occupation stages of the development;**

⁸⁵ https://www.portsmouth.gov.uk/wp-content/uploads/2024/04/4-Portsmouth-HEDNA_Final-Report-Dec-2023-CONFIDENTIAL-1.pdf

⁸⁶ <https://www.portsmouth.gov.uk/wp-content/uploads/2020/05/development-and-planning-employment-land-study.pdf>

- b) Provide evidence of the ground conditions and contamination of the site and provision made for any necessary remediation to the satisfaction of the local planning authority;**
- c) Ensure effective access arrangements that are safe and suitable for all users;**
- d) Provide a Travel Plan to minimise car use by current and prospective occupants of the site and to maximise the use of sustainable modes of transport;**
- e) Deliver or contribute proportionally to the relevant transport and highways mitigation measures identified within the Local Plan Strategic Transport Assessment and/or Infrastructure Delivery Plan;**
- f) Development must be informed by a comprehensive landscape design strategy, which considers views within an agreed zone of visibility and verified viewpoints both to the north and south of the site;**
- g) Develop a landscaping scheme that positively enhances the contribution of the site to its prominent downland setting and provides navigable links to surrounding green infrastructure assets;**
- h) Restrict development to the previously developed land adjacent to Portsdown Technology Park and minimise built structures on the northern downland slope; and**
- i) Any new build development proposals for the site will respond positively to the presence of the following heritage assets:**
 - i. Fort Southwick Scheduled Monument and its setting; and**
 - ii. Any undesignated heritage assets within the site.**

Supporting text

5.12 The purpose of this policy is to allocate land for new business premises and expand the defence related business cluster at the top of Portsdown Hill.

5.13 There are a number of defence related businesses located along Portsdown Hill and new research and development premises are the most likely uses to attract business interest. Proposals for new manufacturing premises would also be permitted. Logistics and warehousing (class B8) uses are not likely to be considered acceptable on the site due to the constrained local road network. Future occupants would need to not be in conflict with MoD uses. Housing would dilute the specialised business use and would not be acceptable.

5.14 An Employment & Skills Plan should be submitted with all relevant planning applications for the site and it will be secured either through a planning condition or Section 106 legal agreement. Developers are encouraged to liaise with the Skills and Employment team at the City Council at the earliest opportunity in order to develop a bespoke plan that will deliver positive outcomes for skills and employment in the City.

- 5.15 The site has a prominent location at the top of Portsmouth Harbour with views to and from prominent landmarks. A Landscape and Visual Impact Assessment (LVIA) prepared in accordance with the Landscape Institute's Guidelines⁸⁷ is required to identify the effects of the proposed development on views and on the landscape itself. The location of development will be guided by the findings of the LVIA, but the presumption is that development will be located close to Portsdown Technology Park and existing built form in order to avoid any 'ribbon' development. Development along the southern strip of the site other than for access would not be permitted.
- 5.16 Careful consideration should be given to the landscaping of the site due to its prominent location at the top of Portsdown Hill and its close proximity to heritage and nature conservation designations. Clear signage and explanation of the surrounding countryside would help to establish a high quality work environment.
- 5.17 The site is located adjacent to Fort Southwick, which is a Scheduled Monument built (c.1860) as part of the Palmerston Portsmouth defences. The site has some archaeological potential for prehistoric and/or Roman remains with evidence of barrows and enclosures.

Monitoring and Delivery Framework

Types & amounts of development	Timescale	Delivery	Monitoring	Triggers & potential actions
12,500 m ² R&D and / or manufacturing (B2)	2025-2030	Through the Development Management process; working in partnership with developer and land owner	Employment floorspace monitoring in the AMR	By 2030, contact the landowner if planning applications for the site have not been forthcoming

Table 5.2: Monitoring and Delivery Framework for Land West of Portsdown Technology Park

Port Solent

Introduction

- 5.18 Port Solent is located in the northwest corner of the City on the northern reaches of Portsmouth Harbour. The area forms part of a 187 hectare reclamation project that started in the 1970's. Port Solent comprises a late 1980's marina development that is predominately residential (town houses and apartments) with some leisure, specialist retail and employment. The allocation includes a strip of land to the south of the marina. The eastern extent of the allocation comprises a cinema, gym and boardwalk occupied predominantly by restaurants and cafes. Port Solent is a popular leisure destination within Portsmouth and therefore, these uses will be safeguarded to ensure the existing centre remains a thriving locality. Pedestrian access is currently enjoyed along the boardwalk and waterfront which must also be retained as part of any future application. To the south of the gym and cinema is a large surface car park. A map of the site is shown in figure 5.3.

⁸⁷ <https://www.landscapeinstitute.org/technical-resource/landscape-visual-impact-assessment/>

5.19 The western extent of the allocation site, west of The Boardwalk, comprises various commercial units, surface car parks and boat yards. The waterfront associated with the western extent of this allocation site will be safeguarded for marine business use.

5.20 Portsmouth City Council have the freehold interest in the site; however, Premier Marinas are long-term leaseholders with occupational tenants. All parties have been effectively engaged with throughout the allocation process.

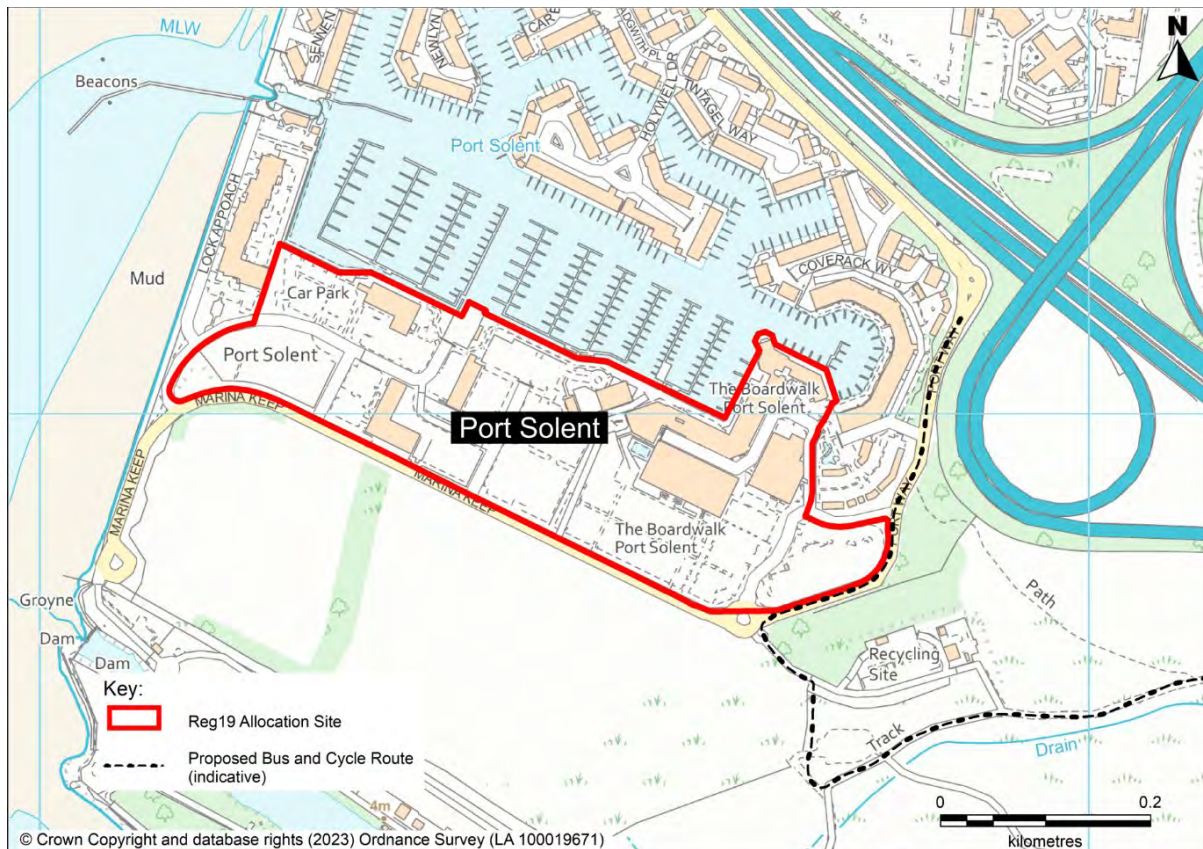


Figure 5.3: Map of Port Solent

5.21 The land at Port Solent is located adjacent to Portsmouth Harbour and Solent Dorset Coast Special Protection Areas (SPA) to the west of Portsea Island, (Part of the 'National Site Network'). Portsmouth Harbour is also designated as a Ramsar site and nationally recognised as a Site of Special Scientific Interest (SSSI). Adjacent to the southern boundary of the site are two large parcels of amenity grassland. These are recognised as being an important supporting habitat for Portsmouth Harbour's Brent goose population. They are identified as Core Areas (P48A and P48B) in the Solent Waders and Brent Goose Strategy⁸⁸ that are regularly used and are of fundamental importance to over-wintering Brent Geese, so are functionally linked to Portsmouth Harbour SPA. Primary support area P48C is located to the south east of these. These sensitivities will need to be addressed as part of any development at Port Solent.

⁸⁸ <https://solentwbgs.wordpress.com/>

- 5.22 The majority of the site is within flood zone 1 with an isolated area in the northeast within flood zone 2. The access road into Port Solent is also located within flood zone 1. It is anticipated that by 2122 the north, northeast and northwest will be located within flood zone 3. The access route will also be at risk of flooding. To deliver a safe development, access arrangements must be made in accordance with Policy PLP31 (Flooding). A sequential approach to land use planning must also be applied within the site.
- 5.23 This area is covered by the North Solent Shoreline Management Plan (SMP) (section 5A21). The Porchester Castle to Emsworth FCERM strategy builds on policies set out within the North Solent SMP. These plans and strategies provide recommendations for flood management measures to protect residents of Portsmouth from flooding. Further information can be found within the Portsmouth SFRA Level 2.
- 5.24 Port Solent was included within the Portsmouth and Southampton City Deal and identified for 500 residential units. Following this, it was allocated within the 2012 Portsmouth Plan, although residential development has yet to be delivered. The City Deal seeks to maximise the economic strengths of Portsmouth as a coastal City, by supporting further growth in the area's maritime, marine and advanced manufacturing sectors whilst providing new housing to support the growing workforce. In line with this, the Council will also support the delivery of new marine and maritime employment at Port Solent.
- 5.25 It has been a long term aim of the Council to improve access to Port Solent. That aim was reflected in City Deal which sought improved public transport connectivity in the form of a new busway connecting Tipner to Horsea Island and Port Solent and utilising a new bridge from the Tipner peninsula. The area is currently limited to a single road access from Southampton Road, and has a poor environment for cycling or walking, being isolated and surrounded by busy roads (M275 / A27). The closest bus stop to Port Solent is approximately a third of a mile north. If significant development is to be achieved then it is essential that access is improved especially by public transport, cycling and walking. This should be operational for bus routes that run along Southampton Road to the north and allow future access for any public transport links via the new bridge link from the south.
- 5.26 In 2011 a Concept Statement⁸⁹ was published, which provided evidence and justification for two strategic development allocations within the Portsmouth Local Plan (2012). This Statement identified the development potential of Port Solent, together with Horsea Island and Tipner. It was intended to be a simple, clear expression of the kind of places that the proposed new developments at Tipner, Port Solent and Horsea Island could create. The Statement provided a design rationale and concept masterplan, which should be considered as part of any development at Port Solent.
- 5.27 There are other issues associated with the site which will need to be overcome for development to be successful. These include access, land contamination, flood risk and the capacity of the existing sewer system.

⁸⁹ <https://www.portsmouth.gov.uk/wp-content/uploads/2020/05/development-and-planning-concept-statement-tipner-port-solent-and-horsea-island.pdf>

5.28 Port Solent is located in close proximity to Horsea Island strategic site which will host a large, high quality public open space as part of a green gateway for the City in 2040. Any development at Port Solent should deliver walking and cycling routes to Horsea Island open space that allow accessibility for everyone.



Site Allocation Policy PLP11: Port Solent

1. Port Solent, as shown on the Policies Map, is allocated for the following uses:

- a) 500 residential units; and**
- b) Marine related uses.**

2. Development proposals for the above named uses will be permitted provided that they meet all of the following site specific development requirements:

- a) Provide a conceptual framework masterplan as part of any planning application to ensure development of the highest quality that responds positively to the existing character and land uses; and presents a layout of improved access arrangements;**
- b) Provide high quality designed buildings to complement, in design and scale, the existing built form;**
- c) Include measures to avoid and mitigate any adverse impact, including direct recreational impact, on the adjacent SPA, SSSI and Ramsar Site;**
- d) To meet the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended), the developer should provide evidence that the allocated site will not result in the loss of habitat that is functionally linked to Solent's SPAs / Ramsars. (P48A /P48B/P48C);**
- e) A site specific Flood Risk Assessment should be submitted alongside any application that aligns with the recommendations outlined within the SFRA Level 1 and 2;**
- f) Flood management measures should be incorporated within the site in accordance with the SFRA Level 1 and 2 to reduce the risk to more vulnerable development now and in the future;**
- g) Proposals for surface water management should make provision for storage during high tide events, when the surface water drainage may be subject to tide locking;**
- h) Improve facilities for cycling, walking and public transport linking to, and enhancing, the existing networks and any new networks delivered as part of this allocation including the new busway link to Tipner;**

- i) **Submission of a Travel Plan and Transport Assessment to assess the potential transport impacts of the development, propose mitigation measures and opportunities to implement effective sustainable transport initiatives;**
- j) **Deliver or contribute proportionally to the relevant transport and highways mitigation measures identified within the Local Plan Strategic Transport Assessment and/or Infrastructure Delivery Plan;**
- k) **Safeguard the existing cinema, gym, retail and restaurant uses from redevelopment;**
- l) **If a robust marketing campaign of at least twelve months, its scope having been agreed in writing in advance by the local planning authority, clearly demonstrates that there is insufficient market demand for leisure, retail and restaurant uses at this location, development proposals for other uses that complement the marine and residential location will be allowed;**
- m) **Safeguard accessible pedestrian access to the waterfront;**
- n) **Ensure the amenity of occupiers / users of any new development can be adequately protected; and**
- o) **Protect viewpoints and the wider visual impact across Portsmouth Harbour, including the impact on Porchester Castle.**

Supporting text

5.29 The purpose of this policy is to deliver a sustainable expansion at Port Solent to meet the aspirations of the City Deal *'to maximise the impact of key marine and maritime assets through the provision of new housing and employment sites'*.

5.30 All development proposals for this site must form part of a framework masterplan, alongside a site-wide design code to be agreed in writing by the Local Planning Authority. This will ensure that development integrates seamlessly with the existing land uses and character of the site and its surroundings. The masterplan should take account of the Concept Statement that supported the Portsmouth Local Plan 2012. It should also include details of new and improved access arrangements including links to the wider transport network.

5.31 The developer needs to safeguard the integrity of the Portsmouth Harbour SPA and Solent and Dorset Coast SPA, Ramsar and SSSI site and nearby supporting habitats for overwintering birds. The developer should provide evidence that the allocated site will not result in the loss of habitat that is functionally linked to Solent's SPAs / Ramsars (Core Areas P48A and B and Primary Support Area P48C)⁹⁰. To demonstrate this, non-breeding bird surveys between October and March (typically two survey seasons) may be required to determine if the allocation itself or land adjacent to it, constitute an area of significant supporting habitat. An additional 500 dwellings at this site has the potential to increase direct recreational impact on these habitats and cause disturbance to overwintering birds

⁹⁰

<https://hiwwt.maps.arcgis.com/apps/instant/minimalist/index.html?appid=f4bbd6fe517647cba8bf0f3b8cfb7c1b>

using the SPA and supporting habitats⁹¹ in particular. Mitigation should be sought in accordance with the Solent Waders and Brent Goose Strategy⁹² and a project level HRA and EIA will be required for any planning applications at Port Solent. If the site is found to be functionally linked to Habitats sites, mitigation and / or avoidance measures will be required, and the planning application will need to be supported by a bespoke Habitats Regulations Assessment to ensure that the development does not result in adverse effects on site integrity.

5.32 The coastline surrounding Port Solent is expected to be safeguarded for the management and delivery of any new flood defence structures in accordance with the Portchester Castle to Emsworth Strategy⁹³. Evidence will need to be provided in the form of a site-specific flood risk assessment that shows the site has passed the exception test and development is safe for its lifetime. Flood management measures such as land raising will be required to enable development of more vulnerable uses and key infrastructure.

5.33 In accordance with Policy PLP31 (flooding), robust evidence must show that all efforts have been made to deliver safe access and egress routes on sites at risk of flooding. Where truly exceptional circumstances dictate this not to be feasible, it must be clearly detailed in a site specific FRA how the risks of flooding can be safely managed. Information on duration, hazard and frequency of flooding must be provided for the development lifetime.

5.34 New development should discharge runoff to the sea following suitable treatment. Storage of surface water should be managed when the sea level rises to a height that will not allow for drainage.

5.35 To ensure Port Solent becomes a sustainable location for new development, improved bus, cycle, walking and other sustainable infrastructure modes such as car clubs must be delivered. Bus stops should be introduced at Port Solent to allow easier access to public transport for residents. Safe and accessible cycle access should also be delivered as part of the development. Land should be safeguarded for any future links to the busway bridge link between Horsea Island and Tipner. This will allow for a sustainable route from Port Solent directly onto Portsea Island. The site was assessed as part of the Transport Study and recommendations carried through to the development requirements of the policy. Any further transport improvements should be made in line with Portsmouth Local Transport Plan 4.

5.36 Port Solent is currently a popular leisure destination for visitors and local residents. The existing gym, cinema and restaurants/cafes along the boardwalk will be safeguarded from any redevelopment. All efforts should be taken to ensure the Boardwalk remains the centre for Port Solent. Local convenience stores will be permitted within appropriate locations along the Boardwalk to meet the needs of the local community. Only where a robust marketing campaign provides evidence that there is insufficient market demand for these uses at Port Solent, will development proposals for other come uses be

⁹¹

<https://hiwwt.maps.arcgis.com/apps/instant/minimalist/index.html?appid=f4bbd6fe517647c8ba8bf0f3b8cfb7c1b>

⁹² <https://solentwbgs.files.wordpress.com/2021/03/solent-waders-brent-goose-strategy-2020.pdf>

⁹³ <https://coastalpartners.org.uk/project/portchester-castle-to-emsworth-strategy/>

permitted. Any other use must complement the existing marina and residential location and integrate seamlessly into the existing character of the local area.

5.37 Pedestrian access is currently enjoyed along the waterfront. As part of any future development, it is important that this access is retained. Accessible, legible, and safe routes throughout the site to enable easy access to the waterfront should be provided.

5.38 The location of the development requires careful consideration of residential amenity, including any noise pollution from the strategic road network and potential noise implications of the local restaurants, bars and leisure facilities. A robust design and access statement should set out how amenity has been considered and protected.

5.39 The site also offers the potential for views out over Portsmouth Harbour and towards Porchester Castle. Where these views are currently achievable from public viewpoints all effort should be made to protect these. The application should be supported by a Landscape and Visual Impact Assessment to show how key viewpoints have been taken into consideration. This includes the protection of wider views, towards the site including from Porchester Castle and other key landmarks.

Monitoring and Delivery Framework

Types & amounts of development	Timescale	Delivery	Monitoring	Triggers & potential actions
Replacement and refurbishment of flood defence structures	Prior to occupation of residential dwellings	Through the development Management process; working in partnership with developer, freeholder and leaseholder.	Infrastructure monitoring in the AMR	Ongoing liaison with site developer to understand delivery timescales more precisely.
Improved access for sustainable transport modes from and to the A27	2035 - 2040	Through the development management process; working in partnership with developer, freeholder and leaseholder.	Infrastructure monitoring in the AMR	Ongoing liaison with site developer to understand delivery timescales more precisely.
500 residential dwellings.	2035 - 2040	Through the development management process; working in partnership with developer, freeholder and leaseholder.	Housing monitoring in the AMR	Ongoing liaison with PCC as the freeholder and the long-term leaseholder to understand delivery timescales more precisely.
Safeguard land for future links to busway bridge	Throughout the plan period	Through the development Management process; working in partnership with developer, freeholder and leaseholder.	Infrastructure monitoring in the AMR	Ongoing liaison with site developer to understand delivery timescales more precisely.

Table 5.3: Monitoring and Delivery Framework for Port Solent

St John's College

Introduction

- 5.40 St John's College is a former private school located in the heart of Southsea and in Owen's Southsea Conservation Area. It is situated to the east of Grove Road South, which is also the location of its principal access. The school was a private day and boarding school and moved to the site in 1912. At this point the school purchased Grove House, known today as the Castle, and Warleigh House. The college subsequently purchased other properties in its vicinity, settling the entire urban campus. This is reflected in the built form of the site with as number of older residential villas having been converted to educational use and school buildings. The school closed in 2022 and was purchased by a residential developer, which specialises in developing sites with historic buildings.
- 5.41 St John's is located in the residential heart of Southsea, north of the main retail areas of Southsea Centre, Albert Road and Elm Grove. The area is characterised by larger residential properties set in quiet back streets. The site also sits within the Owen's Southsea Conservation Area⁹⁴, an attractive area of early nineteenth century picturesque townscape designated for its historical association with the 'Father of Southsea' Thomas Ellis Owen. The site comprises a number of historic villas which were incorporated into the college when it moved to the site in the early twentieth century. There are also purpose-built school buildings from this period that also enjoy architectural significance. The villas offer the potential for sympathetic conversion back into residential use with relative ease. A map of the site is shown as figure 5.4.
- 5.42 St John's College is located within flood zone 1. It is predicted that by 2122, the north, northeast and northwest will be located within flood zone 3. This is however based on an undefended scenario and it is therefore anticipated that the completion of the Southsea Coastal Scheme is likely to reduce this risk to an acceptable level.

⁹⁴ <https://www.portsmouth.gov.uk/wp-content/uploads/2020/05/development-and-planning-article-42-direction-owens-southsea-guidelines.pdf>

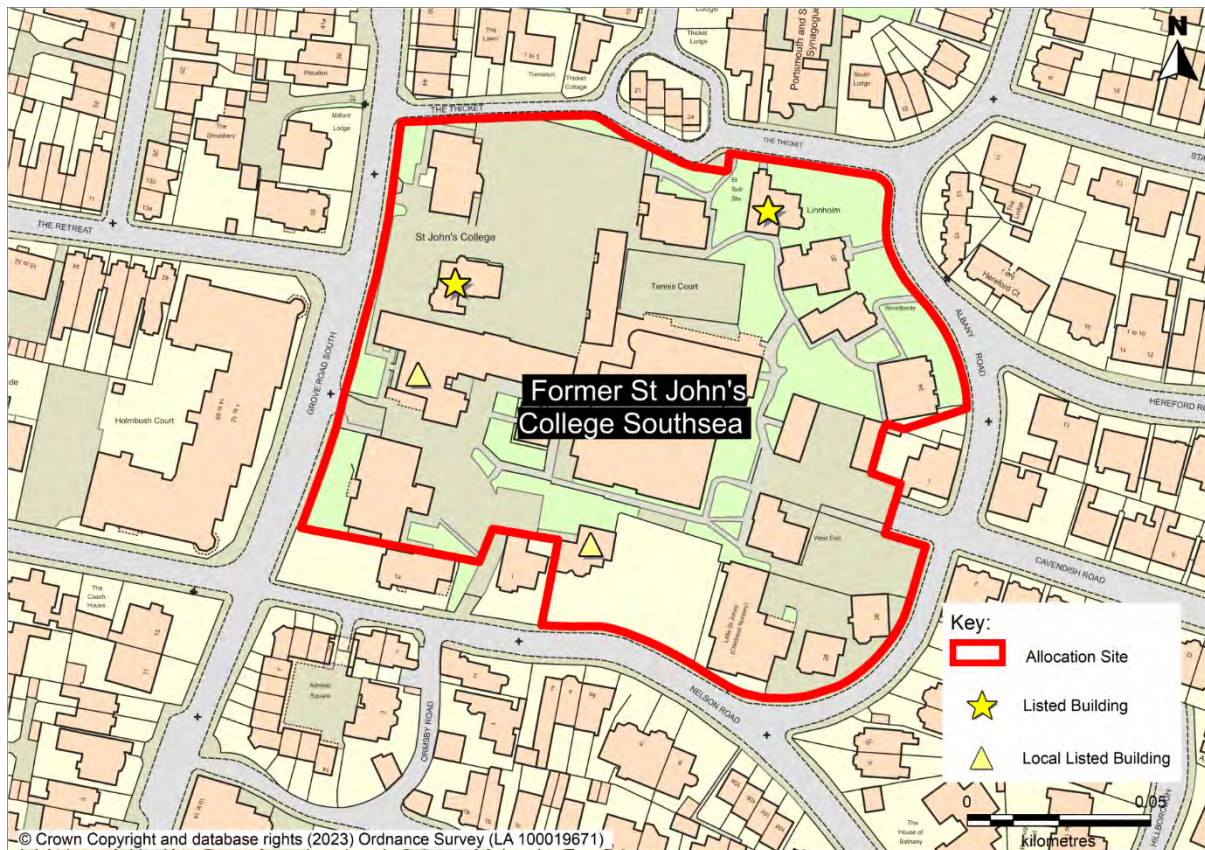


Figure 5.4: Map of St John's College

5.43 The College is identified in the HELAA as having potential for 212 dwellings. The main constraints on the site identified in the HELAA are the significant presence of mature trees some of which are protected, two Listed Buildings (The Castle and Linholm) and three Locally Listed buildings (The Scholes Building, St Catherine's House, and No.3 Nelson Road). An application (23/01089/FUL) has been submitted for the conversion and extension of the former college buildings to create 110 apartments and demolition of college buildings and erection of new buildings to create 102 apartments utilising existing access from Grove Road South, Nelson Road and Albany Road.

Site Allocation Policy PLP12: St John's College



1. St John's College, as shown on the Policies Map, is allocated for the development of the following uses:

a) 212 dwellings.

2. Development proposals for the above named use will be permitted provided that they meet all of the following site specific development requirements:

- a) Provide an indicative masterplan as part of any planning application to ensure that development is of the highest quality and includes a layout indicating improved access arrangement with the surrounding residential areas;**
- b) Retain, restore, and where possible enhance the fabric and setting(s) of any historic assets on the site, as shown in figure 5.4;**

- c) **Conserve or enhance the character and appearance of the Owen's Southsea Conservation area and ensure the retention and protection of any trees on the site;**
- d) **Any new build development proposals must also respond positively and sympathetically to the presence of the existing designated and undesignated heritage assets on the site;**
- e) **Enhance safe and accessible pedestrian connectivity through the site by providing access through the perimeter wall by reopening gateways at points to be agreed with the Local Planning Authority;**
- f) **Development proposals will be permitted that provide public access to and through the site at all times.**
- g) **Take opportunities to provide new publicly accessible open space onsite;**
- h) **Take opportunities to create greening on site, including incorporating existing mature planting;**
- i) **Take advantage of the site's sustainable location to provide reduced car parking provision;**
- j) **Submission of a Travel Plan and Transport Assessment to assess the potential transport impacts of the development, acts and implications, propose mitigation measures and identify opportunities to implement effective sustainable transport initiatives; and**
- k) **Flood management measures should be incorporated within the site in accordance with the SFRA Level 1 and 2 to reduce the risk to more vulnerable development now and in the future.**
- l) **An Arboricultural Impact Assessment, Arboricultural Method Statement and associated Tree Protection Plan is submitted and implemented that protects trees throughout the site;**

Supporting text

5.44 The purpose of this policy is to provide new homes on the former St John's College site. These should conserve the historic fabric and setting of the site and harmonise positively with their surroundings.

5.45 A number of the statutorily listed, locally listed and other buildings of architectural merit on the site have been subject to unsympathetic past alteration. Where they enjoy surviving features of historical and/ or architectural significance these must be retained. Any development proposals should take the opportunity to fully understand the nature and extent of any changes which have taken place and where appropriate should seek to enhance the condition and appearance of these buildings. Any alterations to existing assets should be avoided/ limited in nature. Where they are proposed, they must respond to and harmonise appropriately with their recipient building and the character of the surrounding Conservation Area.

- 5.46 The site is enclosed to the south, east and north by a substantial brick boundary wall, elements of which date from the late nineteenth century. This prominent structure makes an important contribution to the townscape of the area and must be retained. Any alterations to the wall (including new openings) must be kept to an absolute minimum. Their design should also respond positively to character and appearance of the original.
- 5.47 As a school, the site was largely inaccessible to the public for a long period of time. Opening the site up to pedestrian access will enable it to better be incorporated as part of the wider community. There are a number of gates in the existing perimeter wall, which should be made accessible for pedestrian access where practicable. Proposals that close the site off to public access by use of gates or other measures will be refused.
- 5.48 The site has a number of interconnected green spaces. Development proposals should retain and enhance these wherever possible, providing a network of complimentary accessible spaces for the use of future residents and visitors. Spaces that provide amenity for residents of all ages and incorporate biodiversity and greening in their design will be preferred to areas landscaped solely for aesthetics. Trees on site are protected by the Owen's Southsea Conservation area and TPO45, and any removals or alteration to trees should be carried out in a manner which is sympathetic to the setting of the buildings and spaces on site. New and enhanced open spaces in the site should respect and enhance the setting of the historic buildings.
- 5.49 St John's is located close to the heart of Southsea and the facilities at the Southsea Town Centre, as well as the Seafront and Common. The site is also immediately served by buses on Grove Road South. It is therefore considered that it is the site may be suitable for reduced onsite parking provision.
- 5.50 Flood management measures should be incorporated into the site to protect more vulnerable land uses and key infrastructure these could include such measures as land raising, and inclusion of places of safety for extreme flood events. Flood mitigation measures should be designed to be compatible with other key requirements of the policy such as protecting the historic environment. The Southsea Coastal Scheme, when complete, is likely to reduce the flood risk to an acceptable level, although the assessment of residual risk from breach or overtopping would need to confirm this. The Southsea Coastal Scheme is due for completion in 2029 and therefore, where more vulnerable development is proposed prior to this, robust evidence must be provided demonstrating how more vulnerable development and residents are kept safe in the event of a flood.

Monitoring and Delivery Framework

Types & amounts of development	Timescale	Delivery	Monitoring	Triggers & potential actions
212 Dwellings	2030-2035	Through the development Management process; working in partnership with Developer, freeholder and leaseholder.	Housing monitoring in the AMR	Ongoing liaison with The developer and close cooperation to identify potential sources of delay and deliver timescales more precisely.

Table 5.4: Monitoring and Delivery Framework for St John's College

Fraser Range

Introduction

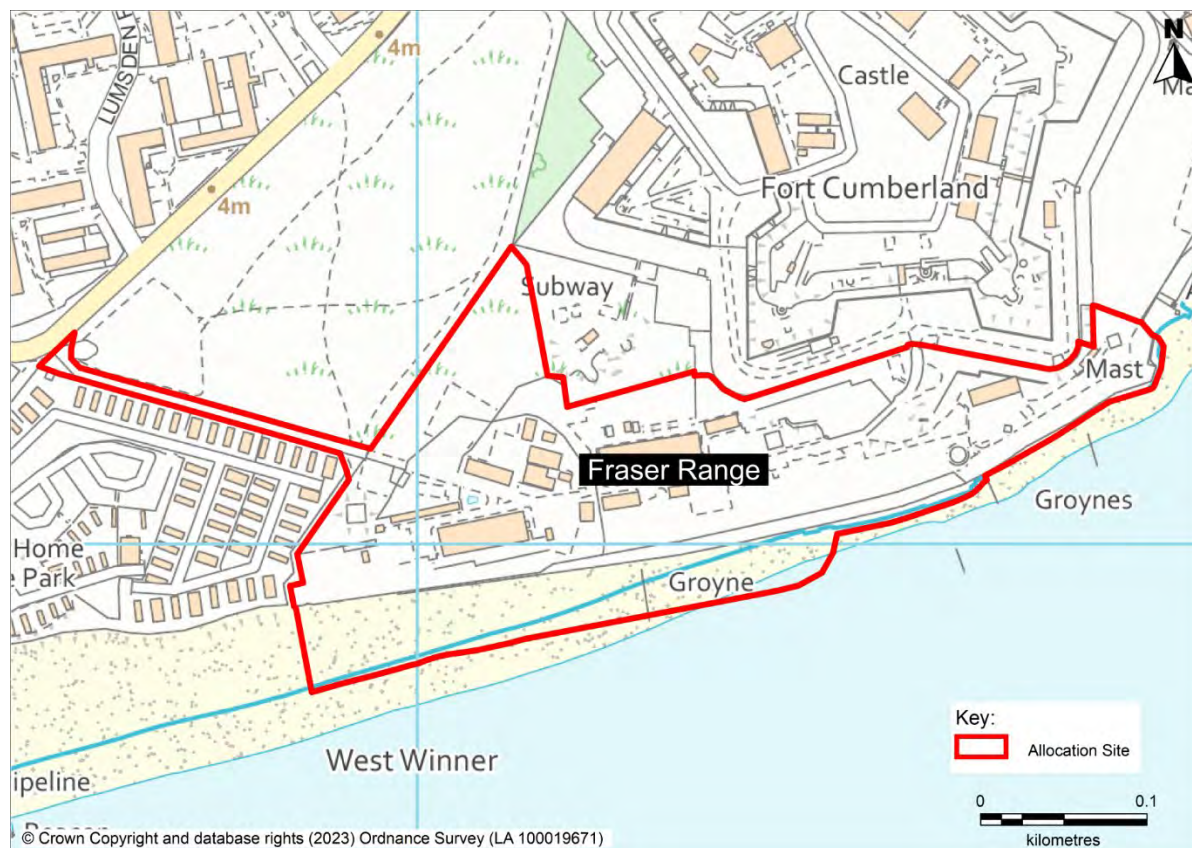


Figure 5.5: Map of Fraser Range

5.51 Fraser Range is located in an area of distinct character on the water's edge at the southeastern point of Portsea Island. The site covers an area of 6.5 hectares and historically was a research centre for Naval Gunnery. Originally occupied by the Royal Navy, in 2001 it was purchased by the defence contractor QinetiQ. Surplus to requirements it was permanently closed in 2006 (and has been vacant ever since). The site consists of a single development area, linked to the nearby Fort Cumberland Road by a narrow, access road. A map of the site is shown in figure 5.5. It should be noted that the red line extends over part of the adjacent beach covering the site of listed tank traps the removal, storage and subsequent re-siting of which form an important aspect of the scheme.

5.52 Fort Cumberland, a rare eighteenth century Star Fort, designated as a Scheduled Monument and Grade II Listed Building, lies adjacent, and immediately to the north. A modest element of the fort's scheduled footprint extends into the Range on the East of the site. Southsea Leisure Park, a static caravan holiday site lies to the west. Fort Cumberland Open Space and beyond residential areas lie to the north-west. Along its southern boundary, the site abuts Eastney Beach a relatively narrow shingle/ sand strip that is also the site of a Grade II listed World War II linear tank trap; the beach has been used for many years as a 'clothing optional beach'.

5.53 The western part of the allocation site is predominantly characterised by a concentration of relatively low rise, and loosely dispersed non-residential buildings

including office blocks, stores, research labs, and light industrial workshops. These are at different scales, but share a coherent utilitarian architectural style. They are also set within open but discrete areas of green space. The eastern part of the site is, with the exception of a single building, essentially open and 'green' in character and has a very high ecological value.

5.54 The majority of the site is currently within flood zone 3. The eastern end of the site is more elevated and within flood zone 1. It is predicted that by 2122, the western part of the site and a large part of Eastney will be within flood zone 3. Flood risk is therefore a highly important consideration for this site.

5.55 Portsea Island is covered by the North Solent Shoreline Management Plan (SMP) (section 5aPI01 and 5aPI02). The Portsea Island Coastal Strategy Study (PICSS) was developed to build on policies set out in the North Solent SMP. These plans and strategies provide recommendations for flood management measures to protect residents of Portsmouth from flooding. Further information can be found within the SFRA Level 2.

5.56 The site does not currently enjoy public access and its relative inaccessibility gives the area a secluded feel. Its exposed coastal location at the eastern extremity of Portsea Island nevertheless provides for excellent open views over the eastern Solent and Isle of Wight beyond. The character of the site contrasts strongly with the more conventional higher density inland suburban areas that surround the Range to the west and north.

5.57 At the time of writing (autumn 2023) the site is the subject of a current planning application (19/00420/FUL) for the part demolition, redevelopment and conversion of three existing structures and the construction of new buildings to create 116 apartments and 18 houses, new sea wall flood defences and a related walkway (to include removal and reinstatement of tank traps).

5.58 The HELAA identified a number of constraints impacting on the site. These will need addressing through a number of evidence-based studies that will be required to support a submission at the application stage. It should be noted that development proposals may require Scheduled Monument Consent in addition to planning consent.



Site Allocation Policy PLP13: Fraser Range

1. Fraser Range, as shown on the Policies Map, is allocated for the development of the following uses:

- a) 134 dwellings;**
- b) Construction of new sea wall flood defence and a related accessible walkway to link round the coast to also include removal and reinstatement of Grade II listed tank traps to existing pattern; and**
- c) Construction of access road, parking and landscaping works.**

- 2. Development proposals for the above uses will be permitted provided that they meet all of the following development requirements:**
- a) The design and layout of any proposals must retain and preserve the open and green character of the eastern part of the site, and appropriately integrate, and where possible enhance the locally distinct landscape setting of the rest of the site;**
 - b) Development must protect any areas within the site or nearby that form part of the National Site Network, Ramsar Sites, Sites of Special Scientific Interest (SSSI) and any other nationally or locally designated habitat sites including supporting habitats;**
 - c) A Habitat Regulations Assessment (HRA) of the site will be required, and provision of appropriate mitigation for any direct recreational disturbance upon the adjacent Langstone and Chichester Harbour SPA and/or Solent Maritime SAC;**
 - d) To meet the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended), the developer should provide evidence that the allocated site will not result in the loss of habitat that is functionally linked to Solent's SPAs / Ramsars (P78/ P142 / P144);**
 - e) The developer will provide mitigation of any alone impacts on the habitat that is functionally linked to Solent's SPAs / Ramsars (P78 / P142 / P144). This is in addition to the contributions provided through the Solent Recreation Mitigation Strategy.**
 - f) Any new build development proposals for the site must respond positively to the presence of the following heritage assets:**
 - i. Fort Cumberland (Scheduled Ancient Monument and Grade II listed);**
 - ii. World War II Anti Tank Defences (Grade II listed); and**
 - iii. Any undesignated heritage assets within the Range site including where possible the remains of any gun emplacements on the eastern part of the site that shall be retained and their significance and setting conserved.**
 - g) Provide a Heritage Statement that assesses the significance and impact of all proposals on any heritage assets that are part of or lie within the setting of the site. This assessment must inform the layout and design of any proposals for the site;**
 - h) Future development of the site will require land raising and construction of flood defences. Their implementation should be informed by the SFRA Level 1 and 2. These should be delivered at Fraser Range to ensure any proposed development as part of this allocation is safe from floodwaters for its lifetime;**
 - i) A site-specific Flood Risk Assessment will be required in accordance with the recommendations of the Strategic Flood Risk Assessment Levels 1 and 2 supporting this Local Plan;**

- j) **Proposals for surface water management should make provision for storage during high tide events, when the surface water drainage may be subject to tide locking;**
- k) **Secure the construction of an enhanced and appropriate access road, and landscaping works;**
- l) **Provide safe, appropriate, publicly accessible off-road walking and cycling routes around/through the site. These must link the site to the nearby Fort Cumberland Road to the north west, but must not add to the disturbance of the ecologically sensitive parts of the site to the east;**
- m) **Development proposals will be permitted that provide public access to and through the site at all times.**
- n) **A Transport Assessment will be required, to examine the potential transport impacts and implications of any scheme, propose mitigation measures and identify opportunities to implement effective sustainable transport initiatives.**

Supporting text

5.59 The purpose of this policy is to allocate Fraser Range and ensure that development of the site delivers a significant quantity of new homes, a new sea wall flood defence and a new, extended accessible coastal path which secures access around the coast of Portsea Island.

5.60 The site is subject to a range of constraints. Securing a positive response to the policy will require the integration and protection of the ecological and heritage designations on and around the site. In light of this, the density, heights and distribution of built form and therefore the housing capacity of the site will be influenced by the impact(s) of any proposals on the integrity of the national and internationally designated ecological sites, and on the setting of the adjacent Scheduled Fort Cumberland.

5.61 To ensure that development can be delivered without creating substantial impacts to the nearby road network, and that the site enjoys safe, and appropriate access not only for vehicles but also pedestrians and cyclists, it will be necessary to secure enhancements to its existing access route. These should take the form of a widened and resurfaced carriageway and the provision of a new adjacent pedestrian footway linking the site to nearest main road. Any scheme must also secure and retain public access to the site. Proposals that close the site off by the use of gates or other measures will be refused.

5.62 The character of the site is very much derived from its open, and green qualities, and its exposed aspect on to the sea. These are important characteristics, and any proposals must seek to retain these qualities for the site. The area's ecological/ biodiversity value is very high. It lies partly within a number of SPA's and a related Ramsar site. It also sits within the Solent Maritime SAC, the Langstone Harbour SSSI, as well as three SINCs: Fort Cumberland, Land West of Fort Cumberland and Eastney Beach.

- 5.63 The developer should provide evidence that the allocated site will not result in the loss of habitat that is functionally linked to Solent's SPAs / Ramsars. These are the Primary Support area P78 and P142⁹⁵ and the Low Use site P144 both of which are located on the beach adjoining the site. To demonstrate this, non-breeding bird surveys between October and March (typically two survey seasons) may be required to determine if the allocation itself or land adjacent to it, constitute an area of significant supporting habitat. If the site is found to be functionally linked to Habitats sites, mitigation and / or avoidance measures will be required, and the planning application will need to be supported by a bespoke Habitats Regulations Assessment to ensure that the development does not result in adverse effects on site integrity. Advice received from Natural England in December 2023 and April 2024 stated that the development of Fraser Range may also have an 'alone' impact on the functionally linked habitat and that it is likely to require site specific mitigation over and above the contributions to the Solent Recreation Mitigation Strategy. Evidence of how this mitigation will be achieved will need to be provided by the developer and agreed by PCC.
- 5.64 In light of these factors, it will be necessary to ensure that the impact of any development on the integrity of any relevant national and internationally designated sites will, where possible, be avoided. Any landscaping proposals for the site will, if required, need to identify and secure appropriate protection of these areas, including where possible measures both to manage/ limit access to the most ecologically sensitive parts of the site, and to mitigate for the potential loss of suitable habitats for species.
- 5.65 The area's history as an MoD site, means that there may also be potential for ground contamination, which if necessary, would also need to be appropriately addressed.
- 5.66 The site's coastal location means that a majority of its area is located within Flood Zone 3. It should be noted that this designation does not however consider the presence of any flood defences. The current seawall surrounding the site is in poor condition. Ultimately it will not be capable of defending this part of the coast, and therefore any development on the site from inundation. For this reason, the erection of comprehensive new sea defences, that integrate effectively with proposed enhancements to existing defences adjacent to the site and secure the site against flooding will be necessary. This should be informed by the SFRA level 1 and 2 and must incorporate detailed site specific wave overtopping calculations along with suitable calculations for freeboard.
- 5.67 Other flood management measures such as land raising should also be incorporated into the site.
- 5.68 To ensure the safety of all residents; in accordance with Policy PLP31 (flooding), robust evidence must show that all efforts have been made to deliver safe access and egress routes on sites at risk of flooding. Where truly exceptional circumstances dictate this not to be feasible, it must be clearly detailed in a site specific FRA how the risks of flooding can be safely managed. Information on duration, hazard and frequency of flooding must be provided for the development lifetime.

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<https://hiwwt.maps.arcgis.com/apps/instant/minimalist/index.html?appid=f4bbd6fe517647cba8bf0f3b8cfb7c1b>

5.69 New development should discharge runoff to the sea following suitable treatment. Storage of surface water should be managed when the sea level rises to a height that will not allow for drainage.

Monitoring and Delivery Framework

Types & amounts of development	Timescale	Delivery	Monitoring	Triggers & potential actions
New Sea Wall and Flood Defence Works including Attenuation Ponds	2025-30	Through the development Management process; working in partnership with Developer.	Infrastructure monitoring in the AMR and in future iterations of the IDP	Ongoing liaison with site developer to understand delivery timescales more precisely.
Main Road and access infrastructure	2025-30	Through the development Management process; working in partnership with Developer.	Infrastructure monitoring in the AMR	Ongoing liaison with site developer to understand delivery timescales more precisely.
40 residential dwellings and landscaping	2025-30	Through the development Management process; working in partnership with Developer.	Housing monitoring in the AMR	Ongoing liaison with site developer to understand delivery timescales more precisely.
94 residential dwellings and landscaping	2030-35	Through the development Management process; working in partnership with Developer.	Housing monitoring in the AMR	Ongoing liaison with site developer to understand delivery timescales more precisely.

Table 5.5: Monitoring and Delivery Framework for Fraser Range

The News Centre

Introduction

5.70 The site is a former printing press centre, which has been vacant since July 2022. It is strategically situated on a prominent junction of the A3 and London Road (A2047) in Hilsea and in very close proximity to the M27 and Portsbridge roundabout. As such, this is a busy gateway location surrounded by a mix of residential (generally low density semi-detached and detached houses, with flatted development opposite and to the north of the site on London Road), education, army barracks, small scale commercial uses including local shops and open space. A map of the site is shown as figure 5.6.

5.71 The News Centre site is owned by First Bus, who intend to develop a new purpose built 'super depot' to accommodate a fleet of electric buses. This use aligns well with the Council's aim to prioritise sustainable transport and will help make a real contribution to climate change mitigation. The site's location on a major road with good links to the rest of the City and the strategic road network makes it suitable for a sustainable transport hub.

5.72 The site presents an opportunity to maximise development as a gateway location to Portsea Island, with potential for residential and community uses to complement the bus depot.

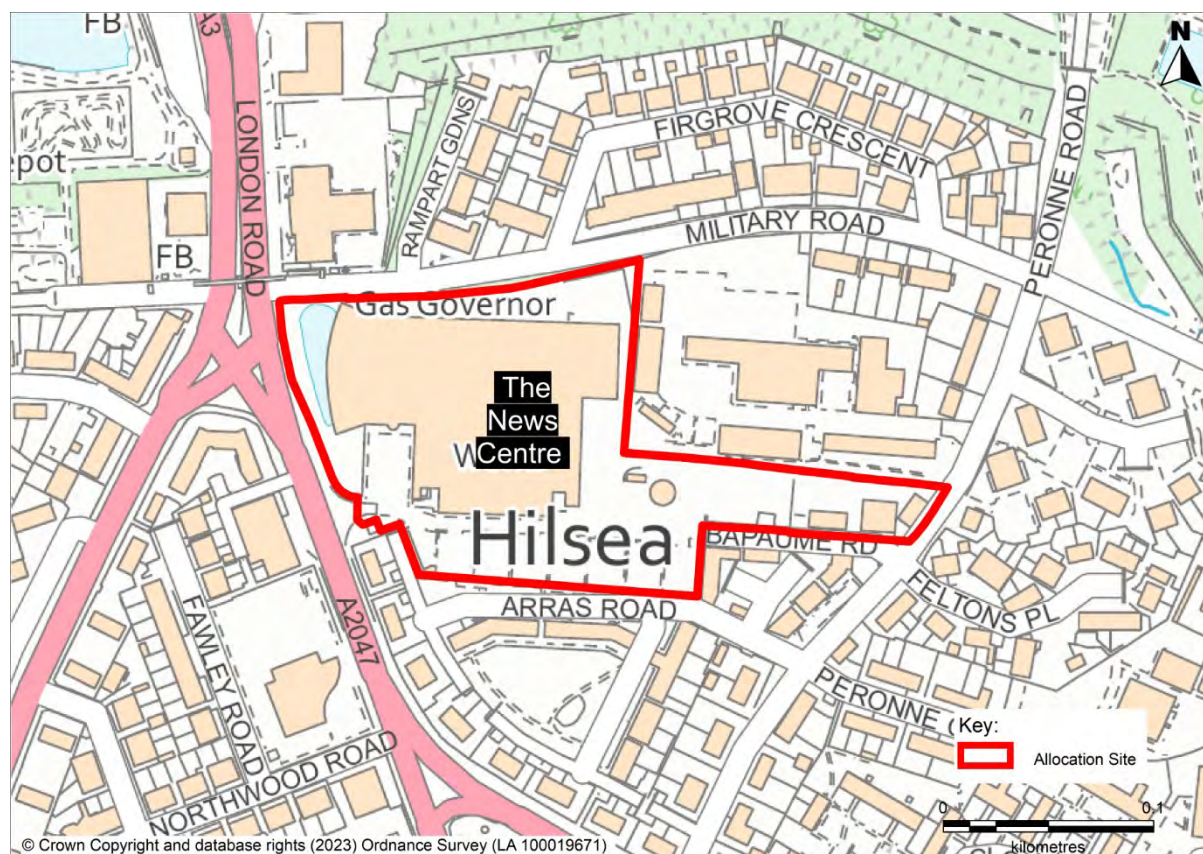


Figure 5.6: Map of the News Centre, Hilsea

5.73 The News Centre was a 1960s modernist style building, designed by local architects, Cogswell & Sons, with a pond and landscaping facing onto London Road. The building was and site still is locally distinct. The western part of the site contains a cluster of mature trees fronting London Road, and it is bordered to the north, south and east by trees, contributing to local character and green infrastructure. A Tree Protection Order (TPO) is in place at the Territorial Army Centre adjoining the east of the site.

5.74 The site and surrounding area is located within flood zone 3. It should be noted however that this is an undefended scenario. The final phase (Phase 5) of the North Portsea Island scheme, which is expected to be delivered by 2026 should reduce the flood risk to an acceptable level.

5.75 The location on a busy main road means that noise-sensitive development such as housing will need appropriate mitigation and design to protect the amenity of occupiers. In addition, the level of traffic at the junction and the proposed electric bus garage will

need thorough assessment and transport modelling. Improvements may be required to ensure appropriate and safe access for electric buses, residential occupiers and for any other uses put forward at the site.

5.76 Historic Environment Records show close proximity of the site to a number of sensitive archaeological and historic assets, including the Hilsea Lines and a number of Listed Buildings. The setting of these assets should be considered as part of the design of any development of the site.

5.77 Prior approval for demolition of the News Centre and associated ancillary buildings was approved in August 2023. Demolition of the former News Centre building was complete in spring 2024. There is no other relevant planning history on the site.

5.78 The main evidence based studies supporting the allocation are the HELAA, the SFRA levels 1 and 2, the Historic Environment Records and the Transport Study.



Site Allocation Policy PLP14: The News Centre, Hilsea

- 1. The News Centre, as shown on the Policies Map, is allocated for comprehensive mixed use development for the following uses:**
 - a) A purpose built all-electric bus depot;**
 - b) 100 homes; and**
 - c) Community uses.**
- 2. Small scale ancillary uses, including for commercial purposes, may be appropriate depending on their type and scale, impacts on the surrounding area and nearby centres designated in Portsmouth's Town Centre Hierarchy, and where they do not compromise the site's allocated uses.**
- 3. Development proposals for the above named uses will be permitted provided that they meet all of the following site specific development requirements:**
 - a) Achieves exemplar design that maximises the site's gateway location and provides comprehensive redevelopment of the site;**
 - b) Retains and enhances the distinct character and green infrastructure of the site, to include protection of the cluster of mature trees fronting London Road, a pair of pine trees in the south-west of the site adjacent to the electric substation, trees bordering the site to the north and east, and a TPO located at the Territorial Army Centre. An Arboricultural Assessment should be submitted to demonstrate that this can be satisfactorily achieved;**
 - c) The design of the site should seek to respond to and celebrate distinct elements of the original building's historic presence and architecture;**

- d) Delivery of new homes towards the higher end of the medium density range, to maximise use of land in this core residential area;**
- e) Incorporates appropriate mitigation and design measures to minimise and protect future occupiers of residential development from harmful levels of noise and air pollution from nearby roads;**
- f) Appropriate, efficient and safe access for a high level of use from buses, to and from the site onto the London Road (A2047) and the A3;**
- g) Provide safe, permeable and convenient local pedestrian and cycle links, particularly north-south along main roads;**
- h) Submit a Travel Plan and Transport Assessment to analyse the potential transport impacts and implications on the local highway network, propose mitigation measures and identify opportunities to implement effective sustainable transport initiatives;**
- i) The site falls within Flood Zones 2 and 3a and a site specific Flood Risk Assessment will be prepared and submitted in accordance with the recommendations of the Strategic Flood Risk Assessment Levels 1 and 2 supporting this Local Plan; and**
- j) Flood management measures should be incorporated within the site in accordance with the SFRA Level 1 and 2 to reduce the risk to more vulnerable development and key infrastructure, now and in the future.**

Supporting text

5.79 The purpose of this policy is to ensure comprehensive redevelopment of this gateway site for mixed use development that delivers significant sustainable transport in the City and creates high quality homes to meet the needs of local people.

5.80 The location is suitable for residential development that makes efficient and effective use of land while fitting with the context and character of the area. Therefore a density towards the higher end of the medium density range described in Policy PLP21: Residential Density is appropriate. Exemplar design which meets or exceeds the high standard and quality required by Policy PLP1 - Design is sought on the site. The site's design should positively relate to the site's context, local character and identity.

5.81 The former News Centre building is a distinct example of twentieth century architecture, and while not formally designated, it is locally important in terms of its historical presence. Criteria iii. of Policy PLP14 seeks to ensure development incorporates historical reference to the former building by celebrating its distinct elements, where possible. This may be through conservation of abstract pre-cast concrete panels which formed part of the construction of the original print works.

5.82 Community uses are included in the allocation to support the needs of new residents on the site and the local community more widely. The space for community use would be provided at ground floor level with residential development on upper floors. Community uses may include healthcare uses such as doctors and dentists, community meetings

places, learning and non-residential institutions such as a public library and/or a small local shop. A safe space could also be provided for vulnerable people.

- 5.83 Due regard should be given to conserving the setting of a number of sensitive archaeological and historic assets, including the Hilsea Lines and a number of Listed Buildings, which fall within a 500m radius of the site. Applicants should consult the Historic Environment Records held by the City Council.
- 5.84 The site currently contains a pond and landscaping, and a cluster of trees fronting London Road, which adds an important element of greening to the surrounding, largely urban environment. The News Centre is bordered by trees which provide screening to adjacent residential occupiers and other uses. Retaining and protecting trees, including their root zones, where they fall either within or outside the site boundary, and enhancing green infrastructure should be integral to the site's design. An Arboricultural Assessment should be submitted to the Council as part of any application for development.
- 5.85 As a mixed use allocation, development may include small scale ancillary uses, including for commercial purposes. These should complement the allocated uses of the site, and will not be permitted where they are out of scale to the point of undermining delivery of those allocated uses, or where they are considered to have a significant adverse impact on centres designated within the City's Town Centre Hierarchy, in line with PLP23 Small Shops.
- 5.86 The proposed mixed use development including an electric bus depot will need further detailed transport modelling and assessment, with regard to junction and local highway capacity, to ensure that the scheme can be delivered without creating substantial adverse impacts on the Highways network.
- 5.87 The site currently falls within Flood Zones 2 and 3a, and evidence will need to be submitted in a site specific Flood Risk Assessment in support any application. This is to ensure flood risk can be appropriately dealt and future residents made safe through appropriate design and mitigation.
- 5.88 Flood management measures, such as land raising should be incorporated into the site. The North Portsea Island scheme, when complete, are likely to reduce the flood risk to an acceptable level, although the assessment of residual risk from breach or overtopping would need to confirm this in a Flood Risk Assessment. The North Portsea Island Scheme is due for completion in 2026 and therefore, where more vulnerable development is proposed prior to this, robust evidence must be provided demonstrating how more vulnerable development and residents are kept safe in the event of a flood.

Monitoring and Delivery Framework

Types & amounts of development	Timescale	Delivery	Monitoring	Triggers & potential actions
Transport - electric bus depot	2025-2030	Through the Development Management process; working in partnership with developer and land owner	Infrastructure monitoring in the AMR and future iterations of and engagement in the IDP	By 2028, contact the landowner if a planning application for this element of the site has not been forthcoming.

100 homes (net)	2030-2035	Through the Development Management process; working in partnership with developer and land owner	Housing monitoring in the AMR	By 2032, contact the landowner if a planning application for this element of the site has not been forthcoming

Table 5.6: Monitoring and Delivery Framework for The News Centre

Somers Orchard

Introduction

5.89 The site falls within the western part of the Somerstown area of the City. Somerstown is mainly characterised by high rise mid twentieth century housing, largely public in tenure and constructed to replace the previous townscape in the area which suffered significant damage during World War Two, and was comprehensively redeveloped in the 1960s. The site borders King Street Conservation Area to the south, which consists of a mix of Victorian period terraces, post-war flats and more recent groups of modern, mainly terraced housing. It is also adjacent to the Terraces Conservation Area to the north west, which retains much of its original nineteenth century character, with a mix of predominantly Victorian and Edwardian styles. It is located on the southern fringe of the City Centre and benefits from close proximity to mixed use activities leading up to the centre. A map of the site forms figure 5.7.

5.90 Somers Orchard was identified in the Council's HELAA as having potential for 565 dwellings, following clearance of the former Horatia and Lemington Houses. The Somers Orchard site is being brought forward through the City Council's Housing Revenue Account, as part of the design evolution for the site there has been significant public consultation⁹⁶ over a period of several years. A planning application is expected to be submitted in the autumn of 2023.

5.91 The site comprises three main sections: the cleared site of the former buildings, the forecourts, courtyards and open space around a number of 'Birmingham Block' maisonettes (to be retained) and the site of the Gibson Centre, which is proposed for redevelopment. It is anticipated that the development would take place in phases with the first phase being the redevelopment of the sites of the two towers with the landscaping around the Birmingham Blocks and the redevelopment of the Gibson Centre following that.

⁹⁶ <https://www.portsmouth.gov.uk/services/housing/housing-development/somers-orchard-former-horatia-and-lemington-houses-site/>

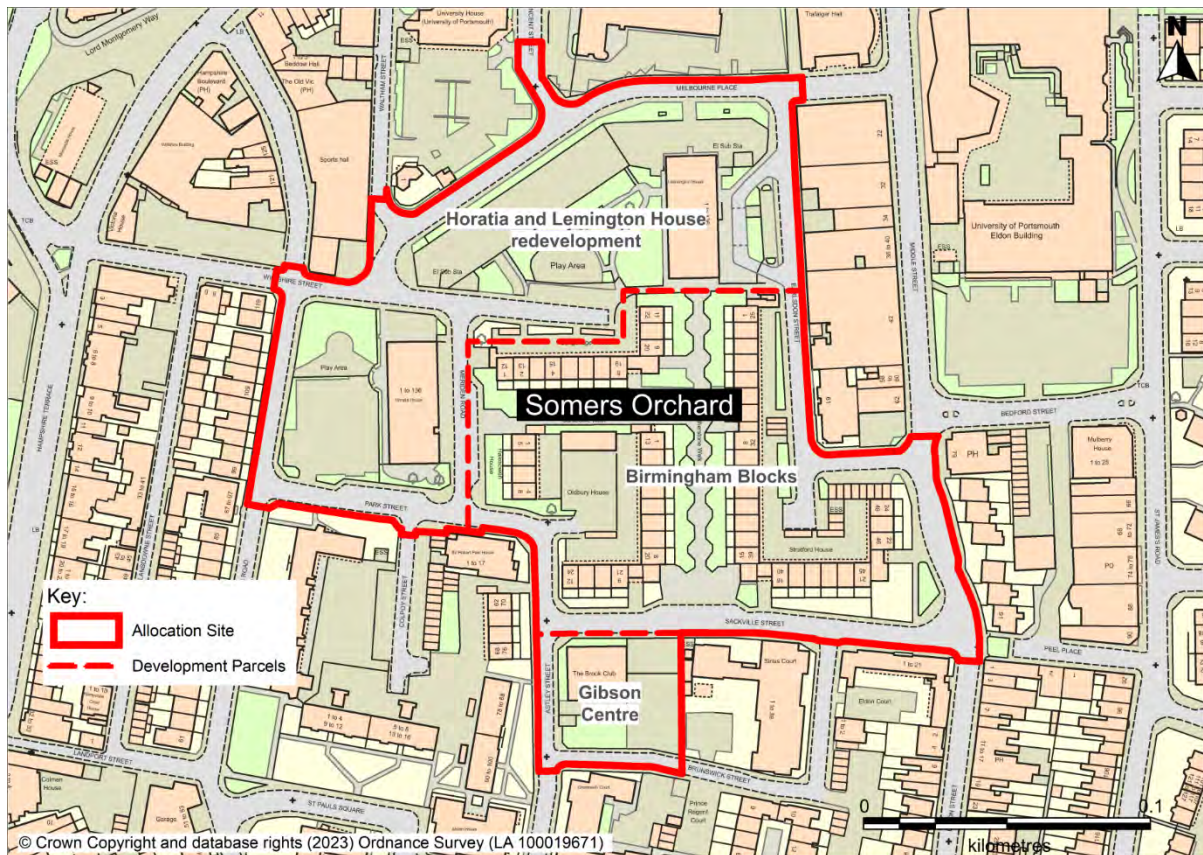


Figure 5.7: Map of Somers Orchard

- 5.92 There is a reasonably well established network of the secondary streets in the area, however, the quality gets constantly eroded by dominant car parking provision. Most of the north south pedestrian movement occurs on the parallel streets to the estate.
- 5.93 There is some open green spaces within the site, but it could be improved by integrating them within the public realm, improving the quality and providing better overlooking. The post-war rebuilding of Somerstown resulted in a neighbourhood that is very impermeable with disconnected routes and mixed quality. Such growth established poorly overlooked streets and underused public spaces throughout the neighbourhood.
- 5.94 The area formed part of the National Model Design Code pilot project that the City Council developed in partnership with the Government, covering the redevelopment of this area and wider Somerstown. The Horatia and Leamington House site is a pilot project for the redevelopment program of buildings with structural issues.
- 5.95 As part of work to replace cladding at Horatia and Lemington Houses it was found that substantial work was needed to strengthen the buildings. In 2022 Horatia and Lemington Houses were demolished. In addition to the sites of the two former towers, the City Council is also redeveloping the car park parallel to Melbourne Place to create the opportunity for a wider redevelopment within the area. In addition the Gibson Centre to the South is proposed for redevelopment as a secondary phase of development.
- 5.96 In addition to the two main areas of redevelopment the City Council intends to carry out landscaping works to the areas around Longbridge House, Oldbury House, and Stratford House, collectively known as the 'Birmingham Blocks'. These landscaping works aim to

tie the two portions of the site together and provide wider neighbourhood improvements to the area.



Site Allocation Policy PLP15: Somers Orchard

- 1. Somers Orchard, as shown on the Policies Map, is allocated for the development of the following uses:**
 - a) 565 dwellings (293 net gain, taking into account the recently demolished 272 units);**
 - b) Approximately 500 sqm commercial space;**
 - c) Approximately 440 sqm community space.**
- 2. Development proposals for the above-named uses will be permitted provided that they meet all of the following site-specific development requirements:**
 - a) Replaces the 272 affordable homes from Horatia and Lemington Houses with new affordable homes;**
 - b) Provides 30% of any net additional homes as affordable homes or in the case of a Build to Rent Scheme provides 20% affordable private rented units;**
 - c) Creates new integral open space and landscaping that provides for the needs of the new and existing community and acts to link the space to the wider estate;**
 - d) Biodiversity Net Gain of at least 20% is demonstrated and secured in perpetuity (at least 30 years) on site;**
 - e) Improves connectivity, permeability and legibility through the development, prioritising safe and accessible cycling and walking;**
 - f) Includes tall buildings and high density blocks in order to achieve the densities needed to meet the required level of housing;**
 - g) Provides landscaping to enhance the setting of the retained Birmingham Blocks;**
 - h) Incorporate car-free streets wherever feasible, with 'Mobility as a Service' and sustainable transport modes prioritised;**
 - i) Takes advantage of the site's sustainable location to provide a reduced car parking ratio; and**
 - j) Any new build development proposals for the site must respond positively to the presence of nearby heritage assets.**

Supporting text

- 5.97 The purpose of this policy is to ensure that the development at Somers Orchard, delivers significant amounts of good quality social and private rented housing in a way that integrates with and is a positive addition to the existing community.
- 5.98 Within the site are two main areas proposed for housing. The largest area of housing comprises the site of the two former towers along with Melbourne Place car park has the potential for 519 dwellings and the Gibson Centre redevelopment is expected to deliver a further 46 units. The demolition of the two towers resulted in the loss of 272 dwellings, which been counted in the City Council's land supply position as a loss. Therefore it is expected that the site will deliver a total of 565 (gross) dwellings.
- 5.99 The site is being brought forward by the City Council through its Housing Revenue Account. The scheme re-provides the affordable stock lost through the loss of the two towers (272 units). The majority of the site is therefore being brought forward for Council Housing. In addition to the 272 affordable homes being replaced, the Council will require an additional 30% affordable housing or an additional 20% affordable private rented units if the additional units were to come forward as build to rent in line with policies PLP17 (Affordable homes) and PLP 19 (Housing for specific groups) respectively.
- 5.100 The site currently has a series of landscaped green spaces of low recreational and biodiversity value. Development proposals for the site should provide for enhanced green / open space provision in regard to both biodiversity and recreation value. The schemes landscaping should look to provide a network of complementary accessible spaces for the use of future residents and visitors. The landscape proposals remove unnecessary fencing and re-imagine the area as a somewhere where food growing, play and nature overlap. Proposals should look to create multifunctional spaces providing for the future needs of residents and visitors by including features such as play equipment and green spaces in which people can relax.
- 5.101 The site falls within the City Council's ownership. The Council have indicated that development on PCC owned land should be more aspirational in provision of biodiversity. Development on the site is therefore expected to provide an uplift of 20% Biodiversity Net Gain.
- 5.102 The sites as currently laid out (and much of the wider Somerstown Estate) suffers from poor legibility for users. Proposals should improve the site's permeability and legibility by improving existing connections within the neighbourhood particularly to the north-south along Waltham street and east west along Wiltshire street and Melbourne Place. Proposals should encourage the uses of sustainable transport and calm vehicle traffic by introducing raised tables at road junctions, cycle lanes and wider pedestrian pavements, with pedestrians and cyclists given priority wherever possible. The site is well located for public transport with Portsmouth and Southsea Station in close proximity to the north as well as frequent bus services on both Kings Road/Elm Grove and Winston Churchill Avenue. Proposals that provide a reduced parking standard will be acceptable in this location, however, wheelchair and other accessible parking provision should be made available.

Monitoring and Delivery Framework

Types & amounts of development	Timescale	Delivery	Monitoring	Triggers & potential actions
519 Dwellings (Horatia and Lemington) (gross)	6-10 years	Through the development Management process; working in partnership with Developer, freeholder and leaseholder.	Housing monitoring in the AMR	Ongoing liaison with The developer / The City Council's Housing Revenue Account team.
46 Dwellings (Gibson Centre) (gross)	6-10 years	Through the development Management process; working in partnership with Developer, freeholder and leaseholder.	Housing monitoring in the AMR	Ongoing liaison with The developer / The City Council's Housing Revenue Account team.
Landscaping of the wider allocation site	6-10 years	Through the development Management process; working in partnership with Developer, freeholder and leaseholder.	Planning Application conditions	Ongoing liaison with The developer / The City Council's Housing Revenue Account team/ Future landscape management team.

Table 5.7: Monitoring and Delivery Framework for Somers Orchard

Chapter 6: Homes

Introduction

6.1 The first objective of the Imagine Portsmouth 2040 vision is that all our residents and communities live in good homes where they feel safe, feel like they belong and can thrive. Therefore, delivering good homes to meet the needs of the City's growing population is a key component of the Local Plan. The policies in this chapter set the target for housing provision in the City along with requirements for different types of homes including affordable homes, Houses in Multiple Occupation (HMO) and Gypsies and Travellers.

Housing Target

Introduction

6.2 The National Planning Policy Framework (NPPF) requires that Local Planning Authorities should aim to meet as much of their area's objectively assessed housing need as possible, including an appropriate mix of housing types for the local community. Furthermore, Local Planning Authorities should then establish a housing requirement figure, which shows the extent to which their identified housing need can be met over the plan period.

6.3 Since 2018, the NPPF has required Local Planning Authorities to establish the minimum number of homes needed by using the standard method prescribed in national planning guidance. The standard method utilises demographic baseline data derived from 2014-based household projections provided by the Office for National Statistics (ONS).

6.4 The Council commissioned a Housing and Economic Development Needs Assessment (HEDNA)⁹⁷, which forms part of the evidence base for this Local Plan. The HEDNA states that over the plan period 2020–2040, the standard method sets a housing need of 899 homes per year for the City. The HEDNA separately identifies a need for 851 affordable homes per year.

6.5 For context, the need identified through the standard method (899 homes per year) represents a significant increase from the housing requirement set in the Portsmouth Plan Core Strategy (2012) of 420 homes per year and from past delivery rates of housing. Past delivery rates of housing net completions (excluding C2 completions) in the City between 2011 and 2022 has averaged 313 homes per annum while in the last five years (2018-2023) this has fallen to 152 homes per annum.

6.6 The HEDNA also assessed data relating to demographic trends and economic growth scenarios that point to Portsmouth's housing need being much lower than the standard method. This is due to household and population growth being far weaker than was projected in the 2014-based projections; analysis of past housing completions does not point to this lower growth being attributed to reduced housing delivery. The HEDNA found that an estimate of housing need based on trend-based population projections points to a need of up to 655 dwellings per annum. If this is set against job growth scenarios then a housing need ranging from 431 to 634 dwellings per annum is

⁹⁷ https://www.portsmouth.gov.uk/wp-content/uploads/2024/04/4-Portsmouth-HEDNA_Final-Report-Dec-2023-CONFIDENTIAL-1.pdf

produced. These alternative analyses of housing need suggest that actual housing need for Portsmouth is in a downward direction to levels which are clearly below the standard method figure. It is not, however, definitively clear that exceptional circumstances exist for the Local Plan to adopt a housing need figure lower than the standard method.

6.7 To meet the full housing need set by the standard method of 899 homes per year is extremely difficult in the context of Portsmouth and its geography. Portsmouth is a physically compact city with many constraining factors, including its wealth of nature and heritage designations, that limit options for development growth. The reality is that land availability and housing delivery in the City is a major challenge, which means that the Local Plan has an important role to play in balancing the wide range of competing development needs and the need to protect or enhance the quality of the environment, in order to plan for the long-term sustainable growth of the City. Despite this challenge, however, the Council has sought to plan positively to establish whether a level of housing delivery could be achieved that aims to close the gap between the identified level of housing need and past delivery rates.

6.8 The Plan's Development Strategy seeks to maximise the development potential of developable sites within the City. Therefore, the Council has conducted a thorough and robust assessment of the various sources of housing supply that can then be used to establish a realistic capacity-based housing requirement target for the Local Plan. The sources of housing supply are as follows and are also set out in Table 6.1.

- Identifying strategic sites and allocations within the City that have significant capacity to contribute towards the identified housing need;
- Identifying through the Housing and Economic Land Availability Assessment (HELAA)⁹⁸ non-strategic sites that have capacity to deliver five homes or more. This also takes into account a 'non-implementation discount' (15%) that provides a pragmatic view of the potential delivery of sites included in the HELAA by taking into account the historic difference between the number of homes permitted and the number of homes that were actually built;
- Identifying through robust analysis of past trends the expected contribution from small windfall sites (sites with capacity of less than five dwellings);
- Identifying the contribution arising from student accommodation and other specialist and communal accommodation, including Houses in Multiple Occupation (HMOs);
- Including sites that have been completed between 2020 to 2023;
- Including sites with extant planning permission or have a resolution to grant planning permission as of 31 March 2023. This includes a 'non-implementation discount' (15%) to take into account the historic difference between the number of homes permitted and the number of homes that were actually built;
- Agreeing the contribution towards Portsmouth's housing need to be met by neighbouring local authorities through the 'Duty to Cooperate' although this is not included in the final housing requirement figure.

⁹⁸ https://www.portsmouth.gov.uk/wp-content/uploads/2024/04/02-PCC_Housing-and-Employment-Land-Availability-Assessment_2023-Report_FINAL-latest-version-for-CDL.pdf

Source		No of Dwellings (net) (in plan period)
Net completions (sites with capacity of 5 or more dwellings) 2020-23 (A)		305
Permissions outstanding as of 31 March 2023 (net) (A) (B)		1,353
- Less 'Non-implementation discount' (15%)		(203)
Strategic sites (7,155):	City Centre	4,158
	St James' and Langstone Campus	417
	Tipner West & Horsea Island East (C)	814
	Tipner East	1,056
	Fratton Park & Pompey Centre	710
Allocations (1,511):	Port Solent	500
	St John's College	212
	Fraser Range	134
	The News Centre, Hilsea	100
	Somers Orchard, Somerstown	565
Sites identified from 2023 HELAA: (A)	Small/medium sites <1ha with capacity for 5 or more dwellings	1,543
	Sites >1ha with capacity for 5 or more dwellings	457
	- Less 'Non-implementation discount' (15%)	(300)
Small sites windfall (sites with capacity of <5 dwellings) (D)		1,007
Equivalent contribution from HMOs (E)		731
Equivalent contribution from C2 accommodation completions (F)		44
Target for new homes in Portsmouth 2020 - 2040		13,603
Duty to Cooperate contribution from neighbouring local authorities		800
Target for new homes for Portsmouth including the Duty to Cooperate contribution from neighbouring local authorities		14,403
Footnotes:		
(A) Includes equivalent dwellings from student accommodation development		
(B) Comprising of permissions arising from City Centre sites, previous HELAA sites, and other non-HELAA sites; does not include HMO permissions, which are accounted for in (E)		
(C) The range allocated for Tipner West & Horsea Island East is 814-1,250 homes and the lowest figure of the range is fed into the housing target. The lower number provides the minimum number of homes required as part of the City Deal whilst the upper number provides certainty for the HRA in terms of impact on the integrity of the national and internationally designated sites.		
(D) Including net completions 2020/21-2022/23; does not include HMO completions or student accommodation development		
(E) Including net permissions 2020/21-2022/23: the ratio applied is 1.8 bedrooms to 1 C3 dwelling		
(F) Including gross completions 2020/21-2022/23; the ratio applied is 1.8 bedrooms to 1 C3 dwellings. Does not include student accommodation development		

Table 6.1: Sources of new homes in Portsmouth

6.9 Based on the housing figures set out in Table 6.1, Policy PLP16 therefore sets a housing requirement target for Portsmouth of 13,603 new homes from 2020 to 2040 or

approximately 680 new homes per year. This figure is a 'capacity-based' target based on the level of housing that can be realistically achieved within the plan period having regard to Portsmouth's constraints, land availability, and development capacity. Nevertheless, the Council has sought to leave 'no stone unturned' in robustly and positively identifying all sources of potential housing supply, whilst being pragmatic in its assessment of delivery from permitted sites and HELAA sites through the application of a 'non-implementation discount'.

6.10 Whilst the housing requirement target does not meet the standard method housing need in full, it does meet and exceed the level of housing need that may actually exist as assessed through the HEDNA of up to 655 dwellings per annum (if solely using the trend-based population projections) or the range of 431 to 634 dwellings per annum (if set against job-growth scenarios). The NPPF states that the outcome of the standard method is an advisory starting point for establishing a housing requirement. The City Council therefore considers that the housing target set in Policy PLP16 is both justified and consistent with Government policy.

6.11 Further information can be found in the Council's Housing background paper⁹⁹.

Strategic Policy PLP16: Housing Target



1. The Council will make provision for at least 13,603 net additional homes during the Plan period of 2020-2040 with a net annual provision of approximately 680 homes each year. These homes will be provided from the following sources with further details set out in Table 6.1 of this Local Plan:

- a) Completions 2020-2023 (net)**
- b) Outstanding permissions as of 31 March 2023 (net) (with a 15% non-implementation discount applied)**
- c) Strategic sites in this Local Plan**
- d) Allocations in this Local Plan**
- e) Sites identified from the 2023 HELAA with a 15% non-implementation discount applied, comprising of:**
 - i. Small/medium sites <1ha with capacity for 5 or more dwellings as identified in Appendix 2 of this Local Plan**
 - ii. Sites >1ha with capacity for 5 or more dwellings as identified in Appendix 3 of this Local Plan .**
- f) Small sites windfall with capacity of <5 dwellings**
- g) Equivalent contribution from HMOs**
- h) Equivalent contribution from C2 accommodation**

⁹⁹ <https://www.portsmouth.gov.uk/newlocalplanevidencedoc/>

2. A further contribution to unmet housing need will also be sought from neighbouring local authorities through the Duty to Cooperate. This includes 800 homes allocated in the Fareham Local Plan.

3. Neighbourhood Plans that allocate additional land for housing will be supported by the Council providing that they meet local housing need and are in general conformity with the strategic policies of the Portsmouth Local Plan.

Supporting Text

6.12 An important element of housing delivery in the City is the allocation of strategic sites and allocations. The strategic sites and allocations are in chapters 4 and 5 of this Local Plan respectively. Each site has their own policy setting out specific development requirements.

6.13 The HELAA is a comprehensive assessment of potential housing sites in Portsmouth and identifies all deliverable and developable sites that could accommodate five or more new homes. Although the HELAA identifies sites that are deemed deliverable or developable, it in itself does not allocate sites nor grants planning permission for development; however, it does identify the principle of development and uses of sites. The 2023 HELAA identified 72 sites deemed deliverable or developable that could output 2,000 new homes in the plan period. As previously mentioned, however, the actual supply figure (1,700 homes) included in this policy takes into account a 'non-implementation discount' (15%) that provides a pragmatic view of the potential delivery of sites included in the HELAA by taking into account the historic difference between the number of homes permitted and the number of homes that were actually built.

6.14 Paragraph 70a of the NPPF states that local planning authorities should "identify... land to accommodate at least 10% of their housing requirement on sites no larger than one hectare...." The Council have used the 2023 HELAA as the basis for identifying such sites (which have capacity for 5 or more dwellings) and have identified that the contribution towards the housing supply from sites less than 1ha would be 1,543 homes over the plan period. This exceeds 10% of the housing requirement.

6.15 Windfall sites are defined in the NPPF as sites which have not been specifically identified as available in the Local Plan process. They normally comprise previously developed sites that have unexpectedly become available. Portsmouth has relatively few opportunities for larger scale development. Therefore, smaller scale infilling and change of use developments have historically formed a significant and consistent part of the overall supply of housing land in Portsmouth. From an analysis of past trends on completions for any windfall sites that yielded between 1 to 4 dwellings, it is considered that an estimate of 54 dwellings per annum delivered through windfall small sites represents a justified estimate of delivery during the Plan period.

6.16 HMOs play a key part in housing delivery within the City meeting the needs of those that require a more affordable housing option. The Council includes HMOs in its land supply data given the large amount being permitted/delivered over the years and the role they play in helping to meet the City's housing need. Through an analysis of historic HMO permissions data, it is concluded that the equivalent of 37 dwellings per annum can be expected to be delivered during the Plan period.

- 6.17 The Council has been in discussions with neighbouring authorities through the Duty to Cooperate, both bilaterally and through the Partnership for South Hampshire (PfSH). The Council has a close relationship with Havant Borough Council where a large proportion of the Council's housing stock is located as well as reciprocal nomination rights for those on the housing register. The Council also has a partnering relationship with Gosport Borough Council. At this time, a contribution of 800 homes from Fareham Borough Council has been agreed, which is accounted for in the Fareham Local Plan 2037.
- 6.18 The NPPF promotes the supporting role that Neighbourhood Plans can play in delivering the strategic policies of the Local Plan, including housing targets, through allocating sites within their respective neighbourhood area. At the current time, the Milton Neighbourhood Plan is the only such plan that has been formally made and adopted in Portsmouth. However, in the future and during the Local Plan period, there may be further Neighbourhood Areas designated and, therefore, this policy recognises that these may make provision for additionally identified housing site allocations that are not included in this Local Plan.

Affordable Homes

Introduction

- 6.19 The provision of affordable homes is a key and pressing issue for the City. The HEDNA analysis identifies a notable need for affordable housing in the City. However, it is difficult to link the need for affordable housing to the overall housing need; indeed, there is no justification for trying to make the link. Put simply, the two do not measure the same thing. Furthermore, when considering affordable need, it has to be noted that many households already have housing, and do not therefore generate an overall net need for additional homes. Further issues arise as the need for affordable housing is complex, and additionally the extent of concealed and homeless households needs to be understood, as well as the role played by the private rented sector. Nevertheless, the provision of affordable housing should be maximised wherever possible and at every opportunity to support those who cannot afford to rent or secure a property on the open market in the City.
- 6.20 A Viability Assessment¹⁰⁰ was carried out to test the impact of all potential requirements on new residential development including affordable housing provision, Community Infrastructure Levy (CIL) payments, and environmental mitigation set through the new Local Plan, to understand whether the cost of these requirements would make development financially unviable. Not all development would have the same viability position and there is significant variation between different areas of the City and with different site circumstances. To set a requirement for the delivery of affordable housing as part of new residential scheme, a range of affordable housing thresholds were viability tested (0% – 40%)¹⁰¹ to inform the Regulation 18 consultation draft Local Plan and re-tested (0% - 30%) in light of the latest economic circumstances and build costs in the pre-submission (Regulation 19) update to the Viability Assessment (2024)¹⁰². Within that

¹⁰⁰ <https://www.portsmouth.gov.uk/newlocalplanevidencedoce>

¹⁰¹ https://www.portsmouth.gov.uk/wp-content/uploads/2021/09/PCC-Viability-26.10.20-Report-and-Appendices_compressed.pdf

¹⁰² <https://www.portsmouth.gov.uk/newlocalplanevidencedoce>

range of thresholds, a split of tenures was used, with 70% to be provided as affordable/social rent and 30% to be provided as low-cost home ownership.

- 6.21 On balance, the Council considers it preferable to set an affordable housing requirement that is ambitious for the City, reflecting the priority to provide affordable housing for people in need. Therefore a 30% threshold has been selected, but with the flexibility of being subject to viability testing on a case by case basis.
- 6.22 Affordable housing can be delivered through a number of different products, including homes for affordable or social rent, discounted market sales, First Homes, shared ownership and Rent to Buy.
- 6.23 The HEDNA analysis suggests there will be a need for both social and affordable rent housing. The latter will be suitable particularly for households who are close to being able to afford to rent privately and possibly also for some households who claim full Housing Benefit. However, it is clear that social rents are more affordable and could benefit a wider range of households.
- 6.24 The Government see a continued role for Shared Ownership¹⁰³ in meeting affordable need, providing for additional investment into the housing sector through the new Affordable Homes Programme. As part of the new programme, some changes to the Shared Ownership scheme were introduced in order to help more people get onto the property ladder, including measures such as setting the initial share to a minimum of 10%, and introducing a 1% gradual 'staircasing' model to allow owners to increase their equity share over time.
- 6.25 The Council also see Shared Ownership as an important and advantageous form of affordable home ownership product for the City that meets an affordable need, since a lower deposit (for the equity share) to secure a property is likely to be required compared to other tenures such as First Homes. Additionally, the rental part of the Shared Ownership model can be subsidised by a Registered Provider, helping to keep monthly payments low for occupiers.
- 6.26 For Portsmouth, the Council considers that First Homes are not required to be specifically provisioned for as part of the delivery of affordable home ownership. This is based on evidence from the HEDNA and the Local Plan Viability Assessment, whereby the delivery of First Homes could detrimentally impact the delivery of other affordable tenures that the Council deem as priorities for the City namely affordable and/or social rent and Shared Ownership. The market discount that is applied to First Homes is a cost that would need to be borne by a developer. The Viability Assessment has found that the provision of First Homes versus other forms of affordable home ownership, such as Shared Ownership, does not have a material impact on development viability. The approach will better meet the specific, evidenced need for affordable home ownership in the City, and does not preclude development of First Homes should need arise during the plan period.
- 6.27 In addition, the HEDNA found that there is evidence that there is only a small gap in the incomes needed to buy or rent a home in the City, and therefore points to a very limited need for First Homes. Indeed, the income required and upfront capital to purchase a

¹⁰³ Government launched a 'New Model for Shared Ownership' in early 2021 (following a 2020 consultation)

First Home and to maintain the monthly cost of ownership would be at a level much higher than that required for Shared Ownership homes, and therefore it would appear that First Homes do not offer a genuine 'affordable' alternative to market homes compared to Shared Ownership, which has been a proven and in-demand form of affordable tenure for the City. It is for these reasons that the Council will not seek for specific provision to be made for First Homes in development proposals.

- 6.28 A further affordable option is Rent to Buy; this is a Government scheme designed to ease the transition from renting to buying the same home. Initially (typically for five years) the newly built home will be provided at the equivalent of an affordable rent (approximately 20% below the market rate). The expectation is that the discount provided in that first five years can be saved by occupiers in order to put towards a deposit on the purchase of the same property. Rent to Buy can be advantageous for some households as it allows for a smaller step to be taken on to the home ownership ladder. At the end of the five-year period, depending on the scheme, the property is either sold as a shared ownership product or to be purchased outright as a full market property. If the occupant is not able to do either of these then the property is vacated.

Strategic Policy PLP17: Affordable Homes

- 1. Development proposals for major development, where a gross number of 10 or more residential dwellings will be provided (or the site has an area of 0.5ha or more) will be permitted where they:**
 - a) Make on-site provision for a minimum of 30% of the total residential dwellings as affordable homes;**
 - b) Provide the tenure mix of the affordable homes as 70% affordable rent and/or social rent, and 30% as another affordable route to home ownership (including shared ownership or discounted market sales housing); and**
 - c) Are indistinguishable in design and appearance from the open market houses and shall normally be "pepper-potted" around the site.**
- 2. Where there is an indication that a site or development has been artificially split in order to avoid policy requirements by being below the dwelling or site size threshold identified above, the Council will consider whether it would be appropriate to apply the policy requirements to each of the smaller sites individually, irrespective of their number of dwellings or site area, in order to secure the delivery of affordable housing in accordance with this policy.**
- 3. Where development proposals do not meet the policy requirements for affordable housing the applicant will be required to:**
 - a) Provide an open book viability assessment, that will be independently reviewed on behalf of the Council at the cost of the applicant, demonstrating that the proposed affordable homes provision has been maximised and all other options have been fully explored; and**
 - b) Demonstrate that the proposal contributes towards creating mixed and balanced communities.**

4. Where development proposals have been permitted that do not meet policy threshold requirements on affordable housing, the development will be subject to:
 - a) An Early Stage Viability Review if an agreed level of progress on implementation is not made within two years of the permission being granted (or another period agreed by the Council);
 - b) A Late Stage Viability Review which is triggered when 75% of the homes in a scheme are sold or let (or another period agreed by the Council); or
 - c) Mid Term Reviews prior to implementation of phases for larger schemes.
5. On site-provision of new affordable homes will be prioritised. Where this has been robustly demonstrated to be neither feasible nor viable, then off-site provision or an appropriate financial contribution in lieu to provide affordable housing will be accepted where it can be robustly justified. Off-site provision should be through provision on an alternative site within the City.
6. Planning applications should where relevant have regard to the Providing Affordable Housing in Portsmouth¹⁰⁴ guidance (or future equivalent) and the Housing Standards SPD¹⁰⁵ (or future equivalent).

Supporting Text

- 6.29 The purpose of this policy is to set out the minimum target number of homes that should be delivered as affordable homes for major development schemes involving residential use where either:
- a gross number of 10 or more residential dwellings will be provided; or the site has an area of 0.5ha or more.
- 6.30 The policy applies to all major development where ten or more residential dwellings (gross) are proposed, or the site has an area of 0.5ha or more, including mixed use schemes, specialist and supported housing, such as for older people and communal and co-living schemes, and other forms of residential development where relevant.
- 6.31 The requirement for affordable homes provision for Build to Rent schemes is included in Policy PLP19.
- 6.32 The Council will consider whether a site or development has been artificially split in order to avoid policy requirements. In such cases, the Council will apply the policy requirements to each of the smaller sites individually.
- 6.33 The target threshold and tenure mix of affordable homes will be calculated from the total residential dwellings of the site. For the purpose of this policy, residential dwellings are dwellings within Use Class C3. The target threshold is a minimum of 30% of the total residential dwellings are to be affordable homes, with the resulting quantum then used to work out the percentage mix required for the various tenures. To illustrate how this

¹⁰⁴ <https://www.portsmouth.gov.uk/wp-content/uploads/2020/05/development-and-planning-providing-affordable-housing-in-portsmouth.pdf>

¹⁰⁵ <https://www.portsmouth.gov.uk/wp-content/uploads/2020/04/Housing-Standards-Supplementary-Planning-Document.pdf>

works, Table 6.2 is a worked example for a hypothetical proposed scheme delivering 100 homes.

Tenure of a hypothetical 100 homes scheme	TOTAL
70% of total homes as market homes	70 homes
30% of total homes as affordable homes	30 homes
Of which:	
70% of the remaining AH homes (23 homes) as general needs affordable rent and/or social rent	21 homes
30% of the remaining AH homes (23 homes) as another route to affordable home ownership	9 homes

Table 6.2: Worked example showing affordable housing provision

6.34 The overall affordable housing threshold and the affordable tenure mix are the minimum targets the Council will expect development to meet. Where calculations yield decimal numbers, for calculating the minimum 30% threshold the figure should be rounded up. For calculating the breakdown of affordable tenure, figures should be rounded down or up but with bias towards increasing the overall provision of affordable homes and appropriate tenures, especially affordable rent and/or social rent affordable homes since there is a high level of need in the City for these types of homes. In the example in Table 6.2, the figures have been rounded up or down in order to increase the overall provision of affordable and/or social rent.

6.35 The HEDNA recommended that the Council should not have a rigid policy for the split between social and affordable rent housing, although the analysis is clear that both tenures and particularly social rented housing are likely to be required. Social rents should therefore be prioritised where delivery does not prejudice the overall delivery of affordable homes.

6.36 The Council will also seek to meet the need for affordable housing by providing greater proportions of affordable housing (up to 100%) on its own developments and land within its ownership, where appropriate, through the Housing Revenue Account and in partnership with Registered Social Landlords.

6.37 Developers/applicants should seek to engage with the Council at the earliest opportunity in order to discuss what would be the most appropriate affordable homes provision for a site/scheme.

6.38 Schemes that do not meet policy threshold requirements will be required to submit detailed viability assessment, which will be scrutinised and treated transparently. In such cases, the Council will commission an independent review of the submitted viability assessment, for which the developer/applicant will bear the cost.

6.39 Where a scheme that has been permitted but did not meet the relevant threshold requirements as set out in this policy, it will be subject to comprehensive review mechanisms secured by planning condition(s) and/or legal agreement. This is to ensure that affordable housing contributions can be identified if a development's viability improves over time. The definition of 'larger schemes' that will be subject to Mid Term Reviews will be at the Council's discretion and will depend on the nature and scale of the proposal.

6.40 The Council's Planning and Housing departments have produced the Providing Affordable Housing in Portsmouth¹⁰⁶ guidance and the 'Housing Standards SPD', both of which developers/applicants should have relevant regard to or to any future equivalent guidance.

Housing Mix and Housing For Specific Groups

Introduction

6.41 There is a need to plan for and deliver a variety of homes throughout the City to cater for its population, provide a choice of high quality homes and create inclusive, mixed and sustainable communities.

6.42 The HEDNA, which forms part of the evidence base for this Local Plan, has helped inform what the need is in Portsmouth for the various mix and types of housing through analysing and modelling relevant data and statistics.

6.43 The housing mix and type requirements for the City also need to be deliverable. Viability assessment at the plan-making stage has been undertaken to ensure that policies are realistic, and that the total cumulative cost of all relevant policies will not undermine overall deliverability and effectiveness of the Local Plan.

6.44 Policy PLP18 sets out what should be delivered as part of any residential development proposal in terms of housing mix, family homes, and accessible and adaptable homes. Policy PLP19 sets out what housing types will be supported and the criteria development proposals will be assessed against.

Housing Mix

6.45 Housing mix is mainly focused on the sizes of homes that are required in different tenure groups, which then implicates how new developments should be delivered to contribute towards meeting local housing need.

6.46 The provision of more family housing in the city will offer more local choice to families who otherwise may have to look outside the City boundaries for a suitable home to meet their needs. Opportunities should be taken for new residential development to provide a proportion as family housing. However, it is recognised that Portsmouth is part of a wider housing market area which includes neighbouring districts/boroughs which are less constrained in nature and have the land capacity to provide a much larger mix of family sized properties within new developments. It is also widely recognised with neighbouring authorities that there is cross-commuting within the Portsmouth housing market area, which includes all of Portsmouth, Gosport and Havant as well as the eastern wards of Fareham Borough, the southern wards of Winchester District and part of East Hampshire District. There is also relocation across the area due to people going through different stages of life.

6.47 There is also an identified need for larger family-sized affordable and social rented houses, the provision of which would also enable the freeing up of existing housing stock

¹⁰⁶ <https://www.portsmouth.gov.uk/wp-content/uploads/2020/05/development-and-planning-providing-affordable-housing-in-portsmouth.pdf>

for those on the Council's Housing Register and would allow for families to move into homes sufficient in size to meet their needs.

6.48 The HEDNA has looked at a range of statistics in relation to families (generally described as households with dependent children) and then looked at how the number of households in different age groups are projected to change in the future. From this, a recommended housing mix based on dwelling sizes for the different housing sectors has been developed, as shown in Table 6.3.

	Market	Affordable home ownership	Affordable housing (rented)	
			General needs	Older persons
1-bedroom	10%	25%	20%	55%
2-bedrooms	35%	40%	30%	45%
3-bedrooms	35%	25%	30%	
4+ bedrooms	20%	10%	20%	

Table 6.3: Recommended housing mix

6.49 In terms of the provision of accessible and adaptable homes and wheelchair user dwellings, which is needed to meet the housing needs of a range of people in the community including the elderly and those with disabilities and mobility impairments, the HEDNA analysis responds to national policy guidance on 'Housing for Older and Disabled People'¹⁰⁷ and includes an assessment of the potential requirements for housing to be built to Part M4(2) 'Accessible and Adaptable Dwellings' and Part M4(3) 'Wheelchair User Dwellings' of the Building Regulations.

6.50 The provision made to meet Part M4(3) can be two types (2a or 2b):

- 2a - To allow a simple adaptation of the dwelling to meet the needs of occupants who use wheelchairs. Dwellings will be defined as 'wheelchair adaptable'; or
- 2b - To meet the needs of occupants who use wheelchairs. Dwellings will be defined as 'wheelchair accessible'.

6.51 Wheelchair adaptable dwellings are intended to be capable of becoming wheelchair accessible through easy adaptations that do not require structural or service modifications, or moving walls. Wheelchair accessible dwellings are intended to be readily usable by wheelchair users at the point of completion.

6.52 A Local Authority only has the right to request for dwellings to be designed as 'wheelchair accessible' where the Local Authority is responsible for allocating or nominating people to live in those dwellings. A Local Authority can, however, request that market homes are designed to be 'wheelchair adaptable'.

6.53 The HEDNA analysis shows that the projected change (to the year 2040) shown in the number of people with disabilities in the City provides clear evidence to justify delivering M4(2) 'accessible and adaptable' homes, subject to viability and site suitability. Furthermore, the Government has recently reported in a consultation on changes to the way the needs of people with disabilities and wheelchair users are planned for as a result of concerns that, in the drive to achieve housing numbers, the delivery of housing suiting the needs of households with disabilities is being compromised on viability

¹⁰⁷ <https://www.gov.uk/guidance/housing-for-older-and-disabled-people>

grounds. The key outcome to the consultation was that the 'Government is committed to raising accessibility standards for new homes... the government response sets out our plans to mandate the current M4(2) requirement in Building Regulations as a minimum standard for all new homes'. This change is due to be implemented through a change to the Building Regulations.

6.54 The Development Viability Assessment (2020) highlighted that the requirement for 100% of homes to meet M4(2) might present a viability issue, though is mainly an issue for modelled typologies in lower value areas. Most of the modelled typologies in the medium and higher value areas may be able to absorb the cost. However, given the future changes to the Building Regulations to mandate that all new homes should meet M4(2) requirements, housebuilders will now be moving to 'price in' this cost in future house-building projects.

6.55 For M4(3) dwellings, the HEDNA recommended that 5% of all new market homes to be 'wheelchair adaptable' and 10% of affordable homes to be 'wheelchair accessible'. These figures reflect the level of need for the City.

Development Management Policy PLP18: Housing Mix



1. Development proposals for residential development, including as part of a mixed-used development, will be permitted where they provide a mix of dwelling sizes to meet projected future household needs for the City, in accordance with the following:

a) For any market homes element, to the following approximate mix:

1-bedroom dwellings:	10%
2-bedroom dwellings:	35%
3-bedroom dwellings:	35%
4+ bedroom dwellings:	20%

b) For any affordable home ownership element, to the following approximate mix:

1-bedroom dwellings:	25%
2-bedroom dwellings:	40%
3-bedroom dwellings:	25%
4+ bedroom dwellings:	10%

c) For any general need affordable rented homes element, to the following approximate mix:

1-bedroom dwellings:	20%
2-bedroom dwellings:	30%
3-bedroom dwellings:	30%
4+ bedroom dwellings:	20%

d) For any older persons affordable rented homes element, to the following approximate mix:

1-bedroom dwellings:	55%
2, 3, and 4+ bedroom dwellings:	45%

- 2. Planning permission will be granted for an alternative housing mix provided that:**
 - a) Robust evidence of local housing need demonstrates that a different mix of dwellings is required to meet local needs; or**
 - b) It is robustly demonstrated that site-specific considerations necessitate a different mix.**
- 3. Development proposals will be permitted where:**
 - a) All homes are built to accessible and adaptable standards to meet the requirements of Building Regulations M4(2);**
 - b) At least 5% of all new market homes to be built as 'wheelchair adaptable' dwellings to meet the requirements of Building Regulations M4(3) 2a;**
 - c) At least 10% of all affordable homes which the Council has nomination rights to are to be built as 'wheelchair accessible' dwellings to meet the requirements of Building Regulations M4(3) 2b.**
- 4. Planning applications should, where relevant, have regard to the Council's Design Guide for Wheelchair Accessible Housing¹⁰⁸ or future equivalent.**

Supporting Text

- 6.56 The purpose of this policy is to set out what should be delivered in the housing mix as part of any residential development proposal relating to family homes and accessible and adaptable homes.
- 6.57 The policy should be interpreted as setting out the breakdown of the recommended mix of homes within each tenure of a proposed scheme. Table 6.4 shows the recommended mix of dwelling sizes for a hypothetical proposed scheme of 100 homes, with 70% as market homes and 30% as affordable homes with an affordable tenure split as 70% general needs affordable rented and 30% affordable home ownership in line with Policy PLP17.
- 6.58 Where calculations yield decimal numbers, figures should be rounded down or up but with bias towards increasing the overall number of 3+ bedroom dwellings, namely family-sized dwellings, which is demonstrated in Table 6.4.

¹⁰⁸ <https://www.portsmouth.gov.uk/wp-content/uploads/2020/05/development-and-planning-design-guide-for-wheelchair-accessible-housing.pdf>

Dwelling size	Market homes	Affordable home ownership	General needs affordable rented	TOTALS
1-bedroom	7	2	3	12
2-bedrooms	24	3	6	33
3-bedrooms	25	3	7	35
4+ bedrooms	14	1	5	20
TOTAL NO. DWELLINGS	70	9	21	100
N.B. Tenure split applicable for the above is as follows: 70% of total homes as market homes = 70 homes 30% of total homes as affordable homes (AH) = 30 homes 70% of the AH homes as general needs affordable rented = 21 homes 30% of the AH homes as affordable home ownership = 9 homes				

Table 6.4: Worked example showing housing mix

6.59 Given the nature of the City and the needs identified, the HEDNA analysis suggests that the majority of new homes delivered will likely be flats rather than houses. However, consideration will also need to be given to site specific characteristics and circumstances which may lend them to being developed through a particular typology or a mix of typologies. Therefore, in considering an alternative mix for an individual development site, regard will be given to the nature of the site and character of the area and up-to-date evidence of local need to determine whether it is justified. This will be for a developer or applicant to provide robust evidence and the rationale to justify the proposed approach.

6.60 There is no clear demand for bungalows and, realistically, significant delivery of this type of accommodation is unlikely and indeed an inefficient use of land in a highly constrained City. However, it is the case that providing bungalows where suitable might be attractive for wheelchair users or for older person households downsizing, which may in turn help to release larger family-sized accommodation to be available for families.

6.61 The Council would expect all development to be able to deliver accessible and adaptable housing, and wheelchair adaptable or accessible housing to the mix as set out in this policy. Nevertheless, it is acknowledged that site suitability, for example, site characteristics and technical constraints, may necessitate a different approach to the mix. This should be robustly justified by applicants or developers should any development proposal not comply with this policy.

6.62 Developers of affordable housing should liaise with the Council at the earliest opportunity to discuss the identified need for wheelchair accessible homes and the suitability of the site to address this particular need. Developers need to have due regard to the Council's Design guide for wheelchair accessible housing¹⁰⁹ guidance.

Housing For Specific Groups

6.63 This policy sets out what types of housing for specific groups will be supported and the criteria development proposals will be assessed against. The policy addresses the following housing types and specific groups:

- Self-build and custom-build homes;

¹⁰⁹ <https://www.portsmouth.gov.uk/wp-content/uploads/2020/05/development-and-planning-design-guide-for-wheelchair-accessible-housing.pdf>

- Older persons' housing;
- Specialist and supported housing, including children's and young people's housing;
- Purpose built student accommodation;
- Build to Rent homes;
- Communal or co-living homes;
- Service personnel and service family accommodation.

6.64 Houses in Multiple Occupation (HMOs) is addressed separately in Policy PLP20.

6.65 The HEDNA examined the need of these different groups and, where necessary, made policy recommendations on how the Local Plan can seek to meet the need.

Self-build and custom-build

6.66 The Self-Build and Custom Housebuilding Act 2015 requires that Local Planning Authorities keep a register of individuals and associations, who are seeking to acquire serviced plots of land for their own self-build and custom housebuilding projects. National policy requires Councils to promote development of a good mix of small and medium sized sites, and seek opportunities to support sites for community led development, including self-build and custom-build homes.

6.67 The 2015 Act (as amended) includes a requirement for the Council to grant sufficient planning permissions to meet the demand identified on the Register, although this does not need to meet the requirements of the specific applicants. The need for self and custom build accommodation also needs to be balanced with the needs of general housing and other specific groups in the context of a land supply which is unlikely to meet overall needs.

6.68 Turning to the level of demand, during the period of 01 April 2016 to 30 October 2022, there was a total of 47 registered expressions of interest in a serviced plot of land received by the Council. The number of individuals expressing an interest has been evidently declining over time. The local connection test that was introduced on 01 March 2018 may have had an impact in the reducing registration numbers.

Specialist and supported housing, including older persons housing, and children's and young people's housing

6.69 The HEDNA consulted a range of data sources and statistics to consider the characteristics and housing needs of the older person population in the City.

6.70 The data shows that Portsmouth has a younger age structure and the older person population shows high proportions of owner-occupation, and particularly outright owners who may have significant equity in their homes; 66% of all older person households are outright owners.

6.71 The older person population is projected to increase notably moving forward. An ageing population means that the number of people with disabilities is likely to increase substantially. Key findings include:

- a 39% increase in the population aged 65+ potentially accounting for around 66% of total population growth;
- a sufficient supply of housing units with support, sheltered/retirement housing, in both the market and affordable sectors;

- a need for around 770 additional housing units with care, for example extra-care, with a split between market and affordable housing; and
- a need for additional residential and nursing care bedspaces;

6.72 Concerning the needs for children and young people housing, data as of March 2017 show that there were 358 children in care, an increase of 11% from the previous year, of which 4% resided in care homes. This equates to 0.82% children in care compared to the national rate was 0.6%, of which 8% were in care homes. This means the City has a slightly higher percentage of looked after children but a below average number in care homes.

6.73 The population projections linked to the standard method shows there will be a modest increase in those aged under 18 of around 1,200 between 2021 and 2040 (from 41,400 people to 42,600), although past trends has shown there was a decline in this age band (the number of people declining by 1,100 over the 2011-21 period). From this perspective there is likely to be very limited need for additional placements. However, if trends in increasing demand continue there will still be a need despite limited population change.

6.74 Furthermore, the national and City Council policy is to ensure that children are firstly cared for at home and secondly within a foster home. The success of this strategy ultimately determines whether there is a need for purpose-built children's care homes in the City.

6.75 Portsmouth is also home to a number of other vulnerable groups that require specialist forms of housing, which sometimes have to be met by out-of-city placements where suitable provision isn't available in the City. Vulnerable people can include those who are homeless, people with physical or mental, health issues, people with learning difficulties, people with alcohol or drug problems, young people at risk, ex-offenders and those at risk of domestic violence. A stable environment enables people to have greater independence and a chance to improve their quality of life.

Purpose Built Student Accommodation

6.76 The University of Portsmouth is the only higher education establishment in the City and is an important contributor to the local economy. In the 2022/23 academic year, the University of Portsmouth had 24,596 students of which 83% were full-time.

6.77 The City has seen significant private sector development of purpose built student accommodation (PBSA) in recent years and the 2021 Census shows 26% of students living in communal establishments for university students. Much of the recent provision of student accommodation has been delivered by the private sector as opposed to the University, though the University has nomination rights to accommodation within certain PBSAs.

6.78 A further 42% live in all student households (or HMOs) which is higher than the national average (27%). In 2021/22 there were around 8,000 rooms being advertised for students in the City, although the supply is rapidly falling and affordability worsening.

6.79 The University is planning to grow student numbers by a minimum of 10% over the next three to four years. Given this planned growth, and the falling supply of HMOs and local affordability issues within the student housing rental market, the Council will continue to

support further PBSA development provided that these are at the more affordable end of the range.

Build to Rent homes

6.80 Build to Rent housing is a distinct type of housing within the private rental sector. The NPPF defines Build to Rent development as 'purpose built housing that is typically 100% rented out. It can form part of a wider multi-tenure development comprising either flats or houses but should be on the same site and/or contiguous with the main development. Schemes will usually offer longer tenancy agreements of three years or more, and will typically be professionally managed stock in single ownership and management control.'

6.81 Build to Rent can meet the needs of a number of demographic and social groups within the community. Build to Rent schemes also have the advantage of being able to offer longer term tenancies for those who want them, sometimes known as 'family friendly tenancies', providing longer term security and stability.

Communal or co-living homes

6.82 Analysis in the HEDNA shows that the largest household group in Portsmouth is single person households aged under 65, accounting for a fifth (20%) of all households. This is typical of the private rented sector profile.

6.83 Historically, single person households (or two-person households in some cases) have been accommodated through self-contained studios, one bedroom dwellings and in HMO properties. Whilst these dwelling types do provide for the needs of single person households, such provision can reduce the availability of family-sized homes in the City through the conversion and sub-division of larger properties. Purpose built communal or co-living schemes are a recent form of housing, with many schemes being recently delivered in London and Manchester, for example; they usually cater for single person households predominantly aged 18-40 years old, although are not exclusive to this demographic. This type of housing is not considered to be either a form of HMO or self-contained C3 dwelling.

6.84 Communal or co-living schemes are commonly designed with communal spaces to foster and facilitate a sense of community and to tackle loneliness. Additional shared facilities like gyms and laundry rooms are usually part of communal and co-living schemes.

6.85 One of the features of communal or co-living schemes is the ability to offer short-term contracts. Co-living accommodation is for rental periods longer than traditional short stay accommodation, but not for permanent occupation. This is usually seen as an advantage for the target user.

6.86 To date, one co-living scheme has been proposed in the City with Planning Committee resolving to grant outline planning permission in April 2022 for a 76 bedspace scheme (18/00848/OUT). The consideration of the planning merits of this scheme gives direction for this policy as to what evidence would be necessary to support a planning application for this type of development.

Service personnel and service family accommodation

6.87 Portsmouth is known as the home of the Royal Navy and the armed forces form a significant part of the fabric of the City.

6.88 According to the latest Ministry of Defence (MOD) statistics published in 2022, there were 9,350 MOD personnel located in City. In addition, the Council's estimates a further 943 service children registered in Portsmouth schools, 9,278 veterans living in Portsmouth, and 7,600 regular serving personnel based in the City. These estimates equate to approximately 18% of the City's population.

6.89 In Portsmouth, there are 714 Service Family Accommodation units which can accommodate 1,942 people and this at full capacity. A recent need assessment found that the current MOD accommodation is regarded as outdated and does not properly meet the needs of service personnel. The needs assessment sets out six recommendations for all authorities in the Solent area with regards to MOD housing. As a result, there is no need for the Local Plan to make additional policy measures beyond those already identified in the needs assessment.

Development Management Policy PLP19: Housing for Specific Groups



1. Development proposals will be supported for the following specialist housing where there is an identified need:

- a) Self-build or custom-build homes;**
- b) Specialist and supported housing, including older persons housing, and children's and young people's housing;**
- c) Purpose built student accommodation;**
- d) Build to Rent homes;**
- e) Communal or co-living homes; and**
- f) Service personnel and service family accommodation.**

2. Development proposals for purpose built student accommodation will be permitted where:

- a) Provision is made for cluster flats and not just studios;**
- b) An appropriate management plan(s) is submitted that demonstrates that a positive and safe living environment is created for students and negative impacts on the local community are minimised;**
- c) The building(s) is 'future-proofed' in terms of design to support potential alternative and appropriate uses during its lifespan; and**

d) Relevant regard has been had to the Council's Student Halls of Residence SPD¹¹⁰ or future equivalent.

- 3. Development proposals for Build to Rent homes will be permitted where at least 20% of the units within the scheme are let as Affordable Private Rented units at a discount of at least 20% to local market rents capped at Local Housing Allowance rates.**
- 4. Development proposals for communal or co-living homes will be permitted where an appropriate management plan(s) is submitted that demonstrates how the site will be adequately managed and negative impacts on the local community are minimised.**

Supporting Text

6.90 The purpose of this policy is to set out what housing types will be supported and the criteria that development proposals will be assessed against.

6.91 The Council will seek opportunities to support high-quality designed proposals for community led development, including self-build and custom-build projects, and ensure they contribute to the positive character of the local area.

6.92 Accommodation for older people can cover a range of types and needs: people of or approaching retirement age, including the active and newly retired to the very frail elderly. Housing types in this category can encompass accessible and adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs. The City has a growing number of vulnerable older people who have higher support needs and therefore require specialist accommodation. The Council will support this provision and will work with its partners to ensure the demand for specialist elderly accommodation, such as extra care housing, residential care and nursing care is met.

6.93 To create inclusive and healthy communities, specialist and supported housing accommodation should be located in accessible areas with links to public transport and local facilities. Specialist and supported accommodation can include hostels, residential institutions, accommodation suitable for those with disabilities and support needs, relating to both mental and physical health, and accommodation for the homeless. Flexible models of accommodation should be considered that allow residents to be supported within the City. Developers should work with the Council to identify the need for specialist housing and suitable site provision.

6.94 Supporting PBSA provision seeks to address likely future demand as student numbers grow and student housing options in the rental market continue to be limited. PBSA provision also potentially allows for the release of HMOs back to much-needed family homes or other types of accommodation. Additionally, PBSA should be an affordable housing option for students and, therefore, cluster flats should normally be prioritised over studio flats. However, there is need for a balance to be struck between the supply of student accommodation and the need to deliver other types of homes, facilities and services, which are competing for a limited supply of land within the City. PBSA is often

¹¹⁰ <https://www.portsmouth.gov.uk/services/development-and-planning/supplementary-planning-documents/student-halls-of-residence-spd/>

proposed for sites within or in close proximity to existing residential homes. In these cases, a management plan should be submitted to support the proposal, which demonstrates that any negative impacts on the local community are minimised and that a positive and safe living environment is created for the students.

- 6.95 PBSA should be designed to be able to accommodate alternative uses, through minimal additional development or internal alteration in order to provide flexibility over the long term lifespan of a building(s) if necessary. Some alteration to meet appropriate residential space standards is anticipated and developers/applicants will be asked to demonstrate this is achievable at the planning application stage. For the avoidance of doubt, this future flexibility requirement should not be misinterpreted as support in principle for mixed use developments combining general housing accommodation with specialist housing for students.
- 6.96 Build to Rent, in the form of affordable private rent, may be one type of product to meet the City's affordable housing needs. National policy guidance¹¹¹ states that a minimum rent discount of 20% (relative to local market rents) is required for affordable private rent homes and recommends that 20% is a suitable benchmark for the level of affordable private rent homes to be provided and maintained in perpetuity in any Build to Rent scheme.
- 6.97 The viability of Build to Rent development, however, differs from that of a typical mixed tenure development in the sense that returns from the Build to Rent development are phased over time, whereas for a typical mixed tenure scheme capital receipts are generated as the units are sold.
- 6.98 To meet the need for accommodation for single person or two-people households and to prevent further loss of family dwellings to HMOs, the Council will support the development of purpose-built communal or co-living accommodation. It is likely that schemes will be proposed on sites within or in close proximity to existing residential homes. In this respect, it is expected that a management plan is submitted to support a proposal that demonstrates that any negative impacts on the local community are minimised, as well as demonstrating that the site will be adequately managed, including relating to entrances, security, and the maintenance of communal spaces.

Homes in Multiple Occupation

Introduction

- 6.99 An HMO is a property rented out by three or more individuals, who are not from one household, but share communal facilities such as the bathroom or kitchen. It is sometimes also called a 'house share'. An HMO with no more than six residents is defined as C4 in the use class order. An HMO with more than six residents become a 'sui generis' use. The following are not classed as HMOs: social housing, care homes, children's homes, bail hostels, properties containing the owner and up to two lodgers and properties occupied by students that are managed by an education establishment.
- 6.100 The HEDNA prepared for the Council identifies the range and types of homes required to meet the needs of different groups in the community. The assessment highlights a continued demand for HMO accommodation in the City to meet the housing needs of a number of groups, including students, young professionals, people with low incomes and

¹¹¹ <https://www.gov.uk/guidance/build-to-rent>

people in receipt of benefits. However, it is anticipated that increased provision of purpose built student accommodation and communal or co-living homes, as well as the provision of studio and one-bed properties, may reduce demand for HMOs.

- 6.101 National planning policy states that Local Planning Authorities should plan for a sufficient supply of homes that meet the needs of different groups in the community. It highlights the need to support strong, vibrant and healthy communities by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations. Underlining this need is the requirement that planning policies and decisions create places that are safe, inclusive and accessible, and which promote health and wellbeing with a high standard of amenity for existing and future users.
- 6.102 Article 4 Directions can be used to remove national permitted development rights in situations where it is necessary to protect local amenity of the wellbeing of the area.
- 6.103 A City-wide Article 4 Direction came into force in Portsmouth in 2011. The Direction means that planning permission is now required for changes of use from residential Class C3 dwelling house to small HMO (Class C4) uses. Properties that were already in use as a C4 HMO prior to 01 November 2011 are not affected by the Article 4 Direction.
- 6.104 While the important contribution of HMOs to meeting the City's housing needs is recognised, this can be at the expense of family homes through the conversion and subdivision of larger dwellings. The potential for negative social, environmental and amenity impacts of high concentrations of HMOs on local communities has been widely discussed. It is therefore considered appropriate for the Local Plan, in conjunction with other tools available to the Council, to seek to minimise the potential negative impacts of HMO development. To date, this has included implementing changes to permitted development rights through an Article 4 Direction and providing additional guidance to help assess the suitability of proposals in view of maintaining mixed and balanced communities.

Strategic Policy PLP20: Houses in Multiple Occupation



- 1. In order to support mixed and balanced communities and ensure that a range of household needs continue to be accommodated within the City, development proposals for new HMOs and changes of use to a HMO, including development to increase the occupancy of an existing HMO, will only be permitted where:**
- a) Less than 10% of residential properties within a 50-metre radius of the area surrounding the application property are in existing use as a HMO;**
 - b) Development does not result in a non-HMO property being ‘sandwiched’ between HMO properties and does not result in three or more HMO properties in a row¹¹²;**
 - c) Development avoids harm to the amenity of nearby residents; and**

¹¹² As described in the Houses in Multiple Occupation: Ensuring Mixed and Balanced Communities Supplementary Planning Document or future equivalent.

- d) **The proposal accords with the Houses in Multiple Occupation: Ensuring Mixed and Balanced Communities Supplementary Planning Document¹¹³ or future equivalent.**

- 2. In areas where concentrations of HMOs exceed the 10% threshold, development proposals that intensify the use of an existing HMO, namely change the use of a Class C4 or mixed C3/C4 use to an HMO in Sui Generis use or increase the occupation of an existing HMO, will only be permitted in exceptional circumstances.**

Supporting Text

- 6.105 The purpose of this policy is to ensure mixed and balanced communities by supporting the development of new HMOs whilst ensuring that the amenity and quality of life of occupiers of the HMO and their neighbours are valued and protected. These aims are also supported by the requirements of Policy PLP22: Space Standards and Policy PLP1: Design.
- 6.106 The Council adopted an updated HMO Supplementary Planning Document (SPD) in November 2019. This sets out the Council's approach to mitigating the known likely potential harm caused by concentrations of HMOs and ensuring that Portsmouth's communities are mixed, balanced and sustainable. It includes a threshold of 10% of residential properties within a 50m radius of the application property guidance to help determine where a community will be considered 'imbalanced' and guidance on how any potential over concentrations of HMOs will be considered. This document is intended as a useful tool for developers and prospective landlords to gain understanding of how planning applications for new HMOs will be decided. The threshold set in the SPD has been used successfully in Portsmouth since its adoption, and its inclusion in PLP20 is a pragmatic transfer of guidance into policy.
- 6.107 Applications for HMOs should assess the likely impact of non-provision of on-site parking on highway safety, including visibility, potential for obstruction, increased congestion and, if relevant, economic impact on local business. These should be considered on a case-by-case basis, and any design and access statement should outline how these issues have been considered and, where necessary mitigated.
- 6.108 The location of existing HMOs and the cumulative impact on the character of the area including potential street clutter through a lack of space for refuse storage and cycle storage will be considered in any application for a new HMO. Where necessary, planning permissions granted for HMOs will be subject to conditions to secure provision that mitigates these impacts.
- 6.109 Due to the adverse implications to local amenity, the Council will only exceptionally grant planning permission to intensify the use of an existing HMO, namely change the use of a Class C4 or mixed C3/C4 use to an HMO in Sui Generis use or increase the occupation of an existing HMO, if sought in areas where concentrations of HMOs exceed the 10% threshold.

¹¹³ <https://www.portsmouth.gov.uk/wp-content/uploads/2022/02/Houses-in-multiple-occupation-HMO-spd-Accessible.pdf>

6.110 As well as the requirements set out in the Local Plan and the SPD, developers and potential landlords should be aware that there is also mandatory licensing for a wide range of HMOs. Applications for an HMO license should be made separately to the Council's private sector housing team. Development proposals should also refer to the Council's Private Rental Strategy¹¹⁴ (2020), which sets out standards for private rentals in the city, including HMOs.

Residential Density

Introduction

6.111 Residential density is the measure of the number of dwellings within a specific site/land area. It is commonly expressed as dwellings per hectare (dph). Residential density is one indicator used to understand the extent a development is making efficient and effective use of the site/land.

6.112 There is a significant demand for additional housing within Portsmouth; it is therefore important that the most efficient and effective use of developable sites/land in the City is being made. Portsmouth is one of the UK's most densely populated cities, a trend that is continuing with increases in the average density of new build development in the City since 2012. Moreover, building density levels in Portsmouth have always been relatively high, in part due to the historic development of the City, with the rows of terraces built for the Naval Dockyard workers and their families, as well as the City's island geography presenting as a constraint on available developable land.

6.113 National planning policy requires Local Plans to include policies that optimise the use of land and meet as much of the identified need for new housing as possible. Such policies should include the use of minimum density standards to seek a significant uplift in the average density of residential development in locations that are well served by public transport, supported by a suitable range of densities to appropriately reflect the development potential of different areas.

6.114 In order to achieve the uplift of prevailing densities required, an understanding is needed of the range of existing housing densities within the city. The Urban Characterisation Study¹¹⁵ divides the City into a number of character areas with an indicative average density. The areas of highest density are clustered around the City Centre, with some character areas identified as having a gross dwelling density of 75 to 100dph. Broad areas of the City are characterised by tight Victorian era terraces with gross dwelling densities of 50 to 75dph. The physically constrained nature of the City means that even the 'suburban' edges of the city often have gross dwelling densities of between 25 to 50dph.

6.115 The Portsmouth Core Strategy (2012) identified a number of town centres and other key areas considered suitable for higher density development based upon accessibility to essential facilities and high frequency public transport. Within these areas there was a requirement for at least 100dph, with a minimum of 40dph across the rest of the City. However, monitoring data since 2012 shows that the average density achieved on new development has exceeded both the Core Strategy's higher and lower density targets,

¹¹⁴ <https://www.portsmouth.gov.uk/wp-content/uploads/2021/08/Private-Rental-Sector-strategy-2021-2026.pdf>

¹¹⁵ <https://www.portsmouth.gov.uk/newlocalplanevidencedocm>

with the average for the lower density target area achieving double the target, at over 80dph, year on year.

6.116 The Portsmouth Local Plan updates the density targets for new residential development in the City, which has been developed on analysis of existing density areas to determine an appropriate uplift based on existing built form, accessibility to key services and public transport, and identified schemes for significant new development. This approach will help to support health and wellbeing through potentially encouraging more active travel (and thus reducing congestion) and directing higher growth to town centre locations. However, as the National Design Guidance highlights, density is only one aspect of design and a development proposal will ultimately be informed and influenced by a range of design principles, components, and considerations.

Development Management Policy PLP21: Residential Density



1. Development proposals for residential development, including mixed-use schemes that have a residential element, will be permitted where the residential density is in accordance with the minimum density for its location, as shown on the Policies Map, as follows:

- **High density development of at least 120dph in areas of high accessibility;**
- **Medium density development of at least 80dph across the City's core residential areas;**
- **Lower density development of at least 40dph in the suburban edge.**

2. Where a proposed development has a lower residential density level to the thresholds above, the proposal must be supported by robust evidence and rationale that justifies the proposed density is appropriate and is responding positively to its context.

Supporting Text

6.117 The purpose of this policy is to set density targets for new residential development in Portsmouth appropriate to its location in order to make more efficient and effective use of sites/land.

6.118 This Local Plan divides the City into three broad residential density zones, which are illustrated in Figure 6.1 and on the Policies Map. Further detail on these zones is as follows:

- **High Density - Highly Accessible Areas:** These areas will be the focus of new high density residential development within the City, forming a zone with a minimum density of 120dph. They broadly comprise of the City Centre and surrounds and most of the town and district centres. These are generally areas where there is or will be high accessibility to public transport. High density levels will also help to support local services within these areas and provide future residents with ready access to local employment opportunities.
- **Medium Density - Residential Core:** The residential core area will have a target of a minimum of 80dph that aims to ensure that there is an uplift in prevailing densities across these parts of the City.
- **Low Density - Suburban Edge:** The suburban edge provides an opportunity for a wider range of types and tenures of residential development to be delivered in these

areas, especially houses, and will therefore have a lower minimum density target of 40dph.

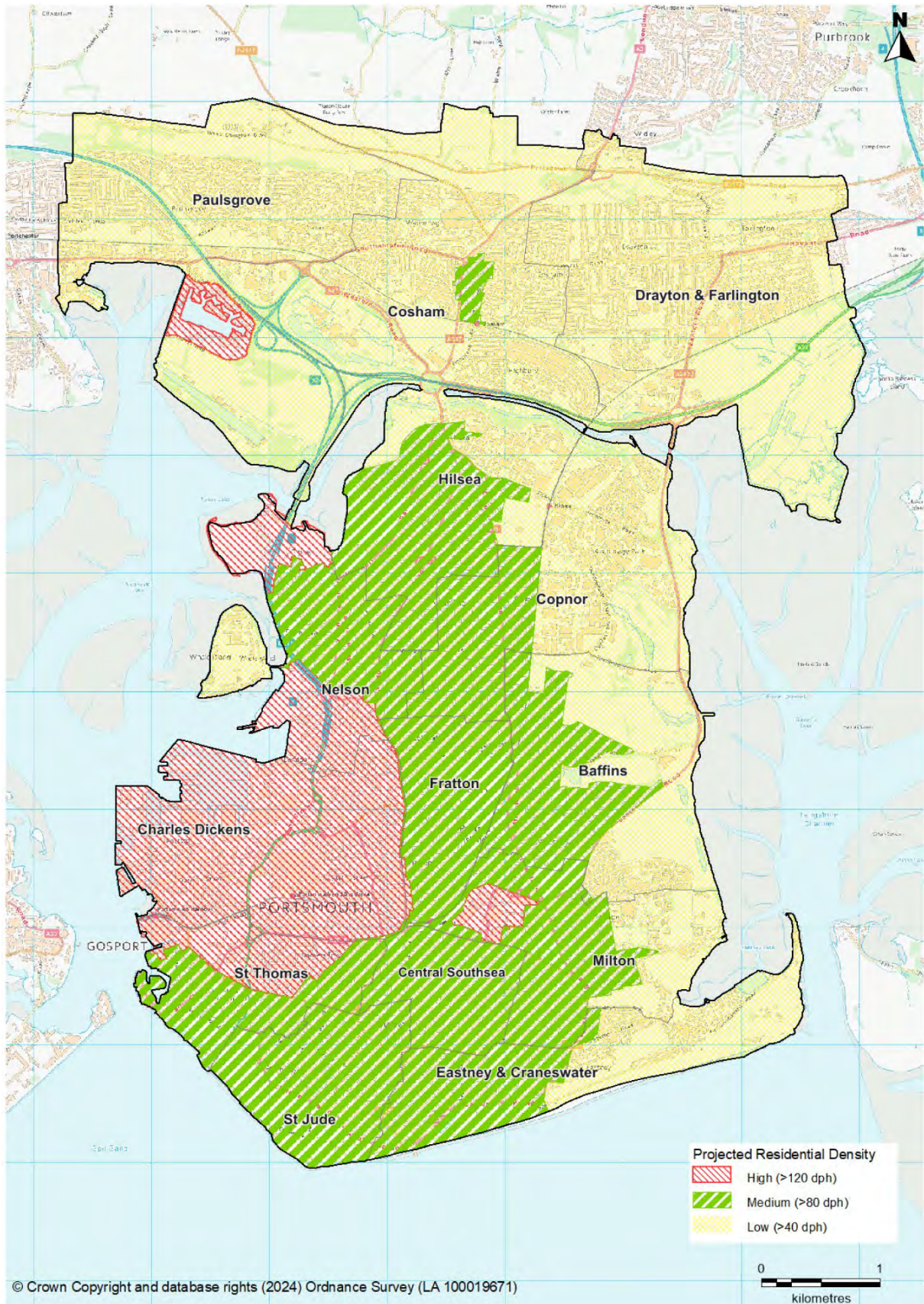


Figure 6.1: Residential density zones in Portsmouth

6.119 Residential density is only one indicator of how the resulting development may manifest as a built form, which is also influenced and informed by other factors relating to the site and its context. Development proposals should therefore accord with Policy PLP1 Design and policies contained in the Local Plan as a whole. Evidence and rationale should be submitted with any development proposal that seeks to propose an alternative residential density level to the thresholds set out in Policy PLP21.

Space Standards

Introduction

6.120 The Council is dedicated to ensuring that the provision of high quality living standards and environments is not compromised by the need to deliver new housing for the City. New homes must meet the needs of current and future residents and set the foundations for well-designed, safe environments that support the health and wellbeing of occupiers.

6.121 New homes should be built to sufficient space standards that meet the various daily needs of occupiers, for example a room to sleep in or outdoor garden space for recreation. Homes that only offer adequate internal floor area but lack storage space or external amenity space are unlikely to meet the needs of occupiers.

6.122 In March 2015, the Government published the Technical housing standards - national described space standard¹¹⁶ (since amended in May 2016), which sets out the standard for minimum Gross Internal Areas (GIA) that new housing in England should be built to. Local Planning Authorities can opt to use nationally described space standards (NDSS) to ensure homes meet minimum size requirements. The application of minimum internal space standards will ensure internal floorspace in new developments is sufficient for the number of people the dwelling is accommodating.

6.123 Analysis of past completions between 2015-2020 in the City found a strong correlation between the size of dwellings (number of beds) and the proportion that met the NDSS. Smaller dwellings with fewer beds were significantly less likely to be compliant with the NDSS than larger dwellings. Only 32% of the one-bed / one person dwellings permitted met the NDSS. By comparison, the NDSS were met by 100% of the permitted three-bed / five person dwelling and 82% of the two-bed / four-person dwellings.

6.124 Portsmouth has a number of areas ranked amongst the highest levels of deprivation in the country. The City needs to work to improve living standards for all its residents; it is important therefore that the NDSS is formally adopted in the Local Plan to avoid the creation of substandard dwellings, particularly to protect those who may have fewer housing options available to them.

6.125 In terms of external amenity space, new homes need to be delivered with sufficiently sized and provisioned external space to support residents' mental and physical wellbeing. This could be in the form of private or communal space.

¹¹⁶https://assets.publishing.service.gov.uk/media/6123c60e8fa8f53dd1f9b04d/160519_Nationally_Described_Space_Standard.pdf

Development Management Policy PLP22: Space Standards

- 1. Development proposals will be permitted where they ensure that the external and internal space needs of occupiers are met through compliance of the following:**
 - a) Achieve or exceed the minimum Gross Internal Area standards as set out in the 'Technical Housing Standards – nationally described space standard'¹¹⁷ (or future equivalent);**
 - b) Provide sufficient onsite external private amenity space / balcony space, and/or onsite communal outdoor amenity space;**
 - c) Provide sufficient onsite storage space for waste refuse and recycling.**

Supporting text

- 6.126 The purpose of this policy is to ensure adequate living standards and environments for the City's population, and to increase the number of people living in sufficiently decent-sized homes in the City.
- 6.127 To ensure that new homes provide sufficient space for basic daily needs and activities, all residential development will be required to meet the Government's Technical Housing Standards - nationally described space standards (or future equivalent).
- 6.128 All proposals for new homes, including change of use or conversions, must meet each appropriate space standard as a minimum. There are no maximum standards, and developers are encouraged to provide larger rooms and dwellings where possible. The space standards apply across all tenures. Additional standards for affordable housing, both privately and publicly funded, can be found in the Council's Providing Affordable Housing in Portsmouth guidance document.
- 6.129 Development must provide sufficient onsite private external amenity space / balcony space, and/or communal outdoor amenity space. Private amenity space, for example private gardens, may be more appropriate for houses, whereas balconies are usually more suitable for flats although there may be scope for ground floor flats to have their own private garden space. In all cases, private amenity and/or balcony spaces should be provided on a 1 to 1 basis so that provision is made for all homes. In the case of private balconies, however, there may be safety and/or design reasons as to why balconies would not be appropriate or would not be appropriate for every home, for example, in a high-rise flat scheme. In these cases provision should be made for communal outdoor amenity space to supplement or be a substitute for private balconies.
- 6.130 Communal outdoor amenity space would usually be suited for flat developments or forms of communal accommodation. Communal outdoor amenity space may be provided proportionate to the proposed number of bedrooms. Where a development is in close proximity to an existing public open space (100 metre walking distance), a reduced provision of onsite communal outdoor amenity space may be acceptable.

117

https://assets.publishing.service.gov.uk/media/6123c60e8fa8f53dd1f9b04d/160519_Nationally_Described_Space_Standard.pdf

6.131 Sufficient onsite storage space for waste refuse/recycling must be provided. The solution for this will largely depend on the nature of a scheme, for example houses or flats, which will dictate whether individual, for example dedicated external bin store, or communal provision, for example a shared bin store, is appropriate.

Developers/applicants are encouraged to engage with the Council at the earliest opportunity to discuss what would be the most appropriate solution for a site/scheme, which would also relate to discussions about waste management and servicing.

Estate Renewal

Introduction

6.132 Within the City there are a number of housing estates which are predominantly in Portsmouth City Council ownership. These estates were mainly developed in the post war period to provide housing in the City to replace that lost in the World War II. The areas of the City closest to the Naval Dockyard were those most heavily damaged and it is within these areas that most of the rebuilding and public housing estate creation happened. The notable exception to this is Paulsgrove, which was constructed on what at the time was the edge of the City to house residents who had lost their homes.

6.133 The estates were built largely from the 1950s to the early 1970s using development principles based on ideas around patterns of living, use of open space and motor vehicles which were prevalent at the time. The road-oriented development patterns of the time created physical barriers between estates and other areas of the city, as well as dominating the built environment.

6.134 There are opportunities to revisit the design of aspects of the estates, such as above-ground walkways and bin stores, to reform and make spaces more useable for modern needs. In addition, there are opportunities for the reuse of spaces which no longer function as originally intended, for example drying court areas or internal drying spaces. There are, however, aspects of the mid twentieth century estate design that have significant positives, such as the more generous space standards which the properties were built to.

6.135 Given that the properties in these estates are largely over 50 years old, there are homes which are likely to be approaching the end of their usable lifespan and will require future refurbishment or replacement. The Council has a rolling programme of planned maintenance, renewal, and renovation of its stock within the City. The most recent example was Wilmcote House that was renovated to EnerPhit standards, which are the retrofit equivalent of Passivhaus standards. This programme is ongoing with proposals being developed to replace the now demolished Horatia and Leamington Houses in Somerstown. A map showing the estates being renewed forms figure 6.2.

Area Allocation Policy PLP23: Estate Renewal



1. Development proposals within Portsmouth City Council's Estates, as identified on the Policies Map will be supported provided that they:

- a) Make provision for suitable homes to meet the needs of residents, including through comprehensive redevelopment or the maintenance and/or improvements to existing housing stock;**

- b) Make provision for accessible facilities and hubs for the community;**
- c) Make the health and wellbeing of residents central to all aspects of the proposal;**
- d) Improve access and legibility through improved connectivity, including links to the wider City, employment locations and key facilities;**
- e) Create welcoming, accessible high quality open spaces and play areas and improvements to existing open spaces and amenity areas;**
- f) Deliver improved, safer pedestrian and cycle routes; and**
- g) Deliver high quality design and sustainability, taking into account any relevant design guidance or codes.**

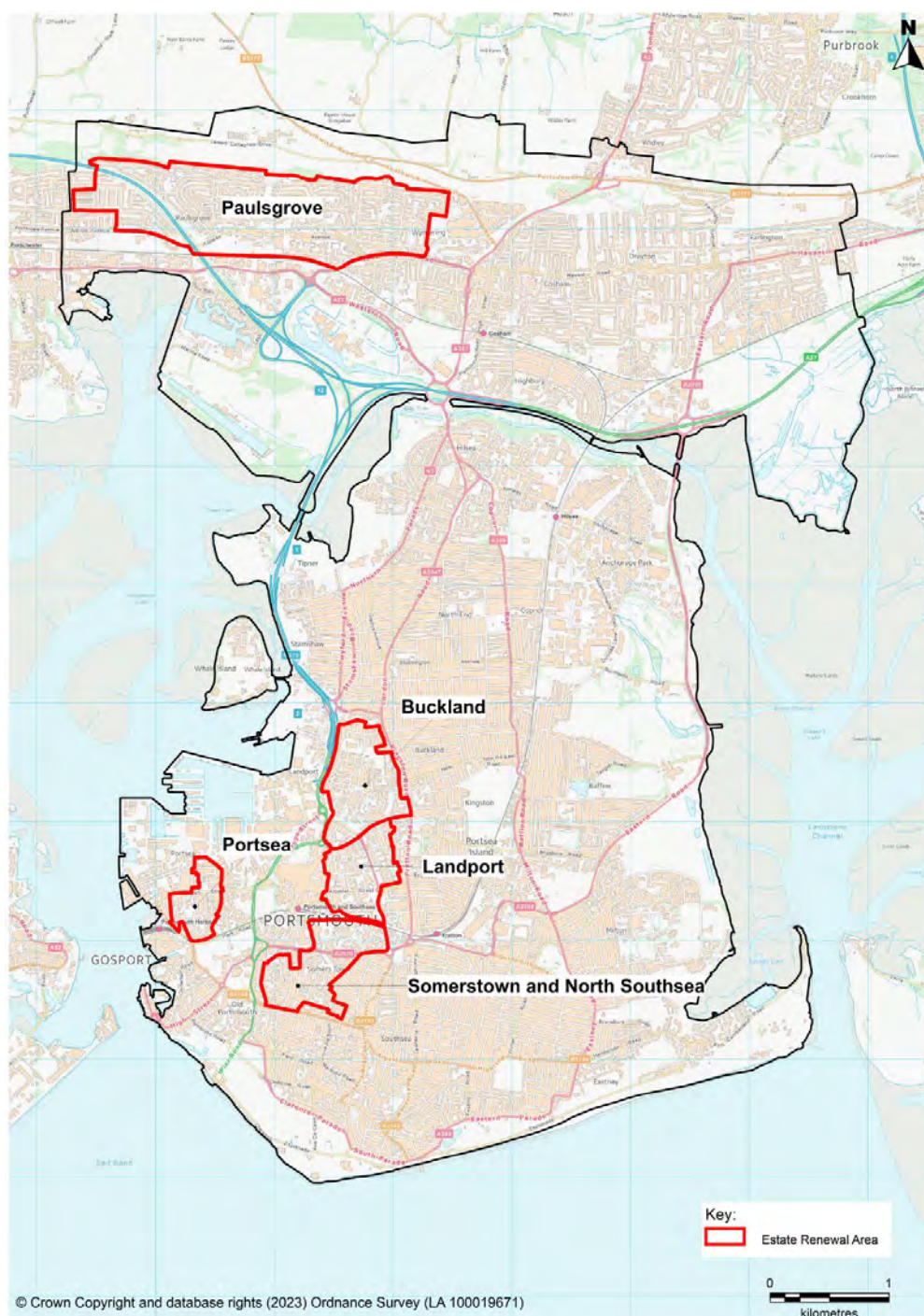


Figure 6.2: Map of Estate Renewal in Portsmouth

Supporting Text

6.136 The purpose of the policy is to ensure renewal in the City's predominantly Council owned estates contributes towards creating a healthier, safer and more welcoming environment for local residents.

6.137 The policy seeks to encourage the Council and other landowners to plan for wider estate renewal as opportunities arise, thus avoiding a piecemeal approach to development. The aim is to improve the quality of the housing, rationalise existing stock

through renewal or replacement and provide additional affordable/social and market housing in these areas.

- 6.138 Estate renewal will be expected to provide a high quality of design and sustainability, including high levels of energy and water efficiency and green infrastructure in line with relevant Local Plan policies.
- 6.139 Index of Multiple Deprivation data (2019) for Portsmouth shows that there are clear pockets of poor scoring areas around the City Centre and Paulsgrove where the estates are largely located. This means that those living in these areas have poorer health outcomes, on average, than those living in other areas of the City. Therefore, development proposals must make the health and wellbeing of residents central to all aspects of the proposal, including the submission of a Health Impact Assessment
- 6.140 Estate renewal should include the provision of good quality public open space, including play areas, safe routes with good access to services and facilities and improved connections to the wider urban area. Consideration should be given to promoting local food growing initiatives, including community gardens and orchards. This accords with other policies of this Plan, and with national planning policy that encourages the utilisation of existing development areas where possible and the creation of mixed, sustainable communities that promote the health and wellbeing of residents.
- 6.141 In March 2021, Portsmouth City Council was awarded funding to pilot test the Government's National Model Design Code, which provides guidance on the production of design codes and design guides. The City Council will seek to develop a design coding process for estate renewal within the City, using the findings of the pilot that utilised the Horatia and Leamington site redevelopment in Somerstown as a case study. The development and testing of a future Estate Renewal Design Code will be developed in consultation with residents and with input from service areas across the Council. Once produced, such a Design Code could be adopted by the Council to help guide proposals within the other Council-owned estates in the City.

Gypsies, Travellers & Travelling Showpeople

Introduction

- 6.142 National planning policy sets out that the housing needs of different groups should be assessed and reflected in planning policies, including for travellers. The overarching aim is to ensure fair and equal treatment, in a way that facilitates the traditional and nomadic life of travellers while respecting the interests of the settled community. To help achieve this aim, local authorities are required to assess need for Gypsies and Travellers for the purposes of planning, work collaboratively to develop fair and effective strategies to meet identified need, seek to reduce tensions between settled and traveller communities and ensure Local Plans include fair, realistic and inclusive policies.
- 6.143 The range of actions relating to Gypsies and Travellers, from policy making to management of encampments requires a collaborative, multi-agency approach that spans departments within the Council, from Planning to Housing and Neighbourhood services, and external bodies. The Council's Community Safety team works to manage Gypsy and Traveller encampments through a partnership approach and regular liaison with external organisations such as the Police. This collaboration has fed into understanding the need for Gypsy and Traveller accommodation across the City.

- 6.144 There are differences between the culture and traditions of Gypsies and Travellers, and Travelling Showpeople, and the Government's Planning Policy for Traveller Sites¹¹⁸ (2015) provides definitions of each (see the Glossary). There are currently (as of autumn 2023) no authorised Gypsy and Traveller, or Travelling Showpeople sites within Portsmouth.
- 6.145 A robust Gypsy and Traveller Accommodation Assessment (GTAA, 2023)¹¹⁹ has been undertaken in accordance with Government Planning Policy. This shows that there are no Gypsy and Traveller households identified in Portsmouth that met the Government's definition¹²⁰ and also no households that either did not meet the definition or were undetermined with regard to the definition. The GTAA found there was no identified need for either permanent or transit sites for Gypsies and Travellers for the plan period to 2040. There are also no Travelling Showpeople yards in the City and no current or future (to 2040) need for plots.
- 6.146 While the assessment identifies instances of unauthorised encampments, these are due to Gypsies and Travellers using the City for its seafront location for short periods over the summer months. These are managed effectively by the Council in partnership with the Police, who apply a degree of toleration to those looking to move on within a few days and do not cause disruption. This use of the City by Gypsies and Travellers does not currently result in any formal need for transit sites within the plan period. However, this will be monitored going forward to determine any increases in the number, size of and length of stay of encampments.
- 6.147 Due to there being no identified need for permanent or transit sites, the criteria-based policy below provides a framework for decision making should any planning applications be submitted. Paramount consideration should be given to the health and safety of gypsies, travellers and travelling showpeople, with regard to proximity to land contamination and areas of flood risk, while striking a balance in appraising and avoiding significant adverse impacts on the local area and community. Mobile homes, caravans and park homes intended for permanent residential use are particularly vulnerable to flooding and classified as highly vulnerable uses in National Technical Guidance on Flood Risk¹²¹.

Development Management Policy PLP24: Gypsies, Travellers & Travelling

Showpeople

1. Development proposals for Gypsies, Travellers and Travelling Showpeople accommodation will be permitted provided that:
 - a) Sites are well related to, and have safe and reasonable access to local facilities including shops, schools, community, health and welfare services;
 - b) Sites should have reasonable access to the road network for vehicles, pedestrians and cyclists, and where possible, to public transport;

¹¹⁸ <https://www.gov.uk/government/publications/planning-policy-for-traveller-sites/planning-policy-for-traveller-sites>

¹¹⁹ <https://www.portsmouth.gov.uk/wp-content/uploads/2024/04/Portsmouth-GTAA-Final-Report.pdf>

¹²⁰ <https://www.gov.uk/government/publications/planning-policy-for-traveller-sites/planning-policy-for-traveller-sites>

¹²¹ <https://assets.publishing.service.gov.uk/media/5a79a6a6e5274a684690b1b3/2115548.pdf>

- c) **Sites for permanent accommodation must not be located within Flood Zone 2 or 3;**
- d) **Sites for transit or temporary accommodation must not be located within Flood Zone 3;**
- e) **Sites for permanent or transit accommodation must not be located on contaminated or unstable land unless the land can be appropriately remediated and mitigated as part of proposed development;**
- f) **Sites should have or be capable of being serviced with adequate infrastructure and on site utilities, including water supply, sewage disposal and power, to service the number of pitches proposed;**
- g) **Sites should be appropriately landscaped to avoid adverse impacts on the visual amenity and character of the surrounding area, or on the natural or historic environment;**
- h) **Good design and landscaping should ensure that sites have adequate residential amenity and privacy for intended occupiers. This should include play space, ancillary storage and business activities, the latter where compatible with surrounding uses and character;**
- i) **Sites should not cause, and are not subject to, unacceptable harm to the amenities of neighbouring uses and occupiers; and**
- j) **There should be safe vehicular access from the highway and adequate parking provision and turning areas.**

Supporting Text

6.148 The purpose of the policy is to enable the well-being of Gypsies and Travellers and to support their integration and co-existence in the local community.

6.149 The policy seeks to ensure development for new Gypsy and Traveller accommodation is well located and safe. Sites should have reasonable access to local services and facilities, including shops, schools, community, health and welfare facilities. This helps ensure a settled base and the sustainability of the site.

6.150 The policy seeks to direct development away from areas of flood risk, given the vulnerability of caravans. Flood Risk Technical guidance to the National Planning Policy Framework defines caravans and mobile homes for permanent use as highly vulnerable uses. As such they are not appropriate in Flood Zone 3a, which carries a high probability of flooding, or Flood Zone 3b Functional Floodplain, where water will flow or be stored in times of flood. A sequential test and an exception test are required for any permanent caravan, mobile home or chalet type development, including change of use, proposed in Flood Zone 2 (medium probability of flooding).

6.151 Caravans and mobile homes are particularly vulnerable to land contamination and instability, and the policy seeks to direct development away from contaminated or unstable land, where possible. In rare instances where development is proposed and considered on or near contaminated land, Development Management Policy PLP37 Contaminated Land should be applied, which seeks to prevent unacceptable risk from contamination.

- 6.152 A number of sites within Portsmouth are sensitive in terms of their natural environment and historic importance. Applications should be considered to accord with these policies to ensure they appropriately conserve these elements of the environment.
- 6.153 Good design and landscaping of sites should be incorporated, both to avoid and minimise any adverse visual impacts on local character and amenity, and to ensure adequate privacy and residential amenity of occupiers of the site. This should include space for children to play and ancillary storage. The layout of sites should conform to the latest available Government guidance and take into account recommendations from the Showmen's Guild, where relevant.
- 6.154 Protecting the amenities of neighbouring occupiers is important in the assessment of planning applications, and consideration should be given to potential noise, disturbance or environmental impacts with regard to relevant plan policies. Due consideration should also be given to ensuring Gypsy and Traveller sites and their occupants are not subject to unacceptable residential and environmental amenity through inappropriate location, proximity to conflicting uses or poor design.
- 6.155 To ensure economic and environmental sustainability of proposed sites, positive consideration should be given to the extent to which some Gypsy and Travellers traditionally live and work in the same location. This can omit travel to work journeys, and the location of ancillary and associated business activities on sites should be considered with regard to National Planning Policy for Traveller Sites. Any ancillary business uses should be compatible with surrounding uses and local character, the amenity of neighbouring occupiers and should not cause unreasonable levels of noise or disturbance. Conditions may be imposed to limit the proportion of a site or the type of business use, as appropriate.

Chapter 7: Thriving Economy

Introduction

7.1 The 2040 Vision is for Portsmouth to be a City with a thriving economy, which supercharges local businesses and entrepreneurs and attracts investment nationally and internationally from businesses of all sizes. The Vision emphasises the importance of strong partnerships between employers and people both in terms of jobs and skills. The Portsmouth Economic Development and Regeneration Strategy¹²² accords with the 2040 Vision. Its overall aim is to 'make Portsmouth Britain's premier waterfront technology and innovation city – a great place to invest, learn, live, work and visit and the most attractive place for starting, growing or relocating a business.' This is illustrated in figure 7.1.



Figure 7.1: The Economy of Portsmouth

7.2 This chapter of the Local Plan is about planning for economic growth in Portsmouth. The first two policies are about providing and protecting employment land. Planning defines employment as offices, research and development, industrial processes, manufacturing and warehousing and therefore the employment floorspace figures in this chapter only relate to these types of businesses. A huge variety of businesses and activities can provide jobs, and of course not all of these take place in offices, industrial premises and warehouses. In fact, the sector which provides most jobs in the City is health, which is unsurprising given that there are two hospitals in Portsmouth, namely Queen Alexandra and St Mary's. There are a number of use classes defined in the Use Classes Order¹²³ that provide jobs and generate income, for example schools and universities, but are not defined as employment in planning.

¹²² <https://www.portsmouth.gov.uk/wp-content/uploads/2022/01/Economic-Development-Regeneration-Strategy-Accessible.pdf>

¹²³ <https://www.planningportal.co.uk/permission/common-projects/change-of-use/use-classes>

- 7.3 The three largest sectors of employment in Portsmouth are health reflecting the presence of two hospitals, manufacturing including the maritime and engineering employment sectors related to naval activity and research, and public administration including defence reflecting the City Council and naval / defence employment. Other large sectors of employment in the City are education reflecting the presence of the University, retail reflecting the City Centre function, hospitality with the City as a tourism and port destination and business administration. Sectors which are less represented in the City are finance, professional services, wholesale and agriculture. Overall, typically office based sectors, such as banking and accountancy, have lower representation in the City, which is important as they tend to have higher productivity and earnings.
- 7.4 The City is home to His Majesty's Naval Base Portsmouth, which is a significant employer with an estimated 13,000 jobs and houses almost two thirds of the Royal Navy's surface ships, including the flagship aircraft carriers HMS Queen Elizabeth and HMS Prince Of Wales. The Naval Base generates a significant supply chain requirement in the marine and maritime engineering sectors with an estimated 1,200 companies supplying the base. There are high levels of employment in a range of specialist manufacturing sectors including ship maintenance, equipment manufacturing, air and space craft manufacturing and ship building. These sectors are likely to continue to play a central role in the Portsmouth economy. Some of these jobs will be high value and higher salary in nature and others potentially be lower wage / lower productivity.
- 7.5 The University of Portsmouth is also a major employer. It has a number of key research areas including defence, biomedical and maritime. The University is working to develop a Portsmouth Research Institute for Space Missions.
- 7.6 Portsmouth International Port (PIP) is central to the City's economy with total local employment linked to PIP currently standing at 2,410 jobs and the local economic impact from port activities standing at £189 million. There are 1.8 million international cruise and ferry passengers traveling through the City with each large cruise ship call generating as much as £1.5 million to the City's economy. The Masterplan¹²⁴ for PIP was approved by the City Council in 2022 and aims to create 11,333 jobs and positively impact the local economy by £387 million by 2042 and is a key part of the City's Economic Development and Regeneration Strategy.
- 7.7 Portsmouth's unemployment rates are consistently higher than the South East and national averages, whilst many of the higher skilled jobs are taken by people who commute into the City for work. One metric for unemployment in the UK is the unemployment rate for people 16 and over. At 3.8%, Portsmouth has a slightly higher unemployment rate than the South East (3.1%) and England (3.6%) for the most recent period (2022). In terms of economic inactivity, Portsmouth has a markedly higher rate of long term sick (30.3%) compared to the South East (22.6%) and Great Britain (26.5%). The health of residents therefore has an impact on the overall economic performance. Portsmouth has a higher rate of people defined as Looking After Family/Home (24.4%) compared to the South East (19.1%) and Great Britain (19.7%). Indices of Multiple Deprivation data from 2019 (which is the latest data) provides insight into the challenges faced by some residents. Many parts of the City fall into the top 10% most deprived areas in the country. This includes deprivation in the domains of income, education, employment, health, crime and housing. Given these statistics, there will be residents

¹²⁴ <https://portsmouth-port.co.uk/wp-content/uploads/2022/02/Masterplan-web.pdf>

who have low skills and find difficulty in accessing good quality employment. With high expectations for growth, the City Council and its partners will need to raise aspirations and diversify the skills of the workforce to continue to ensure that local people can make the most of new job opportunities that will arise in the City. Policy PLP27 deals with employability and skills.

7.8 The City Centre along with the Town, District and Local centres lie at the heart of local communities across the City. Policy PLP28 seeks to promote the vitality and viability of the identified centres, which are where the main town centre uses of retail, leisure, offices, arts, culture and tourism should be located. Policy PLP29 relates to applications for small local shops and proposals for town centre uses outside town centres.

7.9 Portsmouth has world-class heritage and cultural attractions, notably the Historic Dockyard and the D-Day Story. Policy PLP30 deals with the cultural and visitor economy, which is expanding rapidly in the City based on its maritime location, heritage and identity. The City of Portsmouth has a proud track record of hosting major events such as the Victorious Festival and the Great South Run. This all makes culture-led regeneration an essential part of promoting a thriving economy in the City.

7.10 The City Council's ambitions for a thriving economy are in line with the Government's Industrial Strategy¹²⁵. This aims to boost productivity by backing businesses to create good jobs and increase the earning power of people throughout the UK with investment in skills, industries and infrastructure. The policies in this chapter are consistent with the NPPF, which requires Local Plan policies to help create the conditions in which businesses can invest, expand and adapt. As illustrated in figure 7.1, the Portsmouth economy specialises in advanced manufacturing and engineering particularly in the marine and space sectors linked to both the Royal Navy and the University of Portsmouth. This Local Plan seeks to ensure that the City can be a global leader in driving innovation, that there are sufficient fit for purpose business premises and that there is a skilled local workforce.

Employment Target

Introduction

7.11 Portsmouth's island city geography, naval history and demographic profile have influenced the demand, investment and type of economic activities that take place in the City today. The key sectors are defence and aerospace, advanced manufacturing and engineering, digital and creative industries, marine and maritime industries, health and tourism. Portsmouth is an important centre for work within the sub-region, home to two-thirds of the UK's naval fleet and an internationally recognised university. The Solent Local Enterprise Partnership (LEP) predicts that Portsmouth will be one of the key drivers of growth within the sub-region during the plan period.

7.12 One of the challenges for the Portsmouth Local Plan is to provide a balance between the provision of sufficient and accessible employment land to support growth and local opportunities whilst striving to meet the need for quality homes for a growing population within the physical and environmental constraints of the city.

¹²⁵ <https://www.gov.uk/government/topical-events/the-uks-industrial-strategy>

7.13 The City is key to the Solent's growing marine and maritime sector. Portsmouth benefits from the presence of the International Port, HM Naval Base and a number of waterfront access sites including Trafalgar Wharf, Port Solent and The Camber. Portsmouth City Council is one of the City's major employers alongside the Naval Base, the University of Portsmouth, Airbus Defence and Space, BAE systems and Pall Europe. Lakeside North Harbour Business Park in Cosham offers a premier office, research and development space, which draws businesses from across the sub-region, while the City's well-occupied industrial estates in Hilsea support a range of sectors.

7.14 However, there is notable under-representation in Portsmouth of some high value-added and knowledge related sectors including finance, insurance and business services and the professional, scientific and technical sub-sector, compared to the national average. Economic inactivity amongst the working age group is comparatively high, with nearly one in four residents out of work particularly in the over 50s group. The causes for this are complex and include ill-health, family and caring responsibilities as well as those actively seeking work.

7.15 The Economic Development and Regeneration Strategy (2019-36) sets ambitious targets for the City as follows, which the Local Plan seeks to deliver:

- 7,000 more jobs
- An extra 7,000 Portsmouth residents in work
- £60,000 of GVA per person by 2036
- £1,000 a week average earning by employees in Portsmouth
- 5% of Portsmouth residents with no qualifications in 2036
- 40% educated to at least NVQ Level 4

7.16 Much of the evidence on economic development that supports the Local Plan both in regard to the need and the supply of employment land is provided by the Housing and Economic Development Needs Assessment (HEDNA)¹²⁶ produced by Icenl in 2023. This study was done post Covid and Brexit, which had both temporary and permanent impacts on the local economy such as the 'flight to quality' for office premises and the 'onshoring' of industrial activities. Previous evidence based studies of note are the Approach to Employment Land Study¹²⁷ by BE Group, which reviewed existing strategies, targets and several employment sites including the key strategic sites. The findings of this study were tested in 2020 by the Portsmouth City Employment Land Forecasting 2020 by GL Hearn¹²⁸.

7.17 There are two main studies on the supply of employment land. Firstly, the Business Needs, Site Assessments and Employment Study¹²⁹ by Lambert Smith Hampton looked at the quality and suitability of existing and potential new employment sites and whether there are any gaps in the provision. The Housing and Economic Land Availability

¹²⁶ https://www.portsmouth.gov.uk/wp-content/uploads/2024/04/4-Portsmouth-HEDNA_Final-Report-Dec-2023-CONFIDENTIAL-1.pdf

¹²⁷ <https://www.portsmouth.gov.uk/wp-content/uploads/2020/05/development-and-planning-employment-land-study.pdf>

¹²⁸ https://www.portsmouth.gov.uk/wp-content/uploads/2021/09/Portsmouth-Employment-Needs-Review-Final_Accessible-Final_compressed.pdf

¹²⁹ <https://www.portsmouth.gov.uk/wp-content/uploads/2020/05/development-and-planning-business-needs-site-assessments-and-employment-land-study.pdf>

Assessment (HELAA)¹³⁰ identified and appraised all possible sources of new economic land in the City. The supply of new employment sites in the HELAA is very limited due to the constrained geography of Portsmouth. A number of low quality employment sites identified in both studies were considered and some found suitable for housing.

7.18 The HEDNA analysed the outlook for employment growth up to 2040 in Portsmouth and the results of the analysis were used to inform the employment floorspace and land needs forecasts. Oxford Economics forecasts were used as a baseline and these were adjusted as an alternative, drawing on policy initiatives, stakeholder engagement and sector analysis. The Council's employment targets set out in the Economic Development and Regeneration Strategy are for 7,000 jobs between 2017 and 2036. Oxford Economics forecast 10,500 jobs (net) over this period which suggests the target is wholly achievable. The HEDNA considered that notwithstanding the impacts of Brexit and the Covid-19 pandemic that overall the employment outlook in terms of total jobs remains positive.

7.19 In regard to manufacturing and warehousing, Portsmouth has clear advantages and opportunities in the marine sector. This includes the potential to deliver a new marine hub at Tipner West and Horsea Island East. Estimates are that this could achieve some 1,600 to 1,900 jobs alone depending on densities. The Oxford Economics forecasts assume a decline in manufacturing employment in the baseline outlook, and this is considered necessary by them to yield productivity improvements. This approach will not factor in local economic factors or development opportunities. It would be reasonable to expect that some more traditional manufacturing sectors will see some decline in Portsmouth, but that other sectors, including those specialists to Portsmouth and associated with development opportunities, will grow. The HEDNA concludes that the preferred alternative labour demand scenario is the most appropriate method for estimating future requirements of industrial and warehousing floorspace including research and development. The need figure in the City is around 96,300m² up to 2040. Drawing together the need and supply position for manufacturing and warehousing there is a broad balance in terms of supply and demand. This reflects the importance of the Tipner West and Horsea Island East allocation in ensuring development needs can be met, as well as the allocation at land in the City Centre and the Portsdown Technology Park.

7.20 In regard to offices, there has been a significant shift to home and hybrid working post-Covid. The HEDNA considers that post-pandemic office occupancy is at 43% of pre-pandemic levels. Therefore it factors in reduced levels of employment growth and replacement demand for office development. The strategic allocation at Lakeside North Harbour reflects the 'flight to quality' phenomenon whereby tenants and investors are seeking out high-quality, modern and well-equipped office spaces over older or less desirable alternatives. Lakeside is Portsmouth's premier business location and the allocation will enable it to continue attracting businesses to its impressive parkland setting. The HEDNA concludes that the preferred alternative labour demand scenario is the most appropriate method for estimating future requirements of office floorspace development. The need figure in the City is around 42,500m² going up to 2040. Drawing together the need and supply position for offices the current position suggests there could be a small oversupply of space in the future. This is based on recent trends in a

¹³⁰ https://www.portsmouth.gov.uk/wp-content/uploads/2024/04/02-PCC_Housing-and-Employment-Land-Availability-Assessment_2023-Report_FINAL-latest-version-for-CDL.pdf

weakened office market and a focus on quality over quantity. This indicates that premier locations such as Lakeside need to be retained for potential investment over the plan period. The supply also enables a flexible approach to opportunities that would see significant investment in the City and which would also generate higher-value jobs.

7.21 The sources of employment land that make up the target in Policy PLP25 are set out in Table 7.1. Figures are set out for completions in the first three years of the plan period, extant permissions as of 2023 and Local Plan allocations. The first type of employment floorspace is in the Commercial, Business and Services use class E, which can be carried out in a residential area without detriment to its amenity. For the purposes of the Local Plan offices, research and development and industrial processes are E class uses that count towards our employment target. Other E class uses such as retail and similar activities are not included in the employment target notwithstanding the contribution they make to the local economy and employment provision. The second type of employment floorspace shown in the table is a mixture of general industrial and storage or distribution that cannot be carried out in a residential area without detriment to its amenity. They come under the B2 and B8 use classes respectively. All figures are net and are set out in square metres of new employment floorspace.

7.22 Drawing the need (42,500m²) and supply (58,645m²) positions together there is indication of a potential small over-supply of office floorspace subject to a more pronounced return to office usage in the future. The position in terms of combined manufacturing, warehousing and research and development need (96,300m²) and supply (79,784m²) is that there is a small under-supply. It should be noted that there is flexibility between the E class uses of offices and research and development. Overall there is an approximate balance between all types of employment need and supply.

Source		Office (E(g)(i)) (m ²)	R&D/ industrial processes (E(g)(ii&iii)) (m ²)	Manufacturing / warehousing (B2/B8) (m ²)	Total employment (m ²)
Completions 2020-2023		2,131	1,030	-3,213	-52
Extant permissions 31 March 2023		4,968	1,740	9,727	16,435
Strategic site	City Centre	1,546	-	-	1,546
Strategic site	Tipner West & Horsea Island East	-	-	58,000	58,000
Strategic site	Lakeside	50,000	-	-	50,000
Allocation	Land West of Portsmouth Technology Park		12,500	-	12,500
Total		58,645	15,270	64,514	138,429

Table 7.1: Sources of Employment Land in Portsmouth

7.23 The employment evidence base highlighted the possibility of intensifying and modernising the employment offer of some of our industrial estates that currently do not make efficient use of land. A number of these intensification opportunities are identified in the HELAA and the Approach to Employment Land Study by BE Group. It is understood that opportunities for further manufacturing / warehousing development may come through during the plan period on these and other sites as employment windfall.

7.24 Government policy states that local plans should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations. Marine businesses form a key locational cluster in Portsmouth and Tipner West and Horsea Island East is allocated for that sector as part of a mixed use scheme. Marine businesses in waterside locations are safeguarded under Policy PLP26. New offices are planned to increase the business offer at Lakeside North Harbour and will form part of the redevelopment proposals of the City Centre.

Strategic Policy PLP25: Employment Target



1. The Council will make overall provision for at least 138,429m² of new employment floorspace during the Plan period 2020-2040 for the following types of businesses:

- a) 58,645m² office floorspace (E(g)(i));**
- b) 15,270m² research & development / industrial processes floorspace (E(g)(ii&iii));**
- c) 64,514m² manufacturing / warehousing floorspace (B2/B8).**

2. This will be provided from the following sources with further details set out in Table 7.1 of this Local Plan:

- a) Completions 2020-2023;**
- b) Outstanding permissions at 31 March 2023;**
- c) Strategic Sites allocated in the Local Plan;**
- d) Site allocated for employment in the Local Plan.**

Supporting text

7.25 The purpose of this policy is to set out employment land provision figures for the City and thus provide 7,000 new jobs over the plan period.

7.26 The completions in the first three years of the plan period show a small overall loss. There was a small net gain in office E(g)(i) and research and development E(g)(ii) floorspace over the period of 2020-2023 through the construction of new offices and research and development facilities, and a loss of office floor space to student accommodation and to C3 dwellinghouses. Portsmouth saw a net loss of manufacturing and warehousing (B2 and B8) floorspace through changes of use including to a gymnastics facility and retail use.

7.27 New office floorspace is allocated on two strategic sites in the Local Plan. Firstly, Lakeside where the new floorspace will expand the City's premier office location. If there is not sufficient developer interest in the office allocation, the strategic site policy PLP5 sets out the requirements for gaining approval for other commercial uses on the site. Secondly, there will be a gross gain of 20,000m² in office floorspace in the City Centre with a known end user for half of the City Centre allocation. However, it is predicted that there will be a substantial loss of low quality office floorspace in the City, much of it under permitted development rights. This explains why the net figure for new offices in the City Centre, at 1546m², is so low. Full details are set out in the strategic site allocation policy PLP6.

7.28 A new marine hub at Tipner West and Horsea Island East that makes full use of the deep water access will provide a substantial quantum of new business floorspace in line with City Deal¹³¹. Full details are set out in the strategic site allocation policy PLP3.

7.29 Land West of Portsdown Technology Park on the top of Portsdown Hill is a pre-dominantly brownfield site suitable for the provision of new research and development premises in the defence sector. Full details are set out in site allocation policy PLP10.

Safeguarding Employment Land

Introduction

7.30 The supply of new employment land in Portsmouth is limited and so it is important to safeguard existing premises that are fit for purpose. However, the City Council does recognise the need for flexibility in the supply of employment land in order to respond to changing business requirements.

Development Management Policy PLP26: Safeguarding Employment Land

- 1. Proposals for the redevelopment of existing employment premises that provide improved employment accommodation, make more efficient use of land and provides a similar number of jobs will be encouraged.**
- 2. Development proposals for the change of use of land and/or premises allocated, currently used or last used for employment purposes to non-employment purposes will only be permitted where it has been demonstrated that the land or premises is not fit for purpose for employment. This will need to be demonstrated through a robust marketing campaign of at least six months, which clearly demonstrates that there is no market demand for the business premises or land. Details of marketing requirements are set out in Appendix 4 of this Local Plan.**
- 3. Where it is clearly demonstrated that the site is no longer fit for purpose and that there is no market demand for the business premises or land for employment, other commercial uses that are appropriate to the location should be considered in the first instance. These uses will be expected to provide jobs of similar quality and quantity as those which previously existed. Only if another type of economic development cannot be found which provides similar quality and quantity of employment opportunity, will other uses such as housing then be considered.**

131

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/256460/2013111_Southampton_and_Portsmouth_City_Deal_Document_and_Implementation_Plans.pdf

4. Development proposals that would result in the loss of marine business premises on waterfront sites will be refused.

Supporting text

7.31 The purpose of this policy is to safeguard all existing and allocated employment sites that are fit for purpose from redevelopment to other uses particularly housing.

7.32 The Local Plan evidence base identified a number of existing employment sites, which had the potential for intensification. Such proposals would be welcomed on these and other sites that came forward particularly if the new premises would deliver enhanced sustainability criteria.

7.33 Any proposal to redevelop an existing or allocated employment site for non-employment uses must provide robust and credible evidence on viability and marketing that the site is no longer fit for purpose as an employment site. Policy PLP26 only safeguards existing premises for traditional employment uses namely offices, manufacturing and warehousing. The marketing requirements may be reduced on a pragmatic basis for change of use applications to other commercial uses that generate similar numbers of jobs and do not conflict with other Local Plan policies particularly town centre policies. Housing is not a commercial use notwithstanding that some employment is required for its construction.

7.34 Full details on the requirements of the marketing campaign are set out in Appendix 4 of this Local Plan. All applications that would result in the loss of employment floorspace must comply with all parts of the Appendix and thus prove through an active and exhaustive marketing exercise that the site is no longer fit for purpose as an employment site.

7.35 The marine and maritime industry has specific land and locational requirements. All employment premises on waterfront sites, particularly those with deep-water access, will be protected in the Local Plan for marine related employment and associated uses in order to support the further development of the marine and maritime economy. It should be noted that Policy PLP36 requires development to avoid adverse impacts on the functionality of marine and maritime related uses within the designated Coastal Zone.

Employability & Skills

Introduction

7.36 The Economic Development and Regeneration Strategy recognises the need to improve skills and access to jobs for people in the City. Policy PLP27 along with the Achieving Employment and Skills Plans Supplementary Planning Document (SPD)¹³² seeks to raise the employability and skills levels in the City through the planning system. This will be progressed collaboratively with the many organisations working on skills and training in the City including Shaping Portsmouth partnership.

¹³² <https://www.portsmouth.gov.uk/wp-content/uploads/2020/05/Achieving-Employment-and-Skills-Plans-Supplementary-Planning-Document.pdf>

Development Management Policy PLP27: Employability & Skills

- 1. Development proposals will be permitted where they, as relevant, at both the construction and occupation stages of the scheme:**
 - a) Raise local skill levels and increase employability as demonstrated in an Employment and Skills Plan;**
 - b) Tackle skill shortages in existing and potential business sectors particularly advanced manufacturing and engineering including marine and space businesses, life sciences, creative industries and sustainable construction methods;**
 - c) Address barriers to employment for economically inactive people including those with protected characteristics, such as the provision of sustainable transport; and**
 - d) Provide or contribute to childcare facilities within or in close proximity to employment sites.**
- 2. Planning applications should where relevant have regard to the Achieving Employment and Skills Plans SPD or future equivalent both at the construction and occupation stages of the development.**

Supporting text

- 7.37 The purpose of this policy is to raise skill levels and reduce barriers to employment for people living in Portsmouth so that they can access local jobs.
- 7.38 Advice should be sought from both the local planning authority and the Council's Economic Growth team at the earliest opportunity on measures relevant to the scheme. All proposed measures should be set out in a Skills and Employment Plan in line with key performance indicators and this should be agreed in writing at least six months before commencement of development.
- 7.39 This policy is relevant to all housing schemes of more than thirty homes at the construction phase of the development and all commercial schemes that would provide more than one thousand square metres of new commercial floorspace at the occupation stage of the development. For housing schemes this policy is relevant to the construction stage of the development. For commercial development it is relevant at both the construction and occupation stages. The scale of skills and employability measures will be proportionate to the scale of the development.
- 7.40 Getting to work can be a barrier to work for some people. There are multiple barriers to work, which can affect different groups of people in different ways. The characteristics that are protected by the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership (in employment only), pregnancy and maternity, race, religion or belief, sex and sexual orientation. Sustainable transport measures should be provided as relevant in line with Policy PLP47: Movement and Transport and Local Transport Plan 4.

Town Centres

Introduction

7.41 Portsmouth City Centre, Gunwharf Quays, Southsea Town Centre and the City's other high streets are hubs for economic, social and cultural activity. The City Centre and Gunwharf Quays are primary economic centres on the south coast, with the latter benefitting from its waterfront setting, and both are key transport hubs. Southsea Town Centre, and City's District, Local and Neighbourhood Centres provide an essential, accessible network of shops, services and facilities for the City's communities.

7.42 There has been significant change to the retail market in recent years, due to the online retail shift accelerating and combining with the wider economic impacts of the Covid-19 Pandemic and Brexit. The Economic Development and Regeneration Strategy highlights the City Council's intention to revitalise the City Centre and high streets by re-purposing and diversifying town centres. The City Council has spearheaded regeneration in its town centres with two grants awarded from the Government's Future High Streets Fund, totalling £7million. The fund aims to create attractive, safe and enjoyable places for people to meet, rest and spend time while they are in the City Centre. It will deliver major improvements at the northern end of Commercial Road through enhanced public realm better connectivity, greening, seating and opportunities for play, to support economic growth. In addition, significant development is planned for the City Centre as part of the Strategic Site Allocation Policy PLP6 Portsmouth City Centre, helping to meet development and local needs, and strengthening the City Centre's identity and vitality. This includes a large number of new homes, business space, social and leisure uses and community facilities.

7.43 Regeneration objectives are also being taken forward in Fratton District Centre, where the Council acquired the Bridge Centre in 2023 with one of the Future High Streets Fund grants. This will enable improvements to the high street and access, including pedestrian routes and cycleways, new homes and employment opportunities. The Bridge Centre will host an enterprise centre of small, low cost offices and co-working spaces, and support local start ups, small businesses and community initiatives.

7.44 At Gunwharf Quays, the landowner Landsec have unveiled plans for a £45 million investment to build on its existing strength as the UK's leading waterfront outlet destination and grow its offer as a unique day out experience. Planning applications will seek to enhance public spaces and shopfronts, with improvements to landscaping, greening, seating and access, and new kiosks, increasing opportunities for leisure and dwell time. A program of solar panel installation is expected to boost the centre's energy efficiency. Landsec have also stated an ongoing commitment to working with local communities and partners, to enhance the social value and links that Gunwharf Quays can bring to the City.

7.45 To maintain and enhance the City's centres as vibrant and attractive places for residents, businesses and visitors, adaptation is needed that maximises potential to support growing parts of the economy. This will enable the City and Town Centres to remain dynamic and flexible in the context of change and allow their continued vitality through the plan period. Recent changes have seen an expansion of 'experience' focused activity, and with it an increased demand for leisure and culture related uses. Portsmouth's Retail and Leisure Study Update (2024) shows that spending from the

leisure and culture sector has grown. The Study projects expected spending growth of around 7.5%, or £34 to £35 million, available to support new leisure and cultural services in the City over the next 10 years. The town centres within the City play an increased role as spaces for social interaction, leisure and entertainment. Opportunities for leisure, culture and arts uses, restaurants, cafes and bars, events and markets, that bring people into the centres, support footfall, help create vibrant and diverse commercial cores, and complement the continuing retail function with town centres, will be encouraged. Portsmouth's Market Strategy and Action Plan 2023-2028¹³³ highlight strategic objectives and actions to explore opportunities to strengthen and enhance existing markets and explore opportunities for new markets to add value to the economic, social and cultural fabric of the City.

- 7.46 A key opportunity and part of the City's cultural and leisure offer relates to maximising the potential of its island City geography and identity, waterfront location and rich maritime heritage. This is covered in detail under Policy PLP30: Cultural and Visitor Economy, which seeks to strengthen and support the growth of creative, cultural and visitor related business and activities. The Plan seeks to celebrate and capitalise its cultural and visitor economy as a force for regeneration in its centres and in other identified locations.
- 7.47 The Retail and Leisure Study Update 2024¹³⁴ shows a projected increase in the need for retail floorspace of between 6,300m² and 6,700m² over the next ten years of the plan period. The majority of this (4,200m² to 4,600m²) is capacity to support comparison goods floorspace growth within the Commercial Road area of the City Centre and at Gunwharf Quays. The Study shows very limited projected growth for convenience goods floorspace over the next ten years.
- 7.48 Local authorities are required to define a network or hierarchy of town centres and promote their long term vitality and viability. This is part of a positive approach to their growth, management and adaptation that can respond to change in the retail and leisure sectors and wider economy. Planning policy should identify the extent of town centres and primary shopping areas and make clear the uses suitable in such locations. In Portsmouth, primary shopping areas are referred to as Core Commercial Areas, and these reflect the diversity of uses that will together create vibrant and sustainable places for the plan period and beyond. The hierarchy of identified centres in Portsmouth is illustrated in figure 7.2 and a description of each centre is set out in Table 7.2.
- 7.49 An approach is also set out to enable assessment of development proposals for main town centre uses located outside existing designated town centres. This is to ensure that development is located as sustainably as possible, and maintain vibrant town centres. There are some significant out of centre developments in Portsmouth offering a mix of outlet and warehouse retail, leisure and entertainment facilities. This includes Port Solent (which also includes an element of small, local shopping provision), Portsmouth Retail Park at North Harbour, Ocean Park in Copnor and the Pompey Centre in Fratton. The Council will resist proposals for significant out of centre development of town centre uses, unless it is satisfied that the sequential test and impact assessment, as set out below, have been met.

¹³³ <https://democracy.portsmouth.gov.uk/documents/s48818/markets%20action%20plan%20Oct%202023.pdf>

¹³⁴ <https://www.portsmouth.gov.uk/newlocalplanevidencedoco>

7.50 Development of main town centre uses outside of centres designated in Portsmouth's town centre hierarchy will need to be adequately assessed to ensure a town centre first approach, as outlined in national planning policy. The intention is to maintain the vitality of town centres and their function in the hierarchy and safeguard their role and value to the local community. For planning applications for main town centre uses on out of centre sites, there is a requirement for a thorough sequential assessment of alternative sites within centres, and edge of centre locations, before out of centre sites can be considered acceptable. Preference is given to accessible sites that are well connected to a town centre. In addition, an impact assessment in an additional method of appraising planning applications for retail and leisure development outside town centre and not in accordance with an up to date plan, where floorspace is over 2,500 m². Further detail of the sequential test and impact assessment can be found in the National Planning Policy Framework and supporting Planning Practice Guidance on Town Centres and Retail.

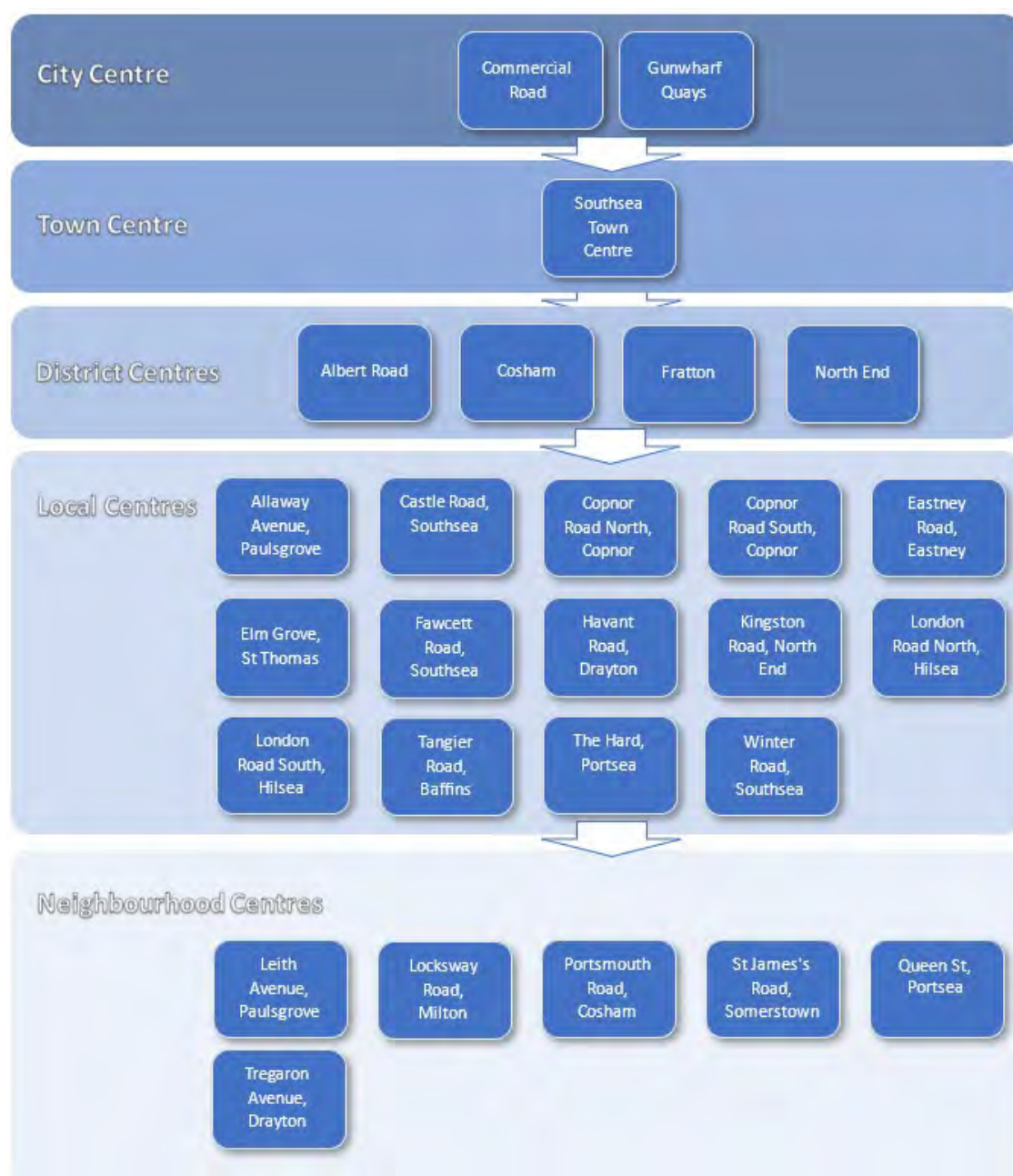


Figure 7.2: Portsmouth's Town Centre Hierarchy

Hierarchy level of centre	Centre name(s)	Description (role, function)
City Centre	The City Centre is the primary area of economic growth, development of town centre uses and high density residential, taking in two separate centres of Commercial Road and Gunwharf Quays. These centres play distinct roles.	
	Commercial Road	Provides a concentration and range of commercial uses, including shops, business services, cultural and civic uses, and a regular market. Commercial Road serves the local community, the City as a whole and the wider area. In future it will host a thriving retail and business offer, with enhanced leisure and cultural facilities to support existing institutions such as the Guildhall and the New Theatre Royal. The Commercial Road area takes in Guildhall Square and Guildhall Walk, which play an important role in maximising opportunities for and growth of culture and creativity in the City.
	Gunwharf Quays	Provides a unique waterfront setting and is the south coast's leading designer shopping outlet, home to over 90 brands and a variety of restaurants, bars and cafes, and a multiplex cinema. It is a vibrant shopping and leisure destination, pulling people in from outside the City, supporting the visitor economy and trade generated from the marina and cruise industry.
Town Centre	Southsea	Southsea provides a wide variety of shops, services and restaurants to its local area and more widely across the City. It benefits from an attractive character, a good range of independent business including a monthly market, and a location by Southsea Common. Southsea will grow as a thriving town centre, where redevelopment of two anchor department stores will add to the vitality of the centre, while maintaining its existing character.
District Centres	Albert Road, Fratton, North End and Cosham	Each has a distinct character and provides a good range of shops, services, community and in some centres, cultural facilities, to serve the City's communities.
Local Centres	Allaway Avenue, Castle Road, Copnor Road North, Copnor Road South, Eastney Road, Elm Grove, Fawcett Road, Havant Road, Kingston Road,	These centres play an important role in serving key day to day shopping and service needs of the local community, with a number of small scale shops and services on offer. They help ensure accessible provision of essential goods and services.

	London Road North, London Road South, Tangier Road, The Hard, Winter Road	
Neighbourhood Centres	Leith Avenue, Locksway Road, Portsmouth Road, Queen Street, St James Road, Tregaron Avenue	These small centres provide an element of local shops and/ or service provision to the local community. Along with local centres, they provide essential goods and services to their immediate neighbourhood.

Table 7.2 Town Centre Hierarchy descriptions

7.51 The Local Plan takes a positive approach to planning for its town centres by:

- Defining a hierarchy of centres including their boundaries and where relevant Core Commercial area as defined on the Policies Map;
- Providing direction for growth and development and suitable uses that contribute to the vitality and viability of the centres;
- Highlighting planning requirements for 'out of centre' proposals, as above, as required by national policy;
- Allocating the Strategic Site of Portsmouth City Centre for mixed use development, to meet the scale and type of need for town centre uses and to identify distinct areas within the City Centre.

7.52 Evidence to support city, town, district and local centre policy and designations has been collated as part of the preparation of the Local Plan and includes the Retail and Leisure Study Update¹³⁵ (2024) and the Town Centre Assessment (2024)¹³⁶. These provide detailed analysis of each centre, supporting the boundaries on the Policies Map and the role of each centre in the town centre hierarchy.

Development Management Policy PLP28: Town Centres

- 1. Development proposals that support the growth and development of identified centres in Portsmouth's Town Centre Hierarchy, as the preferred location for main town centre uses, will be permitted.**
- 2. Proposals for new development should be of a size, scale and type appropriate to the centre's position in the town centre hierarchy, as shown in Figure 7.2.**
- 3. Development proposals should provide main town centre uses within the City, town, district, local and neighbourhood centres, that contribute positively to the function, vitality and viability of the centre. Development proposals for main town centre uses should be designed to be welcoming and accessible to everyone.**
- 4. The Core Commercial Area, as identified on the Policies Map, should be promoted and enhanced as the heart of the centre within the town centre hierarchy. It will be the focus for retail, commercial, leisure, culture, civic and service uses. At ground**

¹³⁵ <https://www.portsmouth.gov.uk/newlocalplanevidencedoco>

¹³⁶ <https://www.portsmouth.gov.uk/newlocalplanevidencedocq>

floor level within the Core Commercial area, active street frontages will be strongly encouraged.

5. Development of a range of town centre uses or other uses may also be considered acceptable in the Core Commercial Area where it meets the following criteria:

- a) It makes a positive contribution to the vitality of the Core Commercial Area and centre overall;**
- b) It contributes to creating an attractive and vibrant environment through a wide range of complementary uses;**
- c) It provides an active frontage at ground floor level, with immediate access to the street;**
- d) It generates pedestrian activity by being open for substantial periods of time to visiting members of the public;**
- e) There are no significant harmful impacts on the function, either individually or cumulatively, on the vitality or viability of the core frontage or Core Commercial Area; and**
- f) It provides a shopfront or other frontage with a well designed and appropriate display window.**

6. Markets should be retained and enhanced, and new markets supported, as part of a diverse independent retail and business offer.

7. Development proposals that would result in the loss of a town centre use in the Core Commercial Area of an identified centre, where one exists, or within the boundaries of an identified Local or Neighbourhood Centre will only be permitted after the premises have been marketed for six months in line with Appendix 4 of the Local Plan. This will need to show that there is no market demand for the premises in its existing use or for another retail, commercial, leisure, cultural and service use.

8. Development proposals for a variety of uses including town centre uses and housing on land and/or premises that is within an identified centre but outside the Core Commercial Area will be permitted. Development of new homes and other residential uses, including as part of mixed use proposals, will be acceptable, to maximise use of land where there is a high level of accessibility to key services and transport links. Retail, commercial, leisure, cultural and service uses will be encouraged at ground floor level where there is market demand. Where development proposals include such uses at ground floor level, their frontage should provide a well-designed and appropriate display window.

Supporting Text

7.53 The purpose of this policy is to set a positive approach to development of main town centre uses in accordance with the town centre hierarchy and ensure vibrant and viable town centres. The policy directs proposals for new town centre uses to the town centres and identifies the Core Commercial Area as the place where retail, commercial, leisure,

cultural and service uses should be focused and retained. The policy provides criteria to enable consideration of development of other uses where they make a positive contribution to the vitality and viability of a designated centre.

- 7.54 To facilitate vibrant and viable town centres and high streets, the policy seeks to encourage a variety of active uses at ground floor level, within the Core Commercial Area. This helps support activity and animation in the heart of centres, and promotes access and connectivity which are key to healthier communities and greener travel patterns. Cultural and community uses, for example libraries, can be integral to high streets, with an example in Southsea Town Centre. The location of this type of facility can increase footfall and linked trips, and with it enliven and encourage use of nearby businesses.
- 7.55 Town centres and high streets should be welcoming and accessible to everyone, and the design of new development and public realm should give careful consideration to enabling easy access to people with mobility difficulties, including disabled people and parents and carers with pushchairs. Government guidance on access to buildings and accessible pedestrian and transport infrastructure, including relevant buildings regulations, should be taken into consideration at the design stage.
- 7.56 In addition to this policy, further detail is included in the Strategic Site allocation of Portsmouth City Centre on the mix of uses anticipated, to meet the scale and type of identified need, and to identify distinct areas within the City Centre.
- 7.57 To help deliver a welcoming and attractive environment in the City's centres, development should seek new and enhanced greening of both buildings and public spaces, and provide outdoor seating where appropriate. This takes forward the Plan's objectives on Greening the City, positively impacting biodiversity and urban cooling, whilst helping to make town centres healthier, more attractive and inclusive.
- 7.58 Retail, commercial, leisure, cultural and service uses are acceptable uses in the City's town centres, falling across Use Classes E: Commercial Business and Service, F1: Learning and Non-Residential Institutions and F2: Local Community. This diverse range of uses is considered to enable management of town centre development that can adequately respond and adapt to market change.
- 7.59 The policy seeks to retain and enhance markets, which make a valuable contribution to the vitality and viability of town centres, adding diversity, increasing footfall and potential linked trips. Markets enable local and independent small businesses to trade in the City's centres and can act as a significant attraction to draw people in. Pop-up markets can revitalise vacant spaces within the City's centres, particularly where development is proposed and/ or approved but has yet to begin. Markets are a feature on Commercial Road in the City Centre, on Palmerston Road, Southsea and in Cosham. Two of these markets are supported by the Council in partnership with local businesses and business groups. Objectives, opportunities and actions to enhance and promote markets are detailed in Portsmouth's Market Strategy and Action Plan 2023-2028.
- 7.60 The policy seeks to ensure that there are no significant harmful impacts, either individually or cumulatively, on the function or the vitality or viability of the core frontage or wider Core Commercial Area. This should ensure that the quantum of floorspace and

shop front for town centre uses is retained at ground floor level, and that the prevalence and concentration of other uses do not undermine the role and function of the core frontages or the Core Commercial Area as a whole. These areas should maintain a very high proportion of main town centre uses, as defined at criteria 2 of PLP28: Town centres. It is noted main town centre uses fall across Use Class E: Commercial, business and service and Use Class F.1: Learning and non-residential institutions. The policy sets out that any development proposal involving a loss of a town centre use, that fall outside of Permitted Development Rights, will need to be supported by marketing evidence to show there is no market demand for the premises in its existing use, or for another retail, commercial, leisure, cultural and service use.

7.61 A broad range of Permitted Development Rights have been introduced by the Government to support certain changes of use within town centres, with the intention of allowing a degree of flexibility in town centres, and to help avoid buildings lying vacant. These are outlined in national planning guidance on town centres and retail¹³⁷. Class MA of the Town and Country Planning (General Permitted Development etc.) (England) Order 2021 allows unused commercial buildings to be permitted for residential use via a fast-track approval process. The Council can only assess prior approval applications based on specific considerations including flooding, noise from commercial premises and adequate light to habitable rooms. Other site-specific issues that Councils can take into consideration include the impact of the loss of a ground floor Class E use in Conservation Areas, and the impact of the loss of a health service.

7.62 Town centres offer sustainable locations, with easy access to a range of shops, services and amenities, and in some centres, good transport links. They are therefore suitable locations to maximise and make efficient and effective use of land and increase the intensity of development for main town centre uses and residential. Residential development should be designed in accordance with Policy PLP22: Residential Density and PLP23: Space Standards.

Small Local Shops

Introduction

7.63 Portsmouth's hierarchy of town centres provides a network with a variety of functions in providing shopping, service, culture and leisure opportunities. These support a diverse economy, sense of place and shopping and service facilities that meet a range of needs.

7.64 Small scale shops located outside of the town centre hierarchy also play an important role in providing for the day to day shopping and service needs of residents, particularly in areas poorly served or without easy access to identified centres. These essential local shops are important in supporting access to food and other essential goods, healthier lifestyles and greener travel choices, through encouraging walking and cycling, and are key to sustaining and enhancing happy and healthy communities.

Development Management Policy PLP29: Small Local Shops



1. Development proposals for small local shops or services outside the City, Town, District, Local and Neighbourhood Centres will be permitted provided that:

¹³⁷ <https://www.gov.uk/guidance/ensuring-the-vitality-of-town-centres>

- a) **The net sales area is less than 150m²;**
 - b) **The shop will mostly sell essential goods and provide services that meet day to day shopping and service needs, including but not exclusive to food, to visiting members of the public;**
 - c) **There is no other such facility within a reasonable walking distance (approximately 400 metres); and**
 - d) **It provides an active shopfront or other frontage with a well-designed and appropriate display window.**
- 2. Development proposals that would result in the loss of a small local shop outside the City, Town, District and Local Centres will be resisted, and will only be allowed where:**
- a) **There is no market demand for the premises in its existing use or for another retail, community, cultural or commercial use that supports the local community. Evidence should show the property has been marketed for six months in line with Appendix 4 of the Local Plan; or**
 - b) **There is an alternative local shop or service use that meets key day to day needs of the community within close proximity (around 400 metres).**

Supporting Text

- 7.65 The purpose of this policy is to support the development and retention of small-scale shops that meet day-to-day shopping and service needs and thus support sustainable local communities. Small local shops and services include, but are not limited to, convenience stores, newsagents, post offices, pharmacies, hairdressers and cafes.
- 7.66 Small local shops outside identified centres, as defined in Policy PLP28 Town Centres and shown in Figure 7.2. Portsmouth's Town Centre Hierarchy, provide an important service for local communities in helping to meet day to day shopping and service needs. They are particularly valuable for people with accessibility or mobility issues, reducing the need to travel by car for everyday essentials, including food and healthcare, and promoting greener travel patterns and healthier communities. Therefore the policy seeks to support development of small local shops that have a net sales area less than 150 m². This is considered a reasonable amount of floorspace with regard to the typical size of local shops across Portsmouth, and a level that is considered to avoid potential for significant detrimental impacts on the vitality and viability of centres identified in the City's town centre hierarchy. The policy also requires assessment of whether there is another small local shop or services within a reasonable walking distance, defined as approximately 400 metres. Assessment of this walking distance should be based on accessible pedestrian routes.
- 7.67 The policy also resists the loss of these key local facilities unless a lack of market demand can be demonstrated through submission of appropriate marketing evidence or where there is an alternative shop that meets key day to day needs of the community within close proximity namely a maximum of 400 metres. This should again be based on accessible pedestrian routes and should not result in areas of deficiency or lack of easy access to local shop provision.

- 7.68 The floorspace threshold of 150 m² is considered a level low enough that it would not adversely affect the vitality and viability of city, town, district or local centres. Details of the sequential test and impact assessment can be found in national planning policy.
- 7.69 Development of a small shop outside a designated centre is anticipated, in most cases, to fall under Class F.2. Local Community of the Use Classes Order. However, if it is appropriate to grant planning permission for a small scale service use that falls under Class E, due to the number of uses falling within that Use Class, it may be necessary to restrict the permission to a specific provision of Class E through removal of permitted development rights. This is to ensure that the use continues to sell essential goods to meet the key day to day needs of the community, and does not, through a change of business type within Class E, create adverse impacts on an identified centre.

The Cultural and Visitor Economy

Introduction

- 7.70 Portsmouth's City Vision 2040 sets out the aspiration for Portsmouth to be a City with a thriving economy and rich in culture and creativity. This policy seeks to take forward that vision, to maximise the opportunities afforded by the City's waterfront location and draw on its rich heritage. This will support and grow a distinct cultural and visitor economy that provides a range of social, economic and well-being benefits for its residents and for visitors, and enable culture led regeneration in the city.
- 7.71 The Council's Economic Development and Regeneration Strategy outlines that to create a thriving and competitive business environment it will invest in and strengthen the visitor and creative industries sector, and this is key to diversifying the local economy and revitalising and regenerating the City Centre and other parts of the City. The definition of the cultural sector and creative economy can be found in the Thriving Economy Topic Paper, and broadly the cultural sector includes: arts, film, TV, music, radio, photography, crafts, museums and galleries libraries and archives, cultural education, and operation of historical sites and similar visitor attractions. Creative industries have their origin in individual creativity, skill and talent, and include a number of overlapping sub-sectors with the cultural sector, as detailed to in the Topic Paper
- 7.72 Nationally, the cultural sector and creative industries are key drivers of economic growth, with creative industries growing at almost 1.5 times the rate of the wider UK economy over the past decade. The Department for Culture Media and Sport have ambitious plans for the sector's growth, by growing creative industries in clusters by an extra £50 billion, delivering careers that build on talent to support additional jobs and intensifying this sector's ability to enrich our lives and create pride in place¹³⁸.
- 7.73 Portsmouth has seen a significant level of growth in creative industries when compared to other economic sectors, with employment expansion of around 10% per year. This level of business growth is strong and is occurring faster than the UK average, although the City is not yet a recognised creative cluster. Creative clusters are defined as 'agglomerations of creative businesses and workers that collaborate and compete with each other'. Southampton and Chichester, which sit either side of the City, are recognised high growth creative clusters.

¹³⁸ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1162721/Creative_Industries_Sector_Vision_accessible_version_.pdf

7.74 Evidence shows that the majority of creative businesses in the City are small, recent start-ups and that 36% creative business owners surveyed were graduates from the University of Portsmouth. The University is key in developing the future of cultural and creative industries, in boosting innovation, entrepreneurship, skills and talent and strengthening the City's cultural economy. The Council's Tourism and Visitor Economy Strategy¹³⁹ (2023-2028) highlights the importance of tourism in the local economy and in Portsmouth's cultural sector. Pre-pandemic, tourism was valued at around £600 million a year, it attracted nearly 15 million visitors (2019) and supported around 12,000 jobs in the city. The strategy covers a post-pandemic recovery plan, and then growth of the visitor economy to increase its value and manage and develop the City's brand and destination offer. While an adequate supply of hotels and visitor accommodation is core to strengthening the overnight and weekend visitor economy, there is an integral link with the cultural economy, including the city's wide array of museums, attractions and festivals, and with culture led regeneration.

7.75 Portsmouth's maritime location, heritage and identity are integral to its wide range of cultural and leisure attractions including heritage, arts, theatres, museums and two piers. This includes the Historic Dockyard taking in the Mary Rose, HMS Victory, HMS Warrior, the National Museum of the Royal Navy, the D-Day Story, Charles Dickens Birthplace Museum, Portsmouth Museum and Art Gallery, Hotwalls Studios, Gunwharf Quays and Spinnaker Tower, theatres and a number of historical attractions, parks and gardens.

7.76 The Council actively supports creative and arts-based small and medium size businesses and activities. Hotwalls is an example of historically sensitive regeneration of the Grade I listed and scheduled Point Battery and Barracks, which form part of the City's original military defences. It has been transformed by the Council with Coastal Communities Grant funding into an arts hub, providing affordable studios, workspaces and exhibition space for the local creative community and businesses, and a unique visitor attraction where workshops and interaction with artists and makers can take place.

7.77 Portsmouth also hosts major festivals and events, such as Victorious, which attracted nearly 185,000 visitors and generated £19.5 million in 2022, the European Kite Championships, the America's Cup World Series and the Great South Run. Fratton Park is home to Portsmouth Football Club and has been since 1899. It has capacity for over 50,000 supporters and hosts regular matches, making it the largest sports venue in the City. Events such as these have significant potential to stimulate the City's economy and will be positively supported and managed by the City Council.

7.78 Portsmouth maritime heritage and culture creates a distinct pride of place and local identity. Portsmouth's Heritage Strategy (draft, 2024-2029) sets a vision to create a City where heritage is understood, celebrated and integral to the City's life and success. It provides details about opportunities to reinforce and develop historic identify, invest in historic assets and to ensure heritage is an integral part of the city's economic success. It also seeks to ensure people are engaged and actively involved in the heritage environment, assets and stories. This engagement can be a tool to tackle low

139

<https://democracy.portsmouth.gov.uk/documents/s43065/Appendix%201.%20Tourism%20and%20Visitor%20Economy%20Strategy%202023-2028.pdf>

engagement and socio-economic deprivation, and work done through local cultural enterprises has sought to both increase access to museums, galleries and other cultural institutions to a wider range of the City's residents and to take culture to the community, as a form of outreach. This can contribute to positive social and well-being outcomes and demonstrates the holistic role of heritage and culture in the City.

7.79 Funding of £650,000 in October 2023 from the Arts Council England was awarded to Portsmouth Creates, a partnership including the City Council, the University of Portsmouth, Solent Local Enterprise Partnership, the Cultural Collective and various community organisations. This will drive growth, develop talent and improve inclusivity across the creative sector, through an ambitious programme to build capacity, creative pathways and opportunities for young and disadvantaged people via mentoring and apprentice programmes.

7.80 Entertainment venues such as theatres, cinemas, music and performance spaces across the City, and restaurants, pubs, bars and clubs all make up the City's evening and night time economy. These are important to Portsmouth's as a thriving and vibrant City and are needed to support the cultural and visitor economy.

7.81 There has been gradual growth and expansion of hotels in the City, and appropriate capacity and diversity of high quality hotels to meet varying budgets is important to supporting the tourism and the visitor economy, including expansion of the cruise ship industry. Portsmouth's Hotel Development Assessment¹⁴⁰ (2019) shows demand for budget and full service hotels alongside boutique hotels in the plan period although need may need to be reviewed in light of the pandemic and current economic circumstances and reflected in development proposals coming forward.

Strategic Policy PLP30: Cultural and Visitor Economy



1. **Development proposals that maximise the potential of the cultural and visitor economy and drive forward culture led regeneration will be encouraged. This includes a range of culture, leisure, entertainment and visitor attractions and accommodation, and the development of creative industries.**
2. **Opportunities for development and enhancement should be maximised in the centres identified in the town centre hierarchy illustrated in Figure 7.2 particularly in the Core Commercial Area and Guildhall Quarter of the City Centre, as shown in Figure 4.5. In addition, opportunities may be located at and in close proximity of existing major visitor and cultural attractions.**
3. **Development proposals for culture, leisure, entertainment, visitor attractions and accommodation and creative industries will be permitted where they meet the following criteria:**
 - a) **The proposed development is of an appropriate type, scale and design to complement and support the role of the existing centre or area, and enhance its character, and respond sensitively to the significance of the historic environment;**

¹⁴⁰ https://www.portsmouth.gov.uk/wp-content/uploads/2021/09/PORTSMOUTH-HOTEL-DEVELOPMENT-ASSESSMENT-FINAL_compressed.pdf

- b) **The proposed use would improve vitality and viability of the area by retaining an active and welcoming frontage or entrance at ground floor level, attracting pedestrian activity and encouraging linked trips;**
 - c) **Ensure effective access arrangements that are safe and suitable for all users, including local pedestrian and cycle links; and**
 - d) **The proposed use would not have a harmful impact on the amenity of nearby occupiers due to noise, odour, disturbance or light pollution.**
4. **Pop up and temporary uses will be encouraged where they help animate and activate vacant premises and sites for a period prior to permanent re-occupation or redevelopment, and where they meet the above criteria.**
 5. **Access and connections to and between cultural facilities and visitor attractions and the City and town centres should be improved to maximise usage and ensure engagement with as wide an audience as possible. This may be through enhancement to building design, public realm, signposting and wayfinding.**
 6. **Development proposals that would result in the loss of a use contributing to the cultural or visitor economy, such as culture, leisure, entertainment, visitor attractions and accommodation, will be resisted and will only be allowed where there is no market demand for the premises in its existing use, or in a related use.**
 7. **Development of other, non- cultural or visitor economy uses adjacent or in the immediate vicinity of cultural or visitor attractions or uses should not compromise or undermine the feasibility or continuing operation of these attractions or uses.**

Supporting Text

- 7.82 The purpose of this policy is to set out a positive approach to supporting the City's cultural and visitor economy and to support the Imagine Portsmouth's 2040 Vision to be a City rich in culture and creativity.
- 7.83 The cultural and visitor accommodation uses covered by this policy include a number of town centre uses, and development should accord with this policy, Policy PLP28 Town Centres and where relevant, Policy PLP6: Portsmouth City Centre. This supports and enables diversification, the long term viability of centres in the town centre hierarchy and helps capitalise a growing part of the economy to enable regeneration. Opportunities for development are therefore focused on the town centre hierarchy, but also at and in close proximity to existing major visitor and cultural attractions. These are places where there is an existing cultural or heritage activity or hub, and where further development, of an appropriate type and scale which complements existing use(s) and the surrounding area could be beneficial. The impacts of proposals on these areas, particularly where they relate to trip generation and design, should be carefully considered. Existing major cultural and visitor attractions, include but are not limited to: The Historic Dockyard and The Hard, Portsmouth Museum and Art Gallery, Old Portsmouth, The Hotwalls, Southsea Seafront including its two piers, beaches, castle and the D-Day Story and Aquarium, Wymering Manor in Cosham, and the Hilsea Lines.

- 7.84 The Seafront Masterplan SPD¹⁴¹ highlights detailed guidance on how the Seafront, stretching from Old Portsmouth to Eastney, can be improved and conserved. This includes improvements to accessing the Seafront, the visitor experience, the public realm as well as maintaining its open character. As highlighted above, Old Portsmouth, the Hotwalls Studios, Southsea Seafront, Wymering Manor and the Hilsea Lines are particularly sensitive due to historic context and assets, and in these locations, development should be of an appropriate scale and design to conserve and enhance historic character. The City Council's Heritage Strategy (draft, 2024-2029) gives detailed information on the city's heritage environment and its wealth of historic asset.
- 7.85 The use of the term 'close proximity' in criterion 2 of Policy PLP30 will vary depending on the existing centre or visitor or cultural attraction, and the type of development proposed. It should generally be in the immediate area namely up to 300 meters radius, to help create a cluster or hub of activity. Development should not draw people and footfall away from an existing centre or attraction.
- 7.86 Criterion 6 of the Policy seeks to retain and protect against development resulting in the loss of uses that contribute to the cultural or visitor economy, including but not exclusive to culture, leisure, entertainment, visitor attractions and accommodation. For town centre uses located in identified centres Policy PLP28: Town Centres applies with regard to assessing loss. In these locations, planning applications should demonstrate premises have been marketed for six months in line with Appendix 4 of the Local Plan and show that there is no market demand for the premises in its existing use, or for another retail, commercial, leisure, cultural and service use. For development involving loss of these uses located outside the Town Centre Hierarchy, an assessment should be made on a case by case basis as to whether application of six months marketing evidence is necessary to demonstrate a lack of market demand. This assessment should include consideration of the size, type and significance of cultural or visitor economic use being lost, and the role it plays in a cluster or hub of cultural or visitor activity.
- 7.87 Criterion 7 seeks to ensure that development of other uses, that are not cultural or visitor economy uses, do not compromise existing cultural or visitor economy uses or activities. This helps avoid reverse sensitivity, where adverse impacts for occupiers of new sensitive or inappropriate development impacts on existing, lawful activities that are established in mixed use areas. The existing activity can then become vulnerable and be undermined, through amenity (including noise) complaints etc, from newly located activities and occupiers. Consideration should be given on a case by case basis to ensure appropriate location of other uses in the immediate vicinity of cultural and visitor economy uses, to safeguard the continuing operation of these attractions and activities, which are key to the City's economy.
- 7.88 As part of ensuring effective access arrangements, design and layout of sites should be considered, and a Travel Plan and Transport submitted for hotels and other major development that would generate significant trips and movement, in line with national policy.
- 7.89 Some major attractions in the city are relatively cut off and disconnected, and an approach to enhance connectivity, particularly for pedestrians and cyclists, should be sought to enable better access and links. This should be promoted at Gunwharf Quays and the Historic Dockyard, in terms of linkages with the City Centre, particularly the Guildhall and Commercial Road areas, and Old Portsmouth. This is also relevant to development at Fratton Park and Tipner West and Horsea Island East. This can be taken

¹⁴¹ https://www.portsmouth.gov.uk/wp-content/uploads/2021/10/173.48-Seafront-Masterplan_Accessible.pdf

forward through improved wayfinding and public realm, and where relevant, through creation of heritage and culture trails.

- 7.90 Cultural and community organisations can play a key role in engaging with part of the population where there are low levels of engagement and social deprivation. Opening up access and connections to and between cultural facilities and visitor attractions and promoting community engagement and active involvement can help improve quality of life, mental and physical health benefits for all. This should be promoted through development and partnership working with relevant cultural and community organisations.

Chapter 8 Climate Emergency

Introduction

8.1 Portsmouth City Council declared a climate change emergency in March 2019. This was in response to the serious impact that climate change will have on the City and the lives of its inhabitants. The Council then adopted a Climate Emergency Strategy that sets out how it intends to meet the objectives of the Climate Emergency Declaration. Table 8.1 sets out the Council's strategies including the Local Plan that address the climate emergency. Chapter 3 of the Local Plan contains Core Policy PLP2: Climate Emergency while more detailed aspects of policy relating to climate change adaption and mitigation are set out in this chapter.

How Everything Fits Together		
Make Portsmouth a place that is fairer for everyone: a City where the Council works together with the community to put people at the heart of everything we do.		
Make Our City Cleaner, Safer and Greener		
Improving air quality by tackling congestion and parking issues and encouraging more people to walk, cycle and use public transport including park and ride	Engaging with communities and the Environment Agency so that the East Solent Coastal Partnership can build new sea defences protecting the City from flooding.	Encouraging people to keep Portsmouth clean and taking action where necessary to tackle problems like litter and dog fouling.
Make sure public spaces are greener, more sustainable and well maintained	Working to increase recycling and cut plastic waste	Encouraging road safety across Portsmouth
	Keeping regular rubbish and recycling collections	
Strategies addressing the Climate Emergency		
Local Transport Plan	Local Plan	Energy and Water at Home
Air Quality Local Plan	South East Hampshire Rapid Transit	Cough Cough Engine Off
Citizen's Assembly	Local Cycling and Walking Infrastructure Plan	Carbon Reduction Strategy
Integrated Impact Assessment	Southsea Coastal Scheme	Portsmouth Port Carbon Neutral

Table 8.1: Portsmouth City Council strategies that address the Climate Emergency

8.2 This chapter of the Local Plan includes seven policies relating to the climate emergency. The first two policies relate to water namely Policy PLP31: Flooding and Policy PLP32: Sustainable Drainage Systems (SuDS); this deals with both SuDS and other water retention measures in the City to minimise surface water run-off and its associated impacts. Policy PLP33: Sustainable Construction and Onsite Renewable Energy sets out how new development should be built in a sustainable way minimising environmental and carbon impacts. Policy PLP34: Renewable Energy relates to the provision of new renewable energy infrastructure in the City. Policy PLP35: Air Quality & Pollution sets out measures that development needs to take to ensure that development contributes to improving air quality in the City. Policy PLP36: Coastal zone sets out specific coastal related landscape and use protections. The final policy on this chapter is on contaminated land, which is a longstanding issue in this long occupied City.

Flooding

Introduction

8.3 Portsmouth's low lying coastal location means that the City is susceptible to flood risk not only from tidal inundation, but also surface water, rising ground water levels and possible wastewater infrastructure overflow during extreme weather events. As an island, Portsmouth is bound on all sides by the sea and the fact it is heavily urbanised with significant levels of hard landscaping means flood risk is a significant risk.

8.4 Flood risk is typically defined using the Environment Agency's (EA) flood risk maps for rivers and sea, which indicates the predicted annual probability of flooding, from Flood Zone 1 (low risk) through to Flood Zone 3 (high risk) and also for surface water. The impacts of climate change are expected to increase flood risk in Portsmouth, as sea levels rise and winters become wetter with more intense rainfall events.

8.5 Large areas of the City, particularly those adjacent to the coastline, fall into Flood Zones 2 and 3 and are the areas that have the medium or highest probability of tidal flooding. Over the next 100 years, the extent of these flood zones is expected to expand. Current flood zones are illustrated in figure 8.1 and predicted flood zones in the City in 100 years' time are also shown in figure 8.1; these two maps show the dramatic impact that climate change and rising sea levels will have on the City. It should be noted that flood zones are not shown on the Policies Map as they are subject to change. Reference should be made to the EA's website for the latest flood zone maps.

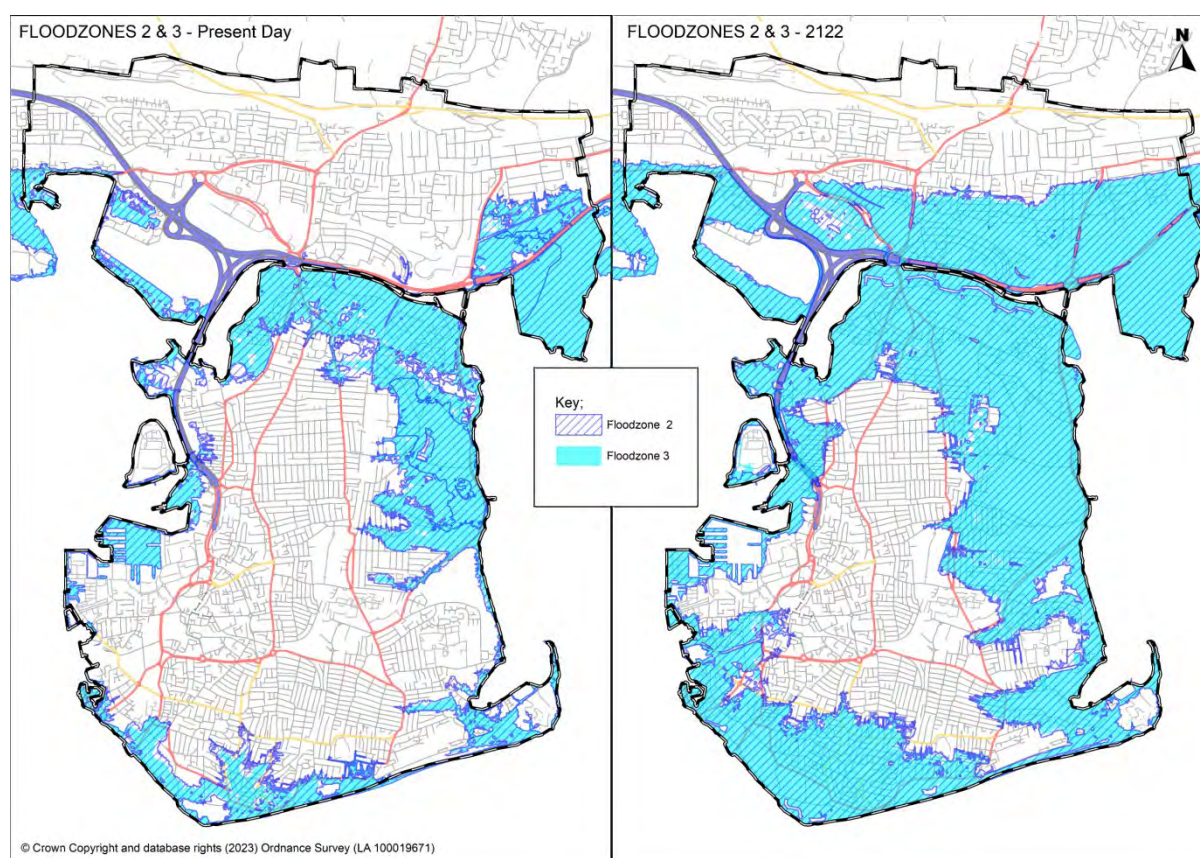


Figure 8.1: Current and Future Flood zones in Portsmouth if defences were not built

8.6 Managing tidal flood risk in Portsmouth is supported by the Coastal Partners, which is a partnership between Havant, Portsmouth, Gosport and Fareham, and Chichester

Councils who manage 176km of Hampshire's coastline and lead on coastal issues. There is a significant ongoing programme of works to ensure coastal defences will be resilient to long term coastal change and sea level rise, in line with the approach of the North Solent Shoreline Management Plan¹⁴² for Portsmouth, (Hold the Line), and the adopted strategies for Portsmouth's coastline.

- 8.7 There are two significant flood defence schemes currently being developed along Portsmouth's coastline namely the North Portsea Island (NPI) scheme (with an expected completion year of 2026) and the Southsea Coastal Scheme (with an expected completion year of 2029). The NPI scheme covers 8.4km of Portsmouth's coastline and aims to reduce the risk of flooding from the sea to over 4,200 homes, 500 businesses and critical infrastructure over the next one hundred years. The NPI Scheme delivers a 1 in 500 year standard of protection for 100 years. This provides protection to an extreme flood event for a long period of time. When the scheme is fully complete it will protect the eastern road access and also the A3. The Southsea Coastal Scheme aims to reduce the risk of flooding for more than 10,700 properties along the coast from Old Portsmouth to Eastney for the next one hundred years.
- 8.8 In addition to the EA flood mapping, the Partnership for South Hampshire (PfSH) undertook a Level 1 Strategic Flood Risk Assessment (SFRA)¹⁴³ for South Hampshire. This document can be used to understand potential flood risk in the City and help to inform the design of proposals. It assesses and maps all forms of flood risk from tidal, river, groundwater, surface water and sewer sources, taking into account future climate change predictions for the next one hundred years. The Level 1 SFRA was used to assess the risk of flooding to potential strategic sites and allocations from all sources and help inform the sequential test. This demonstrated that land outside of flood risk areas could not accommodate all necessary development to deliver Portsmouth's housing need. Therefore, the scope of the SFRA was increased to a Level 2. Despite this higher level of flood risk assessment being carried out it will still not be possible to meet Portsmouth's housing need in full. The Portsmouth Level 2 SFRA provides more detail about the nature of flood risk for all the sites allocated in this Local Plan. This allows the identification of severity and variation of flood risk within medium and high risk flood areas and allows application of the exception test; in particular part 'b'. Part 'b' requires demonstration that development will be safe for its lifetime, taking into account the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 8.9 The SFRA also identifies Portsmouth's approach to Floodzone 3b. Identification of functional floodplain (Flood zone 3b) should take account of local circumstances and not be defined solely on rigid probability parameters, as set out within national planning guidance. Following an agreed approach with the Environment Agency, there are no areas identified as Flood Zone 3b within Portsmouth. However, where development is proposed within these higher risk areas, flooding must be a key consideration from the outset and throughout.
- 8.10 The approach to flood risk in Portsmouth is set out in more detail in the Development and Tidal Flood Risk Topic Paper¹⁴⁴ which has been developed in partnership by the City Council and the EA. Further details on partnership working are set out in the Statement of

¹⁴² <https://www.northsolentsmp.co.uk/>

¹⁴³ <https://www.portsmouth.gov.uk/wp-content/uploads/2024/05/SFRA-Part-1-Main-Report-V6.pdf>

¹⁴⁴ <https://www.portsmouth.gov.uk/newlocalplanevidencedocr>

Common Ground between the City Council and the EA¹⁴⁵. We will continue to work proactively with the EA to achieve the best possible outcomes for new development and flood risk in the City.

8.11 It is important not to consider flooding as an unforeseeable event with reliance on emergency response, but instead ensure its impacts can be significantly mitigated prior to a flood event happening.

Strategic Policy PLP31: Flooding



1. Development proposals will be permitted where:

- a) They seek to reduce the impact and extent of all types of flooding following the relevant flood risk management steps as set out in Government policy and guidance;**
- b) They are accompanied by a site specific Flood Risk Assessment where required by national policy that is informed by the PfSH SFRA Level 1 and Portsmouth SFRA Level 2;**
- c) The proposal meets the sequential and exception tests as set out in Government policy and guidance;**
- d) The development will be safe over its lifetime, taking into account the increased risk of flooding due to climate change;**
- e) Landowners must safeguard land and ensure development does not impact the integrity of or prejudice land used for existing or future flood defences/ flood risk management and/or maintenance of watercourses;**
- f) The development will not result in the increase of flood risk elsewhere and where possible will reduce the overall level of flood risk;**
- g) Appropriate flood prevention, protection and resilience measures necessary and appropriate to specific requirements of the proposal site and any other areas potentially impacted by the proposed development have been sensitively incorporated. These will be maintained for the lifetime of the development. Flood management and mitigation measures should be informed by the PfSH SFRA Level 1 and Portsmouth SFRA Level 2;**
- h) The residual risk of sites currently benefitting; or benefitting in the future from flood defence measures has been taken into consideration;**
- i) They are appropriately flood resistant and resilient so that in the event of a flood they can be quickly brought back into use without significant refurbishment;**
- j) Appropriate safety measures have been taken in accordance with the SFRA Level 1 and 2 specifically in relation to finished floor levels, access/escape routes, places of safety and emergency planning; and**

¹⁴⁵ <https://www.portsmouth.gov.uk/newlocalplanevidencedoci>

- k) **Robust evidence must show that all efforts have been made to deliver safe access and egress routes on sites at risk of flooding. Where truly exceptional circumstances dictate this not to be feasible, it must be clearly detailed in a site specific FRA how the risks of flooding can be safely managed. Information on duration, hazard and frequency of flooding must be provided for the development lifetime.**
2. **Site specific Flood Risk Assessments should use the Upper End climate change allowance when assessing flood risk, unless an alternative approach can be justified.**
 3. **Opportunities should be sought to implement natural flood management techniques to attenuate surface water runoff and groundwater discharge.**
 4. **Opportunities for de-culverting watercourse sections should be sought to bolster local channel capacity and conveyance.**
 5. **Proposals that include self-contained basement accommodation for use as a habitable room will not be permitted due to the unacceptable residual flood risks associated with this type of accommodation.**

Supporting text

8.12 The purpose of this policy is to reduce the City's vulnerability to flood risk and the impacts of flooding associated with climate change. The Council will seek to manage flood risk through avoidance of risk wherever possible.

8.13 Government guidance sets out several steps that should be followed when addressing flood risk which have influenced the policy approach. These are outlined in figure 8.2 and should be followed as part of any proposed development in areas at risk of flooding.

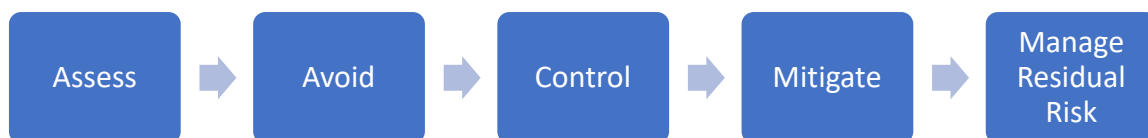


Figure 8.2: Flood Risk Management Steps

8.14 The findings of the SFRA have helped to inform the approach taken within this Local Plan. Flood risk has been assessed and taken into account throughout the development of this Local Plan.

8.15 A site-specific flood risk assessment should be provided for all development in Flood Zones 2 and 3. In Flood Zone 1, an assessment should accompany all proposals involving:

- Sites of 1 hectare or more;
- Land which has been identified by the Environment Agency as having critical drainage problems;
- Land identified in a strategic flood risk assessment as being at increased flood risk in future;
- Land that may be subject to other sources of flooding, where its development would introduce a more vulnerable use; or

- Sites of 10 or more units. This does not include sites where units have not altered the building footprint from pre-development.

8.16 National guidance provides further details on how to undertake a site specific flood risk and what it should include.

8.17 Sites that are not allocated in the Local Plan, including sites identified in appendices 2 and 3, that could be at risk of flooding, will need to be supported by their own Sequential Test Assessment. This is because they are not covered by the Council's own Sequential Test Assessment, which has only considered the Strategic Sites and Allocations in this Plan.

8.18 Proposed development within flood zones 2 and 3 will need to be assessed using the sequential and exception tests as set out in national policy. The sequential test aims to steer different types of new development away from areas at the highest risks of flooding. Development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.

8.19 If development cannot be located within zones with a lower risk of flooding, then the exception test may have to be applied. For the exception test to be passed, it should be demonstrated that:

- The sustainability benefits of the proposed development to the community will outweigh the flood risk; and
- The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

8.20 It is appreciated that it may not always be possible to locate development outside areas at risk from flooding in Portsmouth. If this is the case, it is still important for applicants to seek opportunities and measures to reduce the causes and impacts of flooding. Management opportunities to control flood risk should be sought to reduce the overall level of flood risk in the application site and beyond. These should be sensitively incorporated taking into consideration the character, landscape and biodiversity of the area.

8.21 When proposing development within a location at risk of flooding, early engagement should be sought with the City Council as the Lead Local Flood Authority and other flood risk management authorities including the EA, Coastal Partners and Southern Water. This is particularly important for any development proposed within an area identified as having a 3.3% or greater annual probability of flooding. The delivery of flood management measures must be incorporated to evidence how flood risk has been reduced to ensure development safe for its lifetime.

8.22 Several Flood and Coastal Erosion Risk Management schemes are being developed within Portsmouth as set out within the SFRA Level 1 and 2. The land associated with the development of these schemes (including those in coastal strategy studies and shoreline management plans) will be safeguarded to ensure there is no conflict in land uses. Land associated with flood defence schemes identified within the coastal strategy studies and shoreline management plans, which are yet to commence must also be safeguarded. Where development is proposed in close proximity to an existing flood defence structure, or land safeguarded for any future flood defence or management measures, early

engagement with the Environment Agency should be undertaken to ensure an appropriate buffer is maintained. Alongside rivers¹⁴⁶, this buffer strip will be 8 metres. These buffer strips allow for any future management and maintenance of the flood defence structure. An appropriate buffer should be applied to ordinary and other watercourses.

- 8.23 Where proposed development results in a change in building footprint, land raising, or other structures, that impact upon the ability of the fluvial floodplain to store water, floodplain compensation must be provided on a level for level, volume for volume basis on land which does not already flood and is within the site boundary.
- 8.24 Where feasible, opportunities should be sought to implement natural flood management techniques in order to attenuate surface water run-off and groundwater discharge, such as the planting of riparian woodland and the use of SuDS. All development should not increase the risk of flooding elsewhere.
- 8.25 Where flood defences are present, it should be remembered that these cannot remove risk of flooding entirely and there is always a chance that defences could fail, by being overtopped or breached, during an extreme event. Proposals will therefore need to consider residual risks of flooding in areas which might already benefit from defences (or will benefit from defences in the future) and should incorporate a range of measures to appropriately manage and mitigate residual risk.
- 8.26 Flood resilience is an approach to building design which aims to reduce the risk of damage to homes and businesses that may flood and speed recovery and reoccupation following a flood. Flood resilience measures should be incorporated into a development or redevelopment proposed in an area at risk of flooding to combat all types of flooding including surface water, fluvial and groundwater flooding. Flood resilience measures aim to limit entry of floodwater into homes and businesses (resistance measures) or minimise the impact of any floodwater that does get inside (recovery measures).
- 8.27 Flood resistance construction such as dry-proofing seeks to prevent and/or minimise entry of water into a development up to a safe structural limit. Passive resistance measures should be prioritised over active measures. Flood recoverability incorporates certain design measures that will minimise damage. When incorporating these features into a development, reference should be made to the SFRA Level 1 and 2, in particular for finished floor levels.
- 8.28 Proposals should also incorporate safe access and escape routes, places of safety and adequate flood warnings and evacuation/emergency plans if necessary (devised in accordance with guidance from the appropriate emergency services and Environment Agency¹⁴⁷) which will help to address any remaining residual flood risk for the occupants after avoidance, control and mitigation measures have been utilised. These should be incorporated in accordance with guidance set out in both the SFRA Level 1 and 2.
- 8.29 It is important that new development takes account of flood risk across the lifetime of the development, including making allowances for any future risk as a result of climate change. Measures to avoid, control, manage and mitigate flood risk should also not increase flood

¹⁴⁶ Portsmouth has two designated main rivers: Great Salterns Drain and Farlington Marshes Gutter

¹⁴⁷ <https://www.gov.uk/government/publications/personal-flood-plan>

risk elsewhere. Due to the low lying island geography of Portsmouth and the risk of flooding; site specific FRA's should adopt the upper end climate change allowance in order to measure the worst case scenario.

8.30 Due to the unacceptable residual flood risks associated with self-contained basement accommodation, proposals relating to this type of development in particular will not be permitted in the City. Where development is proposed that involves significant works below ground and/or changes to drainage, further assessment (for example through a Hydrogeological Risk Assessment) may be required to determine the potential impact on groundwater and identify proposed mitigation measures.

8.31 The City Council, as appropriate, will secure ongoing maintenance and operation of approved flood mitigation and management systems through planning obligations or suitable conditions.

Sustainable Drainage Systems

Introduction

8.32 Sustainable drainage systems (SuDS) provide opportunities to reduce the cause and impacts of flooding whilst also providing multifunctional benefits including reduction in pollution levels, net gains in biodiversity and landscape improvements.

8.33 Poorly designed drainage in new development can result in increased flood risk both on and off site. Substantial areas of impermeable surfacing material, for instance, leads to increased surface runoff into the drainage system, putting pressure on the local capacity. On-site drainage systems will need to be able to accommodate the development's drainage needs over the lifetime of the development, taking account of day-to-day expected flow rates as well as risks from extreme weather events and future climate change.

8.34 Following a review published by DEFRA in 2023, it is expected that mandatory SuDS in new developments will be implemented via Schedule 3 of the Flood and Water Management Act 2010 in 2024. The implementation of this schedule will also introduce SuDS Approval Bodies whose duty it will be to adopt new drainage systems on the basis that they meet certain conditions.

Development Management Policy PLP32: Sustainable Drainage Systems



- 1. Development proposals will be permitted where they ensure the surface run-off rates from the proposed development do not exceed the existing surface run-off rates, with betterment preferred.**
- 2. Development proposals in areas at risk of flooding from surface water will be permitted where the net surface run off is actively reduced when compared to pre-development levels.**
- 3. All applications should minimise the amount of hard landscaping and incorporate permeable surfacing to reduce surface water run-off.**
- 4. All applications should incorporate methods for rainwater harvesting, such as water butts.**

5. Development proposals will be permitted where SuDS are incorporated and ensure that:

- a) They incorporate green infrastructure and maximise multi-functional benefits including net gains in biodiversity;**
 - b) They are sensitively located and designed to promote an enhanced landscape/townscape and good quality spaces that improve public amenity;**
 - c) Surface water will be separated from foul water flows within the site or it may be discharged into the sea, a watercourse or surface water sewer. If all options have been robustly demonstrated not to be possible, the post development rate of discharge of surface water to the combined system should be no greater than the existing rate. Surface water connections to the foul sewer system will not be accepted;**
 - d) Any surface water resulting from development on greenfield sites will not be permitted to enter the combined or foul water system;**
 - e) Details for future maintenance over the lifetime of the development shall be included with the proposal as part of a sustainable drainage strategy; and**
 - f) A joined up approach is taken across the whole site.**
- 6. Development proposals will be permitted where they provide proportionate evidence to demonstrate that wastewater infrastructure can accommodate or be improved to accommodate the proposals and that appropriate provisions will be made. Where necessary, occupation of development should be phased to align with the delivery of network reinforcement, in liaison with the service provider.**

Supporting text

8.35 The purpose of this policy is to reduce the City's vulnerability to surface water flooding through appropriate management and ensuring there is no net increase in surface water run-off from new development.

8.36 Southern Water have made significant improvements to local infrastructure in recent years, separating surface water from the combined sewer system in parts of the City to reduce pressures on wastewater treatment. There are, however, parts of the sewer system which are now in an aged condition with limited capacity to take on new demands. The Council expects new development to assess rates of surface runoff from new development and ensure that there is no net increase as a result of the proposal. Net surface runoff should be actively reduced compared to pre-development levels.

8.37 Some locations within Portsmouth are at greater risk of surface water flooding as outlined within the Appendix A Figure 3 of the Level 1 SFRA (Risk of Flooding from Surface Water). There should be a net reduction in surface water run-off achieved on all development sites identified as at risk from surface water flooding. The Level 2 SFRA provides further site-specific guidance for strategic and allocated sites. Development should accord with these recommendations.

8.38 It is appropriate to expect SuDS to be incorporated on all new development with the implementation of Schedule 3 of the Flood and Water Management Act 2010 in 2024. Given the highly urban nature of Portsmouth and the flooding risks that are posed, new development must not increase the level of surface water run off compared to existing levels on all sites. Opportunities should be sought to reduce these run off rates to minimise pressure on the foul water networks and also the risk of flooding. The benefit of SuDS can be seen in figure 8.3 below.

8.39 As Portsmouth is one of the most densely populated cities in England, the cumulative effects of surface run off, even from smaller and householder applications can have a significant effect. Therefore, all proposals must minimise the levels of impermeable surfacing, for example on driveways and gardens, unless there are overriding reasons that render their use unsuitable. All applications should also incorporate appropriate rainwater harvesting. Rainwater harvesting can range from simple measures such as garden water butts to larger more complex systems that store water in tanks for reuse for activities such as washing cars.

8.40 SuDS can significantly reduce a development's impacts on surrounding water quality. Above-ground SuDS should contain features that have the ability to contribute to green infrastructure, biodiversity net gain, improvements to amenity and landscape benefits.

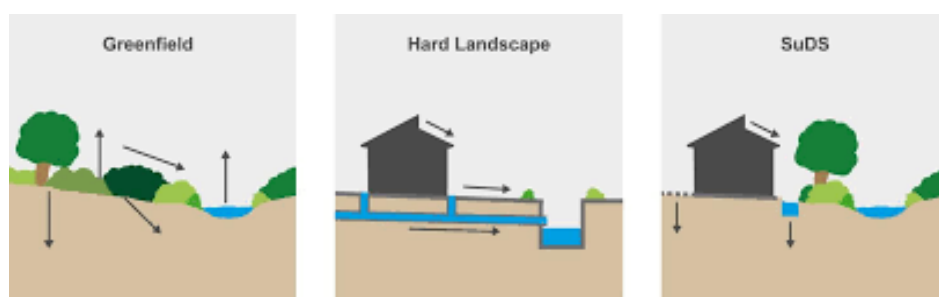


Figure 8.3: Example of how SuDS can reduce run-off rates from development on greenfield sites and return these to pre-development levels (Source: Southern Water)

8.41 Provision must be made for the whole life operation and maintenance of drainage features, so that they remain effective, including taking account of projected climate change. Where SuDS are intended to play a multi-functional role, such as delivering biodiversity benefits, this should not reduce their primary function for the lifetime of the development.

8.42 Development proposals should include an indicative drainage strategy to demonstrate how the disposal and management of surface water is to be dealt with. This should include how sustainable drainage will be incorporated into the development. This strategy should be proportionate to the site and the proposed development and include provisions for long term future maintenance of these systems. Early consultation with Southern Water is recommended during the design phase of the proposal regarding capacity for wastewater for the lifetime of the development.

8.43 To support Southern Water's aim of minimising surface water inputs to its foul drainage network, the company will now adopt certain types of SuDS, taking on future maintenance

as appropriate. Further details can be found in their guidance document¹⁴⁸. If the developer intends to take this approach, engagement must be made early in the design process.

8.44 Southern Water's guidance document also sets out the hierarchy for management of surface water for new developments, which is reflected in part H3 of the Building Regulations that must be followed; this is illustrated in figure 8.4. Surface run off should be discharged as high up the hierarchy of drainage options as reasonably practicable and robust evidence provided where this cannot be achieved. To promote efficient use of the foul sewerage system, and release capacity for foul water conveyance, surface water should be separated within the site.

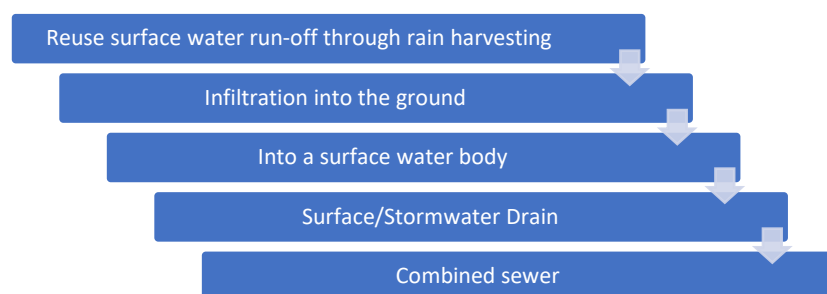


Figure 8.4: Drainage hierarchy for management of surface water

8.45 Given the minimal amount of greenfield land open to development within the City, surface water run off post-development will not be permitted to enter either the combined system or foul water network. All surface run-off will have to be disposed of either through reuse, infiltration, into a nearby watercourse or surface water drain.

Sustainable Construction and Onsite Renewable Energy

Introduction

8.46 The Climate Change Committee report 'The Sixth Carbon Budget: Buildings'¹⁴⁹ states that the built environment is estimated to account for 23% of greenhouse gas emissions, both direct and indirect, in the UK. Reducing greenhouse gas emissions from the built environment is therefore essential to contribute to the ambition of carbon neutrality by 2030, as set out in the Climate Emergency Declaration.

8.47 The Climate Change Committee (CCC) sixth carbon budget report suggests that in order to deliver net zero by 2050 as required by the Climate Change Act (2008), all new development should target net zero as soon as possible to avoid additional emissions and catalyse the wider decarbonisation.

8.48 Portsmouth is particularly vulnerable to the risks associated with higher temperatures and overheating during the summer months. As a highly urbanised area, Portsmouth is susceptible to the Urban Heat Island effect whereby air temperatures within the City are warmer than rural areas as the sun's radiation is absorbed by dark, artificial surfaces and then re-radiated into the environment. Climate change is expected to bring increased incidences of heat waves and hot weather events, particularly during the summer months, which is likely to further compound the Urban Heat Island effects on the City. Overheating can be a common issue in homes, public buildings and transport infrastructure due to poor design and the prevalence of older buildings and facilities. The

¹⁴⁸ <https://www.southernwater.co.uk/media/4532/suds-outline-guidance.pdf>

¹⁴⁹ <https://www.theccc.org.uk/publication/sixth-carbon-budget/>

rising average temperatures and increased occurrences of summer heatwaves present a heightened risk for the most vulnerable populations in the City, such as the elderly and those living with life-limiting health conditions. Areas of higher economic deprivation may also be disproportionately impacted by hotter temperatures as they are less able to afford adaptive measures to cope with high heat.

- 8.49 It is important that new development and changes of use incorporate appropriate adaptations in order to be resilient to the future impacts of climate change with consideration of future climate projections for the lifetime of the development. New development is also expected to minimise emissions of carbon dioxide and other greenhouse gases both as part of the construction process, as well as in the operation of the building itself once complete.
- 8.50 Sustainable design and construction practices should therefore strive to make the most efficient use of natural resources and identify opportunities to reuse or recycle materials within the construction process, including the reuse of old buildings where appropriate. Waste products should be reduced, re-used or recycled as much as possible. These practices will also help to reduce embodied carbon within the construction process.
- 8.51 Greenhouse gas emissions are produced at all phases of the development process. As well as the emissions associated with the use of a building, there is carbon embodied into the extraction, manufacture and transportation of building materials, construction, maintenance, repair, replacement, demolition, and eventual material disposal.
- 8.52 Masterplanning of new development should make best use of a site's characteristics and topography to optimise the sustainability of a development as a whole, taking account of wider infrastructure and other issues. For instance this may include incorporating suitable areas for renewable energy generating technologies, electric vehicle charging, secure bike storage or wildlife friendly features within the design and layout of a scheme, as well as taking account of wider green or ecological networks.
- 8.53 The Portsmouth City Council Climate Change Strategy 2022 (CCS)¹⁵⁰ sets out how development can provide Mitigation Support and encourage carbon emission reductions through:
- Promoting measures to increase re-use or recycling of building materials and reduce waste.
 - Promoting initiatives to reduce consumption of materials and products.
 - Promoting local production of materials and products to reduce transport distances.
 - Promoting increased domestic and commercial energy efficiency and usage reduction.
 - Promoting lower carbon fuel and onsite renewable energy sources.
 - Enhanced PCC planning requirements for low carbon and carbon neutral development for new developments and existing build enhancements, that also support low carbon travel and transport.
 - Ensuring we have committed and united net zero carbon leadership with a clear system of accountability.
 - Increase energy micro-generation within our estate.

¹⁵⁰ <https://www.portsmouth.gov.uk/wp-content/uploads/2022/12/Climate-Change-Strategy-2022-Accessible.pdf>

8.54 The City's water supply is provided by Portsmouth Water, with wastewater treatment managed by Southern Water. Water resources should be managed prudently and sustainably for the future, and with consideration of the wider Southeast region, which is identified as an area of serious water stress. Portsmouth Water is looking to improve resilience through the Havant Thicket Reservoir¹⁵¹, and Southern Water is looking to improve water quality and resilience through its Water for Life programme¹⁵².



Development Management Policy PLP33: Sustainable Construction and Onsite Renewable Energy

- 1. Development proposals will be permitted where they are designed to reduce their impact on the environment during construction.**
- 2. Development proposals for major development must demonstrate using a Sustainability Statement that all resources are used efficiently, as part of the construction and operation of a building, including consideration of embodied emissions.**
- 3. All developments must follow the principles of the energy hierarchy, to ensure that the design of a building prioritises energy reduction through highly energy efficient fabric measures, lighting, ventilation, and orientation. Once energy demand is minimised and efficiency design measures are in place, renewable energy technologies will be used to meet residual energy demand.**
- 4. The retention of existing buildings will be given preference to the demolition and replacement of existing buildings. Retrofitting energy efficiency measures in existing buildings will be supported. Significant weight will be given to the benefits of development resulting in considerable improvements to energy efficiency and reduction in carbon emissions in existing buildings both domestic and non-domestic including through installation of heat pumps and solar panels.**
- 5. Proposals should address rising temperatures and overheating. This should include details of how risks from overheating and heat stress for inhabitants would be addressed for the lifetime of the development.**
- 6. Development proposals that are powered by solid fossil fuels will not be permitted.**
- 7. Residential development should be designed to meet the 110 litres per person per day water efficiency standard.**
- 8. Development proposals should incorporate Swift Boxes.**

¹⁵¹ <https://www.portsmouthwater.co.uk/new-reservoir/> <https://www.portsmouthwater.co.uk/new-reservoir/>

¹⁵² <https://www.southernwater.co.uk/water-for-life/protecting-the-environment>
<https://www.southernwater.co.uk/water-for-life/protecting-the-environment>

Supporting text

8.55 The purpose of Policy PLP33 is to deliver energy efficiency and onsite renewable energy provision for development in the City to help meet the City's stated goal of becoming carbon neutral by 2030.

8.56 In December 2023 the Government issued a Written Ministerial Statement¹⁵³ preventing the adoption of local energy efficiency standards for buildings that go beyond current or planned buildings regulation. This has prevented the City Council from including ambitious targets for energy efficiency in this Local Plan in line with its Climate Change Strategy. The Council is disappointed by this decision and encourages the Government to bring in the necessary changes to the energy efficiency building regulations at the earliest possible opportunity.

8.57 Development proposals for major development must be supported by a Sustainability Statement, either as a standalone document or as part of a Design and Access Statement, which clearly demonstrates how it will address climate change mitigation and adaptation, encourage the decarbonisation of energy and transport, and support the delivery of a carbon neutral City by 2030. The preparation of the Sustainability Statement should be proportionate to the scale of the development and to the impact it will make on climate change. It will need to be submitted with the applicant as part of the validation process. Many organisations provide calculators for working out a buildings embodied carbon including the Royal Institute of Chartered Surveyors¹⁵⁴.

8.58 A Sustainability Statement is a report showing how a developer will address the City Council's objectives concerning environment and sustainability, as set out in Core Policy PLP3. It should where appropriate address the following matters:

- Water efficiency calculations
- Drainage strategy
- Community impact
- Flood risk analysis
- Transport impacts
- Thermal comfort
- Material sourcing
- Impact on pollution
- Daylight assessments
- Impact on ecology

8.59 All developments must follow the principles of the energy hierarchy, to ensure that the design of a building prioritises energy reduction through highly energy efficient fabric measures, lighting, ventilation, and orientation. Once energy demand is minimised and efficiency design measures are in place, renewable energy technologies will be used to meet residual energy demand. Figure 8.5 illustrates how the energy hierarchy is implemented.

¹⁵³ <https://questions-statements.parliament.uk/written-statements/detail/2023-12-13/hcws123#:~:text=Statement%20made%20on%202013%20December%202023&text=As%20a%20Government%2C%20we%20continue,the%20homes%20and%20building%20sector>

¹⁵⁴ <https://www.rics.org/profession-standards/rics-standards-and-guidance/sector-standards/construction-standards/whole-life-carbon-assessment.html>

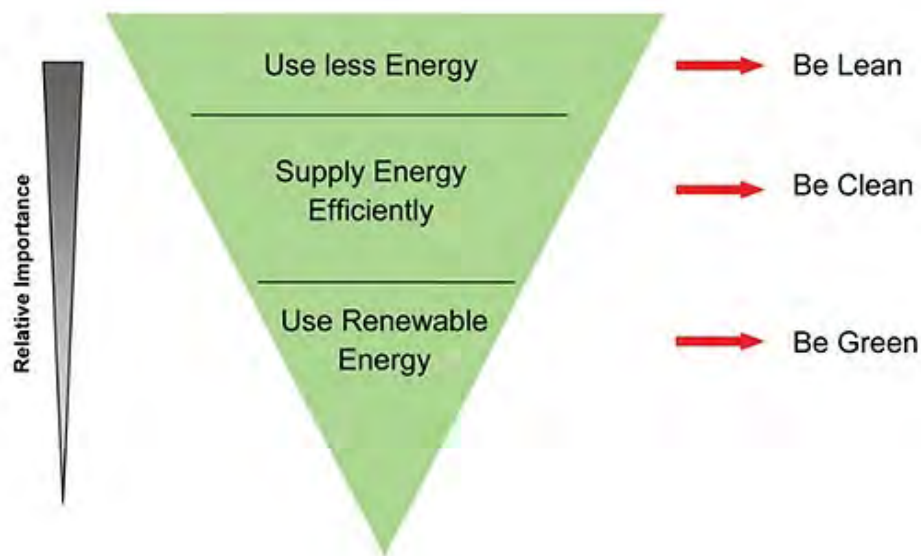


Figure 8.5: The Energy Hierarchy

8.60 Development proposals will be expected to demonstrate how the risks from overheating on inhabitants of the development for present and predicted future climate have been addressed for the lifetime of the development in the Sustainability Statement. The Sustainability Statement should set out how risks from increasing temperatures and heat stress have been considered and addressed within the design, layout and construction of the development. The information in the Sustainability Statement should be proportionate to scale of the proposal and could cover the following:

- How internal heat generation has been minimised through energy efficient design.
- How green/blue infrastructure has been designed to cool the site and buildings.
- How buildings have been designed to reduce overheating, considering orientation, materials used and/or internal layout.
- How cooling has been achieved through passive ventilation, prior to more resource intensive measures like mechanical ventilation and active cooling.
- Other strategies for ensuring thermal comfort during the summer months.

8.61 In order to demonstrate that measures to reduce the risk of the building overheating have been integrated into all developments, the Good Homes Alliance Tool and Guidance – Overheating in New Homes¹⁵⁵ should be referred to.

8.62 The DEFRA Clean Air Strategy (2018)¹⁵⁶ states that approximately 38% of UK primary particulate matter emissions come from burning wood and coal in domestic open fires and solid fuel stoves. This compares with industrial combustion (16%) and road transport (12%). The tiny particles in smoke can enter the bloodstream and enter internal organs, risking long term health issues as well as having more immediate impacts on some people, such as exacerbating breathing problems or triggering asthma attacks. Burning domestic solid fuels leads to emissions of PM2.5 (fine particulate matter). New development should not include any boilers or other heating devices using solid fossil fuels, including but not limited to:

- Traditional house coal (or bituminous coal).

¹⁵⁵ <https://goodhomes.org.uk/overheating-in-new-homes>

¹⁵⁶ <https://consult.defra.gov.uk/airquality/domestic-solid-fuel-regulations/>

- Smokeless coal (or anthracite).
- Manufactured solid fuels.
- Wood.

8.63 Residential development should be designed to meet the 110 litres per person per day water efficiency standard. Methods of minimising water use, including the reuse of rainwater and grey water, should therefore be considered within the design of proposals. These proposals are in line with the Government's¹⁵⁷ ambitions to meet safeguard water supply and achieve net zero by 2050.

8.64 Water efficiency in residential dwellings makes a positive contribution to tackling the issues off nitrates pollution in the Solent. Council owned housing stock is currently being retrofitted to provide higher levels of water efficiency as one of the measures to meet nutrient neutrality in the Solent. This water efficiency standard has been tested through the City Council's 2021 Habitat's Regulation Assessment and the proposed approach in the Policy is found to contribute to the protection of its ecological integrity.

8.65 New development should look to incorporate Swift Boxes in order to providing space for Swifts to breed. Details on the types of swift boxes that can be installed in new buildings and advice on what would work best of specific development proposals is provided by Hampshire Swifts¹⁵⁸.

8.66 New Development should look to incorporate heat pumps and solar panels where suitable. Consideration will need to be given to the heritage impact of the installation of these technologies especially in regard to Listed Buildings and Conservation Areas.

Renewable Energy

Introduction

8.67 Accelerating the decarbonisation and decentralisation of the energy system in the UK is essential to mitigating climate change. It can also bring wider environmental and economic benefits and improve the security of our energy supply. Portsmouth has the opportunity to increase renewable energy generation and facilitate development to enable a more flexible, smart, decentralised energy system. Fossil fuel-based energy installations will no longer be acceptable. The City Council carried out a feasibility study¹⁵⁹ for large scale wind turbines in 2010, this showed that there was some potential for wind power on Portsdown Hill subject to further investigation.

8.68 It is recognised that increasing the use of renewable and other low carbon technologies is a key part of meeting the carbon dioxide emission reduction targets set by the Government in the Climate Change Act 2008. As well as incorporating low and zero energy production into the construction of new development, Local Planning Authorities need to encourage standalone schemes that contribute to national and regional targets for renewable energy production. This includes the target set in the UK Renewable

¹⁵⁷ <https://www.gov.uk/government/news/new-water-saving-measures-to-safeguard-supplies>

¹⁵⁸ https://www.hampshireswifts.co.uk/files/ugd/e556df_dc583b7444504bf8ae91f4ad3b911aa3.pdf

¹⁵⁹ https://www.portsmouth.gov.uk/wp-content/uploads/2024/05/PCC_Feasibility-Study_Large_scale_wind_Final-Report_Rev1-1.pdf

Energy Strategy¹⁶⁰ (2009) for 15% of energy to come from renewable sources by 2020. Low carbon technologies are those that significantly reduce emissions when compared to the conventional use of fossil fuels.

8.69 The NPPF requires Local Planning Authorities to support the transition to a low carbon future by helping to shape places in ways that contribute to radical reductions in greenhouse gas emissions and support renewable and low carbon energy and associated infrastructure. Community-led initiatives for renewable and low carbon energy should also be supported. This needs to be carried out in ways which ensure that any adverse impacts are adequately addressed.

Development Management Policy PLP34: Renewable Energy



- 1. Development proposals for wind turbines and solar photovoltaic arrays will be supported in principle at appropriate locations subject to it being demonstrated that there are no adverse impacts (or that they can be made acceptable) on living conditions including those from vibration, noise, shadow flicker, glint, glare and air quality.**
- 2. Development proposals for renewable and low carbon energy generation developments that are led by and/or meet the needs of local communities will be supported. Support will be given to community energy schemes which provide energy for local facilities or development areas.**
- 3. Where community support is identified for a specific technology at a given location, this will be identified as a preferred location for that technology.**
- 4. Proposals for wind and solar PV farms to re-power at the end of their operational life will be permitted, as long as the turbines and/or solar panels are replaced with new equipment of either the same or larger installed capacity, and subject to compliance with statutory, site-specific and other constraints.**
- 5. The development of Combined Heat and Power networks will be encouraged provided that:**
 - a) They use renewable and low carbon forms of energy generation; and**
 - b) Individual developments make all reasonable efforts to meet net zero through onsite measures, before connecting to a heat network.**

8.70 The purpose of Policy PLP34 is to encourage increased levels of renewable energy generation across the City. This has the potential to contribute to the City's Climate Emergency Declaration and the aim of carbon neutrality by 2030.

8.71 Standalone renewable energy generation is defined as those installations which are freestanding or standalone, are not building-mounted or wired through a building to support the onsite energy balance.

¹⁶⁰ <https://www.gov.uk/government/publications/the-uk-renewable-energy-strategy>

- 8.72 Proposals for wind turbines will need to take account of specific constraints related to the presence of protected Brent Geese. Proposals will also need to consider the potential impact upon protected Ministry of Defence facilities around the city.
- 8.73 The City has areas which are covered by a variety of designations for ecology, historic and landscape reasons. Solar photovoltaic array and wind turbine proposals will therefore need to ensure that there will be no direct or indirect adverse impacts upon these designated sites and assets, or that those impacts can be made acceptable. In addition, the impact of development on the amenity of local residents and businesses must be carefully and adequately assessed. In all cases, proposals will be judged against the other relevant policies within the locale to ensure no adverse impacts.
- 8.74 Community energy refers to the delivery of community-led renewable energy, energy demand reduction and energy supply projects, whether wholly owned and/or controlled by communities or through a partnership with commercial or public sector partners. Community Energy England provides further detail on how community energy projects work¹⁶¹.
- 8.75 Repowering is the process of replacing older power generation with newer equipment that either has a greater capacity or more efficiency which results in a net increase of power generated. Repowering can happen in several different ways. It can be as small as switching out and replacing a boiler, to as large as replacing the entire system to create a more powerful system entirely. Proposals that look to repower existing renewable energy provision will be supported.
- 8.76 Combined heat and power (CHP)¹⁶² is a highly efficient process that captures and utilises the heat that is a by-product of the electricity generation process. By generating heat and power simultaneously, CHP can reduce carbon emissions by up to 30% compared to the separate means of conventional generation via a boiler and power station.
- 8.77 The heat generated during this process is supplied to an appropriately matched heat demand that would otherwise be met by a conventional boiler. CHP systems are highly efficient, making use of the heat which would otherwise be wasted when generating electrical or mechanical power. This allows heat requirements to be met that would otherwise require additional fuel to be burnt.
- 8.78 Combined Heat and Power Networks in the City should look to contribute to good air quality through the use of renewable and low carbon forms fuels, it is expected that they would not use solid fuels as outlined in policy PLP33. Proposals for the use of CHP or to link to existing CHP networks should first consider the energy hierarchy as set out in policy PLP33.

Air Quality and Pollution

Introduction

- 8.79 The Government published in 2018 a supplement to the UK Plan, setting out conclusions for 33 local authorities based on Targeted Feasibility Studies. The

¹⁶¹ <https://communityenergyengland.org/pages/what-is-community-energy>

¹⁶² <https://www.gov.uk/guidance/combined-heat-and-power>

supplement identified eight local authorities, including Portsmouth, with more persistent long-term exceedances. The Government issued a Ministerial Direction to this group of local authorities. This Direction requires these local authorities to develop a local plan to identify the option which will deliver compliance with legal limits for nitrogen dioxide in the shortest possible time. In response, the Council prepared a Local Air Quality Plan, working closely with Government's Joint Air Quality Unit, to achieve compliance with legal limits for nitrogen oxide (NO₂) in the shortest possible time. This Policy seeks to help implement the Local Air Quality Plan. The City Council's Emissions Based Assessment¹⁶³ concluded that despite the traffic modelling predicting an overall increase in traffic flow with the development allocations in Local Plan in place 2041, the total emissions across the Portsmouth administrative area were predicted to reduce.

Development Management Policy PLP35: Air Quality and Pollution

1. Planning permission will only be granted for development proposals when it can be demonstrated, in a proportionate manner, that they will not contribute to and will not be subject to unacceptable levels of pollution, which cannot be mitigated. This includes all of the following:

- a) Air quality /odour / dust;**
 - b) Noise;**
 - c) Vibration;**
 - d) Light;**
 - e) Water including leachates;**
 - f) Any other forms of pollution.**
- 2. Planning permission will be granted where development proposals demonstrate how health inequalities and the wider determinants of health and wellbeing have been incorporated into the design, layout and the use of the development, and its impact on the mental and physical health and wellbeing of occupiers.**
- 3. Major development proposals will be required to undertake an accompanying Health Impact Assessment, demonstrating how the planning application has been informed by the findings of the assessment in regard to air quality.**
- 4. Planning permission will be granted where it addresses any potential impacts of airborne pollution on the natural environment.**

Supporting text

8.80 The purpose of Policy PLP35 is to improve air quality in the City and thus also improve the health of the City's residents.

8.81 Well-designed development can help to support health and wellbeing and create opportunities for improved health outcomes. For instance, the incorporation of quality

¹⁶³ <https://www.portsmouth.gov.uk/newlocalplanevidencedocx>

amenity, communal spaces provide opportunities for connecting with others and enabling social support and tackling issues of isolation and loneliness that have negative impacts on mental health. Integrating active and sustainable travel options would encourage walking and cycling over vehicle use, contributing to air quality improvements from fewer vehicle emissions.

8.82 It is crucial that the design of new development takes into account health and wellbeing at an early stage including consideration of air quality issues. Proposals should demonstrate how negative impacts on health have been minimised and how opportunities for protecting and improving people's health and wellbeing have been fully considered.

8.83 As well as the impact of the proposal on its location, the health and amenity of the prospective occupants/users of a proposal must also be considered in relation to the potential exposure to both existing and potential future conditions.

8.84 The Council expects all proposals to integrate health and wellbeing considerations at all stages of the development process. Major development must be accompanied by a Health Impact Assessment, proportionate to the size and scale of the development. This must be informed by the most up to date evidence for health and wellbeing in the City and demonstrate how all aspects of the development of the proposal have considered health inequalities, the wider determinants of health and how it has been informed by, and responds to, key health and wellbeing issues.

8.85 The Health Impact Assessment will produce a set of evidence-based practical recommendations that will inform decision-makers on how best they can promote and protect the health and wellbeing of local communities. It should demonstrate how the development maximises its positive impacts and minimises its negative impacts on health of residents and address health inequalities. Government Guidance on Health Impact Assessment provides further detail and links to supporting information¹⁶⁴.

8.86 Proposals will need to take account of where development is likely to have an adverse effect on air quality, especially in areas where it is already known to be poor and could affect the living conditions or health of occupiers, and where it could be impacted by Portsmouth's Local Air Quality Local Plan¹⁶⁵, Air Quality Management Areas¹⁶⁶ and the Clean Air Zone(s)¹⁶⁷, as well as the potential for cumulative impacts. Opportunities to improve air quality or mitigate impacts should be maximised by traffic and travel management or green infrastructure provision and enhancement. The City Council has produced an evidence study looking at the impacts of air quality of health which highlights the areas of the city most affected¹⁶⁸.

¹⁶⁴

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/929230/HIA_in_Planning_Guide_Sept2020.pdf

¹⁶⁵ <https://www.portsmouth.gov.uk/wp-content/uploads/2020/04/air-quality-local-plan-2019.pdf>

¹⁶⁶ <https://www.portsmouth.gov.uk/wp-content/uploads/2020/04/cmu-air-quality-map.pdf>

¹⁶⁷ <https://cleanerairportsmouth.co.uk/>

¹⁶⁸ <https://www.portsmouth.gov.uk/newlocalplanevidencedocx>

8.87 Air Quality Impact Assessments (AQA's) on major developments should consider air quality impacts at all stages of a proposal, from the initial designs through to construction and occupation with consideration of appropriate mitigation. Ideally Assessments would be closely aligned with any Health Impact Assessment of the proposal. The type of AQA required will depend upon the significance of any air quality issue, the scale over which impacts might be expected and their likely significance. AQAs should also refer to the advice set out in national guidance. It is advised that agreement on the approach to AQA be sought with the council at the earliest opportunity.

8.88 Major Development proposals should look to address the impacts of air quality on the natural environment. In particular, it should address the traffic impacts associated with new development, particularly where this impacts on Habitats sites and SSSIs.

Coastal Zone

Introduction

8.89 As an island City, Portsmouth has a significant length of coastline, which brings a range of benefits. On the eastern coastline, the intertidal and connected onshore areas form an integral part of the protected Langstone Harbour environment. This area features some of the City's more extensive areas of open space that help to support roosting and feeding sites for Brent Geese and Waders and the intertidal zone supports a range of species. In contrast, the western seaboard around Portsmouth Harbour is more urbanised and includes Gunwharf Quays, marine employment areas including the International Port and the Naval Base, which are all key to the ongoing economic productivity of the city.

8.90 The Coastal Zone was defined based upon the open nature of the of the landscape bordering the shoreline. The land in the Coastal Zone has a landscape and amenity role that is integrally tied to the coast and which forms its setting. Existing built-up areas and the strategic sites allocated in this Local Plan were largely excluded from the Coastal Zone as they would be acceptable for a wider range of redevelopment opportunities. Redevelopment proposals in the areas close to the coast but not in the Coastal Zone should still take account of the setting of the coastline in their design. Marine and maritime uses are an integral part of the Coastal Zone and were included where they were outside the existing built up urban area. The Coastal Zone largely comprises open landscape scale spaces in close proximity to the coast, and in some cases further inland. Figure 8.6 is a map of the Coastal Zone and the exact boundary is plotted on the Policies Map.

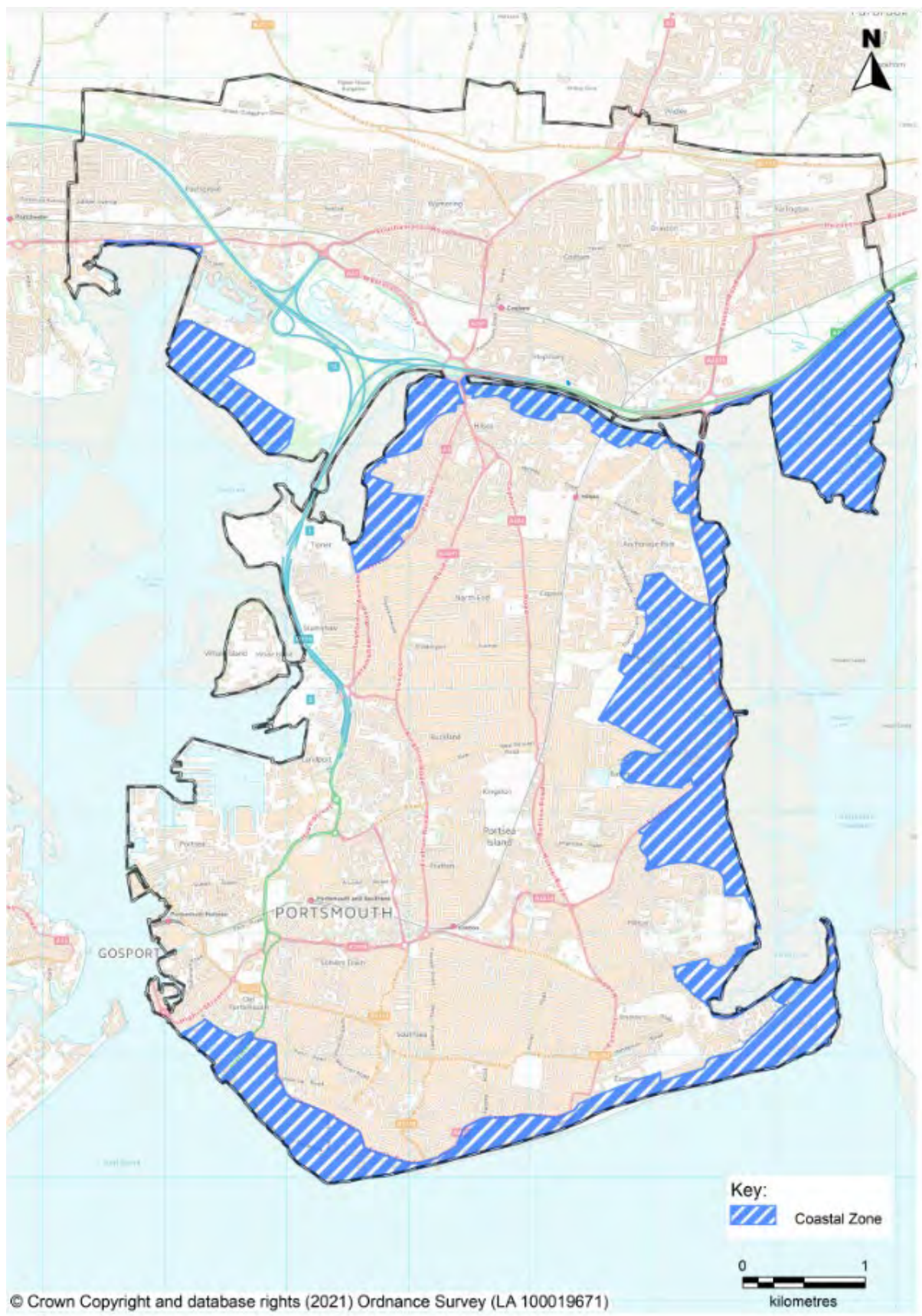


Figure 8.6: Coastal Zone

8.91 The coast accommodates a wide variety of different uses including tourism and recreation, open space and nature reserves, heritage and marine and maritime related industries. However, the coast is increasingly under pressure from population growth, development needs, flooding and sea level rise. The construction and maintenance of coastal flood defences is required in order to protect existing homes, businesses and key infrastructure.

Development Management Policy PLP36: Coastal Zone



1. Development proposals in the Coastal Zone, as defined on the Policies Map, will be permitted where they:

- a) Avoid adverse impacts on the functionality of marine and maritime related uses;**
- b) Seek opportunities to maintain and enhance sustainable access for all to the coast whilst minimising recreational disturbance to bird populations;**
- c) Conserve and enhance the character of the Coastal Zone;**
- d) Protect and where possible enhance key views to and from the Coastal Zone linking the City to its wider landscape setting; and**
- e) Are consistent with the Shoreline Management Plan and South Inshore and South Offshore Marine Plans.**

8.92 The purpose of policy PLP36 is to protect and enhance access to, the character of and views in and out of the Coastal Zone. The Policy also aims to protect marine and maritime related uses.

8.93 The Coastal Zone contains a large number of marine and maritime uses. These include but are not limited to marinas (Southsea and Port Solent), wharfs (Kendall's Wharf) and recreational marine businesses (Southsea and Clarence Piers, Andrew Simpson - Watersport Centre and South Coast Wake Park). These businesses require direct access to the coastline in order to function. Development proposals should avoid adverse impacts on the functionality of these businesses.

8.94 Much of the Coastal Zone is used by Brent Geese and Waders as supporting habitat to their Primary Habitat on Portsmouth and Langstone Harbours. The impact on the presence of Brent Geese and Waders on development is dealt with under policies PLP42 and PLP43 of the Local Plan.

8.95 As a waterfront City one of Portsmouth's greatest assets is the access for its residents and visitors to the coastline. This access provides recreational and health benefits, as well as providing a significant economic opportunity supporting waterside businesses including cafes and restaurants. The waterside in large part now forms part of the recently extended 46 km (28.6 miles) stretch of the England Coast Path¹⁶⁹ from Gosport to Portsmouth, which opened to the public in 2022. Where development takes place

¹⁶⁹ https://www.nationaltrail.co.uk/en_GB/trails/england-coast-path/

adjacent to the coastline proposals should retain and enhance public access where it already exists and provide new access by active means, such as walking and cycling, which is suitable for all users adjacent to the coastline where there is not an existing extant access. Access should look to join to existing adjoining access or provide opportunity for future linkages to adjoining areas which do not have them.

8.96 The character of the Coastal Zone is defined by the wide open spaces on the edge of the city facing onto the Solent, and Portsmouth and Langstone Harbours. These areas are dominated by the presence of the coast. Proposed development on the coastline should be appropriate in nature and character to its location, avoid significant adverse impacts upon the coastal setting and views; and avoid encroachment upon existing marine and maritime uses. For example, lighting associated with any building or structure must take account of navigation in coastal waters.

8.97 Key views to and from the Coastal Zone to the surrounding landscape include but are not limited to:

- Eastern side of Portsea Island across Langstone Harbour to Hayling Island and the South Downs to the north of Chichester;
- Southsea shoreline from the water including views from / to key historic features such as Southsea Castle and Gosport;
- Portsmouth Harbour to and from Gosport, Old Portsmouth and Gunwharf Quays;
- Tipner and Horsea Island to Portchester.

8.98 A Shoreline Management Plan (SMP) is a high-level, non-statutory, policy document setting out a framework for future management of the coastline and coastal defences. It promotes management policies that will achieve long-term objectives, the Solent Area is covered by the North Solent Shoreline Management Plan, which was developed in partnership with the Solent Local Planning Authorities, Natural England and the Environment Agency. Further detail on the North Solent Shoreline Management Plan can be found in the supporting text to policy PLP31.

8.99 The South Marine Plan¹⁷⁰ introduces a strategic approach to planning within the inshore and offshore waters between Folkestone in Kent and the river Dart in Devon. It provides a clear, evidence-based approach to inform decision-making by marine users and regulators on where activities might take place within the marine plan area.

Contaminated Land

Introduction

8.100 Portsmouth's coastal location and long history of industrial, landfill and military activities have left a legacy of land contamination throughout the City. Failing to adequately address land contamination can have serious implications for human health, property and the wider environment.

8.101 All local authorities have a duty to inspect their areas for contaminated land, and to deal with any contamination in a satisfactory way in accordance with the Environmental

¹⁷⁰

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/726867/South_Marine_Plan_2018.pdf#:~:text=1.%20The%20South%20Marine%20Plan%20introduces%20a%20strategic,might%20take%20place%20within%20the%20marine%20plan%20area.

Protection Act 1990. The Act defines contaminated land as an area where significant harm is being caused or is likely to take place because of the substances in, on, or under the land, or where the pollution of controlled waters has occurred, or is likely to be caused. All councils throughout the country are legally obliged to produce a strategy for contaminated land and the Contaminated Land Strategy for Portsmouth is published on our website¹⁷¹.

Development Management Policy PLP37: Contaminated Land



- 1. Planning permission will only be granted for development on or near contaminated land or where the presence of contamination is reasonably suspected where appropriate and sufficient measures can be taken to remediate and/or satisfactorily mitigate the risk of contamination. Such measures must address the long-term safety of the proposed development, the end users of that development and the natural environment and include the future management of the site.**

Supporting Text

- 8.102 The purpose of this policy is to prevent unacceptable risks from contamination in Portsmouth.
- 8.103 To address land contamination in Portsmouth, the applicant should ensure any potential issues are identified and discussed with the Council as early as possible in the development process.
- 8.104 Where contamination is known, or is suspected, and a sensitive land use, such as housing, is proposed planning applications must be supported by sufficient information from a desk study and intrusive investigation to demonstrate that remedial measures are available to make the site safe for the proposed end use.
- 8.105 The Council will support land uses in principle which propose a beneficial use on known or suspected contaminated land, where the site-specific history poses a low risk and/or where effective remediation can be achieved to comply with national policy.
- 8.106 The applicant must consider and address contamination issues positively and proactively to the satisfaction of the Local Planning Authority before gaining planning permission and have an agreed scheme in place before development commences. The investigation of land can be time consuming, and this must be factored into any proposed development, as works cannot progress until this aspect has been agreed in writing with the Council. Commencement without agreed measures in place may void any planning permission granted by the council, rendering any resulting development unlawful.
- 8.107 Development proposals will be expected to seek sustainable solutions to the remediation of contaminated land.

¹⁷¹ <https://www.portsmouth.gov.uk/services/council-and-democracy/policies-and-strategies/contaminated-land/>

Chapter 9: Greening the City

Introduction

9.1 In December 2021 Portsmouth City Council declared that we are experiencing a nature emergency¹⁷², recognising that:

- Nature is in long term decline and urgent action must be taken to reverse this.
- A thriving natural environment underpins a healthy, prosperous society.
- The nature crisis and the climate emergency are intrinsically linked and that the impacts of the climate crisis drive nature's decline, while restoring nature can help to tackle the climate crisis.

9.2 The Declaration committed to embedding nature's recovery at the heart of all strategic plans, policy areas and decision-making processes including the Local Plan. The Declaration also said the Council should set clear strategic goals for nature recovery by 2030 covering the following areas:

- Committing to protect 30% of land for nature by 2030 in line with national and international commitments to biodiversity.
- Increasing space for wildlife and long-term maintenance and expansion of a Nature Recovery Network.
- Reducing pressure on wildlife.
- Improving doorstep access to nature, particularly for those from disadvantaged backgrounds.
- Supporting communities and businesses to make better decisions and take action to support nature's recovery.

9.3 The Local Plan will sit alongside other City Council strategies and initiatives to set out our approach to meeting the commitments set by the declaration.

Background

9.4 By 2040, the population of Portsmouth is forecast to grow to approximately to 226,000 people. As our City grows and more people move into already crowded spaces, it is important to transform our urban areas into healthy places to live. An increasing body of research tells us that we should be letting nature back in. We have a responsibility as human beings to take care of nature in our cities. In return, the benefits to our health would be huge.

9.5 The most recent State of Nature report¹⁷³, published in 2023, suggests there has been a 19% decline in the average abundance of wildlife in the UK since the 1970s. Changes in land use and the distribution of habitat types have caused changes in biodiversity with an overall picture of ongoing species decline.

9.6 The UK's urban areas are where most people make a connection with nature. There is therefore enormous potential for engaging people to act individually in their own gardens or to act together in local green space projects. This is being supported by policy and

¹⁷² <https://democracy.portsmouth.gov.uk/ieListDocuments.aspx?CId=146&MId=4634&Ver=4>

¹⁷³ https://stateofnature.org.uk/wp-content/uploads/2023/09/TP25999-State-of-Nature-main-report_2023_FULL-DOC-v12.pdf

planning regulations to ensure best practice in new developments and management of existing green spaces, as well as through empowering citizens to take individual and collective responsibility for the nature on their doorstep.

The benefits of green spaces in cities

9.7 Planning cities to include green spaces wherever possible is the first step in making our urban areas healthier. For example, creating green roofs has proven to reduce the urban heat island effect. Having soil, plants and greenery on our roofs would both reduce surface temperature and serve as insulation for the structures below, reducing the energy needed to heat and cool the buildings. Green roofs can also help regulate rainwater, trapping it as it falls and filtering out pollutants.

9.8 Trees in our streets also play their part, and a variety of tree species can have a profound effect on our biodiversity. If we give space to natural processes and link up our green spaces, we can create flourishing and wild ecosystems in man-made environments.

9.9 Nature isn't just a great habitat for wildlife but it is good for children to play in. Simply having access to green spaces in cities can do wonders for our stress levels and concentration at work. Something as simple as a five- to ten-minute break during the workday can improve well-being and boost productivity.

9.10 Green spaces are vital for everyone and everyone should feel the benefit. Parks should be easily accessible, democratic spaces, somewhere you can go, and meet people from all walks of life within your and the wider community.

Greening Strategy and Development Plan

9.11 The Greening Strategy and Development Plan¹⁷⁴, adopted in October 2023 has a series of Green Infrastructure Objectives, which set out the Councils ambitions for greening:

- **Create:** Install new multi-functional green infrastructure, prioritising those areas with the poorest access.
- **Improve:** Improve and develop existing green infrastructure to better suit the needs of the population and wildlife.
- **Protect:** prevent removal of or damage to existing green infrastructure during building works
- **Maintain:** Ensure areas are well maintained and that plans are in place for effective funding, governance and stewardship of green infrastructure to enable long term sustainability.
- **Connect:** Improve connectivity of green infrastructure within Portsmouth reducing habitat fragmentation and improving opportunities for active travel.
- **Access:** Promote and provide healthy, accessible facilities across all social group and areas of the City.
- **Active:** Increase use of green infrastructure by developing activity programmes and green social prescribing.

¹⁷⁴ <https://democracy.portsmouth.gov.uk/documents/s47997/Appendix%20%20-%20Greening%20Strategy%20and%20Delivery%20Plan.pdf>

- **Evaluate:** Ensure systems are in place for the evaluation of new green infrastructure projects so that benefits can be measured and informed decisions can be made in future.

Green Infrastructure

Introduction

9.12 Green Infrastructure plays an important role in, mitigating and adapting to climate change, enabling, and supporting healthy lifestyles through outdoor recreation and access and enhancing biodiversity. In recognition of these multiple benefits, the Council expects major development to provide green infrastructure either on-site (integrated within the development and connected to the wider green infrastructure network where possible) or as part of an offsite contribution which connects to the wider green infrastructure network. It should always be provided onsite in the first instance unless it can be shown to not be possible. Development proposals which could adversely impact upon existing green infrastructure assets will only be granted permission where suitable mitigation is satisfactorily agreed and secured. This is to ensure that the local green infrastructure network is continually safeguarded and does not become fragmented. There are many features and components of the green infrastructure network that are also associated with the Local Ecological Network.

9.13 At a national level, Natural England published its Green Infrastructure Framework¹⁷⁵ in 2023. The Framework integrates green infrastructure tools, principles, standards and design guidance. The Framework is supported by a Green Infrastructure Mapping Tool, which is part of Defra's Natural Capital Ecosystems Assessment Programme.

9.14 At a sub-regional level, the Partnership for South Hampshire (PfSH) has developed a Green Infrastructure Strategy¹⁷⁶ and associated Implementation Plan. Together they provide an ambitious long-term framework for green infrastructure and set out the green infrastructure strategic projects that will support and enable growth and development within the sub-region, whilst delivering a range of environmental and community benefits. The Strategy identifies a Green Grid across the sub region. In Portsmouth this comprises Portsmouth Harbour SPA / Ramsar, Langstone Harbour SPA / Ramsar, Southsea Seafront as a recreation area, Portsdown Hill as a visitor facility, National Cycle route 2 and the Solent Way, England Coast Path and Shipwrights Way as long distance footpaths.

9.15 At a local level, the Green Infrastructure Background Paper¹⁷⁷ Identified a wide variety of open spaces in the City that form the foundation of the green infrastructure network. It is clear that there are deficiencies in the quantities of most typologies of this open space, which will increase as the City's population grows. The Background Paper recommends that the Local Plan should address and reduce these deficiencies in order to bring about better access to high quality open space at a proportionate amount for the population of the City now and into the future. The Background paper makes the following recommendations for Green infrastructure in the City:

¹⁷⁵ <https://designatedsites.naturalengland.org.uk/GreenInfrastructure/Home.aspx>

¹⁷⁶ push.gov.uk/wp-content/uploads/2018/08/South-Hampshire-GI-Strategy-2017-2034-FINAL.pdf

¹⁷⁷ https://www.portsmouth.gov.uk/wp-content/uploads/2021/09/Green-Infrastructure-background-paper-Sep21_compressed.pdf

- Resist the net loss of green infrastructure on development sites in the City.
- Identify a strategic green grid across the city, including existing linear areas of green infrastructure.
- Protect open space through a separate policy.
- All new development is encouraged not just to avoid net loss but strive for net gains in green infrastructure.

9.16 The Background Paper identifies a proposed Green Grid made up of proposed and existing Green Corridors and areas of potential focus for the Urban Greening Factor. The Urban Greening Factor will be City wide standard in line with emerging Natural England Guidance. The Urban Greening Factor is a planning tool to improve the provision of green infrastructure and increase the level of greening in urban environments. It is applied to major developments and sets a target score for the proportion of green infrastructure within a development site for specific land uses. The City Council has an ambition to create a network of green infrastructure as set out in figure 9.1. The plan identifies a series of existing and proposed Green Corridors linking the City's open spaces and Local Green spaces to create a joined up green Infrastructure network, which promotes biodiversity and health in line with the ambitions of the City's Greening Development Plan. The Green Grid also presents opportunities to take advantage of Biodiversity Net Gain in order to strengthen linkages. The Green Grid will need to link with the proposals coming out of the emerging Local Nature Recovery Strategy work being led by Hampshire County Council.

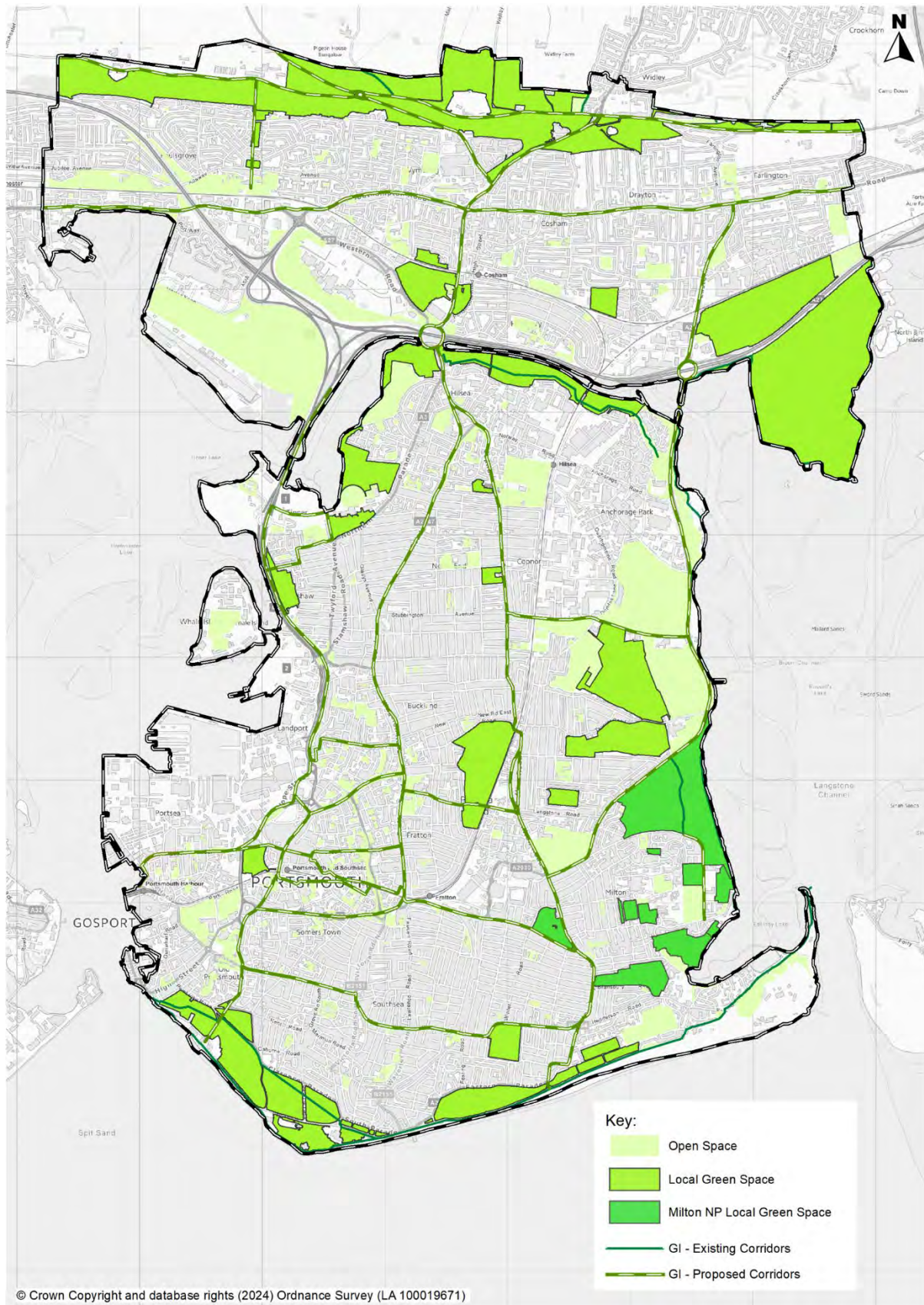


Figure 9.1: The Portsmouth Green Grid including Local Green Spaces and Green Corridors

Strategic Policy PLP38: Green Infrastructure



- 1. Development proposals will be supported provided that they maintain, protect and enhance the function, integrity, quality, connectivity and multi-functionality of the existing green and blue infrastructure network and individual sites.**
- 2. Development will be permitted where it provides or contributes to green infrastructure, in line with the five key standards as set out in the Natural England Green Infrastructure Framework including the 15 GI Principles and emerging Portsmouth City Council Greening Strategies.**
- 3. Development should look to conserve and enhance the Green Grid, as shown in Figure 9.1 and on the Policies Map, and should meet the green infrastructure priorities set out in the Portsmouth City Council Green Infrastructure Background Paper.**
- 4. Development proposals that reduce the quality of the green infrastructure network including the proposed Green Grid , as shown in figure 9.1 and on the Policies Map, will only be permitted where suitable mitigation is identified and secured.**
- 5. Development that directly impacts upon or is adjacent to proposed green infrastructure projects named in the PfSH Green Infrastructure Implementation Plan should not prejudice its future delivery and should where possible provide a physical connection to it.**
- 6. Proposals which impact the Green Grid should take opportunities to raise awareness of nature as part of the design of the scheme.**
- 7. Development that does not provide onsite green infrastructure as set out above will only be permitted where sustainable alternative green infrastructure provision of an equivalent standard is provided in close proximity to the development.**

Supporting text

- 9.17 The purpose of this policy is to take every opportunity to green the City by making green infrastructure in the City bigger, better and more joined up.
- 9.18 Major Development in Portsmouth should be designed and delivered in line with the five key standards for Green Infrastructure as set out in the Natural England Green Infrastructure Framework. These standards are:
- The Urban Nature Recovery Standard
 - Urban Greening Factor
 - Urban Tree Canopy Cover Standard
 - Accessible Greenspace Standards
 - Green Infrastructure Strategy
- 9.19 The City Council is in the process of developing strategies that set out how it intends to meet the five key standards for Green Infrastructure. When these strategies are published development proposals should take their recommendations into account. The Council intends to review its Green Grid through future detailed assessment.

9.20 Proposals should consider the 15 GI Principles as set out by Natural England. Further detailed Guidance on these principles and how they can be implemented in development have been published by Natural England's 'Process Journey for Developers and Design Teams.

9.21 Greening the City is a City-wide requirement for major development and should be evidenced by the use of an Urban Greening Factor. Until such time as the City Council publishes additional guidance, applicants should use Natural England's Urban Greening Factor as set out in its Green Infrastructure Framework using surface cover types and factors¹⁷⁸. The target minimum score for commercial development is 0.3 and 0.4 for residential developments.

9.22 Development proposals which are located close to or on future identified green infrastructure identified in the Green Grid and projects identified within the PfSH Green Infrastructure Implementation Plan¹⁷⁹ should ensure they do not adversely impact on these future ambitions. This includes preventing their future delivery, blocking/fragmenting or destroying the green infrastructure network. Exceptions will only be made where alternative provision which is the same or better quality is secured. Any proposals on protected habitat which also impact the Green Grid, and which require provision of mitigation will also need to meet the tests set out elsewhere in the Local Plan in addition to the requirements of this policy.

9.23 The Green Grid is intended to create green corridors, which provide benefits for both nature and the health and wellbeing of residents. Opportunities should be taken through the provision of signage and other ways which are accessible to the wider community to raise awareness of these benefits.

9.24 The Council will support development proposals which provide green infrastructure on site and which maximise opportunities for connections to the wider green infrastructure network, as identified through the emerging Local Nature Recovery Strategy. The Building with Nature Standards¹⁸⁰ provide further guidance on how greening can be incorporated into schemes.

Biodiversity

Introduction

9.25 The term biodiversity includes all species, communities, habitats and ecosystems. The biodiversity of the City directly provides or underpins many ecosystem services that people depend on for their health and wellbeing. Biodiversity also underpins air quality regulation and positively reduces urban heating.

9.26 The City's location between the Solent, the Harbours and the Chalk Downland combined with the urbanisation of the majority of the City's area has created a diverse mosaic of habitats that supports many rare and important wildlife species. Many of these are recognised through international, national and local nature conservation

¹⁷⁸ [UGF 3.3 User Guide \(naturalengland.org.uk\)](https://www.naturalengland.org.uk/UGF33/UserGuide)

¹⁷⁹ <https://www.push.gov.uk/wp-content/uploads/2018/08/South-Hampshire-GI-Strategy-2017-2034-FINAL.pdf>

¹⁸⁰ <https://www.buildingwithnature.org.uk/about>

designations. They form essential components of ecological networks, helping species to adapt to the impacts of climate change and other pressures; evidence for this is provided in the Green Infrastructure Background Paper. Designated sites within the City's administrative area are shown on the Policies Map and in figure 9.2.

9.27 Wildlife habitats are subject to a range of pressures, including development and recreation, and are often degraded. A landscape scale approach is needed to conserve, restore and reconnect habitats across South Hampshire. The City Council is working with Hampshire County Council and neighbouring local planning authorities on the production of a Local Nature Recovery Strategy. As well as causing direct loss of wildlife habitats, development can have a wide range of other impacts, for example, housing developments can result in disturbance to wildlife on sensitive sites by dogs and cats as well as increased recreational pressure from the local population; evidence for this is set out in the Solent Waders and Brent Goose Strategy¹⁸¹ and is dealt with in detail in Policy PLP42.

9.28 Development can have a positive impact on biodiversity and geological features, for example, by restoring an interconnected network of wildlife sites and achieving net gains in biodiversity. Urban habitats such as gardens, parks and buildings can act as stepping stones and wildlife corridors to enable wildlife to move from one place to another.

¹⁸¹ <https://solentwbgs.wordpress.com/>

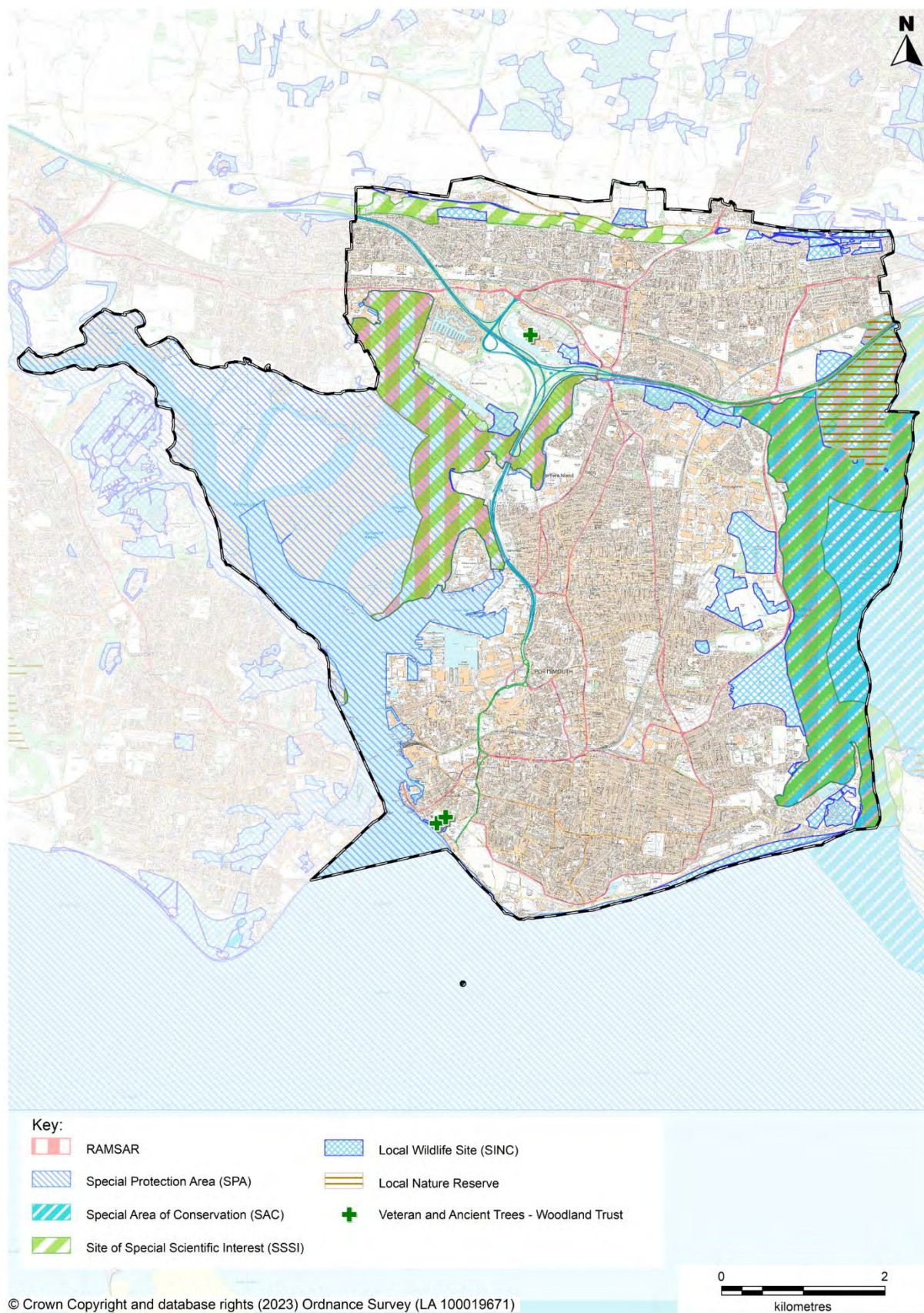


Figure 9.2: Designated nature conservation sites in Portsmouth

9.29 International sites support populations of species that are of particular importance, most notably in the Solent. This comprises the Solent and Southampton Water SPA, Chichester and Langstone Harbours SPA / Ramsar and Portsmouth Harbour SPA / Ramsar sites. Under the Habitats Regulations, the Council as the competent authority is required to demonstrate that proposals for new development avoid or adequately mitigate against impacts on these sites. A Habitat Regulations Assessment has been prepared on an iterative basis for every stage of this Local Plan¹⁸².

9.30 Further detail on the protected wildlife sites found in Portsmouth are set out in the Biodiversity and Portsmouth background paper (2021)¹⁸³.

Strategic Policy PLP39: Biodiversity



1. Development proposals will be permitted where they conserve and enhance biodiversity, giving particular regard to ecological networks and areas with high potential for priority habitat restoration or creation. Up-to-date ecological information should be submitted which demonstrates that development proposals:

- a) Retain, protect and enhance features of biodiversity interest (including supporting habitat and commuting routes through the site and taking due account of any use by migratory species) and ensure appropriate and long-term management of those features;**
- b) Contribute to the creation of larger improved wildlife habitats through the creation of linkages between sites to create and enhance local and regional ecological networks;**
- c) Protect and support recovery of rare, notable and priority species;**
- d) Seek to eradicate or control any invasive non-native species present on site;**
- e) Contribute to the protection, management and enhancement of biodiversity for example by supporting the delivery of green infrastructure and Biodiversity Action Plan targets and enhance Biodiversity Opportunity Areas; and**
- f) Comply with the mitigation hierarchy as set out in national policy.**

2. The following hierarchy of site designation will apply in the consideration of development proposals:

- a) Internationally Protected Sites as shown on the Policies Map and figure 9.2: Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Ramsar Sites, or candidate and formally proposed versions of these designations:**

¹⁸² https://www.portsmouth.gov.uk/wp-content/uploads/2024/05/PLP_HRA_FINAL.pdf

¹⁸³ https://www.portsmouth.gov.uk/wp-content/uploads/2021/09/Biodiversity-Background-Paper-Updated-2021_compressed.pdf

- i. Development proposals with the potential to impact alone or in combination on one or more international sites(s) will be subject to a HRA to determine the potential for likely significant effects. Where likely significant effects may occur, development proposals will be subject to Appropriate Assessment; and
 - ii. Development proposals that will result in any adverse effect on the integrity of any international site will be refused unless it can be demonstrated that: there are no alternatives to the proposal; there are imperative reasons of overriding public interest why the proposal should nonetheless proceed; and adequate compensatory provision is secured.
- b) Nationally Protected Sites as shown on the Policies Map and figure 9.2: Sites of Special Scientific Interest (SSSI) and National Nature Reserves (NNR):
 - i. Development proposals considered likely to have a significant effect on nationally protected sites will be required to assess the impact by means of an Environmental Impact Assessment; and
 - ii. Development proposals should avoid impacts on these nationally protected sites. Development proposals where any adverse effect on the site's notified special interest features is likely and which cannot be either avoided or adequately mitigated will be refused, unless the benefits including socio economic benefits of the development, at this site clearly outweigh the likely impact to the notified features of the site and any broader impacts on the network of nationally protected sites.
- c) Irreplaceable Habitats (veteran and ancient trees) as shown on the Policies Map and figure 9.2: Development proposals which result in the loss or deterioration of irreplaceable habitats, including ancient and veteran trees will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists.
- d) Locally protected sites as shown on as shown on the Policies Map and figure 9.2: Local Wildlife Sites (LWS), including Sites of Importance for Nature Conservation (SINC), Locally Protected Sites (Sites of Nature Conservation Importance (SNCI)) and in addition Local Nature Reserves (LNR):
 - i. Development proposals considered likely to have a significant effect on local sites will be required to assess the impact by means of an Ecological Impact Assessment; and
 - ii. Development proposals that will result in any adverse effect on the integrity of any local site which cannot be either avoided or adequately mitigated will be refused, unless exceptional circumstances outweighing the adverse effects are clearly demonstrated.
- e) Outside of designated sites:
 - i. Development proposals should identify and incorporate opportunities to conserve, enhance, restore and recreate priority habitats and ecological

networks. Development proposals should take opportunities to contribute and deliver on the aims and objectives of the relevant biodiversity strategies including the emerging Local Nature Recovery Strategy where possible;

- ii. Where development adjoins protected sites, buffers should be provided in order to protect and enhance their biodiversity roles; and**
- iii. Opportunities should be taken to create linkages for wildlife between protected sites.**

Supporting text

9.31 The purpose of Policy PLP39 is to set out a positive strategy to ensure the conservation and enhancement of biodiversity across Portsmouth. It also sets out the approach needed for development that impacts the City's hierarchy of designated sites.

9.32 All applications for development must ensure that sufficient and up to date information is provided regarding the wildlife sites or species that may be affected by a proposal prior to determination of the development proposals. For major applications an ecology management plan must be provided, which includes mechanisms for management in the long term.

9.33 Applicants should work with the City Council in the screening and assessment process and provide the necessary information for the Council to make a determination. To avoid any damage to the integrity of these areas and the species they support, mitigation measures or contributions to such measures from new development may be required.

9.34 Details of the hierarchy of sites, habitats and species that have the potential to be impacted by development in the City are set out below.

International Designations

9.35 Portsmouth is home to several Internationally Protected sites namely the coastal SPAs (Portsmouth Harbour SPA, Chichester and Langstone Harbours SPA, Solent and Dorset Coast SPA). These SPA's typically comprise tidal estuaries and / or harbour environments, with extensive mudflats and saltmarshes as well as other associated habitat such as saline lagoons, shingle beaches and more typical terrestrial habitats such as grasslands and woodlands. They are designated for the range of over-wintering Waders and Brent Geese, as well as being protected as a breeding site for protected species notably Terns. The associated Ramsar site designations include the relevant bird populations as well as the wetland habitats present.

9.36 The Solent and Dorset Coast SPA was designated in January 2020. It protects important foraging areas at sea used by common tern, sandwich tern and little tern. This SPA covers a significant area, extending from the Isle of Purbeck in the west to Bognor Regis in the east and following the coastline on either side to the Isle of Wight and into Southampton Water.

9.37 Portsmouth Harbour SPA was registered in 1998. It provides important wintering grounds for migratory waterfowl including Dark Bellied Brent Geese, Red-breasted merganser, Dunlin and Black-tailed godwit.

9.38 Langstone Harbour forms the western portion of the Chichester and Langstone Harbour SPA. The SPA was registered in 1996. Chichester and Langstone Harbour are protected due to the presence of 18 different protected wildfowl including three types of tern (Sandwich, Common and Little Tern) which breed in the Harbour.

9.39 The Solent Maritime SAC is designated for its estuary habitat, spartina cord-grass and Atlantic salt meadows. It is a complex site encompassing a major estuarine system including 16 SSSIs spread across the Solent.

9.40 In addition to their protection as SPA, Portsmouth Harbour and Langstone Harbour are also protected as Ramsar sites. These are wetlands of international importance that have been designated under the criteria of the Ramsar Convention on Wetlands for containing representative, rare or unique wetland types or for their importance in conserving biological diversity

National Designations

9.41 These sites are designated under UK legislation as being of national importance for biodiversity or geodiversity and are afforded statutory protection due to the nationally significant wildlife features that they contain. Portsmouth has three SSSI's (the Portsmouth and Langstone Harbour SSSI's have significant overlap with the SPA's) The three SSSI sites comprise:

- Portsmouth Harbour SSSI: covers the northern extent of the Harbour. The SSSI also includes a small area of terrestrial habitat extending along the southern side of Horsea Island, where chalk spoil was dumped early in the 20th century, supporting a rich chalk grassland flora.
- Langstone Harbour SSSI: covers the majority of the harbour and encompasses the Farlington Marshes Local Nature Reserve (LNR). The area is of interest as it includes one of the largest areas of mixed saltmarsh on the south coast and its extensive cord-grass *Spartina anglica* marsh.
- Portsdown Hill SSSI: a standalone site of national interest, designated for its species-rich chalk grassland formed by its geographical conditions as an isolated east-west chalk anticline with a long south-facing escarpment.

9.42 These sites are protected from any operations likely to cause damage to the designated features. For any development to be permitted that is likely to damage these sites, the developer must demonstrate to the satisfaction of the City Council and Natural England that:

- There are no alternative solutions; and
- The reasons for the development at that site clearly outweigh the nature conservation value of the site and the national policy to safeguard the national network of such sites.

Irreplaceable Habitats

9.43 Development proposals that could impact upon irreplaceable habitats including veteran trees, should note that the significance of irreplaceable habitats may be derived from habitat age, uniqueness, species diversity and/or the impossibilities of re-creation. Further criteria relating to veteran trees is found in Policy PLP41: Trees & Hedgerows. A

map of the Ancient and Veterans trees nationwide including those in Portsmouth is maintained by the Woodland Trust¹⁸⁴.

Local Designations

9.44 Locally designated wildlife sites are valuable as a node or link in the local habitat network. These sites can provide valuable stepping stones as part of a wider green infrastructure network. On-going surveys can reveal new areas that warrant such protection. As of October 2023 there are 28 identified SINC in Portsmouth and two distinct Road Verges of Ecological Importance (RVEI). Portsmouth's Local Nature Reserve(s) are also designated as SINC. A list of the sites and their features of value is set out in the Biodiversity Background Paper¹⁸⁵.

Outside of Designated sites

9.45 In addition to the range of nature conservation designations outlined above, there are other areas in the City which are not subject to statutory nature conservation designation or legal protection, but which form an important element of the collective nature conservation resource. These include priority habitats and non-statutory designations such as Biodiversity Opportunity Areas. There are three Biodiversity Opportunity Areas covering Portsmouth namely Portsdown Hill, part of South Hampshire lowland and Heath (BOA11), Chichester/ Langstone Harbours & Hayling Island (BOA 18) and Portsmouth Harbour (BOA 19).

9.46 The Habitats Directive highlights the need for effective management of linear or continuous features essential for species migration, dispersal and genetic exchange. Such features, like rivers, mature trees and hedgerows, extend across designated and non-designated areas. These features, in particular, will provide the building blocks for achieving the Government's objective to restore and connect wildlife habitats and contribute towards a net gain for biodiversity. They are also important in providing corridors or stepping stones for species and to allow species to adapt to climate change. The maintenance and enhancement of these networks will be encouraged. These undesignated biodiversity assets are important components of the City's green infrastructure.

9.47 Protection of UK Biodiversity Action Plan priority habitats is set out in the Biodiversity 2020 Strategy and under Section 41 of the Natural Environment & Rural Communities Act. The most common priority habitats in the City include lowland calcareous grassland, Coastal Flood Plane and Grazing Marsh, Coastal Saltmarsh and Intertidal Mudflats. The full details of the priority habitats are set out in the Biodiversity Background paper which supports the Local Plan. Further habitat creation opportunities are highlighted in the Partnership for South Hampshire (PfSH) Strategic Green and Blue Infrastructure Opportunities Study¹⁸⁶.

¹⁸⁴ <https://ati.woodlandtrust.org.uk/tree-search/?v=2345647&ml=map&z=14&nwLat=50.84883559247683&nwLng=-1.1395425979836915&seLat=50.82829275855643&seLng=-1.035773295>

¹⁸⁵ https://www.portsmouth.gov.uk/wp-content/uploads/2021/09/Biodiversity-Background-Paper-Updated-2021_compressed.pdf

¹⁸⁶ <https://www.push.gov.uk/wp-content/uploads/2023/10/Strategic-Green-and-Blue-Infrastructure-Opportunities-in-South-Hampshire-Part-2-Sept-2023.pdf>

9.48 Hampshire County Council undertakes much of the habitat work of the behalf of the City Council. The full up to date records of habitats, species and designated sites for the City is held by the Hampshire Biodiversity Information Centre¹⁸⁷.

9.49 Many of the City's protected habitats are in close proximity to the existing built-up area. Schemes which border these protected sites should wherever possible take opportunities to provide buffering taking account of the specific needs of the species and habitats on the protected sites. The City's protected habitats are often fragmented. Development schemes should, if possible, take opportunities to create linkages between protected sites in order to improve the overall value of the habitats for wildlife.

Biodiversity Net Gain

Introduction

9.50 Biodiversity net gain (BNG) is a way to contribute to the recovery of nature while developing land. It is making sure the habitat for wildlife is in a measurably better state than it was before development. Figure 9.3 illustrates the process.

9.51 The Environment Act 2021 made BNG mandatory on large sites from February 2024 and on small sites from April 2024. The City Council is looking to secure 10% BNG in development across the City as a whole. The City Council is keen to secure BNG within the City onsite as a priority and if not then in close proximity in order to provide a direct benefit for the City's residents.

¹⁸⁷

<https://www.hants.gov.uk/landplanningandenvironment/environment/biodiversity/informationcentre/information>

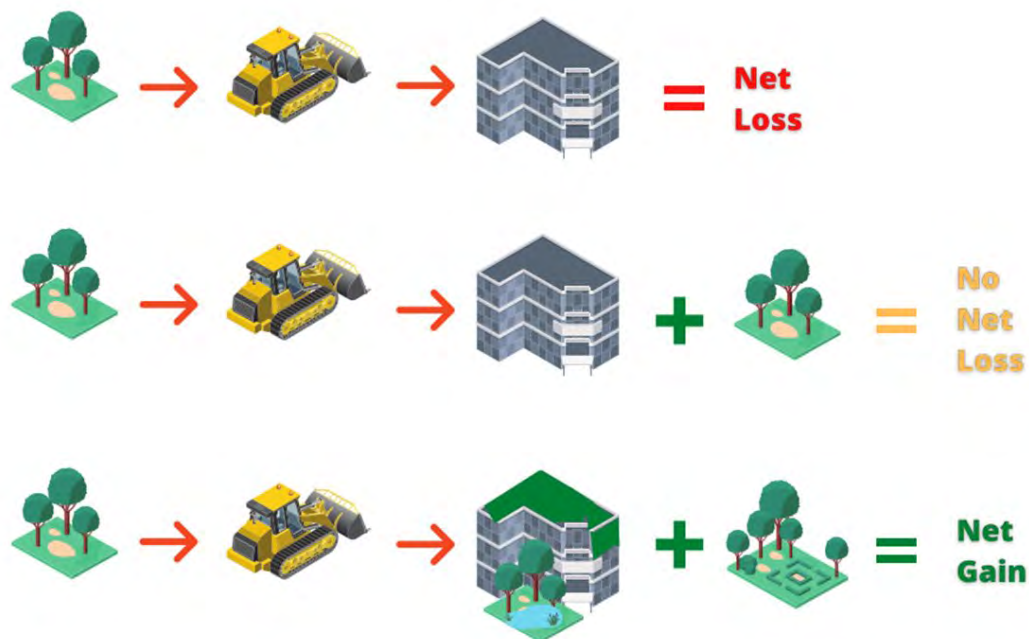


Figure 9.3: Principle of Biodiversity Net Gain

9.52 The Partnership for South Hampshire Strategic Environmental Planning Officer (PfSH SEPO) has commissioned a piece of pilot work on the behalf of the PfSH authorities to consider how to meet the BNG needs of PfSH members and aid in managing BNG on development proposals. Many of these will require offsite BNG delivery to meet the mandatory minimum 10% net gain required by the Environment Act. PfSH members own a considerable number of open spaces and green spaces, which could provide offsite BNG for developments. The initial results of the PfSH trial has shown that approximately 50% of the Cities sites assessed in the trial have some potential for BNG delivery, with a further 20% having significant potential for BNG delivery. In addition the City Council is undertaking work to ascertain the potential for further BNG on land it owns both within Portsmouth and the adjoining Districts and Boroughs.

9.53 BNG will be a key tool in the promotion of biodiversity in the City. It will contribute towards wider goals for wildlife in the City, linking closely with the emerging Local Nature Recovery Strategy work being led by Hampshire County Council. The City Council is looking into the provision of offsite BNG sites in the City. These sites would also contribute to the wider goals around provision of nature conservation and recreation opportunity in the City and surrounding area.

Development Management Policy PLP40: Biodiversity Net Gain



1. Development proposals (except exempt development) will be permitted where they:

- a) **Demonstrate at least a 10% net gain for biodiversity, accounted for in a biodiversity net gain plan.**
- b) **Development proposals should prioritise on site Biodiversity Net Gain and only use offsite banks and credits where this is not achievable.**

- c) Development proposals within the strategic sites of Portsmouth City Centre and Lakeside and the allocation site of Somers Orchard will be permitted where they demonstrate a 20% net gain for biodiversity accounted for in a biodiversity net gain plan.**

Supporting text

9.54 The purpose of the policy is to ensure that development proposals deliver measurable improvements in biodiversity. The delivery of a minimum of 10% BNG became a national target¹⁸⁸ from February 2024. The City Council is looking to improve on this position by introducing a 20% target on a number allocated three strategic sites / allocations owned by the City Council including Lakeside (PLP5), Somers Orchard (PLP15) and City Centre North (part of PLP6). These targets represent a minimum and many schemes will deliver considerably more uplift than this.

9.55 Proposals should prioritise the provision of onsite Biodiversity Net Gain followed by nearby offsite provision and lastly if this is not achievable by credit provision. The City Council is keen to provide BNG on site as a priority to provide benefits to local residents. Off-site provision should follow this order: close proximity to site the; then within the City of Portsmouth; then within the eastern portion of the South Hampshire sub region.

Trees

Introduction

9.56 The Green Infrastructure Background Paper explains the multiple benefits of trees in the City. Tree coverage is an effective means of shading and therefore cooling the urban environment during warm, sunny summer days, whilst further contributing to urban cooling through increasing rates of evapotranspiration. During times of heavy rain, a well-established tree canopy can act to intercept and slowdown rainfall easing pressure on sewerage systems and helping to mitigate flash flooding. Further benefits from trees are associated with supporting local biodiversity, removing harmful pollutants from the air and generally improving the aesthetic quality of the streetscape. Trees form a vital part of the urban ecosystem contributing to many of the wider objectives set out in this chapter including the Green grid and the delivery of BNG.

9.57 The Council has previously undertaken an in-depth study of tree coverage across Portsmouth using data sourced from aerial imagery. This research is presented in a separate paper An assessment of Tree Cover in Portsmouth¹⁸⁹. Headline findings from that study reveal that there are approximately 86,500 trees in total within the City's administrative boundaries. The area of the City with tree canopy cover equates to 9.8% of the land, which is a lower proportion of canopy cover than other comparative cities such as Southampton, Plymouth and London. The study also found that the density of trees per hectare varied considerably with wards on the mainland benefitting from highest numbers of trees, whilst those on Portsea Island, particularly to the south, had the least trees. This trend was also reflected in the ratio of trees to heads of the population, with Drayton and Farlington wards to the north having the highest ratio at

¹⁸⁸ <https://www.gov.uk/guidance/understanding-biodiversity-net-gain#:~:text=Unless%20exempt%2C%20developers%20in%20England,habitat%20when%20doing%20development%20work>.

¹⁸⁹ <https://www.portsmouth.gov.uk/wp-content/uploads/2020/05/development-and-planning-an-assessment-of-tree-cover-in-portsmouth.pdf>

about one tree per head of the ward population, and central Southsea ward in the south the poorest ratio at one tree to ten heads of the population.

9.58 In addition the City Council has a Tree Charter¹⁹⁰ which commits to planting 30,000 new trees. The charter sets out that the City Council will improve the quality, quantity and variety of the City's tree stock by implementing a long-term management plan. This management plan will, wherever practicable, ensure a commitment to the residents and visitors of Portsmouth to enhance the City's trees.

9.59 Many trees in the City are protected by Tree Preservation Orders (TPO). Where a tree is protected by a TPO anyone intending to carry out works to cut down, top, lop or uproot trees must first apply to the Local Planning Authority for its consent. Where an exception applies the Council's consent to carry out works is not needed but notice of those works may need to be given to the Council. Full details of the requirements that need to be met when undertaking work to a TPO tree are set out in full on the Council's web page¹⁹¹ and in the Planning Practice Guidance¹⁹². There are further exceptions relating to trees growing in a conservation area that are not subject to an Order.

9.60 The Natural England Green Infrastructure Framework includes an Urban Tree Canopy Cover Standard, which promotes an increase in tree canopy cover in urban environments. Trees are vital for capturing carbon and can mitigate flood risk as they absorb excess water during flooding incidents. The standard sets out that major residential and commercial development should be designed to meet locally agreed targets.

Development Management Policy PLP41: Trees & Hedgerows



1. Planning permission for development will be granted where:

- a) Proposals can demonstrate how they have been informed and influenced by the presence of trees on the site, and with particular regard to any Tree Preservation Order designations;**
- b) It can be demonstrated satisfactorily that the need for and benefits of the development clearly outweigh any loss or deterioration of woodlands, hedgerows or trees of high amenity value; and**
- c) Tree canopy cover is increased in line with the Natural England Green Infrastructure Urban Tree Canopy Cover Standard as follows:**
 - i. Tree canopy cover of at least 15% is provided on new major development;**
 - ii. Replace lost trees at a ratio of 1:1.**

¹⁹⁰ <https://www.portsmouth.gov.uk/services/leisure/wildlife-and-conservation/portsmouth-tree-charter/>

¹⁹¹ <https://www.portsmouth.gov.uk/services/development-and-planning/planning-applications/tree-works-and-tree-preservation-orders/>

¹⁹² <https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas>

2. Development proposals resulting in the loss or deterioration of aged or veteran trees, or impacting on their immediate surroundings, will be refused unless there are wholly exceptional reasons, as defined by national policy, and a suitable compensation strategy has been agreed in writing with the Council.

Supporting text

9.61 The purpose of this policy is to protect existing trees and enhance the overall level of tree cover in the City.

9.62 New and existing trees should be incorporated into new developments and development that incorporates new trees should ensure new streets should be tree lined.

9.63 If removal of any trees or hedgerows is necessary, an appropriate replacement of at least equal value will need to be provided on-site, unless it is demonstrated to be impractical to do so. Where on-site planting is not possible, the provision off-site compensation should be considered where possible to negate losses in canopy cover in the local area.

9.64 Natural England has developed an Urban Tree Canopy Cover Standard as one of its five key standards for Green Infrastructure, as set out in the Natural England Green Infrastructure Framework. Tree cover in the City's wards ranges from 5% to 14%, this covers all trees, including those on open spaces. The Council is looking to secure 15% tree canopy cover on major development, in line with guidance produced through the South Coast Tree Standards. This is intended to contribute towards the ambition to double tree cover in the city over the next 25 years. In addition all development should look to provide an increase in the levels of tree cover on site.

9.65 Works to aged and veteran trees should be determined in line with Standing advice from Natural England and the Forestry Commission ¹⁹³. This advice states that development that will result in the loss or deterioration of ancient woodland, ancient trees and veteran trees should be refused planning permission unless both of the following applies: there are wholly exceptional reasons and a suitable compensation strategy in place.

Solent Waders and Brent Geese Sites

Introduction

9.66 The Solent Waders and Brent Goose Strategy (2020) (SWBGS)¹⁹⁴ relates to internationally important brent goose and wading bird populations within and around the SPA and Ramsar wetlands of the Solent Coast. The underlying principle of the Strategy is to wherever possible conserve extant sites, and to create new sites, enhancing the quality and extent of the feeding and roosting resource. The Strategy is also concerned

¹⁹³ <https://www.gov.uk/guidance/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions#:~:text=Ancient%20and%20veteran%20trees%20can,They%20are%20also%20irreplaceable%20habitats>.

¹⁹⁴ <https://solentwbgs.wordpress.com/page-2/>

with the functionally linked land, those areas that falls outside the sites designated for Waders and Brent Geese (SPA's) the functionally linked land is identified in supporting mapping for the Strategy¹⁹⁵. The primary aims of the Strategy are as follows:

- to identify the network of core areas that are regularly used and are of fundamental importance to over-wintering waterfowl across the Solent;
- to maintain a network of sites through better management and protection from development and recreational pressure, and to ensure that they will be resilient to the pressures of climate change and predicted sea level rise in the future;
- to provide a strategy that will ensure that the network of important sites is protected, whilst reducing the current uncertainty over site use, in order to better inform key coastal stakeholders.

9.67 Whilst there are statutory mechanisms in place to designate areas of special protection for important habitats and species, there is a mismatch between such sites and the needs of the particular species or habitats of interest. Brent geese and wading birds are species of international importance generally protected under European legislation and specially protected within the Special Protection Areas (SPAs). However, birds are mobile, and they are also dependent on sites outside of formal designations and rely on the availability of a network of feeding and roosting resources.

9.68 The SWBGS provides information on the location of sites currently used by these birds, sites that are vulnerable to loss and sites that have potential for future use by waders and/or Brent Geese. The SWBGS classifies into categories the sites that act as supporting habitat to the SPAs based upon their comparative importance for the protected birds. The SWBGS is currently concerned with overwintering birds. However, PfSH have funded a study to understand the impacts of recreational pressure on summer/breeding SPA birds. The results of this are expected to be available in early 2024 at which point PfSH may consider expanding the remit of Bird Aware to cover these too.

The Solent area is heavily populated, and it is estimated that over 1.4 million people live within a ten minute drive of a car park on the Solent shoreline. Substantial additional housing is planned and much of this will be within a short distance of the coast. Based on studies elsewhere in the country, it is considered that new development would have an impact if it was built within a zone of 5.6km from the SPAs. This zone would include the whole of Portsmouth.

Strategic Policy PLP42: Solent Waders and Brent Geese Sites



1. Functionally linked sites which are used by Solent Waders and/or Brent Geese, as shown on the Solent Waders and Brent Goose mapping, will be protected from adverse impacts commensurate to their status in the hierarchy of the Solent Wader and Brent Geese Network as outlined in the Solent Waders and Brent Goose Strategy.

¹⁹⁵

<https://hiwwt.maps.arcgis.com/apps/instant/minimalist/index.html?appid=f4bbd6fe517647cba8bf0f3b8cfb7c1b>

2. Proposals that impact the functionally linked sites will need to provide mitigation as set out in the Solent Waders and Brent Goose Strategy (Guidance on Mitigation and Off- setting Requirements) document, and future updated guidance.

9.70 The purpose of the policy is to protect SPA supporting habitat used by protected Geese and Waders and ensure that where development does impact these sites the appropriate mitigation measures are provided.

9.71 The SWBGS identifies a network of supporting habitat¹⁹⁶ used by the Brent Geese and Waders as follows:

- Core Areas: sites that have either; a network value; and/or the max score of 7 in the 3 metrics: GB Importance, SPA Importance and SPA Assemblage; and/or a max count of bird use of 1000 or more.
- Primary Support Areas: sites that have a score 3-6 in the 3 metrics: GB Importance, SPA Importance and SPA Assemblage; and/or sites that score 1 in the wader metric: Species Incidence.
- Secondary Support Areas: sites that have a score of 1-2 in the 4 metrics: GB Importance, SPA Importance, SPA Assemblage and Local Value.
- Low Use Sites: have records of birds but in low numbers (score 0).
- Candidate Sites: have records of high numbers of birds (max count equal to or greater than 100) and/or a total score equal to or greater than 1 in the 3 metrics: GB Importance, SPA Importance and SPA Assemblage but have less than 3 records in total.

9.72 The Solent Waders and Brent Goose Network is regularly monitored and new evidence is continually submitted by surveyors, which provides the knowledge base and evidence to support the Strategy. Continual review is necessary to ensure the strategy is up-to-date. This can result in changes to the classification of sites. In order to check the latest classification of a site, reference should be made to the SWBGS online mapping.

9.73 The Solent Waders and Brent Goose Strategy - Guidance on Mitigation and Offsetting Requirements¹⁹⁷ document sets out the mitigation requirements dependent upon site type. The guide includes details on how to provide mitigation, including habitat type, disturbance, area of habitat, timing and availability of habitat and geographic location.

9.74 The level of mitigation and off-setting required is dependent on the importance of the site within the ecological network and how these non-designated sites support the wider designated Solent SPA network.

9.75 An indication of the anticipated costs of mitigation are also included, including worked examples.

¹⁹⁶

<https://hiwwt.maps.arcgis.com/apps/instant/minimalist/index.html?appid=f4bbd6fe517647cba8bf0f3b8cfb7c1b>

¹⁹⁷ <https://solentwbgs.files.wordpress.com/2021/03/swbgs-mitigation-guidance-oct-2018.pdf>

Recreational Disturbance on International Nature designations

Introduction

9.76 In addition to the mitigation requirements from schemes where there is a direct impact upon the habitat used by the Brent Geese and Waders as set out in Policy PLP42 there is also a need to offset the impact of recreational disturbance from new development. Bird Aware Solent¹⁹⁸ was set up in order to lessen potential recreational impacts from increased local housing development. The initiative is run by the Solent Recreation Mitigation Partnership, which is made up of 19 organisations and funded by contributions from all new residential dwellings within 5.6km of the SPAs. The current mitigation Strategy has an end date of 31st March 2034 which is six years before the end date of this Local Plan. It is intended that the Strategy is updated well in advance of its end date to inform future Local Plan updates.

9.77 Tens of thousands of birds come to the Solent coast for the winter and three Special Protection Areas (SPAs) have been designated for them. New housing around the Solent will lead to more people visiting the coast for leisure, with the potential to cause more disturbance to the birds. Research done by Bird Aware showed that additional disturbance will affect the birds' survival unless mitigation measures were put in place.

9.78 The planned mitigation measures are set out in the Solent Recreation Mitigation Strategy, which was endorsed by PfSH with the latest update published in 2020.

9.79 The main measures being implanted through the Strategy are a team of rangers to work with coastal visitors and communities to educate them about the birds and the adverse impact of recreational disturbance on them. Additional work is taking place to encourage responsible dog walking and visits to less sensitive parts of the coast. This work is particularly important as research shows that around 40% of bird disturbance occurs as a result of interactions with dogs.

9.80 PfSH provides governance to the Bird Aware Partnership, who mitigate recreational disturbance to SPA overwintering birds from additional pressures resulting from new house building. PfSH have funded a study to understand the impacts of recreational pressure on summer/breeding SPA birds, the results of this are expected to be available in early 2024, at which point PfSH may consider expanding the remit of Bird Aware to cover these too.



Strategic Policy PLP43: Recreational Disturbance on International Nature Designations

- 1. Planning permission for proposals resulting in a net increase in residential units will be permitted where a financial contribution is made towards the Solent Recreation Mitigation Strategy.**
- 2. In the absence of a financial contribution towards the Solent Recreation Mitigation Strategy, proposals will need to avoid or mitigate any in combination negative**

¹⁹⁸ <https://birdaware.org/solent/>

effects from recreation through a developer-provided package of measures for the lifetime of the development.

3. Development should avoid noise disturbance impacts on birds at the SPA sites and/or at identified terrestrial SPA supporting habitat sites though the overwintering period.

Supporting text

9.81 The purpose of the policy is to mitigate the impact of residential development and thus prevent additional recreational disturbance on protected Brent Geese and Waders.

9.82 The strategic measures set out in the Solent Recreation Mitigation Strategy require a financial contribution to be made for each residential dwelling built within 5.6km of the boundary of the Solent to mitigate the in-combination impacts of all new development on the SPA. This 5.6km buffer encompasses the whole of Portsmouth City and is the identified zone of influence for recreational disturbance on the Solent SPAs. This financial contribution covers the quantum of mitigation needed for the development to avoid having an adverse effect on the surrounding SPAs. However, some proposals by nature of their size and/or proximity to the coast may need to provide bespoke mitigation measures in addition to making the financial contribution in order to ensure effective avoidance/mitigation of impacts on the Solent SPAs. As a result, these types of development may require additional site-specific mitigation and will be determined on a case by case basis.

9.83 It is expected that the majority of schemes will mitigate their effects by payment of a contribution. The scale of the financial contribution is based on the number of net additional dwellings, and the number of bedrooms per dwelling. These figures will be updated on 01 April each year in line with the Retail Price Index. Further information on the Strategy and the contributions required can be found on the Council's or Bird Aware Solent website.

9.84 Development proposals which choose not to pay the financial contribution in accordance with the SRMS will have to demonstrate that an alternative package of mitigation measures would satisfactorily mitigate the adverse effects from recreational disturbance on the Solent SPAs. This should be carried out in consultation with Natural England

9.85 For the purposes of the SRMS a 'dwelling' includes net new dwellings created through the sub-division of existing dwellings, second homes, dwellings to be used as holiday accommodation, self-contained student accommodation and new dwellings created as a result of approval granted under the permitted development rights, for example change of use from office to residential. It includes permanent accommodation for gypsies and travellers; temporary/transit pitches will be assessed on a case-by-case basis by the local planning authority in consultation with Natural England.

9.86 If the housing scheme would have required a legal agreement for affordable housing or another matter then the provision of mitigation will be included in that. For all other schemes, applicants have the option of securing the mitigation package through either a

direct payment secured through a Section 111 Agreement or a Unilateral Undertaking; a copy of the s111 agreement is available on the Council's web page¹⁹⁹.

9.87 In order to avoid noise disturbance to birds at the SPA sites and at identified terrestrial SPA supporting habitat sites, percussive piling or works with heavy machinery (defined as plant resulting in a noise level in excess of 69dbAmax measured at the sensitive receptor) should be avoided during the bird overwintering period namely October to March inclusive. Where disturbance may occur as a result of construction activities, an assessment of impacts must be undertaken and mitigation measures outlined.

Nutrient Neutrality

Introduction

9.88 High levels of nitrogen draining from the Solent catchment area have caused excessive growth of green algae in a process called eutrophication. This is having a recognised, detrimental impact upon the region's internationally protected habitats.

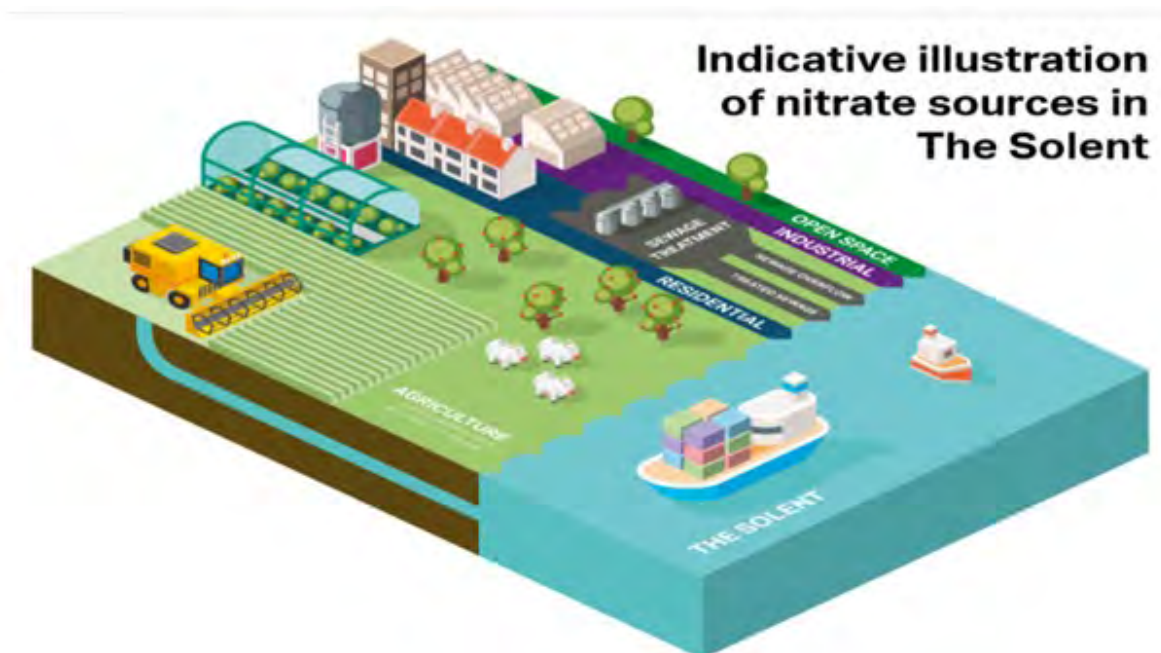


Figure 9.4: Nitrate sources in the Solent

9.89 Following changes in European Case law, Natural England advised Local Planning Authorities that all new development involving, or generating additional, overnight stays should be 'nutrient neutral', as one means of ensuring that development does not add to the existing nutrient burdens. Impacts from additional wastewater generated by new development on water quality must be appropriately addressed in order for the Appropriate Assessments of proposals to conclude that there are no adverse effects on habitat sites and for the Council's decisions to be legally compliant.

9.90 Mitigation measures to become 'nutrient neutral' are therefore required for additional dwellings (including the intensification of dwellings), tourism related development and

¹⁹⁹ <https://www.portsmouth.gov.uk/services/development-and-planning/planning-policy/nitrate-mitigation-strategy/>

any other development likely to generate an overnight stay, due to the additional wastewater generated.

- 9.91 There is evidence that the principal nutrient that tends to drive eutrophication in the marine environment is nitrogen, as supported by modelling and research undertaken by the Environment Agency within the Solent estuaries. The best available evidence therefore indicates that the focus within the Solent catchment should be on nitrogen reduction. While the nitrogen inputs (oxidised as nitrates) are largely from agricultural sources, the (relatively minor) contribution from nitrates in permitted releases from Wastewater Treatments Works may be having a cumulative impact on protected habitats in combination with other sources of nitrates.
- 9.92 Natural England advise that the uncertainties regarding the impact of new development on designated sites must be recognised for all proposals that are subject to new planning permissions and have inevitable wastewater implications from additional overnight stays. Any increase is deemed significant, however small, due to the in-combination impacts. Natural England's stance is that the achievement of nutrient neutrality, with a calculated nutrient budget, if scientifically and practically effective, is a means of ensuring that development does not add to existing nutrient burdens and would enable Appropriate Assessments to conclude no adverse effects on international sites.
- 9.93 Portsmouth City Council approved the first version of its Interim Nutrient Neutral Mitigation Strategy for New Dwellings²⁰⁰ to address the need for mitigation in 2019. The Strategy to date focused on the use of mitigation credits largely accumulated from water efficiency upgrades to the Council's housing stock to ensure there is no net increase in nitrogen output from the City. This 'business as usual' generated source of mitigation was only envisioned as able to provide 'credit' for a limited time (potentially 2-3 years). It has been subject to monitoring of both the water efficiency upgrade works and demand for/ uptake of the accumulated 'credit bank' by the development industry.
- 9.94 The Hampshire and Isle of Wight Wildlife Trust has developed a nature-based solution to provide nitrogen mitigation. The scheme works by acquiring intensively managed farmland that currently release high levels of nutrients (nitrogen) into the Solent and changing the way it is managed so that it is grazed less intensively or left to rewild to produce a much lower nitrogen output. The difference in nitrogen output can then be used to offset the impact of new development.
- 9.95 The PfSH Strategic Environmental Planning Officer (SEPO) team works with landowners on the behalf of the PfSH authorities to deliver an ongoing supply of sites to provide nutrient offsetting. Since the update to the Nutrient Neutrality Guidance in March 2023, the PfSH SEPO team have been looking for solutions in response to the demand for phosphate credits. The team is currently helping to bring forward three projects in Winchester District, the South Downs National Park and Eastleigh. In addition to these existing projects the SEPO team is developing a pipeline of future projects including the consideration of strategic PfSH level offset schemes.
- 9.96 It should be noted that nutrient budgets have been done for all sites allocated in this plan. The Council maintains a credit bank, which is currently made up of credits from water efficiency measures in City Council housing stock as well as credits from the

²⁰⁰ <https://www.portsmouth.gov.uk/wp-content/uploads/2020/05/Interim-Nutrient-Neutral-Mitigation-Strategy.pdf>

Hampshire and Isle of Wight Wildlife trust site at Nunwell on the Isle of Wight. The nutrient budget demonstrates that the city has a minimum of 5.5 years of nutrient credit supply.

9.97 On the 19th of December 2023 Central Government wrote to Local Authorities stating that: To stop pollution at source, the Levelling-up and Regeneration Act 2023 creates a new duty on water companies to upgrade wastewater treatment works (WwTW) by 1 April 2030, in catchments of Habitats Sites identified by the Secretary of State as being in an unfavourable condition due to nutrient pollution. This duty will be in effect from 26 January 2024 and the government will publish designated catchments and specific wastewater treatment works to be upgraded. The Act also requires planning decision-makers to consider these upgrades as certain for the purposes of an assessment under the Habitats Regulations. This is alongside funding for a £30 million Nutrient Mitigation Scheme in line with the Environment Secretary's direction of 28 July 2022. The Solent Catchment has secured a total of £9.6 million of this funding.



Strategic Policy PLP44: Nutrient Neutrality in International Nature Designations

1. Development proposals (except exempt development) will be permitted where they demonstrate through a nutrient budget that they secure Nutrient Neutrality through either offsetting, provision of direct and indirect mitigation measures, purchase of mitigation credits or a mixture of these.

Supporting Text

9.98 The purpose of the policy is to ensure that development proposals achieve nutrient neutrality to avoid having a detrimental impact on the recognised features of the internationally important habitats.

9.99 Mitigation is required for development which results in a net increase in population or draws additional visitors from beyond the catchment, due to the inevitable additional wastewater implications. This applies to planning applications, permissions in principle and prior approvals for the following:

- New dwellings and residential accommodation including changes of use
- Homes in Multiple Occupation enlargements (Class C4 Use to Sui Generis Use)
- Student accommodation
- Dwellings to be used as holiday accommodation including caravans
- Hotels
- Tourism attractions

9.100 Early discussion with the Council on the need for mitigation, determining the impact of the proposal and potential mitigation options is strongly encouraged.

9.101 The following approaches are currently considered to be acceptable, in principle, as means of achieving or contributing to nutrient neutrality:

- Mitigation Option 1: Offsetting against the existing lawful land use on an application site, extant permissions or other land controlled by the applicant; and/ or

- Mitigation Option 2: bespoke direct and in-direct mitigation measures, agreed in discussion with the Council and Natural England, for example, Sustainable Urban Drainage Systems (SUDS), interception or wetland creation; and/ or
- Mitigation Route 3: Purchasing of mitigation credits from recognised source of nitrogen mitigation: Purchase of mitigation credits from the Council or other landowner/ recognised source of mitigation credit, secured in perpetuity.

9.102 A mix of options can be applied. The purchase of the Council's mitigation credit (Option 3b) will be available to minor development proposals (9 units and below) and Portsmouth City Council development as appropriate. All mitigation proposals would be considered on a case by case basis and in consultation with Natural England.

9.103 Planning permission will not be granted until appropriate mitigation has been secured through a legal agreement. All proposals will be subject to standard conditions and require high level of water efficiency (an expected 110 litres per person per day as set out in Policy PLP33 on Sustainable Construction and Onsite Renewable Energy).

9.104 Agreed mitigation measures would need to be delivered prior to first occupation, which is when the 'harm' from additional wastewater would occur. A phasing of delivery and mitigation is possible for larger developments. Full details of offsetting options can be found in the Updated Interim Nutrient Neutral Mitigation Strategy for New Dwellings.

Open Space

Introduction

9.105 Portsmouth is one of the most densely populated local authorities in the whole of the UK. Overall there is a current provision of 555 hectares of open space in the City, the equivalent of 1 hectare per 375 people. The City Council's Open Spaces Study²⁰¹ and Addendum²⁰² show that there is currently an undersupply of open space in the City. Without the provision of new and improved open space in the City the undersupply is expected to worsen as the City's population grows. This policy therefore looks to encourage the provision of new and improved open space.

9.106 Access to high quality open spaces and opportunities for sport and recreation makes an important contribution to the health and well-being of communities. These spaces are also valuable areas for wildlife and biodiversity and make an important contribution to the City's adaptation and resilience to climate change. The NPPF provides protection for open space, sports and recreational buildings and land, including playing fields, which should not be developed unless very specific circumstances arise. It is in the interest of the City's residents to retain existing areas of open space whilst providing new areas as part of new development and addressing identified deficiencies to ensure the City retains a high-quality environment in which to live.

²⁰¹ <https://www.portsmouth.gov.uk/wp-content/uploads/2020/05/development-and-planning-open-spaces-assessment.pdf> <https://www.portsmouth.gov.uk/wp-content/uploads/2020/05/development-and-planning-open-spaces-assessment.pdf>

²⁰² <https://www.portsmouth.gov.uk/wp-content/uploads/2021/09/Addendum-to-2018-Open-Spaces-Study-2021-compressed.pdf>

9.107 The Council's Open Spaces Study (2018) reviewed the quality and quantity of open space across the City and provides a supplementary piece of analysis to help inform open space needs. In particular it focussed on trying to identify need and deficiencies in types of open space across the Local Plan period. The types of open spaces assessed were:

- Facilities for Children and Young People.
- Amenity Greenspace.
- Public Parks and Gardens.
- Natural and Semi-Natural Greenspace.
- Allotments.
- Cemeteries and Churchyards.
- Outdoor Sports Facilities.

9.108 The Council's Open Spaces Study Addendum (2020) revisited the assumptions in the 2018 study and looked at the needs for open space in the City against the Fields in Trust standards. The open space requirements for the City are set out in table 9.1.

Open Space Type	Standard (ha per 1,000 population)
Parks and Gardens	0.8
Amenity (informal) Green Space	0.6
Equipped play space	0.25
Total	1.65

Table 9.1: Open Space requirements for new development

Development Management Policy PLP45: Open Space



- 1. Development proposals will be permitted where they seek to create, protect and / or enhance open space and if practicable improve accessibility to open space. Enhancements of existing open spaces should seek to maximise their quality, multifunctionality and accessibility and opportunity for social interaction.**
- 2. Development proposals that would result in the net loss of open space, including outdoor sporting facilities and recreational buildings and play spaces and playing fields will be refused, unless one of the following can be satisfactorily demonstrated:**
 - a) Existing provision is surplus to requirements based upon a robust assessment of City wide need; or**
 - b) Loss resulting from the proposed development would be replaced by equivalent or improved provision, in terms of quantity and quality, in an appropriate location; or**
 - c) Development would provide alternative open space provision, the benefits of which clearly outweigh the loss of the current or former use; or**
 - d) There are wider public benefits which outweigh the harm of the loss.**

- 3. Development proposals for 50 or more new homes will be permitted where they provide an area of open space to the ratio of 1.65 ha per 1,000 people. Proposals should provide a split of open space in line with the table of open space type requirements above where possible. Where it can be demonstrated that this is not feasible, an appropriate off - site provision and /or enhancement will be secured. In the last resort an appropriate developer contribution, will be used to enhance open space elsewhere in the city.**
- 4. The nature of new open space provision should consider the needs of the intended occupants and that of the local area, and the need to provide multi- functional spaces where practicable.**

Supporting text

9.109 The purpose of this policy is protect and enhance existing open spaces and to ensure that new open space provision is secured to meet the needs of the new and existing residents. The Council's existing open spaces are shown in figure 9.1, but it should be noted that the map is only indicative and should not be considered to be a comprehensive record of open space in the City.

9.110 All proposals are encouraged to provide or enhance access to open space. For larger residential proposals the policy sets a requirement for new publicly accessible open space to be delivered as part of the development to a standard of 1.65 ha per 1000 people (assuming 2.4 person average occupancy) in line with the Council's Open spaces addendum²⁰³ for proposals of 50 or more new homes. Proposals should provide a split of open space in line with the table of open space type requirements above where possible. It is recognised that due to site specific constraints / requirements that this mix may not be practicable to deliver on all sites. Alternative mixes of open space provision will need to be justified to the satisfaction of the City Council. Where it can be demonstrated that this would be undeliverable on-site, other measures would need to be explored and agreed with the Council, such as local off-site provision or a contribution to the enhancement of nearby open space.

9.111 In order to demonstrate that open space is surplus to requirements reference will need to be made to the needs for the City as identified in the Open Space Needs and Opportunities Assessment²⁰⁴ and Addendum to Open Spaces Study.

9.112 When considering the provision of new or improved open space provision in terms of quality and quantity specific consideration needs to be given to the type of open space provided, including the patterns of existing and proposed usage by the intended users. The wider public benefits of the improved provision need to be considered including opportunities for health and wellbeing benefits, as well addressing localised deficiencies in different types of open space.

²⁰³ https://www.portsmouth.gov.uk/wp-content/uploads/2021/09/Addendum-to-2018-Open-Spaces-Study-2021_compressed.pdf

²⁰⁴ <https://www.portsmouth.gov.uk/wp-content/uploads/2020/05/development-and-planning-open-spaces-assessment.pdf>

9.113 Any new play or recreational provision should be informed by national guidance and the most recent available evidence on local need²⁰⁵, as well as early discussions with the council.

9.114 A Community Use Agreement may be sought as a part of proposals for new outdoor playing pitches and/or artificial grass pitches (at schools or higher education establishments for instance) where appropriate, to be secured by planning condition.

9.115 Proposed enhancements of existing open space and recreation areas should consider opportunities to increase the multifunctionality of these spaces to maximise their use, and/or accommodate greater usage pressures, as well as deliver wider benefits such as enhancing biodiversity value or installing new and/or improved recreational facilities. The multifunctionality of open spaces should enable and encourage the use of the space by all residents of the City. Opportunity should be taken to accommodate the need for children and young people to play and be more physically active.

9.116 Improvements to open space should take incorporate biodiversity improvements in line with the Policy PLP40 on Biodiversity Net Gain.

9.117 The Council will look to help facilitate new and/or enhanced provision through directing planning obligations and/or the use of development contributions and other sources of funding for such purposes, where appropriate. Opportunities for new or enhanced open space provision have also been identified within the Local Plan's proposed strategic development sites where possible.

Local Green Spaces

Introduction

9.118 Local Green Space designation provides special protection for green areas that are demonstrably special and hold a particular local significance for local communities. The designation would rule out development other than in very special circumstances. The Local Plan designates and protects a number of Local Green Spaces.

9.119 All of the Local Green Spaces designated through the Local Plan meet the criteria set out in the NPPF. Full details of the assessment of the cities Local Green spaces can be found in the Local Green Spaces background paper²⁰⁶.

9.120 Local Green Spaces specific to the Milton Neighbourhood Plan²⁰⁷ area were designated through the Neighbourhood Plan process and are identified on the Policies Map and in figure 9.1 as follows:

- St James' Green
- Portsmouth and Southsea Cricket Club Ground
- Milton Locks
- Milton Park

²⁰⁵ https://www.portsmouth.gov.uk/wp-content/uploads/2021/09/Final_playing_pitches_strategy_2018.pdf

²⁰⁷ <https://www.portsmouth.gov.uk/services/development-and-planning/planning-policy/neighbourhood-plans/>

- Bransbury Park
- Milton Common
- Edenbridge Park
- Furze Lane Sports-Fields
- Langstone Campus Fields
- Eastney & Milton Allotments

9.121 Further Local Green Spaces may be designated through future Neighbourhood Plans.

Development Management Policy PLP46: Local Green Spaces



1. The following green areas, as defined on the Policies Map and in figure 9.1, are designated and protected as Local Green Spaces, in line with the NPPF or its future equivalent:

- Southsea Common West, St Thomas & St Jude
- Southsea Common East, Eastney & Craneswater
- Kingston Park, Fratton
- Tamworth Park, Baffins
- Baffins Pond and Tangier Field, Baffins
- Great Salterns Recreation Ground, Baffins
- Hilsea Lines, Hilsea
- Alexandra Park, Hilsea
- College Park, Copnor
- Gatcombe Gardens, Hilsea
- Gurnard Road Park, Cosham
- Cosham Park, Cosham
- King George Playing Field, Cosham
- Drayton Park, Drayton & Farlington
- Farlington Playing Field, St John's College Playing Fields and Farlington Triangle, Drayton & Farlington
- Farlington Marshes Nature Reserve, Drayton & Farlington
- Portsdown Hill
- Stamshaw Fields, Nelson
- Victoria Park, Charles Dickens
- Land at Leominster Road, Hempsted Green and Paulsgrove Park, Paulsgrove
- Highland Road Cemetery, Eastney and Craneswater
- Kingston Cemetery, Fratton

9.121 The purpose of Policy PLP46 is to designate and then protect Local Green Spaces, which are demonstrably special to the local community.

9.122 National policy sets out policy requirements for development on Local Green Spaces. Development proposals should not conflict with the reasons that the local green space has been demonstrated to be special to the local community or prejudice its role as a Local Green Space.

9.123 The Council will be supportive of development proposals on Local Green Spaces, which enhance the provision of facilities for amenity sport and recreation uses. The

Council has significant need identified for a range of recreation, sports and amenity uses and limited space in the City in which they can be provided. The Council recognises the importance of the City's Local Green spaces and will only allow proposals which are in keeping with and provide enhancement to their character and setting.

Chapter 10: Infrastructure

Introduction

10.1 This section of the Local Plan covers six policy areas comprising one strategic policy and five development management policies relating to infrastructure development. The first strategic policy PLP47 Movement and Transport seeks to support sustainable transport networks and prioritise development which encourages walking, cycling, and public transport. Development Management Policy PLP48 Access and Parking addresses cycle parking, car parking and electric vehicle space allocations. The second Development Management Policy PLP49 Public Realm focusses on enhancing the quality and design of the public realm. Policy PLP50 Infrastructure Delivery sets out the requirement for sufficient provision of infrastructure. Policy PLP51 Electronic Communication and Utilities Infrastructure seeks to support and improve digital connectivity and minimise the impact on the environment. Lastly, policy PLP52 New and Existing Community and Leisure Facilities deals with existing and new community facilities for local people.

10.2 The National Planning Policy Framework (NPPF) states that in setting out the Local Plan's overall strategy for the pattern, scale and quality of development, sufficient provision must also be made for infrastructure. The term 'infrastructure' consists of physical, social and cultural provisions as well as 'green', 'grey' and 'blue' infrastructure. It includes but is not restricted to:

- Transport: roads, buses, ports, ferry and cruise services, walking and cycling routes
- Health: medical or social care facilities
- Education: early years, schools and universities, skills training and apprenticeships
- Energy and Utilities: electricity, gas, broadband, water and waste services
- Flood risk management: flood defences and sustainable drainage systems
- Social: community centres, leisure, sport and recreational facilities
- Green: parks, open spaces, woodlands, allotments, private gardens and green roofs
- Grey: roads, pipes, dams, seawalls, water treatment plants and drains
- Blue: ponds, lakes, streams, rivers, open coast

10.3 All types of infrastructure are required to support growth in the City. Portsmouth, like other towns and cities across the UK, faces a number of urgent challenges to growth and sustainable development relating to its existing infrastructure including limited public transport options, a fragmented walking and cycling network and poor air quality contributing towards above average incidences of health issues. From these challenges, there are opportunities for the development of sustainable and well-designed infrastructure facilities, services and systems and their surrounding spaces. These are required so that communities can thrive and to ensure progression towards meeting the Portsmouth vision and objectives.

10.4 Despite being one of the most densely populated cities in the UK, travel by walking, cycling or public transport has not always been viewed as an efficient or attractive mode of transport in Portsmouth. Nearly 90% of commuting trips within the City are shorter than 10km, and over 60% shorter than 5km. These are distances that can be easily covered on a bike by most people in less than 30 minutes. Pre-COVID-19, cars were found to make up around 80% of journeys into the City with around 40% of trips entirely within the City also being by car, despite these trips having an average length of only 5km.

- 10.5 Opportunities to promote sustainable transport will ensure that the negative environmental impacts of transport and traffic are reduced and facilitate residents to lead active and healthy lives. Access to sustainable transport infrastructure which provides safer, convenient, and accessible opportunities for active travel including walking, cycling and public transport for work, education and leisure is intrinsically linked to improved physical and mental health and wellbeing, reduced social inequalities and improved air quality. Limited access to good quality public and active travel connections is a barrier to employment, participation in post-16 education, and health services, contributing to widening socio-economic inequalities by limiting access to employment and travel for healthcare.
- 10.6 The Local Plan seeks to shape where new development should be located to create places, which are healthy, inclusive and safe. The availability of public service infrastructure including educational institutions such as schools and nurseries, and medical facilities such as hospitals, doctors and dentists is important for improving health outcomes and opportunities for learning. Access to high quality public spaces and social, cultural and recreational facilities encourage community cohesion by supporting social activity and providing health benefits. Improving the provision and quality of key infrastructure supports the wider objectives of the Local Plan for sustaining a strong and diverse economy, providing access to education and training opportunities for all, improved social wellbeing and cohesion, and mitigating the impact of climate change on communities across the City. The provision of high quality and reliable communications infrastructure can further encourage economic growth, technological innovation and support connectivity for residents and businesses by providing access to the internet, to deliver investment into developing Portsmouth as a smart city.
- 10.7 This Local Plan is supported by an Infrastructure Delivery Plan (IDP) which identifies the City's infrastructure requirements, setting out what is needed, where it is needed and when it is needed. It is an essential document that ensures development happens in the right places at the right time, in a coordinated way. Further details are provided on delivery, funding sources, funding gaps and costs. The IDP is a live document and has therefore evolved throughout the production of the Local Plan and will continue to evolve through the life of the Plan.
- 10.8 The Local Plan seeks to protect and retain valued local Council and privately owned indoor community and leisure facilities, open space, outdoor recreation facilities and cultural facilities in accessible locations for the benefit of local communities to support health, social and cultural wellbeing.
- 10.9 Particular importance is also placed upon the requirement for potential development to deliver infrastructure to support the City's additional residents. Progress on the delivery of the infrastructure to serve planned development will be reviewed annually through the Authority Monitoring Report.

Movement and Transport

Introduction

- 10.10 Over recent years our collective dependence on private car use has resulted in unsustainable levels of carbon emissions from transport, unhealthy polluted air, regular traffic congestion and severely reduced levels of physical activity. Action is needed now to

shape a future where sustainable travel modes become the 'first choice' for as many trips as possible.

10.11 The compact character of Portsmouth provides a great opportunity to shape a future where people leave the car at home when making everyday journeys. Through the adopted Local Transport Plan 4 (2021–2038) (LTP4)²⁰⁸ and the Health and Wellbeing Strategy (2022-2030)²⁰⁹, Portsmouth City Council is striving to create an environment that allows everyone to travel as sustainably as possible.

10.12 The provision of a safe, convenient, affordable to use, and efficient transport network is key in helping to build vibrant local communities, enable regeneration, and achieve an environmentally sustainable future. Prioritising walking and cycling and transforming public transport will play a key role in delivering a people centred travel network across the City, linking into and connecting local areas.

10.13 In February 2022 Portsmouth adopted a Local Cycling and Walking Infrastructure Plan (LCWIP)²¹⁰. Evidence from the preparation of the LTP4 found that 75% of the cycle routes surveyed within the City were sub-standard. A key issue is a lack of fully segregated, continuous cycle routes. Many on-road cycle lanes are alongside high traffic volumes, 30mph speed limits and no infrastructure to physically protect people cycling from motor traffic. This results in more people travelling via car. The aim of the Portsmouth LCWIP is to facilitate modal shift by creating a comprehensive walking and cycling network that is safe, inclusive, accessible, convenient and attractive, enabling people to get from A to B in the most direct way possible when making utility trips. Any successive updates of the LCWIP will be used to inform consents.

10.14 A Climate Emergency was declared by Portsmouth City Council in March 2019, pledging to achieve net zero carbon emissions in Portsmouth by 2030. In order to work towards achieving this goal, it is vital that sustainable transport is a key consideration as part of any development. New development needs to add as little as is realistically possible in terms of carbon generation from transport; this is also essential for addressing the parallel impacts on air quality. Policy PLP36 (Air quality and pollution) outlines in more detail the detrimental impact that poor air quality has on communities within Portsmouth. Delivering a sustainable transport network will help significantly towards reducing pollution levels within Portsmouth.

10.15 An ambitious vision has been developed within the LTP4 to deliver transformation in transport and travel within the City and wider City region. The vision is that:

By 2038 Portsmouth will have a people centred travel network that prioritises walking, cycling and public transport to help deliver a safer, healthier and more prosperous City.

10.16 Four strategic objectives underpin this vision:

1. Deliver cleaner air;
2. Prioritise walking and cycling;
3. Transform public transport; and
4. Support business and protect our assets

²⁰⁸ <https://www.portsmouth.gov.uk/wp-content/uploads/2021/11/74.633-Local-Transport-Plan-2021-Final-Accessible.pdf>

²⁰⁹ <https://www.portsmouth.gov.uk/wp-content/uploads/2022/05/health-and-wellbeing-strategy-january-2022-accessible.pdf>

²¹⁰ <https://travel.portsmouth.gov.uk/wp-content/uploads/2022/05/74.645-LCWIP-update-with-background-report-2022-Accessible.pdf>

10.17 The Portsmouth Strategic Transport Assessment²¹¹ provides an assessment of the impact of potential housing and employment development (including all allocated sites) on the transport network and tests measures to mitigate severe negative impacts. The study indicates that the development of the proposed Local Plan allocations can be accommodated if a suitable package of mitigation measures is provided. These mitigation measures include targeted improvements to walking, cycling and highway infrastructure, which seek to drive increases in the uptake and use of active and sustainable modes. The mitigation measures also provide for necessary changes to local and strategic highway infrastructure, in a manner which does not compromise or undermine the Council's stated wider transport aims. Each strategic site allocation within the Local Plan individually addresses transport and infrastructure.

Strategic Policy PLP47: Movement and Transport



- 1. Development proposals will be permitted where they deliver a people centred travel network that prioritises walking, cycling, public and shared transport, in line with LTP4 and the Health and Wellbeing Strategy, and which is compatible with the Council's Climate Emergency pledge.**
- 2. Improvements to transport infrastructure that align with the aims of LTP4 will be supported.**
- 3. Development proposals will be permitted where they are in highly accessible locations and facilitate access to public transport services and other sustainable transport, through the provision of connections to existing infrastructure, or the provision of new infrastructure to reduce the need to travel, prioritise walking, and cycling, and support and encourage use of public transport modes.**
- 4. Development proposals should contribute to the protection and/or delivery of a network of high quality walking and cycling routes throughout the City, including those identified in the Local Cycling and Walking Infrastructure Plan (LCWIP).**
- 5. Applications should be supported by a Travel Plan along with a Transport Statement or Transport Assessment in accordance with the thresholds set out in the Parking Standards and Transport Assessments SPD²¹² or future equivalent.**
- 6. Development proposals will be permitted where they protect and enhance highway safety on the local and strategic highway networks. Any significant detrimental impacts must be mitigated fully as approved by the Local Highway Authority and/or National Highways (where relevant).**
- 7. The design and site layout of new development must protect the safety and amenity of all and give priority to the needs of pedestrians, cyclists, users of mobility aids and other non-motorised forms of transport. Movement through the site must be a safe, legible and attractive experience for all users, with roads and surfaces that contribute to the experience rather than dominate it.**

²¹¹ <https://www.portsmouth.gov.uk/newlocalplanevidencedocu>

²¹² <https://www.portsmouth.gov.uk/services/development-and-planning/supplementary-planning-documents/parking-standards-and-transport-assessments-spd/>

- 8. Development proposals must be designed to accommodate the needs of people with disabilities by all modes of transport.**
- 9. All proposals should allow for efficient, safe and sustainable delivery of goods and access by service and emergency vehicles.**
- 10. All proposals must maintain or enhance all transport interchanges and sustainable transport facilities where relevant.**

Supporting text

- 10.18 The purpose of this policy is to deliver an approach to development that minimises the need to travel and maximises the availability of relevant sustainable transport options, so that growth in private vehicle use is kept to a minimum. It further seeks to ensure that highway safety is a priority for all development which impacts vehicular movement.
- 10.19 Shared transport such as car clubs and micro-mobility will have a vital role to play in enabling seamless and convenient travel across the City without a car. These methods of transport; in particular car clubs, can reduce the need for private car ownership, particularly for households that own more than one car.
- 10.20 To encourage the uptake and continued use of sustainable modes of transport, the location, design and layout of development will need to show priority being given to pedestrian, cycle movements and access to sustainable transport modes. There is the potential to further increase the uptake in sustainable transportation methods by improving and upgrading or providing railway, bus, cycle and other infrastructure. Improvements can make public and sustainable transport a more attractive option. There are several sustainable transport related projects that are being developed within Portsmouth. These can be found within the Infrastructure Delivery Plan (IDP) that supports the Local Plan.
- 10.21 Developments should be designed with accessibility, permeability and integration with existing networks in mind, considering all users, ensuring provision of, or access to, local services and facilities.
- 10.22 The Portsmouth Local Cycling and Walking Infrastructure Plan (LCWIP) highlights our priorities to improve walking and cycling infrastructure, emphasising the need to create an active travel network that encourages City-wide use. It aims to ensure that new infrastructure for walking and cycling will be accessible to everyone, including residents, people who work in the City, visitors and businesses. Applications for development will be required to contribute to the delivery of the LCWIP (and/or any successor documents) to raise the profiles of cycling and walking as viable alternatives to driving.
- 10.23 Active Travel England is the government's executive agency responsible for making walking, wheeling and cycling the preferred choice for everyone to get around in England. As a statutory consultee, they must be engaged with early on in the planning process.
- 10.24 A Travel Plan (TP) and Transport Assessment (TA), or Transport Statement (TS) will be required on development that generates significant amounts of movement in accordance with the thresholds set out within the current and any future Parking Standards and Transport Assessments SPD. Applications should be supported by a Travel Plan that

will identify measures to facilitate and encourage the use of sustainable and active travel modes, thereby reducing the need to travel by motor vehicle.

- 10.25 The Transport Assessment or Transport Statement must set out mitigation measures that are necessary to ensure that development is sustainable and deliverable. They must also demonstrate the continued safe and efficient operation of the relevant strategic and local road networks. Where development will contribute to impacts which have been assessed as part of the Strategic Transport Assessment and where mitigation proposals have been developed and set out in the IDP, either delivery of the corresponding mitigation measures or a proportionate contribution will be required. Mitigation measures identified within these documents will be secured by condition or the appropriate legal agreement.
- 10.26 A Travel Plan shall support the ongoing aim of encouraging more sustainable travel with measures to be secured via condition or legal agreement.
- 10.27 The scope of the TP, TA and TS must be agreed with the Authority at the earliest opportunity, with appropriate input from the local highway authority and National Highways if required. The impact of traffic generated from a development should be considered cumulatively by taking into account all committed development in the area including, where relevant, outside the City.
- 10.28 In assessing development proposals, national planning policy guidance states that development proposals will be required to demonstrate that they will not have an unacceptable impact on highway safety and that the residual cumulative impacts on the road network will not be severe.
- 10.29 When considering new development, it is necessary to consider its potential impact on the existing transport network, how it links to the network, impacts on highway safety and the provision for movement, servicing and parking. Development proposals will be permitted where they can demonstrate the mitigation of severe impacts on the local or strategic road networks, arising from the development itself and/or the cumulative effects of development, through the provision of, or contributions towards, necessary and relevant transport improvements including capacity and junction improvements and air pollution reduction measures. Capacity and junction improvements should look to sustainable modes first and then address residual impacts relating to vehicles more generally. Early engagement with the local highway authority and National Highways is required. Developments should be designed with accessibility, permeability and integration with existing networks in mind, considering all users. It is essential that new developments provide safe and suitable internal layouts and access to the highway network to minimise the likelihood of conflict between road users. Priority should be given to pedestrians, cyclists and users of mobility aids.
- 10.30 Given the geographical compact nature of the City, it is important to encourage more sustainable freight and deliveries city-wide. Developments should ensure they are of an appropriate design and layout to be able to adapt to any future sustainable freight and delivery mechanisms such as those outlined within Policy O²¹³ and R²¹⁴ of LTP4.

²¹³ Policy O: Deliver micro and macro freight-consolidation measures, supporting businesses and other organisations to consolidate their operational journeys, including use of zero emission vehicles for last mile delivery.

²¹⁴ Policy R: Proactively manage kerbside space to enable flexible use for essential access.

Access and Parking

Introduction

- 10.31 The unique geography and history of Portsmouth has resulted in the high density of local roads and terraced housing in the City. The growth of car ownership in recent years, combined with this has led to local roads struggling with the level of traffic that use them and in particular, issues around parking. These roads are often at full parking capacity, making movement and access through them hard at times.
- 10.32 Car parking and its location has an impact upon the quality of the urban environment – how it looks, how it functions, how safe it is for road users and has influences on the choices people make when travelling. This Policy aims to provide good quality parking initiatives and practices in the City of Portsmouth, improve air quality and reduce climate change, in association with the strategic objectives of Portsmouth's LTP4.
- 10.33 To deliver the Portsmouth LTP4 vision and strategic objectives, a wide number of schemes, initiatives and strategies will be developed over its lifetime. The 'daughter transport strategies' to be developed in support of the over-arching transport strategy have been prioritised considering the dependency of high priority Portsmouth City Council projects, corporate priorities, Government strategy, requirements towards external funding bids (current or future) and whether the strategies are a statutory requirement. The Parking Strategy has been identified as a key priority and is the first daughter strategy to be developed.
- 10.34 The LTP4 outlines how a new approach is needed, with action required now to shape a future where people will choose to travel sustainably. The Parking Strategy, alongside work programmes which see improvements to travel choices, will help to create an environment that will make this possible, so private cars are not needed for every journey. It will consider demand management of parking in Portsmouth adapting to changing future demand and complimentary alternative travel modes.
- 10.35 The park and ride offers commuters and visitors a quick, easy and cheap way into Portsmouth. It is an exemplar mode of sustainable transport within Portsmouth and will remain central to the City's goals of reducing traffic, transforming public transport and enabling more effective management of parking within the City.
- 10.36 As part of this stepped change, the City Council will produce a new Parking SPD, which will replace the Parking Standards and Transport Assessments SPD in due course.

Development Management Policy PLP48: Access and Parking



- 1. Development will be permitted where it is located and designed in such a way that it seeks to discourage car use and encourages travel by other modes, unless off street parking provision can be justified. This could include car free development.**
- 2. If parking is deemed desirable or necessary as part of a development it should be provided in accordance with the Parking Standards set out in the Parking Standards and Transport Assessments SPD or future equivalent and made neighbourhood plans as relevant. All new private and public parking provision must:**

- a) **Not give rise to unacceptable adverse impacts on amenity;**
 - b) **Be of a location, scale, layout and design that reflects its context;**
 - c) **Incorporate appropriate sustainable drainage systems; and**
 - d) **Where feasible, incorporate green infrastructure and renewable energy.**
3. **New development should be located and designed to incorporate infrastructure for charging plug-in electric vehicles and other ultra-low emission vehicles and consider provision of car clubs and other shared transport, in accordance with the Parking Standards set out in the Parking Standards and Transport Assessments SPD or future equivalent.**
 4. **Development proposals will be permitted where they provide sufficient levels of private, weatherproof and secure cycle and other micro-mobility parking to serve the needs of that development in accordance with levels set out in the Parking Standards and Transport Assessments SPD or future equivalent.**
 5. **Development proposals will be permitted where both on-street and off-street parking provision and site access protects and where possible enhances highway safety on the local and strategic highway networks. Any significant impacts must be mitigated fully as approved by the Local Highway Authority.**
 6. **Development proposals will be permitted where they provide parking facilities compatible for all users, including those with disabilities and reduced mobility.**
 7. **Proposals which would result in a net increase in the number of access points onto primary and distributor roads will not normally be permitted.**

Supporting text

- 10.37 The purpose of this policy is to make an efficient use of land in Portsmouth and provide appropriate vehicle and bicycle parking in terms of amount, design and layout for residential and non-residential developments. This may include car-free developments where appropriate.
- 10.38 Parking provision should be made for everyone including those with disabilities and reduced mobility. Portsmouth's Parking Standards are set out in supplementary guidance which sets maximum levels of provision. If parking is deemed necessary as part of a development, the provision of vehicle and cycle parking for new development should be in accordance with the Parking Standards SPD and any successor documents.
- 10.39 The location of development should be carefully considered to reduce the level of parking required. However, where parking spaces are required associated with the proposed development, they should be carefully designed to ensure impacts on amenity are significantly reduced, including, but not limited to privacy, overshadowing, noise or pollution.
- 10.40 New vehicle parking areas, whether public or private, can negatively impact on landscape, the local environment, biodiversity and drainage when inappropriately sited

and designed. The cumulative impact of changes on biodiversity and surface water run-off will be given particular consideration when deciding applications for the loss of existing garden space to car parking.

- 10.41 Permeable parking surfaces should be used in preference to impermeable surfaces for all types of parking unless there are overriding reasons that render their use unsuitable. Materials should be selected which are appropriate to the site context and predicted levels of use. Public parking spaces should, where feasible, introduce renewable energies such as solar panels. A similar concept has been introduced at Portsmouth International Port (as shown in figure 10.1 below).



Figure 10.1: Example of solar canopy within Portsmouth International Port

- 10.42 New development should incorporate levels of electric vehicle charging infrastructure in accordance with building regulations and any current or future guidance set out by PCC. Electric vehicle infrastructure should help towards the wider process of transport electrification within Portsmouth.
- 10.43 When considering new parking, it is necessary to consider its potential impact on the existing transport network, how it links to the network and how it may impact on highway safety. Development proposals will not be permitted where they do not protect highway safety.
- 10.44 In the interests of highway safety, the City Council will seek to prevent the proliferation of accesses and the interruption of the flow of traffic on primary and distributor roads and to ensure that efficient use is made of the available highway capacity. This policy is intended to safeguard against the introduction of individual access points at unscheduled intervals, rather than to impede the access of new development proposals, especially those allocated within this plan.

Public Realm

Introduction

10.45 The public realm is the space around, between and within buildings that is publicly accessible, including streets, squares, parks, open spaces and pedestrian and cycle routes. These spaces are dynamic elements that have a distinct and unique identity, whether they are spaces to move through or spaces to gather in. The quality and design of the public realm has a significant influence on quality of life because it affects people's sense of place, security and belonging, as well as having an influence on a range of health and social factors.

10.46 The public realm should be multi-functional, attractive and accessible for everyone; acknowledging that all genders, ages and abilities for example have different needs that must be met. It should contribute to the highest possible standards of comfort, security and ease of movement and enable everyone to participate equally, confidently and independently in everyday activities. This will help to create attractive and inviting environments that people want to live and work in.

10.47 Promoting good design and layout in a new development is one of the most important ways in which the Council can address community safety issues. Good designs and layouts can discourage criminal activity, increase the likelihood of detection and improve public perceptions of safety as outlined within the Portsmouth Reducing Crime through Design SPD²¹⁵. It is vital that the public realm incorporates design measures to prevent violence against women and girls. The significance of this issue is demonstrated through the launch of a Violence Against Women and Girls (VAWG) Task Group formed by the Police and Crime Commissioner for Hampshire and the Isle of Wight. This will not only seek to improve the operational response and support given to victims of these crimes, but will also focus on stopping it happening through prevention, and targeting and disrupting perpetrators.

10.48 National guidance places emphasis on the fundamental need to create high quality, beautiful, well-designed, sustainable spaces. The layout of streets and use of building types and materials should create a strong sense of place and welcoming, attractive localities.



Development Management Policy PLP49: Public Realm

1. Development proposals will be permitted where opportunities to enhance the public realm have been designed into the application, ensuring:

- a) The public realm is safe, healthy, accessible for all, inclusive, multifunctional, attractive, well-connected, legible and easy to maintain, and that it relates to the local, cultural and historic context;**
- b) Measures to prevent Violence Against Women and Girls (VAWG) have been incorporated;**

²¹⁵ <https://www.portsmouth.gov.uk/wp-content/uploads/2020/05/Reducing-Crime-through-Design-SPD.pdf>

- c) All aspects of the public realm incorporate design of the highest quality, including landscaping, green and blue infrastructure, lighting, acoustics, street furniture, and surfaces;
 - d) The avoidance of street clutter with space to congregate and socialise as well as move;
 - e) That it encourages walking and cycling and eases the movements of pedestrians, cycles, cargo-bikes, scooters, pushchairs, wheelchairs, mobility scooters and vehicular traffic within the site and to wider focal points within the city; and
 - f) Integration into key corridors and provides ease of access to areas of public convenience and amenity.
2. Major development proposals and allocated sites will be expected to create and enhance the public realm, supporting the wider sustainability of the city and providing site-specific multi-functional social and environmental benefits.
3. The Council will support the delivery of public art that helps to enhance the public realm. This should be context-sensitive and site specific taking into consideration the local and surrounding landscape and character. Evidence must be provided that shows how community involvement shaped the design and location of the public art.

Supporting text

10.49 The purpose of this policy is to create and enhance the public realm across the City for the benefit of everyone. The Seafront Masterplan SPD²¹⁶ and Portsmouth City Centre Development Strategy²¹⁷ provide principles on public realm improvement for any development within these areas.

10.50 When designing a development proposal, the public realm should be considered as early on in the process as possible to ensure it meets all the requirements set out in Policy PLP49. The public realm must be accessible for everyone of all ages and abilities to enjoy and feel safe. Portsmouth's Reducing Crime through Design SPD sets out several good design principles that improve perceptions of safety and those which should be avoided. A safe public realm would provide significant socio-economic benefits allowing everyone to enjoy the space.

10.51 Measures must be included within developments that seek to eradicate violence against women and girls. Developments and their public realm must be places women and girls feel comfortable and safe. Measures can include natural surveillance (designing streets and areas that are overlooked); active frontages (to create a locality with human activity and regular movements); external lighting; defensible spaces; physical security features; and continued management and maintenance.

²¹⁶ https://www.portsmouth.gov.uk/wp-content/uploads/2021/10/173.48-Seafront-Masterplan_Accessible.pdf

²¹⁷ https://www.portsmouth.gov.uk/wp-content/uploads/2021/09/Portsmouth-City-Centre-Development-Strategy-Jan-21_compressed.pdf

- 10.52 The public realm must incorporate elements of green infrastructure and incorporate ecological assets to encourage biodiversity net gain. Additional ways to provide multifunctional benefits includes activity areas, recreational facilities and linkages with routes for walking and cycling to allow easier access and movement to alternative locations within the City via sustainable modes of transport. Applicants should take account of Portsmouth's Greening Strategy.
- 10.53 Incorporating clearly signposted, well designed routes will allow access, ease and safety of movement for all modes of transport. The public realm should be designed to encourage the use of more sustainable modes of transport, handing more land over to cyclists and walkers.
- 10.54 Being a dense island City, there are many places that can be accessed on foot, bike or other non-motorised transport. It is important for development to deliver enhancements to these routes so they become a more attractive option over the use of a car. Important links include to and from train stations, transport interchanges and ferry terminals; links to and from employment and retail centres; links to and from cultural and historical focal points and links to and from visitor and tourist hotspots.
- 10.55 The public realm should be of the highest quality and easy to maintain to ensure it is future proof. Development should take into consideration any current and future design guide documents which seek to give direction on appropriate design features and specifications for appropriate furniture and material types according to purpose and physical context. Where possible, sustainable materials should be incorporated.
- 10.56 Larger sites within Portsmouth and those allocated within this Plan present a significant opportunity to create and deliver an enhanced public realm. These public spaces should focus on incorporating a multi-functional public realm. The public realm should be considered as early on in the process of developing sites to ensure these spaces are safe, legible, and inclusive for everyone.
- 10.57 Context-specific design of the public realm is important for maintaining and enhancing the attractiveness and distinctiveness of the City. The principle of new public art will be supported, especially when incorporated into the fabric of developments by the engagement of artists at an early stage in the design process. To ensure that proposals for public art will be supported, the involvement of the community is essential as early on in the design process as possible. Any application should show how the design has evolved through engagement with the local community and a decision reached that is supported by everyone.

Infrastructure Delivery

Introduction

- 10.58 Infrastructure delivery is critical to the sustainable development of the built environment. Timely provision of key infrastructure will be necessary to provide the services that residents require and support the level of new development proposed within the plan period. Infrastructure comprises the services and systems that communities need to function incorporating many physical, social and cultural provisions.
- 10.59 National guidance requires Local Plans to make sufficient provision for infrastructure through policy. This plan is supported by an Infrastructure Delivery Plan (IDP) which sets

out the infrastructure needs associated with the implementation of the Local Plan, how the required infrastructure will be delivered and how it will be funded. It identifies facilities that are needed city-wide as well as those that are needed to support particular strategic development sites.

10.60 The IDP is a live document and therefore it has evolved throughout the plan preparation period and will continue to evolve once the plan has been adopted. As part of the process, all infrastructure providers within Portsmouth were directly contacted to understand the ability for existing infrastructure to meet the Local Plan development quantum. Infrastructure providers were asked what the ability of existing infrastructure under their control was to meet the quantum of development proposed within the plan and whether any new infrastructure would be needed. Providers were then required to set out any plans they had to meet the need and provide information on how this would be funded. All responses helped inform the IDP that supports the Local Plan.

10.61 The Council will work together with partner authorities and infrastructure providers to strive to ensure that the infrastructure required as a result of the Local Plan's development strategy will be provided via the mechanisms set out in the IDP. Provision will also continue to be secured through the Community Infrastructure Levy, appropriate developer contributions and other sources of funding as applicable.

Development Management Policy PLP50: Infrastructure Delivery



1. Development proposals will be permitted where they:

- a) **Demonstrate that appropriate, necessary and reasonable infrastructure investment has been secured either in the form of suitable on-site or off-site works, and/or financial contributions to mitigate its impact;**
 - b) **The whole life cost of infrastructure provision has been considered and appropriate mechanisms are in place for its future maintenance/care; and**
 - c) **A programme of delivery has been agreed with the relevant infrastructure provider(s) prior to commencement of relevant infrastructure works and/or the development itself.**
- 2. Infrastructure delivery should be integrated with development phasing to ensure timely provision. Financial contributions towards future infrastructure maintenance will, where necessary, be secured by means of a legal agreement.**
- 3. The provision of new or improved utility infrastructure by service providers will be supported in principle where it meets identified strategic and/or community needs, or enhances protection of the environment.**

Supporting text

10.62 The purpose of this policy is to support the development of appropriate new infrastructure to meet the needs of the current and future residents of Portsmouth. New development should be adequately supported by existing infrastructure or make sufficient provision for any new infrastructure that is required to make the development acceptable in planning terms. The evidence needed to demonstrate compliance with this policy should be proportionate to the scale of development proposed.

- 10.63 Developer contributions, secured by planning obligations²¹⁸ (such as Section 106 agreements) and collected via the Community Infrastructure Levy (CIL), can be used to deliver infrastructure in the City. The levy funds can be used by the council to address the cumulative impacts of new development on infrastructure needs in Portsmouth, while planning obligations are legal agreements appropriate for funding infrastructure directly related to a specific development to make the proposal acceptable in planning terms.
- 10.64 Planning obligations will continue to be used for infrastructure requirements on development sites as appropriate, to secure site specific needs such as affordable housing (which will continue to be secured via S.106 agreements), open space provision and contributions to upgrading transport and highways networks.
- 10.65 The Council recognises that in some cases, there may be a requirement for new or improved infrastructure to be delivered before the development is commenced, whereas in other scenarios, the delivery of infrastructure will be required in line with completions or occupations. The Council will look to secure the delivery and timescale for delivery of necessary infrastructure through suitably worded planning conditions and/or obligations in legal agreements.
- 10.66 Where required, the Council will seek contributions via a legal agreement towards the enhancement of either on-site and/or off-site facilities, including strategic infrastructure in line with Regulation 122 of the Community Infrastructure Levy Regulations 2010.
- 10.67 In assessing the necessary provision or contribution, priority consideration should be given to any specific deficits or impacts identified, for the following types of infrastructure, as appropriate:
- Transport (to include electric vehicle charging infrastructure)
 - Flood Risk Management Infrastructure
 - Education
 - Healthcare
 - Green Infrastructure
 - Recreational Facilities
 - Community Safety Facilities

Electronic Communication and Utilities Infrastructure

Introduction

- 10.68 Electronic communication infrastructure includes development proposals related to the supply and management of fixed and wireless digital connections (gigabit broadband, including full fibre, and next generation mobile technology connections). Utility infrastructure includes development proposals related to the supply and management of water, wastewater, gas and electricity.
- 10.69 Utility connections are vital for all developments to run effectively and in recent years, much greater emphasis has been placed on the requirement for next generation digital connectivity and efficient use of existing networks. Ensuring effective and reliable digital communications networks is vital as the telecoms sector upgrades the analogue Public Switched Telecoms Network (PSTN) to digital voice services (VoIP) by 2025. The

²¹⁸ <https://www.portsmouth.gov.uk/services/development-and-planning/planning-policy/planning-agreements-and-obligations/>

changing nature of the UK telecoms infrastructure means that all aspects of life in the modern age will be wholly reliant on digital communication methods.

10.70 There are numerous benefits arising from effective and efficient digital infrastructure including the health, wellbeing, safety and security of residents. The digital economy is one of the fastest growing sectors in the UK economy and represents 5% of the national workforce²¹⁹; digital infrastructure is the backbone of economic growth and a priority for inward investment and job creation in the City of Portsmouth. Well-connected places attract and sustain modern businesses and can create the conditions for new clusters of digital and creative businesses to emerge. Effective digital and electronic communication networks support and enable environmental sustainability aims for example around issues such as energy use, travel and smart cities. As such, advanced, high quality, reliable, future proofed electronic communications infrastructure is essential for the City's economic growth, sustainability objectives and the social well-being and health of its residents.

10.71 The COVID-19 pandemic showed that digital connectivity is critical to societal resilience and business continuity in times of crisis. Working habits have now shifted enabling more flexibility to work from home which is likely to become commonplace in the future. Communications are dominated by mobiles, emails and other online forms. Shopping habits have moved online in recent years, further exacerbated by the COVID-19 pandemic.

10.72 To ensure the full benefit of digital capability is realised for the City, Portsmouth City Council supports the expansion of electronic communications networks and policy PLP51 sets out how high-quality electronic communication infrastructure is expected to be delivered, maintained and upgraded over time.

10.73 National planning guidance supports the provision of infrastructure for all utilities and in particular the expansion of electronic communication, thereby showing its importance in today's society.



Development Management Policy PLP51: Electronic Communication and Utilities Infrastructure

1. Development proposals for new electronic communications and/or utilities infrastructure will be permitted where:

- a) All opportunities to make the most efficient use of existing electronic communication networks and utilities infrastructure have been explored fully and the identified need cannot be met using appropriate existing infrastructure or other appropriate structures;**
- b) They are of an appropriate design that would not have an adverse impact on the character or appearance of the local area or host building and minimise the impact on public amenity;**
- c) They minimise environmental impacts; and**

²¹⁹<https://www.gov.uk/government/statistics/dcms-sector-economic-estimates-employment-apr-2021-mar-2022/digital-sector-workforce-analysis-technical-report>

- d) They remove, reduce in prominence, or move underground related existing infrastructure, where feasible.**
- 2. Where one or more infrastructure providers have agreed to provide superfast broadband connectivity or full fibre, the development should be designed to connect to this service and make it available to occupiers.**
- 3. Development proposals for all residential and non-residential buildings will be expected to be served by superfast broadband connection as a minimum and full fibre connections where available. If this cannot be achieved, it must be robustly demonstrated with evidence of consultation with relevant service providers confirming this would not be deliverable.**

Supporting text

- 10.74 The purpose of this policy is to deliver appropriate new electronic communications and utilities infrastructure across the City to ensure the efficient operation of the network and easy access to fixed and/or wireless digital connectivity without causing detrimental impacts to local distinctiveness and public amenity. Ensuring the wide availability of high-speed broadband and next generation mobile infrastructure is a central part of the Government's National Infrastructure Strategy, the UK Wireless Infrastructure Strategy and levelling up agenda. The Government has a target that 95% of the UK landmass will be covered by 4G by 2025, and 99% will have gigabit broadband by 2030²²⁰. Good quality digital infrastructure where we live, work or travel is needed to access online public services, social networks, as well as healthcare, education, retail and financial services.
- 10.75 When proposing development that would require new utilities connections/infrastructure, it is essential that all effort should be made to use existing infrastructure where appropriate. This policy should be read in conjunction with Policy PLP32 (Sustainable Drainage Systems) which provides detail in relation to separation of surface water on site and connections to combined systems. For example, all effort should be made to use existing masts and other structures in relation to electronic communication infrastructure, including local authority assets already connected to a full fibre network. Only when all options to use existing infrastructure have been exhausted, can a proposal be submitted for the development of new infrastructure. This is to ensure that existing infrastructure is operating to optimal capacity and efficiency and there is minimal street clutter and visual obstructions.
- 10.76 Where new infrastructure is required, its design must be carefully considered to ensure that it does not detrimentally impact local distinctiveness or public amenity. A balance needs to be struck between protecting the City's heritage, culture, environment and landscape while continually improving digital connectivity. The siting and appearance of the relevant infrastructure should be carefully considered with mitigation measures such as screening incorporated appropriately and sensitively.
- 10.77 Given the critical importance of digital connectivity, it is expected that all new developments are supplied with superfast broadband unless it is robustly evidenced that this is clearly not a viable option. Applicants are expected to clearly demonstrate they have held discussions with a range of providers to upgrade infrastructure to deliver superfast

²²⁰ <https://www.gov.uk/government/publications/uk-wireless-infrastructure-strategy/uk-wireless-infrastructure-strategy>

broadband, reliable next generation wireless connectivity or full fibre. If technological advancements are made within the plan period, all relevant proposals should provide suitable up-to-date alternatives.

New and Existing Community and Leisure Facilities

Introduction

10.78 Community infrastructure facilities have a vital role to play in supporting vibrant local communities in Portsmouth. They enable essential public services to be provided as locally as possible. Many community and leisure facilities are owned and/or managed by the City Council, but some are privately owned, including small shops, public houses and theatres. Some community facilities are defined, but are not restricted to the F2 local community use class in the Use Class Order. For the purposes of the Portsmouth Local Plan community and leisure facilities include, but are not restricted to:

- Community centres
- Education facilities for all ages
- Healthcare facilities
- Cultural facilities
- Libraries
- Public houses
- Leisure centres, sport pavilions, swimming pools and gyms
- Small shops selling essential goods, including food, to visiting members of the public

10.79 Facilities such as these, help support health and wellbeing, social interaction, inclusion, cultural identity and are vitally important building blocks for a City such as Portsmouth.

10.80 Indoor sports facilities help to support health and wellbeing in the City. Portsmouth has above average incidences of several health issues, particularly within the more deprived areas of the City; this can create barriers to participation in sporting activities. Accessible high quality community and sports facility provision is necessary to avoid worsening inequalities and to help move towards greater health and wellbeing for all.

10.81 Information and research regarding sports provision within the City is set out within the Council's Sports Facilities Strategy (2017)²²¹. This study found that areas in the north and north-east of the City have lower access to facilities and that there is an overall need for more accessible provision (non-membership only access) to meet current and projected future demand. Many of the recommendations set out within this strategy are still being implemented with various schemes coming forward across the City. Once these schemes have been developed further, a new strategy will be undertaken.

10.82 Once lost, valued local facilities can be hard to replace. In Portsmouth there is an existing network of both Council and privately owned indoor community and leisure facilities. It is important that these spaces are protected and retained in accessible locations.

10.83 Community facilities will be provided on a number of our Strategic Sites such as Portsmouth City Centre. Reference should be made to the individual allocations for details.

221

<https://democracy.portsmouth.gov.uk/documents/s14923/03.1%20Portsmouth%20City%20Council%20Sports%20Facility%20Strategy%202017%20-%20exec%20summary.pdf>

10.84 Many community and leisure buildings are defined as town centre uses and so the town centre policies in the Thriving Economy chapter may be relevant to planning applications affecting community and leisure facilities.

10.85 The Community Right to Bid Regulations enable local community groups to nominate properties in the City to be listed as Assets of Community Value. On receiving the nomination from an eligible community group, the Council will determine the nomination against the legislation to ensure it meets the specific criteria for recognition and will then record these in a register of assets or nominations.



Development Management Policy PLP52: New & Existing Community & Leisure Facilities

1. Development proposals for new and/or expanded community and leisure facilities will be permitted where:

- a) The site is accessible and inclusive to the local communities it serves;
- b) Appropriate consideration has been given to the shared use, re-use and/or redevelopment of existing buildings in the local community; and
- c) The scale of the proposed infrastructure is proportionate to the local area.

2. Development proposals that would result in the loss of, or have an unacceptable adverse impact upon, an existing community facility or leisure facility that is fit for purpose will not be permitted unless:

- a) For commercially run community facilities, evidence is provided of a robust marketing campaign of at least 12 months that clearly demonstrates there is no market demand for the existing use or an equivalent community use in line with the requirements set out in Appendix 4 of the Local Plan; or
- b) For community or publicly owned or managed facilities, it can be robustly demonstrated that there is a lack of need for the existing facility, or an equivalent community use and its retention would not be practical or viable; or
- c) Alternative community facilities are provided that are accessible, inclusive and available, and of an equivalent or better quality to those lost, without causing unreasonable reduction or shortfall in the local service provision.

3. Development proposals for community and leisure facilities that are listed as Assets of Community Value will in addition to the protection offered to all community facilities will, when relevant, be subject to a six month statutory delay on sale.

Supporting text

10.86 The purpose of this policy is to support new facilities and protect existing community and leisure facilities that are fit for purpose and serve the local communities in Portsmouth.

- 10.87 It is important that local people are involved in decisions about their community and leisure facilities. All planning applications for new community facilities will need to provide evidence of a community engagement exercise to gauge public support. The preparation of this evidence should be proportionate to the scale of the development.
- 10.88 The City Council will safeguard all existing community and leisure facilities that are fit for purpose from development proposals for non-community uses. Where a development proposal could lead to the loss of a community facility or reduce its scope and/or viability, the City Council will expect applicants to provide very strong justification for this loss or diminishment. There is a presumption that community and leisure facilities should be retained or replaced with proposals of at least an equivalent standard. Appropriately sized proposals, which would provide inclusive shared services through the joint use of facilities in accessible locations, will be supported in principle. Full details on marketing requirements are set out in Appendix 4 of this Local Plan.
- 10.89 The Community Right to Bid Regulations enable local community groups to nominate properties in the City to be listed as Assets of Community Value. The Council will determine the nomination against the legislation to ensure it meets the specific criteria for recognition and will then record these in a register of assets or nominations.
- 10.90 Under the legislation, communities have the opportunity to ‘stop the clock’ for up to six months on the sale of valued community assets such as a local pub or shop. This window of opportunity gives communities time to create a business plan and gather the necessary finances to bid for the asset. However, it should be understood that the owner of the asset is not obliged to accept an offer from a community interest group. More information on the nomination process, including a list of assets and nominations in Portsmouth can be found online²²².

²²² <https://www.portsmouth.gov.uk/services/development-and-planning/planning-policy/community-right-to-bid/>

Chapter 11: Heritage

Introduction

11.1 Portsmouth is an island City with an historic environment that is both extensive and diverse geographically and through time. Table 11.1 sets out the full extent of designated and non-designated heritage assets in the City, and a number of the strategic sites allocated in this Plan derive much of their character from heritage assets. Portsmouth's rich historic legacy represents both a positive and an irreplaceable asset. It tells the City's wider story, contributing to its sense of place, community and its local distinctiveness. Valuable in economic terms, the City's heritage assets are a key driver in people's perceptions and recognition of the City, and are also critical to its economic vitality, attracting very large numbers of tourists to the Historic Dockyard and its historic waterfront. They also provide an inspiration for the renewal and creation of attractive places for people to enjoy. The Imagine Portsmouth 2040 Vision includes the City's rich cultural heritage and a strong maritime history. The heritage policies set out in this chapter seek to fulfil the Local Plan objectives of nurturing a City rich in culture and creativity, which in turn will help to drive a thriving economy. They should be considered alongside Core Policy PLP1: Design.

Asset Type	No. of Assets (2023)	
Scheduled Monuments	17	
	List Entries	Individual Buildings/ Structures
Statutory Listed Buildings:	463	707
Grade I	21	
Grade II*	34	
Grade II	483	
Conservation Areas (Article 4 Directions in Conservation Areas)	25 (28)	
Registered Historic Park	3	
Locally Listed Buildings	264	

Table 11.1 Historic assets in Portsmouth

11.2 Portsmouth has been shaped throughout its history by the presence of the Royal Navy. However, the City also has an extensive legacy of non-military assets and archaeology, the latter dating back to the Bronze Age.

11.3 The presence and expansion of the Naval Dockyard in the City led from the late eighteenth century onwards to its gradual emergence as one of the single largest industrial sites in the world. The City's rise to industrial powerhouse was also mirrored by rapid physical expansion. From the mid-nineteenth to the early twentieth century over

60,000 terraced houses were built, many for working class labourers and artisans employed in the dockyard. The best examples of these are protected within a number of the City's 25 conservation areas. In addition, an infrastructure of parks, churches, theatres, cinemas, hospitals and other buildings was developed to serve the town's leisure, health and pastoral needs; a very high proportion of these are protected through designation. This legacy is significant, illuminating the social, military and cultural past of the City, and thereby contributing very strongly to its identity and sense of place.

11.4 In the early nineteenth century the southern part of Portsea Island began to develop differently. Under the 'guiding hand' of local architect T.E. Owen, Southsea emerged as an elegant and picturesque satellite settlement catering to the housing needs of a burgeoning middle class. Its attractive historic core is also a conservation area and has a wealth of listed gothic influenced villas designed by Owen. Southsea Common became an extensive pleasure ground and is one of three registered historic parks in the City along with Victoria Park and Kingston Cemetery. The combination of Southsea Common with several miles of seafront promenade provides a seafront of exceptional quality perhaps unrivalled by any city of comparable size in the country. Other highlights include the civic pride of the City's listed neoclassical but rebuilt Guildhall. Charles Dickens' Birthplace is located close to the City Centre. A number of Britain's greatest writers including H.G. Wells, Sir Arthur Conan Doyle, Rudyard Kipling and Neville Shute lived and worked in Portsmouth, contributing to its great cultural heritage.

11.5 The city's fortunes reached a low ebb in the mid-twentieth century. It was amongst the most heavily bombed cities in Britain after London during the Second World War. Over six thousand buildings were totally destroyed and tens of thousands damaged. Reconstruction was relatively slow and left its mark with a series of mass housing estates. The administrative and commercial heart of the City has a limited but notable number of high quality modernist buildings. A small number of twentieth century sites, including the City's two most important war memorials, and the former European headquarters of IBM, designed by Norman Foster, have also been listed.

11.6 This chapter of the Local Plan includes a strategic policy on heritage followed by three development management policies relating to listed buildings, conservation areas and archaeology. Collectively, the scope, focus and detail of these policies is considered to take into account:

- The desirability of sustaining and enhancing the significance of the city's heritage assets and putting them to viable uses consistent with their conservation;
- The wider social, cultural, economic and environmental benefits that conservation of the city's- historic environment can bring; and
- The desirability of new development making a positive contribution to Portsmouth's character and distinctiveness.

11.7 The policies are tailored to the specific needs and priorities of Portsmouth and seek to ensure a degree of pro-activity in the management of the City's assets sufficient to: make a positive contribution to Portsmouth's local character and distinctiveness, afford appropriate protection for the City's assets, and to provide a clear and positive strategy for their conservation.

- 11.8 The long-term conservation of a small minority of heritage assets can sometimes present particular problems. This is a result of the disparity between the costs of renovating a heritage asset in a suitable manner and its final end value. The difference between these two figures is known as the 'conservation deficit'. One recognised way of ensuring that sufficient funding is generated to address any shortfall in renovation costs, is through a process known as 'enabling development'. This allows for development in a location, or of a nature or form that would normally be considered unacceptable in planning policy terms. For this reason, it must be considered a process of 'last resort', acceptable only in extreme cases where other potential options have been exhausted. The scale of any proposed development must constitute the minimum required to address any deficit, and it must also bring public benefits sufficient to justify its use - which could not be achieved by other means. The City Council will use current (or successor) guidance produced by Historic England to assist in determining any applications that are considered to propose enabling development.
- 11.9 The recording and the subsequent management of such assets relies upon the City's Historic Environment Record (HER). The HER is a unique dynamic resource that includes a database containing information from the prehistoric period to the present day. It provides information on a broad range of assets including buildings and structures, earthworks, buried remains, stray finds, landscape features, archaeological investigations and historic sites that may have been destroyed or are known from documentary sources. The HER also contains information about nationally designated, locally designated and undesignated heritage assets. The City's HER is based within Portsmouth Museum Service' and will be consulted as part of the process to identify, record and manage such assets.



Strategic Policy PLP53: Historic Environment

- 1. Development proposals will be permitted where they conserve or enhance the City's heritage assets in a manner appropriate to their significance.**
- 2. Development proposals which affect heritage assets, or their setting, will be determined with regard to the significance of the asset. Proposals which are considered to substantially harm the significance of a designated heritage asset will not be permitted except in exceptional circumstances. Substantial harm to, or loss of assets of the highest significance (Scheduled Monuments, Grade I, and II* listed buildings and registered parks) should be wholly exceptional and should only occur where a robust justification has been made in accordance with the requirements of the NPPF. For proposals that would cause less than substantial harm, their impact should be weighed against the public benefits of the proposal including, where appropriate, securing optimum viable use of the asset.**
- 3. Where a development proposal would impact on the fabric or setting of a designated or non-designated heritage asset, the applicant will be required to provide a supporting Heritage Statement (HS). The statement should be proportionate to the significance of the asset, and the scale of any proposed work(s). Its content should describe the significance of the asset, identify the impact of the proposal on that significance, and provide a clear justification (rationale) for any development, (particularly where a proposal would result in any**

harm to asset(s) or their setting). In preparing the statement, the applicant should as a minimum consult the City Council's Historic Environment Record.

4. Development proposals that would improve the condition of heritage assets that are considered to be 'at risk' through neglect, decay or other threats will be encouraged and supported. Where appropriate the Council will seek positive conservation centric solutions for these assets through engagement with owners and as a last resort may consider the possible use of statutory powers to help achieve these objectives.
5. Development proposals which secure the long term conservation or enhancement of redundant or under-used heritage assets including their setting through their optimal/ viable (re)use will be supported.
6. Proposals for alteration and/ or extension that conserve or enhance the significance of non-designated heritage assets will be supported. Non-designated heritage assets should be retained where appropriate.
7. Development proposals for works to heritage assets that are intended to adapt to, or mitigate the effects of, climate change will be supported where it can be clearly demonstrated that they conserve the fabric and/or setting of the asset. A whole building approach is recommended for the retrofit of traditionally constructed buildings, informed by heritage expertise.

Supporting text

- 11.10 The purpose of Policy PLP53 is to set out a positive strategy for the conservation and enhancement of the historic environment, including the safeguarding of heritage assets. It is important that proposals are based on a meaningful understanding of the historic context and character of an asset and its surrounding area. Proposals should be informed by the Historic Environment Records (HER)²²³, Conservation Area Appraisal and Guideline Documents²²⁴, and any other relevant policy or guidance.
- 11.11 Development proposals can affect the significance of heritage assets in a range of different ways. Physical impacts to an asset's fabric can range from minor alterations to the complete loss of the asset. Other impacts may not physically alter the asset, but instead affect its setting, which in turn may impact its significance. Carefully considered changes to assets and/ or their setting may prove to be sympathetic and positive. However, adverse impacts including cumulative impacts can create negative perceptions, long-term decline or even loss of significance.
- 11.12 In determining applications likely to have a bearing on the setting of heritage assets, guidance published by Historic England (or any other method agreed between the applicant and the LPA) may be used to assess impact.

²²³ <https://portsmouthmuseum.co.uk/collections-stories/historic-environment-record>

²²⁴ <https://www.portsmouth.gov.uk/services/development-and-planning/planning-policy/conservation-areas/>

- 11.13 In order to assess significance it is essential to have a sound understanding of the original purpose, development, use and history of an asset. In light of this, all planning and Listed Building Consent applications that affect or have the potential to affect heritage assets and their setting, including sites with archaeological potential, must be supported by a Heritage Statement.
- 11.14 The Heritage Statement should identify the significance of the asset and set out the impact of the development. The applicant or their agent should consult the City's HER. The level of detail required to support the application should be proportionate to the significance of the heritage asset and the impact of the development. In all but the most trivial cases, assessment of potential impact on the significance of the asset is likely to require input from conservation professionals with appropriate qualifications and experience.
- 11.15 It is important to distinguish between potential harm that is 'substantial' and that which is 'less than substantial.' Substantial harm will relate to those impacts, which wholly or partially destroy the significance of an asset or impinge upon the role of its setting to an extent which undermines its essential appreciation. In any assessment of substantial harm, Planning Practice Guidance makes clear that what matters is the impact on the significance of the heritage asset. It also clarifies that in general terms it is a high test, so it does not arise in many cases. Notwithstanding this it should nevertheless be noted that less than substantial impacts may still prove significant, with some heritage assets being highly sensitive to change.
- 11.16 In cases where harm to significance is assessed to be substantial, but justified by considerations of continued use, re-use or wider public benefits, mitigation by recording will be required as a condition of consent. This would include the creation and deposition of a project archive containing both documentary material and artefacts with Portsmouth Museum. A copy of a report would also be required to be deposited with the city's HER.
- 11.17 The ability to record evidence should not be a factor in deciding whether such a loss should be permitted. In instances where some degree of harm to heritage assets or their setting is considered justified when balanced against public benefits, these benefits should be compelling, measurable, realistic and capable of delivery.
- 11.18 At risk assets are those which have been identified through the Historic England Risk Register. They are considered to be falling into disrepair and therefore 'at risk' of serious deterioration or loss through neglect, decay or other threats. The identification, monitoring and where possible enhancement of Buildings at Risk is an area of concern for the Council. Portsmouth's significant legacy of military and other types of buildings, some of which, by their nature are obsolete, can raise particular challenges. These have been previously addressed through the integration of threatened assets in to new developments.
- 11.19 Sustaining heritage assets in the long term often requires investment and putting heritage assets to a viable use is likely to enable the maintenance necessary for their long-term conservation.

- 11.20 Certain heritage assets may have limited or no scope for new uses and indeed may be so sensitive to change that alterations to accommodate a viable use would lead to an unacceptable loss of significance.
- 11.21 It is important that any use is viable, not just for the owner, but also the future conservation of the asset. The optimum viable use may not necessarily be the most profitable one. If there is only one viable use, that use is the optimum viable use. If there are a range of alternative viable uses, the optimum use is the one likely to cause the least harm to the significance of the asset, not just through necessary initial changes, but also as a result of subsequent wear and tear and likely future changes.
- 11.22 Non-designated heritage assets are those assets considered by the City Council, rather than the Secretary of State, to be of local historic or architectural interest. Their status is a material consideration in the determination of relevant planning applications.
- 11.23 Any Buildings or structures on the Council's list of locally important assets (The Local List) is defined as a 'non designated heritage asset'. Where a building or structure is not included on the Local List the Authority may nevertheless still judge (at its discretion) that it has the status of a non-designated asset for the purposes of decision making. The City's HER will be consulted as part of the process to identify any non-designated assets not included on the Local List. The significance of non- designated heritage assets should be carefully assessed, and the desirability of their conservation weighed against wider public benefits as planning applications are considered and determined.
- 11.24 Portsmouth currently has three registered parks/garden: Victoria Park, Southsea Common and Kingston Cemetery (southern section), which are all registered at Grade II. The purpose of inclusion on the register is to identify important historic parks and gardens in order to increase awareness of their existence and encourage their protection and conservation. Status as a registered park garden does not entail additional statutory controls. Its status is however a material consideration in the determination planning applications. Sites should receive special consideration if changes or proposals for development are being contemplated.
- 11.25 The City Council has declared a Climate Emergency and so opportunities to reduce carbon emissions through improvements to the energy efficiency of existing buildings are in principle welcomed. The contribution that the retention and reuse of old buildings makes to the preservation of embodied carbon (as well as to local distinctiveness), together with the sustainability of traditional building materials and design is significant, given the nature and scale of the City's existing building stock. It also has the potential to be a factor in decision making regarding the acceptability of the demolition/ loss of existing buildings. In this context, avoiding demolition and favouring sensitive retrofit of historic buildings is preferable where possible. It is incorrect to assume that older buildings will inevitably be less energy efficient than modern ones. Historic buildings can, and many do, perform well in terms of energy efficiency. The retention of original/ historic materials and feature is frequently more cost effective in energy terms than their replacement with modern equivalents. Depending on the significance of the asset, and the siting/ location of any interventions, works to improve energy efficiency can generate adverse/harmful impacts to the fabric/setting of assets. As a starting point, solutions that avoid impact(s) to the fabric or setting of assets should be prioritised.
- 11.26 Where a proposal related to the improvement of an asset's energy efficiency is considered necessary, and would require Planning Permission and/ or Listed Building

Consent, technologies/ solutions that minimise and or mitigate any potential impacts should be prioritised.

Listed Buildings

11.27 There are circa 700 listed buildings and structures in Portsmouth and these form an important part of the City's historic character and sense of place.

Development Management Policy PLP54: Listed Buildings



- 1. Development proposals which affect a listed building or its setting will only be permitted and Listed Building Consent and or Planning Permission granted where:**
 - a) They preserve or enhance the significance of the listed building and its setting by demonstrating that loss of historic fabric and detail of significance, including internal features, floor plans and the integrity of the rooms, is avoided; or**
 - b) Harm to the significance of the listed building or its setting is minimised and considered to be outweighed by public benefits by the Council. In such circumstances appropriate mitigation measures will be expected, including archaeological investigation including a written report or recording.**
- 2. Development proposals will be refused planning permission and/or listed building consent where they cause substantial harm to a listed building or its setting.**

Supporting text

11.28 The purpose of Policy PLP54 is to set out more detailed criteria for development proposals affecting listed buildings.

11.29 It is necessary to consider the character and significance of listed structures in a holistic manner; the character of their interiors can be as important as their external appearance. The protection and enhancement of all aspects of significance should be considered and great weight will be given to their preservation and, where appropriate, their restoration to optimal condition.

Conservation Areas

11.30 Portsmouth has 25 conservation areas, which are each designated for their special architectural or historic interest. Maps and Guidelines can be found on the City Council's website²²⁵ along with Article 4 Directions where relevant. The City Council will seek to provide and update Conservation Area Appraisal and Guideline documents for the City's conservation areas.



Development Management Policy PLP55: Conservation Areas

²²⁵ <https://www.portsmouth.gov.uk/services/development-and-planning/planning-policy/conservation-areas/>

- 1. Development proposals within a conservation area, or within its setting, will be permitted where they preserve or enhance the character or appearance of the conservation area.**
- 2. Development in a conservation area will be permitted where:**
 - a) Architectural features such as walls and shop fronts and other features which contribute to the character of an area are retained;**
 - b) There is no adverse impact on the townscape and roofscape of the conservation area, including the protection of important views within, into and out of the area;**
 - c) A consistently high standard of design has been applied and good quality materials, especially those that are locally sourced and/ or distinctive are proposed to be used; and**
 - d) Trees, open spaces and other landscape features which contribute to the character and appearance of the conservation area are protected.**
- 3. Within a conservation area, development proposals which involve the total or substantial demolition of buildings or structures will only be permitted where it is demonstrated that:**
 - a) The current buildings or structures makes an insufficient positive contribution to the character or appearance of the conservation area; and**
 - b) A replacement building of equal or greater quality is proposed and planning permission is applied for at the same time.**

Supporting text

- 11.31 The purpose of Policy PLP55 is to conserve or enhance Portsmouth's conservation areas, which make a significant contribution to the unique character of the City
- 11.32 The policy aims to protect them from inappropriate development and, in doing so, the Council will have particular regard to -
- how the proposed development would harmonise with its surroundings;
 - the relationship to historic development patterns; and
 - the impact on any features which make a positive contribution to the character or appearance of the conservation area.
- 11.33 Where relevant, new development should also take account of the need or scope to remove unsightly or inappropriate features.
- 11.34 Conservation Area Appraisals should also be referred to and taken into consideration when reviewing any potential development proposals that fall within a designated Conservation Area; they provide an in-depth overview into the character of an area, as well as providing suggested guidelines for development. An understanding of such would also be beneficial when preparing design codes.

Archaeology

11.35 Archaeological sites are finite, irreplaceable, and fragile resources which are vulnerable to damage, either from specific works or from gradual degradation over time.

Development Management Policy PLP56: Archaeology

- 1. Development proposals will be permitted where they do not cause harm to archaeological heritage assets and/or their setting. Where the site includes, or has the potential to include, heritage assets with archaeological interest, sufficient information in a Heritage Statement is required to allow an informed assessment of the significance of the archaeological heritage asset and its setting, and the impact of the proposed development on that significance. Field evaluation may also be needed.**
- 2. There will be a presumption in favour of preservation in-situ for Scheduled Monuments and other archaeological heritage assets of equivalent significance.**
- 3. Development proposals that would result in unavoidable harm to, or loss of, an archaeological heritage asset's significance, will only be permitted where there is a clear justification in terms of public benefits arising from the development which outweigh that harm and, in the case of substantial harm/ loss, also meet the following requirements:**
 - a) There is no less harmful viable option; and**
 - b) The amount of harm has been reduced to the minimum possible.**

In these cases, preservation by record secured through an agreed Written Scheme of Archaeological Investigation will be required.

- 4. The city's archaeological ALERT layers should be used to identify sites where unrecorded archaeology may be present and research such as a desk-based assessment should be carried out. This would include consulting the City's HER and other historical sources.**

In those cases where archaeological intervention and recording is considered appropriate to take place the resulting archive should be deposited with Portsmouth Museum and a copy of the report with the City's HER.

Supporting text

11.36 The purpose of Policy PLP56 is to set out more detailed criteria for development proposals affecting heritage assets of archaeological interest.

11.37 When considering archaeological resources, the Authority will seek advice from a qualified planning archaeologist for that purpose.

11.38 The most significant known archaeological heritage assets are usually designated as scheduled monuments and are of national or international importance. It is widely recognised that there are sites which have an equal significance, but which are non-designated heritage assets. If the significance of such sites has been demonstrated, they will be treated in the same way as scheduled monuments. In addition, there are many other archaeological sites which do not have such a great significance but which form a

valuable part of the City's historic environment. These may also be referred to as non-designated heritage assets. The City's HER is the definitive record of all known archaeology, including such sites. The nature of the archaeological record also means that there are many sites of which nothing is presently known, which may be revealed during development works.

- 11.39 Planning decisions will take account of the significance of remains. Development proposals potentially affecting known or suspected archaeological resources will be required to include a Heritage Statement.
- 11.40 Preservation of archaeological assets in situ is the preferred position. In respect of scheduled monuments or non-designated heritage assets of equivalent significance, the preservation of archaeological remains in situ and undisturbed will usually be required. In some cases this can be achieved by avoiding sensitive areas. It should be noted that development which affects a scheduled monument and its setting will require permission from the Secretary of State. Historic England should be notified where Scheduled Monument Consent is required in addition to planning permission. Pre-application engagement with Historic England is also encouraged for all proposals that are likely to affect the significance of a Scheduled Monument.
- 11.41 If a development cannot preserve archaeological assets in situ a Written Scheme of Investigation should be produced in accordance with the professional standards of the Chartered Institute for Archaeologists in order to identify any mitigating measures. A programme of recording should then be carried out in accordance with the Written Scheme of Investigation and the resulting archive should be deposited with Portsmouth Museum and a copy of the report with the City's HER to be made publicly available.
- 11.42 Any projects where significant archaeological interest has been established, such as projects involving major infrastructure, and/or within areas of known archaeological potential will require a programme of archaeological work. The details must be set out in the Written Scheme of Investigation. This must provide for the deposition of the record created by any investigation or recording in the City's HER and deposition of the archive with Portsmouth Museum.

Chapter 12: Monitoring

- 12.1 The Local Plan is subject to regular monitoring over the plan period through the use of targets and indicators. This will assess its impact and whether or not the delivery of its vision and objectives are being achieved. The targets and indicators will be reported on once a year in the Authority Monitoring Report (AMR).
- 12.2 Table 12.1 sets out the Local Plan policies and the targets they seek to achieve. In order to monitor whether or not these targets are being met, indicators are used to assess each policy's yearly performance. This information will be gathered using an array of methods and will be reliant upon a number of stakeholders and bodies to provide key data. Careful consideration has been taken when formulating these indicators to ensure that they are specific, measurable, achievable, relevant, and time-bound (SMART) and can therefore be monitored on a yearly basis.
- 12.3 Monitoring indicators have been applied to policies in accordance with Regulation 34 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Beyond this, further indicators which relate to locally important issues have also been applied to policies. These include indicators relating to design, to ensure all developments are of the highest quality; indicators related to retention and delivery of necessary employment floorspace; indicators on flooding, in order to continually assess the level of flood risk across the City and indicators to monitor the level of green infrastructure being delivered across the City. These have been considered to be important to monitor to provide the local community and other stakeholders with yearly updates. Not all policies within the Local Plan are assigned monitoring indicators. This is largely due to there being no appropriate monitoring indicators that can be assigned to these policies to measure their performance.
- 12.4 The final column of Table 12.1 sets out the delivery partners for each policy, as well as the trigger points and actions to be taken if a policy is not delivering to target.
- 12.5 The outcome of this yearly monitoring will inform the review of this Local Plan in due course.

Policy		Targets	Indicators	Partners, delivery mechanisms, triggers and actions required if policy not being achieved.
PLP1	Design	Ensuring all new development in the City achieves a high standard and quality of design and place-making that supports beauty	Critical evaluation using the 'Building for Life' assessment framework or a similar range of Urban Design criteria at the post occupation stage. This would be of a selection of implemented schemes - across a range of application types/ scales - householder, minor, majors.	PCC will work with developers, the Agents' Forum and the Design Review Panel
PLP2	Climate Emergency	<i>See detailed climate emergency policies</i>		
PLP3	Tipner West & Horsea Island East	Sea defences, land decontamination and land raising/servicing to be completed prior to the commencement of development between 2025-30 58,000 m² marine employment floorspace delivered between 2035-40	Outline & reserved matter permissions granted for net additional homes and commercial floorspace Net additional homes and commercial floorspace (m²) completed	Development is unlikely to be able to proceed without prior delivery of the compensatory habitat and critical enabling works, notably site decontamination and flood defences. If not delivered in line with approved Site Wide Phasing Strategy and condition/legal agreement secured via TWAO. Development is unlikely to be able to proceed without prior delivery of the compensatory habitat

Policy		Targets	Indicators	Partners, delivery mechanisms, triggers and actions required if policy not being achieved.
		with some likely to come forward beyond the plan period 400 homes completed between 2025-35 414-850 homes completed between 2035-40 with some likely to come forward beyond the plan period New bridge delivered between 2025-40 Local shop and community facilities completed between 2030-35		They should be delivered before the occupation of the first home

Policy		Targets	Indicators	Partners, delivery mechanisms, triggers and actions required if policy not being achieved.
PLP4	Tipner East	Enabling works & sea defence wall completed by 2025. 431 homes completed between 2025-30 625 homes completed between 2030-35 716 m² of commercial floorspace delivered between 2030-35 840 m² ancillary commercial uses delivered at the transport hub between 2030-35 Phase 1 of transport hub delivered by 2030 Phase 2 of transport hub delivered by 2035	Outline & reserved matter permissions granted for net additional homes and commercial floorspace Number of net additional homes and commercial floorspace (m²) completed Reserved matters permitted for the Transport Hub; phased completion of the Transport Hub	Underway Reserved matters application needs to be permitted by June 2025 to keep extant permission

Policy		Targets	Indicators	Partners, delivery mechanisms, triggers and actions required if policy not being achieved.
PLP5	Lakeside North Harbour	50,000 m ² of office floorspace completed by 2040	Outline & reserved matter permissions granted Amount of new office floorspace completed per annum	If lack of interest is demonstrated in new office floorspace through a robust marketing campaign then other commercial uses will be allowed
PLP6	Portsmouth City Centre	20,000 m ² (1,546 m ² net) of Office floorspace completed between 2030-40 1,721 homes completed 2030 2,437 homes completed between 2030-2040 Provision of supporting infrastructure including but not limited to street scene improvements, new open space at City Centre North and improved provision for the market	Outline & reserved matter permissions granted Number of net additional homes and commercial floorspace m ² completed Overview of development within the City Centre, including regard to delivery milestones arising from targets identified in any relevant masterplan(s)	Development progress will be monitored through the AMR. If there is a lack of progress further work will be undertaken to ascertain the reason and propose interventions
PLP7	Fratton Park & the Pompey Centre	Delivery of 710 homes between 2030-2040 with some likely to come forward beyond the plan period	Outline & reserved matter permissions granted; Number of net additional homes completed	Development progress will be monitored through the AMR. If there is a lack of progress further work will be undertaken to ascertain the reason and propose interventions

Policy		Targets	Indicators	Partners, delivery mechanisms, triggers and actions required if policy not being achieved.
		Expansion to the north stand of Fratton Park Football Stadium to increase the capacity from 21,000 to between 26,000 and 30,000 between 2035-40 Off road pedestrian/cycle route from Fratton Station delivered prior to occupation of homes and opening of the Fratton Park expansion. Delivery of associated hotel and mixed conference and event facilities, open for business when the Fratton Park Stadium expansion opens Ground floor active uses open for business when the first homes and business premises are occupied	Ground floor active floorspace completed (m²) Delivery of an off road route from Fratton Station	

Policy		Targets	Indicators	Partners, delivery mechanisms, triggers and actions required if policy not being achieved.
PLP8	St James' & Langstone Campus	Delivery of 209 homes between 2025-30 (application 20/00204/FUL) Delivery of 88 homes between 2025-30 Delivery of 120 homes between 2030-35	Outline & reserved matter permissions granted Number of net additional homes completed	Development progress will be monitored through the AMR. If there is a lack of progress further work will be undertaken to ascertain the reason and propose interventions
PLP9	Horsea Island Open Space	Creation of new 64 hectares of public open space with potential for public access after 2030	Outline & reserved matter permissions granted as necessary Delivery of public access to the new open space post 2030	By 2027, if the site is not anticipated to be ready to be opened for public access in 2030 further assessment will be needed by PCC / Veolia to determine the measures needed to expediate access.
PLP10	Land west of Portsdown Technology Park	Delivery of 12,500 m ² of R&D/B2 floorspace by 2030	Outline & reserved matter permissions granted Amount of commercial floorspace permitted and completed by use class	By 2030, contact the landowner if planning applications for the site have not been forthcoming

Policy		Targets	Indicators	Partners, delivery mechanisms, triggers and actions required if policy not being achieved.
PLP11	Port Solent	Flood defence improvements prior to occupation of homes Delivery of 500 homes and marine uses between 2035-40 with some likely to come forward beyond the plan period Improved access for sustainable transport modes from and to the A27 by 2040	Outline & reserved matter permissions granted Number of net additional homes completed and occupied m² marine floorspace completed Access improvements associated with residential development at Port Solent	Ongoing liaison with site developer to understand delivery timescales more precisely.
PLP12	St John's College	Delivery of 212 homes between 2030-35	Outline & reserved matter permissions granted Number of net additional homes and m² commercial floorspace completed.	Ongoing liaison with The developer and close cooperation to identify potential sources of delay and deliver timescales more precisely.

Policy		Targets	Indicators	Partners, delivery mechanisms, triggers and actions required if policy not being achieved.
PLP13	Fraser Range	Delivery of new seawall flood defences and related extension to coastal path between 2025-30 Delivery of main access road improvements between 2025-30 Delivery of first 40 (of 134) new homes and related landscaping between 2025-30 Delivery of remaining 94 (of 134) new homes and related landscaping between 2030-35	Outline & reserved matter permissions granted Progress towards delivery of sea defence and coastal path Delivery of associated infrastructure	Ongoing liaison with site developer to understand delivery timescales more precisely.
PLP14	The News Centre	Delivery of an electric bus depot Delivery of 100 new homes between 2030 and 2035	Outline & reserved matter permissions granted for electric bus depot and net additional homes Completion of electric bus depot, and net additional homes	By 2028, contact the landowner if a planning application for this element of the site has not been forthcoming. By 2032, contact the landowner if a planning application for this element of the site has not been forthcoming

Policy		Targets	Indicators	Partners, delivery mechanisms, triggers and actions required if policy not being achieved.
PLP15	Somers Orchard	Delivery of 565 homes between 2030-35 Delivery of 353 affordable homes between 2030-35	Outline & reserved matter permissions granted for net additional homes Percentage of affordable housing as per strategic site policy requirement	Ongoing liaison with The developer / The City Council's Housing Revenue Account team.
PLP16	Housing Target	At least 680 new homes delivered in the City every year	Number of net additional homes with extant permission Number of net additional homes completed Summary of delivery milestones for strategic sites and allocations arising from targets identified in relevant policies Five year supply and looking forward to the remainder of the plan period	Housing Delivery Test consequences including the tilted balance and implementing the Housing Delivery Test Action Plan

Policy		Targets	Indicators	Partners, delivery mechanisms, triggers and actions required if policy not being achieved.
PLP17	Affordable Homes	Delivery of 30% affordable homes on sites across the City	Annual monitoring of number and percentage of net additional affordable homes permitted and completed on sites across the City	Under delivery of affordable housing would be flagged in the AMR. Partners are the PCC Housing Revenue Account team and registered social landlords
PLP18	Housing mix	Ensuring new development for the following types/groups are policy compliant in terms of mix: • Market homes • Affordable home ownership • General need affordable rented • Older persons affordable rented Ensuring enough homes are built to accessible or adaptable standards, in compliance with the policy	Annual monitoring of housing types, sizes and tenure of housing and specialist housing permissions and completions	

Policy		Targets	Indicators	Partners, delivery mechanisms, triggers and actions required if policy not being achieved.
PLP19	Housing for Specific Groups	Ensuring new development for the following types/groups are policy compliant, including with the Local Plan as a whole: • Self-build and custom-build • Older persons' housing • Specialist and supported housing • Purpose-built student accommodation • Build to Rent homes • Communal or co-living homes • Service personnel and service family accommodation	Annual monitoring of housing types, sizes and tenure of housing and specialist housing completions	Under delivery of affordable housing would be flagged in the AMR. Partners are the PCC Housing Revenue Account and registered social landlords
PLP20	Houses in Multiple Occupation	Ensuring new HMOs are policy compliant, with regard to percentage of residential properties in an area (Ward, for monitoring purposes)	Annual monitoring of number of HMOs permitted and refused by Ward. Capture C3 to C4 as well as C3 and C4 to sui generis	Working with the Licensing team at PCC to ensure that new HMOs are meeting acceptable standards

Policy		Targets	Indicators	Partners, delivery mechanisms, triggers and actions required if policy not being achieved.
PLP21	Residential Density	Ensuring sites are optimised in terms of residential density, having regard to the minimum density targets for location contained in the policy	Monitoring of residential density received from HCC by residential density zone	Building at appropriate densities to make an efficient use of land is necessary to meet the housing target set in Policy PLP16. Therefore the Housing Delivery Test consequences including the tilted balance and implementing the Housing Delivery Test Action Plan are relevant to the implementation of this policy
PLP22	Space Standards	Ensuring that new development meets nationally described space standards for internal floorspace.	Number of applications not meeting nationally described space standards for internal floorspace.	Liaison with PCC Development Management (DM)
PLP23	Estate Renewal	Ensuring sustainable estate renewal of PCC owned and managed assets in the City	Overview of development within the Estate Renewal Areas, including success on delivery milestones arising from targets identified in any relevant masterplan(s)	Liaison with PCC Estates Team
PLP24	Gypsies, Travellers & Travelling Showpeople	Delivery of pitches or sites for gypsies and travellers in accordance with the latest identified need and criteria based policy	Number of new permanent or temporary pitches permitted and completed, and number of enforcement cases.	Liaison with PCC Community Safety team
PLP25	Employment Target	Targets: • Office 58,645 • R&D 15,270 • B2/B8 64,514	Amount of floorspace delivered by use class	Liaison with PCC Economic Growth & Skills team

Policy		Targets	Indicators	Partners, delivery mechanisms, triggers and actions required if policy not being achieved.
PLP26	Safeguarding Employment Land	No net loss of existing or allocated employment floorspace that is fit for purpose	Amount of floorspace lost by use class both through permitted schemes and permitted development rights	Liaison with PCC Economic Growth & Skills team
PLP27	Employability & Skills	ESPs agreed for each permission for >30 homes and/or 1000 m² commercial floorspace ESPs delivered for each completion of >30 homes and/pr 1000 m² commercial floorspace	Number of ESPs completed per year for homes constructed and commercial premises developed	Liaison with PCC Economic Growth & Skills team

Policy		Targets	Indicators	Partners, delivery mechanisms, triggers and actions required if policy not being achieved.
PLP28	Town Centres	Delivery of growth and annual appraisal of change of main town centre uses across the City Centre, and its Core Commercial Areas. As above for Town, District, Local and Neighbourhood centres, to be monitored as appropriate (e.g. every 2-3 years).	Net change in floorspace permitted and completed for Use Class E Commercial Business and Service (a)(b)(c) and Use Class F1 Learning and non-residential institutions within designated centre boundaries (for all centres, annual monitoring). Percentage of above uses within the City Centre as a whole, and within its Core Commercial Areas (annual monitoring). Percentage of above uses within each Town, District, Local and Neighbourhood Centre, as appropriate (e.g. every 2-3 years). Vacancy rates within the City Centre, and in their Core Commercial Area (annual monitoring). Vacancy rates will be monitored in the Town, District, Local and Neighbourhood Centres as	Liaison with PCC Town Centre Manager

Policy		Targets	Indicators	Partners, delivery mechanisms, triggers and actions required if policy not being achieved.
			appropriate e.g. every 2-3 years.	
PLP30	Cultural and Visitor Economy	Growth of cultural and visitor economy uses to maximise economic diversity and drive culture-led regeneration	Update on new development of cultural and visitor economy uses, and visitor numbers in the City.	Liaison with PCC Culture team
PLP31	Flooding	Reduction in the impact and extent of all types of flooding	Progress on flood defence projects within the City Number of homes and/or businesses at reduced risk from flooding following the delivery of flood defences.	Partners: Coastal Partners / Environment Agency / PCC Lead Local Flood Authority Trigger: Any development granted planning permission in flood zones contrary to the advice of the EA

Policy		Targets	Indicators	Partners, delivery mechanisms, triggers and actions required if policy not being achieved.
			Developments granted planning permission contrary to the advice of the EA in Flood Risk Zones 2 and 3	
PLP33	Sustainable Construction and Onsite Renewable Energy	All development to meet latest water efficiency standard.	Development meeting 110 litres per person water efficiency standard or latest equivalent.	Following on from the WMS that forbids local plans from exceeding energy efficiency standards set in Building Regulations, carefully monitor any changes to the Building Regulations
PLP34	Renewable Energy	Increase in the number of renewable energy schemes in the City	Number of renewable energy schemes permitted and completed	
PLP36	Coastal Zone	Conserve and enhance the character of the Coastal Zone area	Number of schemes permitted and completed within the Coastal Zone that are policy compliant.	Partners: Coastal Partners / Environment Agency / PCC Lead Local Flood Authority Trigger: Any development granted planning permission in flood zones contrary to the advice of the EA
PLP35	Air quality & Pollution	Improve the City's air quality	Report on Key indicators from the Air Quality Annual Status Report including for example data on: • Vehicles subject to the Clean Air Zone (CAZ); • Pollution levels at monitoring points; and	Future reviews of the CAZ Liaison with PCC Public Health and Transport teams

Policy		Targets	Indicators	Partners, delivery mechanisms, triggers and actions required if policy not being achieved.
			Changes in quality at AQMA's	
PLP38	Green Infrastructure	Create and enhance the green grid in the City	Number of major permissions that positively contribute to the green grid. Number of major permissions that negatively impact the green grid. Contributions from Major development s106 towards green infrastructure	Liaison with PCC Greening the City and Transport teams
PLP39	Biodiversity	Protection and enhancement of National Nature Conservation designations	Condition of SSSI/protected habitats: favourable, unfavourable, unfavourable recovering (as per HBIC)	Partners: HCC Habitat and Biodiversity Information Centre, PCC Parks team and the Hampshire & Isle of Wight Wildlife Trust
PLP40	Biodiversity Net Gain	Uplift in total biodiversity in the City Development schemes providing onsite / offsite BNG	Number of applications achieving on site BNG of 10% or more both onsite / offsite	Partners: PfSH Strategic Environmental Protection Officer (SEPO)
PLP41	Trees & Hedgerows	No loss of protected trees without replacement	Planning applications granted for loss of Tree	Liaison with PCC Tree Officer

Policy		Targets	Indicators	Partners, delivery mechanisms, triggers and actions required if policy not being achieved.
			Preservation Order (TPO) trees without replacement	
PLP42	Solent Waders & Brent Geese Sites	Protect supporting habitat for Waders and Brent Geese	Development permitted directly and indirectly impacting on these sites and mitigation provided. Development refused due to impact upon supporting habitat	Partner: Bird Aware Solent
PLP43	Recreational Disturbance on International Nature Designations	Effectiveness of the Solent Recreation Mitigation Strategy. Number of schemes contributing to the Solent Recreation Mitigation Strategy	Total contributions to Bird Aware	Partner: Bird Aware Solent
PLP44	Nutrient Neutrality in International Nature Designations	Ensuring development does not negatively contribute to nutrification in the Solent	Number of Schemes securing nutrient neutrality mitigation Amount of nutrients secured by LPA in Kg/TN/yr	Partners: PfSH SEPO, PCC Housing Revenue Account team, the Hampshire & Isle of Wight Wildlife Trust and the PCC CIL team
PLP45	Open Space	Open space secured as part of new development	Net amount of open space secured as part of new development (hectares) above the policy threshold	Liaison with PCC Parks team

Policy		Targets	Indicators	Partners, delivery mechanisms, triggers and actions required if policy not being achieved.
			Financial contributions for qualitative improvements	
PLP46	Local Green Spaces	Protect and enhance Local Green Spaces	Number of development proposals permitted that relate to either the improvement or loss of Local Green Spaces	Liaison with PCC Parks team
PLP47	Movement and Transport	To deliver development that minimises the need to travel and maximises the availability of relevant sustainable transport options, so that growth in private vehicle use is kept to a minimum	Developments granted planning permission for transport infrastructure Progress towards delivery of attractive, inclusive, safe and accessible walking and cycling routes across the City (LTP4 Policy G). Progress towards delivery of strategic transport improvements identified within the Strategic Transport Assessment.	Partners: PCC highways authority / National Highways / Network Rail / Triggers: No mitigation secured at strategic development sites that require measures, as set out within the Strategic Transport Assessment. No CIL funds spent on transport improvements by 2030 No gross increase in non-motorised transport routes by 2030

Policy		Targets	Indicators	Partners, delivery mechanisms, triggers and actions required if policy not being achieved.
PLP48	Access and Parking	Make efficient use of land in Portsmouth and provide appropriate vehicle, bicycle and alternative parking (e.g. scooters) in terms of amount, design and layout for residential and non-residential developments	Delivery of new Portsmouth's Parking Strategy Delivery of Portsmouth's new Parking Standards and Transport Assessment SPD. Progress towards delivery of shared transport modes (LTP4 Policy C). Delivery of cycle parking facilities and associated infrastructure (LTP4 Policy G).	Partners: PCC Highways Authority Triggers: Parking Strategy not adopted by 2025 / Parking Standards SPD not adopted by 2026
PLP49	Public realm	To undertake effective placemaking to deliver multifunctional public realms across the City	Number of public realm, cultural and public art projects secured by s106 agreement and planning condition	
PLP50	Infrastructure Delivery	All development is supported by infrastructure as far as necessary to mitigate its impact	Total CIL monies gathered Progress towards delivery of critical infrastructure projects as identified within the IDP	Partners: Infrastructure providers and the PCC CIL team

Policy		Targets	Indicators	Partners, delivery mechanisms, triggers and actions required if policy not being achieved.
PLP51	Electronic Communication & Utilities Infrastructure	Provide infrastructure to ensure all new developments are served by superfast broadband, full fibre connections or equivalent. Removal, reduction in prominence and undergrounding of telecommunications/ utilities infrastructure where feasible	Increase in coverage of superfast broadband and full fibre connections	Partners: PCC / Telecommunications and utility companies Triggers: No expansion of coverage by 2030
PLP52	New & Existing Community & Leisure Facilities	Protect and enhance the provision of community facilities to meet the everyday needs of local communities	Number of permissions and completions for new community facility floorspace Amount of community facility floorspace lost Progress on the delivery of key community facilities set out in Portsmouth's Corporate Plan (2023/24)	Partners: PCC / Developers Triggers: No new community facilities delivered at strategic sites where the requirement is set out in Policy. Loss of community facilities through Change of Use 1 development of this type in 3 consecutive years or 3 such developments in 1 year
PLP55	Conservation Areas	Review and update as necessary one of the existing Conservation Area Appraisal and Guideline Documents per annum.	Progression/ completion of review of one (1) of the Council's existing Conservation Area and	

Policy		Targets	Indicators	Partners, delivery mechanisms, triggers and actions required if policy not being achieved.
			Appraisal Documents by December.	

Table 12.1: Local Plan Monitoring

Appendix 1: List of Policies to be superseded by the Portsmouth Local Plan

Portsmouth City Local Plan 2001-2011

Saved Policy superseded	Portsmouth Local Plan Policy
DC21: Contaminated Land	PLP37: Contaminated Land
DC26: Access onto Primary and Distributor Roads	PLP48: Access & Parking
DC31: Employment Sites outside the Primary Area	PLP26: Safeguarding Employment Land
DC44: Housing Revival Areas	PLP28: Town Centres, PLP16: Housing Target
DC45: Loss of Housing	PLP16: Housing Target
BF1: Land South of Burrfields Road	PLP52: New & Existing Community & Leisure Facilities
CS1: Goldsmith Infant School	PLP52: New & Existing Community & Leisure Facilities, PLP49: Public Realm
CS2: Goldsmith Avenue/Fawcett Road Urban Priority Area	Implemented
CD10: Alder's Warehouse	Implemented
CD14: Improved Access to Trafalgar Gate	PLP47: Movement & Transport
CP1: Brynwell Builder's Yard, Copnor Road	PLP16: Housing Target
CM1: Land East of the Marriott Hotel	PLP47: Movement & Transport
CM4: Cosham Transport Interchange	Implemented
CM6: Queen Alexandra Hospital	PLP52: New & Existing Community & Leisure Facilities
CM7: A27 Cycleway	PLP47: Movement & Transport
CM8: Portsdown Hill	PLP45: Open Space, PLP39: Biodiversity, PLP46: Local Green Spaces
DF2: 109b and 111-113 Havant Road	PLP16: Housing Target
EC1: Langstone Harbour Coastal Path	PLP39: Biodiversity, PLP45: Open Space
HS3: Land West of Peronne Road	Implemented
HS4: Museums Store, Copnor Road	PLP16: Housing Target, PLP52: New & Existing Community & Leisure Facilities
HS5: Hilsea Lido	PLP45: Open Space, PLP52: New & Existing Community & Leisure Facilities
MT1: St. Mary's Hospital (West)	Implemented
MT2: Land South of St. James' Hospital	PLP8 St James' & Langstone Campus, PLP45: Open Space
MT3: Land at St James' Hospital	PLP8 St James' & Langstone Campus
MT4: St. James' Hospital (Main Building)	PLP8 St James' & Langstone Campus, PLP54: Listed Buildings
MT5: Land North of Goldsmith Avenue	PLP25: Employment Target
MT7: Land North of Milton Park Infant/Junior School	PLP52: New & Existing Community & Leisure Facilities
NL2: Waterside School	PLP52: New & Existing Community & Leisure Facilities
PG3: Land at Marsden Road	PLP16: Housing Target, PLP52: New & Existing Community & Leisure Facilities, PLP47: Movement & Transport
SJ1: Land North of Clarence Parade	PLP16: Housing Target
SJ3: Southsea Skate Park	PLP46: Local Green Spaces
SJ8: Land to the West of Exmouth Road	PLP16: Housing Target

SJ9: Land at the Corner of Exmouth Road and St Vincent Road	PLP16: Housing Target
ST2: Ravelin Park	Implemented
PH1: Portsmouth Harbour Coastal Zone	PLP36: Coastal Zone
LH1: Langstone Harbour Open Coastal Area	PLP36: Coastal Zone
LH2: Langstone Harbour Coastal Zone	PLP36: Coastal Zone

The Portsmouth Plan (Portsmouth's Core Strategy) 2012

Existing Policy superseded	Portsmouth Local Plan Policy
PCS1: Tipner	PLP3: Tipner West & Horsea Island East, PLP4: Tipner East
PCS2: Port Solent	PLP11: Port Solent
PCS3: Horsea Island	PLP3: Tipner West & Horsea Island East, PLP9: Horsea Island Open Space
PCS4: Portsmouth City Centre	PLP6: Portsmouth City Centre
PCS5: Lakeside Business Park	PLP5: Lakeside North Harbour
PCS6: Somerstown and North Southsea	PLP23: Estate Renewal, PLP15: Somers Orchard
PCS7: Fratton Park & the South Side of Rodney Road	PLP7: Fratton Park & the Pompey Centre
PCS8: District Centres	PLP28: Town Centres
PCS9: The Seafront	PLP36: Coastal Zone
PCS10: Housing Delivery	PLP16: Housing Target
PCS11: Employment Land	PLP25: Employment Target
PCS12: Flood Risk	PLP31: Flooding
PCS13: A Greener Portsmouth	PLP38: Green Infrastructure, PLP39: Biodiversity
PCS14: A Healthy City	PLP35: Air Quality & Pollution, PLP45: Open Space, PLP47: Movement & Transport, PLP49: Public Realm, PLP52: New & Existing Community & Leisure Facilities
PCS15: Sustainable Design and Construction	PLP33: Sustainable Construction and Onsite Renewable Energy
PCS16: Infrastructure and Community Benefit	PLP50: Infrastructure Delivery, PLP51: Electronic Communication & Utilities Infrastructure, PLP27: Employability & Skills
PCS17: Transport	PLP47: Movement & Transport
PCS18: Local Shops and Services	PLP29: Small Local Shops
PCS19: Housing Mix, Size and the Provision of Affordable Homes	PLP17: Affordable Homes, PLP18: Housing Mix, PLP19: Housing for Specific Groups, PLP22: Space Standards
PCS20: Houses in Multiple Occupation (HMOs): ensuring mixed and balanced communities	PLP20: Houses in Multiple Occupation
PCS21: Housing Density	PLP21: Residential Density
PCS22: Gypsy, Traveller & Travelling Showpeople Accommodation	PLP24: Gypsies, Travellers & Travelling Showpeople
PCS23: Design and Conservation	PLP1: Design, PLP53: Historic Environment
PCS24: Tall Buildings	PLP1: Design

Somerstown and North Southsea Area Action Plan (AAP) 2012

Policy superseded	Portsmouth Local Plan Policy
SNS1: Presumption in favour of Sustainable Development	The Emerging Local Plan
SNS2: Comprehensive Change	PLP23: Estate Renewal
SNS3: New Routes	PLP49: Public Realm, PLP47: Movement & Transport, PLP48: Access & Parking
SNS4: Removal of Winston Churchill Roundabout	PLP47: Movement & Transport
SNS5: Community Facilities: Land Use	Implemented
SNS6: Local Centre	PLP28: Town Centres
SNS7: Residential Development	PLP23: Estate Renewal, PLP18: Housing Mix, PLP19: Housing for Specific Groups
SNS8: Employment	PLP25: Employment Target
SNS9: Public Open Space: Allocations	PLP45: Open Space
SNS10: Development on Existing Open Space	PLP45: Open Space
SNS11: General Design Principles	PLP1: Design

Southsea Town Centre Area Action Plan (AAP) 2007

Policy superseded	Portsmouth Local Plan Policy
STC1: Sustainable Construction & Design	PLP33: Sustainable Construction and Onsite Renewable Energy
STC2: Southsea Town Centre	PLP28: Town Centres
STC3: Southsea Primary Frontage	PLP28: Town Centres
STC4: Restaurants & Café	PLP28: Town Centres
STC5: Drinking Establishments & Hot Food Take-aways	PLP28: Town Centres, PLP30: Cultural and Visitor Economy
STC6: Markets & Events	PLP30: Cultural and Visitor Economy, PLP28: Town Centres
STC7: Access	PLP47: Movement & Transport PLP48: Access & Parking
STC8: Taxi Ranks	PLP47: Movement & Transport
STC9: Ashby Place Car Park	PLP28: Town Centres, PLP48: Access & Parking
STC10: Design	PLP1: Design
STC11: Shop Fronts	PLP28: Town Centres, PLP29: Small Local Shops
STC12: Environmental Improvements	PLP28: Town Centres, PLP49: Public Realm
STC13: Palmerston Road Precinct	PLP49: Public Realm, PLP1: Design PLP48: Access & Parking
STC14: Links	PLP49: Public Realm, PLP1: Design
STC15: Knight & Lee, Palmerston Road	PLP28: Town Centres, PLP16 Housing Target
STC16: Grosvenor Casino, Osborne Road	PLP28: Town Centres, PLP52: New & Existing Community & Leisure Facilities PLP16 Housing Target
STC17: 14-18 Osborne Road	PLP28: Town Centres PLP16: Housing Target

Appendix 2: Identified small/medium sites from the 2023 Housing & Economic Land Availability Assessment (HELAA) of less than one hectare with capacity for five or more dwellings

HELAA 2023 Site ref.	Site Name	Area (ha)	0-5 years	6-10 years	11-15 years	>15 years	Total net dwellings
BA01	Coniston Avenue	0.28	0	11	0	0	11
BA02	West of Milton Road	0.47	0	0	20	0	20
BA03	Garages on Kendal Avenue	0.15	0	0	10	0	10
CD02	Car Park, Crasswell Street	0.03	0	5	0	0	5
CD04	The Invincible, Wickham Street	0.03	42	0	0	0	42
CD05	Car Park, College St	0.16	0	0	60	0	60
CD06	Rosemary Lane, Garages	0.04	0	0	20	0	20
CD07	Bridge Centre, Fratton	0.38	0	115	0	0	115
CD10	Maxstoke Close Car Park	0.12	0	5	0	0	5
CD11	27 - 29 Kingston Road	0.03	7	0	0	0	7
CD15	Hertford Place	0.16	0	17	0	0	17
CD20	Durham Street	0.42	0	0	50	0	50
CD21	Port Royal Street Industrial Area, East of Somers Road	0.17	0	0	20	0	20
CD29	28-42 Lake Road	0.08	0	40	0	0	40
CD65	117-127 Fratton Road	0.18	0	30	0	0	30
CD73	Maitland Street	0.20	0	5	0	0	5
CD75	Venture Tower Fratton Road	0.09	0	38	0	0	38
COP01	Brynwell Builder's Yard, 207-217 Copnor Road	0.10	20	0	0	0	20
COP02	Green Lane Garages	0.05	0	5	0	0	5
COP03	Copnor Methodist Church	0.14	0	15	0	0	15
COS01	Cosham Health Centre, Vectis Way	0.33	70	0	0	0	70
COS02	Community Centre, Cosham	0.28	0	50	0	0	50
COS03	Westmoors 50 London Road Cosham	0.07	0	10	0	0	10
COS04	Former Cosham Police Station	0.28	0	60	0	0	60
COS06	Cosham Fire Station	0.17	0	50	0	0	50
CS01	139 - 141 Goldsmith Avenue	0.07	0	0	12	0	12
CS02	163 Goldsmith Avenue	0.07	0	0	20	0	20
CS06	227-231 Goldsmith Avenue	0.09	25	0	0	0	25
DF02	Karen Avenue	0.45	0	6	0	0	6
EC02B	Land at Halliday Crescent	0.13	0	5	0	0	5
EC07	4 Waverley Road	0.12	0	5	0	0	5
EC08	1A Beatrice Road	0.02	5	0	0	0	5
EC14	Eastney Swimming Pool and part of Southsea Leisure Park	0.88	8	0	0	0	8
FR02	Car Sales, Cornwall Road	0.07	0	10	0	0	10
FR03	Nancy Road Car Park	0.12	0	5	0	0	5
FR04	46- 50 Kingston Road	0.03	11	0	0	0	11
FR06	St Wilfrids Church, 49 George Street	0.09	8	0	0	0	8
HI01	Hilsea Lodge (Highgrove)	0.48	24	0	0	0	24

HELAA 2023 Site ref.	Site Name	Area (ha)	0-5 years	6-10 years	11-15 years	>15 years	Total net dwellings
HI02	Land of former supermarket, Stubbington Avenue	0.18	0	20	0	0	20
HI08	Museums Store, Copnor Road	0.27	0	0	10	0	10
MI03	142 Milton Road (former Pickwick Pub)	0.08	12	0	0	0	12
MI07	185-191 Highland Road	0.04	8	0	0	0	8
NE02	Smeaton Street Garages	0.02	0	5	0	0	5
NE03	Former Police Station, Kingston Crescent	0.41	0	60	0	0	60
NE05	205 London Road	0.02	0	8	0	0	8
NE06	Blue Anchor PH, 2 London Road	0.03	0	6	0	0	6
NE07	Former Barclays 82 London Road	0.03	9	0	0	0	9
NE09	98 London Road	0.18	30	0	0	0	30
NE20	305-307 Twyford Avenue	0.03	6	0	0	0	6
NE22	Land at Heathfield Road	0.08	0	15	0	0	15
PA03	140 Southampton Road	0.16	0	20	0	0	20
PA15	Land at Bude Close	0.09	0	5	0	0	5
SJ02	71 -73 Palmerston Road	0.03	6	0	0	0	6
SJ04	61-63 Marmion Road	0.06	0	5	0	0	5
SJ08	Former Grosvenor Casino, Osborne Road	0.09	0	10	0	0	10
SJ12	82-88 Clarendon Road	0.04	10	0	0	0	10
SJ16	Wimbledon Park Sports Centre	0.23	0	10	0	0	10
ST01	City Records Office	0.35	0	50	0	0	50
ST02	Middle Street	0.19	163	0	0	0	163
ST03	Open space at Stone Street	0.28	0	18	0	0	18
ST04	Wightlink Car Park	0.35	0	0	60	0	60
ST05	Car Park, Wiltshire Street	0.07	0	0	50	0	50
ST07	Derelict Land, Warwick Crescent	0.04	7	0	0	0	7
ST09	Wellington Street Garages	0.02	0	5	0	0	5
ST12	Cathedral House	0.07	0	8	0	0	8
ST14	7 Kings Road, Southsea	0.10	0	8	0	0	8
TOTALS			471	740	332	0	1,543

Appendix 3: Identified sites from the 2023 Housing & Economic Land Availability Assessment (HELAA) of more than one hectare with capacity for five or more dwellings

HELAA 2023 Site ref.	Site Name	Area (ha)	0-5 years	6-10 years	11-15 years	>15 years	Total net dwellings
CD01	Wardroom	2.71	0	200	0	0	200
DF06	East Lodge Farm (PCC owned)	1.25	0	0	25	0	25
DF07	Court Lane Yard	1.88	0	0	70	0	70
EC11	Southsea Marina	4.49	0	12	0	0	12
PA04	Beacon View Academy	1.33	0	70	0	0	70
PA08	Land at Marsden Road, Paulsgrove	1.79	0	0	80	0	80
TOTALS			0	282	175	0	457

Appendix 4: Marketing Requirements for Change of Use Applications

This appendix is relevant to the following policies, which have marketing requirements for change of use applications:

- Development Management Policy PLP26: Safeguarding Employment Land
- Development Management Policy PLP28: Town Centres
- Development Management Policy PLP29: Small Local Shops
- Development Management Policy PLP52: New & Existing Community & Leisure Facilities

Applicants are encouraged to work on an iterative basis with the Local Planning Authority on their marketing campaigns. They should contact us before starting any marketing work and again once it is finished, but before they submit their application.

For all development proposals that involve the loss of an existing use protected by the above named policies a full and active marketing campaign should have been carried out for the minimum amount of time specified in the relevant policy. The marketing period set for Policies PLP26 to 29 is six months. The marketing period for commercially run community facilities set in Policy PLP52 is 12 months. These time periods are considered reasonable and provide sufficient time to test market demand for the existing use. The marketing period will need to be evidenced by a Marketing Report, which should be submitted along with the planning application. The scale of the Marketing Report should be proportionate with the scale and type of the proposed change of use. Therefore the scale of a Marketing Report for a large employment site located close to the City Centre will be much more onerous than for a small more local employment site. In all cases the marketing process requires as a minimum:

1. Confirmation by the marketing agent on headed company paper or electronic equivalent that the premises were appropriately and extensively marketed for the required length of time as set out by the Council. The marketing period must have ended on a date no more than six months before the date the planning application was submitted.
2. Downloaded and verified evidence of marketing on social media and the internet.
3. Dated photographs of marketing board/s of an appropriate quality, size, scale, location and number, during this time, on the premises.
4. An enquiry log, how it was followed up and why it was unsuccessful.
5. A copy of all advertisements in the local press and trade journals both paper and online.

The premises and/or site should be marketed at a price and associated terms that are commensurate with market values for the existing use, based on evidence from recent and comparable transactions and deals. To demonstrate that the price and terms are appropriate, at least three examples may be requested by the Local Planning Authority of completed transactions involving a similar site or premises and similar terms within the local area, dated within the last twelve months, and written evidence from an independent qualified valuer on the market values in the local area. All information about price and terms should be provided in an accessible format. Where the price changed during the period of the marketing campaign, the reasons for this should be recorded and included in the Marketing Report.

Where premises are marketed for lease, the length of lease offered should not be unduly restrictive and should include the potential for a short term lease in appropriate cases. Details of the lease terms offered should be included in the marketing report, along with any changes made to the terms offered during the period of the marketing campaign and the reasons for this.

Where the flow of enquiries has been limited or is decreasing during the period of marketing, the Marketing Report should explain any measures taken to refresh the marketing campaign.

Glossary

Accessibility

The ability and level of ease in which people can move around an area and/or reach places and facilities.

Active Resistance Measures (in relation to flood risk)

Measures which are not permanently installed into a property and will require deployment before a flood event, such as a door guard (CIRIA, 2021).

Affordable Housing

This term encapsulates social rented, affordable rented and intermediate housing, which is provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

Affordable Rented

A maximum rent not exceeding either 80% of the open market rent for the relevant property type, size and location (including service charges) or the Local Housing Allowance rate, whichever is lower.

Air Quality Management Areas (AQMAs)

Areas designated by local authorities because they are not likely to achieve national air quality objectives by the relevant deadlines.

Amenity

A positive element or elements that contribute to the overall character or enjoyment of an area. For example, open land, trees, historic buildings and the inter-relationship between them, or less tangible factors such as tranquillity.

Ancient or Veteran Tree

A tree which, because of its age, size and condition, is of exceptional biodiversity, cultural or heritage value. All ancient trees are veteran trees. Not all veteran trees are old enough to be ancient, but are old relative to other trees of the same species. Very few trees of any species reach the ancient life-stage.

Article 4 Direction

A direction made under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 which withdraws permitted development rights granted by that Order. They are issued by local planning authorities.

Authority Monitoring Report (AMR)

An annual report that details the progress and effectiveness of a Council's planning policies, as set out in the Local Plan.

Biodiversity

The range and diversity of life in all its forms, including plants, animals and micro-organisms, their habitats and the ecosystems within which they live and interact.

Biodiversity Metric

The biodiversity metric is a tool (published by Natural England) used to calculate how a development, or change in land management, will change the biodiversity value of a site. The metric calculates the values as 'biodiversity units,' using the size, quality and location of the habitat. The Metric will be used for major development from February 2024, with a 'small sites metric' to be used on minor development from April 2024.

Biodiversity Net Gain (BNG)

Biodiversity net gain is a way of contributing to the recovery of nature while developing land, making sure that the habitat for wildlife is in a better state than it was before development occurred. The Environment Act contains a new 10% biodiversity net gain condition for planning permissions, which will become mandatory in November 2023. A 'biodiversity metric' can be used to measure the amount of biodiversity net gain (see above).

Biodiversity Opportunity Areas (BOA)

Extensive areas where improved habitat management, as well as efforts to restore and re-create Priority habitats, will be most effective in enhancing connectivity to benefit recovery of Priority species in a fragmented landscape.

Bird Aware Solent

Bird Aware Solent is the brand name of the Solent Recreation Mitigation Partnership. They are made up of fifteen local councils, Natural England, the Royal Society for the Protection of Birds, Hampshire & Isle of Wight Wildlife Trust, and Chichester Harbour Conservancy. The goal is to raise awareness of the ducks, geese and wading birds that spend the winter on the Solent coastline.

Blue Infrastructure

Networks, or features within a network, which relate to water, including rivers, streams, ponds, lakes and storm water provision.

BREEAM

This stands for the Building Research Establishment's Environmental Assessment Method. This is the preferred way of measuring the environmental sustainability of commercial buildings.

Brownfield Land/Sites

Previously developed land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure.

Build to Rent Homes

Homes developed and built specifically for the rental market.

Clean Air Zone

A clean air zone (CAZ) is an area where targeted action is taken to improve air quality and deliver improved health benefits and support economic growth. CAZs aim to reduce all sources of pollution, including nitrogen dioxide and particulate matter, using a range of measures tailored to the particular location. The Portsmouth Clean Air Zone launched on 29 November 2021. For the Portsmouth CAZ, non-compliant vehicles are older Heavy Goods Vehicles (including some larger motorhomes), buses and coaches, taxis and private hire vehicles. Private cars and vans are not charged in Portsmouth's CAZ.

Climate Change

Long-term changes in temperature, precipitation, wind and all other aspects of the Earth's climate. Often regarded as a result of human activity and fossil fuel consumption.

Community Infrastructure Levy (CIL)

A non-negotiable planning levy allowing local authorities to raise funds from owners or developers of land undertaking new building projects in their area, to support the delivery of infrastructure needed as a result of development.

Community-led Development

A development instigated and taken forward by a not-for-profit organisation set up and run primarily for the purpose of meeting the housing needs of its members and the wider local community, rather than being a primarily commercial enterprise. The organisation is created, managed and democratically controlled by its members. It may take any one of various legal forms including a community land trust, housing co-operative and community benefit society. Membership of the organisation is open to all beneficiaries and prospective beneficiaries of that organisation. The organisation should own, manage or steward the homes in a manner consistent with its purpose, for example through a mutually supported arrangement with a Registered Provider of Social Housing. The benefits of the development to the specified community should be clearly defined and consideration given to how these benefits can be protected over time, including in the event of the organisation being wound up.

Community Use Agreement (CUA)

A formal agreement between two parties to make sports facilities (during times when they are not required by the main user) available for the local community.

Conservation (relating to Heritage)

The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.

Conservation Area

Local authorities have the power to designate conservation areas, which are areas of special architectural and/or historic interest.

Conservation Area (Character) Appraisal

A published document defining the special architectural or historic interest that warranted the area being designated.

Core Commercial Area

The core part of town centres, as defined on the Portsmouth Local Plan Policies Map. Where a diversity of retail, commercial, leisure, culture, civic and service uses are concentrated.

Creative Cluster

An agglomeration of creative businesses and workers that collaborate and compete with each other.

Cultural Regeneration

Opportunity or catalyst for economic growth and regeneration through expansion, support and/or enhancement of creative industries and cultural activity or uses.

Deliverable (in terms of housing)

To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:

- a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).
- b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.

Density (in the case of residential)

A measurement of either the number of habitable rooms per hectare or the number of dwellings per hectare.

Design and Access (DAS) statement

A short report that accompanies and supports a planning application. They provide a framework for applicants to explain how a proposed development is a suitable response to the site and its setting, and demonstrate that it can be adequately accessed by prospective users.

Designated Heritage Assets

These assets are Listed Buildings, Conservation Areas, Scheduled Monuments, Protected Wreck Sites, Registered Parks and Gardens, Registered Battlefields and World Heritage Sites.

Design Code

A set of illustrated design rules and requirements which instruct and may advise on the physical development of a site or area. The graphic and written components of the code are detailed and precise, and build upon a design vision such as a masterplan or other design and development framework for a site or area.

Developable (in terms of housing)

To be considered developable, sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged.

Development Plan

A document setting out the local planning authority's policies and proposals for the development and use of land and buildings in the authority's area. This includes adopted Local Plans, neighbourhood plans and the, and is defined in section 38 of the Planning and Compulsory Purchase Act 2004.

District Centres

A group of shops and some service outlets serving part of an urban area and providing a geographic focus for it, separate from the town centre but with more variety than local centres.

Duty to Cooperate

A legal requirement on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of the Local Plan in the context of strategic cross-boundary issues.

Ecological Impact Assessment (EclA)

The process of identifying, quantifying and evaluating potential effects of development or other proposed actions on habitats, species and ecosystems.

Employment and Skills Plan (ESP)

Employment and Skills Plans set out the type of training and employment opportunities that will be offered through a development. They are prepared by a developer with the help of the council and sometimes other key partners, such as Jobcentre Plus or the Construction Skills Industrial Training Board (CITB).

Enabling Development (in relation to Heritage decision making)

It is development that would not be in compliance with local and/or national planning policies, and would not therefore normally be granted planning permission, except where it contributes to securing viable re-use and conservation of a heritage asset.

Energy micro-generation

The small-scale generation of energy - typically renewable energy - by households, small businesses and communities. For example, solar panels being installed on a property's roof.

Energy (and Climate) Statement

A document which outlines how a proposed development will meet specific local energy efficiency targets.

EnerPhit Standards

It is a slightly relaxed standard for retrofit projects, where existing architecture and/or conservation issues mean that meeting the Passivhaus standard (see below) is not feasible.

Environmental Impact Assessment (EIA)

It is a tool used to assess any likely significance effects of a development proposal on the environment.

Exception Test (in relation to Flood Risk)

The purpose of an exception test is to show how flood risk will be managed on a proposed site. There are two parts to the test that need to be passed:

- Development that has to be in a flood risk area will provide sustainability benefits to the community that outweigh flood risk; and
- The development will be safe for its lifetime, taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce food risk overall.

Fabric first

It is an approach to building design which involves maximising the performance of the components and materials that make up the building fabric itself, before considering the use of mechanical or electrical building services systems. This can help reduce capital and operational costs, improve energy efficiency and reduce carbon emissions, whilst also reducing ongoing maintenance costs.

First Homes

A specific kind of discounted market sale housing and should be considered to meet the definition of 'affordable housing' for planning purposes. The criteria is that they must be discounted by a minimum of 30% against the market value; sold to a person or persons meeting the First Homes eligibility criteria; on their first sale, will have a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer; and, after the discount has been applied, the first sale must be at a price no higher than £250,000 (or £420,000 in Greater London).

Flood Risk Assessment (site-specific)

An assessment of the likelihood of flooding in a particular area so that development needs and mitigation measures can be carefully considered.

Future Homes Standard (FHS)

It is a standard that, from 2025, will require all new homes to produce 75-80% less carbon emissions than homes built under the current Building Regulations.

Green Corridors

Green corridors link areas of green space within the city. They help to promote environmentally sustainable forms of transport such as walking and cycling within urban areas and can also act as vital linkages for wildlife dispersal between wetlands and the countryside.

Greenfield Site/Land

Land (or a defined site) usually farmland or amenity space, that has not previously been developed.

Green Infrastructure (GI)

Green infrastructure (GI) is defined as a network of multi-functional green space and other green features, both urban and rural, which can deliver quality of life and environmental benefits for communities. It includes parks, open spaces, playing fields, woodlands – and also street trees, allotments, private gardens, green roofs and walls, sustainable drainage systems (SuDS) and soils. It includes rivers, streams, canals and other water bodies, sometimes called 'blue infrastructure.'

Grey Infrastructure

This refers to human-engineered infrastructure, such as roads, pipes, dams, seawalls and drains.

Gross Value Added (GVA)

The contribution made/added to an economy by a producer, sector, industry or region.

Gypsies and Travellers

Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

Habitat Regulations Assessment (HRA)

An assessment to determine whether or not development proposals are likely to have a significant effect on protected European sites.

Health Impact Assessment (HIA)

It is a tool used to identify the health impacts of a plan or project, and to develop recommendations to maximise the positive impacts and minimise the negative impacts, while maintaining a focus on addressing health inequalities.

Heritage Assets

A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. This includes both designated (see above) and undesignated heritage assets (see below).

Heritage Statement

An assessment of the significance of any heritage assets and/or their settings affected by a development, and of the impacts of that development upon them.

Historic Environment

All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.

Historic Environment Record (HER)

Information services that seek to provide access to comprehensive and dynamic resources relating to the historic environment of a defined geographic area for public benefit and use.

Houses in Multiple Occupation (HMOs)

Shared dwelling houses occupied by three or more unrelated people who share basic amenities such as a kitchen and/or bathroom. In terms of planning 'use classes,' these are defined as use class C4 if occupied by between 3 and 6 people. HMOs occupied by more than six people are 'sui generis' in planning terms.

Housing and Economic Development Needs Assessment (HEDNA)

A HEDNA assesses the future development needs for housing (both market and affordable) and employment across a local authority and aids the preparation of emerging local plans.

Housing and Economic Land Availability Assessment (HELAA)

An assessment which identifies a future supply of land that is suitable, available and achievable for housing and economic development uses over the plan period. It is an important source of evidence to inform plan-making and decision-taking, and the identification of a 5-year supply of housing land.

Hydrogeological Risk Assessment (alternatively known as a 'Basement Impact Assessment')

An assessment that reviews proposed development below ground level and its potential impacts on surface water and groundwater flow levels.

Imperative Reasons for Overriding Public Interest (IROPI)

If it is established that there are no feasible alternative solutions for a project or plan, the competent authority must be able to identify “imperative reasons of overriding public interest” (IROPI) that justify the plan or project despite the environmental damage it will cause, under Article 6(4).

Index of Multiple Deprivation (IMD)

It is the official measure of relative deprivation for small areas (Lower Super Output Areas) in England, based on six domains: income, employment, health deprivation and disability, education skills and training, housing, and geographical access to services.

Infrastructure

The fundamental services and facilities that an area needs, for example, electricity, sewerage, drainage, water supply, roads, education, social and health facilities.

Infrastructure Delivery Plan (IDP)

The IDP forms part of the evidence base for the Local Plan. It assesses the infrastructure capacity and needs of the City and provides an overview of the way infrastructure is planned and the organisations involved in its delivery. It also looks at costs and likely funding mechanisms for infrastructure and forms the bases for assessing contributions that would be sought to meet the needs for new development.

Landscape

As defined by the Council of the Europe Landscape Convention, Landscape means "an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors." It can represent an array of arbitrary and non-arbitrary factors, such as, but not limited to:

- The visible features of an area of land (flora and fauna, topographic features and land use)
- sights, sounds, touch and smells
- cultural associations, history and memories

Landscape Scale

As defined in The Natural Choice, Natural Environment White Paper (2011), landscape scale is a "term commonly used to refer to action that covers a large spatial scale, usually addressing a range of ecosystem processes, conservation objectives and land uses."

Legibility

The quality of a place being understood, easily navigated by its users and easy for visitors to orient themselves in. It is an urban design concept and an element which contributes to the image of a place.

Local Centres

A small group of shops and perhaps limited-service outlets of a local nature (for example, a suburban housing estate) serving a small catchment area. Sometimes also referred to as a local neighbourhood centre.

Local Green Space (LGS)

A designation introduced by the NPPF which, through local and neighbourhood plans, allows communities to identify and protect green areas of particular importance to them. LGS designation should only be used where the green space is: a) in reasonably close proximity to the community it serves; b) demonstrably special to a local community and holds particular local significance, for example because of its beauty, historic significance, recreational value, tranquillity or richness of its wildlife; and c) local in character and is not an extensive tract of land.

Local Nature Recovery Strategy (LNRS)

Local nature recovery strategies are a system of spatial strategies for nature and environmental improvement required by law under section 106(5) of the Environment Act 2021. Each strategy must agree priorities for nature's recovery, map the most valuable existing areas for nature and map specific proposals for creating or improving habitat for nature and wider environmental goals.

Local Nature Reserves (LNR)

Non-statutory habitats of local significance designated by local authorities where protection and public understanding of nature conservation is encouraged.

Local Plan

The plan for the future development of the local area, drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. Current core strategies or other planning policies, which under the regulations would be considered to be development plan documents, form part of the Local Plan. The term includes old policies which have been saved under the 2004 Act.

Local Planning Authority

The public authority whose duty it is to carry out specific planning functions for a particular area. All references to local planning authority include the district council, London borough council, county council, Broads Authority, National Park Authority, the Mayor of London and a development corporation, to the extent appropriate to their responsibilities.

Local Wildlife Sites (LWS)

Non-statutory sites that are designated for their local nature conservation value.

Main Town Centre Uses

Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

Major Development

For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000m² or more, or a site of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Market Housing

Private housing for rent or for sale where the price is set in the open market.

Micromobility

The use of small, low speed vehicles that can transport people or goods. They can include scooters, cycles, skateboards, hoverboards and even segways. They come in many forms, including those powered by electric motors and those powered by people.

National Design Guide

A guide which illustrates how well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.

National Model Design Code (NMDC)

A guide which provides detailed guidance on the production of design codes, guides and policies to promote successful design.

National Nature Reserves (NNRs)

Areas designated with the aim of securing protection and appropriate management of the most important areas of wildlife habitat, and to provide a resource for scientific research. All National Nature Reserves are Sites of Special Scientific Interest.

National Planning Policy Framework (NPPF)

A document which sets out government's planning policies for England and how these are expected to be applied.

Neighbourhood Centre

Very small centres which provide an element of local shops and/ or service provision to the local community. Along with local centres, they provide essential goods and services to their immediate neighbourhood.

Neighbourhood Plan

A plan prepared by a Parish Council or Neighbourhood Forum for a particular neighbourhood area (made under the Planning and Compulsory Purchase Act 2004). A neighbourhood plan will contain policies or allocations to help shape new development and support delivery of strategic policies set out in the local plan, for the neighbourhood area.

Net Zero-Energy (NZE) or Zero-Energy Building (ZEB)

An equilibrium is achieved between the amount of greenhouse gas that has been emitted into the atmosphere and the amount that has been removed.

Non-designated Heritage Assets

These are locally identified buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets.

Non-strategic Policies

Policies which address more detailed matters for specific areas, neighbourhoods or types of development. For example, site allocations, provision of infrastructure and community facilities at a local level and establishing design principles.

North Solent Shoreline Management Plan (SMP)

A high level, non-statutory, policy document that sets out a framework for the management of over 386km of coastline and coastal defences.

Nutrient Neutrality

A means of ensuring that a development plan or project, within catchment areas of vulnerable watercourses (such as The Solent), does not result in a net increase of nutrients (phosphates and nitrates) in those watercourses beyond current levels. Where neutrality measures are needed, the purpose of these mitigation measures is to avoid impacts to the designated sites, rather than compensating for the impacts once they have occurred.

Open Space

All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.

Out of Centre

A location which is not in or on the edge of a centre, but not necessarily outside the urban area.

Passive Resistance Measures (in relation to flood risk)

Measures which are installed into a property and do not require further deployment or activation before a flood event, such as a full height door or automatic airbrick cover (CIRIA, 2021).

Partnership for South Hampshire (PfSH)

A partnership of twelve local authorities around the Solent that aim to improve the environmental, cultural and economic performance of the South Hampshire area. Formerly the Partnership for Urban South Hampshire (PUSH).

Passivhaus Standard

An international energy performance standard for achieving high energy efficiency in a building (new and/or existing). Passivhaus buildings provide a high level of occupant comfort using very little energy for heating and cooling.

Portsea Island Coastal Strategy Study

A strategy that builds on policies set out in the North Solent SMP and helps decide how the coastline surrounding Portsea Island, Portsmouth, Hampshire will be managed for the next 100 years.

Preservation (relating to heritage)

The process of keeping a heritage asset the same or preventing it from being damaged/destroyed.

Primary Shopping Area

A defined area where retail development is concentrated (generally comprising the primary and those secondary frontages which are adjoining and closely related to the primary shopping frontage). In Portsmouth, Primary Shopping Areas are referred to as Core Commercial Areas, to reflect the diversity of uses within them.

Public Realm

Those parts of a village, town or city (whether publicly or privately owned) available, for everyone to use. This includes streets, squares and parks.

Ramsar Sites

Wetlands of international importance, designated under the 1971 Ramsar Convention.

Regeneration

The holistic process of reversing economic, social and physical decline in an area in order to provide demonstrable benefits to the local community and improve their quality of life.

Renewable Energy

Includes energy for heating and cooling as well as generating electricity. Renewable energy covers those energy flows that occur naturally and repeatedly in the environment – from the wind, the fall of water, the movement of the oceans, from the sun and also from biomass and deep geothermal heat.

Section 106 Agreement

A legal agreement under section 106 of the 1990 Town & Country Planning Act. Section 106 agreements are legal agreements between a planning authority and a developer, or undertakings offered unilaterally by a developer, that ensure that certain extra works related to a development are undertaken.

Self-build and Custom-build Housing

Housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual. Such housing can be either market or affordable housing. A legal definition, for the purpose of applying the Self-build and Custom Housebuilding Act 2015 (as amended), is contained in section 1(A1) and (A2) of that Act.

Sense of Place

A highly subjective term which relates to the meaning and emotions a person attaches to a particular area or environment, based on their experiences. It can also be used to describe the unique character of a particular area.

Sequential Test Assessment (relating to flood risk)

Sequential testing is used to guide development to areas at lowest risk of flooding, by requiring applicants to demonstrate that there are no alternative lower risk sites available where the development could take place. If there are no other alternative locations, then the development must pass the 'exception test' (see definition above).

Shared Ownership

Homes whereby a person buys a percentage of the property and pays rent on the remainder.

Shared Transport

A mode of transport that is used by more than one user, such as public transport, bike-sharing, car-sharing or car clubs.

Sheltered accommodation

Housing specially designed to provide a safe environment for elderly or disabled people who are able to live quite independently, but may need the occasional help or support. There is often shared facilities and a warden.

Site Allocation

A site that is allocated in the Local Plan for a specific purpose, such as, but not limited to, housing, employment, retail or green space.

Sites of Importance for Nature Conservation/ Sites of Nature Conservation Importance (SINC/SNCI)

A local site which is of substantial nature conservation value. They are also known nationally as 'Local Wildlife Sites.'

Sites of Nature Conservation Importance (SNCI)

Locally important sites of nature conservation adopted by local authorities for planning purposes.

Sites of Special Scientific Interest (SSSI)

A site designated by Natural England under the Wildlife and Countryside Act 1981 as an area of special interest by reason of any of its flora, fauna, geological or physiographical features (plants, animals and natural features relating to the Earth's structure).

Social Rented

A form of rent that is paid to registered providers (housing associations) or the council.

Solent Waders and Brent Goose Strategy (SWBGS)

A framework that aims to identify, protect and enhance inland sites that form part of the ecological networks used by overwintering wading birds and brent geese.

Southampton and Portsmouth City Deal

The City Deal, signed on the 12th November 2013, is between the Government, local businesses and leaders from Southampton, Portsmouth and Hampshire Councils and the Solent Local Enterprise Partnership (Solent LEP). It provides £953 million of investment into the Southampton and Portsmouth areas and maximises both cities' key marine and maritime assets through the provision of new housing and employment sites.

Spatial Position Statement

A statement produced by the Partnership for South Hampshire (PfSH), which sets out the overall need for and distribution of employment and housing development in South Hampshire, in order to promote economic growth, jobs and homes for all.

Special Areas of Conservation (SACs)

An area of open water or land of international importance designated to conserve natural habitats and wild fauna and flora, which are considered rare or endangered and are recognised as being under a particular threat. They are given special protection under the European Union's Habitats Directive.

Special Protection Areas (SPAs)

Areas which have been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds found within European Union countries. They are European designated sites, classified under the Birds Directive.

Statement of Common Ground (SCG)

A signed statement between the local planning authority and other interested parties on strategic cross boundary issues, which sets out matters of agreement and disagreement.

Statement of Community Involvement (SCI)

An SCI sets out the processes to be used by the local authority in involving the community in the preparation, alteration and continuing review of all local development documents and development control decisions. It is an essential part of Local Plans.

Strategic Flood Risk Assessment (SFRA)

A SFRA is a study carried out by a local planning authority to assess flood risk in the local plan area and the risks to and from surrounding areas. It is part of the evidence base that supports a local plan. There are two levels of SFRA. All local planning authorities need to carry out a level 1 assessment at least, and it may be necessary to expand the scope of this assessment to a more detailed level 2 assessment.

Strategic Policies

Policies which address a local planning authority's overall priorities for the development and use of land in their area. They should not cover detailed matters that are more appropriately dealt with through development management policies or neighbourhood plans.

Strategic Road Network (SRN)

The Strategic Road Network is at the core of England's transport system, consisting of 4,500 miles of motorways and major A-roads, and its arteries provide connections to the country's major towns and cities. National Highways are responsible for the SRN, all other roads are managed by local or regional authorities.

Strategic Site

A site allocated in the Local Plan, the development of which is mission critical for achieving the vision of the Local Plan.

Streetscape

The collective appearance of all buildings, structures, gardens and public realm (including hard and soft landscaping) within the context and setting of an individual street (or part thereof). (Depending on circumstances it can be used interchangeably with the term 'townscape').

SuDS Approving Bodies (SAB)

A specific organisation established/assigned to deal with the design, approval and adoption of sustainable urban drainage systems (SuDS) within any new development consisting of two or more properties.

Supplementary Planning Document (SPD)

Documents which add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.

Supported Housing

A type of accommodation where housing is provided alongside care, support or supervision to help people live as independently as possible in the community.

Sustainability Appraisal

An appraisal of the economic, environmental and social effects of a plan from the outset of the preparation process to assess the extent to which the emerging plan, when considered against reasonable alternatives, will help achieve sustainable development.

Sustainable Development

Development that meets the social, economic and environmental needs of the present, without compromising the ability of future generations to meet their own needs.

Sustainable Drainages Systems (SuDS)

A drainage solution which is designed to manage surface and groundwater sustainably, by mimicking natural drainage regimes and avoiding the direct channelling of surface water through networks of pipes and sewers to nearby watercourses.

Sustainable Transport

Any efficient, safe and accessible means of transport with overall low impact on the environment, including walking, cycling, low and ultra-low emission vehicles, car sharing and public transport.

Tide locking

Prolonged high sea levels can prevent river flows and drainage networks from discharging, causing them to back up and result in 'tide locking.'

Townscape

The collective appearance and components of a place including all of its: buildings, structures, gardens, public realm (hard and soft landscaping). The term can apply at the scale of a street, but also to an area of wider scope, context and setting. Its use implies a concern for how these elements may be considered and combined in a way which seeks

to positively enhance the distinctive appearance of a particular locality or place.

Town Centres

Area defined on the local authority's policies map, which may include the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping area. References to town centres or centres apply to city centres, town centres, district centres, local and neighbourhood centres. Unless they are identified as centres in Local Plans, existing out-of-centre developments, comprising or including main town centre uses, do not constitute town centres.

Transport Assessment

An in-depth assessment of the potential implications a proposed development may have on the local transport network, and the measures that shall be taken to mitigate against them.

Transport Statement

A Transport Statement is a 'lighter touch' version of a Transport Assessment and is used in some cases where transport issues arising out of development proposals do not require a full Transport Assessment. They are typically used for smaller scale developments.

Travel Plan

A long-term management strategy for integrating proposals for sustainable travel into the planning process. They are based on evidence of the anticipated transport impacts of development and set measures to promote and encourage sustainable travel.

Travelling Showpeople

Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family's or dependants' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above.

Tree Preservation Order (TPO)

A mechanism for securing the preservation of single or groups of trees of acknowledged amenity value. A tree subject to a TPO may not normally be topped, lopped or felled without the consent of the local planning authority. Trees in a conservation area that are not protected by an Order are protected by the provisions in section 211 of the Town and Country Planning Act 1990.

Unidentified Heritage Assets

Assets that are yet to be identified which could become designated or locally important as a result of further assessment.

Urban Greening

A process of improving and increasing the amount of green infrastructure provision in urban areas, such as installing trees, parks and green walls.

Use Classes Order

The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories. The current Use Classes are as follows:

Class B (B2 General industrial and B8 Storage or Distribution), Class C (C1 Hotels, C2 Residential Institutions, C2A Secure Residential Institution, C3 Dwellinghouses and C4 Houses in multiple occupation), Class E (E(a)-E(g) Commercial, Business and Service), Class F (F1 Learning and non-residential institutions and F2 Local Community) and 'Sui Generis' (uses that are specifically defined and excluded from classification by legislation and uses falling outside of the defined limits of any other use class, 'a class of its own.')

Planning permission is not needed for changes of use within the same use class.

Viability Assessment

A financial appraisal of the profit and loss arising from a proposed development or a development plan's policies or standards, considering the estimated value of the scheme or viability impact of a plan upon completions and other building and development costs incurred delivering the scheme. Viability assessment for development plan-making should ensure that policies are realistic and deliverable i.e, that the total cumulative cost of all relevant policies will not undermine delivery of the plan.

Windfall housing/sites

Sites which have not been specifically identified in the development plan.

Written Scheme of Investigation (WSI)

A document which outlines the known and potential archaeological features/deposits/built heritage elements on a development site, and the proposed exploratory works associated with them.

Appendix 2: Habitat Regulations Assessment of the Portsmouth Local Plan
(Reg.19, April 2024)

Habitat Regulations Assessment of the Portsmouth Local Plan

Regulation 19

Portsmouth Council

Project number: 60586784

April 2024

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Table of Contents

1. Introduction	9
Background	9
Legislation	9
Scope of the Project	11
The Layout of this Report	12
Quality Assurance	12
2. Methodology	13
Introduction	13
Description of HRA Tasks	13
HRA Task 1 – Screening for Likely Significant Effects (LSE)	13
HRA Task 2 – Appropriate Assessment (AA)	14
HRA Task 3 – Derogations	15
Geographic Scope of the HRA	17
3. Habitats Sites	18
Introduction	18
Portsmouth Harbour SPA / Ramsar	18
Introduction	18
SPA Qualifying Features	18
Ramsar Qualifying Features	18
SPA Conservation Objectives	19
Threats / Pressures to Site Integrity	19
Chichester and Langstone Harbours SPA / Ramsar	20
Introduction	20
SPA Qualifying Features	20
Ramsar Qualifying Features	21
SPA Conservation Objectives	22
Threats / Pressures to Site Integrity	23
Solent Maritime SAC	23
Introduction	23
Qualifying Features	23
Conservation Objectives	24
Threats / Pressures to Site Integrity	24
Solent and Dorset Coast SPA	25
Introduction	25
Qualifying Features	25
Conservation Objectives	25
Threats / Pressures to Site Integrity	26
Solent and Southampton Water SPA / Ramsar	26
Introduction	26
SPA Qualifying Features	26
Ramsar Qualifying Features	27
Conservation Objectives	28
Threats / Pressures to Site Integrity	28
Solent and Isle of Wight Lagoons SAC	29
Introduction	29
Qualifying Features	29
Conservation Objectives	29
Threats / Pressures to Site Integrity	29
4. Background to Impact Pathways	31

Introduction	31
Recreational Pressure.....	31
Non-breeding birds (September to March).....	32
Breeding Birds (April to September).....	34
Conclusion	35
Loss of Functionally Linked Habitat.....	35
Recreational Pressure in Functionally Linked Habitat	36
Disturbance from Construction (in Habitats Sites and Functionally Linked Habitat).....	37
Water Quality	38
Water Quantity, Level and Flow.....	39
Atmospheric Pollution	41
Impacts of Tall Buildings on Flight Lines and Sight Lines	44
Coastal Squeeze.....	45
Permanent Habitat Loss in the Portsmouth Harbour SPA / Ramsar.....	45
5. Test of Likely Significant Effects (LSEs).....	47
Introduction	47
Recreational Pressure.....	47
Solent and Dorset Coast SPA	47
Portsmouth Harbour SPA / Ramsar.....	47
Chichester and Langstone Harbours SPA / Ramsar	47
Solent & Southampton Water SPA / Ramsar.....	48
Solent Maritime SAC.....	48
Screening of Policies – Recreational Pressure	48
Loss of Functionally Linked Habitat.....	49
Portsmouth Harbour SPA / Ramsar.....	49
Chichester and Langstone Harbours SPA / Ramsar	49
Solent & Southampton Water SPA / Ramsar.....	49
Screening of Policies – Loss of Functionally Linked Habitat	50
Recreational Pressure in Functionally Linked Habitat	52
Portsmouth Harbour SPA / Ramsar.....	52
Chichester and Langstone Harbours SPA / Ramsar	52
Screening of Policies – Recreational Pressure in Functionally Linked Habitat.....	52
Disturbance from Construction (in Habitats Sites and Functionally Linked Habitats)	53
Portsmouth Harbour SPA / Ramsar.....	53
Chichester and Langstone Harbours SPA / Ramsar	53
Screening of Policies – Disturbance from Construction (in Habitats Sites and Functionally Linked Habitat)	53
Water Quality	54
Solent and Dorset Coast SPA	54
Portsmouth Harbour SPA / Ramsar.....	54
Chichester and Langstone Harbours SPA / Ramsar	55
Solent & Southampton Water SPA / Ramsar.....	55
Solent Maritime SAC.....	55
Screening of Policies – Water Quality	56
Water Quantity, Level and Flow.....	56
Solent and Dorset Coast SPA	57
Portsmouth Harbour SPA / Ramsar.....	57
Chichester and Langstone Harbours SPA / Ramsar	57
Solent & Southampton Water SPA / Ramsar.....	57
Solent Maritime SAC.....	58
Screening of Policies – Water Quantity, Level and Flow	58
Atmospheric Pollution	59

Portsmouth Harbour SPA / Ramsar.....	59
Chichester and Langstone Harbours SPA / Ramsar	59
Solent Maritime SAC.....	60
Screening of Policies – Atmospheric Pollution	61
Impacts of Tall Buildings on Flight Lines and Sight Lines	62
Portsmouth Harbour SPA / Ramsar.....	62
Chichester and Langstone Harbours SPA / Ramsar	62
Screening of Policies – Impacts of Tall Buildings on Flight Lines and Sight Lines.....	62
Coastal Squeeze.....	63
Solent and Dorset Coast SPA	63
Portsmouth Harbour SPA / Ramsar.....	63
Chichester and Langstone Harbours SPA / Ramsar	63
Screening of Policies – Coastal Squeeze	64
Permanent Habitat Loss of Habitats Sites.....	64
Portsmouth Harbour SPA / Ramsar and Solent & Dorset Coast SPA	64
Screening of Policies – Permanent Habitat Loss	65
6. Appropriate Assessment.....	66
Recreational Pressure.....	66
Portsmouth Harbour SPA / Ramsar, Chichester and Langstone Harbours SPA / Ramsar, Solent & Southampton Water SPA / Ramsar and the Solent Maritime SAC	66
Loss of Functionally Linked Habitat.....	70
Portsmouth Harbour SPA / Ramsar, Chichester and Langstone Harbours SPA / Ramsar and Solent & Southampton Water SPA / Ramsar	70
Recreational Pressure in Functionally Linked Habitat	75
Portsmouth Harbour SPA / Ramsar and Chichester and Langstone Harbours SPA / Ramsar	75
Disturbance from Construction.....	79
Portsmouth Harbour SPA / Ramsar.....	80
Chichester and Langstone Harbours SPA / Ramsar	80
Functionally Linked Habitat	80
Existing Mitigation in the Portsmouth Local Plan	80
Conclusions and Recommendations.....	81
Water Quality	81
Solent & Dorset Coast SPA/Portsmouth Harbour SPA / Ramsar, Chichester and Langstone Harbours SPA / Ramsar and the Solent Maritime SAC	81
Water Quantity, Level and Flow.....	84
Portsmouth Harbour SPA / Ramsar, Chichester and Langstone Harbours SPA / Ramsar and the Solent Maritime SAC.....	85
Atmospheric Pollution	86
Portsmouth Harbour SPA / Ramsar.....	86
Chichester and Langstone Harbours SPA / Ramsar	86
Solent Maritime SAC.....	88
Impacts of Tall Buildings / Structures on Flight Lines and Sight Lines.....	89
Portsmouth Harbour SPA / Ramsar and the Chichester and Langstone Harbours SPA / Ramsar	90
Conclusions and Recommendations.....	91
Coastal Squeeze.....	91
Portsmouth Harbour SPA / Ramsar, Chichester and Langstone Harbours SPA / Ramsar and the Solent Maritime SAC.....	91
Direct Habitat Loss from Solent & Dorset Coast SPA and Portsmouth Harbour SPA / Ramsar	92
7. Conclusions of the Appropriate Assessment & Recommendations	96
Introduction	96
Recreational Pressure.....	96
Loss of Functionally Linked Habitat.....	97

Disturbance from Construction.....	97
Water Quality	98
Water quantity, level and flow.....	98
Atmospheric Pollution	98
Coastal Squeeze.....	99
Impacts of Tall Buildings / Structures on Flight Lines and Sight Lines.....	99
Direct Habitat Loss from Solent & Dorset Coast SPA and Portsmouth Harbour SPA / Ramsar	99
Conclusion of Appropriate Assessment.....	99
8. Derogations	100
Introduction	100
Alternative Solutions	100
Alternative solutions to the flood prevention and sea defence elements of the Tipner West & Horsea Island East allocation.....	102
Alternative solutions to the site decontamination elements of the Tipner West & Horsea Island East allocation	105
Alternative solutions to the Marine Employment Hub element of the Tipner West & Horsea Island East allocation	105
Alternative solutions to the bridge element of the Tipner West & Horsea Island East allocation	110
Alternative solutions to the enabling development component in the form of housing of the Tipner West & Horsea Island East allocation	111
Summary on Alternative Solutions	115
Imperative Reasons of Overriding Public Interest (IROPI)	115
Flooding Risk to Human Health and Safety	115
Contaminant Leachate Risks to the integrity of SPA/Ramsar habitats	117
The creation of a Marine Employment Hub for the Solent Region	118
Supporting Necessary Works through Enabling Development.....	122
Other Public Benefits	122
The Overriding Balance	123
Compensatory Measures	124
Appendix A Map of Habitats Sites	127
Appendix B Screening for Likely Significant Effects	128
Appendix C Air Quality Modelled Transects	159
Appendix D Air quality modelling results	160
Appendix E Air quality modelling methodology.....	168

Figures

Figure 1: The legislative basis for the HRA process.....	10
Figure 2: Three Stage Approach to Habitats Regulations Assessment.	13
Figure 3: Areas of water stress within England.	40
Figure 4: Traffic contribution to concentrations of pollutants at different distances from a road (Source: DfT).....	43
Figure 5: Option A, formerly Option 14v2	94
Figure 6: Option B, formerly Option 9.....	94
Figure 7: Extract from North Solent SMP, showing Hold the Line policy cells.	102
Figure 8: Flood Extent 2115	103
Figure 9: Illustrative layout for marine employment hub.....	109
Figure 10: Anticipated Bridge Alignment	110
Figure 11: Flood Modelling - 2123 Extreme Sea Level (0.5% Annual Exceedance Probability) – Pre-Development Scenario.....	116

Tables

Table 1: Tolerance distances in metres of 16 species of waterfowl to various forms of recreational disturbance, as found in recent disturbance fieldwork. The distances are provided both as a median and a range.	33
Table 2: Wastewater Treatment Works serving Portsmouth City, the potential growth accommodated and its HRA implications.	39
Table 3: Main sources and effects of air pollutants on habitats and species.	41
Table 4: Discussion of functionally linked habitat SWBGS parcels in relation to recreational pressure. Note that the three shading bands are discussed further in the main body of text.	76
Table 5: Alternative Solent marine hub sites (MPL, 2019).....	108
Table 6: Proposed indicative marine hub floorspace schedule.....	109
Table 7: 2023 Site Promoter Optioneering Chronology in consultation with Regulatory Panel	113
Table 8: Likely Significant Effects (LSEs) test for policies included in the emerging Portsmouth Local Plan.	128

1. Introduction

Background

- 1.1 AECOM was appointed by Portsmouth City Council (PCC) in 2020 to undertake Habitats Regulations Assessments of its Local Plan (the PLP). An HRA including both Test of Likely Significant Effects and Appropriate Assessment was produced in 2021 to accompany the Regulation 18 Draft Local Plan. This current report is a Habitats Regulations Assessment (HRA) of its Regulation 19 Draft Local Plan and builds on the previous HRA for the Regulation 18 version. The objective of this assessment was to identify any aspects of the Plan that might cause Likely Significant Effects (LSEs) on, or adverse effects on the integrity of, Habitats sites (also known as “European sites”), namely Special Areas of Conservation (SACs), Special Protection Areas (SPAs), candidate Special Areas of Conservation (SACs), potential Special Protection Areas (pSPAs) and, as a matter of Government policy, Ramsar sites. The assessment is undertaken alone and where necessary in-combination with other plans and projects. Under the Conservation of Habitats and Species Regulations 2017 (as amended), an Appropriate Assessment is required where a plan or project is likely to have a significant effect upon a Habitats Site, either individually or ‘in combination’ with other projects. Should the HRA identify potential adverse effects, it also advises on appropriate policy mechanisms for delivering mitigation. Should it not prove possible to avoid or mitigate all adverse effects on integrity a further post-Appropriate Assessment stage is required which involves a series of derogation tests which must be passed before the Local Plan can be adopted.
- 1.2 Portsmouth City lies adjacent to the Solent on the southern coast of England. Being an island, it has a unique geographic location and relationship to the sea. The authority comprises approx. 40.1km² and is home to approx. 208,100 people, with a population density higher than some parts of London. The Reg 19 PLP seeks to deliver an ambitious vision of sustainable growth across the plan period 2020 – 2040. It allocates overall quanta for development and growth, including at Strategic Sites where this growth will be focused. The PLP provides a target of 13,603 new residential dwellings and 138,429m² of employment floorspace in Portsmouth City between 2020 and 2040. This does not meet the housing need in the City as defined by the standard methodology and explored further in the Housing and Economic Development Needs Assessment (HEDNA¹) due to its constrained geography and the need to protect the City’s rich environmental, cultural and historical heritage.
- 1.3 Despite its highly urban nature, Portsmouth City is also surrounded by statutory sites designated for their conservation interest: the Portsmouth Harbour SPA / Ramsar, the Chichester and Langstone Harbours SPA / Ramsar, the Solent & Dorset Coast SPA and the Solent Maritime SAC. Further Habitats sites lie within 10km of the city’s boundary, including the Solent & Isle of Wight Lagoons SAC and the Solent & Southampton Water SPA / Ramsar.. These SPAs / Ramsars / SACs have a special significance for their breeding (in the case of tern species) and overwintering bird populations of international importance and (in the case of the Solent Maritime SAC) for a range of maritime and coastal habitats.
- 1.4 The wider Solent area is generally regarded as a region of significant ecological value and sensitivity. Given the urban nature of southern Hampshire, an extensive evidence base relating to potential impact pathways has been developed. Furthermore, there are well-established issues (e.g. recreational disturbance and functionally linked habitat loss) for which strategic mitigation measures have already been developed. These include the Bird Aware Solent project and the Solent Waders and Brent Goose Strategy (SWBGS), from which the HRA draws where relevant. Furthermore, the PLP includes several proposals (e.g. Policy PLP3) that will require their own bespoke assessment when proposals are more developed for subsequent planning applications and Transport & Works Act Orders. However, they are discussed as fully as possible at this time in the Regulation 19 HRA.

Legislation

- 1.5 The UK left the EU on 31 January 2020 under the terms set out in the European Union (Withdrawal Agreement) Act 2020 (“the Withdrawal Act”). The UK is no longer a member of the European Union. However, Habitats Regulations Assessment continues as set out in the Conservation of Habitats and

¹ Housing and Economic Development Needs Assessment

Species (Amendment) (EU Exit) Regulations 2019². Figure 1 below sets out the legislative basis for the HRA.

- 1.6 The HRA process applies the 'Precautionary Principle'³ to Habitats sites. Plans and projects can only be permitted having ascertained that there will be no adverse effect on the integrity (coherence of structure and function) of the Habitats site(s) in question. Plans and projects with predicted adverse impacts on Habitats sites may still be permitted if there are no alternatives to them and there are imperative reasons of overriding public interest (IROPI) as to why they should go ahead. In such cases, compensation would be necessary to ensure the overall integrity of the site network. In order to ascertain whether or not site integrity will be affected, an Appropriate Assessment should be undertaken of the plan or project in question. If site integrity will be harmed a series of derogation tests (Alternative Solutions, IROPI and Compensatory Measures) must be passed before the Local Plan can be adopted.

Conservation of Habitats and Species Regulations 2017 (as amended)

Regulation 105
Where a land use plan—

- (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and
- (b) is not directly connected with or necessary to the management of the site,

the plan-making authority for that plan must, before the plan is given effect, make an appropriate assessment of the implications for the site in view of that site's conservation objectives.

(2) The plan-making authority must for the purposes of the assessment consult the appropriate nature conservation body and have regard to any representations made by that body within such reasonable time as the authority specifies.

(3) The plan-making authority must also, if it considers it appropriate, take the opinion of the general public, and if it does so, it must take such steps for that purpose as it considers appropriate.

(4) In the light of the conclusions of the assessment, and subject to regulation 107, the plan-making authority must give effect to the land use plan only after having ascertained that it will not adversely affect the integrity of the European site or the European offshore marine site (as the case may be).

Regulation 107

(1) If the plan-making authority is satisfied that, there being no alternative solutions, the land use plan must be given effect for imperative reasons of overriding public interest (which, subject to paragraph (2), may be of a social or economic nature), it may give effect to the land use plan notwithstanding a negative assessment of the implications for the European site or the European offshore marine site (as the case may be).

(2) Where the site concerned hosts a priority natural habitat type or a priority species, the reasons referred to in paragraph (1) must be either—

- (a) reasons relating to human health, public safety or beneficial consequences of primary importance to the environment; or
- (b) any other reasons which the plan-making authority, having due regard to the opinion of the European Commission, considers to be imperative reasons of overriding public interest.

Regulation 109
Where in accordance with regulation 107 a land use plan is given effect notwithstanding a negative assessment of the implications for a European site or a European offshore marine site, the appropriate authority must secure that any necessary compensatory measures are taken to ensure that the overall coherence of the National Site Network is protected.

Figure 1: The legislative basis for the HRA process

² these don't replace the 2017 Regulations but are just another set of amendments

³ The Precautionary Principle, The Precautionary Principle assists the decision-making process in the face of a lack of scientific certainty. The Rio Declaration 1992 defines the principle as follows: "where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation."

- 1.7 For the purposes of the Portsmouth Local Plan and the associated HRA, Portsmouth City Council is the plan-making authority (essentially, the competent authority for the plan). The 'appropriate authority' for the purpose of regulation 109 is the Secretary of State.
- 1.8 Over time the phrase 'Habitats Regulations Assessment' (HRA) has come into wide currency to describe the overall process set out in the Regulations from screening through to IROPI. This has arisen in order to distinguish the process from the individual stage described in the law as an 'Appropriate Assessment'.
- 1.9 As the legislative basis for HRAs derives, historically, from EU law, much of the relevant case law that defines the meaning and scope of the requirements of HRA is from the European Court of Justice. Although no longer binding in UK law, the jurisprudence of the European Court of Justice is still considered relevant and persuasive and is referred to in this HRA.

Scope of the Project

- 1.10 There is no guidance that dictates the physical scope of an HRA of a Plan document in all circumstances. Therefore, in considering the physical scope of the assessment, AECOM was guided primarily by the identified impact pathways (called the source-pathway-receptor model). Briefly defined, impact pathways are routes by which the implementation of a policy within a Local Plan document can lead to an effect upon a Habitats designated site. An example of this would be new residential development resulting in an increased population and thus increased recreational pressure, which could then affect Habitats sites by, for example, disturbance of wintering or breeding birds. The following Habitats sites were included in the scope of assessment:
 - All sites within the boundary of Portsmouth City; and,
 - Other sites shown to be linked to development within the authority boundary through a known impact 'pathway' (discussed below); generally, to a distance of 10km.
- 1.11 These distances were then refined for individual impact pathways based upon guidance and data discussed in Section 4.
- 1.12 In order to fully inform the screening process and / or Appropriate Assessment, a number of documents and studies have been consulted to form the evidence base for this HRA. These include:
 - Future development proposed in the Local Plans for adjoining authorities and their accompanying HRAs (where available):
 - o Eastleigh Local Plan (adopted 2022)
 - o Southampton Local Plan (Core Strategy and Local Plan Review adopted 2015)
 - o Fareham Local Plan (adopted 2023)
 - o Gosport Local Plan (adopted 2015, new Regulation 18 Local Plan dated 2021)
 - o Havant Local Plan (adopted 2011, new Local Plan being developed)
 - o East Hampshire Local Plan (Joint Core Strategy adopted 2014, new Local Plan being produced)
 - o New Forest District Local Plan (adopted 2020)
 - o New Forest National Park Local Plan (adopted 2020)
 - o Winchester Local Plan (Core Strategy adopted 2013, new Local Plan being produced)
 - o Chichester Local Plan (adopted 2015, new Local Plan being produced)
 - o Isle of Wight Local Plan (adopted 2012; new Local Plan being produced)

- Solent Disturbance and Mitigation Project (SDMP) Phases 1 to 3 (the SDMP involved numerous research studies, including visitor surveys, bird disturbance fieldwork and a modelling study) and the resulting Bird Aware Solent mitigation project⁴;
- Solent Waders and Brent Goose Strategy (SWBGS, identifies supporting habitats important to Solent's SPAs / Ramsars)⁵;
- Conservation Objectives and Supplementary Advice on the Conservation Objectives for Habitats sites;
- Traffic modelling undertaken on behalf of Portsmouth City Council;
- Partnership for South Hampshire Spatial Position Statement 2023⁶
- The 2022 Water Resources Management Plan (WRMP) and East Hampshire Drainage and Wastewater Management Plan published by Portsmouth Water and their HRAs;
- The UK Air Pollution Information System (www.apis.ac.uk); and
- Multi Agency Geographic Information for the Countryside (MAGIC) and its links to SSSI citations and the JNCC website (www.magic.gov.uk)

The Layout of this Report

- 1.13 Chapter 2 of this report explains the methodology by which this HRA has been carried out, including the three core stages (screening for Likely Significant Effects, Appropriate Assessment (including mitigation) and Derogations) that constitute the HRA process. Chapter 3 provides detail on the Habitats sites relevant to Portsmouth City, including an introduction to the sites, a summary of their qualifying habitats / species, Natural England Conservation Objectives and the current threats and pressures operating in these sites. Detailed background on the main impact pathways identified in relation to the PLP and Habitats Sites is provided in Chapter 4. Chapter 5 sets out the screening assessment of Likely Significant Effects (LSEs) of the Plan's policies (see Appendix B for the screening tables of Plan policies and site allocations). Chapter 6 presents the Appropriate Assessment of the impact pathways and Plan policies for which LSEs could not be excluded. The conclusions and recommendations arising from the HRA process are set out in Chapter 7. Chapter 8 assesses those parts of the Local Plan that are considered to have adverse effects on the integrity of designated sites against the statutory derogation tests.

Quality Assurance

- 1.14 This report was undertaken in line with AECOM's Integrated Management System (IMS). Our IMS places great emphasis on professionalism, technical excellence, quality, environmental and Health and Safety management. All staff members are committed to establishing and maintaining our certification to the international standards BS EN ISO 9001:2008 and 14001:2004 and BS OHSAS 18001:2007. In addition, our IMS requires careful selection and monitoring of the performance of all sub-consultants and contractors.
- 1.15 All AECOM Ecologists working on this project are members (at the appropriate level) of the Chartered Institute of Ecology and Environmental Management (CIEEM) and follow their code of professional conduct (CIEEM, 2017).

⁴ http://www.solentems.org.uk/natural_environment_group/SRMP/SDMP/

⁵ <https://solentwbgs.wordpress.com/>

⁶ [PfSH Spatial Position Statement 2023 - Partnership for South Hampshire \(push.gov.uk\)](https://push.gov.uk/PfSH-Spatial-Position-Statement-2023)

2. Methodology

Introduction

- 2.1 The HRA has been carried out with reference to the general European Commission guidance on HRA⁷ and that produced in July 2019 and February 2021 (minor updates December 2023) by the UK government⁸.
- 2.2 Figure 2 below outlines the stages of HRA according to current UK government guidance. The stages are essentially iterative, being revisited as necessary in response to more detailed information, recommendations, and any relevant changes to the plan.

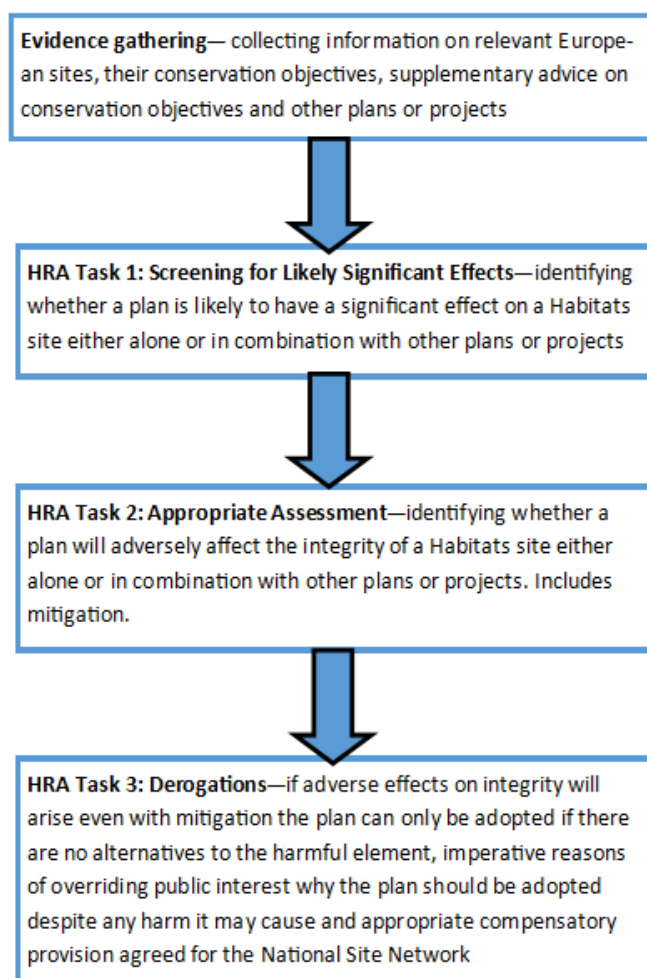


Figure 2: Three Stage Approach to Habitats Regulations Assessment.

Description of HRA Tasks

HRA Task 1 – Screening for Likely Significant Effects (LSE)

- 2.3 Following evidence gathering, the first stage of any Habitats Regulations Assessment is a Likely Significant Effect (LSE) test also known as Screening - essentially a risk assessment to decide whether the full subsequent stage known as Appropriate Assessment is required. The essential question is: *"Is the project,*

⁷ European Commission (2022): Assessment of plans and projects significantly affecting Natura 2000 Sites: Methodological Guidance on the Provisions of Article 6(3) and 6(4) of the Habitats Directive.

⁸ <https://www.gov.uk/guidance/appropriate-assessment> and [Habitats regulations assessments: protecting a European site - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site)

either alone or in combination with other relevant projects and plans, likely to result in a significant effect upon Habitats sites?"

- 2.4 Case law has established that, 'likely' in the context of this stage means 'possible' and a 'significant' effect is one where reasonable scientific doubt remains as to whether it would affect the ability of a Habitats site to achieve its Conservation Objectives. Screening for LSE comprises a two-fold approach of (a) identifying whether any policies are associated with negative impact pathways and (b) determining whether Habitats sites might be affected. The HRA appraises each plan policy or allocation and concludes whether it can be dismissed from consideration, primarily because it will not promote or deliver housing, infrastructure, or employment development. The HRA then considers the Habitats sites that may be impacted by identified policies or allocations, based on known sensitivities and the presence of any linking impact pathways.
- 2.5 The objective is to 'screen out' those plans and projects where likely significant effects upon Habitats sites can be excluded. This stage is set out in Chapter 5 of this report and in Appendix B.
- 2.6 In evaluating significance, AECOM has relied on professional judgement as well as the results of previous stakeholder consultation regarding impacts of development on the Habitats sites considered within this assessment.
- 2.7 In spring 2018 the 'Sweetman' European Court of Justice ruling⁹ clarified that 'mitigation' (i.e. measures that are specifically introduced to avoid or reduce a harmful effect on a Habitats site that would otherwise arise) should not be taken into account when forming a view on likely significant effects. Mitigation should instead only be considered at the Appropriate Assessment stage. This HRA has been cognisant of that ruling.

HRA Task 2 – Appropriate Assessment (AA)

- 2.8 Where it is determined that Likely Significant Effects cannot be excluded the analysis has proceeded to the next stage of HRA known as Appropriate Assessment. Case law has clarified that 'Appropriate Assessment' is not a technical term. In other words, there are no particular technical analyses, or level of technical analysis, that are classified by law as belonging to appropriate assessment rather than determination of likely significant effects.
- 2.9 By virtue of the fact that it follows the screening process, there is a clear implication that the analysis will be more detailed than undertaken at the previous stage. One of the key considerations during Appropriate Assessment is whether there is available mitigation that would entirely address the potential effect. In practice, this Appropriate Assessment considers those policies and allocations where LSEs could not be excluded through screening and assesses the potential for adverse effects in more detail, with a view to concluding whether there would actually be an adverse effect on site integrity (in other words, disruption of the coherent structure and function of the Habitats site(s)).
- 2.10 Further, this AA also considers the effects of policies and allocations on habitat types and species that are not themselves listed but are necessary to the conservation of the designated habitat types and species, as required by the Holohan ruling¹⁰. Among other provisions paragraph 39 of the ruling states that '*As regards other habitat types or species, which are present on the site, but for which that site has not been listed, and with respect to habitat types and species located outside that site, ... typical habitats or species must be included in the appropriate assessment, if they are necessary to the conservation of the habitat types and species listed for the protected area*' [emphasis added]. This has been considered in relation to the Portsmouth Harbour SPA / Ramsar, the Chichester and Langstone Harbours SPA / Ramsar and the Solent Maritime SAC, which all support mobile overwintering waterfowl and waders.

Avoidance and Mitigation

- 2.11 Where necessary, this HRA recommends measures for incorporation into the Plan in order to avoid or mitigate adverse effects on Habitats sites. When discussing 'mitigation' for a Local Plan document, one is concerned primarily with the policy framework to enable the delivery of such mitigation rather than the detail of the mitigation measures themselves since the Local Plan document is a high-level policy document.
- 2.12 In accordance with established precedent, the level of detail required in the PLP to avoid or mitigate adverse effects is therefore dependent on the nature of the impacts. For example, for recreational impacts, it is not

⁹ People Over Wind and Sweetman v Coillte Teoranta (C-323/17)

¹⁰ Case C-461/17

necessary for all measures that will be deployed to be fully developed prior to adoption of the Plan, but the Plan must provide an adequate policy framework within which these measures can be delivered.

- 2.13 The Court of Appeal has ruled that providing the Council (plan making authority and competent authority) is duly satisfied that proposed mitigation could be '*achieved in practice*' to satisfy that the proposed development would have no adverse effect, then this will suffice at the plan-making stage¹¹.

HRA Task 3 – Derogations

- 2.14 In certain circumstances, a plan making authority/competent authority can adopt a plan or permit a proposal, notwithstanding the fact that the AA concludes it will have adverse effects on the integrity of a Habitats site. This is known as a derogation. A Local Plan (or the relevant part of the Local Plan that triggers the derogations) must pass each of the following three sequential legal tests for a derogation to be granted.

1. There are no feasible alternative solutions that would be less damaging to the Habitats site while still meeting the objective of the plan or proposal.
2. The proposal needs to be carried out for imperative reasons of overriding public interest.
3. The necessary compensatory measures can be secured.

- 2.15 There is a distinction between the level of detail required in a Local Plan for it to pass the derogation tests, and that required for a subsequent planning application. This is because a plan is an intentionally higher-tier document that by design does not present all the details for a particular proposal and leaves flexibility for design of a subsequent planning application including as regards avoidance, mitigation and compensation of adverse effects on a Habitats site. In contrast, once planning permission is granted there is no further tier in the planning approval process. As such all matters regarding the derogations including compensation must be fully detailed at the time planning consent is granted.

- 2.16 HRA is required at both the plan-making stage and the planning application stage. However, this tiered approach to the level of detailed required at each stage reflects Advocate-General Kokott's advice on HRA in multi-stage planning processes : '*It would also hardly be proper to require a greater level of detail in preceding plans [than lower tier plans or planning applications] or the abolition of multi-stage planning and approval procedures so that the assessment of implications can be concentrated on one point in the procedure. Rather, adverse effects on areas of conservation must be assessed at every relevant stage of the procedure to the extent possible on the basis of the precision of the plan. This assessment is to be updated with increasing specificity in subsequent stages of the procedure*'¹².

At the plan-making stage, the decision maker must be satisfied that the derogation test are met at the strategic plan level and are capable of being met at the project level.

Test 1: Consider Alternative Solutions

- 2.17 To allow a derogation the plan making authority must decide that there is no alternative solution that would be less damaging to the site while still meeting the objective of the plan. The plan making authority should work with the proposer and consider whether any alternative solutions are available. This might include considering whether the proposal could:

- be delivered at a different location
- use different routes across a site
- change its scale, size, design, method or timing

- 2.18 To constitute a genuine alternative solution, the alternative must:

- achieve the same overall objective as the original proposal

¹¹ No Adastral New Town Ltd v Suffolk Coastal DC [2015] EWCA Civ 88; see also *R (Wingfield) v Canterbury CC* [2019] EWHC 1974 (Admin)

¹² Opinion of Advocate General Kokott, 9th June 2005, Case C-6/04. Commission of the European Communities v United Kingdom of Great Britain and Northern Ireland, paragraph 49.
<http://curia.europa.eu/juris/document/document.jsf?docid=58359&doclang=EN>

- be financially, legally and technically feasible
 - be less damaging to the relevant Habitats site and not have an adverse effect on the integrity of any other Habitats site
- 2.19 If there are, or appear to be, one or more alternative solutions, the plan making authority cannot include the original proposal within the local plan. In those circumstances, there is no need to do test 2 or test 3.
- 2.20 If there are no alternative solutions, the proposal passes test 1 and the plan making authority can move to test 2.

Test 2: Consider imperative reasons of overriding public interest

- 2.21 If there are no feasible alternative solutions, the plan making authority must next be able to show that there are imperative reasons of overriding public interest (IROPI) why the proposal must go ahead.
- 2.22 The plan making authority must decide if the need for the proposal is:
- imperative - it is essential that it proceeds
 - in the public interest – it delivers a public interest benefit, not just benefits for private interests
 - overriding - the imperative public interest outweighs the harm, or risk of harm, to the integrity of the Habitats site that is predicted by the appropriate assessment.
- 2.23 According to government guidance, plans or projects that only provide short-term or very localised benefits are less likely to be able to show imperative reasons of overriding public interest than more strategic plans or projects.
- 2.24 Some of the designated habitats and species of SACs are considered to be a Europe-wide 'priority habitats' in danger of disappearance, as defined in the Habitats Directive. Where such priority habitats are at play, there is a stricter test applied at the IROPI stage. However, there are no such habitats in affected Habitats sites associated with the Portsmouth Local Plan.

Test 3: Secure compensatory measures

- 2.25 If there are no feasible alternative solutions and the plan making authority has shown that there are imperative reasons of overriding public interest, it is necessary to make sure that suitable compensatory measures are capable of being secured at the planning application stage. Such measures will need to fully offset the harm to coherence of structure and function (effect on integrity) which will or could be caused to the site.
- 2.26 While there is no precedent in the UK for a local authority to have relied on derogations in the adoption of a local plan, there is considerable precedent within the realm of coastal defence, where it is common for Shoreline Management Plans and Coastal Strategies to rely on the derogations. For example, the North Solent Shoreline Management Plan was adopted in reliance on the derogations tests, while the Hayling Island Coastal Management Strategy is currently being assessed against the derogations tests. In these and similar examples the focus at the plan-making stage is to ensure that there is scope for suitable compensatory provision (including its scale, its technical feasibility, and the likelihood that adequate areas for compensation can be identified), with the precise details of the specific compensation parcels to be secured, and technical matters such as landowners agreements, to be deferred to the individual scheme (planning application) level.
- 2.27 The derogation section of this HRA therefore seeks to explore whether a sufficient framework exists to ensure that suitable compensation is capable of being delivered when and where it is needed, and that there is a high degree of confidence that sufficient land in appropriate places will be available for the compensation to be delivered.
- 2.28 Once the derogation tests have been satisfied, there will be a pre-submission consultation. The consultation results will be considered in regard to the test of soundness, and the Local Plan will then be submitted for examination. Following examination, the derogations documentation will be finalised and submitted to the 'appropriate authority' (the relevant Secretary of State) in line with Regulation 107 of the Habitats Regulations, which provides that the appropriate authority has 21 days to prohibit adoption of the Local Plan, based on the derogations materials. The appropriate authority may do this either indefinitely or during such period as may be specified in the direction.

Geographic Scope of the HRA

2.29 There are no standard criteria for determining the ultimate physical scope of an HRA. Rather, the source-pathway-receptor model should be used to determine whether there is any potential pathway connecting development to any Habitats sites. In the case of Portsmouth City, it was determined that for the initial coarse screen the following Habitats Sites required consideration:

- Portsmouth Harbour SPA / Ramsar;
- Chichester and Langstone Harbours SPA / Ramsar;
- Solent Maritime SAC;
- Solent and Dorset Coast SPA;
- Solent & Southampton Water SPA / Ramsar; and
- Solent & Isle of Wight Lagoons SAC.

2.30 This was based upon a search within Portsmouth City and up to 10km surrounding the authority boundary. All above sites were subjected to the initial screening exercise. It should be noted that the presence of a conceivable impact pathway linking the emerging PLP to a Habitats site does not mean that Likely Significant Effects (LSEs) will occur.

3. Habitats Sites

Introduction

3.1 The following Habitats sites are situated within 10km of the Portsmouth City boundary:

- Portsmouth Harbour SPA / Ramsar;
- Chichester and Langstone Harbours SPA / Ramsar;
- Solent Maritime SAC;
- Solent and Dorset Coast SPA;
- Solent & Southampton Water SPA / Ramsar; and
- Solent and Isle of Wight Lagoons SAC.

3.2 Due to development being within the 10km screening distance, there are potential negative impacts on these sites of conservation interest. They thus need to be considered in more detail. The following section provides an introduction, the qualifying features, the conservation objectives and the threats / pressures to each of these Habitats sites.

Portsmouth Harbour SPA / Ramsar

Introduction

3.3 This Habitats site is an industrialised estuary located centrally on the Solent. It comprises one of the four largest expanses of mud-flats and tidal creeks in southern England. These mud-flats support a diverse assemblage of aquatic plants, including narrow-leaved eelgrass *Zostera angustifolia*, dwarf eelgrass *Zostera noltii* and sea lettuce *Ulva lactuca*. Portsmouth Harbour is connected to the sea via a narrow section of the Solent and only receives small quantities of freshwater (e.g. from the River Wallington), therefore possessing a unique hydrology. The site supports significant numbers of wintering dark-bellied brent geese *Branta b. bernicla*, which are known to feed extensively in surrounding agricultural areas outside the SPA boundary.

SPA Qualifying Features¹³

3.4 This site qualifies under **Article 4.2** of the Directive (79/409/EEC) by supporting populations of Habitats importance of the following migratory species:

Over winter:

- Dark-bellied brent goose *Branta bernicla bernicla*: 2,847 individuals representing at least 0.9% of the wintering Western Siberia / Western Europe population (5 year peak mean 1991/2 – 1995/6)
- Red-breasted merganser *Mergus serrator*: 87 individuals (non-breeding)
- Dunlin *Calidris alpina alpina*: 5,123 individuals (non-breeding)
- Black-tailed godwit *Limosa limosa islandica*: 31 individuals (non-breeding)

Ramsar Qualifying Features¹⁴

3.5 Portsmouth Harbour qualifies as a Ramsar site under the following criteria:

¹³ Available at: <https://jncc.gov.uk/jncc-assets/SPA-N2K/UK9011051.pdf> [Accessed on the 20/12/2023]

¹⁴ Available at: <https://jncc.gov.uk/jncc-assets/RIS/UK11055.pdf> [Accessed on the 20/12/2023]

Criterion 3

The intertidal mudflat areas possess extensive beds of eelgrass *Zostera angustifolia* and *Zostera noltei* which support the grazing dark-bellied brent geese populations. The mud-snail *Hydrobia ulvae* is found at extremely high densities, which helps to support the wading bird interest of the site. Common cord-grass *Spartina anglica* dominates large areas of the saltmarsh and there are also extensive areas of green algae *Enteromorpha* spp. and sea lettuce *Ulva lactuca*. More locally the saltmarsh is dominated by sea purslane *Halimione portulacoides* which gradates to more varied communities at the higher shore levels. The site also includes a number of saline lagoons hosting nationally important species.

Criterion 6 Species / populations occurring at levels of international importance

Qualifying species / populations (as identified at designation):

Species with peak counts in winter

- Dark-bellied brent goose *Branta bernicla bernicla*; 2,105 individuals, representing an average of 2.1% of the GB population (5 year peak mean 1998/9 – 2002/3)

SPA Conservation Objectives¹⁵

- 3.6 With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the 'Qualifying Features' listed below), and subject to natural change;
- 3.7 Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;
 - The extent and distribution of the habitats of the qualifying features
 - The structure and function of the habitats of the qualifying features
 - The supporting processes on which the habitats of the qualifying features rely
 - The population of each of the qualifying features, and,
 - The distribution of the qualifying features within the site.

Threats / Pressures to Site Integrity¹⁶

- 3.8 The following threats and pressures to the integrity of the Portsmouth Harbour SPA have been identified in the Natural England Site Improvement Plan:
 - Public access / disturbance
 - Coastal squeeze
 - Fisheries: Commercial marine and estuarine
 - Water pollution
 - Changes in species distribution
 - Climate change
 - Change to site conditions
 - Invasive species
 - Direct land take from development
 - Biological resource use
 - Change in land management

¹⁵ Available at: <http://publications.naturalengland.org.uk/publication/4857883850178560> [Accessed on the 03/11/2020]

¹⁶ Available at: <http://publications.naturalengland.org.uk/publication/4692013588938752> [Accessed on the 03/11/2020]

- Inappropriate pest control
- Air pollution: Impact of atmospheric nitrogen deposition
- Hydrological changes
- Extraction: Non-living resources

Chichester and Langstone Harbours SPA / Ramsar

Introduction

- 3.9 The Chichester and Langstone Harbours SPA / Ramsar is a complex of large, sheltered estuarine basins comprising sand- and mud-flats that are exposed at low tide. The two harbours are connected via a stretch of water that separates Hayling Island from the mainland. Some tidal channels drain the basin and reach far inland. The mud-flats harbour a rich assemblage of invertebrates and algae, such as *Enteromorpha* spp. and eelgrasses *Zostera* spp. The wide range of habitats present in the Chichester and Langstone Harbours SPA / Ramsar support key animal communities. These include significant numbers of waterbirds during migration and over winter. Furthermore, the site supports important colonies of breeding terns, which are rare in southern England.

SPA Qualifying Features¹⁷

- 3.10 This site qualifies under **Article 4.1** of the Directive (79/409/EEC) by supporting populations of Habitats importance of the following species listed on Annex I of the Directive:

During the breeding season:

- Little tern *Sterna albifrons*; 100 pairs representing up to 4.2% of the breeding population in Great Britain (5 year mean, 1992 – 1996)
- Sandwich tern *Sterna sandvicensis*; 158 pairs representing up to 1.1% of the breeding population in Great Britain (1998)
- Common tern *Sterna hirundo*; 126 pairs (5 year mean, 2011-2015)

On passage:

- Little egret *Egretta garzetta*; 137 individuals representing up to 17.1% of the population in Great Britain (Count as at 1998)

Over winter:

- Bar-tailed godwit *Limosa lapponica*; 1,692 individuals representing up to 3.2% of the wintering population in Great Britain (5 year peak mean 1991/2 – 1995/6)
- Little egret *Egretta garzetta*; 100 individuals representing up to 20% of the wintering population in Great Britain (Count as at 1998)

- 3.11 This site qualifies under **Article 4.2** of the Directive (79/409/EEC) by supporting populations of Habitats importance of the following migratory species:

On passage:

- Ringed Plover *Charadrius hiaticula*; 2,471 individuals representing up to 4.9% of the Europe/Northern Africa - wintering population (5 year peak mean 1991/2 - 1995/6)

Over winter:

- Black-tailed Godwit *Limosa limosa islandica*; 1,003 individuals representing up to 1.4% of the wintering Iceland - breeding population (5 year peak mean 1991/2 - 1995/6)

¹⁷ Available at: <https://jncc.gov.uk/jncc-assets/SPA-N2K/UK9011011.pdf> [Accessed on the 20/12/2023]

- Dark-bellied brent Goose *Branta bernicla bernicla*; 17,119 individuals representing up to 5.7% of the wintering Western Siberia/Western Europe population (5 year peak mean 1991/2 - 1995/6)
- Dunlin *Calidris alpina alpina*; 44,294 individuals representing up to 3.2% of the wintering Northern Siberia/Europe/Western Africa population (5 year peak mean 1991/2 - 1995/6)
- Grey Plover *Pluvialis squatarola*, 3,825 individuals representing up to 2.5% of the wintering Eastern Atlantic - wintering population (5 year peak mean 1991/2 - 1995/6)
- Redshank *Tringa totanus*; 1,788 individuals representing up to 1.2% of the wintering Eastern Atlantic - wintering population (5 year peak mean 1991/2 - 1995/6)
- Ringed Plover *Charadrius hiaticula*, 846 individuals representing up to 1.7% of the wintering Europe/Northern Africa - wintering population (5 year peak mean 1991/2 - 1995/6)
- Common shelduck *Tadorna tadorna*; 1,096 individuals wintering population (5 year peak mean 2009/10 – 2013/14)
- Eurasian wigeon *Anas Penelope*; 3,947 individuals wintering population (5 year peak mean 2009/10 – 2013/14)
- Eurasian teal *Anas crecca*; 1,953 individuals wintering population (5 year peak mean 2009/10 – 2013/14)
- Northern pintail *Anas acuta*; 338 individuals wintering population (5 year peak mean 2009/10 – 2013/14)
- Northern shoveler *Anas clypeata*; 106 individuals wintering populations (5 year peak mean 2009/10 – 2013/14)
- Red-breasted merganser *Mergus serrator*; 366 individuals wintering population (5 year peak mean 2009/10 – 2013/14)
- Sanderling *Calidris alba*; 216 individuals wintering population (5 year peak mean 2009/10 – 2013/14)
- Eurasian curlew *Numenius arquata*; 3,181 individuals wintering population (5 year peak mean 2009/10 – 2013/14)
- Ruddy turnstone *Arenaria interpres*; 501 individuals wintering population (5 year peak mean 2009/10 – 2013/14)

3.12 Assemblage qualification: A wetland of international importance.

The area qualifies under **Article 4.2** of the Directive (79/409/EEC) by regularly supporting at least 20,000 waterfowl

Over winter, the area regularly supports 93,142 individual waterfowl (5 year peak mean 1991/2 - 1995/6) including: Wigeon *Anas penelope*, Bar-tailed Godwit *Limosa lapponica*, Dark-bellied brent Goose *Branta bernicla bernicla*, Ringed Plover *Charadrius hiaticula*, Grey Plover *Pluvialis squatarola*, Dunlin *Calidris alpina alpina*, Black-tailed Godwit *Limosa limosa islandica*, Redshank *Tringa totanus*, Little Grebe *Tachybaptus ruficollis*, Little Egret *Egretta garzetta*, Shelduck *Tadorna tadorna*, Curlew *Numenius arquata*, Teal *Anas crecca*, Pintail *Anas acuta*, Shoveler *Anas clypeata*, Red-breasted Merganser *Mergus serrator*, Oystercatcher *Haematopus ostralegus*, Lapwing *Vanellus vanellus*, Knot *Calidris canutus*, Sanderling *Calidris alba*, Cormorant *Phalacrocorax carbo*, Whimbrel *Numenius phaeopus*.

Ramsar Qualifying Features¹⁸

3.13 The Chichester and Langstone Harbours qualify as a Ramsar site under the following criteria:

Criterion 1

Two large estuarine basins linked by the channel which divides Hayling Island from the main Hampshire coastline. The site includes intertidal mudflats, saltmarsh, sand and shingle spits and sand dunes.

¹⁸ Available at: <http://jncc.defra.gov.uk/pdf/RIS/UK11013.pdf> [Accessed on the 03/11/2020]

Criterion 5

Assemblages of international importance

Species with peak counts in winter

76,480 waterfowl (5 year peak mean 1998/99 – 2002/03)

Criterion 6 Species / populations occurring at levels of international importance

Qualifying species / populations (as identified at designation):

Species with peak counts in spring / autumn

- Ringed plover *Charadrius hiaticula*, Europe / Northwest Africa: 853 individuals, representing an average of 1.1% of the population (5 year peak mean 1998/9 – 2002/3)
- Black-tailed godwit *Limosa limosa islandica*, Iceland / W Europe: 906 individuals, representing an average of 2.5% of the population (5 year peak mean 1998/9 – 2002/3)
- Common redshank *Tringa totanus totanus*: 2,577 individuals, representing an average of 1% of the population (5 year peak mean 1998/9 – 2002/3)

Species with peak counts in winter

- Dark-bellied brent goose *Branta bernicla bernicla*: 12,987 individuals, representing an average of 6% of the population (5 year peak mean 1998/9 – 2002/3)
- Common shelduck *Tadorna tadorna*, NW Europe: 1,468 individuals, representing an average of 1.8% of the GB population (5 year peak mean 1998/9 – 2002/3)
- Grey plover *Pluvialis squatarola*, E Atlantic / W Africa – wintering: 3,043 individuals, representing an average of 1.2% of the population (5 year peak mean 1998/9 – 2002/3)
- Dunlin *Calidris alpina alpina*, W Siberia / W Europe: 33,436 individuals, representing an average of 2.5% of the population (5 year peak mean 1998/9 – 2002/3)

Species / populations identified subsequent to designation for possible future consideration under criterion 6.

Species regularly supported during the breeding season

- Little tern *Sterna albifrons albifrons*, W Europe: 130 apparently occupied nests, representing an average of 1.1% of the breeding population

SPA Conservation Objectives¹⁹

- 3.14 With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the 'Qualifying Features' listed below), and subject to natural change;
- 3.15 Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;
- The extent and distribution of the habitats of the qualifying features
 - The structure and function of the habitats of the qualifying features
 - The supporting processes on which the habitats of the qualifying features rely
 - The population of each of the qualifying features, and,
 - The distribution of the qualifying features within the site.

¹⁹ Available at: <http://publications.naturalengland.org.uk/publication/5789102905491456> [Accessed on the 03/11/2020]

Threats / Pressures to Site Integrity²⁰

3.16 The following threats and pressures to the integrity of the Portsmouth Harbour SPA have been identified in the Natural England Site Improvement Plan:

- Public access / disturbance
- Coastal squeeze
- Fisheries: Commercial marine and estuarine
- Water pollution
- Changes in species distribution
- Climate change
- Change to site conditions
- Invasive species
- Direct land take from development
- Biological resource use
- Change in land management
- Inappropriate pest control
- Air pollution: Impact of atmospheric nitrogen deposition
- Hydrological changes
- Extraction: Non-living resources

Solent Maritime SAC

Introduction

- 3.17 The Solent comprises a major estuarine system on the south coast of England with four coastal plain estuaries and four bar-built estuaries. The maritime SAC is the only site that contains a cluster of physiographic sub-types of estuary. Furthermore, in contrast to all other Habitats estuaries, the Solent has a unique hydrographic regime consisting of four tides per day.
- 3.18 The site also harbours a complex array of marine and estuarine habitats. Sediment habitats in the estuarine system include extensive estuarine flats with intertidal areas, supporting eelgrass *Zostera* spp., green algae, sand and shingle spits, and shoreline transitions. Mudflat habitats range from low or variable salinity in the upper reaches of the estuaries to fully marine mudflats in Chichester and Langstone Harbours. Unusual species in these habitats include rare sponges, communities of a polychaete *Sabellaria spinulosa* and smooth cord-grass *Spartina alterniflora*.
- 3.19 Within the Solent Maritime SAC, the second-largest aggregation of Atlantic salt meadows in south / south-west England is located. The saltmarsh is present as a large number of disjointed habitat patches. This ungrazed aquatic plant community is dominated by sea-purslane *Atriplex portulacoides*, common sea-lavender *Limonium vulgare* and thrift *Armeria maritima*. Overall, the site is less disturbed by man-made structures than other parts of the southern coast.

Qualifying Features²¹

3.20 Annex I habitats that are a primary reason for selection of this site:

²⁰ Available at: <http://publications.naturalengland.org.uk/publication/4692013588938752> [Accessed on the 03/11/2020]

²¹ Available at: <https://sac.jncc.gov.uk/site/UK0030059> [Accessed on the 20/12/2023]

- Estuaries
- *Spartina* swards (*Spartinion maritimae*)
- Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*)

3.21 Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site:

- Sandbanks which are slightly covered by sea water all the time
- Mudflats and sandflats not covered by sea water at low tide
- Coastal lagoons
- Annual vegetation of drift lines
- Perennial vegetation of stony banks
- *Salicornia* and other annuals colonizing mud and sand
- Shifting dunes along the shoreline with *Ammophila arenaria* ('white dunes')

3.22 Annex II species present as a qualifying feature, but not a primary reason for site selection

- Desmoulin's whorl snail *Vertigo moulinsiana*

Conservation Objectives²²

3.23 With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change;

3.24 Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- The extent and distribution of qualifying natural habitats and habitats of qualifying species
- The structure and function (including typical species) of qualifying natural habitats
- The structure and function of the habitats of qualifying species
- The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely
- The populations of qualifying species, and,
- The distribution of qualifying species within the site.

Threats / Pressures to Site Integrity²³

3.25 The following threats and pressures to the integrity of the Portsmouth Harbour SPA have been identified in the Natural England Site Improvement Plan:

- Public access / disturbance
- Coastal squeeze
- Fisheries: Commercial marine and estuarine
- Water pollution
- Changes in species distribution
- Climate change
- Change to site conditions

²² Available at: <http://publications.naturalengland.org.uk/publication/4857883850178560> [Accessed on the 03/11/2020]

²³ Available at: <http://publications.naturalengland.org.uk/publication/4692013588938752> [Accessed on the 03/11/2020]

- Invasive species
- Direct land take from development
- Biological resource use
- Change in land management
- Inappropriate pest control
- Air pollution: Impact of atmospheric nitrogen deposition
- Hydrological changes
- Extraction: Non-living resources

Solent and Dorset Coast SPA

Introduction

- 3.26 The Solent and Dorset Coast was designated as a SPA on the 16th of January 2020. The site is approx. 89,078.02ha in size and extends from the isle of Purbeck in the west to Bognor Regis in the east, following the coastline of southern England. The site boundary includes the sub-tidal areas not encompassed by the other SPAs / Ramsars in the Solent, with the landward boundary at the mean low water (MLW) line where it abuts other SPAs / Ramsars and the mean high water (MHW) line elsewhere (to provide protection to the intertidal zone).
- 3.27 The SPA was designated to specifically protect essential foraging areas at sea used by qualifying tern species (common tern, sandwich tern and little tern) of other nearby SPA / Ramsar sites. All three tern species use the open water along the coastline to plunge dive for foraging resources. The site (as outlined in 2020) supports over 1% of the GB breeding population of all three tern species. The overall site boundary of the SPA has been established using data on the foraging ranges of terns (e.g. mean and maximum foraging ranges for little terns of 2.1km and 6.3km respectively) and applying these as buffer zones around known tern nesting sites.

Qualifying Features²⁴

- 3.28 This site qualifies under Article 4 of the Birds Directive (2009/147/EC) by supporting populations of European importance of the following species listed on Annex I of the Directive:

During the breeding season;

- Sandwich tern *Sterna sandvicensis*, 441 pairs representing at least 4.01% of the breeding population in Great Britain (2008-2014)
- Common tern *Sterna hirundo*, 492 pairs representing at least 4.77% of the breeding population in Great Britain (2008-2014)
- Little tern *Sterna albifrons*, 63 pairs representing at least 3.31% of the breeding population in Great Britain (2008-2014)

Conservation Objectives²⁵

- 3.29 With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the 'Qualifying Features' listed below), and subject to natural change;
- 3.30 Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;
- The extent and distribution of the habitats of the qualifying features

²⁴ Available at: <https://jncc.gov.uk/jncc-assets/SPA-N2K/UK9020330.pdf> [Accessed on the 20/12/2023]

²⁵ Available at: <http://publications.naturalengland.org.uk/publication/5294923917033472> [Accessed on the 20/12/2023]

- The structure and function of the habitats of the qualifying features
- The supporting processes on which the habitats of the qualifying features rely
- The population of each of the qualifying features, and,
- The distribution of the qualifying features within the site.

Threats / Pressures to Site Integrity

3.31 To date, a Site Improvement Plan for the Solent and Dorset Coast SPA has not been published. However, given similar qualifying species to the Portsmouth Harbour SPA / Ramsar and the Chichester and Langstone Harbours SPA / Ramsar, it is likely that the threats and pressures to site integrity will be similar. The following issues have been identified in the Site Improvement Plan for the wider Solent area²⁶ (note only the ones relevant to terns are presented here):

- Public access / disturbance
- Fisheries: Commercial marine and estuarine
- Water pollution
- Changes in species distribution
- Climate change
- Change to site conditions
- Biological resource use
- Change in land management
- Air pollution: Impact of atmospheric nitrogen deposition
- Hydrological changes

Solent and Southampton Water SPA / Ramsar

Introduction

3.32 The Solent and Southampton Water SPA / Ramsar covers an expansive area on the south England coast from Hurst Spit to Hill Head on the coast of Hampshire, and from Yarmouth to Whitecliff Bay along the north coast of the Isle of Wight. It is composed of several estuaries and harbours with mudflats, saltmarshes, saline lagoons, shingle beaches, reedbeds, damp woodland and grazing marsh.

3.33 The mudflats support beds of *Enteromorpha* spp. and *Zostera* spp., and harbour a rich assemblage of invertebrates that forms the main food source for estuarine birds. In the breeding season in summer, the site is important for seabirds such as gulls and terns. In winter the SPA holds a significant assemblage of waterfowl, including geese, ducks and waders. The brent goose *Branta bernicla bernicla* is known to feed in areas of surrounding agricultural land.

SPA Qualifying Features²⁷

3.34 This site qualifies under **Article 4.1** of the Directive (79/409/EEC) by supporting populations of European importance of the following species listed on Annex I of the Directive:

During the breeding season;

- Common tern *Sterna hirundo*, 267 pairs representing at least 2.2% of the breeding population in Great Britain (5 year peak mean, 1993-1997)

²⁶ Available at: <http://publications.naturalengland.org.uk/publication/4692013588938752> [Accessed on the 15/12/2020]

²⁷ Available at: <https://jncc.gov.uk/jncc-assets/SPA-N2K/UK9011061.pdf> Accessed on the 20/12/2023]

- Little tern *Sterna albifrons*, 49 pairs representing at least 2% of the breeding population in Great Britain (5 year peak mean, 1993-1997)
- Mediterranean gull *Larus melanocephalus*, 2 pairs representing 8.2 - 13.9% of the breeding population in Great Britain (5 year peak mean, 1994-1998)
- Roseate tern *Sterna dougallii*, 2 pairs representing at least 3.1% of the breeding population in Great Britain (5 year peak mean, 1993-1997)
- Sandwich tern *Sterna sandvicensis*, 231 pairs representing at least 1.7% of the breeding population in Great Britain (5 year peak mean, 1993-1997)

3.35 This site also qualifies under **Article 4.2** of the Directive (79/409/EEC) by supporting populations of European importance of the following migratory species:

Over winter;

- Black-tailed godwit *Limosa limosa islandica*, 1,125 individuals representing at least 1.6% of the wintering Iceland - breeding population (5 year peak mean, 1992/3-1996/7)
- Dark-bellied brent goose *Branta bernicla bernicla*, 7,506 individuals representing at least 2.5% of the wintering Western Siberia/Western Europe population (5 year peak mean, 1992/3-1996/7)
- Ringed plover *Charadrius hiaticula*, 552 individuals representing at least 1.1% of the wintering Europe/Northern Africa - wintering population (5 year peak mean, 1992/3-1996/7)
- Teal *Anas crecca*, 4,400 individuals representing at least 1.1% of the wintering Northwestern Europe population (5 year peak mean, 1992/3-1996/7)

3.36 Assemblage qualification: A wetland of international importance.

The area qualifies under **Article 4.2** of the Directive (79/409/EEC) by regularly supporting at least 20,000 waterfowl

Over winter, the area had a 5 year peak mean of 51,361 birds (1992/92 – 1996/97) including: Gadwall *Anas strepera*, Teal *Anas crecca*, Ringed Plover *Charadrius hiaticula*, Black-tailed Godwit *Limosa limosa islandica*, Little Grebe *Tachybaptus ruficollis*, Great Crested Grebe *Podiceps cristatus*, Cormorant *Phalacrocorax carbo*, Dark-bellied brent Goose *Branta bernicla bernicla*, Wigeon *Anas penelope*, Redshank *Tringa totanus*, Pintail *Anas acuta*, Shoveler *Anas clypeata*, Red-breasted Merganser *Mergus serrator*, Grey Plover *Pluvialis squatarola*, Lapwing *Vanellus vanellus*, Dunlin *Calidris alpina alpina*, Curlew *Numenius arquata*, Shelduck *Tadorna tadorna*.

Ramsar Qualifying Features²⁸

3.37 The Solent and Southampton Water qualify as a Ramsar site under the following criteria:

Criterion 1

The site is one of the few major sheltered channels between a substantial island and mainland in European waters, exhibiting an unusual strong double tidal flow and has long periods of slack water at high and low tide. It includes many wetland habitats characteristic of the biogeographic region: saline lagoons, saltmarshes, estuaries, intertidal flats, shallow coastal waters, grazing marshes, reedbeds, coastal woodland and rocky boulder reefs.

Criterion 2

The site supports an important assemblage of rare plants and invertebrates. At least 33 British Red Data Book invertebrates and at least eight British Red Data Book plants are represented on site.

Criterion 5

Assemblages of international importance

²⁸ Available at: <https://jncc.gov.uk/jncc-assets/RIS/UK11063.pdf> [Accessed on the 20/12/2023]

Species with peak counts in winter

51,343 waterfowl (5 year peak mean 1998/99 – 2002/03)

Criterion 6 Species / populations occurring at levels of international importance

Qualifying species / populations (as identified at designation):

Species with peak counts in spring / autumn

- Ringed plover *Charadrius hiaticula*, Europe / Northwest Africa: 853 individuals, representing an average of 1.1% of the population (5 year peak mean 1998/9 – 2002/3)

Species with peak counts in winter

- Dark-bellied brent goose *Branta bernicla bernicla*: 12,987 individuals, representing an average of 6% of the population (5 year peak mean 1998/9 – 2002/3)
- Eurasian teal *Anas crecca*, NW Europe: 5,514 individuals, representing an average of 1.3% of the population (5 year peak mean 1998/9 – 2002/3)
- Black-tailed godwit *Limosa limosa islandica*, Iceland / W Europe: 1,240 individuals, representing an average of 3.5% of the population (5 year peak mean 1998/9 – 2002/3)

Conservation Objectives²⁹

3.38 With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the 'Qualifying Features' listed below), and subject to natural change;

3.39 Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

- The extent and distribution of the habitats of the qualifying features
- The structure and function of the habitats of the qualifying features
- The supporting processes on which the habitats of the qualifying features rely
- The population of each of the qualifying features, and,
- The distribution of the qualifying features within the site.

Threats / Pressures to Site Integrity³⁰

3.40 The following threats and pressures to the integrity of the Portsmouth Harbour SPA have been identified in the Natural England Site Improvement Plan:

- Public access / disturbance
- Coastal squeeze
- Fisheries: Commercial marine and estuarine
- Water pollution
- Changes in species distribution
- Climate change
- Change to site conditions
- Invasive species
- Direct land take from development

²⁹ Available at: <http://publications.naturalengland.org.uk/publication/6567218288525312> [Accessed on the 03/11/2020]

³⁰ Available at: <http://publications.naturalengland.org.uk/publication/4692013588938752> [Accessed on the 03/11/2020]

- Biological resource use
- Change in land management
- Inappropriate pest control
- Air pollution: Impact of atmospheric nitrogen deposition
- Hydrological changes
- Extraction: Non-living resources

Solent and Isle of Wight Lagoons SAC

Introduction

- 3.41 The Solent encompasses a series of coastal lagoons, including percolation, isolated and sluiced lagoons. This site includes several lagoons in the marshes near Keyhaven – Pennington, at Farlington Marshes in Chichester Harbour, at Bembridge Harbour and at Gilkicker near Gosport. These lagoons have a range of salinities and substrates, ranging from soft mud to muddy sand with a high proportion of shingle. Farlington Marshes is an isolated lagoon in marsh pasture, which is separated from the sea by a sea wall. It receives sea water only during spring tides. Its fauna is dominated by low-medium salinity insects. The lagoons at Bembridge Harbour lie in a depression behind the sea wall and sea water enters through percolation. Species diversity here is very high, including high densities of *N. vectensis*.
- 3.42 The habitats present in the Solent and Isle of Wight Lagoons SAC support high diversity faunal communities, including the rare foxtail stonewort *Lamprothamnium papulosum*, the scarce lagoon sand shrimp *Gammarus insensibilis* and the scarce starlet sea anemone *Nematostella vectensis*.

Qualifying Features³¹

- 3.43 Annex I habitats that are a primary reason for selection of this site:
- Coastal lagoons

Conservation Objectives³²

- 3.44 With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change;
- 3.45 Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;
- The extent and distribution of qualifying natural habitats
 - The structure and function (including typical species) of qualifying natural habitats, and
 - The supporting processes on which qualifying natural habitats rely

Threats / Pressures to Site Integrity³³

- 3.46 The following threats and pressures to the integrity of the Portsmouth Harbour SPA have been identified in the Natural England Site Improvement Plan:
- Hydrological changes
 - Inappropriate weed control

³¹ Available at: <https://sac.incc.gov.uk/site/UK0017073> [Accessed on the 20/12/2023]

³² Available at: <http://publications.naturalengland.org.uk/publication/5646122018144256> [Accessed on the 03/11/2020]

³³ Available at: <http://publications.naturalengland.org.uk/publication/5670639268528128> [Accessed on the 03/11/2020]

- Coastal squeeze
- Invasive species
- Air pollution: Risk of atmospheric nitrogen deposition

4. Background to Impact Pathways

Introduction

- 4.1 This section sets out the impact pathways that have been identified for consideration in the HRA of the Local Plan based on professional knowledge of the Habitats sites involved, review of the Natural England Site Improvement Plans, review of the Supplementary Advice on the Conservation Objectives for each Habitats site and review of HRAs for surrounding Local Plans.

Recreational Pressure

- 4.2 There is concern over the cumulative impacts of recreation on key nature conservation sites in the UK, as most sites must fulfil conservation objectives while also providing recreational opportunity. Various research reports have provided compelling links between changes in housing and access levels and impacts on Habitats protected sites^{34 35}. This applies to any habitat, but recreational pressure from housing growth has particularly strong impacts in Habitats sites designated for their bird interest. Different Habitats sites are subject to different types of recreational pressures and have different vulnerabilities. HRAs of planning documents tend to focus on recreational sources of disturbance as a result of new residents³⁶.
- 4.3 Studies across a range of species have shown that the effects from recreation can be complex. Human activity can affect birds either directly (e.g. by eliciting flight responses) or indirectly (e.g. through damaging their habitat or reducing their fitness in less obvious ways e.g. stress). The most obvious direct effect is that of immediate mortality such as death by shooting, but human activity can also lead to much subtler behavioural (e.g. alterations in feeding behaviour, avoidance of certain areas and use of sub optimal areas etc.) and physiological changes (e.g. an increase in heart rate). While these are less noticeable, they might result in major population-level changes by altering the balance between immigration / birth and emigration / death³⁷.
- 4.4 Concern regarding the effects of disturbance on birds stems from the fact that they are expending energy unnecessarily and the time they spend responding to disturbance is time that is not spent feeding³⁸. Disturbance therefore risks increasing energetic expenditure of birds while reducing their energetic intake, which can adversely affect the 'condition' and ultimately survival of the birds. Additionally, displacement of birds from one feeding site to others can increase the pressure on the resources available within the remaining sites, as they then must sustain a greater number of birds³⁹. Moreover, the higher proportion of time a breeding bird spends away from its nest, the more likely it is that eggs will cool and the more vulnerable they, or any nestlings, are to predators. Recreational effects on ground-nesting birds are particularly severe, with many studies concluding that urban sites support lower densities of key species, such as stone curlew and nightjar^{40 41}.
- 4.5 Several factors (e.g. seasonality, type of recreational activity) may have pronounced impacts on the nature of bird disturbance. Recreation disturbance in winter can be more impactful because food shortages make birds more vulnerable at this time of the year. In contrast, there are often fewer recreational users in the winter months and some effects of disturbance may be reduced because birds are not breeding. Evidence

³⁴ Liley D, Clarke R.T., Mallord J.W., Bullock J.M. 2006a. The effect of urban development and human disturbance on the distribution and abundance of nightjars on the Thames Basin and Dorset Heaths. Footprint Ecology report for Natural England.

³⁵ Liley D., Clarke R.T., Underhill-Day J., Tyldesley D.T. 2006b. Evidence to support the appropriate Assessment of development plans and projects in south-east Dorset. Footprint Ecology report for Dorset County Council.

³⁶ The RTP1 report 'Planning for an Ageing Population' (2004) which states that 'From being a marginalised group in society, the elderly are now a force to be reckoned with and increasingly seen as a market to be wooed by the leisure and tourist industries. There are more of them and generally they have more time and more money.' It also states that 'Participation in most physical activities shows a significant decline after the age of 50. The exceptions to this are walking, golf, bowls and sailing, where participation rates hold up well into the 70s'.

³⁷ Riley, J. 2003. Review of Recreational Disturbance Research on Selected Wildlife in Scotland. *Scottish Natural Heritage*.

³⁸ Riddington, R. *et al.* 1996. The impact of disturbance on the behaviour and energy budgets of Brent geese. *Bird Study* **43**:269-279

³⁹ Gill, J.A., Sutherland, W.J. & Norris, K. 1998. The consequences of human disturbance for estuarine birds. *RSPB Conservation Review* **12**: 67-72

⁴⁰ Clarke R.T., Liley D., Sharp J.M., Green R.E. 2013. Building development and roads: Implications for the distribution of stone curlews across the Brecks. *PLOS ONE*. doi:10.1371/journal.pone.

⁴¹ Liley D., Clarke R.T. 2003. The impact of urban development and human disturbance on the numbers of nightjar *Caprimulgus europaeus* on heathlands in Dorset, England. *Biological Conservation* **114**: 219-230.

in the literature suggests that the magnitude of disturbance clearly differs between different types of recreational activities. For example, dog walking leads to a significantly higher reduction in bird diversity and abundance compared to hiking⁴². Scientific evidence also suggests that key disturbance parameters, such as areas of influence and flush distance, are significantly greater for dog walkers than hikers⁴³. Furthermore, differences in on-site route lengths and usage patterns likely imply that key spatial and temporal parameters (such as the area of a site potentially impacted and the frequency of disturbance) will also differ between recreational activities. This suggests that activity type is a factor that should be taken into account in HRAs.

Non-breeding birds (September to March)

- 4.6 Both the Portsmouth Harbour SPA / Ramsar and the Chichester and Langstone Harbours SPA / Ramsar directly adjoin Portsmouth City. These Habitats sites are designated for overwintering waterfowl and waders, and this section discusses academic research available on these broad groups of birds.
- 4.7 Evans & Warrington found that on Sundays total water bird numbers (including shoveler and gadwall) were 19% higher on Stocker's Lake LNR in Hertfordshire and attributed this to observed greater recreational activity on surrounding water bodies at weekends relative to weekdays displacing birds into the LNR. However, in this study, recreational activity was not quantified in detail, nor were individual recreational activities evaluated separately.
- 4.8 Tuite et al⁴⁴ used a large (379 sites), long-term (10-year) dataset (September – March species counts) to correlate seasonal changes in wildfowl abundance with the presence of various recreational activities. They determined that the shoveler was one of the most sensitive species to recreational activities, such as sailing, windsurfing and rowing. Studies on recreation in the Solent have established that human leisure activities cause direct disturbance to wintering waterfowl populations^{45 46}.
- 4.9 A study on recreational disturbance on the Humber⁴⁷ assesses different types of noise disturbance on waterfowl referring to previous research relating to aircraft (see Drewitt 1999⁴⁸), traffic (Reijnen, Foppen, & Veenbaas 1997⁴⁹), dogs (Lord, Waas, & Innes 1997⁵⁰; Banks & Bryant 2007⁵¹) and machinery (Delaney et al. 1999; Tempel & Gutierrez 2003). It identifies that there is still relatively little work on the effects of different types of water-based craft and the impacts from jet skis, kite surfers, windsurfers etc (see Kirby et al. 2004 for a review⁵²). In general terms, both distance from the source of disturbance and the scale of the disturbance (noise level, group size) is likely to influence bird responses (Delaney et al. 1999⁵³; Beale & Monaghan 2005⁵⁴). On UK estuaries and coastal sites, a review of WeBS data showed that among the volunteer WeBS surveyors, driving of motor vehicles and shooting were the two activities most perceived to cause disturbance (Robinson & Pollitt 2002⁵⁵).
- 4.10 Disturbing activities present themselves on a continuum. Generally, activities that involve irregular, infrequent and loud noise events, movement or vibration are likely to be most disturbing. For example, the

⁴² Banks P.B., Bryant J.Y. 2007. Four-legged friend or foe? Dog walking displaces native birds from natural areas. *Biology Letters* **3**: 14pp.

⁴³ Miller S.G., Knight R.L., Miller C.K. 2001. Wildlife responses to pedestrians and dogs. 29: 124-132.

⁴⁴ Tuite, C.H., Hanson, P.R. & Owen, M. 1984. Some ecological factors affecting winter wildfowl distribution on inland waters in England and Wales and the influence of water-based recreation. *Journal of Applied Ecology* **21**: 41-62

⁴⁵ Footprint Ecology. 2010. Recreational Disturbance to Birds on the Humber Estuary.

⁴⁶ Footprint Ecology, Jonathan Cox Associates & Bournemouth University. 2010. Solent Disturbance and Mitigation Project – various reports.

⁴⁷ Fearnley H., Liley D. & Cruickshanks K. (2012) Results of Recreational Visitor Survey across the Humber Estuary. Footprint Ecology.

⁴⁸ Drewitt, A. (1999) Disturbance effects of aircraft on birds. *English Nature Reports*, Peterborough.

⁴⁹ Reijnen, R., Foppen, R. & Veenbaas, G. (1997) Disturbance by traffic of breeding birds: evaluation of the effect and considerations in planning and managing road corridors. *Biodiversity and Conservation* **6**: 567-581.

⁵⁰ Lord, A., Waas, J.R. & Innes, J. (1997) Effects of human activity on the behaviour of northern New Zealand dotterel *Charadrius obscurus aquilonius* chicks. *Biological Conservation* **82**:15-20.

⁵¹ Banks, P.B. & Bryant, J.V. (2007) Four-legged friend or foe? Dog-walking displaces native birds from natural areas. *Biology Letters* **3**: 611-613.

⁵² Kirby, J.S., Clee, C. & Seager, V. (1993) Impact and extent of recreational disturbance to wader roosts on the Dee estuary: some preliminary results. *Wader Study Group Bulletin* **68**: 53-58.

⁵³ Delaney, D.K., Grubb, T.G., Beier, P., Pater, L.L.M. & Reiser, H. (1999) Effects of Helicopter Noise on Mexican Spotted Owls. *The Journal of Wildlife Management* **63**: 60-76.

⁵⁴ Beale, C.M. & Monaghan, P. (2005) Modeling the Effects of Limiting the Number of Visitors on Failure Rates of Seabird Nests. *Conservation Biology* **19**: 2015-2019.

⁵⁵ Robinson, J.A. & Pollitt, M.S. (2002) Sources and extent of human disturbance to waterbirds in the UK: an analysis of Wetland Bird Survey data, 1995/96 to 1998/99: Less than 32% of counters record disturbance at their site, with differences in causes between coastal and inland sites. *Bird Study* **49**: 205.

presence of dogs around water bodies generate substantial disturbance due the type of habitats accessed (e.g. intertidal mudflats and saltmarsh), the area affected and dogs' impacts on bird behaviour. Birds are least likely to be disturbed by activities that involve regular, frequent, predictable and quiet patterns of sound, movement or vibration. The further any activity is from the birds, the less likely it is to result in disturbance. Overall, the factors that determine species responses to disturbance include species sensitivity, timing/duration of the recreational activity and the distance between source and receptor of disturbance.

- 4.11 As part of the Bird Aware Solent Project, a study monitoring bird disturbance across 20 different locations was undertaken between December 2009 and February 2010⁵⁶. This involved recording all recreational activities and relating these to behavioural responses of birds in pre-defined focal areas of intertidal habitat. The study recorded a total of 2,507 potential disturbance events, generating 4,064 species-specific behaviours. Roughly 20% of recorded events resulted in disturbance to waterfowl, including behaviours such as becoming alert, walking / swimming away, short flights (< 50m) or major flights. Generally, the likelihood of disturbance decreased with increasing distance to the disturbance stimulus (i.e. the recreational activity being undertaken). Importantly, the study also illustrated that recreational activities in the intertidal zone have the highest disturbance potential (41% of recorded events resulted in disturbance), followed by water-based activities (25%) and shore-based activities (12%).
- 4.12 The specific distance at which a species takes flight when disturbed is known as the 'tolerance distance' (also called the 'escape distance') and greatly differs between species. The tolerance distances of the study carried out for the Bird Aware project are summarised in Table 1. It is reasonable to assume from this evidence that disturbance is unlikely to be relevant at distances of beyond 300m. The data show that disturbance sensitivity differs between species, but that intra-specific variation is equally important. It was also examined how disturbance to different recreational activities varies between species, but for most species the number of recorded events was insufficient for comparison (except for brent goose, oystercatcher and redshank). Again, there may be inter-specific differences in responses to different types of recreation. For example, brent geese responded to dog walkers much further away than oystercatchers and redshanks.

Table 1: Tolerance distances in metres of 16 species of waterfowl to various forms of recreational disturbance, as found in recent disturbance fieldwork⁵⁷. The distances are provided both as a median and a range.

Species	Disturbance Distance (metres from stimulus)		Activity			
	Median	Range	Cycling	Dog walking	Jogging	Walking
Brent goose	51.5	5 – 178	100	95	30	50
Oystercatcher	46	10 – 200	150	45		50
Redshank	44.5	75 – 150	125	50	40	58
Curlew	75	25 – 200				
Turnstone	50	5 – 100				
Coot	12	10 – 20				
Mute swan	12	8 – 50				
Grey plover	75	30 – 125				
Little egret	75	30 – 200				
Wigeon	75.5	20 – 125				
Dunlin	75	25 – 300				
Shelduck	77.5	50 – 140				
Great-crested grebe	100	50 – 100				
Lapwing	75	18 – 125				
Teal	60	35 – 200				
Mallard	25	10 – 50				

⁵⁶ Liley D., Stillman R. & Fearnley H. 2011. The Solent Disturbance and Mitigation Project Phase 2: Results of Bird Disturbance Fieldwork 2009/10. Report by Footprint Ecology for the Solent Forum.

⁵⁷ Ibid.

- 4.13 Mitigation measures to avoid recreational pressure effects usually involve a combination of access and habitat management, and the provision of alternative recreational space. Typically, Local Authorities (in their role as Competent Authorities) can set out frameworks for improved habitat and access management, in collaboration with other adjoining Local Planning Authorities. Provision of alternative recreational space can help to attract recreational users away from sensitive Habitats sites and reduce pressure on the sites. However, the location and habitat type of such alternative destinations must be carefully selected to be effective.
- 4.14 Visitor surveys conducted in the Solent in winter 2017 / 2018, indicated that visitors travelled distances between 76m and 300km to visit the Solent, with a mean distance of 8.4km and a median distance of 1.4km. While the region is clearly visited by people from across England, recreational pressure in these Habitats sites is largely driven by local residents. This is reflected in the Interim Solent Recreation Mitigation Strategy (SRMS), which established a Zone of Influence (Zoi) of 5.6km around the SPAs in the Solent, comparable to Zois of other Habitats sites such as the Thames Basin Heaths SPA and the Dorset Heathlands SPA. According to the SRMS, all housing developments within this catchment are to provide financial contributions to mitigation interventions designed to protect these sites from adverse effects. This catchment zone is relevant to the Portsmouth Local Plan, as the Plan area directly adjoins the Portsmouth Harbour SPA / Ramsar and the Chichester and Langstone Harbours SPA / Ramsar.
- 4.15 A follow up survey (Solent SANGs Visitor Survey⁵⁸) was undertaken in the winter of 2021/22 by Footprint Ecology at five inland Suitable Alternative Natural Greenspace (SANG) sites along the Solent (namely: Firestone Copse, Shoreburs Greenway, River Hamble Country Park, Alver Valley Country Park, and Minerva Heights). Post code data indicates that the sites are generally used by people in a relatively local and small catchment with little overlap between them. This suggests that there is potential for further SANGs to “fill in the gaps”. Usage figures appear to be increasing significantly from previous surveys in 2015/16 although an element of caution needs to be applied to the data.

Breeding Birds (April to September)

- 4.16 In addition to their overwintering bird assemblages, the Chichester and Langstone Harbours SPA / Ramsar is also designated for several breeding bird species, including sandwich tern, common tern and little tern. These species are present in the SPA / Ramsar and reproduce in the summer months, meaning that the recreational pressure impact pathway in the Solent is not limited to the overwintering period. Terns are ground-nesting species that form their nest as a shallow scrape on bare ground. They are particularly vulnerable to recreational pressure, including disturbance from dogs, trampling damage, egg theft and vandalism.
- 4.17 Disturbance to birds during the pre-incubation, incubation and chick provisioning stages may lead to the abandonment of potential nesting sites, eggs or chicks, resulting in failure to reproduce or in reduced calorific intake by chicks. If disturbance is pervasive, the failure to produce viable offspring may result in reduced fitness at the population level. Disturbance from dog walkers is a particular threat to ground-nesting birds, which tend to have lower disturbance tolerances because their nests are at higher risk from predators⁵⁹.
- 4.18 This is supported in the literature. For example, a study assessing the breeding success of little tern and least tern found that nest success was significantly higher (82%) in artificial habitats than on natural sandy beaches (58%)⁶⁰. This was primarily due to recreational disturbance on the beaches (which was absent in artificial habitats). Furthermore, even in successful nests, the number of unhatched eggs was twice as high in the natural habitat, most likely due to disturbance leading to the cooling of eggs.
- 4.19 Recreational pressures on the tern colonies in the Solent are well documented and a significant threat to the viability of the species' populations. Generally, all three tern species nest on protected islands (Baker's Island, South Binness Island, Round Nap Island) within the SPA / Ramsar, which are patrolled to reduce the

⁵⁸ Pakanen V-M., Hongell H., Aikio S. & Koivula K. (2014). Little tern breeding success in artificial and natural habitats: Modelling population growth under uncertain vital rates. *Population Ecology* **56**: 581-591.

⁵⁹ [662-Solent-SANGs-Visitor-Survey-report-FINAL.pdf \(birdaware.org\)](#)

⁶⁰ Pakanen V-M., Hongell H., Aikio S. & Koivula K. (2014). Little tern breeding success in artificial and natural habitats: Modelling population growth under uncertain vital rates. *Population Ecology* **56**: 581-591.

impact of human disturbance. South Binness Island and other islands in the lagoon were purchased by the RSPB in 1978, turned into bird sanctuaries and unauthorised access was forbidden.

- 4.20 The terns forage within the shallow coastal waters throughout the harbours and in the wider Solent amidst recreational boats, ships and personal watercraft. Given that the nesting colonies are inaccessible to the general public, the biggest source of recreational pressure is likely to arise from water-based activities, such as boating, jet-skiing, kite-surfing, surfing and sailing.
- 4.21 Footprint Ecology prepared a report in November 2023, reviewing the likelihood of impacts on breeding birds around the Solent from increasing recreational disturbance from new housing. The report considered the impact on five species of breeding birds, namely Mediterranean gull, sandwich tern, common tern, Little tern and roseate tern. All of these bird species are qualifying features of the Solent and Southampton Water SPA. The sandwich tern, common tern and little tern are qualifying features of Chichester and Langstone Harbours SPA.
- 4.22 Mediterranean gulls do not have much specific literature regarding their sensitivity to disturbance. The Footprint Ecology report concludes that they are likely only vulnerable to incursions into their colonies or when water-based activities are done in close proximity to them. Sandwich terns tend to nest in small numbers of large colonies, which can be rapidly abandoned. Common terns breed in smaller scattered colonies. This report concludes that both they are vulnerable to human disturbance, with incursions into colonies and water-based activities in close proximity are key concerns. There is strong evidence for disturbance of little terns impacting distribution and breeding success. Given they nest on open beaches Sandwich terns are the most vulnerable of the species discussed in this report. The roseate tern does not have any regular breeding sites around the Solent but nests with other terns and is so likely similarly vulnerable. Its rarity amplifies this vulnerability.

Conclusion

- 4.23 The available baseline information suggests that the following Habitats Sites are potentially sensitive to recreational pressure, particularly due to the presence of waterfowl and wader species through the year (**the sites in bold are taken forward into the following chapters**):

- **Portsmouth Harbour SPA / Ramsar**
- **Chichester and Langstone Harbours SPA / Ramsar**
- **Solent and Southampton Water SPA / Ramsar**
- **Solent and Dorset Coast SPA**

Loss of Functionally Linked Habitat

- 4.24 While most Habitats sites have been geographically defined to encompass the key features that are necessary for coherence of their structure and function, and the support of their qualifying features, this is not necessarily the case. A diverse array of qualifying species including birds, bats and amphibians are not always confined to the boundary of designated sites.
- 4.25 For example, the highly mobile nature of both wader and waterfowl species implies that areas of habitat of crucial importance to the integrity of their populations lie outside the physical limits of Habitats sites. Despite not being part of the formal designation, these habitats are integral to the maintenance of the structure and function of the designated site, for example by encompassing important foraging grounds. Therefore, land use plans that may affect such functionally linked habitat require further assessment.
- 4.26 There is now an abundance of authoritative examples of HRA cases on plans affecting bird populations, where Natural England recognised the potential importance of functionally linked land⁶¹. For example, bird surveys in relation to a previous HRA established that approximately 25% of the golden plover population in the Somerset Levels and Moors SPA were affected while on functionally linked land, and this required the inclusion of mitigation measures in the relevant plan policy wording. Another important case study originates from the Mersey Estuary SPA / Ramsar, where adjacently located functionally linked land had a peak survey

⁶¹ Chapman C & Tyldesley D. 2016. Functional linkage: How areas that are functionally linked to European sites have been considered when they may be affected by plans and projects – A review of authoritative decisions. *Natural England Commissioned Reports* **207**. 73pp

count of 108% of the 5 year mean peak population of golden plover. This finding led to considerable amendments in the planning proposal to ensure that the site integrity was not adversely affected.

- 4.27 Generally, the identification of an area as functionally linked habitat is not always a straightforward process. The importance of non-designated land parcels may not be apparent and thus might require the analysis of existing data sources (e.g. Bird Atlases or data from records centres) to be firmly established. In some instances, data may not be available at all, requiring further survey work.
- 4.28 The Solent Waders and Brent Goose Strategy (SWBGS)⁶², a conservation partnership project focusing particularly on brent geese and wading birds in the Solent, has undertaken surveys over three winters between 2016 and 2019. The strategy is an attempt to identify the sites these birds rely on in the Solent, outside the boundaries of the formally designated sites. This network of functionally linked feeding and roosting sites has been mapped, identifying Core Areas, Primary Support Areas, Secondary Support Areas, Low Use areas and Candidate sites. For example, one of the key parcels of functionally linked habitat within Portsmouth City is Southsea Common (P35), a Core feeding Area for brent geese. This HRA assesses the likelihood of all development sites to constitute functionally linked habitat, based on some key parameters including site area, habitat type, proximity to Habitats sites and the nature of flightlines from / to designated sites. It will consult the SWBGS to identify the main parcels of functionally linked habitat in relation to the emerging PLP.
- 4.29 Overall, the available baseline information suggests that the following Habitats Sites are sensitive to the loss of functionally linked habitats due to the presence of mobile waterfowl (**the sites in bold are taken forward into the following chapters**):
- **Portsmouth Harbour SPA / Ramsar**
 - **Chichester and Langstone Harbours SPA / Ramsar**
 - **Solent and Southampton Water SPA / Ramsar**
- 4.30 Solent and Dorset Coast is an open water site designated for foraging terns. Therefore, the SPA is not at risk of likely significant effects due to loss of functionally linked habitat to construction from Local Plan.

Recreational Pressure in Functionally Linked Habitat

- 4.31 Recreational pressure can also impact the usage of functionally linked habitats by qualifying SPA / Ramsar waterfowl and waders. As highlighted in the previous section, the integrity of Solent's Habitats sites depends on a network of functionally linked supporting habitats. Birds using such land parcels outside designated site boundaries are also sensitive to recreational usage of the site.
- 4.32 Assessments of recreational impacts on functionally linked habitats are less straightforward than for Habitats sites. This is because there typically is no visitor data available for such sites and therefore it is difficult to establish a baseline of site usage. Functionally linked habitats are unlikely to have the same draw on recreational users than the higher-profile designated sites, because they are often relatively small greenfield sites (e.g. short grassland or agricultural land). However, other functionally linked habitats (e.g. Southsea Common along Portsmouth City's waterfront) may experience high levels of usage, owing to their nature and location adjacent to sites with a strong recreational draw (the coastline in this instance).
- 4.33 The distance to allocations proposed in development plans is likely to be a key predictor of site usage, with functionally linked habitats typically only considered to be a recreation destination if within 1km from new residential development. However, a site-by-site assessment is important, due to the different types of supporting habitats.
- 4.34 The following Habitats Sites are sensitive to recreational pressure in functionally linked habitats from Portsmouth City due to the presence of mobile waterfowl (**the sites in bold are taken forward into the following chapters**):
- **Portsmouth Harbour SPA / Ramsar**

⁶² Solent Waders and Brent Goose Strategy Steering Group. November 2020. Solent Waders and Brent Goose Strategy. 37pp. Available at: <https://solentwbgs.wordpress.com/page-2/> [Accessed on the 14/12/2023]

- **Chichester and Langstone Harbours SPA / Ramsar**
 - **Solent and Southampton Water SPA / Ramsar**
- 4.35 This impact pathway is not considered a risk to Solent and Dorset Coast SPA for the reasons already given for recreational pressure and loss of functionally-linked land.

Disturbance from Construction (in Habitats Sites and Functionally Linked Habitat)

- 4.36 Development schemes can result in the disturbance of qualifying SPA / Ramsar bird species in Habitats sites or functionally linked habitats through several mechanisms. Noise and visual disturbance arising from construction activities may result in behavioural changes (e.g. flight from the nest, cessation of foraging) in birds. Furthermore, post-construction disturbance from site usage, road traffic and operational lighting might also arise. Three of the most important factors determining the magnitude of disturbance appear to be species sensitivity, proximity of the disturbance source and timing / duration of the disturbance.
- 4.37 An increasing amount of research on visual and noise disturbance of waterfowl from construction (and other activities) is now available. Both visual and noise stimuli may elicit disturbance responses, potentially affecting the fitness and survival of waterfowl and waders. Noise is a complex disturbance parameter requiring the consideration of multiple parameters, including the fact that it is not described on a linear scale, its nonadditive effect and the source-receptor distance. A high level of noise disturbance constitutes a sudden noise event of over 60dB or prolonged noise of over 72dB. Bird responses to high noise levels include major flight or the cessation of feeding, both of which might affect the survival of birds if other stressors are present (e.g. cold weather, food scarcity).
- 4.38 Generally, research has shown that above noise levels of 84dB waterfowl show a flight response, while at levels below 55dB there is no effect on their behaviour⁶³. These two thresholds are therefore considered useful as defining two extremes. The same authors have shown that regular noise levels should be below 70dB at the bird, as birds will habituate to noise levels below this level⁶⁴. Generally, noise is attenuated by 6dB with every doubling of distance from the source. Impact piling, the noisiest construction process of approx. 110 dB at 0.67m from source, will therefore reduce to 67-68dB by 100m away from the source. The loudest construction noise should therefore have fallen to below disturbing levels by 100m, and certainly by 200m, away from the source even without mitigation.
- 4.39 Visual disturbance is generally considered to have a higher impact than noise disturbance as, in most instances, visual stimuli will elicit a disturbance response at much greater distances than noise⁶⁵. For example, a flight response is triggered in most species when they are approached to within 150m across a mudflat. Visual disturbance can be exacerbated by workers operating equipment outside machinery, undertaking sudden movements and using large machinery. Several species are particularly sensitive to visual disturbance⁶⁶, including curlew (taking flight at 275m), redshank (at 250m), shelduck (at 199m) and bar-tailed godwit (at 163m), all of which are qualifying species of the Portsmouth SPA / Ramsar and the Chichester and Langstone Harbours SPA / Ramsar. Overall, specific regard should be given to assemblage composition when identifying threshold levels for both visual and noise disturbance.
- 4.40 Disturbance can also result post-construction, although substantial changes in traffic flow are generally needed for significant noise disturbance to arise from roads. For example, a 25% increase in road traffic (e.g. through a road scheme) will result in only a 1dB(A) increase at the roadside, with a 100% increase needed to result in a 3dB(A) increase – the lowest increase in noise that is thought to be even perceivable by humans and birds. In contrast, the introduction of operational lighting of schemes into areas that are not currently lit can result in disturbance of animal species within Habitats sites or those that rely on functionally linked habitats. At the same time, it must be noted that the Portsmouth area is already generally a brightly lit urban frontage.

⁶³ Cutts N & Allan J. 1999. Avifaunal Disturbance Assessment. Flood Defence Works: Saltend. Report to Environment Agency).

⁶⁴ Cutts, N., Phelps, A. and Burdon, D. (2009) Construction and waterfowl: Defining Sensitivity, Response, Impacts and Guidance. Report to Humber INCA, Institute of Estuarine and Coastal Studies, University of Hull.

⁶⁵ Research undertaken by the Institute of Estuarine & Coastal Studies, University of Hull. 2013. Available at: <http://bailey.persona-pi.com/Public-Inquiries/M4%20-%20Revised/11.3.67.pdf> [Accessed on the 28/10/2020]

⁶⁶ Ibid. Response distances to visual stimuli are given in the Estuarine & Coastal Studies report.

4.41 The following Habitats sites within 10km of Portsmouth City are sensitive to visual and noise disturbance in both the sites themselves and functionally linked habitats as a result of Local Plan development, both during and post construction (**the sites in bold are taken forward into the following chapters**):

- **Portsmouth Harbour SPA / Ramsar**
- **Chichester and Langstone Harbours SPA / Ramsar**
- **Solent and Southampton Water SPA**

4.42 Since they are on the wing and foraging over a large area predominantly in the marine environment, foraging terns for which Solent and Dorset Coast SPA is designated are not considered to be at significant risk of disruption of foraging from onshore construction works.

Water Quality

4.43 The quality of the water that feeds Habitats sites is an important determinant of the nature of their habitats and the species they support. Poor water quality can have a range of environmental impacts:

- At high levels, toxic chemicals and metals can result in immediate death of aquatic life, and can have detrimental effects even at lower levels, including increased vulnerability to disease and changes in wildlife behaviour.
- Eutrophication, the enrichment of water with nutrients, increases plant growth and consequently results in oxygen depletion. Algal blooms, which commonly result from eutrophication, increase turbidity and decrease light penetration. The decomposition of organic wastes that often accompanies eutrophication deoxygenates water further, augmenting the oxygen depleting effects of eutrophication. In the marine environment, nitrogen is the limiting plant nutrient and so eutrophication is associated with discharges containing bioavailable nitrogen.
- Some pesticides, industrial chemicals, and components of sewage effluent are suspected to interfere with the functioning of the endocrine system, possibly having negative effects on the reproduction and development of aquatic life.

4.44 The most notable issue in relation to the PLP is the discharge of treated sewage effluent, which is likely to increase the concentration of nutrients in Habitats sites that are dependent on the input of high-quality water. In marine Habitats sites (e.g. the Portsmouth Harbour and the Chichester and Langstone Harbours SPA / Ramsar) nitrogen is the main limiting nutrient and an increase in nutrients may cause eutrophication. Given that Portsmouth City (and the WwTW serving it) lie on the coast, there is little time for natural attenuation before these nutrients reach the respective marine sites.

4.45 Site condition assessments undertaken by Natural England in 2018 and 2019, have identified a strategic issue of nitrogen pollution in the wider Solent area. High concentrations of nitrogen (and phosphorus) are being input to these Habitats sites, primarily from agriculture sources and treated wastewater effluent. There is a high degree of certainty that nitrogen is causing eutrophication (leading to the growth of dense algal mats) and affecting the qualifying species of the Solent's Habitats sites. For example, 81% of the component SSSIs are currently in unfavourable condition. As a result, Natural England advises that new residential development in hydrological connectivity with the Solent must achieve nitrogen neutrality⁶⁷, or, if neutrality cannot be achieved, provide adequate mitigation measures.

4.46 In January 2024, the Solent was formally designated a sensitive catchment area to nitrogen under s96C of the Water Industry Act 1991. Given that both SPA's / Ramsar's adjoin Portsmouth City, impacts of surface water runoff from hardstanding on the marine water quality also need consideration. Water from overflowing sewage systems and from industrial leakages and / or spillages may contribute to the overall nutrient loading in the marine environment.

4.47 The Local Plan assessed in this HRA provides for development in the geographic area covered by Southern Water, responsible for the public water supply and wastewater treatment within Portsmouth City and the

⁶⁷ Natural England. (June 2020). Advice on Achieving Nutrient Neutrality for new Development in the Solent Region. Version 5. 56pp.

wider area surrounding it. The potential HRA implications of sewage discharge for Habitats sites associated with residential and industrial development are outlined in Table 2.

Table 2: Wastewater Treatment Works serving Portsmouth City, the potential growth accommodated and its HRA implications.

WwTW Catchment	Development quanta allocated in the Portsmouth Local Plan	HRA implications
Portsmouth and Havant WwTW (operated by Southern Water and Portsmouth Water)	13,603 residential dwellings and at least 138,429m ² of employment floorspace	Discharge of treated sewage effluent and industrial pollutants directly into Solent's Habitats sites or into local freshwater bodies (ultimately entering the Portsmouth Harbour SPA / Ramsar, the Chichester and Langstone Harbours SPA/ Ramsar and the Solent Maritime SAC)

4.48 The available baseline information suggests that the following Habitats Sites are vulnerable to a decline in water quality (**the sites in bold are taken forward into the following chapters**):

- **Portsmouth Harbour SPA / Ramsar**
- **Chichester and Langstone Harbours SPA / Ramsar**
- **Solent and Southampton Water SPA**
- **Solent and Dorset Coast SPA**
- **Solent Maritime SAC**
- Solent and Isle of Wight Lagoons SAC

4.49 There is no direct hydrological connectivity between the Solent and Isle of Wight Lagoons SAC and the marine environment, except through percolation. Therefore, this site is screened out from further assessment relating to the impact pathway water quality.

Water Quantity, Level and Flow

4.50 The water level, its flow rates and the mixing conditions are important determinants of the condition of Habitats sites and their qualifying features. Hydrological processes are critical in influencing habitat characteristics in wetlands and coastal waters, including current velocity, water depth, dissolved oxygen levels, salinity and water temperature. In turn these parameters determine the short- and long-term viability of plant and animal species, as well as overall ecosystem composition. Changes to the water flow rate within an estuary can be associated with a multitude of further impact pathways, including substratum loss, smothering and changes in wave exposure, and often interact with coastal squeeze.

4.51 The unique nature of wetlands combines shallow water and conditions that are ideal for the growth of organisms at the basal level of food webs, which feed many species of birds, mammals, fish and amphibians. Overwintering, migrating and breeding wetland bird species are particularly reliant on these food sources, as they need to build up enough nutritional reserves to sustain their long migration routes or feed their hatched chicks.

4.52 Coastal habitats rely on hydrological connections with other surface waters, such as rivers, streams and lakes. A constant supply of freshwater is fundamental to maintaining the ecological integrity of coastal marine areas. However, while the natural fluctuation of water levels within narrow limits is desirable, excess or too little water supply might cause the water level to be outside of the required range of qualifying birds, invertebrate or plant species. In extreme cases, this might lead to the loss of the structure and functioning of marine ecosystems. There are two mechanisms through which urban development might negatively affect freshwater supply to Habitats Sites:

- The supply of new housing with potable water will require increased abstraction of water from surface water and groundwater bodies. Depending on the level of water stress in the geographic region, this may decrease freshwater input to Habitats sites sharing the same catchment.

- The proliferation of impermeable surfaces in urban areas increases the volume and speed of surface water runoff. As traditional drainage systems often cannot cope with the volume of stormwater, sewer overflows are designed to discharge excess water directly into watercourses. This can contribute to so-called flash floods and increased water flow into Habitats sites. Some of the knock-on impacts of surface water runoff include increases in sedimentation, turbidity and anthropogenic pollutants.
- 4.53 Water abstraction for the potable water supply is of particular concern in areas with little rainfall (and limited recharge potential) or where water resources are already depleted. In 2013 the Environment Agency published a map of water-stressed areas, highlighting that the south-east of England is generally identified as an area of high water stress (see Figure 3 below). This is due to its large population, high water demand and the lower annual rainfall in this area of England.

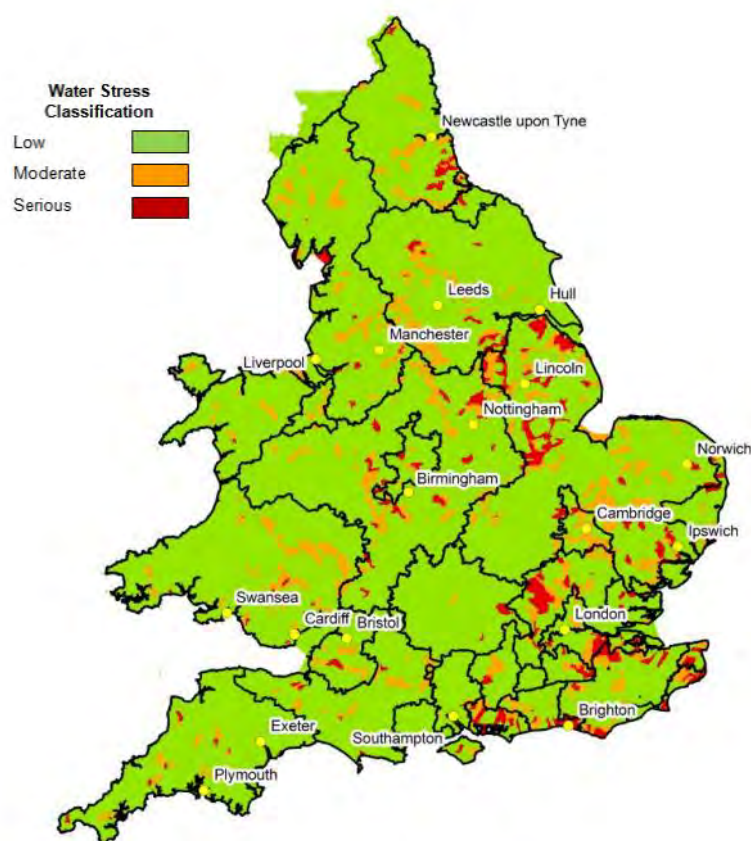


Figure 3: Areas of water stress within England.

- 4.54 Portsmouth City lies adjacent to several coastal Habitats sites, all of which are sensitive to changes in hydrological regime. Specifically, the Site Improvement Plan for the Solent⁶⁸ (encompassing the Portsmouth Harbour SPA / Ramsar, the Chichester and Langstone Harbours SPA / Ramsar and the Solent Maritime SAC) identifies hydrological changes as a threat to the qualifying features of these sites. It states that 'Titchfield Haven has a high level of water abstraction licenses – if all were used then water levels would be too low in the SAC / SPA'.
- 4.55 The water supply in Portsmouth City is provided by Portsmouth Water and South-East Water (supplying a small area in the north of the city). The further assessment stages of this impact pathway will involve an appraisal of the Water Resources Management Plans (WRMPs) of the two companies, taking account of existing licensed abstractions and the supply-demand balances over the WRMPs.
- 4.56 Overall, the following Habitats sites within 10km of Portsmouth City are sensitive to changes in their water quantity, level and flow as a result of urban development (**the sites in bold are taken forward into the following chapters**):

⁶⁸ The Site Improvement Plan for the Solent is published by Natural England and available at: <http://publications.naturalengland.org.uk/file/5319610920337408> [Accessed on the 28/10/2020]

- **Portsmouth Harbour SPA / Ramsar**
- **Solent and Dorset Coast SPA**
- **Chichester and Langstone Harbours SPA / Ramsar**
- **Solent and Southampton Water SPA**
- **Solent Maritime SAC**
- **Solent and Isle of Wight Lagoons SAC**

Atmospheric Pollution

4.57 The main pollutants of concern for Habitats sites are oxides of nitrogen (NO_x), ammonia (NH₃) and sulphur dioxide (SO₂; see Table 3). Ammonia can have a directly toxic effect upon vegetation, particularly at close distances to the source such as near road verges⁶⁹. NO_x can also be toxic at very high concentrations (far above the annual average critical level). However, in particular, high levels of NO_x and NH₃ are likely to increase the total N deposition to soils, potentially leading to deleterious knock-on effects in recipient ecosystems. An increase in nitrogen deposition from the atmosphere is widely known to enhance soil fertility and to lead to eutrophication. This often has adverse effects on plant community composition and the overall quality of semi-natural, nitrogen-limited terrestrial and aquatic habitats^{70, 71}.

Table 3: Main sources and effects of air pollutants on habitats and species⁷².

Pollutant	Source	Effects on habitats and species
Sulphur Dioxide (SO ₂)	The main sources of SO₂ are electricity generation, and industrial and domestic fuel combustion. However, total SO₂ emissions in the UK have decreased substantially since the 1980's. Another origin of sulphur dioxide is the shipping industry and high atmospheric concentrations of SO₂ have been documented in busy ports. In future years shipping is likely to become one of the most important contributors to SO₂ emissions in the UK.	Wet and dry deposition of SO₂ acidifies soils and freshwater and may alter the composition of plant and animal communities. The magnitude of effects depends on levels of deposition, the buffering capacity of soils and the sensitivity of impacted species. However, SO₂ background levels have fallen considerably since the 1970's and are now not regarded a threat to plant communities. For example, decreases in Sulphur dioxide concentrations have been linked to returning lichen species and improved tree health in London.
Acid deposition	Leads to acidification of soils and freshwater via atmospheric deposition of SO₂, NO_x, ammonia and hydrochloric acid. Acid deposition from rain has declined by 85% in the last 20 years, which most of this contributed by lower sulphate levels. Although future trends in S emissions and subsequent deposition to terrestrial and aquatic ecosystems will continue to decline, increased N emissions may cancel out any gains produced by reduced S levels.	Gaseous precursors (e.g. SO₂) can cause direct damage to sensitive vegetation, such as lichen, upon deposition. Can affect habitats and species through both wet (acid rain) and dry deposition. The effects of acidification include lowering of soil pH, leaf chlorosis, reduced decomposition rates, and compromised reproduction in birds / plants. Not all sites are equally susceptible to acidification. This varies depending on soil type, bed rock geology, weathering rate and buffering capacity. For example, sites with an underlying

⁶⁹ http://www.apis.ac.uk/overview/pollutants/overview_NOx.htm.

⁷⁰ Wolseley, P. A.; James, P. W.; Theobald, M. R.; Sutton, M. A. 2006. Detecting changes in epiphytic lichen communities at sites affected by atmospheric ammonia from agricultural sources. *Lichenologist* **38**: 161-176

⁷¹ Dijk, N. 2011. Dry deposition of ammonia gas drives species change faster than wet deposition of ammonium ions: evidence from a long-term field manipulation. *Global Change Biology* **17**: 3589-3607

⁷² Information summarised from the Air Pollution Information System (<http://www.apis.ac.uk/>).

		geology of granite, gneiss and quartz rich rocks tend to be more susceptible.
Ammonia (NH ₃)	Ammonia is a reactive, soluble alkaline gas that is released following decomposition and volatilisation of animal wastes. It is a naturally occurring trace gas, but ammonia concentrations are directly related to the distribution of livestock. At a very local level some traffic can also make a notable contribution. Ammonia reacts with acid pollutants such as the products of SO₂ and NO_x emissions to produce fine ammonium (NH₄⁺) - containing aerosol. Due to its significantly longer lifetime, NH₄⁺ may be transferred much longer distances (and can therefore be a significant trans-boundary issue). While ammonia deposition may be estimated from its atmospheric concentration, the deposition rates are strongly influenced by meteorology and ecosystem type.	The negative effect of NH₄⁺ may occur via direct toxicity, when uptake exceeds detoxification capacity and via N accumulation. Its main adverse effect is eutrophication, leading to species assemblages that are dominated by fast-growing and tall species. For example, a shift in dominance from heath species (lichens, mosses) to grasses is often seen. As emissions mostly occur at ground level in the rural environment and NH₃ is rapidly deposited, some of the most acute problems of NH₃ deposition are for small relict nature reserves located in intensive agricultural landscapes.
Nitrogen oxides (NO _x)	Nitrogen oxides are mostly produced in combustion processes. Half of NO_x emissions in the UK derive from motor vehicles, one quarter from power stations and the rest from other industrial and domestic combustion processes. Nitrogen oxides have been consistently falling for decades due to a combination of coal fired power station closures, abatement of other combustion point sources and improved vehicle emissions technology. They are expected to continue to fall over the plan period.	Direct toxicity effects of gaseous nitrates are likely to be important in areas close to the source (e.g. roadside verges). A critical level of NO_x for all vegetation types has been set to 30 ug/m³. Deposition of nitrogen compounds (nitrates (NO₃), nitrogen dioxide (NO₂) and nitric acid (HNO₃)) contributes to the total nitrogen deposition and may lead to both soil and freshwater acidification. In addition, NO_x contributes to the eutrophication of soils and water, altering the species composition of plant communities at the expense of sensitive species.
Nitrogen deposition	The pollutants that contribute to the total nitrogen deposition derive mainly from oxidized (e.g. NO_x) or reduced (e.g. NH₃) nitrogen emissions (described separately above). While oxidized nitrogen mainly originates from major conurbations or highways, reduced nitrogen mostly derives from farming practices. The N pollutants together are a large contributor to acidification (see above).	All plants require nitrogen compounds to grow, but too much overall N is regarded as the major driver of biodiversity change globally. Species-rich plant communities with high proportions of slow-growing perennial species and bryophytes are most at risk from N eutrophication. This is because many semi-natural plants cannot assimilate the surplus N as well as many graminoid (grass) species. N deposition can also increase the risk of damage from abiotic factors, e.g. drought and frost.
Ozone (O ₃)	A secondary pollutant generated by photochemical reactions involving NO_x, volatile organic compounds (VOCs) and sunlight. These precursors are mainly released by the combustion of fossil fuels (as discussed above). Increasing anthropogenic emissions of ozone precursors in the UK have led to an increased number of days when ozone levels rise above 40ppb ('episodes' or 'smog'). Reducing ozone pollution is	Concentrations of O₃ above 40 ppb can be toxic to both humans and wildlife, and can affect buildings. High O₃ concentrations are widely documented to cause damage to vegetation, including visible leaf damage, reduction in floral biomass, reduction in crop yield (e.g. cereal grains, tomato, potato), reduction in the number of flowers, decrease in forest production and altered species composition in semi-natural plant communities.

	believed to require action at international level to reduce levels of the precursors that form ozone.	

- 4.58 Sulphur dioxide emissions overwhelmingly derive from power stations and industrial processes that require the combustion of coal and oil, as well as (particularly on a local scale) shipping⁷³. Ammonia emissions mainly originate from agricultural practices⁷⁴, with some chemical processes and vehicle exhaust emissions also making notable contributions. As such, it is unlikely that material increases in SO₂ emissions will be associated with the PLP but increases in NO_x and NH₃ probably would at a local level.
- 4.59 NO_x emissions in particular are dominated by the output of vehicle exhausts (more than half of all emissions). A 'typical' housing development will contribute by far the largest portion to its overall NO_x footprint (92%) through its associated road traffic. Other sources, although relevant, are of minor importance (8%) in comparison⁷⁵. The emerging PLP, which allocates 13,603 net new dwellings in Portsmouth City, can therefore be reasonably expected to increase emissions of NO_x through an increase in vehicular traffic.
- 4.60 According to the World Health Organisation, the critical NO_x concentration (critical threshold) for the protection of vegetation is 30 µgm⁻³; the threshold for sulphur dioxide is 20 µgm⁻³. In addition, ecological studies have determined 'critical loads'⁷⁶ of atmospheric nitrogen deposition (that is, NO_x combined with ammonia NH₃). The critical level for ammonia is 3 µgm⁻³, or 1 µgm⁻³ where lower plants are of particular relevance.
- 4.61 According to the Department of Transport's Transport Analysis Guidance, beyond 200m, the contribution of vehicle emissions from the roadside to local pollution levels is insignificant (Figure 4 and see reference ⁷⁷). This is therefore the distance that has been used throughout this HRA to identify major commuter routes along Habitats Sites, which are likely to be significantly affected by an increase in commuter traffic.

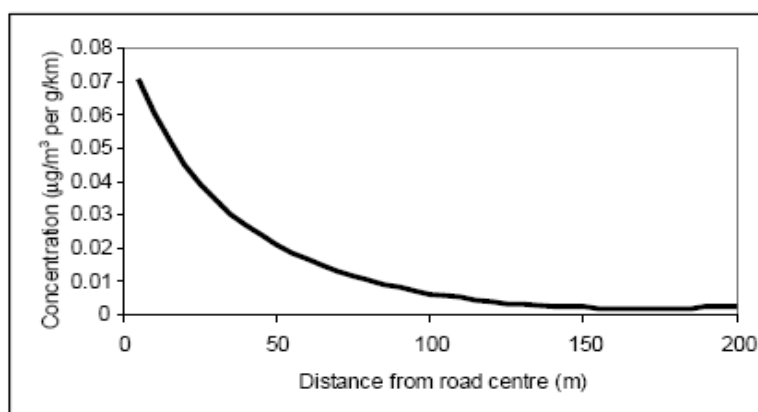


Figure 4: Traffic contribution to concentrations of pollutants at different distances from a road (Source: DfT⁷⁸)

- 4.62 The following Habitats sites within 10km of Portsmouth City are sensitive to atmospheric pollution arising from the Local Plan development, such as through an increase in the number of two-way vehicle trips within 200m of these sites (**the sites in bold are taken forward into the following chapters**):

- **Portsmouth Harbour SPA / Ramsar**
- **Chichester and Langstone Harbours SPA / Ramsar**
- **Solent and Southampton Water SPA**

⁷³ http://www.apis.ac.uk/overview/pollutants/overview_SO2.htm.

⁷⁴ Pain, B.F.; Weerden, T.J.; Chambers, B.J.; Phillips, V.R.; Jarvis, S.C. 1998. A new inventory for ammonia emissions from U.K. agriculture. *Atmospheric Environment* **32**: 309-313

⁷⁵ Proportions calculated based upon data presented in Dore CJ et al. 2005. UK Emissions of Air Pollutants 1970 – 2003. UK National Atmospheric Emissions Inventory. <http://www.airquality.co.uk/archive/index.php>

⁷⁶ The critical load is the rate of deposition beyond which research indicates that adverse effects can reasonably be expected to occur.

⁷⁷ See: <http://www.dft.gov.uk/webtag/documents/expert/unit3.3.3.php#013> [Accessed on the 03/11/2020].

⁷⁸ Available at: <http://www.dft.gov.uk/ha/standards/dmr/vol11/section3/ha20707.pdf> [Accessed on the 03/11/2020].

- **Solent Maritime SAC**
 - **Solent and Isle of Wight Lagoons SAC**
- 4.63 The Solent and Dorset Coast SPA is c.890 km² in area, much of which is open sea. The plunge diving tern species for which it is designated are not specialised feeders and unlike waterfowl and waders are not heavily dependent on intertidal habitats vulnerable to atmospheric nitrogen deposition. Therefore, LSEs of the emerging PLP on this site can be excluded and it is screened out of Appropriate Assessment.

Impacts of Tall Buildings on Flight Lines and Sight Lines

- 4.64 Tall, manmade structures have various potential ecological impacts, particularly on bird species. It is now well known that such structures can interfere with the commuting or migration routes of birds. Furthermore, tall buildings are also a physical obstacle, representing a direct risk of collision mortality.
- 4.65 The magnitude of a potential disturbance effect of such infrastructure is determined by several design parameters (e.g. building height, number of windows, level of illumination) and its location relative to roosting and foraging habitats. For example, the constant illumination of some buildings such as hotels is thought to lead to an entrapment effect, preventing birds from successfully completing their commuting / migratory routes. Tall structures are likely to have much higher impacts if they are positioned in established commuting or migratory corridors. This might prevent the birds' ability to use established feeding territories beyond newly built structures or alter the amount of energy required to get there.
- 4.66 Local Plans typically do not provide sufficient detail regarding the design of buildings, such it is often not possible to investigate this impact pathway at the plan level. A more thorough assessment on the impact of tall buildings was undertaken in the HRA of the Portsmouth Seafront Masterplan, which forms part of the overall development plan in Portsmouth City.
- 4.67 The PLP provides for a both employment and residential developments that could be sufficiently tall to affect bird sight lines and flight lines. This HRA will set the development proposals into ecological context (where sufficient details on their design are available), to identify whether they might represent a threat to the ranging or commuting behaviour of SPA / Ramsar birds.
- 4.68 The available baseline information suggests that the following Habitats sites are sensitive to the effects of tall buildings on flightlines due to their qualifying species (**the sites in bold are taken forward into the following chapters of the HRA**):
- **Portsmouth Harbour SPA / Ramsar**
 - **Chichester and Langstone Harbours SPA / Ramsar**
 - Solent and Southampton Water SPA / Ramsar
 - Solent & Dorset Coast SPA
- 4.69 The closest section of the Solent and Southampton Water SPA / Ramsar, i.e. the part to the south across a small section of sea, is 4.5km from the closest point in Portsmouth City. Given this distance, it is more likely that brent geese from the SPA / Ramsar will be using functionally linked habitats on the Isle of Wight. Any geese using habitat parcels in the Portsmouth City area, are unlikely to be impacted by the PLP as emerging development is unlikely to lie in their flight trajectory. Therefore, the Solent and Southampton Water SPA / Ramsar is screened out from further assessment in relation to this impact pathway. The tern species for which Solent and Dorset Coast SPA is designated plunge-dive in open water habitats as part of their foraging behaviour and make no use of terrestrial habitat except when visiting their nesting colonies which are all immediately on the coast. Therefore, potential for impacts of the emerging PLP on the Solent & Southampton Water SPA / Ramsar and Solent & Dorset Coast SPA can be excluded.

Coastal Squeeze

- 4.70 Coastal squeeze⁷⁹ is a term that originates from coastal management, whereby intertidal habitats used by SPA / Ramsar birds are lost as the sea level rises and inland brownfield development (e.g. a sea wall or an industrial complex) prevents the inland migration of habitats (e.g. saltmarsh) and its associated species. As a result, the habitat is 'squeezed' and reduces in size. This is a significant process, particularly in geographic areas that are highly urbanised or that are rapidly transitioning from an undeveloped to developed state.
- 4.71 Additionally, as development frequently takes place immediately inland from the sea wall, flood defences generally cannot be moved landwards to accommodate managed retreat of threatened habitats. This may result in gradually reducing areas of saltmarsh and mudflat habitats adjacent to built-up areas. In areas where sediment availability is low, the coastal squeeze also includes an increasingly steep beach profile and foreshortening of the seaward zones.
- 4.72 The Chichester and Langstone Harbours have the North Solent Shoreline Management Plan⁸⁰ (NSSMP) in place and this indicates that there will be a combination of 'Hold the Line', 'Managed Realignment' and 'Adaptive Management' strategies. An HRA of the draft plan indicated that Hold the Line will have no effect on habitats behind the defences, whilst Managed Realignment would likely *"have a significant detrimental effect resulting in loss of designated terrestrial habitats including coastal grazing marsh, saline lagoons and grasslands."* Managed Realignment is proposed in the short term for part of Chichester Harbour. Although Hold the Line is the preferred approach for most of the shoreline, the plan notes that further studies along the Chichester and Langstone Harbours may result in a revision of the NSSMP for significant lengths of shoreline in the inner harbours.
- 4.73 In order to conclude that development allocated in the PLP would not result in LSEs regarding coastal squeeze, the Local Plan should not require NSSMP (or the resulting Coastal Strategy) policies for the frontage to be altered. Development would not be situated in locations that require new defences in currently undefended parts of the coastline or in areas allocated for managed realignment (i.e. adjustments to coastal flood defences). To assess this impact pathway, residential and employment sites allocated in the PLP will be assessed as to their relative distance to coastal habitats, whether they are on greenfield sites (very few are present in the urban fabric of Portsmouth) and if they lie within sections of the coast identified for managed realignment.
- 4.74 The following Habitats sites within 10km of Portsmouth City are sensitive to coastal squeeze and the loss of habitat as a result of Local Plan development (**the sites in bold are taken forward into the following chapters**):
- **Portsmouth Harbour SPA / Ramsar**
 - **Chichester and Langstone Harbours SPA / Ramsar**
 - **Solent and Southampton Water SPA**
 - **Solent and Dorset Coast SPA**

Permanent Habitat Loss in the Portsmouth Harbour SPA / Ramsar

- 4.75 The purpose of the Conservation of Habitats and Species Regulations 2017 (as amended) is to protect Habitats Sites in England and Wales, including some the country's most important habitats and species. Any plans or projects that would result in adverse effects on a designated site (either alone or in combination) that cannot be adequately mitigated or avoided, cannot be advanced through Local Plans or by way of planning consent unless further tests can be met. By definition, any permanent irreversible habitat loss from a designated site, above a nugatory scale, is likely to have adverse effect on integrity, as in the case of SPAs / Ramsars, this will result in the loss of foraging and / or roosting ground for birds.

⁷⁹ For a comprehensive review of coastal squeeze please see: Doody J.P. (2013). Coastal squeeze and managed realignment in southeast England, does it tell us anything about the future? *Ocean & Coastal Management* **79**: 34-41.

⁸⁰ New Forest District Council. (December 2010). North Solent Shoreline Management Plan – including Chichester, Langstone and Portsmouth Harbours & Southampton Water. Available at: <http://www.northsolentsmp.co.uk/article/10025> [Accessed on the 03/11/2020].

- 4.76 Various developments can result in the loss of habitat in Habitats Sites, either temporary or permanent. Temporary habitat loss (e.g. such as resulting from the excavation of spoil for entrenching of piping) is reversible and there is a potential for deploying mitigation measures to avoid adverse effects on site integrity. In contrast, the permanent loss of foraging habitat might reduce the carrying capacity of a site, as a result of lower prey abundance and increased competition for resources.
- 4.77 Plans or projects that result in the loss of land from an SPA / Ramsar must meet the derogations tests described in Chapter 2 above.
- 4.78 All Habitats sites within 10km of Portsmouth City are sensitive to direct permanent habitat loss. Review of the emerging PLP indicates that one proposed site allocation will result in direct habitat loss, namely the Tipner West & Horsea Island East Strategic Site. **(the Habitats sites in bold are taken forward into the following chapters):**
- **Portsmouth Harbour SPA / Ramsar**
 - **Solent & Dorset Coast SPA**

5. Test of Likely Significant Effects (LSEs)

Introduction

- 5.1 This stage of the HRA assesses all policies in the emerging PLP for impact pathways linking to Habitats sites. The screening assessments of all policies contained in the plan are also provided in Appendix B.

Recreational Pressure

Solent and Dorset Coast SPA

- 5.2 Solent and Dorset Coast is an open water site designated for foraging terns. In general foraging terns, which forage over a large area. Of the five species of tern which regularly breed in Great Britain, little tern has the most limited foraging range from its nest colonies, but even for this species the mean range is 2.1km⁸¹. Foraging (plunge diving) terns spend relatively little time in a specific location and are thus much less susceptible to recreational disturbance than nesting terns which are in a fixed location. Moreover, while they forage across the intertidal zone they do so when the tide is high (and thus recreational use of the foreshore is low to negligible) as they are plunge-diving birds. It is considered that the SPA is not at risk of likely significant effects due to recreational pressure from Local Plan growth, although measures implemented to protect other Habitats sites (such as Portsmouth Harbour SPA/Ramsar) would also convey protection to the intertidal parts Solent and Dorset Coast SPA.

Portsmouth Harbour SPA / Ramsar

- 5.3 Portsmouth Harbour SPA / Ramsar is designated for four overwintering species of waterfowl and waders: dark-bellied brent goose, dunlin and black-tailed godwit, while the Ramsar site is also designated for the intertidal mudflat and saline lagoons including eelgrass beds. It adjoins Portsea Island on its north-western side around Tipner and Horsea. The qualifying species of the SPA / Ramsar are sensitive to recreational pressure, especially because such disturbance is likely to reduce the time spent foraging and to increase energy expenditure (such as by taking flight). This is a particular threat for overwintering species, which critically depend on building up their nutritional reserves before migrating back to their breeding grounds. Natural England's Site Improvement Plan (SIP) and the Supplementary Advice on the Conservation Objectives identify public access and disturbance as the primary threat to the integrity of the site, with various research projects and mitigation measures to be progressed in the Solent. Considering that the PLP allocates 13,603 dwellings, that Portsmouth city is situated immediately east and north-east of the SPA/Ramsar, and that the PLP also promotes tourism opportunities in the plan period, it is considered that LSEs on the Portsmouth Harbour SPA / Ramsar cannot be excluded.

Chichester and Langstone Harbours SPA / Ramsar

- 5.4 The Chichester and Langstone Harbours SPA / Ramsar is designated for its assemblage of overwintering and breeding birds. This includes waterfowl (e.g. shelduck, wigeon, dark-bellied brent goose), waders (e.g. redshank, curlew, bar-tailed godwit) and seabirds (e.g. sandwich, common and little tern). This SPA / Ramsar adjoins Portsea Island on its eastern side, stretching into Chichester District. The recreational pressures on overwintering birds are similar to those discussed in relation to the Portsmouth Harbour SPA / Ramsar and Natural England's SIP for the Solent and Supplementary Advice on Conservation Objectives also covers this site. One marked difference to the Portsmouth Harbour SPA / Ramsar is that this site is also partly designated for breeding terns, meaning that recreational disturbance is a year-round issue in the Chichester and Langstone Harbours SPA / Ramsar. Crucially, recreational disturbance might reduce the breeding success of the ground-nesting terns, due to the cooling of eggs, reduced chick food provisioning, direct trampling damage or vandalism. Considering that the PLP allocates 13,603 dwellings, that Portsmouth

⁸¹ Natural England. 2016. Solent and Dorset Coast Departmental Brief. Available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/560622/solent-dorset-departmental-brief.pdf

City is located immediately west and north-west of Langstone Harbour, and that the PLP also promotes tourism opportunities in the plan period, it is considered that LSEs on the Chichester and Langstone Harbours SPA / Ramsar cannot be excluded.

Solent & Southampton Water SPA / Ramsar

- 5.5 The Solent & Southampton Water SPA / Ramsar is designated for an assemblage of overwintering and breeding birds. The qualifying species include dark-bellied brent goose, black-tailed godwit and four breeding tern species (sandwich, common, little and roseate tern). As in the Chichester & Langstone Harbours SPA & Ramsar, recreational pressure is therefore a threat across all seasons, potentially affecting the overwinter foraging and the breeding success of SPA / Ramsar species. The Solent & Southampton Water SPA / Ramsar lies approx. 3.4km to the west of Portsmouth City (considerably more distant than the two Habitats sites discussed earlier in this section), and likely to be somewhat less impacted by recreational pressure from Portsmouth City residents. It is well documented that the likelihood of recreational site use reduces with distance from home.
- 5.6 Notwithstanding this, the SPA / Ramsar lies within the core recreational catchment (CRC) identified for the Solent Habitats sites (5.6km as identified by the work in the Bird Aware Solent project). Considering that the PLP allocates 13,603 dwellings and promotes tourism opportunities in the plan period, it is considered that LSEs on the Solent & Southampton Water SPA / Ramsar cannot be excluded.

Solent Maritime SAC

- 5.7 The Solent Maritime SAC is designated for a range of habitats, plant communities and the Desmoulin's whorl snail. These qualifying features are important in their own right and many (e.g. the Atlantic salt meadows and mudflats) provide critical support to bird features of the overlapping Chichester & Langstone Harbours SPA / Ramsar. Most qualifying habitats are sensitive to the abrasion and reworking of sediment on or below the surface of the seabed, which may result in significant changes to local levels of oxygenation and turbidity, as well as dislodging / destroying plant assemblages. Such impacts may result from a variety of recreational activity (e.g. dog walking, horse riding, swimming), but are most likely to result from off-roading or the mooring and anchoring associated with water-based craft, including powerboating and sailing. Natural England's SIP indicates that more research is needed regarding the effect of recreation on the annual vegetation of drift lines and the perennial vegetation of stony banks. Considering that the PLP allocates 13,603 dwellings and promotes tourism opportunities in the plan period, it is considered that LSEs on the Solent Maritime SAC cannot be excluded, given its position immediately east of the City of Portsmouth.

Screening of Policies – Recreational Pressure

- 5.8 The Portsmouth Harbour SPA / Ramsar, the Chichester & Langstone Harbours SPA / Ramsar, the Solent & Southampton Water SPA / Ramsar and the Solent Maritime SAC are all sensitive to the impacts of recreational pressure. It is determined that an Appropriate Assessment of potential adverse effects of the PLP on these sites is required.
- 5.9 The following policies in the PLP are screened in for Appropriate Assessment in relation to the impact pathway recreational pressure because they allocate new residential growth or encompass projects that are likely to increase the overall footfall in the Portsmouth City area:
- Policy PLP3: Tipner West and Horsea Island East – allocates 814 to 1250 new dwellings
 - Policy PLP4: Tipner East – Allocates 1,056 new dwellings; these are already subject to two submitted planning applications (or 835 new homes from Vivid Homes (22/01292/FUL) and the application for 221 new homes from Bellway (21/01357/FUL) both of which are pending the completion of legal agreements at the time of writing (spring 2024).
 - Policy PLP6: Portsmouth City Centre – Allocates 4,158 new dwellings and 1,546 m² gross commercial floorspace (20,000 m² net).
 - Policy PLP7: Fratton Park and The Pompey Centre – Allocates the expansion of the football stadium from 21,000 to 26,000 capacity, 710 new dwellings and hotel with mixed conference and event facilities.

- Policy PLP8: St James' and Langstone Campus – Allocates 417 dwellings
- Policy PLP11: Port Solent – Allocates 500 dwellings
- Policy PLP12: St John's College – Allocates 212 dwellings
- Policy PLP13: Fraser Range – Allocates 134 dwellings
- Policy PLP14: The News Centre, Hilsea – Allocates 100 dwellings
- Policy PLP15: Somers Orchard – Allocates 565 dwellings (292 net)
- Policy PLP16: Housing Target – Provides for the provision of 13,603 net new dwellings between 2020 and 2040
- Policy PLP28: Town Centres – promotes projects that result in greater footfall and extended duration of activity uses in Portsmouth City
- Policy PLP30: Cultural and tourism economy– supports the delivery of cultural and tourism facilities, particularly in the coastal area of the city

Loss of Functionally Linked Habitat

Portsmouth Harbour SPA / Ramsar

- 5.10 Portsmouth Harbour SPA / Ramsar is designated for mobile waterfowl and wader species, which routinely roost and / or forage beyond the designated site boundary. For example, dark-bellied brent geese feed in different habitats depending on the state of the tide. At low tide, they feed on seagrass beds in the harbour, especially at Paulsgrove Lake, Portchester, and Forton Lake. Most low-tide foraging sites are included within the SPA / Ramsar designation. In contrast, at high tide the geese feed on grassland and wheat fields near the harbour, many of which lie outside the SPA / Ramsar boundary but are functionally linked habitat due to their critical importance in providing feeding grounds. Similarly, black-tailed godwits are not limited exclusively to foraging in the intertidal zone. In wet winters, this species feeds on wet grasslands, such as at RNAD Gosport, which lie outside the SPA / Ramsar boundary. The PLP allocates 13,603 net new dwellings and at least 138,429m² of employment land, which could involve the loss of greenfield sites that are functionally linked to the Portsmouth Harbour SPA / Ramsar. Therefore, LSEs of the emerging PLP on the SPA / Ramsar cannot be excluded and the site is screened in for Appropriate Assessment.

Chichester and Langstone Harbours SPA / Ramsar

- 5.11 The Chichester and Langstone Harbour SPA / Ramsar on the eastern side of Portsmouth City is designated for waterfowl, waders and seabirds that routinely move beyond the designated site boundary. During high tide, its dark-bellied brent geese feed on grassland and wheat fields inland from the harbours. Curlew, another of the site's qualifying species, will use arable and grassland fields to roost, such as on Hayling Island, at Bosham and Chidham Peninsulas and West Wittering. The allocation of greenfield sites in the emerging PLP could lead to the loss of functionally linked habitats for these species, if such sites were to be sufficiently large, comprise suitable habitats and lie within the routine commuting distances for these species. Natural England's Supplementary Advice on the Conservation Objectives for the SPA / Ramsar specifies that supporting habitats for most qualifying species lie beyond the designated site boundary. It is to be noted that most of the bird species roost or feed on shingle, saltmarsh, grazing marsh and open water. These species are not expected to be impacted by greenfield development allocations. The PLP allocates 13,603 net new dwellings and at least 138,429m² of employment land, which may involve development on greenfield sites that are functionally linked to the Chichester and Langstone Harbours SPA / Ramsar. Therefore, LSEs of the emerging PLP on the SPA / Ramsar cannot be excluded and the site is screened in for Appropriate Assessment.

Solent & Southampton Water SPA / Ramsar

- 5.12 The closest section of Portsmouth City lies approx. 4km from the Solent & Southampton Water SPA / Ramsar. The bird species most likely to depend on functionally linked habitats are dark-bellied brent geese and, to a lesser extent, black-tailed godwit. Owing to the distance between the SPA / Ramsar and

Portsmouth City, and the fact that there are extensive areas of arable fields and grassland closer to the SPA / Ramsar in Fareham District, the loss of functionally linked habitats relating to the emerging PLP is perhaps least likely for this Habitats site. Notwithstanding this, the Habitats sites designated for birds are best assessed as a unit of interdependent sites and it is determined that a further assessment of the Solent & Southampton Water SPA / Ramsar is required. The PLP allocates 13,603 net new dwellings and at least 138,429m² of employment land, which may result in the loss of greenfield sites that are functionally linked to the Solent & Southampton Water SPA / Ramsar. Therefore, LSEs of the emerging PLP on this site cannot be excluded and the site is screened in for Appropriate Assessment.

Screening of Policies – Loss of Functionally Linked Habitat

- 5.13 The Portsmouth Harbour SPA / Ramsar, the Chichester & Langstone Harbours SPA / Ramsar and the Solent & Southampton Water SPA / Ramsar are sensitive to the loss of greenfield sites that have a supporting role for its wildlife, either as roosting or foraging habitat. It is determined that an Appropriate Assessment of potential adverse effects of the PLP on these sites is required.
- 5.14 The following policies in the PLP are screened in for Appropriate Assessment in relation to the impact pathway loss of functionally linked habitat because they allocate development sites that could be used by SPA / Ramsar waterfowl and / or waders:
- Policy PLP3: Tipner West and Horsea Island East – allocates 814 to 1250 new dwellings
 - Policy PLP4: Tipner East – Allocates 1,056 new dwellings; these are already subject to two submitted planning applications (or 835 new homes from Vivid Homes (22/01292/FUL) and the application for 221 new homes from Bellway (21/01357/FUL) both of which are pending the completion of legal agreements at the time of writing (spring 2024).
 - Policy PLP5: Lakeside North Harbour – Allocates 50,000m² of employment space
 - Policy PLP6: Portsmouth City Centre – Allocates 4,158 new dwellings and 1,546 m² gross commercial floorspace (20,000 m² net)
 - Policy PLP7: Fratton Park and The Pompey Centre – Allocates the expansion of the football stadium from 21,000 to 26,000 capacity, 710 new dwellings and hotel with mixed conference and event facilities
 - Policy PLP8: St James' and Langstone Campus – Allocates 417 dwellings
 - Policy PLP10: Land West of Portsdown Technology Park – Allocates 12,500² of employment floorspace
 - Policy PLP11: Port Solent – Allocates 500 dwellings
 - Policy PLP12: St John's College – Allocates 212 dwellings
 - Policy PLP13: Fraser Range – Allocates 134 dwellings
 - Policy PLP14: The News Centre, Hilsea – Allocates 100 dwellings
 - Policy PLP15: Somers Orchard – Allocates 565 dwellings (292 net), approximately 500sqm commercial space and approximately 440sqm community space.
 - Policy PLP16: Housing Target – Provides for the provision of 13,603 net new dwellings between 2020 and 2040
 - Policy PLP25: Employment Target – Provides for the provision of at least 138,429 m² of employment land between 2020 and 2040
 - Policy PLP28: Town Centres – promotes projects that result in greater footfall and extended duration of activity uses in Portsmouth City
 - Policy PLP30: Cultural and tourism economy– supports the delivery of cultural and tourism facilities, particularly in the coastal area of the city

Recreational Pressure in Functionally Linked Habitat

Portsmouth Harbour SPA / Ramsar

- 5.15 As highlighted in an earlier section, the qualifying waterfowl and waders in the Portsmouth Harbour SPA / Ramsar are sensitive to recreational pressure. By extension, this also applies to any functionally linked supporting habitats that these species depend on. Functionally linked habitats comprise amenity grassland, sections of beaches, sports grounds and commons, all of which are accessible to the public. If there is sufficient residential growth to lead to an increase in the recreational baseline, there is a potential for the site usage of birds to be impacted. The PLP allocates 13,603 net new dwellings, which is likely to increase the local recreational footfall. Therefore, LSEs of the emerging PLP on the Portsmouth Harbour SPA / Ramsar cannot be excluded and the site is screened in for Appropriate Assessment.

Chichester and Langstone Harbours SPA / Ramsar

- 5.16 The Chichester and Langstone Harbours SPA / Ramsar is also designated for mobile waterfowl and wader species that critically depend on functionally linked habitats beyond the site boundary. A significant increase in recreational pressure in functionally linked habitat, may reduce the way in which SPA / Ramsar birds use supporting habitats. This is primarily due to the interruption of roosting or foraging and the increased energy expenditure associated with flight and avoidance behaviours. The PLP allocates 13,603 net new dwellings, which is likely to increase the local recreational footfall. Therefore, LSEs of the emerging PLP on the Chichester and Langstone Harbours SPA / Ramsar cannot be excluded and the site is screened in for Appropriate Assessment.

Screening of Policies – Recreational Pressure in Functionally Linked Habitat

- 5.17 The Portsmouth Harbour SPA / Ramsar and the Chichester & Langstone Harbours SPA / Ramsar are sensitive to the impacts of recreational pressure in functionally linked habitats. It is determined that an Appropriate Assessment of potential adverse effects of the PLP on these sites is required.
- 5.18 The following policies in the PLP are screened in for Appropriate Assessment in relation to the impact pathway recreational pressure because they allocate new residential growth or encompass projects that are likely to increase the overall footfall in the Portsmouth City area:
- Policy PLP3: Tipner West and Horsea Island East – allocates 814 to 1250 new dwellings
 - Policy PLP4: Tipner East – Allocates 1,056 new dwellings; these are already subject to two submitted planning applications (or 835 new homes from Vivid Homes (22/01292/FUL) and the application for 221 new homes from Bellway (21/01357/FUL) both of which are pending the completion of legal agreements at the time of writing (spring 2024).
 - Policy PLP6: Portsmouth City Centre – Allocates 4,158 new dwellings and 1,546 m² gross commercial floorspace (20,000 m² net).
 - Policy PLP7: Fratton Park and The Pompey Centre – Allocates the expansion of the football stadium from 21,000 to 26,000 capacity, 710 new dwellings and hotel with mixed conference and event facilities.
 - Policy PLP8: St James' and Langstone Campus – Allocates 417 dwellings
 - Policy PLP11: Port Solent – Allocates 500 dwellings
 - Policy PLP12: St John's College – Allocates 212 dwellings
 - Policy PLP13: Fraser Range – Allocates 134 dwellings
 - Policy PLP14: The News Centre, Hilsea – Allocates 100 dwellings
 - Policy PLP15: Somers Orchard – Allocates 565 dwellings (292 net)

- Policy PLP16: Housing Target – Provides for the provision of 13,603 net new dwellings between 2020 and 2040
- Policy PLP28: Town Centres – promotes projects that result in greater footfall and extended duration of activity uses in Portsmouth City
- Policy PLP30: Cultural and tourism economy– supports the delivery of cultural and tourism facilities, particularly in the coastal area of the city

Disturbance from Construction (in Habitats Sites and Functionally Linked Habitats)

Portsmouth Harbour SPA / Ramsar

5.19 The emerging PLP will result in construction works being undertaken to deliver new residential dwellings, employment opportunities or other infrastructure. Construction works may result in disturbance of SPA / Ramsar waterfowl either due to visual or noise disturbance. Research indicates that there are approximate threshold values for noise levels and distance of visual stimuli that, if exceeded, are likely to elicit behaviour changes in birds similar to those of recreational disturbance (e.g. increased vigilance, cessation of roosting / foraging and flight). The Reg.19 PLP does not allocate all individual sites (e.g. windfall) and a degree of uncertainty regarding the distribution of development therefore remains until individual planning application HRAs are produced. However, the plan contains broad Strategic Allocations in which the majority of construction is expected to occur. Regarding the Portsmouth Harbour SPA / Ramsar, the Strategic Allocations at Tipner (Policy PLP3 and PLP4) have the highest potential to result in construction disturbance. The proposal includes some requirement for land reclamation and a bridge between Tipner and Horsea Island as part of PLP3, for which construction within the SPA / Ramsar would be required. Overall, at least some of the construction works to deliver the 13,603 net new dwellings and at least 138,429m² of employment land will be carried out within or directly adjacent to the Portsmouth Harbour SPA / Ramsar. Therefore, LSEs of the emerging PLP on the SPA / Ramsar cannot be excluded and the site is screened in for Appropriate Assessment.

Chichester and Langstone Harbours SPA / Ramsar

5.20 The Chichester and Langstone Harbour SPA / Ramsar directly borders the eastern side of Portsmouth City. Any construction works carried out to deliver the PLP's policies within close proximity to the SPA / Ramsar, have the potential to result in disturbance of the site's waterfowl and waders. The St. James' and Langstone Campus Strategic Allocation (Policy PLP8) adjoins part of the Chichester and Langstone Harbours SPA / Ramsar and also contains established functionally linked supporting habitat parcels for SPA / Ramsar waterfowl. Construction works carried out in this site have the potential to result in visual and noise disturbance on birds. Overall, at least some of the construction works to deliver the 13,603 net new dwellings and at least 138,429m² of employment land will be carried out within or directly adjacent to the Chichester and Langstone Harbours SPA / Ramsar. Therefore, LSEs of the emerging PLP on the site cannot be excluded and the site is screened in for Appropriate Assessment.

Screening of Policies – Disturbance from Construction (in Habitats Sites and Functionally Linked Habitat)

- 5.21 The Portsmouth Harbour SPA / Ramsar and the Chichester & Langstone Harbours SPA / Ramsar are sensitive to visual and noise disturbance resulting from construction. It is determined that an Appropriate Assessment of potential adverse effects of the PLP on these sites is required.
- 5.22 The following policies in the PLP are screened in for Appropriate Assessment in relation to this impact pathway because construction works are likely to be required for their implementation:
- Policy PLP3: Tipner West and Horsea Island East – allocates 814 to 1250 new dwellings
 - Policy PLP4: Tipner East – Allocates 1,056 new dwellings; these are already subject to two submitted planning applications (or 835 new homes from Vivid Homes (22/01292/FUL) and the

application for 221 new homes from Bellway (21/01357/FUL) both of which are pending the completion of legal agreements at the time of writing (winter 2023).

- Policy PLP5: Lakeside North Harbour – Allocates 50,000m² of employment space
- Policy PLP6: Portsmouth City Centre – Allocates 4,158 new dwellings and 1,546 m² gross commercial floorspace (20,000 m² net)
- Policy PLP7: Fratton Park and The Pompey Centre – Allocates the expansion of the football stadium from 21,000 to 26,000 capacity, 710 new dwellings and hotel with mixed conference and event facilities
- Policy PLP8: St James' and Langstone Campus – Allocates 417 dwellings
- Policy PLP10: Land West of Portsdown Technology Park – Allocates 12,500m² of employment floorspace
- Policy PLP11: Port Solent – Allocates 500 dwellings
- Policy PLP12: St John's College – Allocates 212 dwellings
- Policy PLP13: Fraser Range – Allocates 134 dwellings
- Policy PLP14: The News Centre, Hilsea – Allocates 100 dwellings
- Policy PLP15: Somers Orchard – Allocates 565 dwellings (292 net), approximately 500sqm commercial space and approximately 440sqm community space.
- Policy PLP16: Housing Target – Provides for the provision of 13,603 net new dwellings between 2020 and 2040
- Policy PLP25: Employment Target – Provides for the provision of at least 138,429 m² of employment land between 2020 and 2040
- Policy PLP28: Town Centres – promotes projects that result in greater footfall and extended duration of activity uses in Portsmouth City
- Policy PLP30: Cultural and tourism economy– supports the delivery of cultural and tourism facilities, particularly in the coastal area of the city

Water Quality

Solent and Dorset Coast SPA

- 5.23 During the breeding season, the qualifying tern species of the Solent and Dorset Coast SPA rely on marine foraging resources in relatively shallow coastal waters, which they hunt by plunge diving into the water column. Their prey includes small fish (e.g. sandeels) and crustaceans, which are potentially sensitive to negative changes in water quality. An increase in nitrogen in the marine environment (for example through an increase in treated wastewater discharge) could lead to cascading indirect effects on tern foraging resources, as well as direct impacts by creating oxygen-depleted habitats. Direct pollution could arise from construction works, such as for PLP3 Tipner West and Horsea Island East for the PLP4 Tipner East. Therefore, LSEs of the emerging PLP on this site cannot be excluded and the site is screened in for Appropriate Assessment.

Portsmouth Harbour SPA / Ramsar

- 5.24 As discussed earlier in the report, high nutrient concentrations (specifically nitrogen in the case of marine sites) in water can cause phytoplankton and macroalgae blooms. In turn eutrophication can lead to reduced dissolved oxygen (DO) concentrations, increased turbidity and changing water temperature. Such changes have the potential to alter the fish, epifaunal and infaunal communities that its qualifying waterfowl and wader species rely upon. Using the Water Framework Directive (WFD) targets for phytoplankton and macroalgae, NE's Supplementary Advice Note for the SPA / Ramsar identifies the water quality status of

the site to be in poor condition, affected by anthropogenic impacts including treated sewage effluent, diffuse agricultural fertiliser runoff and flood alleviation discharge.

- 5.25 However, a review of the Wastewater Treatment Works (WwTW) infrastructure indicates that Portsmouth City is served by the Portsmouth and Havant WwTW, which discharges to Langstone Harbour to the east of Portsea Island. The discharge location is in an entirely different estuary compared to the Portsmouth Harbour SPA / Ramsar, separated by a distance of approx. 16km including a section of the English Channel. Given this long distance and that natural nutrient attenuation, tidal mixing and dilution factors will come into play, it is concluded that the emerging PLP will be much less likely to result in LSEs on the water quality in the Portsmouth Harbour SPA / Ramsar than in Langstone Harbour. However, direct pollution could arise from construction works, such as for PLP3 Tipner West and Horsea Island East for the PLP4 Tipner East. Therefore, as a precaution LSEs of the emerging PLP on this site cannot be excluded and the site is screened in for Appropriate Assessment.

Chichester and Langstone Harbours SPA / Ramsar

- 5.26 The sensitivity of the Chichester and Langstone Harbours SPA / Ramsar to negative changes in water quality is similar to that of the Portsmouth Harbour SPA / Ramsar. The Environment Agency's Weight of Evidence approach identifies the site's current water quality status in terms of macroalgal and phytoplankton markers as poor. Portsmouth City is served by the Portsmouth and Havant WwTW which discharges into Langstone Harbour via a long outfall pipe. Given that there is direct hydrological connectivity between the WwTW and the SPA / Ramsar, it is considered that nitrogen in treated sewage effluent poses a risk to the site's qualifying species and their supporting habitats.
- 5.27 Given its hydrological connection with development in Portsmouth City, the Chichester and Langstone Harbours SPA / Ramsar (and the Solent Maritime SAC discussed further below) are the two main sites that would be impacted by additional nitrogen discharge in treated wastewater effluent. In line with Natural England guidance, all residential proposals would need to achieve nutrient neutrality to be demonstrated by detailed nitrogen calculations. The Appropriate Assessment will discuss the issue of nutrient neutrality further.
- 5.28 The PLP allocates 13,603 net new dwellings and at least 138,429m² of employment land, which will increase the amount of wastewater produced in Portsmouth City and the volume of treated sewage effluent that will ultimately be returned to the sea south of the Portsmouth and Havant WwTW. Therefore, LSEs of the emerging PLP on this site cannot be excluded and the site is screened in for Appropriate Assessment.

Solent & Southampton Water SPA / Ramsar

- 5.29 The Solent & Southampton Water SPA / Ramsar, while sensitive to a decline in water quality in principle, is unlikely to be impacted by the emerging PLP. Primarily, this is due to the long distance between the discharge location of the Portsmouth and Havant WwTW and the boundary of the SPA / Ramsar. Due to the distance involved, it is considered that there is very limited to no hydrological connectivity between Langstone Harbour and the Solent & Southampton Water SPA / Ramsar. Any nutrient load from the WwTW will be subject to nutrient attenuation, tidal mixing and dilution, removing the potential for elevated nitrogen concentrations to reach the SPA / Ramsar. It is concluded that the emerging PLP will not result in LSEs on the water quality in the Solent & Southampton Water SPA / Ramsar. Therefore, this site is screened out from Appropriate Assessment in relation to this impact pathway.

Solent Maritime SAC

- 5.30 The Solent Maritime SAC is a complex marine site, comprising a wide range of habitats including Atlantic salt meadows (*Glauco-Puccinellietalia maritima*), spartina swards (*Spartinion maritima*) and *Salicornia* (and other annuals colonizing mud and sand). The community composition and overall ecological integrity in these habitats is tightly linked to water quality. Maintaining the structure of these habitats is also crucial for the overlapping SPAs / Ramsars, which are designated for birds that feed on common saltmarsh grass, invertebrates or fish. Natural England's Supplementary Advice Note for the SAC specifies that the site is currently in poor water quality condition (as shown by indicators of eutrophication). Notwithstanding this, other indicators of water quality (e.g. DO concentrations, turbidity) have been shown to be in good condition.
- 5.31 The Solent Maritime SAC encompasses the area around Langstone Harbour, into which treated sewage effluent from the Portsmouth and Havant WwTW will discharge. Therefore, there is direct hydrological

linkage between growth allocated in the emerging PLP and the Solent Maritime SAC, with the potential for additional nitrogen to be added into the ecosystem. The PLP allocates 13,603 net new dwellings and at least 138,429m² of employment land, which will increase the amount of wastewater produced in Portsmouth City and the volume of treated sewage effluent that will reach the Solent Maritime SAC. Therefore, LSEs of the emerging PLP on this site cannot be excluded and the site is screened in for Appropriate Assessment.

Screening of Policies – Water Quality

- 5.32 Overall, for Solent & Dorset Coast SPA, Portsmouth Harbour SPA/Ramsar site, Chichester & Langstone Harbours SPA / Ramsar and the Solent Maritime SAC LSEs relating to water quality changes cannot be excluded. It is determined that an Appropriate Assessment of potential adverse effects of the PLP on these sites is required.
- 5.33 The following policies in the PLP are screened in for Appropriate Assessment in relation to the impact pathway water quality because they will increase the volume of treated sewage effluent reaching the Solent:
- Policy PLP3: Tipner West and Horsea Island East – allocates 814 to 1250 new dwellings
 - Policy PLP4: Tipner East – Allocates 1,056 new dwellings; these are already subject to two submitted planning applications (or 835 new homes from Vivid Homes (22/01292/FUL) and the application for 221 new homes from Bellway (21/01357/FUL) both of which are pending the completion of legal agreements at the time of writing (spring 2024).
 - Policy PLP5: Lakeside North Harbour – Allocates 50,000m² of employment space
 - Policy PLP6: Portsmouth City Centre – Allocates 4,158 new dwellings and 1,546 m² gross commercial floorspace (20,000 m² net)
 - Policy PLP7: Fratton Park and The Pompey Centre – Allocates the expansion of the football stadium from 21,000 to 26,000 capacity, 710 new dwellings and hotel with mixed conference and event facilities
 - Policy PLP8: St James' and Langstone Campus – Allocates 417 dwellings
 - Policy PLP10: Land West of Portsdown Technology Park – Allocates 12,500m² of employment floorspace
 - Policy PLP11: Port Solent – Allocates 500 dwellings
 - Policy PLP12: St John's College – Allocates 212 dwellings
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 - Policy PLP15: Somers Orchard – Allocates 565 dwellings (292 net), approximately 500sqm commercial space and approximately 440sqm community space.
 - Policy PLP16: Housing Target – Provides for the provision of 13,603 net new dwellings between 2020 and 2040
 - Policy PLP25: Employment Target – Provides for the provision of at least 138,429 m² of employment land between 2020 and 2040
 - Policy PLP28: Town Centres – promotes projects that result in greater footfall and extended duration of activity uses in Portsmouth City
 - Policy PLP30: Cultural and tourism economy– supports the delivery of cultural and tourism facilities, particularly in the coastal area of the city

Water Quantity, Level and Flow

Solent and Dorset Coast SPA

- 5.34 The foraging terns for which this SPA are designated are not specialised feeders and prey on a range of fish including sandeels, clupeids such as herring and sardine, invertebrates and crustaceans. The SPA is c.890 km² in area, much of which is open sea and not heavily dependent on a particular volume or rate of freshwater inputs. Of the five species of tern which regularly breed in Great Britain, little tern has the most limited foraging range from its nest colonies, but even for this species the mean range is 2.1km⁸² and therefore small scale local differences in freshwater input will only affect a very small part of the overall foraging area even when considered cumulatively. Therefore, LSEs of the emerging PLP on this site can be excluded and it is screened out of Appropriate Assessment.

Portsmouth Harbour SPA / Ramsar

- 5.35 The bird species for which the Portsmouth Harbour SPA / Ramsar is designated depend on sufficient water levels for roosting and foraging. For example, red-breasted merganser require an optimal water depth between 2-4m for efficient detection of prey species at critical times of the year. Other species such as dark-bellied brent geese and black-tailed godwits require sufficient amounts of freshwater in foraging or roosting habitats, such as mudflats and grazing marsh. The hydrology and flow in supporting habitats will have critical impacts on available water area, water depth, salinity, turbidity and dissolved oxygen concentrations.
- 5.36 The increasing population and employment centres in Portsmouth City will be supplied with potable water. Depending on where and how much freshwater is extracted, this might impact the amount of freshwater flowing into the SPA / Ramsar and the wider marine environment. Meeting Portsmouth's water demand may also involve the desalination of saltwater, thereby removing water directly from the marine environment. Notwithstanding the source of potable water, any water supply solution that involves the expansion of existing licensed abstractions or development of a new water resource, has the potential to affect the water quantity, level and flow in the SPA / Ramsar.
- 5.37 The PLP allocates 13,603 net new dwellings and at least 138,429m² of employment land, which will increase the amount of potable water needed to meet Portsmouth City's water demand. This may have implications on the water quantity, level and flow in the Portsmouth Harbour SPA / Ramsar. Therefore, LSEs of the emerging PLP on this site cannot be excluded and it is screened in for Appropriate Assessment.

Chichester and Langstone Harbours SPA / Ramsar

- 5.38 The Chichester and Langstone Harbours SPA / Ramsar is designated for bird species that all depend on natural fluctuations in water depth in their supporting habitats. For example, shovelers feed on small crustaceans and other aquatic invertebrates that they filter out from water with comb-like projections called lamellae. Given that they feed from the water surface, they depend on an optimal water depth of less than 0.3m deep. In contrast, redshank (a medium-sized wader species) feeds on molluscs and crustaceans by probing their bills into substrate. Redshank require a standing water depth between 1-5cm deep.
- 5.39 Various freshwater bodies contribute to Langstone harbour, including the Great Salterns Drain, Brockhampton Stream, Harts Farm Way Stream, Hermitage Stream, Bedhampton Brook, West Brook, River Ems and others. Additional abstraction in excess of the agreed abstraction licenses from any of these connecting waterways or the development of new water resources could reduce freshwater input into the Chichester and Langstone Harbours SPA / Ramsar, potentially affecting the foraging / roosting habitats of SPA / Ramsar birds.
- 5.40 Overall, the PLP allocates 13,603 net new dwellings and 138,429m² of employment land, which will increase the amount of potable water needed to meet Portsmouth City's water demand. This may have implications on the water quantity, level and flow in the Chichester and Langstone Harbours SPA / Ramsar. Therefore, LSEs of the emerging PLP on this site cannot be excluded and it is screened in for Appropriate Assessment.

Solent & Southampton Water SPA / Ramsar

- 5.41 The qualifying species in the Southampton Water SPA / Ramsar also depend on appropriate water depths and extents. As for other Habitats sites in the Solent, specific requirements differ between species. Owing

⁸² Natural England. 2016. Solent and Dorset Coast Departmental Brief. Available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/560622/solent-dorset-departmental-brief.pdf

to their foraging strategy, teal ideally forage in standing water of less than 0.1m deep. In contrast, black-tailed godwits forage in slightly deeper sections of water. Maintaining appropriate availability of water is also important for ringed plovers and dark-bellied brent geese. Water supply strategies to meet the future demand for Portsmouth City's potable water demand, have the potential to alter the freshwater supply in the SPA / Ramsar.

- 5.42 Overall, the PLP allocates 13,603 net new dwellings and at least 138,429m² of employment land, which will increase the amount of potable water needed to meet Portsmouth City's water demand. This may have implications on the water quantity, level and flow in the Solent & Southampton Water SPA / Ramsar. Therefore, LSEs of the emerging PLP on this site cannot be excluded and it is screened in for Appropriate Assessment.

Solent Maritime SAC

- 5.43 The Solent Maritime SAC is designated for several habitats and the Desmoulin's whorl snail, all of which are sensitive to changes in the hydrological flow regime. For example, a reduction in the amount of freshwater input is likely to affect the salinity, turbidity and habitat available in the habitats of the SAC. As such, a reduced water flow in waterbodies feeding into the SAC could result in the drying up of saltmarsh in the supralittoral zone. Changes in freshwater supply may have knock-on impacts on the composition of plant communities and the associated fauna, such as the Desmoulin's whorl snail. This species is adapted to low salinity conditions and is highly sensitive to an increase in salt concentrations.
- 5.44 Overall, the PLP allocates 13,603 net new dwellings and at least 138,429m² of employment land, which will increase the amount of potable water supplied to Portsmouth City. This may have implications on the water quantity, level and flow in the Solent Maritime SAC. Therefore, LSEs of the emerging PLP on this site cannot be excluded and it is screened in for Appropriate Assessment.

Screening of Policies – Water Quantity, Level and Flow

- 5.45 LSEs regarding water quantity, level and flow cannot be excluded for any of the Solent's Habitats sites. It is determined that an Appropriate Assessment of potential adverse effects of the PLP on these sites is required.
- 5.46 The following policies in the PLP are screened in for Appropriate Assessment in relation to the impact pathway water quantity, level and flow because they directly increase the water demand in Portsmouth City:
- Policy PLP3: Tipner West and Horsea Island East – allocates 814 to 1250 new dwellings
 - Policy PLP4: Tipner East – Allocates 1,056 new dwellings; these are already subject to two submitted planning applications (or 835 new homes from Vivid Homes (22/01292/FUL) and the application for 221 new homes from Bellway (21/01357/FUL) both of which are pending the completion of legal agreements at the time of writing (spring 2024).
 - Policy PLP5: Lakeside North Harbour – Allocates 50,000m² of employment space
 - Policy PLP6: Portsmouth City Centre – Allocates 4,158 new dwellings and 1,546 m² gross commercial floorspace (20,000 m² net)
 - Policy PLP7: Fratton Park and The Pompey Centre – Allocates the expansion of the football stadium from 21,000 to 26,000 capacity, 710 new dwellings and hotel with mixed conference and event facilities
 - Policy PLP8: St James' and Langstone Campus – Allocates 417 dwellings
 - Policy PLP10: Land West of Portsdown Technology Park – Allocates 12,500m² of employment floorspace
 - Policy PLP11: Port Solent – Allocates 500 dwellings
 - Policy PLP12: St John's College – Allocates 212 dwellings
 - Policy PLP13: Fraser Range – Allocates 134 dwellings

- Policy PLP14: The News Centre, Hilsea – Allocates 100 dwellings
- Policy PLP15: Somers Orchard – Allocates 565 dwellings (292 net), approximately 500sqm commercial space and approximately 440sqm community space.
- Policy PLP16: Housing Target – Provides for the provision of 13,603 net new dwellings between 2020 and 2040
- Policy PLP25: Employment Target – Provides for the provision of at least 138,429 m² of employment land between 2020 and 2040
- Policy PLP28: Town Centres – promotes projects that result in greater footfall and extended duration of activity uses in Portsmouth City
- Policy PLP30: Cultural and tourism economy– supports the delivery of cultural and tourism facilities, particularly in the coastal area of the city.

Atmospheric Pollution

Portsmouth Harbour SPA / Ramsar

- 5.47 All four qualifying species (red-breasted merganser, black-tailed godwit, dark-bellied brent goose and dunlin) of the SPA / Ramsar rely on littoral sediment, which APIS identifies as being relatively tolerant of atmospheric nitrogen deposition (with a relatively high nitrogen critical load of 20-30 kg N/ha/yr, recently (Spring 2023). This was lowered to 10-20 kgN/ha/yr for upper saltmarsh in 2023 but upper saltmarsh is of less importance to the SPA/Ramsar birds than lower and pioneer saltmarsh, and SPA birds are less sensitive to subtle botanical changes than major structural changes. Therefore it is considered that for the SPA/Ramsar the higher critical load of 20 kgN/ha/yr is appropriate. For black-tailed godwits, which feed on aquatic invertebrates in mud, the effect of nitrogen addition to the system may balance out because an increase in nutrients may increase the number of prey items available to them. In contrast, dark-bellied brent geese feed on coastal saltmarsh, which could be replaced by other plant communities under elevated nutrient concentrations. Therefore, an increase in road traffic could lead to negative impacts on the geese due to the loss of suitable foraging habitat.
- 5.48 To establish the sensitivity of a Habitats site to atmospheric pollution arising from traffic, a detailed assessment of sensitive habitats within the site needs to be undertaken. Habitat mapping on MAGIC identifies that there are relatively few sections of coastal saltmarsh within the SPA / Ramsar in general. Only one of these habitat parcels lies within 200m of a major road, the A32 Gosport Road to the south-east of Cams Alders Sports Centre. Even here, the closest area of saltmarsh is 171m from the roadside and consists of a small patch, well beyond the zone where most of the nitrogen from the road will be deposited. This road is unlikely to constitute a major journey-to-work route for the majority of Portsmouth City residents.
- 5.49 However, part of the proposals for PLP3 (Tipner West and Horsea Island East) involve the creation of a bridge for buses running alongside the M275, impacting mudflat habitat. Therefore this is screened in for discussion in the appropriate assessment.

Chichester and Langstone Harbours SPA / Ramsar

- 5.50 While the qualifying species of the Chichester and Langstone Harbours SPA / Ramsar are not directly sensitive to atmospheric nitrogen deposition, the prey species and habitats that the waterfowl and waders rely on may be impacted by atmospheric pollutant deposition. Most waders feed on crustaceans or molluscs in littoral sediment (most often the mudflats) and this habitat has a relatively high nitrogen critical load of 20-30 kg N/ha/yr. In 2023 the critical load was lowered to 10-20 kgN/ha/yr for upper saltmarsh, but upper saltmarsh is of less importance to the SPA/Ramsar birds than lower and pioneer saltmarsh and SPA birds are less sensitive to subtle botanical changes than major structural changes. Therefore it is considered that for the SPA/Ramsar the higher critical load of 20 kgN/ha/yr is appropriate.
- 5.51 The SPA/Ramsar is therefore of relatively low sensitivity to atmospheric nitrogen and a review of evidence on APIS highlights that the current background nitrogen deposition rate (12.06-13.44 kgN/ha/yr) lies far below the 20 kgN/ha/yr nitrogen critical load for intertidal mudflats and lower saltmarsh. The relatively low sensitivity applies to lower saltmarsh, which provides foraging habitat for shelducks, wigeon and dark-bellied

brent geese. A section of saltmarsh within the SPA / Ramsar lies adjacent to the A27 / A3 interchange in the adjoining authority of Havant. This road is likely to form a major journey-to-work route for commuters travelling to or from Portsmouth City. As such, it is considered that LSEs of the PLP on saltmarsh habitat in the Chichester and Langstone Harbours SPA / Ramsar cannot be excluded.

- 5.52 The Chichester and Langstone Harbours SPA / Ramsar is also designated for three nesting seabird species: sandwich tern, common tern and little tern. Terns preferentially nest in sand dunes or vegetated shingle. Therefore, detailed habitat mapping within the Chichester and Langstone Harbours SPA / Ramsar was consulted on MAGIC to establish whether potential tern habitat lies within 200m of potential commuter routes for Portsmouth City residents. No sand dune or other suitable nesting habitat was identified within this screening distance within or outside of Portsmouth City. A section of vegetated shingle appears from MAGIC to lie directly adjacent to the A27 in Havant District within the Farlington Marshes Nature Reserve. Any new residents with employment in the Districts of Havant, Chichester or East Hampshire would pass this part of the SPA / Ramsar, as this lies along the quickest route identified on navigation software (e.g. Google Maps, Waze).
- 5.53 However, scrutiny of aerial photography suggests that this is a mapping error as no coastal vegetated shingle is visible in Farlington Marshes Nature Reserve. A detailed traffic and air quality impact assessment was undertaken for Havant's Local Plan⁸³. This considered the SPA adjacent to the A27. Table 3-6 of that report discusses ground truthing undertaken for the HRA and for the relevant part of Farlington Marshes no vegetated shingle is mentioned, which supports the view that this is a mapping data error. The Habitats Regulations Assessment of the Havant Local Plan also states that *'the areas predicted to exceed the screening thresholds overlap the northern-most island within this reserve; however, no suitable breeding habitat for common tern is present within this area. In addition, BTO core count data indicates records of common tern have only been made for the 14/15 monitoring season at a peak count of 4 individuals. Whilst records of common tern have only been made during one monitoring season in Langstone Harbour, annual recordings of the species have been made at the adjacent Chichester Harbour. Given the isolated single-year record of this species at Langstone Harbour, and the preference of common tern for Chichester Harbour, any impacts to potentially suitable breeding habitat within the areas of exceedance are unlikely to cause adverse effects to this species.'* Given the general absence of suitable nesting habitats for terns in Langstone Harbour and the low counts of terns in this section of the SPA / Ramsar, it is concluded that the emerging PLP will not result in LSEs on nesting terns in relation to atmospheric pollution.

Solent Maritime SAC

- 5.54 The Solent Maritime SAC stretches along the eastern boundary of Portsmouth City. It is designated for a variety of habitats, including saltmarsh, shifting dunes and perennial vegetation of stony banks⁸⁴. APIS identifies that both coastal dunes and perennial vegetation of stony banks are sensitive to nitrogen deposition with nitrogen critical loads of 10-20 kg N/ha/yr and 8-15 kg N/ha/yr respectively. There is sensitive saltmarsh habitat within 200m of the A27 in the adjoining authority of Havant, which has already been screened in as part of the overlapping Chichester and Langstone Harbours SPA / Ramsar. There is no sand dune habitat identified within 200m of relevant roads.
- 5.55 Ground truthing carried out by Ricardo Energy & Environment for the aforementioned air quality study for Havant Borough Council suggested that there were two areas comprising perennial vegetation of stony banks within 200m of the A2030, which run alongside the SAC on a north-south axis and is otherwise bordered by intertidal mudflats. This is likely to be an important route for residents out-commuting from Portsmouth City into adjacent authorities (e.g. Havant), or people working in Portsmouth City's southern employment centres. However, detailed survey work undertaken for the NPI Phase 4 Coastal Defence Project by Coastal Partners indicated that although the substrate was shingle, the habitat was saltmarsh (primarily communities SM24 (*Elymus pycnanthus* salt-marsh community) and SM14 (*Halimione portaculoides* salt-marsh community)). These are lower marsh or otherwise low nitrogen sensitivity

⁸³ <https://www.havant.gov.uk/sites/default/files/documents/Air%20Quality%20Habitat%20Regulations%20Assessment.pdf>

⁸⁴ Note that the Habitats Directive definition of 'perennial vegetation of stony banks' does not apply to any and all perennial vegetation found on shingle but to very specific plant communities. According to the JNCC page for this habitat it is: *'namely SD1 Rumex crispus – Glaucium flavum shingle community. Narrow, less-stable structures (spits and bars or the fringing beach associated with older, fossil beaches) are more exposed to waves or salt spray. Where wave energy causes movement of the shingle, the plant communities have affinities with 1210 Annual vegetation of drift lines. The presence of the yellow horned-poppy Glaucium flavum and the rare sea-kale Crambe maritima and sea pea Lathyrus japonicus, all species that can tolerate periodic movement, is significant. In more stable areas above this zone, where sea spray is blown over the shingle, plant communities with a high frequency of salt-tolerant species such as thrift Armeria maritima and sea campion Silene uniflora occur. These may exist in a matrix with abundant lichens.'*

communities which would mean the higher critical load of 20-30 kgN/ha/yr is more applicable. Nonetheless, traffic and air quality modelling has been undertaken for this link and is discussed in the appropriate assessment.

Screening of Policies – Atmospheric Pollution

5.56 LSEs regarding atmospheric pollution cannot be excluded for the Portsmouth Harbour SPA / Ramsar, the Chichester and Langstone Harbours SPA / Ramsar and the Solent Maritime SAC, due to the potential for impacts on saltmarsh habitat. It is determined that an Appropriate Assessment of potential adverse effects of the PLP on these sites is required.

5.57 The following policies in the PLP are screened in for Appropriate Assessment in relation to this impact pathway, because they are likely to lead to an increase in commuter traffic along major roads within 200m of Habitats sites:

- Policy PLP3: Tipner West and Horsea Island East – allocates 814 to 1250 new dwellings
- Policy PLP4: Tipner East – Allocates 1,056 new dwellings; these are already subject to two submitted planning applications (or 835 new homes from Vivid Homes (22/01292/FUL) and the application for 221 new homes from Bellway (21/01357/FUL) both of which are pending the completion of legal agreements at the time of writing (spring 2024).
- Policy PLP5: Lakeside North Harbour – Allocates 50,000m² of employment space
- Policy PLP6: Portsmouth City Centre – Allocates 4,158 new dwellings and 1,546 m² gross commercial floorspace (20,000 m² net)
- Policy PLP7: Fratton Park and The Pompey Centre – Allocates the expansion of the football stadium from 21,000 to 26,000 capacity, 710 new dwellings and hotel with mixed conference and event facilities
- Policy PLP8: St James' and Langstone Campus – Allocates 417 dwellings
- Policy PLP10: Land West of Portsdown Technology Park – Allocates 12,500m² of employment floorspace
- Policy PLP11: Port Solent – Allocates 500 dwellings
- Policy PLP12: St John's College – Allocates 212 dwellings
- Policy PLP13: Fraser Range – Allocates 134 dwellings
- Policy PLP14: The News Centre, Hilsea – Allocates 100 dwellings
- Policy PLP15: Somers Orchard – Allocates 565 dwellings (292 net), approximately 500sqm commercial space and approximately 440sqm community space.
- Policy PLP16: Housing Target – Provides for the provision of 13,603 net new dwellings between 2020 and 2040
- Policy PLP25: Employment Target – Provides for the provision of at least 138,429 m² of employment land between 2020 and 2040
- Policy PLP28: Town Centres – promotes projects that result in greater footfall and extended duration of activity uses in Portsmouth City
- Policy PLP30: Cultural and tourism economy– supports the delivery of cultural and tourism facilities, particularly in the coastal area of the city

Impacts of Tall Buildings on Flight Lines and Sight Lines

Portsmouth Harbour SPA / Ramsar

- 5.58 The Portsmouth Harbour SPA / Ramsar is partly designated for black-tailed godwits and brent geese. Both species are reliant on functionally linked habitats outside the designated site boundary for roosting and / or foraging. It is well known that these birds preferentially seek out habitats with clear flight lines as this facilitates navigation. Furthermore, land parcels with open sight lines are preferred for the early detection of predators or the visibility of display behaviours. The PLP comprises Strategic Allocations that may involve the construction of tall buildings and are likely to increase the extent of urban frontage within Portsmouth City. If tall buildings or new urban frontages were to be constructed surrounding functionally linked habitats, this may reduce the ability of qualifying bird species to use these habitats. Overall, the PLP allocates 13,603 net new dwellings and at least which will increase the amount of urban frontage in Portsmouth City and may involve the construction of tall buildings. If close enough to functionally linked habitats, this may render this supporting land less suitable to SPA / Ramsar waterfowl and waders. Therefore, LSEs of the emerging PLP on the Portsmouth Harbour SPA / Ramsar cannot be excluded and the site is screened in for Appropriate Assessment.

Chichester and Langstone Harbours SPA / Ramsar

- 5.59 The Chichester and Langstone Harbours SPA / Ramsar is also designated for mobile bird species that depend on non-designated supporting habitats, preferentially those that offer clear flight lines and sight lines. Any tall buildings or new urban frontages within close proximity to functionally linked habitats could reduce the usage of such sites by birds. Review of the emerging PLP indicates that one Strategic Allocation (St. James' and Langstone Campus) has the potential to affect the flight lines and sight lines in functionally linked habitats relevant to the SPA / Ramsar. Overall, the PLP allocates 13,603 net new dwellings and at least 138,429m² of employment land, which will increase the amount of urban frontage in Portsmouth City and may involve the construction of tall buildings. If close enough to functionally linked habitats, this may render this supporting habitat less suitable to SPA / Ramsar waterfowl and waders. Therefore, LSEs of the emerging PLP on the Chichester and Langstone Harbours SPA / Ramsar cannot be excluded and the site is screened in for Appropriate Assessment.

Screening of Policies – Impacts of Tall Buildings on Flight Lines and Sight Lines

- 5.60 The Portsmouth Harbour SPA / Ramsar and the Chichester & Langstone Harbours SPA / Ramsar are sensitive to impacts of tall buildings on flight lines and sight lines of SPA / Ramsar birds, in particular relating to new buildings in the vicinity of functionally linked habitat. It is determined that an Appropriate Assessment of potential adverse effects of the PLP on these sites is required.
- 5.61 The following policies in the PLP are screened in for Appropriate Assessment in relation to this impact pathway because they involve the construction of new buildings and increased urban frontages:
- Policy PLP3: Tipner West and Horsea Island East – allocates 814 to 1250 new dwellings
 - Policy PLP4: Tipner East – Allocates 1,056 new dwellings; these are already subject to two submitted planning applications (or 835 new homes from Vivid Homes (22/01292/FUL) and the application for 221 new homes from Bellway (21/01357/FUL) both of which are pending the completion of legal agreements at the time of writing (spring 2024).
 - Policy PLP5: Lakeside North Harbour – Allocates 50,000m² of employment space
 - Policy PLP6: Portsmouth City Centre – Allocates 4,158 new dwellings and 1,546 m² gross commercial floorspace (20,000m²)
 - Policy PLP7: Fratton Park and The Pompey Centre – Allocates the expansion of the football stadium from 21,000 to 26,000 capacity, 710 new dwellings and hotel with mixed conference and event facilities

- Policy PLP8: St James' and Langstone Campus – Allocates 417 dwellings
- Policy PLP10: Land West of Portsdown Technology Park – Allocates 12,500m² of employment floorspace
- Policy PLP11: Port Solent – Allocates 500 dwellings
- Policy PLP12: St John's College – Allocates 212 dwellings
- Policy PLP13: Fraser Range – Allocates 134 dwellings
- Policy PLP14: The News Centre, Hilsea – Allocates 100 dwellings
- Policy PLP15: Somers Orchard – Allocates 565 dwellings (292 net), approximately 500sqm commercial space and approximately 440sqm community space.
- Policy PLP16: Housing Target – Provides for the provision of 13,603 net new dwellings between 2020 and 2040
- Policy PLP25: Employment Target – Provides for the provision of at least 138,429 m² of employment land between 2020 and 2040
- Policy PLP28: Town Centres – promotes projects that result in greater footfall and extended duration of activity uses in Portsmouth City
- Policy PLP30: Cultural and tourism economy– supports the delivery of cultural and tourism facilities, particularly in the coastal area of the city

Coastal Squeeze

Solent and Dorset Coast SPA

5.62 As described in the section on impact pathways, coastal squeeze describes the disappearance of protected habitats as a result of sea level rise and coastal defences preventing an inland migration of these habitats. The SPA encompasses the western side of Portsea Island, an area which is characterised by 'Hold the Line' defences to prevent the flooding of highly populated conurbations. Sea level rise in this area could contribute to the loss of intertidal mudflats. However, the SPA is c.890 km² in area, much of which is open sea, and even the tern species with the most limited foraging range (little tern) has a mean range of 2.1km⁸⁵. Moreover, the plunge diving tern species for which the SPA is designated are not specialised feeders and unlike waterfowl and waders are not heavily dependent on intertidal habitats. Therefore, LSEs of the emerging PLP on the Solent and Dorset Coast SPA /as a result of coastal squeeze can be excluded and the site is screened out of Appropriate Assessment.

Portsmouth Harbour SPA / Ramsar

5.63 As described in the section on impact pathways, coastal squeeze describes the disappearance of protected habitats as a result of sea level rise and coastal defences preventing an inland migration of these habitats. The Portsmouth Harbour SPA / Ramsar lies on the western side of Portsea Island, an area which is characterised by 'Hold the Line' defences to prevent the flooding of highly populated conurbations. Sea level rise in this area could contribute to the loss of intertidal mudflats and, to a lesser degree, saltmarsh. The PLP allows for new or replacement defence structures and any changes to the existing shoreline management could fuel further loss of designated habitats. Therefore, LSEs of the emerging PLP on the Portsmouth Harbour SPA / Ramsar as a result of coastal squeeze cannot be excluded and the site is screened in for Appropriate Assessment.

Chichester and Langstone Harbours SPA / Ramsar

5.64 The Chichester and Langstone Harbours SPA / Ramsar also encompasses important mudflat and saltmarsh habitats, the disappearance of which may significantly reduce the amount of roosting and foraging habitat

⁸⁵ Natural England. 2016. Solent and Dorset Coast Departmental Brief. Available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/560622/solent-dorset-departmental-brief.pdf

for SPA / Ramsar waterfowl and waders. The SPA / Ramsar lies on the eastern side of Portsmouth, which is also protected from flooding by 'Hold the Line' defences. While the existing shoreline management underwent HRA previously, any deviation from the current defence structures may result in additional impacts on the Chichester and Langstone Harbours SPA / Ramsar. Therefore, LSEs of the emerging PLP on the site due to coastal squeeze cannot be excluded and the site is screened in for Appropriate Assessment.

Screening of Policies – Coastal Squeeze

- 5.65 The Portsmouth Harbour SPA / Ramsar and the Chichester & Langstone Harbours SPA / Ramsar are sensitive to the process of coastal squeeze. It is determined that an Appropriate Assessment of potential adverse effects of the PLP on these sites is required.
- 5.66 The following policies in the PLP are screened in for Appropriate Assessment in relation to this impact pathway because they allow for new and / or replacement coastal defence structures:
- Policy PLP3: Tipner West and Horsea Island East – allocates 814 to 1250 new dwellings
 - Policy PLP4: Tipner East – Allocates 1,056 new dwellings; these are already subject to two submitted planning applications (or 835 new homes from Vivid Homes (22/01292/FUL) and the application for 221 new homes from Bellway (21/01357/FUL) both of which are pending the completion of legal agreements at the time of writing (spring 2024).
 - Policy PLP8: St James' and Langstone Campus – Allocates 417 dwellings
 - Policy PLP11: Port Solent – Allocates 500 dwellings
 - Policy PLP13: Fraser Range – Allocates 134 dwellings
 - Policy PLP16: Housing Target – Provides for the provision of 13,603 net new dwellings between 2020 and 2040
 - Policy PLP25: Employment Target – Provides for the provision of at least 138,429 m2 of employment land between 2020 and 2040
 - Policy PLP28: Town Centres – promotes projects that result in greater footfall and extended duration of activity uses in Portsmouth City
 - Policy PLP30: Cultural and tourism economy– supports the delivery of cultural and tourism facilities, particularly in the coastal area of the city

Permanent Habitat Loss of Habitats Sites

Portsmouth Harbour SPA / Ramsar and Solent & Dorset Coast SPA

- 5.67 Other than new flood defences (discussed above), Policy PLP3: Tipner West & Horsea Island East allocates the delivery of 58,000m² marine employment floor space, 814 to 1,250 residential dwellings, and a bridge between Tipner West and Horsea Island East for the use of sustainable transport modes only. In association with marine employment, the policy states that *'the deep water access to Tipner Point and the new marine hub quaysides will be maintained'*. To ensure deep water access to the new marine hub quaysides dredging of intertidal habitat within Portsmouth Harbour SPA/Ramsar site will be required, resulting in around 2.1ha permanent inter-tidal habitat loss.
- 5.68 Policy PLP3 requires any planning application to avoid further loss of habitat or, if that is not viable or feasible, minimise such loss to that required to enable the viable and feasible development of the site in line with the development quanta set out in the policy whilst protecting the integrity of the international, national and local nature designations.
- 5.69 Accordingly, any further loss of habitat depends on the design of development at the project stage and the evidence advanced as to viability/feasibility. While no further loss of habitat is inevitable under Policy PLP3,

it is likely that the bridge between Tipner West and Horsea Island East will require piers within the SPAs/Ramsar site which would result in around 0.3ha permanent intertidal habitat loss.

- 5.70 In addition, other aspects of development delivery may also require land-take from the SPAs/Ramsar site. The red line plan for the PLP3 allocation (Figure 4.2) shows two areas of possible subtidal reclamation from the SPAs/Ramsar site (collectively amounting to around 0.5ha) for the marine hub element, reflecting the reclamation considered to be necessary by the project promoter in both of the options currently under consideration. Further, any option that delivers the higher range of housing numbers is likely to involve development on the terrestrial part of Portsmouth Harbour SPA/Ramsar site to the south of Tipner West (up to 3.6ha).
- 5.71 Thus, while Policy PLP3 inevitably results in 2.1ha of permanent intertidal habitat loss from dredging, this HRA proceeds on the “realistic worst case” basis that it may also enable the permanent loss of 0.3ha of intertidal habitat arising from the potential bridge piers, up to 0.5ha of subtidal habitat from land reclamation for the functioning of the marine hub, and up to 3.6ha of terrestrial habitat to the southern extent of the allocation (to deliver more homes). The permanent habitat loss would effectively mean that a portion of the Portsmouth Harbour SPA / Ramsar would be lost to development. Any direct, permanent loss of SPA / Ramsar land will inevitably have negative impacts on qualifying waterfowl and wader species. Overall, LSEs of the emerging PLP on the Portsmouth Harbour SPA / Ramsar as a result of direct permanent habitat loss cannot be excluded and the site is therefore screened in for Appropriate Assessment.

Screening of Policies – Permanent Habitat Loss

- 5.72 The Solent & Dorset Coast SPA and Portsmouth Harbour SPA / Ramsar are sensitive to the direct permanent habitat loss. It is determined that an Appropriate Assessment of potential adverse effects of the PLP on this site is required.
- 5.73 The following policy in the PLP is screened in for Appropriate Assessment in relation to this impact pathway because it proposes land reclamation, which would result in the disappearance of habitat supporting the qualifying SPA seabirds, waterfowl and waders:
- Policy PLP3: Tipner West & Horsea Island East – between 814 and 1,250 new dwellings, a marine hub with a working quayside and up to 58,000 square metres of marine employment floorspace (class E(g) offices, research and development, light industrial, B2 general industrial and B8 storage or distribution), a bridge between Tipner West and Horsea Island East for the use of sustainable transport modes only, and flood defences along the peninsula edges of Tipner West and Horsea Island East in line with robust climate change scenarios.

6. Appropriate Assessment

Recreational Pressure

- 6.1 The PLP allocates 13,603 net new dwellings between 2020 and 2040, which lie in close proximity to Habitats sites designated for non-breeding and breeding bird species and intertidal habitats (in the case of Solent Maritime SAC) that are sensitive to recreational pressure. Many of the threats and pressures for these different sites will arise from similar recreational activities. Furthermore, the measure that is in place to mitigate recreational pressure effects is of strategic nature and applies to all Habitats sites in the Solent. Therefore, to avoid repetition, the discussion of all relevant sites is combined into one section below.

Portsmouth Harbour SPA / Ramsar, Chichester and Langstone Harbours SPA / Ramsar, Solent & Southampton Water SPA / Ramsar and the Solent Maritime SAC

- 6.2 Portsmouth City is an island city with some of its urbanised area located on the mainland separated by a creek. It is surrounded by three Habitats sites sensitive to recreational pressure (due to comprising open marine foraging waters, the Solent and Dorset Coast SPA is unlikely to be affected by recreational pressure), namely the Portsmouth Harbour SPA / Ramsar, the Chichester and Langstone Harbours SPA / Ramsar and the Solent Maritime SAC. Given how intensively the Solent region is urbanised and the close proximity of Portsmouth City to these Habitats sites, it is predicted that the demand for and recreational burden in coastal sites will increase throughout the PLP period. The built-up nature of Portsea Island somewhat restricts recreational access to the SPAs / Ramsars and the Solent Maritime SAC on the island itself. However, access to the Habitats sites is less restricted in the adjoining authorities of Fareham (to the west) and Havant (to the east), both of which are only a short drive from Portsmouth City. Therefore, even if potential negative impacts of the emerging PLP were not to occur on the island itself, additional recreational footfall would very likely occur in other sensitive areas of the Solent further away.
- 6.3 Natural England had previously objected to a planning application to deliver housing at St James Hospital and the former Langstone Campus (Policy PLP8) due to concerns about recreational pressure on Chichester and Langstone Harbours SPA and Solent Maritime SAC which they did not consider could be alleviated solely by contributions to Bird Aware Solent. The updated Milton Common Mitigation Framework has therefore been adopted (February 2022) to alleviate the recreational impact of development at the St James Hospital and Former Langstone Campus on Chichester and Langstone Harbours SPA and Solent Maritime SAC. This framework sets out a Suitable Alternative Natural Green Space (SANG) type mitigation scheme. Visitor surveys were conducted at Milton Common in 2022. These surveys concluded that, using the standard 8ha per 1,000 people, Milton Common has 0.55ha of residual capacity. In order to compensate for the expected 1,052 visitors from the development, a further 7.866ha is required. The plan to provide this 7.866ha of addition capacity is to utilise management measures to increase the accessible area on site. This will include the clearance of scrub, improvements to the path network and maintaining amenity grassland and meadows. The framework calculates a cost of £9,528.49 per unit for the dwellings at St James and the former Langstone Campus. This should be paid by the site promoter.
- 6.4 With specific regard to Tipner West & Horsea Island East (Policy PLP3), the project is taking a mitigation hierarchy approach from concept masterplanning to avoid additional recreational pressures as much as possible by managing access to the European sites for new and existing residents, and discouraging and preventing access where the resultant effects would be adverse. The contribution to the wider Solent Bird Aware scheme and extension of ranger support associated with PLP3 will be considerable, and further mitigation measures will be implemented to address any residual effects that cannot be addressed by these high level strategic and masterplan-led approaches. The new residents of Tipner East and Tipner West will also both benefit from the semi-natural recreational opportunities to be provided by Horsea Island Open Space (Policy PLP9) which is being brought forward on the former Paulsgrove Landfill Site under extant Policy PCS3 (Horsea Island) of the Portsmouth Local Plan adopted in January 2012. This area of new Open Space is valuable in contributing to the mitigation of recreational pressure on the Solent Habitats sites because the SRMS stipulates that some developments may require additional mitigation due to their size or proximity to sensitive Habitats sites. The Horsea Island Open Space has emerged from initial visitor surveys for the SDMP and will provide 64ha of open space for Portsmouth City's population. The HRA of

the Portsmouth Core Strategy (July 2011) discussed that the average walking distance from home of residents in Hilsea and Milton when walking or dog-walking is between 1-2km. This suggests that residential housing on the Tipner peninsula is within the anticipated catchment of the proposed Horsea Island Open Space, especially when considering the planned Tipner-Horsea bridge connection. According to the PfSH Green Infrastructure Implementation Framework, one of the key aims of the Horsea Island Open Space is to divert recreational activities from designated Habitats sites to the less sensitive former landfill site.

- 6.5 In discussions over this Local Plan HRA, Natural England have also identified that Policy PLP13 (Fraser Range) for 134 dwellings should also develop a bespoke solution to recreational pressure in addition to payments into the Bird Aware Solent scheme. Based on discussions with the applicant it is understood this is likely to involve enhancements to Fort Cumberland Open Space. This is reflected in Policy PLP13 which states *'The developer will provide mitigation of any alone impacts on the habitat that is functionally linked to Solent's SPAs / Ramsars (P78 / P142 / P144). This is in addition to the contributions provided through the Solent Recreation Mitigation Strategy'*.

In-combination assessment of recreational pressure

- 6.6 The Solent is estimated to receive approx. 52 million recreational visits per annum and recreational pressure has thus been a historic issue over the past decade. Consequently, a lot of research on various aspects surrounding recreation has been undertaken in the Solent. The following evidence base assessing different components of recreational pressure has been compiled (note that this HRA will not re-examine all these data, as this is regarded as well-established and is assessed in detail in numerous other reports):

- Desk-based study identifying the strategic issues in the Solent
- Winter visitor fieldwork to establish a recreational baseline
- Field study on recreational disturbance of overwintering waterfowl and waders
- Household survey to assess the Solent's importance as a recreation resource in the wider population
- Detailed modelling of future housing scenarios and their impacts on disturbance
- Emerging avoidance and mitigation strategy for the Solent

- 6.7 Some of these have already been discussed in Chapter 4. Other sources are on the BirdAware Solent website ([Our strategy - Bird Aware Solent](#)). The cumulative evidence available for the Solent region highlighted that recreational use was unsustainable and impacts on the qualifying SPA / Ramsar bird species were evident, putting the Conservation Objectives of Solent's Habitats sites at risk. An initial framework for an avoidance and mitigation strategy conceptualised by Footprint Ecology was therefore developed further, culminating in the Bird Aware Solent Recreation Mitigation Strategy (2017). Bird Aware Solent stipulates that all net new residential development within a 5.6km catchment zone of the coast will result in Likely Significant Effects on coastal SPAs / Ramsars. The catchment boundary was based on the distance where the majority (i.e. 75%) of coastal visitors live. It was therefore decided that mitigation measures and monitoring delivered as part of Bird Aware Solent are to be funded by developer contributions (varied depending on the number of bedrooms delivered) per net new residential dwelling delivered within the 5.6km catchment zone.

- 6.8 The Bird Aware Solent Strategy proposes the following mitigation and monitoring measures to reduce the impact of recreational pressure:

- A team of 5-7 coastal rangers working to reduce disturbance
- Initiatives to encourage responsible dog walking in less sensitive parts of the coast
- Preparation of Codes of Conduct for high-impact recreational activities
- Tailored habitat management projects for specific sites
- A monitoring schemes to track the effectiveness of mitigation measures
- Providing alternative recreational greenspace (e.g. the Alver Valley Pilot Project)

Updates to the Evidence Base

- 6.9 Further surveys extending the evidence base and assessing the long-term effectiveness of the Bird Aware project have since been undertaken. Footprint Ecology undertook a further visitor survey analysing visitor data from winter 2017 / 2018. This survey was commissioned as part of the baseline monitoring for the Bird Aware Project and in line with the monitoring strategy designed for the project. Continued monitoring work is required to ensure that mitigation is successfully delivered, is effective and developer charges have been sufficient / appropriate. Visitor surveys are key to this, enabling conclusions to be drawn on the type and frequency of recreational activities undertaken and, most importantly, confirming whether core recreational catchments have changed over time.
- 6.10 A follow up survey (Solent SANGs Visitor Survey⁸⁶) was undertaken in the winter of 2021/22 by Footprint Ecology at five inland Suitable Alternative Natural Greenspace (SANG) sites along the Solent (namely: Firestone Copse (Isle of Wight), Shoreburs Greenway (Southampton), River Hamble Country Park (Southampton), Alver Valley Country Park (Gosport) and Minerva Heights (Chichester)). Post code data indicates that the sites are generally used by people in a relatively local and small catchment with little overlap between them. This suggests that there is potential for further SANGs to “fill in the gaps”. Usage figures appear to be increasing significantly from previous surveys in 2015/16 although an element of caution needs to be applied to the data.
- 6.11 The Portsmouth Harbour SPA / Ramsar and the Chichester and Langstone Harbours SPA / Ramsar are most likely to be affected by the PLP, given they directly adjoin the authority. Footprint Ecology’s survey covered two access locations in the Portsmouth Harbour SPA / Ramsar (Salterns Quay, Hilsea) and three survey points in the Chichester and Langstone Harbours SPA / Ramsar (Langstone, West Itchenor, Hayling Billy Trail). It is considered that these are the locations most likely to be relevant for new Portsmouth residents. The visitor survey results for these locations are summarised in the following.
- 6.12 In terms of visitor numbers, survey points in the Portsmouth Harbour SPA / Ramsar were less busy than survey locations in the Chichester and Langstone Harbours SPA / Ramsar. For example, Hayling Billy Trail (on Hayling Billy Island, a total of 275 people counted over a 16-hour period) was twice as busy as Hilsea and three times as busy as Salterns Quay. Notwithstanding this, although experiencing a lower overall recreational footfall, a higher number of dogs was recorded in the Portsmouth Harbour SPA / Ramsar. This is noteworthy because dog walkers are likely to represent the most significant disturbance factor to the SPA / Ramsar bird interest.
- 6.13 A total of 334 interviews were conducted with visitors, giving important insight in their recreational habits and distance travelled from home. Notably, a total of 316 visitors (95%) were on a day trip / short visit from home (100% in the Portsmouth Harbour SPA / Ramsar), indicating that the recreational burden in the Solent is mainly driven by local residents rather than holiday makers. 66% of interviewees were dog walking, followed by 21% that were walking and 4% that were on an outing with their family. Very few interviewees were undertaking fishing, beach activities or ‘other’ activities (e.g. beachcombing). As evident from visitor surveys in many other Habitats protected sites, dog walking is generally carried out for relatively short durations (54% of dog walkers stay on site between 30 minutes and 1 hour), but on a regular basis (48% of dog walkers visit daily). Other – arguably more ‘niche’ activities – are undertaken infrequently (i.e. a few times per month) but often involve visits of three hours or more. Therefore, a clear discrepancy exists in the spatio-temporal footprint of recreational activities, which is important from an HRA perspective. Recreational pressure in the Solent continues to appear to be a year-round issue, with the majority of visitors indicating they visit equally all year. Proximity to home clearly is an important factor, because most visitors (particularly those visiting the Portsmouth Harbour SPA / Ramsar) travel to the site on foot and cite ‘close to home’ as one of the most important reasons for site choice.
- 6.14 Overall, 321 interviewees (96%) gave full, valid postcodes that were georeferenced in GIS. The distance from the home postcode to the interview location ranged from 76m to 300km, with a mean of 8.4km and a median of 1.6km. Pooled for all recreational activities and across all survey locations, the 75th percentile of visitors travelled 5km to the relevant survey location. However, when the postcode data was split by survey location, differences in the catchment zones for the Portsmouth Harbour SPA / Ramsar and the Chichester and Langstone Harbours SPA / Ramsar became apparent. Survey locations in the Portsmouth Harbour SPA / Ramsar had a particularly local visitor pool (75th percentiles of 1.4km and 0.5km respectively). The Chichester and Langstone Harbours SPA / Ramsar had comparatively larger catchment zones of up to 17.1km at West Itchenor.

⁸⁶ [Saunders, P. et al. - 2022 - Solent SANGs Visitor Survey.pdf \(footprint-ecology.co.uk\)](#)

- 6.15 An assessment of the type, capacity and situation of parking locations was also undertaken. This is important because the availability of parking is likely to have a large effect on the distribution of recreational pressure across the Solent region. Two of the routes surveyed, routes 4 (Portchester & Portsmouth) and 5 (Hayling Island), are especially relevant to residents from Portsmouth City. Parking locations providing access to the Portsmouth SPA / Ramsar (route 4) had the highest mean % of 'fullness' of all car parks surveyed in the study. One of the key take-home messages from the study is that Habitats sites in the Solent (particularly in the southern part of Portsmouth City around Southsea) are served by numerous large and well-maintained car parks. This illustrates the popularity of the Solent region for recreation. However, it is to be noted that many of the tarmacked formal car parks in Portsmouth City lie in southern areas that do not provide easy access to the Portsmouth Harbour SPA / Ramsar.
- 6.16 Most recently, in 2023 an initial investigation was undertaken into whether breeding birds associated with the Solent Habitats sites (namely Mediterranean gull, sandwich tern, common tern, little tern and roseate tern) were also sufficiently vulnerable to recreational disturbance that specific mitigation measures may also be required to address summer visitors. This is still being considered by the Partnership for South Hampshire but it is assumed for the purposes of this HRA that if such measures are needed they could be addressed through an expansion of Bird Aware Solent into the summer and through the incorporation of measures specific to these nesting species informed by an uplift to the tariff currently charged.
- 6.17 The impact pathway recreational pressure was previously also assessed in the HRA of the adopted Portsmouth Local Plan, in-combination with the plans of surrounding authorities. It determined that there would not be adverse effects on the integrity of the Portsmouth Harbour SPA / Ramsar and the Chichester and Langstone Harbours SPA / Ramsar, given that measures were introduced to mitigate recreational pressure in the Solent.

Existing Mitigation in the Portsmouth Local Plan

- 6.18 Chapter 5 of the emerging PLP acknowledges Portsmouth City's unique natural environment and biodiversity. The text in this chapter refers to the Portsmouth and Langstone Harbours and the Solent's coastal waters as being protected by several overlapping national and international nature designations. Policy PLP43 (Recreational Disturbance on International Nature Designations) explicitly requires development proposals to be in line with the existing strategic mitigation framework in place to mitigate recreational pressure in the Solent. This would include the requirement for site promoters and developers to contribute towards access management and monitoring as detailed in the Bird Aware project.
- 6.19 In addition, policy PLP39: Biodiversity specifies that for 'Development proposals with the potential to impact alone or in combination on one or more international sites(s) will be subject to a HRA... Development proposals that will result in any adverse effect on the integrity of any international site will be refused unless it can be demonstrated that:
- there are no alternatives to the proposal;
 - there are imperative reasons of overriding public interest why the proposal should nonetheless proceed;
 - and adequate compensatory provision is secured.'

Conclusions and Recommendations

- 6.20 AECOM considers the high-level protection already included in Policy PLP9 of the emerging PLP to be sufficient to mitigate further recreational pressure effects in the Solent's Habitats sites. Even if the Bird Aware Solent project is expanded to encompass tern and gull nesting sites during the summer, this could still be facilitated through the same mitigation framework and policy. The mitigation strategy has been devised to buffer the Solent region from recreational pressure effects arising from future housing growth in the region. Therefore, the growth allocated in the PLP would have been factored into the decision-making process of the suite of mitigation measures included in the Bird Aware Solent Recreation Mitigation Strategy. Considering that the Local Plan formalises the requirements of the SRMS, it is concluded that the PLP will not result in adverse effects on the integrity of Solent's Habitats sites regarding recreational pressure. No further policy / supporting text is recommended for inclusion in the Local Plan.

Loss of Functionally Linked Habitat

- 6.21 The SPAs / Ramsars surrounding the Portsmouth City island are all designated for qualifying waterfowl and wader species that are mobile. This means that any of the qualifying species may routinely roost or forage beyond the designated site boundary. Some of the terrestrial wader and brent goose sites may be visited frequently and / or support significant abundances of species. Such sites are considered to support the functionality and integrity of Habitats sites and are therefore extended the same level of protection. The extent to which different species use functionally linked habitats differs considerably. Of the species overwintering in the Solent, the dark-bellied brent goose is the species most tightly linked with off-site habitats such as grassland. The dark-bellied brent goose is a qualifying species of all SPAs / Ramsars in the Solent, including the Portsmouth Harbour SPA / Ramsar, the Chichester and Langstone Harbours SPA / Ramsar and the Solent & Southampton Water SPA / Ramsar. To avoid repetition, the following Appropriate Assessment therefore combines the discussion for all these sites.

Portsmouth Harbour SPA / Ramsar, Chichester and Langstone Harbours SPA / Ramsar and Solent & Southampton Water SPA / Ramsar

- 6.22 The dark-bellied brent goose *Branta bernicla bernicla* is a species of high international conservation importance and is regarded as vulnerable because its small world population has a highly variable breeding success. Over winter, the UK supports approximately 98,100 of these geese, which concentrate primarily in southern and eastern England. The Chichester and Langstone Harbours SPA / Ramsar in particular supports about 13% of the national and 6.5% of the international population.
- 6.23 Traditionally, brent geese feed on coastal mudflats, where they primarily forage on eelgrass, *Zostera* spp., marine algae (e.g. *Enteromorpha* spp.) and sea lettuce *Ulva lactuca*. However, since the 1950's, have extended their foraging areas to terrestrial habitats, including farmland (comprising cereals and pasture) and amenity grassland. These terrestrial foraging sites are of critical importance to the geese as their nutritional requirements cannot be met by natural resources alone. Partly this has been attributed to the loss of natural inland habitat to urban and agricultural development. The use of terrestrial foraging habitats is greatest during high tide and in years with high numbers of juveniles, seeking to avoid competition with older individual in the mudflats.
- 6.24 The Solent coastline also provides an important wintering area for wader species, with an average of 90,000 waders annually. Most waders generally feed on invertebrates (e.g. worms and molluscs) in the intertidal zone. During high tide, waders occupy roosting sites, which may include saltmarsh areas, shingle banks, coastal grasslands and man-made structures, such as piers, wharfs and jetties. Wader roosting sites tend to be relatively close to the coast, up to approx. 100m from the mean high-water line, and generally lie away from sources of disturbance. Overall, the dependence of waders on functionally linked habitat is much lower than that of brent goose. However, the development of relatively undisturbed coastal grassland could still result in the loss of crucial supporting habitat.
- 6.25 Pressure from urban development, recreational use, sea level rise, coastal squeeze from flood defences and coastal re-alignment is continuing to put supporting habitats of Solent wildlife at risk. The Solent Waders and Brent Goose Strategy (SWBGS) was established in 2010 and updated in 2020, identifying the key off-site foraging and roosting resources of Solent's SPA / Ramsar birds. The strategy intends to provide the key resource for assessing in-combination effects of development plans on the network of supporting sites across the Solent. As the strategy stipulates, its evidence 'contributes to the baseline data for associated Habitats Regulations Assessments'. A total of 1,036 sites identified in the Solent.
- 6.26 As highlighted earlier in this HRA, Portsmouth City is an already developed conurbation with limited space and it is therefore unlikely that many large greenfield sites will be allocated for development. Many of the remaining greenfield sites (e.g. Milton Common, Great Salterns Recreation Ground) are designated open spaces and will be protected from development. Development of greenfield sites is most likely to pose a risk at Tipner, which comprises some tracts of more open grassland on the former ranges. Several strategic sites are proposed, and these are assessed below. Depending on the geographic location of the strategic sites, further protective policy wording may be required in the PLP.

Tipner and Horsea Island East (Policy PLP3), Tipner East (Policy PLP4) and Horsea Island Open Space (PLP9)

- 6.27 Tipner West and Horsea Island East is intended to deliver between 814 and 1,250 dwellings, and 58,000m² of employment uses. Policy PLP3 also allocates land for a bridge between Tipner West and Horsea Island East, flood defences and community meeting spaces. Tipner East (PLP4) will deliver 1,056 residential dwellings, a new transport hub and community/commercial uses. Horsea Island Open Space (PLP9) will deliver open space and associated infrastructure and a segregated busway / cycle and pedestrian link between Tipner West and Port Solent.
- 6.28 All supporting habitats for SPA / Ramsar waterfowl / waders have been mapped as part of the SWBGS and are available online. A review of the SWBGS mapping indicates that several functionally linked habitats lie in the Tipner area.
- 6.29 A Low Use Area (LUA) and one Secondary Support Area (SSA) are located in Tipner East (P136 and P139). Furthermore, two additional LUAs lie within 100m of the Tipner East allocation boundary (P38, P39). The development on this site has already been consented, subject to legal agreements, including the mitigation for loss of functionally-linked habitat. Tipner West and Horsea Island East encompasses two Primary Support Areas (PSA) at Tipner Range (P60) and parcel P76. Furthermore, Core Area P75 lies within 100m of Tipner West and Horsea Island East allocation. All functionally linked habitat parcels lie in close proximity to the Portsmouth SPA / Ramsar, indicating they are likely to be preferentially used by SPA / Ramsar waterfowl in order to minimise energy expenditure. Delivery of Policy PLP3 would also likely result in the loss of the Tipner Range (Primary Support Area P60) and may involve some loss of Primary Support Area P76, which are both functionally linked to SPAs / Ramsars in the Solent.
- 6.30 Tipner West & Horsea Island East (PLP3) is the only allocation where mitigation for loss of functionally linked habitat will be required but where a specific mitigation land parcel has not yet been selected. Overall, the available habitat mapping clearly indicates that development in the wider Tipner and Horsea Island area has the potential to disrupt the local network of supporting habitats. In line with the requirements of the SWBGS any loss of identified supporting habitat would need to be mitigated through the provision of replacement supporting habitat of equal or greater quality. This includes any loss of parcel P60 as well as the other areas of functionally linked land identified above at Tipner West. Policy PLP42 states that *'Proposals that impact the functionally linked sites [Used by Solent Waders and Brent Geese] will need to provide mitigation as set out in the Solent Waders and Brent Goose Strategy.'* The supporting text for policy PLP3 (PLP3.6.b) states that the applicant must 'demonstrate that any loss of functionally linked habitat, including that identified as a primary or secondary support area in the Solent Waders and Brent Goose Strategy, will be mitigated through the provision of replacement functionally linked supporting habitat of equal or greater quality and quantity, which fulfils the same special contribution and particular function of the areas lost or damaged for the same species of birds' By the nature of the policy wording, the development proposal could therefore not result in the loss of functionally linked habitat, either because the development would be planned out in such a way as to preserve these areas, or because they would deliver adequate offsetting for any loss in line with the Solent Wader and Brent Goose Strategy.
- 6.31 The supporting text for Policy PLP3 confirms the requirements to deliver adequate off-setting in line with the Solent Wader and Brent Goose Strategy. It states:

"The project level HRA should also address the impact of development on functionally linked habitats. It is likely that there will be a loss of habitat that is functionally linked to Solent's SPAs / Ramsars namely Primary Support Areas P60 and P76, as identified in the Solent Waders and Brent Goose Strategy. Furthermore, Core Area P75 lies within 100 metres of the allocation boundary. Core Areas and Primary Support Areas are functionally linked land that contribute to the integrity of SPA/Ramsar sites. All functionally linked habitat parcels lie in close proximity to the Portsmouth SPA/Ramsar, indicating that they are likely to be used by SPA/Ramsar waterfowl in order to minimise energy expenditure. Non-breeding bird surveys between October and March (typically two survey seasons) will be required to inform the detailed design of the offsetting mitigation habitat that will be provided to ensure no adverse effect on integrity.

All loss of this functionally linked land should be mitigated in line with Policy PLP42: Solent Waders and Brent Geese Sites and the Mitigation and Off-setting Requirements set out in the Solent Waders and Brent Goose Strategy and to the satisfaction of the local planning authority and Natural England. The planning application will need to be supported by a bespoke Habitats Regulations Assessment to ensure that the development does not result in adverse effects on site integrity."

- 6.32 The requirement for detailed survey work exists to inform the detailed design of the offsetting mitigation habitat that will be provided to ensure no adverse effect on integrity. A specific mitigation parcel for delivering new functionally linked habitat cannot be identified prior to that work. However, in developing mitigation and compensation solutions for the effects of Policy PLP3 on Portsmouth Harbour SPA/Ramsar site the site promoters have identified parcels totalling 62ha for terrestrial habitat creation, including as functionally-linked land, to offset the combined loss of area of P60 and P76 (c. 7ha).
- 6.33 At this stage, the parcels identified by the promoter as potential mitigation/compensation are commercially confidential. AECOM and members of the Council's LPA team have, however, been permitted to review those parcels for the purposes of this HRA and are satisfied that there is sufficient suitable and available land to mitigate any loss of functionally linked habitat. Which parcel or combination of parcels is used will depend on the nature and extent of any functionally linked habitat loss arising as a result of a planning application. Such an application will need to be accompanied by project-level HRA which demonstrates the provision of adequate mitigation.
- 6.34 The Council as LPA is working with the promoter team to explore what information about the suitable and available sites can be made publicly available and how the Secretary of State, PINS and relevant statutory consultees can receive information about those sites, potentially on a confidential basis.
- 6.35 Horsea Island Open Space (PLP9) encompasses three Core Areas (P48A, P48B, and P75) and one Primary Support Area (P48C) which could be affected by development or changes in use. This is recognised in Policy PLP 9 which states that *'The Western portion of the site and the small southern portion of the site are Core Areas P48A/P48B and P75 protected for Brent Goose and Waders, the Eastern portion of the site as shown on figure 4.9 is also a Primary Support area P48C for Brent Goose and Waders. Proposals will need to comply with Policy PLP 42 of this plan and take account of the guidance set out in and the Solent Waders and Brent Goose Strategy Guidance on Mitigation and Off-setting Requirements'*.
- 6.36 Considering that the Local Plan includes necessary requirements with regard to Solent Waders and Brent Goose Strategy, and there is sufficient suitable and available land capable of delivering mitigation for these allocations (PLP3 being the only allocation for which specific a mitigation site has not yet been confirmed), it is concluded that the PLP will not result in adverse effects on the integrity of Solent's Habitats sites regarding loss of functionally linked land for policies PLP3, PLP4 and PLP10.

Lakeside North Harbour (PLP5)

- 6.37 The Lakeside North Harbour site is allocated for 50,000m² of office-led floorspace in an existing developed context. The site is surrounded by major roads, including the M27, the M275 and the A27. Notwithstanding this, the allocation boundary is only approx. 150m from the Portsmouth Harbour SPA / Ramsar, providing short flightlines to qualifying birds. The SWBGS mapping data show that a Candidate site (P138) comprising short amenity grassland lies within the south-eastern part of the allocation boundary. Therefore, the provision of employment floorspace in this part of the Strategic Site could lead to the loss of functionally linked habitat. However, Policy PLP42 states that 'Proposals that impact the functionally linked sites [Used by Solent Waders and Brent Geese] will need to provide mitigation as set out in the Solent Waders and Brent Goose Strategy.' By the nature of the policy wording, the development proposal could therefore not result in the loss of functionally linked habitat, either because the development would be planned out in such a way as to preserve area P138, or because they would deliver adequate offsetting for its loss in line with the Solent Wader and Brent Goose Strategy. This is identified in the supporting text for Policy PLP5 which states 'Surveys to be carried out to determine the classification of Candidate Site P138 of the Solent Waders and Brent Goose Strategy. Appropriate avoidance and mitigation measures to be provided to the satisfaction of the local planning authority and Natural England'.
- 6.38 Considering that the Local Plan includes necessary requirements with regard to Solent Waders and Brent Goose Strategy, it is concluded that the PLP will not result in adverse effects on the integrity of Solent's Habitats sites regarding recreational pressure for policy PLP5.

Portsmouth City Centre (Policy PLP6)

- 6.39 Portsmouth City Centre allocation provides 4,158 new dwellings, 20,000m² (Gross) of employment space (1,546m² net) and a 2.9ha park. This area is associated with the Portsmouth City's conurbation. The area does contain parks, including Victoria Park; however, due to their highly disturbed nature and the fact of their urban location, it is concluded that there is no risk for the loss of functionally linked habitat.

Fratton Park and the Pompey Centre (PLP7)

- 6.40 The area around Fratton Park and the Pompey Centre is allocated for approx. 710 dwellings, expansion of the north stand of the Fratton Park Football Stadium, supporting hotel, conference facilities and small-scale business / commercial uses. However, this strategic allocation lies in the middle of Portsmouth City's conurbation and is an existing brownfield site. Therefore, the site does not comprise suitable foraging / roosting habitat for SPA / Ramsar birds and would involve relatively long flightlines to the Habitats site. Loss of functionally linked habitat is not a risk for this strategic site.

St. James' and Langstone Campus (PLP8)

- 6.41 The St. James' and Langstone Campus Strategic Site is allocated as a mixed-use development comprising medical, education and community facilities, open space, sheltered accommodation and 417 residential dwellings. Importantly, the allocation lies directly adjacent to the Chichester and Langstone Harbours SPA / Ramsar. As already identified in the supporting text to Policy PLP8 (St. James' and Langstone Campus), the Langstone Campus part of the allocation comprises open space in the form of playing fields and all-weather pitches. The SWBGS identifies these playing fields as a SSA (parcel P25) and a Core Area (CA, P23b). Furthermore, another Core Area (P23A) lies within 100m of the site. The Core Areas are of highest importance to overwintering SPA / Ramsar birds. The supporting text for Policy PLP8 specifically states that *'Development must retain, where possible, playing pitches and fields'*, while Policy PLP42 states that *'Proposals that impact the functionally linked sites [Used by Solent Waders and Brent Geese] will need to provide mitigation as set out in the Solent Waders and Brent Goose Strategy.'* By the nature of the policy wording, the development proposal could therefore not result in the loss of functionally linked habitat (although see other impact pathways in relation to the site – disturbance in functionally linked habitat).
- 6.42 The playing fields have a baseline level of human activity to which birds using the playing fields can be assumed to be adapted. However, a significant increase in the recreational usage of these playing fields as a result of the development could result in effective loss of functionally-linked habitat if it occurs at times or in locations that are incompatible with use by SPA birds. Therefore, any planning application for the redevelopment will need to consider this issue in a project-level HRA.

Land West of Portsdown Technology Park (PLP 10)

- 6.43 The Portsdown Hill area is one of the largest open spaces in Portsmouth City, stretching along the northern edge of its boundary. Policy PLP10 (Land West of Portsdown Technology Park) is primarily tailored to protect the landscape, ecological and heritage value of the area. Land is allocated for the provision of 12,500m² of employment floorspace. However this development is restricted to existing brownfield sites in the area. Review of SWBGS data indicates that there are no identified supporting habitats within the boundary of the Site, the closest one being a Candidate Site (W03G) approx.. 408m to the north of Portsdown Hill. While comprising semi-natural grassland, the habitats on Portsdown Hill are unlikely to be suitable for SPA / Ramsar birds due to the relatively steep gradients involved. In conclusion, it is unlikely that development proposals on Portsdown Hill will result in the loss of functionally habitat.

Port Solent (PLP 11)

- 6.44 Policy PLP11 (Port Solent) allocates land for the development of 500 residential dwellings and marine related uses. Review of SWBGS data indicates that there are no identified supporting habitats within the boundary of the Site. Two Core Areas (P48A, P48B) and one Primary Support Area (P48C) are located within 100m of the allocation. In conclusion, it is considered unlikely that development proposals for Port Solent will result in the loss of functionally habitat.

St John's College (PLP 12)

- 6.45 Policy PLP12 (St John's College) allocates land for the development of 212 residential dwellings. However, this strategic allocation lies in the middle of Portsmouth City's conurbation and is an existing brownfield site. Therefore, the site does not comprise suitable foraging / roosting habitat for SPA / Ramsar birds and would involve relatively long flightlines to the Habitats site. Loss of functionally linked habitat is not a risk for this strategic site.

Fraser Range (PLP 13)

- 6.46 Policy PLP13 (Fraser Range) allocates land for the development of 134 residential dwellings, new sea wall flood defences, parking, an access road and landscaping. Review of SWBGS data indicates that one Primary Support Area (P142) and one Low Use Area (P144) at least partially overlap with the allocation. Any loss of identified supporting habitat would need to be mitigated through the provision of replacement

supporting habitat of equal or greater quality. Overall, the available habitat mapping indicates that development of the Fraser Range site has the potential to disrupt the local network of supporting habitats.

- 6.47 However, Policy PLP42 states that 'Proposals that impact the functionally linked sites [Used by Solent Waders and Brent Geese] will need to provide mitigation as set out in the Solent Waders and Brent Goose Strategy.' By the nature of the policy wording, the development proposal could therefore not result in the loss of functionally linked habitat, either because the development would be planned out in such a way as to preserve area P142, or because they would deliver adequate offsetting for its partial loss in line with the Solent Wader and Brent Goose Strategy.
- 6.48 Supporting text for Policy PLP13 confirms the requirement for the developer to provide evidence that the allocated site will not result in the loss of habitat that is functionally linked to Solent's SPAs / Ramsars (P142 / P144). It is understood that an offsetting mitigation package is currently being agreed with Natural England and Portsmouth Council for Fraser Range as part of the current application and that Fort Cumberland Open Space will be used for mitigation. The application is still under discussion but based on information available the authors of the HRA are satisfied that a solution to mitigate any loss of functionally linked habitat will be identified.

The News Centre, Hilsea (PLP 14)

- 6.49 Policy PLP14 (The News Centre, Hilsea) allocates land for the development of an electric bus depot and 100 residential dwellings. The policy emphasises the heritage value of the area. Review of SWBGS data indicates that there are no identified supporting habitats within the boundary of the Strategic Site, the closest one being a PSA (P43) approx.. 200m to the west of the Site. In conclusion, it is unlikely that development proposals for The News Centre, Hilsea will result in the loss of functionally habitat.

Somers Orchard (PLP 15)

- 6.50 Policy PLP15 (Somers Orchard) allocates land for the development of 565 residential dwellings (292 net new dwellings), approximately 500sqm commercial space and approximately 440sqm community space. However, this strategic allocation lies in the middle of Portsmouth City's conurbation and is an existing brownfield site. Therefore, the site does not comprise suitable foraging / roosting habitat for SPA / Ramsar birds and would involve relatively long flightlines to the Habitats site. Loss of functionally linked habitat is not a risk for this strategic site.

Existing Mitigation in the Portsmouth Local Plan

- 6.51 General protection to functionally linked habitats is given in Policy PLP39 (Biodiversity). This policy states that 'Development proposals will be permitted where they conserve and enhance biodiversity, giving particular regard to ecological networks... b) Contribute to the creation of larger improved wildlife habitats through the creation of linkages between sites to create and enhance local and regional ecological networks'. By definition, functionally linked habitat parcels are part of the city's ecological network and are thus included by this wording.
- 6.52 Policy PLP42 of the Local Plan states that 'Proposals that impact the functionally linked sites [Used by Solent Waders and Brent Geese] will need to provide mitigation as set out in the Solent Waders and Brent Goose Strategy.' By the nature of the policy wording, the development proposals could therefore not result in the loss of functionally linked habitat, either because the development would be planned out in such a way as to preserve areas of functionally-linked habitat, or because they would deliver adequate offsetting for its loss in line with the Solent Wader and Brent Goose Strategy.
- 6.53 This requirement is reflected in relevant allocation policies:
- Policy PLP3 (Tipner West and Horsea Island East) states that the developer must '*demonstrate that any loss of functionally linked habitat, including that identified as a primary or secondary support area in the Solent Waders and Brent Goose Strategy , will be mitigated through the provision of replacement functionally linked supporting habitat of equal or greater quality and quantity, which fulfils the same special contribution and particular function of the areas lost or damaged for the same species of birds*'.
 - PLP4 (Tipner East) states that 'Any loss of supporting habitat identified in the Solent Waders and Brent Goose Strategy will be mitigated through the provision of replacement supporting habitat of equal or greater quality and quantity that fulfils the same special contribution and particular function of the areas lost or damaged for the same species of birds'.

- Policy PLP5 (Lakeside North Harbour) states 'Surveys to be carried out to determine the classification of Candidate Site P138 of the Solent Waders and Brent Goose Strategy. Appropriate avoidance and mitigation measures to be provided to the satisfaction of the local planning authority and Natural England'.
 - Policy PLP8 (St James and Langstone Campus) specifically states that 'Development must retain, where possible, playing pitches and fields', and 'The developer should provide evidence that the allocated site will not result in the loss of habitat that is functionally linked (Core Area P23B, Secondary Support Area P25) to Solent's SPAs / Ramsars' while Policy PLP42 states that 'Proposals that impact the functionally linked sites [Used by Solent Waders and Brent Geese] will need to provide mitigation as set out in the Solent Waders and Brent Goose Strategy'.
 - Policy PLP9 (Horsea Island Open Space) states that 'The Western portion of the site and the small southern portion of the site are Core Areas P48A/P48B and P75 protected for Brent Goose and Waders, the Eastern portion of the site as shown on figure 4.9 is also a Primary Support area P48C for Brent Goose and Waders. Proposals will need to comply with and Policy PLP 42 of this plan and take account of the guidance set out in and the Solent Waders and Brent Goose Strategy Guidance on Mitigation and Off-setting Requirements'.
 - Policy PLP13 (Fraser Range) states 'The developer will provide mitigation of any alone impacts on the habitat that is functionally linked to Solent's SPAs / Ramsars (P78 / P142 / P144). This is in addition to the contributions provided through the Solent Recreation Mitigation Strategy' and 'To meet the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended), the developer should provide evidence that the allocated site will not result in the loss of habitat that is functionally linked to Solent's SPAs / Ramsars (P78/P142 / P144).'
- 6.54 The 2020 update to the SWBGS identifies the mitigation and off-setting requirements for functionally linked habitat parcels in the Solent. Core Areas (CAs) in particular are considered essential to the ecological network and integrity of SPAs / Ramsars. The report specifies that any development proposals resulting in long-term impacts on or the loss of CAs, must be offset by provision of a suitable replacement site of equal or greater size and quality near to the affected CA. Primary Support Areas (PSAs) make an important contribution to maintaining the integrity of the ecological network and also require a like-for-like replacement, 'operational' at the time that the original PSA is lost / impacted. All areas identified as functionally-linked habitat should be mitigated where necessary. The SWBGS Steering Group mitigation document also details other parameters that replacement sites should satisfy (e.g. type of habitat, not affected by recreational pressure).
- 6.55 As part of survey work for individual applications, non-breeding bird surveys between October and March (typically two survey seasons) will be required to inform the development of detailed mitigation for loss of functionally-linked habitat and the planning application will need to be supported by a bespoke Habitats Regulations Assessment to ensure that the development does not result in adverse effects on site integrity.
- 6.56 Given the policy wording included in the Local Plan it is considered that an appropriate policy framework exists to address loss of functionally-linked land.

Recreational Pressure in Functionally Linked Habitat

Portsmouth Harbour SPA / Ramsar and Chichester and Langstone Harbours SPA / Ramsar

- 6.57 Recreational activities may not only result in disturbance in the SPAs / Ramsars themselves, but also in habitat that is functionally linked to these sites. As established in the previous section, functionally linked habitats are integral in maintaining the coherence of Solent's ecological networks. Human activities that alter / reduce the birds' use of supporting habitats would also be considered to result in adverse effects on Habitats sites. Not all parcels of supporting habitat are accessible or attractive as recreation destinations. Therefore, supporting habitats require individual appraisal (ideally supported by visitor monitoring data) and, if found to be significantly affected by recreation, also need to be protected through mitigation measures.
- 6.58 In this section, functionally linked habitats are assessed in their order of importance, namely Core Areas (CAs), Primary Support Areas (PSAs) and Secondary Support Areas (SSAs), with a particular focus on

public access. Table 4 provides an analysis of each functionally linked habitat with shadings of green, yellow and orange based on the conclusions of the assessment. Parcels P23R, P48A, P48B (all CAs) and P48C (PSA) are shaded green because there is little to no potential for the Local Plan to result in recreational disturbance in these sites. These parcels, while unfenced, are distant from areas of housing and / or separated from housing by major roads.

- 6.59 SWBGS parcels P08A, P08C, P11, P12, P23B, P29, P32A, P52, P54 (all CAs), P19D, P40A, P43, P140 (all PSAs), P19B, P25 and P32B (all SSAs) are shaded yellow because a realistic potential for public access is present, although the potential for any significant increase in recreational pressure due to the Local Plan is limited. Most of these parcels comprise sports pitches, playing fields or parts of golf courses. Any such sites are likely to have a carrying capacity of usage. This implies that regardless of the population growth due to the Local Plan, there will be a maximum number of recreationists using these sites at any one time (and indeed some of these sites may already have reached a 'ceiling' of recreational use). Furthermore, for any sports pitches, periods of usage will be interspersed by days when no recreational activities would be undertaken. Any disturbance will exhibit temporal variation, allowing SPA / Ramsar birds to use the pitches at times when no disturbance is present.
- 6.60 Parcels P20, P23A, P31, P35 (all CAs), P40, P78, P142, P148 (all PSAs) and P127 (SSA) are shaded orange, because there is a realistic potential that population growth could result in increased recreational activity. This is because these parks, commons, amenity grassland and sandflats offer unrestricted public access in proximity to extensive existing areas of housing. It is to be noted that while a potential for disturbance impacts to SPA / Ramsar birds exists, many of the above parcels (e.g. P35, Southsea Common) continue to support good abundances of brent goose year-on-year despite existing high levels of recreational use. Therefore, an increase in recreational usage does not necessarily imply reduced suitability for SPA / Ramsar birds.
- 6.61 Moreover, of the parcels highlighted orange, only two are in close proximity to an allocation in the Portsmouth Local Plan. P23A is close to allocation PLP8 St James and Langstone Campus. This Local Plan HRA has already identified that the allocation has extensive playing fields within it (Parcel P25) and that a significant increase in the recreational usage of these playing fields as a result of the development could result in effective loss of functionally-linked habitat if it occurs at times or in locations that are incompatible with use by SPA birds. Therefore, any planning application for the redevelopment will need to consider this issue in a project-level HRA. The same is true for parcel P23A. Recreational pressure stemming from this allocation is covered by the adopted Milton Common Mitigation Framework (February 2022). Parcel P40 is close to PLP4 Tipner East, but this development already has planning consent.
- 6.62 At a strategic level across Portsmouth, **Policy PLP9 (Horsea Island Open Space)** allocates 64ha of strategic public open space in the west of Portsmouth City. The new open space provision will consider the needs of its intended users and provide multi-functional spaces. It is noted that this will provide additional recreational opportunity and reduce the future recreational burden on the supporting habitat parcels discussed above.
- 6.63 Overall, it is considered that the emerging PLP will not result in adverse effects on supporting habitats through increased recreational pressure. This is due to the existing recreational usage of these land parcels not impacting on their ability to support SPA / Ramsar bird species and the provision of 64ha of new strategic open space on Horsea Island.

Table 4: Discussion of functionally linked habitat SWBGS parcels in relation to recreational pressure.
Note that the three shading bands are discussed further in the main body of text.

Type of supporting habitat	Site Code	Site Description	Nature of Recreational Pressure
Core Area	P08A	Farlington Playing Field and Cricket Grounds	Public access, with periods of high recreational usage likely to be interrupted by days without access
	P08C	St John's College Playing Fields	Public access, with periods of high recreational usage likely

Type of supporting habitat	Site Code	Site Description	Nature of Recreational Pressure
			to be interrupted by days without access
	P11	Baffins Milton Rover FC	Public access, with periods of high recreational usage likely to be interrupted by days without access
	P12	Great Salterns Golf Course	Daily public access likely, with golfing usage likely to be lower in winter compared to summer.
	P20	Tangier Park comprising amenity grassland	Park with daily recreational usage in close proximity to local housing.
	P23A	Swan Lake and adjoining semi-improved grassland	This site forms part of Milton Common, which is likely to be subject to daily recreational usage from nearby housing
	P23B	Sports pitches forming part of the University of Portsmouth Langstone Sports Site	Public access, with periods of high recreational usage likely to be interrupted by days without access
	P23R	Some semi-improved grassland (being partially developed) to the south of Eastern Road	While not fenced, this site is separated from the nearest housing by Eastern Road. No safe crossing for pedestrians available. Little potential for recreational disturbance.
	P29	Cockleshell Community Sports Club	Public access, with periods of high recreational usage likely to be interrupted by days without access
	P31	Amenity grassland to the south of Clocktower Drive	Regular recreational pressure likely, with free public access from the north of Clocktower Drive
	P32A	Portsmouth Cricket Club	Public access, with periods of high recreational usage likely to be interrupted by days without access
	P35	Southsea Common comprising amenity grassland	Regular high levels of recreational pressure likely due to public access and close proximity to residential development
	P48A	Amenity grassland adjacent to Port Solent	No perimeter fencing and, therefore, potential public

Type of supporting habitat	Site Code	Site Description	Nature of Recreational Pressure
			access. However, distant from the nearest residential housing.
	P48B	Amenity grassland adjacent to Port Solent	No perimeter fencing and, therefore, potential public access. However, distant from the nearest residential housing.
	P52	Amenity grassland adjoining Portsmouth College	Freely accessible by students of Portsmouth College.
	P54	Recreational pitch with amenity grassland	Public access, with periods of high recreational usage likely to be interrupted by days without access
Primary Support Areas	P19D	Great Salterns Lake within golf course	Daily public access likely, with golfing usage likely to be lower in winter compared to summer.
	P40	Alexandra Park, comprising sports pitches and amenity grassland	Public access with regular recreational visits from nearby housing
	P40A	Portsmouth Athletic Club	Public access, with periods of high recreational usage likely to be interrupted by days without access
	P43	Hilsea Bastion Gardens and Portsmouth Grammar School Playing Field	Public access, with periods of high recreational usage likely to be interrupted by days without access
	P48C	Gently undulating semi-improved grassland to the south-east of Port Solent	Separated from housing by the M27 and M275 motorways. No public access due to the site being part of the Paulsgrove Household Waste Recycling Centre
	P78	Supralittoral sand at Eastney Beach	Public access with regular high levels of recreational pressure from nearby housing
	P140	Portsmouth Royal Marines Sports Complex	Public access, with periods of high recreational usage likely to be interrupted by days without access
	P142	Intertidal sandflat at Eastney Beach	Public access with regular high levels of recreational pressure from nearby housing

Type of supporting habitat	Site Code	Site Description	Nature of Recreational Pressure
	P148	Sports pitches forming part of Stamshaw Adventure Playground	Public access with regular recreational visits from nearby housing
Secondary Support Areas	P19B	Great Salterns Golf Course	Daily public access likely, with golfing usage likely to be lower in winter compared to summer.
	P25	University of Portsmouth Langstone Student Village, comprising sports and playing fields	Public access, with periods of high recreational usage likely to be interrupted by days without access
	P32B	Portsmouth Cricket Club and adjoining golf course	Public access, with periods of high recreational usage likely to be interrupted by days without access
	P127	Semi-improved grassland adjoining Eastney Pier	Public access with regular recreational visits from nearby housing and Ferry Road Car Park

Disturbance from Construction

- 6.64 There is abundant research in the literature highlighting the impacts of construction processes on bird species. A study conducted by the British Trust for Ornithology highlighted that different types of construction work significantly reduced the densities of five waterfowl species, including Eurasian teal, Eurasian oystercatcher, dunlin, Eurasian curlew and common redshank, up to several hundred metres from the source of disturbance. A more recent study found that the construction of wind farms had greater impacts on bird populations than their subsequent operation. Therefore, any construction work carried out as part of the emerging PLP has the potential for disturbing birds.
- 6.65 Research on noise and visual disturbance from construction activities undertaken in the Humber Estuary, indicates that noise disturbance from construction should be limited to below 70 dB as waterfowl in a busy estuarine environment are able to habituate to such noise levels. Furthermore, the noise from the most disturbing construction works, such as impact piling, recedes to below disturbing levels approx. 100m from the source. However, despite this general noise threshold, specific regard should be given to the sensitivity of individual species. For example, redshank and brent geese, both qualifying species of SPA / Ramsar sites in the area of the Seafront Masterplan, are highly sensitive to noise disturbance and caution is advised for any noise levels above 55 dB.
- 6.66 The potential for visual disturbance differs markedly between species and the type of activity undertaken by birds. For example, redshank respond to visual stimuli at 250m of open distance, while brent geese react to visual stimuli only to approx. 105m distance when feeding. However, when roosting, the tolerance of brent geese reduces and the distance at which they respond to a visual stimulus increases to 205m. Overall, the evidence base highlights that the qualifying species of both the Portsmouth Harbour SPA / Ramsar, and the Chichester and Langstone Harbours SPA / Ramsar are vulnerable to the effects of visual and noise disturbance.
- 6.67 Due to their proximity, both the Portsmouth Harbour SPA / Ramsar and the Chichester and Langstone Harbours SPA / Ramsar require consideration. However, construction disturbance in functionally linked habitats also requires appraisal, as such habitats are important in maintaining Solent's ecological network.

- 6.68 The PLP contains a series of broad Strategic Allocations, which account for a considerable amount of development coming forward to 2040. The following sections provide an assessment of these Strategic Allocations in relation to construction disturbance. Note that detailed noise modelling (for example) cannot be undertaken at this level as it requires detailed knowledge of the development programme, layout and construction methods which will not be available until the individual planning applications are developed.

Portsmouth Harbour SPA / Ramsar

- 6.69 Given it borders directly onto the Portsmouth Harbour SPA / Ramsar, the Tipner Strategic Allocation (PLP3) is most likely to cause visual and noise disturbance in the SPA / Ramsar, with PLP4 (Tipner East) also providing considerable potential for construction disturbance given its proximity to the SPA/Ramsar. The proposal for Tipner West also involves land reclamation as well as a bridge from Tipner to Horsea Island, both of which will involve construction works within the SPA / Ramsar. Therefore, strategic development at Tipner generally has a high disturbance potential for SPA / Ramsar waterfowl.
- 6.70 The Lakeside North Harbour is a Strategic Allocation that lies to the north of Portsea Island, approx. 200m from the nearest part of the Portsmouth Harbour SPA / Ramsar. It is considered that, over this distance, any construction noise (from the noisiest types of works) would have attenuated to non-disturbing levels, even without using visual or noise mitigation. Furthermore, the SPA / Ramsar in this location is subject to existing high levels of noise from the strategic road network, including the M275, M27 and the A27. Therefore, no visual and noise impacts on the SPA / Ramsar are expected from this allocation.

Chichester and Langstone Harbours SPA / Ramsar

- 6.71 The St. James' and Langstone Campus Strategic Allocation adjoins the Chichester and Langstone Harbour SPA / Ramsar. The current plan for the site indicates that the section of the allocations closest to the SPA / Ramsar will remain open space. However, the closest brownfield component of the site lies only approx. 84m from the SPA / Ramsar. Depending on where new development within the Strategic Allocation is coming forward, there is a risk of visual and noise disturbance to SPA / Ramsar waterfowl / waders.

Functionally Linked Habitat

- 6.72 Due to their importance in supporting SPA / Ramsar waterfowl and waders, potential construction disturbance in functionally linked habitats should also be avoided. The Strategic Allocations identified above in relation to the Habitats sites, are also most likely to cause disturbance in functionally linked habitats during the construction period. For example, construction processes at both Tipner West and East could disturb feeding brent geese in the Primary Support Areas P60, P40A and P40, and the Secondary Support Area P139. There are also three Areas of Low Use within and adjacent to Tipner East (P38, P39, P136). Similarly, construction in the St. James' and Langstone Campus allocation in the east of Portsmouth City is within the screening distance for visual and noise disturbance to the Core Areas P23A and P23B. A Secondary Support Area (P25) lies within the core of the Strategic Allocation.

Existing Mitigation in the Portsmouth Local Plan

- 6.73 The distribution of supporting habitats in relation to the Strategic Allocations suggests that visual and noise disturbance resulting from construction has the potential to result in adverse effects on site integrity unless mitigation measures are adopted. It is noted that the PLP contains high-level policy wording protecting Solent's Habitats sites and off-site supporting habitats. Policy PLP39 (Biodiversity) states... 'Development proposals with the potential to impact alone or in combination on one or more international sites(s) will be subject to a HRA... Development proposals that will result in any adverse effect on the integrity of any international site will be refused unless it can be demonstrated that: there are no alternatives to the proposal; there are imperative reasons of overriding public interest why the proposal should nonetheless proceed; and adequate compensatory provision is secured.'
- 6.74 The supporting text for Policy PLP39 (Biodiversity) includes the following measures:
- It is generally advised that construction work within 100m of relevant SPAs / Ramsars or functionally linked habitats known to support SPA / Ramsar waterfowl and / or waders should avoid the period October to March (inclusive) entirely.

- Where construction works will occur in a precautionary 300m buffer zone around the Habitats sites, an assessment of noise and visual disturbance potential should be undertaken for individual planning applications. Where works may be disturbing and cannot avoid the October to March period, adequate visual and noise screening equipment should be used to shield bird sightlines and buffer them against noise disturbance. Noise shielding should be such that noise levels at receptors are limited to 70 dB (or below); in other words, an 'acceptable' dose of noise is attained at the birds.
 - For any construction works carried out within the Portsmouth Harbour SPA / Ramsar such mitigation measures will be insufficient if the work is undertaken during the core winter/passage period. In such cases, the construction programme should be timed to avoid the October to March overwintering period of qualifying SPA / Ramsar birds. Avoiding this sensitive period will mean that any adverse visual and noise impacts on the Portsmouth Harbour SPA / Ramsar are prevented.
- 6.75 Based on professional experience of many redevelopment projects close to Special Protection Areas, these measures ensure the protection of SPA /Ramsar waterfowl and waders from visual and noise disturbance.
- 6.76 However, given the nature of the development proposals, particularly those aspects of the works within the Portsmouth Harbour SPA / Ramsar, AECOM considers that further detail and specificity is required to adequately protect SPA / Ramsar interest features. These are presented in the next section.

Conclusions and Recommendations

- 6.77 Overall, at the strategic level the policies and supporting text with the Plan provide protection from visual and noise disturbance effects arising from construction.
- 6.78 However, it is recommended that development within the Strategic Allocations is spatially distributed such that any potential visual and noise disturbance is minimised. For example, the St. James and Langstone Campus allocation is relatively large. Focussing much of the (re)development in the western part of the allocation, would minimise disturbance impacts on the supporting habitats P25, P23A and P23B. However, space constraints mean that such an approach clearly is not possible for other Strategic Allocations (e.g. Tipner).

Water Quality

- 6.79 As indicated in the impact pathway and LSEs section, the marine environment surrounding Portsmouth City is sensitive to a decline in water quality. Being a marine environment, the primary growth limiting nutrient is nitrogen, whereas phosphorus is generally considered to be less important. The Solent has recently been designated under section 96C of the Water Industry Act 1991. This is relevant because such designation enables the government to specify the concentration of nitrate that applies to a plant (which discharges into the catchment area) in relation to a nutrient pollution standard instead of the standard concentration. This will contribute to addressing nutrient issues by improving standards at relevant wastewater treatment works. All Habitats sites in the immediate vicinity of Portsmouth City depend on good water quality and the following Appropriate Assessment therefore groups the discussion of the Portsmouth Harbour SPA / Ramsar, the Chichester and Langstone Harbours SPA / Ramsar and the Solent Maritime SAC. The water quality in the Solent & Southampton Water SPA / Ramsar and the Solent and Dorset Coast SPA is unlikely to be affected by the PLP due to the flow distance, dilution factor and natural attenuation processes involved. These sites were screened out specifically regarding development in the PLP.

Solent & Dorset Coast SPA/Portsmouth Harbour SPA / Ramsar, Chichester and Langstone Harbours SPA / Ramsar and the Solent Maritime SAC

- 6.80 Natural England's Site Improvement Plan (SIP) for the Solent states that water pollution affects a range of habitats and bird species through eutrophication (in the case of birds through cascading effects mediated through the food chain) and direct toxicity. Sources include both point-source discharges (e.g. from flood alleviation / storm discharges and Wastewater Treatment Works; WwTWs) and diffuse nitrogen leaching, such as from agricultural and road surface run-off. Currently, it is now advised that nitrogen and phosphorus concentrations entering the Solent are continuously monitored to identify the scale of nutrient inputs to the marine environment.

- 6.81 A significant portion of the nitrogen loading in the marine environment derives from agriculture, such as from the routine application of fertilisers and other factors (e.g. livestock accessing freshwater bodies). This source is being addressed through several strategic mitigation solutions (e.g. through Defra's Catchment Sensitive Farming initiative and does not lie within the control of Local Planning Authorities (i.e. agricultural land is not usually allocated in Local Plans). However, a smaller, yet in-combination still significant, source of nitrogen is treated sewage effluent from WwTWs. Potential adverse impacts of treated wastewater on Habitats sites are typically prevented through the Review of Consents process undertaken by the Environment Agency. This sets permit limits for water quality parameters (such as nitrogen) in WwTWs discharging to sensitive waterbodies. However, there is growing uncertainty whether future housing and the associated wastewater output can be accommodated without detrimental effects on Habitats sites.
- 6.82 The European Commission urban wastewater website was consulted to identify the most likely WwTW serving Portsmouth City. Judging by its proximity to Portsea Island, sewage effluent from the city is likely to be treated in the Portsmouth and Havant WwTW (Budds Farm). This plant processes sewage from 370,749 people and has more stringent secondary nitrogen treatment in place. The WwTW discharges to the Chichester and Langstone Harbours SPA / Ramsar via an outfall pipe, with potential knock-on impacts on its marine ecosystems. While the WwTW is classified as 'compliant', with pass performances in both primary and secondary treatments, Natural England (NE) advises that abiding by the Review of Consents process may no longer protect the integrity of Habitats sites in the Solent.
- 6.83 NE has introduced a requirement of nutrient neutrality for new developments in the Solent region, including residential dwellings, hotels / holiday accommodation and tourism attractions. This applies to development of all sizes, even one additional dwelling, which could add to the existing nutrient burden in Solent's Habitats sites. NE's advice note (the latest version of which is Version 5 dated June 2020⁸⁷) includes a nutrient neutrality calculation, which needs to be completed for any of the above identified types of development. The entirety of the Portsmouth City island lies within the hydrological catchment of the above Habitats sites and therefore all sites allocated in the emerging PLP will need to be supported by a detailed nutrient budget.
- 6.84 The total demand for nutrients going forward is based upon the supply as set out in table 6.1 (Sources of New Homes in Portsmouth) of the emerging Local Plan. The predicted supply as set out in that table has been used as a starting point. This table does not include all of the sources of supply as set out in table 6.1. The differences are that it does not include completions as these are assumed to have already secured appropriate nitrate mitigation, and it does not include supply from other LPA's secured through the duty to cooperate as nitrates for these schemes will be secured by the relevant LPA.
- 6.85 The following sources of demand have been included:
- Permissions outstanding (as credits are secured on occupation)
 - C3 Housing projections comprising Strategic Sites, Strategic Allocations, Local Plan reg 19 identified sites, and Windfall sites.
 - Houses of Multiple Occupation
 - Other C2 development
- 6.86 In order to estimate the number of credits (measured in kilograms of total nitrogen per year, KgTN/yr) that will be required, assumptions have had to be made on the nitrate requirement for different types of projected development. These results in different per dwelling nitrogen surpluses being applied to the housing figures in order to give the required nitrate surplus in Kg/TN/yr. For housing, a surplus of 0.87 kgTN/yr per dwelling has been applied based upon the latest Solent Nutrient Budget calculator. This ratio has been applied to the following sources of supply: permissions (as schemes do not secure nitrate mitigation until occupation), Local Plan Regulation 19 allocations and windfall sites.
- 6.87 Strategic Sites and allocations have site specific estimates from two sources; where the exact agreed number of credits is known that number is used; where the exact agreed number is not yet established then site specific calculations carried out by the PfSH SEPO team using the Solent Nutrient Budget Calculator are used. The City Council has also written directly to the owners of the Strategic sites and allocations

⁸⁷ <https://www.push.gov.uk/wp-content/uploads/2020/06/Natural-England%E2%80%99s-latest-guidance-on-achieving-nutrient-neutrality-for-new-housing-development-June-2020.pdf>

asking for further detail on how they will meet their nutrient offsetting requirements, the results of this will feed into future updated estimates.

- 6.88 HMO's apply a per dwelling surplus of 0.839 based upon the average of nitrates required for past HMO development, this assumes a need of 0.36 Kg/TN/yr per additional bed spaces as set out in Appendix 2 and 3 of this paper, this is then multiplied by the average uplift in bed spaces per sui generis HMO scheme to give the 0.839 average figure.
- 6.89 Hotels apply a per room surplus of 0.17 kg/TN/yr based upon the calculation set out in appendix 5. This number is lower than HMO and C2 bed spaces as Hotel beds are assumed to have a lower water usage of 55 litres per person per day, as hotel guests will use less water than permanent residents. This is set out in the City Councils updated Nutrient Neutrality Strategy.
- 6.90 These ratios are applied to the 'Sources of New Homes in Portsmouth' data as taken from table 6.1 of the Local Plan. This has resulted in an indicated need for nitrogen credits equivalent to a surplus of 12,464.67 Kg/TN/yr across the Local Plan period.

Mitigation Contained in the Portsmouth Local Plan

- 6.91 The emerging PLP already refers to water quality in the Solent and the concept of nutrient neutrality in Policy PLP44 (Nutrient Neutrality in International Nature Designations). It states that 'Development proposals... will be permitted where they demonstrate through a nutrient budget that they secure Nutrient Neutrality through either offsetting, provision of direct and indirect mitigation measures, purchase of mitigation credits or a mixture of these'. This policy text aligns the plan document with Natural England's requirement and places the onus on site promoters to ensure that there will be no net nutrient input to the Solent from future development.
- 6.92 Importantly, the supporting text to Policy PLP44 also provides details on how nitrogen in treated sewage effluent might be mitigated. Portsmouth City Council published an Interim Nutrient Neutral Mitigation Strategy (INNMS) (November 2019) to provide a framework for applicants to meet the Habitats Regulations and to secure mitigation in-perpetuity. The INNMS introduces the concept of mitigation credits generated by water efficiency upgrades to council-owned housing; in other words, it seeks to reduce the volume of sewage effluent. Furthermore, higher water efficiency standards in new development are to become a condition for planning consent. While the INNMS provides an additional measure in the toolkit for protecting the Solent's water quality, the Council acknowledges that this strategy alone will not provide sufficient mitigation for the level of development expected beyond a two-year period.
- 6.93 The PLP also refers to the Partnership for South Hampshire (PFSH), which is in the process of establishing a programme for land use change in the wider Solent region in partnership with the Hampshire & Isle of Wight Wildlife Trust (HIWWT). This will enable site promoters to purchase agricultural land strategically to be managed to reduce nitrogen leaching. Overall, the emerging PLP already refers to the main existing pillars of nitrogen mitigation, implying that any allocated development would not materially contribute to in-combination water quality impacts in the Solent.
- 6.94 Portsmouth City Council has produced an Updated Interim Nutrient Neutral Mitigation Strategy for New Dwellings strategy⁸⁸. This strategy sets out the how development can offset its nutrient impact dependent upon its type and size. The Nutrient Neutral Mitigation Strategy sets out 3 options for provision of Mitigation for nutrients.
- 6.95 The following approaches are currently considered to be acceptable, in principle, as means of achieving or contributing to nutrient neutrality:
- Mitigation Option 1: Offsetting against the existing lawful land use on an application site, extant permissions or other land controlled by the applicant; and/ or
 - Mitigation Option 2: bespoke direct and in-direct mitigation measures, agreed in discussion with the Council and Natural England. For instance, Sustainable Urban Drainage Systems (SUDS), interception or wetland creation; and/ or

⁸⁸ [Updated Nutrient Neutral Strategy post cabinet version-June22.pdf \(portsmouth.gov.uk\)](#)

- Mitigation Route 3: Purchasing of 'mitigation credit' from recognised source of nitrogen mitigation: Purchase of 'mitigation credit' from the Council or other landowner/ recognised source of 'mitigation credit', secured in perpetuity.
- 6.96 A mix of Options can be applied. The purchase of the Council's mitigation credit (Option 3b) will be available to minor development proposals (9 units and below) and Portsmouth City Council development as appropriate.
- 6.97 The City Council has developed a credit bank for the provision of credits in order to enable development. The Portsmouth's 'credit bank' consists of credits purchased by the Council through the Hampshire & Isle of Wight Wildlife Trust mitigation scheme, water efficiency improvements and any PCC assets that become vacant during the life of this Strategy.
- 6.98 As of December 2023, The Council had a total of 1,892.83 nitrates credits in its credit bank. This comprised 1,043 credits from city council water efficiency measures and 849.83 credits outstanding from those purchased from the Hampshire & Isle of Wight Wildlife Trust. The credit bank is a live document, and it should be noted that this position is constantly changing.
- 6.99 The City Council has been retrofitting water efficiency measures on its existing stock for several years, these have resulted in an average of 38.83 credits being created per month. It is expected that this rate will fall over the plan period due to increasing costs as stock becomes more difficult to make efficient due to easy to target properties having already been retrofitted. It is also confirmed that approximately 4,000 of the 15,334 council owned properties across Portsmouth and Havant Boroughs have been made more efficient leaving approximately 11,000 properties as the maximum that could be subject to further water efficiency measures. The water efficiency measures from approximately 4,000 homes to date have resulted in savings equivalent to 1,472 credits. If the remaining Council owned properties (11,000) were also made more efficient, savings equivalent to a further 4,048 credits would be potentially available. Applying a 20% discount to take account of the fact not all properties can be retrofitted results in a total expected credit availability from this source of 3,238.4 credits.
- 6.100 The City Council directs major development to the Hampshire and Isle of Wight Wildlife Trust, who provide credits directly to those site promoters. The Hampshire and Isle of Wight Wildlife Trust has indicated that it currently has agreements to provide credits directly to 10 developments (including Strategic sites/ allocations) in the City providing 1,523.5 KgTN/yr of nitrate offsetting.
- 6.101 Overall these sources of supply are providing credits equivalent to a total of 6,654.73KgTN/yr. When applied to the 20 year plan period to 2040 this gives the equivalent of 10.87 years' worth of nutrient credits available. The City Council may look to explore further sources of credit to improve its supply position. Therefore the City Council expects to have nutrient credits that go well beyond the end of the first five years of the Local Plan period when the Local Plan must be reviewed. Moreover, it is noted that the UK Government is planning to introduce proposals which would limit the need for nutrient neutrality to be delivered at the planning application level, with strategic solutions independent of the planning process taking their place.
- 6.102 Since the PLP is supported by calculations that demonstrate the nutrient surplus and mitigation requirement, and sets out the intended mitigation solution for at least the first 5 year plan period (since Local Plans must in any event be reviewed every 5 years), adverse effects of the plan on the integrity of the Portsmouth Harbour SPA / Ramsar, Chichester and Langstone Harbours SPA / Ramsar and the Solent Maritime SAC regarding water quality can be excluded, in-combination with other plans and projects.

Water Quantity, Level and Flow

- 6.103 The Solent's marine sites are all sensitive to a significant reduction or an excessive increase in the amount of freshwater flowing into the sites. This is for a variety of reasons, such as changes to the salinity, amount of aquatic habitat, sedimentation and dissolved oxygen concentration in the water column. The primary way in which Local Plans tend to affect the volume of water in Habitats sites is through the abstraction of freshwater for potable water supply in new developments. Natural England's SIP highlights hydrological changes as a threat to the Solent. In particular, the SIP refers to Titchfield Haven as having a high level of water abstraction licenses, which could jointly lead to a significant reduction (and adverse effects on site integrity) of the water levels in the SPA / Ramsar and SAC.
- 6.104 Water companies (in this case Portsmouth Water) are responsible for devising long-term water abstraction strategies and the management of water resources. Water Resources Management Plans (WRMPs) are

strategic in nature and affect waterbodies across large spatial scales. Therefore, the Appropriate Assessment for the Portsmouth Harbour SPA / Ramsar, the Chichester and Langstone Harbours SPA / Ramsar and the Solent Maritime SAC is undertaken jointly in the following section.

Portsmouth Harbour SPA / Ramsar, Chichester and Langstone Harbours SPA / Ramsar and the Solent Maritime SAC

- 6.105 All marine sites in the Solent largely depend on freshwater input from perennial and ephemeral chalk streams and rivers, flowing into the English Channel. Any plans or projects with the potential to alter this hydrological flow may increase or reduce the amount of freshwater received by the Habitats sites. Portsmouth City and the wider geographic area surrounding it, is served by Portsmouth Water. The company's latest WRMP was published in 2019 and provides an appraisal of the options likely to be required to serve the growing population. Generally, water resource options that do not increase the existing consented abstractions or 'exploit' new resources are unlikely to be a threat for the integrity of Habitats sites, as these would have been previously subject to HRA. Instead, proposals for increased abstraction volumes or tapping of previously unused resources, are most likely to be a risk for the hydrological integrity of marine sites. One supply management option that represents a particular issue for marine sites is the desalination of saltwater, which effectively removes marine habitat and alters the aqueous solute balance.
- 6.106 Portsmouth Water supplies an area of 868km² with a population of around 722,000. The company's supply area includes a large section of coastline, comprising several Habitats designated sites. The daily abstraction rate averages approx. 170 Ml/d, taken from boreholes, springs and one river in the local Chalk aquifer (88% of all of the company's water). Importantly, the WRMP provides a forecast of the supply-demand balance over the plan period. This balances the Deployable Output (i.e. the water available for use) from a 1 in 200-year severe drought against an unconstrained demand year. In other words, this balance is precautionary as it models a scenario in which groundwater levels or river flows are much lower than normal, restricting the amount of available for abstraction. Supply-demand balances also account for other factors, including:
- Impacts of climate change;
 - Process losses;
 - Outages; and
 - Bulk supplies.
- 6.107 The WRMP shows that the WRMP is in a supply-demand deficit throughout the entire planning period from 2019/20 (-27.9 Ml/d) to the largest deficit in 2044/45 (-80 Ml/d). This is despite non-household consumption and leakage losses decreasing over time. The WRMP concluded that other options would be required to address this imbalance and ensure the water supply throughout the planning period. Options to reduce the supply-demand deficit were then considered, including proposals to increase licensed abstraction volumes. However, most options for increasing abstraction licenses (in particular from surface waterbodies) were screened out on environmental grounds. Options relating to desalination were also screened out, because these were conflicting with options included in Southern Water's WRMP.
- 6.108 Several schemes to maximise Deployable Output (DO) were taken forward to the list of feasible alternatives, including four groundwater resources (Sources O, J, H and C). The statutory HRA and SEA review process did not identify any concerns regarding the increased DO obtained from the groundwater resources. One of the main reasons for this is that none of the resource options require increases in licensed abstraction quantities. Instead, they focus on maximising the DO through technology improvements at the boreholes, such as the installation of new water filtration techniques. All four options maximising groundwater sources have been included in the company's preferred plan going forward. AECOM has requested access to Portsmouth Water's WRMP HRA, which will be considered in the HRA for the Reg.19 stage of the PLP.
- 6.109 The WRMP seeks to supply all projected growth in the region including growth in Portsmouth City and is based on robust population projections including climate change which go well beyond the PLP period. It has been adopted on the basis that no adverse effect on the integrity of Habitats sites will arise and does not involve any increases to licensed groundwater abstractions or the exploration of new water resources. Therefore, it is concluded that the emerging PLP will not result in adverse effects on Solent's Habitats sites

regarding water quantity, level and flow, in-combination with other plans and projects. As such, no additional policy wording is recommended for insertion in the PLP.

Atmospheric Pollution

- 6.110 The Solent's Habitats sites are all sensitive to atmospheric pollution to varying degrees. Changes to SAC habitats or effects on SPA / Ramsar bird species are primarily the result of atmospheric nitrogen deposition resulting from increases in commuter traffic. The emerging PLP allocates 13,603 net new dwellings and a minimum of 138,429m² of employment land. New Portsmouth City residents commuting within or out of the authority, as well as residents from adjoining authorities working in new employment opportunities within the city, are likely to increase the local commuter traffic considerably.
- 6.111 Potential effects are only considered relevant where a major road (i.e. an A road) runs in a reasonable commuter corridor connecting a plan area with potential employment destinations and where said road lies within 200m of a Habitats site sensitive to atmospheric pollution. Detailed mapping of sensitive habitats within a site also needs to be consulted, because such habitats often only occupy smaller sections of designated sites. In contrast to the previous sections in this AA, all sites are discussed separately in the following. This is due to the unique road infrastructure surrounding each of the sites, with likely impacts on their suitability as commuter corridors. As identified earlier in this HRA the main potential for adverse effects for Portsmouth arises in the relatively few areas where key commuting routes lie within 200m of areas of saltmarsh.

Portsmouth Harbour SPA / Ramsar

- 6.112 The Portsmouth Harbour SPA / Ramsar is designated for species that are potentially sensitive to atmospheric nitrogen deposition. APIS identifies that the littoral habitats these species rely on (i.e. the intertidal zone) has a critical nitrogen load of 20-30 kg N/ha/yr. While red-breasted mergansers are not sensitive to atmospheric pollution, both black-tailed godwits and dark-bellied Brent geese are potentially sensitive. Black-tailed godwits mainly eat invertebrates, such as molluscs and crustaceans inhabiting the intertidal zone. However, the effect of nitrogen deposition and an increase in plant growth on this species is uncertain, potentially being a positive one due to an increase in the abundance of invertebrate prey. The main potential threat of nitrogen deposition is therefore to dark-bellied Brent geese, because an increase in graminoids could lead to the disappearance of preferential foodplants in saltmarsh.
- 6.113 Policy PLP3 of the PLP allocates Tipner West & Horsea Island East, and this includes a proposal for a bridge between the Tipner peninsula and Horsea Island, running alongside the M275. This bridge will provide a faster route between Portsea Island and the mainland, enabling more convenient access to the Horsea Island Open Space. It is to be noted that there will be no through-traffic between Horsea Island and settlements to the north (e.g. Paulsgrove and Portchester) and the bridge will therefore be used by local bus services, pedestrians and cyclists only. Traffic and air quality modelling undertaken for the Regulation 19 Local Plan modelled 5 transects into this SPA/Ramsar including E01 to E04 off the M275. The full data are reported in Appendix C of this HRA. However, in summary, no air quality effect on Habitats sites will arise because no air pollution sensitive habitats lie within 200m of any of the modelled links, including the proposed bridge (i.e. no vegetated habitats, just intertidal mudflats).
- 6.114 In addition to exhaust emissions, construction of the bridge and its piers may involve some dust generation. However, this cannot be assessed until a planning application is being prepared and there are effective standard dust control techniques available to minimise dust deposition.
- 6.115 Therefore, no adverse effect on the integrity of the Portsmouth Harbour SPA/Ramsar site from air quality impacts will arise.

Chichester and Langstone Harbours SPA / Ramsar

- 6.116 The Chichester and Langstone Harbours SPA / Ramsar is designated for a range of waterfowl and wader species, some of which are indirectly sensitive to the effects of atmospheric nitrogen deposition. It was established earlier in the HRA report that the only air quality sensitive habitat that may be affected by increased nitrogen deposition within this SPA/Ramsar site as a result of the PLP were localised areas of saltmarsh.

- 6.117 The dark-bellied brent geese may be impacted through increased nitrogen deposition due to their reliance on saltmarsh for feeding. There is saltmarsh within approx. 36m from the A27 / A3 interchange in the adjoining authority of Havant. This stretch of the A27 is extremely busy with a total AADT of 116,718 cars, 22,797 Light Goods Vehicles and 5,607 Heavy Goods Vehicles in 2019. The road link is likely to be a major journey-to-work route for Portsmouth City residents, particularly because Havant is the most important origin of and destination for commuters associated with the city. Overall, Havant accounts for 27.9% of daily trips into and 25.7% trips out from Portsmouth City. Given this evidence, traffic and air quality modelling has been undertaken for this stretch of the A27 to inform the HRA of the Reg.19 PLP.
- 6.118 Four transects, E06 to E09, were modelled into this SPA/Ramsar site for the Local Plan traffic and air quality modelling. Two of those transects (E07 and E09) have saltmarsh within 200m of the roadside, as discussed in the likely significant effects section. As also discussed in that section it is considered that the 20 kgN/ha/yr critical load is most appropriate for the SPA/Ramsar bird interest because these are more dependent on lower and pioneer saltmarsh than on drier and more densely vegetated upper saltmarsh, and because they are not susceptible to relatively subtle botanical changes in the marsh as opposed to major structural changes. The saltmarsh on transect E07 is 15m from the roadside at the closest. The saltmarsh on transect E09 is approximately 40m from the roadside at its closest. Each transect is discussed in turn below.

Transect E07 (A27)

NO_x

- 6.119 Future NO_x concentrations are not forecast to exceed the critical level of 30 µgm⁻³. Therefore no negative effect through NO_x in atmosphere is expected.

Ammonia

- 6.120 The upper critical level for ammonia of 3 µgm⁻³ (applicable to saltmarsh which has no significant lichen or bryophyte interest) is exceeded up to 40m from the roadside, affecting c. 0.3ha of saltmarsh. According to the JNCC data 23% of the SAC consists of saltmarsh i.e. 2,585.92ha. Therefore, the in combination effect would apply over 0.01% of the saltmarsh in the SAC.
- 6.121 The 'in combination' effect from all traffic growth up to 2041 is forecast to be large, being 23% of the critical level. However, the contribution of the Portsmouth Local Plan is a maximum of 1% of the critical level. Therefore, the 'in combination' effect is associated with growth across southern England, given the regionally strategic nature of the A27 as one of the busiest trunk roads in the UK, rather than by local growth. On other projects Natural England have accepted that where the national strategic highway network managed by National Highways is involved, this is a regional/national issue rather than a Local Plan matter provided the Local Plan itself makes no material contribution to any 'in combination' effect.
- 6.122 The forecast effect of the Local Plan averages at 0.03 micrograms of additional ammonia per annum, meaning the Portsmouth Local Plan is responsible for effectively 1 year of additional ammonia. Moreover, ammonia concentrations fluctuate greatly due to meteorological factors. Scrutiny of ammonia data from the UKEAP national ammonia monitoring network for a range of sites covering 2010-2019 shows that at urban sites like this one background ammonia concentrations generally fluctuate by as much as 3µg/m³ (100% of the critical level) throughout the year. Therefore, care should be taken not to read too much into very small (in absolute rather than percentage terms) forecast changes in average ammonia concentration. As such, even without the Portsmouth Local Plan, little difference would be seen in future ammonia emissions. No adverse effect on integrity is therefore expected due to the Portsmouth Local Plan alone or in combination with other plans or projects.

Nitrogen deposition

- 6.123 The 20 kgN/ha/yr critical load for nitrogen deposition is exceeded throughout the transect. The 'in combination' effect from all traffic growth up to 2041 is forecast to be large, being 18% of the critical load at its greatest. However, as with ammonia the contribution of the Portsmouth Local Plan is imperceptible being a maximum of 0.8% of the critical load (0.15 kgN/ha/yr). Therefore, as with ammonia the 'in combination' effect on the A27 is driven by traffic growth across southern England rather than local traffic growth. On other projects Natural England have accepted that where the national strategic highway network managed by National Highways is involved, this is a regional/national issue rather than a Local Plan matter provided the Local Plan itself makes no material contribution to any 'in combination' effect.

- 6.124 Moreover, there is still forecast to be a net reduction (improvement) in nitrogen deposition by 2041 even allowing for growth. In the absence of growth an improvement of 5.11 kgN/ha/yr is forecast to result, which is approximately 0.23 kgN/ha/yr on average. Portsmouth Local Plan will therefore retard this improvement by approximately 8 months, which is not significant. Therefore, no adverse effect on integrity would arise either alone or 'in combination' with other plans or projects.
- 6.125 This matches the conclusion that Havant Council have drawn based on their own traffic modelling and air quality modelling for this area which concluded that no 'in combination' adverse effect on saltmarsh habitat would arise.
- 6.126 Note that the model is likely to materially overestimate ammonia and nitrogen emissions because it takes no account of the expected significant electrification of the vehicle fleet from 2030, which will result in a considerable reduction in traffic-related NOx and ammonia emissions.

Transect E09 (A2030 Eastern Road)

NOx

- 6.127 At the closest area of saltmarsh, future NOx concentrations are not forecast to exceed the critical level of 30 $\mu\text{g m}^{-3}$. Therefore no negative effect through NOx in atmosphere is expected.

Ammonia

- 6.128 At the closest area of saltmarsh, future ammonia concentrations are not forecast to exceed the upper critical level of 3 $\mu\text{g m}^{-3}$ applicable to saltmarsh. Therefore no negative effect through ammonia in atmosphere is expected.

Nitrogen deposition

- 6.129 At the closest area of saltmarsh, nitrogen deposition rates are not forecast to exceed the 20 kgN/ha/yr critical load, being a maximum of 15.36 kgN/ha/yr. Therefore, no adverse effect on the saltmarsh habitat and thus on the SPA/Ramsar birds that use it is expected.
- 6.130 Moreover, it is important to note that the experimental studies which underlie conclusions regarding the sensitivity of saltmarsh have '... neither used very realistic N doses nor input methods i.e. they have relied on a single large application more representative of agricultural discharge'⁸⁹, which is far in excess of anything that would be deposited from atmosphere. Therefore, APIS indicates that determining which part of the critical load range to use for saltmarsh requires expert judgment.
- 6.131 Generally, nitrogen inputs from the air are not as important as nitrogen from other sources. Effects of nitrogen deposition from atmosphere are likely to be dominated by much greater impacts from marine or agricultural sources. This is reflected on APIS itself, which states regarding saltmarsh that 'Overall, N deposition [from atmosphere] is likely to be of low importance for these systems as the inputs are probably significantly below the large nutrient loadings from river and tidal inputs'⁹⁰. Another mitigating factor is that the nature of intertidal saltmarsh in the Solent estuaries means that there is daily flushing from tidal incursion. This is likely to further reduce the role of nitrogen from atmosphere in controlling botanical composition.

Solent Maritime SAC

- 6.132 The qualifying habitats of the Solent Maritime SAC have varying degrees of sensitivity to atmospheric nitrogen deposition. Review of information on APIS indicates that the habitats most sensitive to atmospheric pollution are the perennial vegetation of stony banks (critical nitrogen load of 8-15 kg/ha/yr) and shifting dunes along the shoreline with *Ammophila arenaria* (critical nitrogen load of 10-20 kg/ha/yr). Furthermore, there are several saltmarsh-related species that have nitrogen sensitivity, although see the previous section for comments on the general sensitivity of saltmarsh and the appropriateness of the upper critical load for these communities in the modelled locations. Large sections of the SAC overlap with the Chichester and Langstone Harbours SPA / Ramsar, and similar A roads are therefore likely to be relevant for an appraisal as potential commuter routes, including the A2030 and the A27.

⁸⁹ <http://www.apis.ac.uk/node/968>

⁹⁰ Ibid.

- 6.133 An air quality Habitats Regulations Assessment was undertaken for the Havant Borough Local Plan (2016-2036) by Ricardo Energy & Environment. Importantly, the air quality modelling work covers the same period as that covered by the emerging PLP. While the assessment comprised some scenarios that are not relevant to the PLP (i.e. a Havant Borough Do Minimum scenario only including the growth in Havant District), a Partnership for Urban South Hampshire (PfSH) Do Minimum scenario including 100,000 additional dwellings was also modelled. This included the development allocated in the PLP and therefore provides an in-combination assessment of potential atmospheric pollution effects.
- 6.134 The air quality assessment initially confirmed that the PfSH Do Minimum scenario would contribute a maximum of 3.6 kg/N/ha/yr, representing 45% of the critical load. Ground-truthing surveys to look for the most air quality sensitive habitats (sand dunes and perennial vegetation of stony banks) showed that there were no sand dunes within the areas for which an exceedance of screening thresholds was predicted. However, two areas originally identified as comprising perennial vegetation of stony banks were identified within 200m from the A2030 along the eastern edge of Portsmouth City.
- 6.135 The section of the Havant HRA that dealt with air quality thus recommended that Havant Borough Council should develop a joint Nitrogen Action Plan (NAP) with Portsmouth City Council under the Duty to Co-Operate. However, that was based on the understanding that the affected area constituted 'perennial vegetation of stony banks' (relatively intolerant of atmospheric nitrogen deposition) whereas Coastal Partners have identified the area as saltmarsh, which is much more tolerant of atmospheric nitrogen deposition. This area of saltmarsh is to be directly affected by the NPI Phase 4 Coastal Defence Project and suitable compensatory provision of saltmarsh is to be agreed and delivered for that independent scheme. The requirement for a NAP will therefore be reinvestigated as part of further work being undertaken by Havant Council and Portsmouth Council for their respective HRAs. However, given the habitat in question is saltmarsh the modelling for Havant Local Plan indicates that the critical load for saltmarsh will not be exceeded, meaning an adverse effect on integrity would not arise.
- 6.136 Review of the emerging PLP indicates that it contains broad protective policy wording designed to minimise nitrogen deposition in Habitats sites. Policy PSP1 specifies that '*For development adjacent to European-designated wildlife site, it should be demonstrated that proposals do not result in deposition and the level of pollutants do not have a significant effect on the integrity of the wildlife site*'. While this wording clearly protects Habitats sites from air quality-related adverse effects, current evidence indicates that this will not be the case (in the absence of mitigation).
- 6.137 Since there are no sand dunes or perennial vegetation of stony banks within 200m of the A27 or A2030, and the likely significant effects section has confirmed that the saltmarsh consists of communities of low atmospheric nitrogen sensitivity, the assessment reported for Chichester & Langstone Harbours SPA/Ramsar applies to the SAC as well and thus no adverse effect on integrity is expected alone or in combination with other plans or projects.

Impacts of Tall Buildings / Structures on Flight Lines and Sight Lines

- 6.138 Natural England's Supplementary Advice Note on Conservation Objectives highlights the importance of maintaining an adequate landscape for qualifying bird species, such as black-tailed godwits and especially the brent geese. The note specifies that an open and unobstructed terrain should be maintained within at least 0.5km of roosting or foraging areas. Qualifying birds require obstacle-free sightlines for the early detection of predators and the visual propagation of display behaviours. Furthermore, clear flight lines facilitate unobstructed bird movement between the SPA / Ramsar and functionally linked habitats.
- 6.139 The SWBGS carried out a detailed statistical assessment of site usage by waders and brent geese in relation to various topographical and proximity parameters. The data show that urbanisation of the surrounding area is a significant predictor of site suitability to SPA / Ramsar birds. Buildings within three distance ranges were considered, namely within a 50m zone, a 50-500m zone and a 500-2,500m zone. Generally, supporting habitats were statistically more suitable if there were no buildings within the three distance ranges (although for brent geese this was only the case for the 50-500m zone). These data appear to support that waterfowl and waders primarily utilise supporting habitats without adjacent housing, perhaps because birds can more easily navigate to habitats with unobstructed flightlines.

- 6.140 Both the Portsmouth Harbour SPA / Ramsar and the Chichester and Langstone Harbours SPA / Ramsar support mobile species that frequently navigate between their designated site boundaries and off-site supporting habitats. The potential for any of the Strategic Allocations in the PLP to affect the flight or sight lines will apply to birds from both SPAs / Ramsars. Therefore, the discussion on these sites is combined in the following paragraphs.

Portsmouth Harbour SPA / Ramsar and the Chichester and Langstone Harbours SPA / Ramsar

- 6.141 Review of the urbanisation pattern around Portsea Island indicates that the Strategic Allocations in the PLP are unlikely to affect the manner in which birds navigate between the two SPAs / Ramsars. This is because large parts of Portsea Island are already developed and present obstacles to flight lines. Equally, in most instances, new buildings are unlikely to be a problem, because they would be erected against the backdrop of an existing urban frontage with potentially large buildings. New development proposals are likely to have the biggest impact on flight lines and sight lines where they lie on undeveloped land and in between potential flight corridors between the SPAs / Ramsars and supporting habitats.
- 6.142 However, development in these allocations could affect how birds navigate between supporting habitats. Furthermore, unusually tall buildings or new continuous urban frontages could render existing supporting habitats unsuitable by restricting the sight lines of birds currently using these habitats. The following paragraphs will assess the potential impacts of the Strategic Allocations on sight lines and flight lines of SPA / Ramsar birds.
- 6.143 Development in Tipner West & Horsea Island East (PLP3) has the highest potential for negatively impacting the flight lines of geese or waders utilising Primary Support Areas (P40, P40A, P43 and P60) and Areas of Low Use (P38, P39 and P136) further landward to the east of the allocation. The obstruction of flight lines may render it more difficult for birds from the core of the SPA / Ramsar to reach these supporting habitats. Furthermore, the Tipner East site (PLP4) lies within 500m of these functionally linked habitats (it will also result in the loss of one area of functionally-linked land, low use area P136, which is discussed separately under functionally-linked land). The construction of tall buildings here, could lead to the loss of adequate sight lines required by brent geese, and their subsequent avoidance of these land parcels.
- 6.144 The construction of tall buildings and / or a continuous urban frontage in the easternmost part of the St. James' and Langstone Campus could reduce the utilisation of a Secondary Support Area (P25) and a Core Area (P23B) by SPA / Ramsar birds. Overall, the likelihood and magnitude of potential adverse effects will inevitably be subject to the detail of development proposals ultimately brought forward.

Bridge Proposal between Tipner and Horsea Island

- 6.145 Depending on its height, a future bridge between the Tipner Peninsula and Horsea Island for buses, pedestrians and cycles has the potential to impact on how SPA / Ramsar waterfowl use the flight corridor between Tipner Lake and Portsbridge Creek. Furthermore, birds use visual cues for navigation and additional obstacles have the potential to result in changes to their flight routes, with potential negative impacts on bird energy budgets. The site promoter commissioned a study of waterfowl flight routes in this part of the SPA / Ramsar to inform whether a low or high bridge will be taken forward.
- 6.146 Wintering bird surveys were undertaken for the project between November 2019 and March 2020 and November 2021 and March 2022. These covered the area surrounding Tipner West were undertaken by WSP to establish the importance of this part of the Portsmouth Harbour SPA / Ramsar to qualifying birds. A focussed survey of the area within 250m of the M275 Bridge was also undertaken in both years to establish existing flight paths of birds and inform the bridge proposal. The 2019-20 vantage point survey on the bridge recorded the passing of 23 species of water bird, both below and above the M275. Larger birds and waders (e.g. brent goose and curlew) appear to cross above the bridge, whereas smaller waders (e.g. redshank *Tringa totanus*) preferentially cross below it. During the 2021-22 surveys the passage of 24 species of water bird was recorded below or above the M275. These included those which preferentially fly above the bridge (geese and larger waders such as curlew) and species which were almost always recorded crossing below the bridge only (small waders such as common sandpiper *Actitis hypoleucos*). Despite the high baseline noise level, no disturbance events from traffic on the motorway bridge were recorded, suggesting that SPA / Ramsar species in the survey area are habituated to traffic noise. The lack of disturbance events recorded by boats indicates habituation of wintering birds to boat traffic across the Survey Area. These data will help determine some of the specifications of the Tipner-Horsea bridge, ensuring there will be minimal impact on the flight behaviour of SPA / Ramsar birds.

- 6.147 Any impact assessment of flight routes will have to be submitted at the planning application stage and will be considered as part of a project-specific Habitats Regulations Assessment to ensure there are no adverse effects on the integrity of Solent's Habitats sites.

Conclusions and Recommendations

- 6.148 Overall, AECOM considers that there is a risk of new urban development allocated in the PLP to affect the sight- and flight lines of SPA / Ramsar birds. This particularly applies to the Tipner West & Horsea Island East development, covered by policy PLP3, which comprises largely undeveloped land between the SPA / Ramsar and functionally linked supporting habitats and involves the construction of a bridge. The different options currently proposed for the development of Tipner, are likely to have direct relevance for the behaviour and movement of SPA / Ramsar birds, depending on the density and design features of new buildings.
- 6.149 This impact pathway will be assessed further at the planning application stage, when specific design criteria (e.g. building dimensions, fabric and lighting schemes) are available and a further project-level HRA will be undertaken.
- 6.150 Policy PLP39: Biodiversity includes the following text "The design of buildings including its height and lighting schemes should be such that there are no adverse effects on sight lines and flight lines of birds in Habitats sites or functionally linked habitats. Buildings should also be designed such that the risk of bird collisions is minimised". PLP1 states that 'Where proposals for a tall building(s) fall within 500 metres of an SPA, SSSI, SAC and/or Ramsar sites, and supporting functionally linked habitats appropriate mitigation measures shall be secured, in consultation with Natural England, to ensure there is no adverse effect on ecological integrity'. Taken in combination with the requirement for a project-level HRA at the planning application stage it is considered the plan presents a sufficient policy framework to ensure no adverse effects on integrity arise.
- 6.151 Being a strategic development plan, it is concluded that the emerging PLP will not result in adverse effects on the Portsmouth Harbour SPA / Ramsar and the Chichester and Langstone Harbours SPA / Ramsar regarding impacts on flight lines and sight lines. This is because the plan does not contain sufficient detail relating to individual development proposals. However, this HRA has flagged the Strategic Allocations for which this impact pathway is most likely to be an issue.

Coastal Squeeze

Portsmouth Harbour SPA / Ramsar, Chichester and Langstone Harbours SPA / Ramsar and the Solent Maritime SAC

- 6.152 Policy PLP31 (Flooding) identifies that new or replacement coastal defence schemes will be delivered in Portsmouth City, provided that they are consistent with the management approaches identified in the North Solent Shoreline Management Plan (SMP).
- 6.153 Portsmouth City and the wider Solent coastline encompass highly populated areas, with people living in close proximity to the sea. Urban development is typically protected from flooding by coastal defence schemes including hard structures as well as beach management. At the same time, many of the habitats supporting SPA / Ramsar bird species (e.g. mudflats and saltmarsh) or SAC habitats themselves are vulnerable to a process known as coastal squeeze. As highlighted in the section on impact pathways, this involves the loss of habitats under climate change pressures (including sea level rise), which are prevented from 'migrating' landwards by coastal defence structures.
- 6.154 In the Solent, these defences are specified in the North Solent SMP, a document that is subject to consultation with statutory bodies (including Natural England) and HRA. SMPs provide large-scale assessments of processes such as coastal flooding and erosion, and advice to operating authorities on the management of their coastal defences. SMPs are also to comply with international and national nature conservation legislation, including the protection of Habitats sites.
- 6.155 The section of the coastline relevant to Portsmouth City is addressed in the Policy Units 5API01 and 5API02 of the SMP. More important for the supporting habitats in the Chichester and Langstone Harbours SPA / Ramsar is Policy 5API01, which includes the frontage shared between Portsmouth City and Langstone

Harbour. The final policy option for this shoreline is 'Hold the Line', which is to maintain, sustain and improve the current sea defences in order to protect the residential, employment and transport infrastructure of the Portsmouth City conurbation. The policy acknowledges that holding the defence line will inevitably contribute towards the loss of intertidal SPA, Ramsar and SAC habitats. The policy acknowledges that 'these losses will need to be mitigated within the same designated area or compensated for elsewhere and delivered through the Regional Habitat Creation Programme'.

- 6.156 The SMP was also subject to HRA, which concluded that the plan would result in adverse effects on the site integrity of the Portsmouth Harbour SPA / Ramsar, the Chichester and Langstone Harbours SPA / Ramsar and the Solent Maritime SAC. It was determined that the SMP would lead to the combined loss of 826ha of mudflat and saltmarsh habitats in these three Habitats sites over the coming 100 years. Furthermore, 10 foraging / high-tide roost sites for SPA / Ramsar waterfowl and waders would be lost. The HRA also confirmed that it would not be possible to mitigate this habitat loss. However, it was considered that there were Imperative Reasons of Overriding Public Importance (IROPI) despite the plan's adverse effects on Habitats sites. The HRA also identified that compensation opportunities at three sites existed with the potential to deliver 263ha of saltmarsh and mudflat habitat.
- 6.157 Policy PLP36 (Coastal Zone) of the emerging PLP stipulates that 'Development proposals in the Coastal Zone... will be permitted where they:... e) Are consistent with the Shoreline Management Plan and South Inshore and South Offshore Marine Plans.' By referring to the SMP, which has undergone HRA and was adopted on the 15th December 2010, and the Flood and Coastal Erosion Risk Management Strategy (FCERM) which was also subject to HRA, the PLP ensures that the approach to the management of coastal defences is compliant with the Habitats and Species Regulations 2017 (as amended).
- 6.158 Coastal squeeze will arise from implementing SMP policy, and the Tipner West & Horsea Island East development (Policy PLP3) has therefore allowed for compensation for approximately 1ha of coastal squeeze in its compensation proposals for direct habitat loss at Portsmouth Harbour SPA/Ramsar. However, this stems from the SMP and Coastal Strategy process, rather than from the Local Plan process. With regard to proposals for Tipner West and Horsea Island East, it is noted that options that allow for potential new habitat creation (e.g. saltmarsh habitat through a strategy of No Active Intervention) could reduce coastal squeeze pressures. As such habitat creation opportunities for Horsea Island East and for the terrestrial SPA at Tipner West could have positive effects in this regard.
- 6.159 The Solent has recently undergone a review (the 'SMP-Refresh' project) and no changes are proposed to the policies and management approaches set out in the 2010 version. There are no current plans to formally re-write the SMP. As coastal defences are designed in detail (including taking account of any need to meet a higher standard of protection) those designs may result in a defence footprint change which exceeds that taken into consideration in the Coastal Strategy HRA. However, that depends entirely on the nature of the design (sheet piling for example would provide a higher standard of protection but not involve an increase in defence footprint) and is therefore a matter for planning applications.

Direct Habitat Loss from Solent & Dorset Coast SPA and Portsmouth Harbour SPA / Ramsar

- 6.160 During bird surveys for Tipner West and Horsea Island (PLP3) in 2021-22, four species for which Portsmouth Harbour SPA/Ramsar is designated were recorded. Grey plover, an SSSI designation species, were not recorded. In addition, a further 15 waders, 15 waterfowl and 22 other water bird species were recorded. Of these species brent goose, curlew *Numenius arquata*, oystercatcher *Haematopus ostragalus*, little egret *Egretta garzetta* and mallard *Anas platyrhynchos* were recorded using terrestrial habitats as well as those within the harbour. All other water birds were recorded in marine areas only. Brent geese overfly terrestrial areas but waders typically move around the Portsmouth Harbour SPA/Ramsar site following the coast or deep water channels, with the exception of those flying inland to forage on terrestrial areas.
- 6.161 Wader roost locations were identified within the Main Site Survey Area as follows:
- World War II slipways to the south of Horsea Island East;
 - dilapidated concrete jetty in Tipner Lake;
 - exposed shingle on the southern side of Tipner Firing Range;

- the M275 revetment in Tipner Lake;
 - seawall to the west of Port Solent;
 - Pewit Island within the Central Harbour Survey Area;
 - Jetties within the western section of the Central Harbour Survey Area;
 - Paulsgrove Lake;
 - Tipner Lake east of M275; and
 - Alexandria Park Playing Fields.
- 6.162 Comparison of the percentage of peak mean recorded in 2019/20 and 2021/22 showed an increase in the percentage of peak mean of black-tailed godwit and dunlin recorded within the Main Site Survey Area in 2021/22. For brent goose and red breasted merganser however, there was a decrease in percentage of peak mean with fewer birds recorded. The percentage of peak mean decreased for all species within the Central Harbour Survey Area in 2021/2022, with a notable decrease of 533% for black-tailed godwit and 163% for dunlin. Grey plovers were not recorded within the Main Site Survey Area or Central Harbour Survey Area in 2021/22 but 73% of the percentage mean was recorded within the Central Harbour Survey Area in 2019/20. Most of the aquatic/intertidal parts of Portsmouth Harbour SPA/Ramsar also overlap with the Solent & Dorset Coast SPA. The terrestrial areas of Portsmouth Harbour SPA/Ramsar do not overlap with Solent & Dorset Coast SPA.
- 6.163 Other than new flood defences (discussed above), Policy PLP3: Tipner West & Horsea Island East allocates the delivery of 58,000m² marine employment floor space, 814 to 1,250 residential dwellings and a bridge between Tipner West and Horsea Island East for the use of sustainable transport modes only. In association with marine employment, the policy states that 'the deep water access to Tipner Point and the new marine hub quaysides will be maintained'. To ensure deep water access to the new marine hub quaysides, dredging of approximately 2.1ha of intertidal habitat within Portsmouth Harbour SPA/Ramsar site will be required, converting it to subtidal habitat. This will reduce the overall net extent of intertidal habitat available for bird roosting and foraging within the SPAs/Ramsar.
- 6.164 Other aspects of development delivery are likely, though not certain, to involve land-take from the SPAs/Ramsar site depending on how the development is designed for the planning application. These elements are the creation of the marine hub itself and the construction of the bridge. This is reflected in Figure 4.2 of the Local Plan which shows the allocation boundary for PLP3 and includes two areas of possible reclamation for employment use. Up to 0.5ha of subtidal habitat could potentially be lost if these possible areas of reclamation were realised. While the construction design for the bridge will not be determined until the planning application stage, one of the most common methods of bridge installation is to place piers in the subtidal and intertidal zone, on which the bridge deck is then situated. This would involve the loss of up to 0.3ha of intertidal habitat within the SPA/Ramsar.
- 6.165 In addition, delivery of the higher housing number could potentially involve loss of terrestrial habitat within the SPA/Ramsar boundary. This depends on the number of dwellings to be delivered, the detailed masterplan for the planning application and evidence of viability and feasibility. As a worst-case this could involve up to 3.6ha of terrestrial habitat south of the firing range that lies within the SPAs boundary and supports SPA birds particularly during high tide. This would only arise under one of the development options currently being considered by the project promoter (known as Option B) and is not an explicit requirement or inevitable outcome of Policy PLP3. The potential habitat loss identified is, however, substantially less than that identified in relation to the Reg 18 Local Plan, where as much as 28ha of land reclamation was proposed with the creation of a 'super peninsula'. The two options currently under consideration by the project promoter are shown here for illustrative purposes, but it is emphasised that this HRA assesses the likely significant effects of Policy PLP3 rather than any particular option for development.



Figure 5: Option A, formerly Option 14v2



Figure 6: Option B, formerly Option 9

6.166 Policy PLP3 clearly acknowledges the inevitable loss of intertidal habitat due to dredging for the deep water marine hub and sets out a requirement to avoid other SPA/Ramsar habitat loss or minimise the loss to that necessary to deliver a viable scheme: 'Except for the minimum dredging necessary to establish and maintain deep water access to the marine hub, avoid the loss of, or damage to, SPA/Ramsar habitats. If that is not viable or feasible, minimise such loss, or damage, to that required to enable the viable and feasible development of the site in line with the development quantum set out in this policy while protecting the integrity of international, national and local nature designations.' The allocation boundary in Figure 4.2 of the Local Plan explicitly limits the extent of policy-compliant habitat loss from the SPAs/Ramsar site in the event that any such loss (beyond that for the deep water channel) is necessary to deliver a viable and feasible development.

6.167 Clearly, the most important consequence of the Tipner Strategic Allocation would be habitat loss from the Portsmouth Harbour SPA / Ramsar and Solent & Dorset Coast SPA, resulting in the long-term loss of roosting and foraging habitat for black-tailed godwits, brent geese, dunlins and red-breasted mergansers and some loss of foraging habitat for terns. Development on the Tipner peninsula would also result in the loss of two Primary Support Areas namely the Tipner Range (P60) and the much smaller land parcel P76, which are functionally linked to SPAs / Ramsars in the Solent (see functionally linked habitat section earlier

in the report). However, the loss of functionally linked habitat is not uncommon in the UK (or the Solent) and is offset by improving the functional value of other land parcels in suitable locations (see 6.2.7 to 6.2.10 of this report), without triggering the derogation tests that apply to land within SPA boundaries.

- 6.168 Clearly direct loss of functionally relevant habitat within an SPA/Ramsar would constitute an adverse effect on the integrity of that site. Adverse effects on site integrity cannot be avoided or mitigated where there will be permanent loss of parts of a designated site that contribute to the achievement of its conservation objectives. In such cases, development proposals need to pass statutory derogation tests. These tests are discussed in Chapter 8 of this report.
- 6.169 It is therefore concluded that an adverse effect on the integrity of Portsmouth Harbour SPA/Ramsar site and Solent & Dorset Coast SPA will arise, but only due to habitat loss within the SPAs / Ramsar site. This cannot be avoided or mitigated without significantly altering or removing Policy PLP3: Tipner West & Horsea Island East from the PLP due to the inevitable need for 2.1ha of intertidal habitat loss from dredging for the marine hub, the likely need for 0.3ha of intertidal habitat loss for the bridge piers, and the possibility of up to 0.5ha of subtidal habitat loss for reclamation for marine employment and up to 3.6ha of terrestrial habitat in the southern part of Tipner West.
- 6.170 In addition to habitat loss, the process of land reclamation, which may arise to deliver the marine employment hub, has a wide range of other potential impact pathways on Habitats sites⁹¹, including:
- Modification of the physical environment and hydrodynamics of the surrounding harbour and estuarine environment
 - Changes to fine sediment deposition and resulting reduction in mudflats;
 - Habitat alterations due to changes in sediment structure, resulting in changes to ecological community complexity and biodiversity;
 - Burial and smothering of benthic communities due to sediment disposal;
 - Increased turbidity as a result of sediment suspension (may affect functioning of photosynthetic organisms and / or visual predators);
 - Potential increases in suspended particulate matter, resulting in the regression of sea grass beds; and
 - Impacts on macrozoobenthos (defined as invertebrates over 1mm living on or in sediment) up to 2km from the reclamation site.
- 6.171 These other impacts identified in paragraph 6.169 above cannot be examined in detail at the Local Plan level because they require the details of engineering designs and construction methods. However, when a planning application is being prepared coastal process modelling will need to be completed to inform where such impacts may arise and whether they are likely to be significant. Any resulting effects will need to be mitigated, or as a last resort, compensated as part of finalisation of the Habitats site compensation strategy. It is not intended that the project will include sediment disposal within the harbour Habitats sites, except where specifically required for reclamation. Locations of sea grass beds, and marine habitat biotopes, have been mapped and macrozoobenthos surveys completed. It is not considered likely that these locations will be adversely affected by the project; however, coastal processes modelling will be completed to inform where such impacts may arise and whether they are likely to be significant.
- 6.172 A project-level HRA will be carried out for Tipner West and Horsea Island East at the planning application stage, to ensure that these impact pathways would not result in adverse effects on site integrity and that, where such a conclusion cannot be reached, the statutory derogations tests are met.

⁹¹ Environmental impacts of land reclamation are summarised in a 2008 OSPAR report. OSPAR Commission. (2008). Assessment of the environmental impact of land reclamation. 37pp. Available at: [https://www.ospar.org/documents?v=7123#:~:text=Land%20reclamation%20can%20have%20adverse%20effects%20on%20the%20marine%20environment.&text=Some%20impacts%20of%20land%20reclamation,\(OSPAR%202008%2F2009a\)](https://www.ospar.org/documents?v=7123#:~:text=Land%20reclamation%20can%20have%20adverse%20effects%20on%20the%20marine%20environment.&text=Some%20impacts%20of%20land%20reclamation,(OSPAR%202008%2F2009a)) [Accessed on the 03/11/2020]

7. Conclusions of the Appropriate Assessment & Recommendations

Introduction

7.1 This HRA assessed the potential implications of the emerging PLP on Habitats sites within 10km from the Portsmouth City boundary. Several sites directly abut the City, including the Portsmouth Harbour SPA / Ramsar, the Chichester and Langstone Harbours SPA / Ramsar, the Solent Maritime SAC and the Solent and Dorset Coast SPA. Sites located further away were also assessed, including the Solent and Southampton Water SPA / Ramsar, and the Solent and Isle of Wight Lagoons SAC. The background sections on the Habitats sites and impact pathways identified that the following issues required assessment:

- Recreational pressure (in Habitats sites and functionally linked habitat);
- Loss of functionally linked habitat;
- Water quality;
- Water quantity, level and flow;
- Visual and noise disturbance from construction
- Atmospheric pollution; and
- Coastal squeeze.

7.2 Furthermore, the PLP is proposing a development on Tipner West & Horsea Island East linked by a bridge. These proposals are associated with further impact pathways, namely:

- Direct habitat loss from the Portsmouth Harbour SPA / Ramsar and Solent & Dorset Coast SPA
- Impacts of Tall Buildings / Structures on Flight Lines and Sight Lines

7.3 This section summarises the main conclusions and recommendations for policy amendments and further work to be undertaken with regard to these impact pathways. It is to be noted that adverse effects on site integrity cannot be excluded for some of these pathways, either because the Reg 19 PLP does not provide sufficient detail or because further work to inform a definitive assessment is being undertaken.

Recreational Pressure

7.4 The LSEs section and the Appropriate Assessment identified that the Portsmouth Harbour SPA / Ramsar, the Chichester and Langstone Harbours SPA / Ramsar and the Solent Maritime SAC would be subject to increased recreational pressure due to the allocation of 13,603 net new dwellings. However, it was determined that the existing Bird Aware Solent Recreation Mitigation Strategy (SRMS), which details a suite of mitigation measures to avoid adverse effects of recreation, is an adequate mechanism to protect Habitats sites in the Solent, although specifically for Tipner West & Horsea Island East (PLP3) and Fraser Range (PLP13) bespoke mitigation solutions were identified to be required alongside the delivery of Horsea Island Open Space. The SRMS has been devised to buffer the Solent region from recreational impacts of future housing growth. Furthermore, the emerging PLP makes adequate formal reference to this mitigation strategy in Policy PLP39: Biodiversity. Subject to meeting the requirements of the SRMS, it is concluded that the PLP will not result in adverse effects on the integrity of Solent's Habitats sites regarding recreational pressure. No further policy / supporting text is recommended for inclusion in the Local Plan.

7.5 Regarding the issue of recreational pressure in functionally linked habitats, a conclusion of 'no adverse effect' on site integrity was also reached. Firstly, some of the supporting habitats are unlikely to be desirable destinations for recreation. Secondly, the existing high levels of recreational usage of many functionally linked habitats (e.g. Southsea Common) do not appear to affect their ability to support SPA / Ramsar bird species.

Loss of Functionally Linked Habitat

- 7.6 Given its highly urbanised nature, greenfield sites in the Portsmouth City area are scarce. AECOM recommends that allocations should avoid the loss of SPA / Ramsar bird supporting habitats where possible, as suitable replacement habitat is not an inexhaustible resource. Given this, development proposals within the allocation boundaries should be directed away from any sites identified by the SWBGS.
- 7.7 The HRA notes that explicit wording has been added to the policy text for the following Strategic and Allocated Sites:
- Tipner and Horsea Island East (Policy PLP3)
 - Tipner East (Policy PLP4)
 - Lakeside North Harbour (PLP5)
 - St. James' and Langstone Campus (PLP8)
 - Horsea Island Open Space (PLP9)
 - Fraser Range (PLP 13)
- 7.8 It is concluded that the Plan would have no adverse effects on the site integrity of SPAs / Ramsars in the Solent.

Disturbance from Construction

- 7.9 Portsmouth City directly abuts several Habitats sites designated for waterfowl that is sensitive to visual and auditory stimuli. Therefore, there is a high risk that construction works carried out within a precautionary 300m distance from the SPAs / Ramsars will result in disturbance to qualifying birds. To minimise the potential for adverse impacts, AECOM recommends a range of measures to be deployed to mitigate visual and noise disturbance effects.
- 7.10 The supporting text for Policy PLP39 (Biodiversity) includes the following measures:
- 7.11 It is generally advised that construction work within 100m of relevant SPAs / Ramsars or functionally linked habitats known to support SPA / Ramsar waterfowl and / or waders should avoid the period October to March (inclusive) entirely.
- 7.12 Where construction works will occur in a precautionary 300m buffer zone around the Habitats sites, an assessment of noise and visual disturbance potential should be undertaken for individual planning applications. Where works may be disturbing and cannot avoid the October to March period, adequate visual and noise screening equipment should be used to shield bird sightlines and buffer them against noise disturbance. Noise shielding should be such that noise levels at receptors are limited to 70 dB (or below); in other words, an 'acceptable' dose of noise is attained at the birds.
- 7.13 For any construction works carried out within the Portsmouth Harbour SPA / Ramsar such mitigation measures will be insufficient if the work is undertaken during the core winter/passage period. In such cases, the construction programme should be timed to avoid the October to March overwintering period of qualifying SPA / Ramsar birds. Avoiding this sensitive period will mean that any adverse visual and noise impacts on the Portsmouth Harbour SPA / Ramsar are prevented.
- 7.14 However, in the first instance, AECOM recommends that development within the allocations is spatially distributed such that any potential visual and noise disturbance is minimised. For example, the St, James and Langstone Campus allocation is relatively large. Focussing much of the (re)development in the western part of the allocation, would minimise disturbance impacts on the supporting habitats P25, P23A and P23B. However, space constraints mean that such an approach clearly is not possible for other Strategic Allocations (e.g. Tipner).

Water Quality

- 7.15 The water quality is a significant issue in all of the Solent's marine Habitats sites, as demonstrated by Natural England's emerging guidance on achieving nutrient neutrality. The Appropriate Assessment determine that the Havant and Portsmouth WwTW discharges into the Chichester Harbour SSSI, part of the overarching Chichester and Langstone Harbours SPA / Ramsar and the Solent Maritime SAC. Portsmouth Harbour SPA/Ramsar site and Solent & Dorset Coast SPA were also considered vulnerable. Therefore, the emerging PLP was determined to result in likely impacts on the estuarine and marine water quality, without mitigation.
- 7.16 A review of the PLP shows that it already refers to water quality in the Solent and the concept of nutrient neutrality in Policy PLP44 (Nutrient Neutrality in International Nature Designations). It states that *"Development proposals... will be permitted where they demonstrate through a nutrient budget that they secure Nutrient Neutrality through either offsetting, provision of direct and indirect mitigation measures, purchase of mitigation credits or a mixture of these"*. This policy text aligns the plan document with NE's requirement and places the onus on site promoters to ensure that there will be no net nutrient input to the Solent from future development.
- 7.17 Overall these sources of supply are providing credits equivalent to a total of 6,654.73KgTN/yr. When applied to the 20 year plan period to 2040 this gives the equivalent of 10.87 years' worth of nutrient credits available. The City Council may look to explore further sources of credit to improve its supply position. Therefore the City Council expects to have nutrient credits that go well beyond the end of the first five years of the Local Plan period when the Local Plan must be reviewed. Moreover, it is noted that the UK Government is planning to introduce proposals which would limit the need for nutrient neutrality to be delivered at the planning application level, with strategic solutions independent of the planning process taking their place.
- 7.18 Since the PLP is supported by calculations that demonstrate the nutrient surplus and mitigation requirement, and sets out the intended mitigation solution for at least the first 5 year plan period (since Local Plans must in any event be reviewed every 5 years), adverse effects of the plan on the integrity of the Portsmouth Harbour SPA / Ramsar, Chichester and Langstone Harbours SPA / Ramsar and the Solent Maritime SAC regarding water quality can be excluded, in-combination with other plans and projects.

Water quantity, level and flow

- 7.19 The emerging PLP will result in an increased demand for potable water in Portsmouth City, which will be delivered by Portsmouth Water, the company responsible for the public water supply in the wider Portsmouth area. However, an appraisal of Portsmouth Water's WRMP highlights that the supply of development in the region (including growth in Portsmouth City) does not involve any increases to licensed groundwater abstractions or the exploration of new water resources. Therefore, in line with the WRMP HRA, it is concluded that the emerging PLP will not result in adverse effects on Solent's Habitats sites regarding water quantity, level and flow, in-combination with other plans and projects. As such, no additional policy wording is recommended for insertion in the PLP.

Atmospheric Pollution

- 7.20 The Appropriate Assessment of atmospheric pollution highlighted that areas of saltmarsh are the only habitat that could be subjected to increased nitrogen deposition as a result of two-way commuter traffic associated with the PLP. Areas of saltmarsh within the following Habitats sites lie within 200m of likely commuter routes for Portsmouth City residents:
- Approx. 164m from the A32 in the Portsmouth Harbour SPA / Ramsar
 - Approx. 36m from the A27 / A3 interchange in the Chichester and Langstone Harbours SPA / Ramsar
 - Adjacent to the A2030 in the eastern part of Portsmouth City in the Solent Maritime SAC (note that this habitat was initially identified as 'perennial vegetation of stony banks' but later confirmed to comprise a saltmarsh community)
- 7.21 The findings of the traffic modelling exercise and any requirement for further air quality modelling, will be set out in the public consultation version of the PLP. 'The air quality assessment undertaken for this HRA identifies no air quality sensitive habitat within Portsmouth Harbour SPA/Ramsar site is located within 200m

of affected roads. It concludes that for Chichester & Langstone Harbours SPA/Ramsar site traffic growth is associated with growth across southern England, given the regionally strategic nature of the A27 as one of the busiest trunk roads in the UK, rather than by local growth, and that the forecast effect of the Portsmouth Local Plan is insignificant (slowing the forecast rate of improvement in nitrogen deposition by less than a year). For Solent Maritime SAC the same conclusion is drawn. Moreover, one of the key affected areas of saltmarsh is to be directly affected by the NPI Phase 4 Coastal Defence Project and suitable compensatory provision of saltmarsh is to be agreed and delivered for that independent scheme.

Coastal Squeeze

- 7.22 Any potential of the PLP to exacerbate coastal squeeze was also assessed. The maintenance and replacement of coastal defences along the Portsmouth City coastline is dictated by the North Solent Shoreline Management Plan (SMP). This identifies an approach of 'Hold the Line' for coastal defences relevant to Portsmouth, meaning that no changes to the existing structures are anticipated. Policy S10 (Coastal Zone) of the emerging PLP stipulates that '*new, or replacement coastal defence schemes should be consistent with the management approach for the frontage presented in the relevant Shoreline Management Plan; and demonstrate that there will be no material adverse impact on the environment*'. By referring to the SMP, which itself has undergone HRA and was adopted in December 2010, the PLP ensures that there will be no adverse effects on the integrity of Habitats sites sensitive to coastal squeeze.

Impacts of Tall Buildings / Structures on Flight Lines and Sight Lines

- 7.23 AECOM considers that there is a risk of new urban development allocated in the PLP to affect the sight lines and flight lines of SPA / Ramsar birds navigating the wider Solent area.
- 7.24 This impact pathway will be assessed further at the stage of individual planning applications, when specific design criteria (e.g. building dimensions, fabric and lighting schemes) are available and a further project-level HRAs will be undertaken. Given that the PLP is a strategic planning document that provides insufficient detail to assess this impact pathway, it is concluded that the Plan will not result in adverse effects on the site integrity of Habitats sites designated for waterfowl and waders.
- 7.25 Policy PLP39 includes the following text "The design of buildings including its height and lighting schemes should be such that there are no adverse effects on sight lines and flight lines of birds in Habitats sites or functionally linked habitats. Buildings should also be designed such that the risk of bird collisions is minimised". Taken in combination with the requirement for a project-level HRA at the planning application stage it is considered the plan presents a sufficient policy framework to ensure no adverse effects on integrity arise.

Direct Habitat Loss from Solent & Dorset Coast SPA and Portsmouth Harbour SPA / Ramsar

- 7.26 An adverse effect on the integrity of Portsmouth Harbour SPA/Ramsar site will arise due to the inevitable need for 2.1ha of intertidal habitat loss from dredging for delivery of the marine hub, the likely need for 0.3ha of intertidal habitat loss for the bridge piers, and the possibility of 0.5ha of subtidal habitat loss for reclamation for the marine hub and up to 3.6ha of terrestrial habitat loss from land to the south of the firing range.

Conclusion of Appropriate Assessment

- 7.27 With the amendments recommended above and now included in the Local Plan, it has been possible to conclude that no elements of Portsmouth Local Plan will have an adverse effect on the integrity of any Habitats sites, either alone or in combination with other plans or projects, except for the redevelopment of Tipner peninsula as set out in Policy PLP3: Tipner West & Horsea Island East. With this policy remaining in the Local Plan it is therefore necessary for the derogation tests referenced in Chapter 2 to be explored.

8. Derogations

Introduction

- 8.1 Section 7 contains the appropriate assessment and identifies that Policy PLP3: Tipner West & Horsea Island East will have an adverse effect on the integrity of Portsmouth Harbour SPA/Ramsar site through permanent habitat loss. This section of the report therefore assesses Policy PLP3 against the necessary derogations to consider whether the Local Plan can be adopted with Policy PLP3 as written.
- 8.2 The Test of Likely Significant Effects and Appropriate Assessment are fundamentally ecological technical assessments and have therefore been undertaken by AECOM's technical specialists. The statutory derogations tests are somewhat different. AECOM's technical specialists are well placed to assess the suitability of compensatory habitats and have done so in the analysis at section 8.4 below. However, the existence or absence of alternative solutions and IROPI are matters which require a mix of planning judgement and ecological expertise. Consequently, for Sections 8.2 and 8.3 of this report AECOM has worked closely with Portsmouth City Council town planners notably Mr Nick Lloyd-Davies, BA(Hons) DipTP MRTPI, New Neighbourhoods Team Leader.
- 8.3 The overarching objective of the policy for the purposes of HRA consists of the project objective, the vision and policy PLP3 itself. Policy PLP3 is presented in full in Appendix B. The vision given in the Local Plan is: *'In 2040, Tipner West & Horsea Island East will form a new gateway to the City along with Tipner East and will be home to a new healthy and happy community. There will be a thriving new marine business hub that provides both jobs and opportunities for lifelong learning. People will live in good quality homes that are carbon neutral and will enjoy the new open space on Horsea Island. They will make fewer journeys by car and instead will make use of new and improved public transport connections and infrastructure, including a bridge to the mainland. New climate change resilient sea defences will defend the community alongside the existing residents of north Portsea Island. Historic land contamination will have been prevented from leaching into the Harbour. The Harbour's nationally and internationally designated saltmarsh and mudflat supporting populations of Brent Geese and wading birds will be cherished and protected, whilst the site's naval heritage will be positively enhanced in the public interest. The whole Tipner peninsula will be home to a community where residents, workers and visitors co-exist in harmony with nature'.*
- 8.4 The project objective as cited in the Local Plan is *'To create a marine employment hub in the Solent region with access to deep water, and of sufficient scale to enhance and expand the marine business cluster, along with critical infrastructure, and sufficient housing to help enable delivery of the development as well as support the growth in the marine workforce'.*

Alternative Solutions

- 8.5 Consideration of alternative solutions is required at both the strategic planning and project level. At the project level, the consideration of alternative solutions will necessarily have to explore in more detail the alternative approaches to development of the site, including site layout options, massing and quantum. Alternative solutions are discussed here at the strategic planning level and in relation to the following objectives of the proposed allocation:
- Sea Defences and Site Decontamination
 - Marine Employment Hub
 - Bridge
 - Enabling development in the form of Housing
- 8.6 This section does not consider alternative solutions to the provision of sea defences *per se* because, as discussed in section 6.9 of this report, habitat loss from coastal squeeze due to sea defences is a consequence of the North Solent Shoreline Management Plan (SMP)⁹² and associated coastal strategy⁹³, rather than the Local Plan and has been subject to its own separate derogations case (supported by the

⁹² [Shoreline Management Plan - Shoreline Management Plan \(northsolentsmp.co.uk\)](https://environment.data.gov.uk/shoreline-management/unit/SMP13/5API01)

⁹³ <https://environment.data.gov.uk/shoreline-management/unit/SMP13/5API01>
<https://coastalpartners.org.uk/project/portsea-island-coastal-strategy>

- Secretary of State). However, the provision of sea defences and site decontamination are considered together below because the delivery of sea defences in line with the SMP is likely contingent on the delivery of Policy PLP3.
- 8.7 While alternative solutions are assessed individually for each of the objectives set out above, it is recognised that the allocation is a “package deal” which is very unlikely to be capable of delivery in a disaggregated manner. In particular, the financial viability of the allocation is dependent on cross-subsidy from housing and the economics are such that it is very unlikely that disaggregation of the marine hub element from the housing element, with delivery of the housing elsewhere, could provide the same or a similar level of cross-subsidy.
 - 8.8 The City Deal⁹⁴ grant did not provide for full Government funding of these works, with the Government grant (£48.75m) (and associated MoD Land transfer provisions) to be accompanied by estimates of local capital investment of £42.7m and a further £87.8m in developer contributions.
 - 8.9 Proposals for the development of Tipner West and Horsea Island East have consistently shown a significant financial deficit to varying extents. This is principally by reason of the cost of significant enabling works required including sea defences, land raising for flood prevention and site decontamination.⁹⁵ Furthermore, with approximately 4.9ha of the site area reserved for marine hub development, the area available for (higher value) residential is limited. The project aspiration had been to get the financial viability position to a level that is as close as possible to £30k subsidy per dwelling, as this has been deemed a level capable of supporting further Grant funding from Homes England based upon direct discussion between the promoter team and Homes England.
 - 8.10 The PLP3 allocation is substantially reduced in scale from the previous 'Super Peninsula' proposal, which involved substantial land take from the SPA/Ramsar site of up to 27ha of reclamation and was ruled out by the City Council in October 2022 on account of the permanent loss of, and significant harm to, the integrity of the relevant Habitats sites. However, the result of rejecting this option is that project viability is more challenging.
 - 8.11 Full Council took the decision in December 2023 to shortlist two options (Options A and B) as depicted at Figures 5 and 6 above. Both shortlisted options are (subject to evidence on viability and feasibility) potentially consistent with the PLP3 allocation and assume no more than 0.5 ha of subtidal reclamation from the harbour, with option B also developing the terrestrial SPA/Ramsar to the south of the Firing Range on Tipner West. It should be noted that neither Option is specifically committed to in Policy PLP3. In any event, taking a precautionary approach, the HRA is undertaken with reference to the maxima of the ranges outlined in the policy (i.e. 1,250 homes).
 - 8.12 Notwithstanding the lengthy shortlisting process during 2023, the relative financial position of the promoter's two remaining options A & B (based upon information available at the time of writing this report) remains one of significant viability deficit:
 - For Option A (815 homes; 58,000sq m marine hub; no development of the terrestrial SPA/Ramsar; circa 0.5ha of reclamation) - this amounts to circa £107-£116m deficit (this assumes £22k-£24k Homes England grant per dwelling);
 - For Option B (935 homes; 58,000sqm marine hub; development of 3ha of terrestrial SPA/Ramsar; circa 0.5ha reclamation) - this amounts to circa £50m-£74m deficit (assuming Homes England grant of £29k per dwelling).
 - 8.13 Further discussions are ongoing between the Council and central Government to explore opportunities to reduce the deficit, and there is some optimism that the viability case can be improved, but it currently appears unlikely that any policy-compliant delivery of PLP3 will be possible without significant subsidy.
 - 8.14 The result is that the assessment of alternative solutions to each element of the proposal, as conducted below, is somewhat theoretical. The financial reality is such that it is likely the allocation will be delivered as a package or not at all. Severing or disaggregating individual components from the package (in particular

⁹⁴ <https://www.gov.uk/government/publications/city-deal-southampton-and-portsmouth>

⁹⁵ Promoter viability studies do not currently allow for costs of bridge construction. They include the estimated cost of compensatory habitat, including at HIE.

the co-located housing element which is the primary source of cross-subsidy funding) is very likely to result in a significant increase in the viability deficit and undermine the delivery of the project objective.

Alternative solutions to the flood prevention and sea defence elements of the Tipner West & Horsea Island East allocation

- 8.15 A key feature of the Tipner West & Horsea Island East strategic allocation is the enablement of works to bolster existing sea defences to provide protection from inundation to the Stamshaw area of Portsea Island and protection from leachate contamination to Portsmouth Harbour and its nature conservation sites. Relevant authorities in England and Wales have a duty to have regard to the requirements of the Habitats Directive and the Wild Birds Directive, including the obligation to take steps to avoid pollution to, or deterioration of, protected habitats. As such, there is a need to ensure the effective protection of Portsmouth Harbour from leachate contamination. This section outlines relevant evidence relating to the absence of alternative solutions which could deliver that protection.
- 8.16 The Portsmouth Harbour and SPA/Ramsar sites are covered by 'Hold the Line' policies within the adopted North Solent Shoreline Management Plan 2010 (SMP)⁹⁶ which was subject to Appropriate Assessment and a positive Derogations decision in April 2011⁹⁷. The 'Hold the Line' policy extends for all three 'Epochs' covering a 100-year period (Epoch 1: 0 to 20 years; Epoch 2: 21-50 years; Epoch 3: 51-100 years). 'Hold-the-Line' means that it is necessary to maintain or upgrade the level of protection provided by existing coastal defences. The SMP has undergone recent review, and no formal changes to policy or management strategies are currently envisaged with regard to the 'Hold the Line' approach for Portsea Island. As site conditions are not considered to have materially changed since the confirmed positive IROPI decision in April 2011, strong weight can be placed on the policies within the SMP.
- 8.17 The SMP covers the 386km shoreline from Selsey Bill to Hurst Spit including Southampton Water and Portsmouth, Langstone and Chichester Harbours. The majority of these harbours and existing sea defences are covered by/adjacent to designated Habitats sites forming part of the National Site Network. The Tipner West and Horsea Island East landmass edge comprises a focused policy cell 5aP101 (Portsea Island) in the SMP. The consideration of alternatives to the 'Hold the Line' policy in the SMP HRA therefore remains relevant to the consideration of alternative solutions to the flood prevention/sea defence elements of the Tipner West & Horsea Island East allocation.

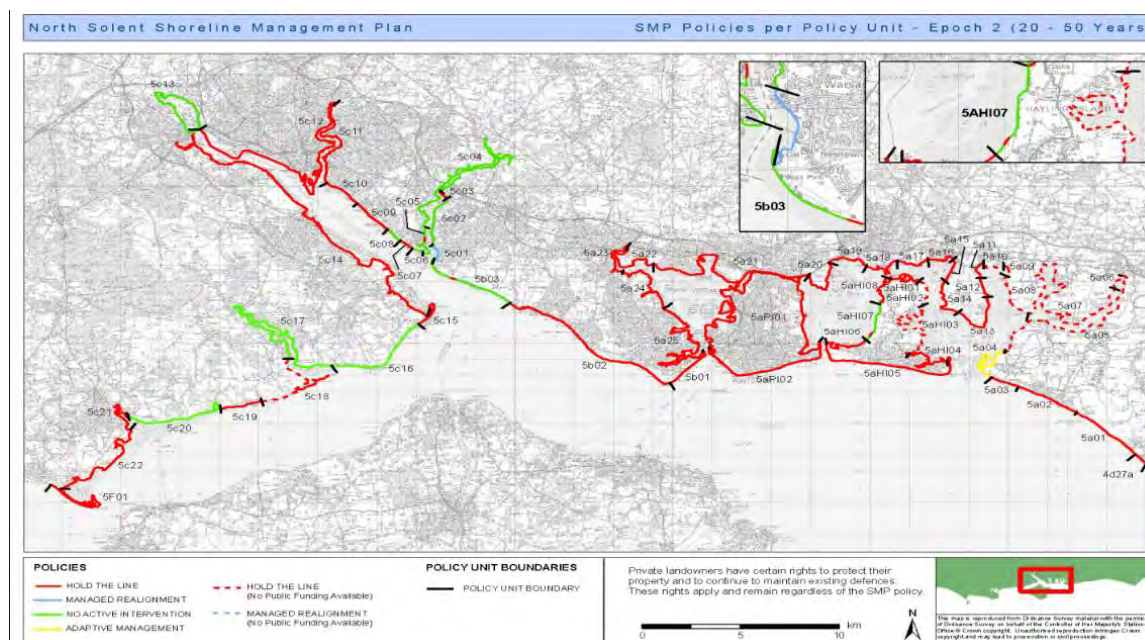


Figure 7: Extract from North Solent SMP, showing Hold the Line policy cells.

⁹⁶ [Shoreline Management Plan - Shoreline Management Plan \(northsolentsmp.co.uk\)](http://northsolentsmp.co.uk)

⁹⁷ [North Solent SMP IROPI decision confirmation.pdf \(northsolentsmp.co.uk\)](http://northsolentsmp.co.uk)

No Active Intervention

- 8.18 The No Active Intervention alternative solution as set out in the SMP considered the implications for Portsea Island as a whole. This would comprise Portsmouth City Council ceasing any coastal defence works on Portsea Island. The existing defences would gradually fall into decline. In the longer term there would be extensive flooding in two flood risk areas on the island, together with further flooding in a number of other locations adjacent to the coast. In addition to the direct risk of flooding to human health, this policy would affect large residential areas as well as commercial, industrial, military, harbour and infrastructure interests. The number of residential properties at risk would be at least 208 (Flood zones 2 and 3), of which 162 would be in Flood Zone 3 (see Figure 8 below). Historical assets including Scheduled Monuments, listed buildings, conservation areas and other heritage interests would also be affected. For Tipner West and Horsea Island East, this would result in the flooding of five Grade 2 Listed assets.

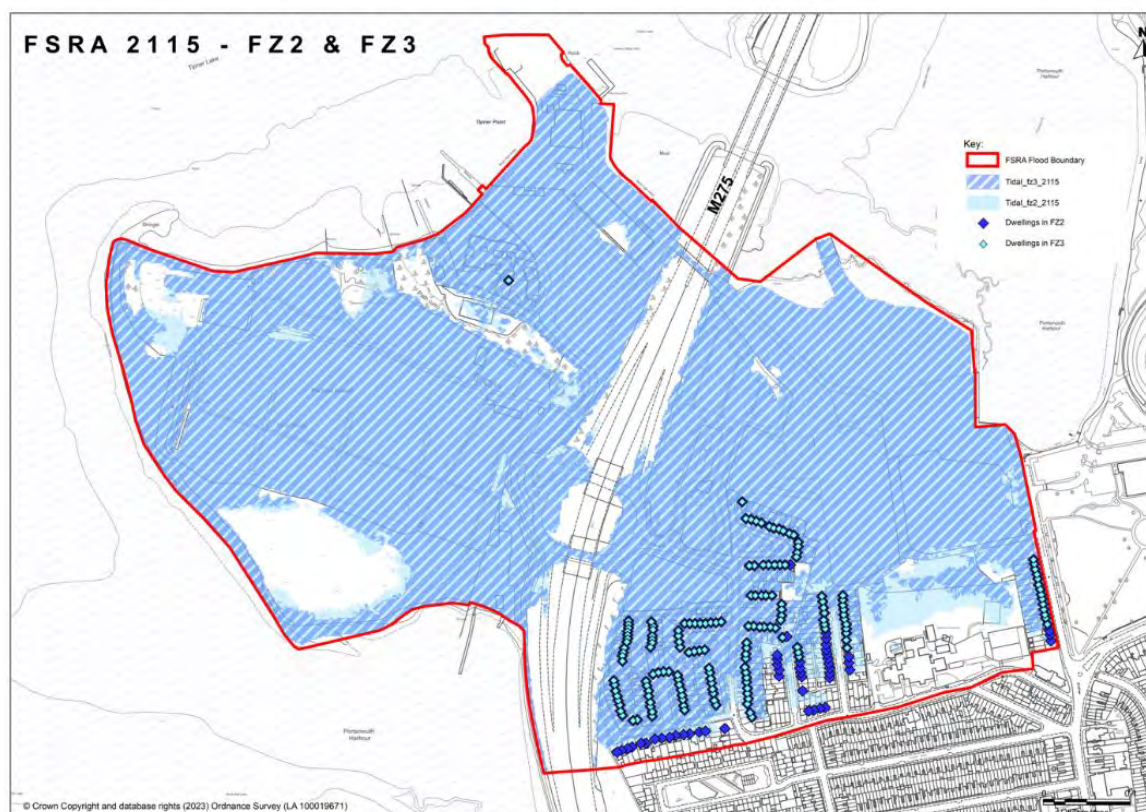


Figure 8: Flood Extent 2115⁹⁸

- 8.19 Under a 'No Active Intervention' policy, erosion would also occur whenever the existing defences reach the end of their residual lives. There are a number of locations around the island where this erosion would be particularly significant, notably at the former Tipner Firing Range. Although erosion would be relatively minor at this location due to the particularly sheltered coast, the heavily contaminated nature of this promontory means that any erosion would be a notable threat to the natural environment interests in the harbour.
- 8.20 Much of the coastal margin of the wider Portsea island has been reclaimed from the sea with potentially contaminated material. This includes Tipner West. Flooding would release contaminants whilst defence failure and erosion would lead to contaminated material falling into harbour waters, threatening natural environment interests. There would also be the un-mitigated or non-compensated loss of core functional supporting habitat on the Tipner firing range, as identified in the Solent Waders and Brent Goose Strategy⁹⁹. The impact of non-intervention is considered to be both socially and environmentally unacceptable.

⁹⁸ Strategic Flood Risk Assessment, PFSH 2016); <https://www.portsmouth.gov.uk/services/development-and-planning/planning-policy/strategic-flood-risk-assessment/>

⁹⁹ [Solent Waders & Brent Goose Strategy – coastal bird conservation, waders and brent geese data and mapping \(wordpress.com\)](https://www.portsmouth.gov.uk/services/development-and-planning/planning-policy/strategic-flood-risk-assessment/)

Do Minimum

- 8.21 In the absence of the Portsea Island strategy as set out in the SMP, there would be no planned improvement to the flood defences but there would be continued maintenance and urgent repair of defences. In this scenario, defence works would be identified purely on the basis of immediate need, determined by emergency failures (breach or overtopping). The lack of planning and foresight in the delivery of such flood risk management would result in isolated, but increasingly frequent, flood events through breaches and overtopping, which could lead to social and commercial disruption, loss of confidence by developers/investors, widespread outward migration of people/businesses and potential loss of life. In the long-term, emergency patching would cease to become effective and defence standards, such that impacts would ultimately be similar to those of the 'No Active Intervention' scenario.

Managed Realignment

- 8.22 The Portsea Island Coastal Strategy Study Statement of Case in respect of the effects on European Sites June 2009 (produced by Halcrow on behalf of the Environment Agency)¹⁰⁰ notes that "*...the deliberate set-back of defences around Portsea Island is not practicable because all coastal land is occupied by buildings, public open space and/or contaminated sites such as landfills.*" The latter is particularly the case at Tipner. The same document goes on to point out that "*...an initial assessment (Halcrow, 2004) was undertaken to determine the costs associated with remediating areas of contamination that would be affected by coastal flooding in the event that defences were realigned or not maintained. These assessments indicated that remediation costs for Portsea Island would be in the region of £750 million. These costs are far in excess of the potential costs associated with developing new sites for compensatory habitat in noncontaminated areas and demonstrate that localised retreat options are not economically viable.*"

Alternative delivery of "hold the line" at Tipner West & Horsea Island East

- 8.23 The Shoreline Management Plan establishes a policy to 'Hold the Line' of sea defences around the existing Tipner West and Horsea Island East landmass but does not provide funding to support the delivery of these defences. The estimated cost of strengthening or replacing the existing sea defences at Tipner West and Horsea Island East is £35m. The Council does not currently have funds available to deliver the sea defences from its core budget: see recent reports to Full Council on the allocation which highlight the significant fiscal limitations upon the Council, governed by the Prudential Code¹⁰¹.
- 8.24 Funding for flood and coastal erosion risk management (FCERM) is available from a variety of sources:
- The Environment Agency (EA) manages some risk directly, and also provides capital grants to local authorities for flood defence improvements. The EA currently has no plans to carry out flood risk improvements at Tipner West & Horsea Island East, and there is no current prospect of grant funding from the EA.
 - Defra and the EA offer partnership funding to local communities, developers, businesses and local authorities who can raise funds towards a coastal defence project. There is currently no local community or business likely to pitch for partnership funding and the Council does not currently have funds available to offer a share of partnership funding. Even if it could, partnership funding from Defra/the EA is not guaranteed.
 - Defra offers a flood recovery grant but – if available – this would deliver a modest sum in the context of the full costs of the flood defences.
- 8.25 The result is that there is no current prospect of external funding, or core-budget Council funding, to deliver the necessary flood defences. The Council also has no current mechanism to raise funds for the flood defences through the CIL and any new mechanism would be unlikely to be raise sufficient funds early enough in the plan period. The City Deal recognised that the cross-subsidy of development income, in particular from residential development, was necessary to assist in the delivery of the sea defences at Tipner West alongside the 'pump-priming' grant from Government.
- 8.26 Accordingly, the Council's strategy has been to secure delivery of necessary sea defences through developer-funding as a condition of the development of land: see Tipner East as another example of where sea defences are being delivered by way of s.106 developer funding.

¹⁰⁰ see CDL at: <https://www.portsmouth.gov.uk/newlocalplanevidence>

¹⁰¹ <https://democracy.portsmouth.gov.uk/documents/s50877/240223%20-%20Tipner%20Cab%20update%20FINAL.pdf>

The Tipner West & Horsea Island East allocation

- 8.27 The new flood defences required under Policy PLP3 will enable the development of this strategic site and thus fulfil the Local Plan vision for a new healthy and happy community. New climate change resilient sea defences will defend the community alongside the existing residents of north Portsea Island. And the new sea defences will provide effective protection to the Portsmouth Harbour SPA/Ramsar site from the risk of leachate contamination, consistent with the need to ensure the effective protection of SPAs from pollution.

Alternative solutions to the site decontamination elements of the Tipner West & Horsea Island East allocation

- 8.28 The provision of sea defence infrastructure and site decontamination around Tipner West & Horsea Island East delivers a number of clear benefits, one of which is the prevention of leachate contamination from the site to the waters of Portsmouth Harbour and the protected habitats that depend upon it.
- 8.29 There are not considered to be any feasible alternatives to this work. As evidenced in geotechnical site investigations undertaken on behalf of the PCC Promoter team¹⁰² significant site contamination exists and includes, inter alia, asbestos, PAHs, metals and unexploded ordnance, especially so on the Tipner West landmass. The contamination is present and if nothing is done to address it, over time these contaminants would leach directly into the harbour waters and risk significant harm to the integrity of the SPA and Ramsar habitat, given the modelled flooding risk for the site. Sea defences and decontamination of the land must therefore take place in tandem if it is to be developed for future land uses, especially for any human habitation. The land raising required across most of the site, which would serve to provide protective capping to much of this contamination, is the principal method of mitigation recommended in these reports. The cost of such works, including necessary land raising, has been estimated to be in the order of £15m.
- 8.30 As above, there is no core Council funding available to cover the cost of the decontamination work and no current prospect of any grant funding, notwithstanding the requirement to take steps to protect the Harbour from pollution.
- 8.31 One alternative solution could comprise the diversion of capital expenditure to the decontamination of the land only rather than to combine sea defences and decontamination, thereby removing leachate risks to the protected habitats of the Harbour and potentially allowing for a managed realignment. However, this has been expressly discounted in the Shoreline Management Plan and in reality, the incurring of such works in the absence of concurrent or preliminary sea defences would be of limited public or environmental benefit in the longer term where modelling makes it clear that the whole Tipner peninsula would be flooded under a 0.5% Annual Exceedance Probability scenario¹⁰³. This would represent a significant dereliction of duty by the City Council, not least as lead local flood authority. As also recognised in the City Deal award¹⁰⁴ Government has stipulated a commitment for the City Council to deliver both sea defence construction and site decontamination in tandem, in readiness for development.
- 8.32 The decontamination works proposed as part of the Tipner West & Horsea Island East allocation will, in conjunction with flood defences, protect the Harbour from contaminant leachate and will enable the development of this strategic site to fulfil the Local Plan vision for a new healthy and happy community.

Alternative solutions to the Marine Employment Hub element of the Tipner West & Horsea Island East allocation

- 8.33 The marine employment hub allocated in Policy PLP3 of the Local Plan would involve the dredging of approximately 2.1ha of intertidal habitat to achieve a deep water channel and could (depending upon viability and feasibility at the planning application stage) lead to the loss of up to 0.5ha of intertidal habitat within the SPA/Ramsar site, through land reclamation. As set out in Policy PLP3 any land reclamation will only be supported by the Council if it is essential to the viability or feasibility of the overall proposal. At the strategic land-use planning level, the alternative solutions to be considered are:

- Do Nothing

¹⁰² DRAFT WSP Technical Notes: "Tipner West Outline Remediation Approach" (Feb 2024) and "John Henry Pounds Contamination Summary and Listed Buildings" (Feb 2024)

¹⁰³ <https://democracy.portsmouth.gov.uk/documents/s41718/APP%20C%20-%20211126-%20TRP%20-%20Full%20Council-%20Report%20Dec%202021.pdf>

¹⁰⁴ <https://www.gov.uk/government/publications/city-deal-southampton-and-portsmouth>

- Deliver at an alternative location (within the Solent sub-region)
- Disaggregation of the proposed marine employment hub; and
- Alternative locations on the Tipner peninsula.

Do Nothing

- 8.34 A 'Do Nothing' scenario will not deliver the plan objective because no new (market-led) marine employment will occur on the site. Furthermore, it will squander one of a limited number of critical waterfront marine employment sites that have been identified by the Solent LEP (now "Solent Partners") as being capable of transitioning to marine employment, thereby undermining national and regional strategies aimed at expanding the marine sector.
- 8.35 Extensive work has already been undertaken on behalf of the project promoter team by Marina Projects Limited (MPL) and is captured in their report "*Marine Employment Alternatives, Tipner Regeneration Programme, July 2020*"¹⁰⁵. The MPL report referenced findings from the Solent LEP report "*Maritime Futures: Solent Waterfront Sites* (2015)",¹⁰⁶ noting that many of the Solent waterfront sites (identified in Fig 14 below), including *Vestas*, *Daedalus* and *Kingston Marine Park* are located next to very shallow water and are, unlike at Tipner West, unable to provide full tidal access. The Maritime Futures report was commissioned as a result of concerns raised by marine and maritime businesses that valuable waterfront land was being lost to alternative development, in particular to residential uses. It concluded that, of 97 waterfront sites studied, a total of 23 are ranked as 'Tier 1' (23.7%), the majority are established use without potential for growth and only four "Tier 1" sites remained under-developed for marine and maritime use. This equates to just 4.1% of the total number of waterfront sites across the Solent region.
- 8.36 The MPL report concludes that only the Tipner West site meets all core criteria in terms of site area, full deep water tidal access, boat lifting facility of 600-700 tonnes, sufficient open yard storage, up to 58,000sq m marine employment space, a total site area of 9-10ha and ultimately comprises a potential marine employment hub of regional significance.
- 8.37 For the avoidance of doubt a Do-Nothing scenario, in respect of the marine sector elements, will lose the ability to:
- provide 1,900 Full Time Equivalent jobs on-site that would be provided by the proposed development;
 - utilise a critical marine employment opportunity that has the attributes to deliver strategic marine sector growth through development at the site;
 - address local deprivation through employment and skills growth as well as meeting housing need; and
 - enhance marine sector skills.

Deliver at an alternative location (within the Solent sub-region)

- 8.38 In respect of the consideration of alternative marine hub locations, the MPL report and the Marine Futures report highlighted that an alternative must be in the Solent sub-region to meet the identified project needs, objective and address local/regional policy delivery. Furthermore, the national and regional policy support makes the case strongly that the Solent has an established reputation as the UK's centre of excellence for marine and maritime industries.
- 8.39 The 2016 LEP Waterfront Assets Register was compiled to identify and assess existing sites in order to inform policy makers, including local planning authorities in preparing their development plans. The report notes the importance for strategic planning and identifies a total of 97 sites with a combined area of 1,730 hectares used or available for waterfront employment in the Solent area. Importantly, these sites are located within 7 clearly defined "clusters" across the region. Of this supply:

¹⁰⁵ See Appendix B at

<https://democracy.portsmouth.gov.uk/documents/b14699/Tipner%20West%20Full%20Council%20Update%20-%20Appendices%2006th-Dec-2021%2013.00%20Cabinet.pdf?T=9>

¹⁰⁶ https://solentlep.org.uk/media/1341/maritime_futures_-_solent_waterfront_sites_-_169_15_.pdf

- only 100.7ha (less than 6%) was undeveloped waterfront land and spread across several sites.
 - only around 10ha (0.5% of the total) is undeveloped waterfront land with permanent waterfront access (applying the report's definition), again spread across several sites.
- 8.40 The LEP register also undertook an assessment for each of the waterfront assets based on three defined criteria: (1) Marine Access, (2) Presence of Marine & Maritime Activities and (3) Development Potential. Tipner West was identified in the site's register as a 250,000m² (25ha) site that has been categorised as a first tier "Prime Site" within Portsmouth Harbour. As noted, the register defines "Tier 1" as "sites of prime importance for marine & maritime activities within the Solent region". It is particularly pertinent that of the 97 waterfront sites identified by the register, only 4 such sites were identified as being under-developed for marine and maritime use, these being:
- Tipner West
 - Spitfire Quay, Southampton
 - Lower William Street, Southampton; and
 - Vestas Technology Park, Newport, Isle of Wight.
- 8.41 The LEP study also identified 6 further Tier 1 sites, already established in marine use but with potential for growth, these being:
- Royal Clarence Yard, Gosport
 - Daedalus Enterprise Zone, Lee-on-the-Solent
 - Centenary Quay, Southampton
 - Marchwood Industrial Park, Southampton
 - Venture Quays, Cowes, Isle of Wight; and
 - Medina Yard, Isle of Wight.
- 8.42 In December 2019, further assessment by MPL of potential alternative locations added a further 4 sites to this list which comprised limited vacant land or otherwise unavailable:
- Priddy's Hard, Gosport
 - Fawley Waterside, Southampton
 - Baker's Wharf, Southampton; and
 - Eling Wharf, Southampton.
- 8.43 However, several of these sites were either too small (being around 2ha), lacked permanent water access (drying at Mean Low Water Springs (MLWS))WS), distant from deep water and with no means to get vessels ashore. The outcome of the 2019 MPL assessment is summarised in Table 4.

Attribute	Do Nothing	Tipner	Royal Clarence Yard	Centenary Quay	Vestas Newport	Fawley Waterside	Marchwood Industrial Park	Daedalus	Kingston Marine Park
Existing depth (Chart Datum)	n/a	-3m	-4m	-2m	+1.5m	-1.5m	-3m	N/A	+4m
Available site area (ha)	n/a	9	2.31	3.18	3.75	6	6.2	83	6
Deliver full tide access	x	✓	✓	✓	x	x	✓	x	x
Develop a large boat lift facility in the order of 600-700 tonnes	x	✓	x	x	x	✓	✓	x	x
Ensure an appropriate level of open yard storage	x	✓	x	x	x	✓	x	✓	x
Provision of circa 58,000m ² marine employment space	x	✓	x	x	x	x	x	✓	x
Site area 9-10Ha	x	✓	x	x	x	x	x	x	x
Provide a regionally significant marine employment hub	x	✓	x	x	x	x	x	x	x

Table 5: Alternative Solent marine hub sites (MPL, 2019)

8.44 While the MPL assessment was prepared on behalf of the project promoter team, it is well evidenced and reasoned. It is also supported by the independently published Solent LEP report. Together they suggest that the Tipner West and Horsea Island East site is the only site that can deliver a regionally significant marine hub, addressing identified shortcomings in the Solent in terms of deep water access, site area, boat lift facility, open yard space and scope for around 58,000sqm marine employment floorspace in line with City Deal aspirations.

Disaggregation of the marine hub site components

8.45 Disaggregating the various components of such a hub would risk the loss of the above immediate inter-relationships and result in the disbenefits identified in the majority of other marine sites considered in the Solent LEP report. Indeed, it is the very purpose of the Southampton and Portsmouth City Deal to "*maximise the impact of marine and maritime assets*" and "*...to deliver 58,000sq m of employment space for the growing marine and advanced manufacturing sectors of the Solent economy*".¹⁰⁷ This is in recognition that the marine and maritime sector accounting 20% of the Solent functional economic area and for 17% of UK gross value in the sector nationally.

8.46 Consultation with marine sector stakeholders, as noted in the MPL *Marine Sector Market Summary* highlighted that marine businesses invariably require a range of facilities, including production bays, office space, indoor and outdoor storage, space for craneage, wide range of power supply, space for deliveries as well as deep water access and the various sectors attracted by the potential for co-located sub-sector businesses, such as repair/refit, marine technology, large composites, race boats, learning resource and other bespoke businesses at the forefront of the growing marine sector. The ability to combine this range of facilities and business categories with the capacity for the lifting and holding of vehicles above 200 tonnes, was seen as particularly attractive and the co-location of such marine functionality would maximise supply chain opportunities and exponentially spur growth in the sector.

8.47 It should also be noted that co-location with non-marine land uses would give rise to additional risks associated with noise, access and negative implications for economies of scale, noting the 'Agent of Change' principle¹⁰⁸ applying in this scenario. This means that developments of new sensitive land uses (residential) introduced into locations comprising noise-generating land uses will be expected to compensate those existing land use occupiers against potential future claims of disturbance by residents and/or to cover the cost of noise mitigation measures to secure acceptable living conditions.

8.48 These are just a few of the many reasons why dis-aggregation of the proposed marine hub would continue to frustrate the growth needs of the UK's marine sector. These will be set out in more detail in the project-level HRA in due course. It also shows why the opportunities afforded at Tipner for a world class marine hub have been recognised in the City Deal for some time.

8.49 The project promoter has provided an indicative illustration of how a marine hub at Tipner might be laid out and is shown in Figure 9 below, with a schedule of indicative land uses provided in Table 5. The full details

¹⁰⁷ [City Deal: Southampton and Portsmouth - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/noise-2#:~:text=In%20these%20circumstances%20the%20applicant,adverse%20effect%20on%20new%20residents%2F)

¹⁰⁸ <https://www.gov.uk/guidance/noise-2#:~:text=In%20these%20circumstances%20the%20applicant,adverse%20effect%20on%20new%20residents%2F>

of the nature of the floorspace, potential occupants, and the land reclamation identified would all need detailed justification from the site promoters at the planning application stage.

Marine Hub Floorspace Allocation	Sq M (indicative)
Workshops	10,500
Boatsheds	5,750
Storage	2,100
Boatyard offices and workspace	17,900
Complimentary marine hub offices	21,500
Other ancillary	250
TOTAL	58,000

Table 6: Proposed indicative marine hub floorspace schedule



Figure 9: Illustrative layout for marine employment hub

Alternative marine hub locations on the Tipner West peninsula

- 8.50 The MoD has indicated that commercial development might be permitted on Horsea Island East, subject to limitations on building height, location and distance of habitable room windows and secure boundaries. Nevertheless, project-level optioneering studies undertaken by the promoter team in 2023 have concluded that there are more disadvantages in splitting the marine hub across both Tipner West and Horsea Island East, for the very reason that this removes the benefits of co-location and function outlined above. The MPL studies to date have very quickly confirmed the clear benefits associated with the northern quadrant of the Tipner West site exclusively hosting the marine hub (as illustrated above) not least due to the immediacy of deep-water access.

Alternative solutions to the bridge element of the Tipner West & Horsea Island East allocation

- 8.51 Local Plan policy PLP3(1)(c) allocates "A bridge between Tipner West and Horsea Island East for the use of sustainable transport modes only." Different designs of bridge are available, some of which could avoid any direct loss of habitat. However, this assessment proceeds on the basis that the bridge will involve piers within the intertidal environment that would result in the loss of up to 0.3ha of intertidal habitat loss within the Portsmouth Harbour SPA/Ramsar. Policy PLP3 makes it clear that any such habitat loss would only be supported if it could be shown that it was not viable or feasible to avoid such loss.
- 8.52 Due to its location, currently only easily accessible via the Strategic Road Network, the Council both as a Local Planning Authority and Local Highway Authority has recognised and created policy to support the new transport infrastructure needed to support the long standing aspiration to develop parts of the Tipner and Horsea areas for housing and business, which should facilitate travel by sustainable modes. Further information on this is set out in the Council's *Tipner-Horsea Bridge Transport Position Paper June 2023*¹⁰⁹.
- 8.53 In 2010 The Western Corridor Study¹¹⁰ examined options for infrastructure to improve accessibility. Its recommended transport strategy included a bridge from Tipner to Horsea, restricted to use by buses and other sustainable modes, together with a new bus route from Portsmouth to Fareham via Tipner and Port Solent. The alternatives essentially amount to 'Do Nothing' (i.e. to have no bridge) or alternative bridge alignments which are considered to be a matter of detail to be addressed as part of the project-level HRA.
- 8.54 Nevertheless, alternative alignment options for the bridge have already been assessed at length in the Council-commissioned report in 2010¹¹¹. The conclusion of that report was that the optimal alignment would be for a structure that runs immediately parallel to the M275 flyover (and physically connected to it), minimising environmental impact and optimising construction and cost efficiencies. Recent analysis in 2023 by WSP on behalf of the project promoter team, has reaffirmed this approach, with an exception being that the bridge corridor (and access way) north of Tipner Lake would continue parallel to the M275 and east of the balancing pond and proposed public open space (on the former landfill site) (see Figure 10 below).

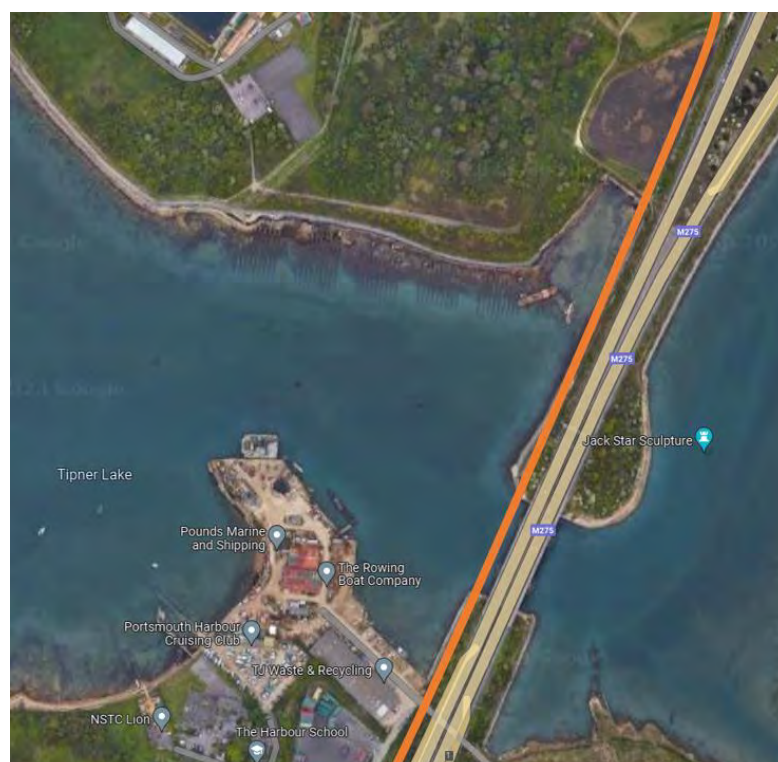


Figure 10: Anticipated Bridge Alignment

¹⁰⁹ see CDL at: <https://www.portsmouth.gov.uk/newlocalplanevidence>

¹¹⁰ [development-and-planning-western-corridor-transport-study.pdf \(portsmouth.gov.uk\)](#)

¹¹¹ Peter Brett Associates report (2010) - see CDL [City Deal: Southampton and Portsmouth - GOV.UK \(www.gov.uk\)](#)

- 8.55 A 'Do Nothing' alternative would fail to address the needs identified in the Council's *Tipner-Horsea Bridge Transport Position Paper* (June 2023)¹¹², resulting in continued reliance by residents and workers of less sustainable transport choices for accessing Portsea Island (via the M275 by private car) and reduced options for new bus routes, emergency service vehicle routes, continuation of congestion at Port Way and consequent longer term pressure on carbon reduction strategies, contrary to the Portsmouth Transport Strategy (LTP 4, 2021-2038) and TfSE Strategic Investment Plan¹¹³.

Alternative solutions to the enabling development component in the form of housing of the Tipner West & Horsea Island East allocation

- 8.56 As has been outlined above, and as recognised in the City Deal grant, the delivery of necessary flood defence and site decontamination works, the marine hub and other significant infrastructure (including the bridge) can only be delivered through additional sources of funding as the project remains in negative financial viability based upon financial modelling undertaken by the project promoter. Whilst the promoter team continue to seek additional sources of grant funding, it is imperative to demonstrate on-site enabling development opportunities to reduce the viability gap. As noted in the 'Do-Nothing' scenario below, the costs associated with providing the necessary flood defence, site decontamination and land raising alone exceed £200m. Whilst some funding may be sourced via bespoke grant, such as the DEFRA flood recovery grant¹¹⁴, these are expected to deliver extremely modest sums in the context of the residual funding gap that exists and the expansive nature of the flood risk. Enabling development opportunities must therefore be explored to assist delivery of these works as expected in the City Deal award.
- 8.57 At the time of writing (February 2024), housing delivers the highest value land use for the purposes of enabling development, notwithstanding enhanced growth in other sectors, such as warehousing. This is also evidenced in Government Land Value Estimates for policy appraisal 2019 (*source: MHCLG, now DLUCH*)¹¹⁵ with residential values double those for industrial (£3m/ha compared to £1.5m/ha). Other uses would almost certainly deliver even lower returns. For example, it has been suggested that the site south of the proposed marine hub, namely the existing functionally linked habitat (site P60) and land south of the firing range, could provide longer term mitigation income from the City Council (in partnership with the Solent Recreation Mitigation Partnership¹¹⁶), through mitigation strategies such as that already in place for the Solent Recreation Mitigation Strategy. However, this approach would not be expected to deliver anything like the funding revenue from residential land use. The Bird Aware website refers to £2m generated every 5 years for capital projects, which would fall well short of the viability deficits currently identified for the Tipner West and Horsea Island East project.
- 8.58 The Housing & Economic Development Needs Assessment (HEDNA) and the Housing & Economic Land Availability Assessment (HELAA) that form the main evidence base on employment and are referenced in chapter 7 of the draft Local Plan, make it clear that the supply of employment sites in the City is constrained. However, the combination of sites with extant planning permission and Local Plan allocations including the marine hub at Tipner West & Horsea Island East would deliver the necessary floorspace of B8/B2 uses (64,514sqm). Office space can be delivered at the City Centre and Lakeside but there remains significant caution on over-provision of floorspace in this sector due to the shift to working-from-home and hybrid working since the pandemic. With regard to the provision of retail uses at Tipner West, these would fail both the sequential and impact tests being in an out-of-town location. In order to provide a sufficient quantum of retail floorspace as enabling development necessary to materially reduce the viability constraints at Tipner, it would be at risk of fundamentally undermining the Plan's town centre strategy and be contrary to the NPPF. Whilst the other option could be to explore a wider expansion of the marine hub (beyond the 58,000sqm envisaged, pursuant to City Deal), there is no indication that this is necessary (see analysis above) and with housing most likely to deliver the higher land value it has not been considered further.
- 8.59 Depending on the number of dwellings and the masterplan that comes forward at the planning application stage, delivery of housing could involve the loss of up to 3.6ha of high-tide terrestrial roosting habitat south of the firing range. It should be noted that this is not a requirement or inevitable outcome of delivery of PLP3

¹¹² See CDL [City Deal: Southampton and Portsmouth - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/collections/city-deal-southampton-and-portsmouth)

¹¹³ <https://transportforthesoutheast.org.uk/app/uploads/2023/03/SIP-1.pdf>

<https://www.portsmouth.gov.uk/wp-content/uploads/2021/11/74.633-Local-Transport-Plan-2021-Final-Accessible.pdf>

¹¹⁴ <https://www.gov.uk/government/publications/flood-recovery-framework-guidance-for-local-authorities-in-england/flood-recovery-framework-guidance-for-local-authorities-in-england>

¹¹⁵ <https://www.gov.uk/government/publications/land-value-estimates-for-policy-appraisal-2019>

¹¹⁶ <https://birdaware.org/solent/>

but it has been assumed in this assessment because, subject to evidence on viability / feasibility, it remains a reasonably likely outcome of the allocation. Delivery of housing on this site has always been a critical element of the package, without which it would not be sufficiently viable (allowing for reasonable assumptions of additional grant funding being levered-in to the project, such as from Homes England). There is also significant unmet housing need in Portsmouth on account of highly constricted land supply, and that need will not be met by the housing provision in the PLP. The delivery of more homes is clearly a national priority for the Government.

Do Nothing

- 8.60 All development options considered to date have demonstrated a significant negative viability position for the City Council, including a deficit of £48.75m for a 'Do Nothing' alternative solution (City Deal grant to be refunded to Government). It is also the case that additional grant funding will continue to be required and negotiations with Government departments, together with Homes England, continue in this regard. Since October 2022, Full Council has resolved to commit to minimising reclamation from the SPA/Ramsar designated sites. However, significant site enabling costs associated with implementing the City Deal could be in excess of £200m. The City Deal has in any event been premised upon the need to make the Tipner West and Horsea Island sites ready for sale to *'one or more private sector developers'*.
- 8.61 The optioneering process has focused upon broad land-use locations, application red line extent and, if necessary, any reclamation that might be sought from intertidal SPA/Ramsar sites. With the exception of the "Do Nothing" option, all options include variable quantities of residential development which, as noted above, provides essential cross-subsidy 'enabling' funding for the necessary flood defence and site decontamination works. The City Deal did not provide for full Government funding of these works. There is no basis on which any of the benefits of the allocation could be delivered in the absence of enabling development contributing to the financial viability of the allocation.

Providing housing elsewhere

- 8.62 Theoretically, the housing element of PLP3 could be disaggregated from the marine hub element and located elsewhere, with the income generated by that housing development applied to cross-subsidise the delivery of the marine hub and infrastructure upgrades at Tipner West and Horsea Island East. However, Portsmouth has a highly constricted land supply with much of the land that is available to build on at risk of flooding, close to international nature designations and including heritage assets. The HELAA¹¹⁷ is the main evidence base document on housing and economic land supporting the Local Plan. A robust and vigorous assessment of all potential housing sites was carried out as part of this study. The housing target set in Policy PLP16 of the Local Plan sets out all the sources of housing supply in Portsmouth including all sites of five or more dwellings identified as deliverable or developable in the HELAA. If the new homes allocated at Tipner West and Horsea Island East did not come forward on the PLP3 site, they could not be delivered elsewhere in the City. This would make the existing yearly unmet need of 219 homes in the City even greater¹¹⁸.
- 8.63 The City Council works closely with its neighbouring local planning authorities in the Partnership for South Hampshire (PfSH) on meeting sub-regional housing need and other cross boundary strategic matters. There is already agreement with Fareham Borough Council to provide 800 new homes for Portsmouth in their newly adopted Local Plan. It is highly unlikely that Portsmouth's neighbouring councils would be able to accommodate the additional 830 – 1250 homes lost from the PLP3 allocation. Moreover, it is almost certain that they would not be able to accommodate those homes on a single site, as with PLP3, or even on two or three large sites.
- 8.64 For a number of reasons, therefore, disaggregation of the housing element from the marine hub element of PLP3 is not a feasible alternative because:
- It is unlikely that there is capacity within the PfSH sub-region to accommodate an additional 830 – 1250 homes;
 - It is almost certain that, even if there was such capacity, it would not enable delivery on a single site or even on two or three large sites. As a result, the efficiencies of delivery on a single large site would be lost, with consequences for the level of cross-subsidy able to be generated.

¹¹⁷ <https://www.gov.uk/government/publications/city-deal-southampton-and-portsmouth>

¹¹⁸ Taking into account contribution of 800 homes from Fareham Borough Council, this reduces the annualised unmet need from 219 to 179.

- In order to generate a cross-subsidy, any housing delivered on alternative sites would need to be delivered by the same developer. The promoter of the PLP3 site does not currently own sufficient suitable land across the PfSH sub-region to deliver the required housing.
- Housing at the PLP3 site is likely to carry a sales premium on account of the waterside location and co-location with the marine hub, which would not be the case with alternative sites across the PfSH sub-region, with consequences for the level of cross-subsidy able to be generated.

8.65 Moreover, an fundamentally, disaggregation of housing from the marine hub element of Policy PLP3 would not deliver on the project objective which includes housing co-located with the marine hub to support the growth of the marine workforce. Indeed, the City Deal was premised on unlocking Tipner-Horsea Island fully to enable the provision of 2,370 new homes and 58,000 square metres of employment space for the growing marine and advanced manufacturing sectors of the Solent economy. This will help create over 3,700 permanent jobs. This depends on colocation of housing and employment uses.

Providing housing differently on the site

8.66 The final site layout and housing quantum is ultimately a matter for the planning application stage. The PLP3 Policy will only permit the delivery of housing to result in the loss of SPA/Ramsar habitats if – at the planning application stage – it can be shown to be necessary for viability or feasibility.

8.67 Nonetheless, considerable work has been done to date to consider the various options for delivering housing. The Portsmouth City Council project team have engaged with the local planning authority in a development optioneering process, principally through regular engagement with the Tipner West Regulatory Panel, but also directly with LPA Policy and Development Management officers. The current project work follows the cessation of work on the former 'super peninsula' as confirmed in October 2022. The optioneering stage, to identify a preferred option for the allocation that would best meet the project principles for this allocation site has broadly followed the chronology in Table 6.

Table 7: 2023 Site Promoter Optioneering Chronology in consultation with Regulatory Panel

Date	Optioneering Stages post October 2022
2022	
October	Full Council approval of Project Principles for a revised project for development at Tipner West and Horsea Island East, ruling out both the super peninsula and the do-nothing scenario.
2023	
January	Re-engagement with LPA Development Management case officer and update to Planning Performance Agreement (PPA) to reflect new Project Principles. Continuation of cross-party working group for consultation with the project team throughout 2023; Regulatory Panel 2023 #1 - review of updated project brief, draft overarching objective and project principles, alongside baseline survey evidence
May	LPA written advice in respect of promoter's draft Stage 1 Ecology Technical Report (EPR), including initial proposals for use of HIE as compensatory habitat and development of the terrestrial SPA/Ramsar.
June	Regulatory Panel #2 - consideration of 13 development options against project principles and consideration of updated bespoke SPA Impact Metric LPA written advice in respect of suite of ecological surveys and 13 development options, discounting 7 options.
July	Regulatory Panel #3 - further review of bespoke SPA metric and option viabilities. LPA written advice on SPA metric, proposed updates to the Project Principles, draft Overarching Objective, next stage of optioneering assessment criteria

Date	Optioneering Stages post October 2022
August	Regulatory Panel #4 - Review of 6 shortlisted Options (and as broken down into 'Elements' (Land Mass, Compensation, Employment, Listed Structures); review of option screening criteria; proposed update to Project Principles
September	Regulatory Panel #5 - Review of 6 options against screening criteria
October	Full Council Approval of Updated Project Principles ¹¹⁹
November	Regulatory Panel #6 - Outline of the 2 shortlisted development options for detailed evaluation Full Council approval of promoter recommendations to progress masterplanning and viability assessment of the 2 shortlisted options ¹²⁰
December	LPA written advice in respect of draft proving layouts for shortlisted options and pursuant to feedback from Regulatory Panel #6.

8.68 The Regulatory Panel has principally been engaged through 2023 in discussions around the evidence base/surveys, assessment methodologies and specific development option assessment and promoter shortlisting of options. The feedback of panel members has been recorded by way of meeting minutes and responses to specific Promoter questions raised in advance of the meetings. Presentation material has been made available to panel members on a shared website managed by the promoter team. The LPA, as competent authority for the purposes of HRA and local planning authority for the proposed TCPA planning application, has provided written advice at regular intervals.

8.69 The shortlisting of options since June 2023 was done initially with reference to the approved project principles and was at a relatively high level. The second stage screening in September was undertaken by way of a more detailed matrix of key criteria, discussed in advance with the Regulatory Panel, covering in addition considerations of strategic planning and national/regional marine policy (including the Solent Shoreline Management Plan, South Inshore Marine Plan and NPPF) and environmental and socio-economic matters.

Alternative solution to land reclamation or loss of terrestrial SPA habitat

8.70 Some loss of SPA/Ramsar habitat is inevitable under PLP3, as a result of dredging to enable a deep water channel to the Marine Employment Hub. Loss of intertidal habitat to the bridge piers is also likely, as already discussed. The project-level HRA will consider in more detail possible technical alternative solutions to this area of identified reclamation, such as through suspended designs, for example.

8.71 The extent to which further habitat is lost via land reclamation and/or development on the terrestrial SPA at the southern extent of Tipner West is a matter for determination at the planning application stage. PLP3 will require the applicant to demonstrate that, at the project-level, there are no feasible alternatives to the loss of terrestrial SPA, as well as demonstrate that there are IROPI and that compensation has been secured.

8.72 The RSPB and Hampshire & Isle of Wight Wildlife Trust (HIWWT) jointly commissioned and submitted to Portsmouth Council a development concept for the site which avoided any development on, or reclamation of, any part of the SPA/Ramsar designated sites, including land south of the firing range, although it did still assume a bridge. This was supported by specially commissioned concept images as part of their 'Don't Cross the Line' campaign¹²¹. This indicated support in principle for new residential and commercial development at the allocated site, but expressly excluded any development of (or reclamation from) the SPA/Ramsar designated sites, including the terrestrial SPA/Ramsar south of the former firing range.

8.73 The specific option advanced by RSPB/HIWWT was considered by the project promoter alongside all other development options in 2023 (put forward as Option 1) but was not taken forward in the optioneering process because it would substantially increase the financial viability gap. The financial modelling undertaken by the project promoters indicates that this option would result in a negative viability position in the order of £118m (driven by additional serviced development platform construction costs on Horsea Island East) but

¹¹⁹ see Appendix B at: <https://democracy.portsmouth.gov.uk/documents/s50877/240223%20-%20Tipner%20Cab%20update%20FINAL.pdf>

¹²⁰ <https://democracy.portsmouth.gov.uk/documents/s48227/Report%20-%20TRP%20Principles.pdf>

¹²¹ <https://www.hiwwt.org.uk/tipner>

in the absence of any reclamation adjacent to the marine hub (stated by the promoter team to be essential for operational functionality) it was discounted.

- 8.74 On account of the current emerging evidence on viability and feasibility, the PLP3 Policy does not rule out development on parts of the SPA/Ramsar site. However, it provides a strong policy steer that, save for the inevitable dredging required to provide access to the marine hub, loss of, or harm to, habitats sites should be avoided. Any planning application seeking consent to develop in a manner that did cause the loss of or harm to designated sites would need to provide up-to-date evidence on viability and feasibility to demonstrate that such harm was necessary to enable the development, and it would also need to provide a project-level HRA demonstrating how the proposal met the derogations tests. direct habitat loss. Any additional habitat loss will

Summary on Alternative Solutions

- 8.75 On the basis of the above provisional assessment of alternative solutions, the authors are satisfied that there are no feasible alternative solutions to the Plan's proposals for Tipner West and Horsea Island East as set out in Policy PLP3 that would be less damaging or avoid damage to the designated sites. There is currently no prospect of external funding or Council core-funding for the delivery of necessary flood defences and decontamination work. There are no better sites across the Solent to deliver the much needed marine hub. And the delivery of housing as enabling development remains the optimal land use for the purposes of securing cross-subsidy funding, to supplement the City Deal grant and to bring forward the marine hub.

Imperative Reasons of Overriding Public Interest (IROPI)

- 8.76 Portsmouth City Council as local planning authority considers there to be IROPI in support of the proposed site allocation at Tipner West & Horsea Island East. In April 2023, the local planning authority, in adopting a precautionary approach, sought an 'IROPI Opinion' from the Secretary of State (Department of Levelling up, Homes and Communities (DLUHC)) pursuant to Regulation 107(3) of the Regulations; the first request made under this provision to the UK Government since Brexit. The Council submitted a detailed Statement of Case¹²² in support of its request.
- 8.77 A response from DLUHC was received on 22nd September 2023¹²³ which, in summary, advised that the Government considered the submission to be premature, and that it would not be able to provide such an Opinion in the absence of full details of alternative solutions and compensation strategy (steps 1 and 3 of the Derogation). However, the letter from DLUHC did provide the following statement: "In an attempt to assist with further consideration of the proposal, we have however sought to provide a clarification of what could be relevant IROPI factors. In principle, we consider that the provision of housing (and affordable housing) is capable of justifying IROPI. We also consider that, at the stage where it is appropriate to give an opinion, the consideration of whether IROPI exists would need to be made against the full package of public benefits associated with the scheme – your request refers additionally to matters including flood risk, contaminant leachates and employment for example." [emphasis added]
- 8.78 There are three core reasons to IROPI in this case which are considered to give rise to a cumulative IROPI case, as outlined in the Council's Statement of Case. It should be noted that the IROPI case for the purpose of the draft Plan may have some differences or exclusions relative to those that are put forward at the more detailed project-level. This is reflected in the fact that an IROPI Opinion at the Plan-making level (Regulation 107) is separate from that which may be sought at the Project-level (Regulation 64).

Flooding Risk to Human Health and Safety

Imperative reasons: Human health, public safety, beneficial consequences of primary importance to the environment, social and economic

- 8.79 Although the requirement for flood defences stems from coastal policy independent of the Local Plan, it is relevant to IROPI because there is currently no clear source of funding for the delivery of defences at Tipner West and Horsea Island East in the absence of Policy PLP3. Portsmouth's sea-levels are due to rise by around 70cm over the next 70 years. This is noted in the Solent Shoreline Management Plan referenced in

¹²² <https://www.portsmouthcc.gov.uk/newlocalplanevidence>

¹²³ <https://www.portsmouthcc.gov.uk/newlocalplanevidence>

the Alternative Solutions section above. The existing coastal defences at Tipner West are in poor condition. The 2011 Portsea Island Coastal Strategy Study¹²⁴ estimated that defences on Horsea Island East may fail within 5-10 years, and within 10-15 years on Tipner West. Due to a lack of maintenance over recent years, there is an increasingly high risk that these defences could fail in the near future.

- 8.80 As there are currently no homes on the Tipner West site it is unlikely that flood defences would be funded by the Environment Agency and must therefore be funded by Portsmouth City Council as the principal landowner and Lead Local Flood Authority. However, there are significant funding constraints upon PCC, as noted in 8.22 above. The City Council did secure City Deal funding in 2014 to support the delivery of this critical enabling infrastructure at Tipner. However, the City Deal funding is bound up with the delivery of Policy PLP3. The do-nothing option will mean the loss of the existing land mass to flooding. This will result in the loss of the existing land uses on the site, including the Harbour School¹²⁵, five Grade 2 Listed heritage assets as well as the loss of the inter-tidal and terrestrial habitats that form part of the designated nature conservation sites. It is anticipated that intertidal habitats are likely to see a 40% reduction by 2120 through flooding.
- 8.81 In addition, flood modelling undertaken by the TRP consultants, WSP, shows that flood waters would pass through to Tipner East and Stamshaw, as shown in the image below. The image shows the estimated extent of flooding by 2123 – accounting for 100 years climate change and assuming that nothing is done to protect Tipner West.

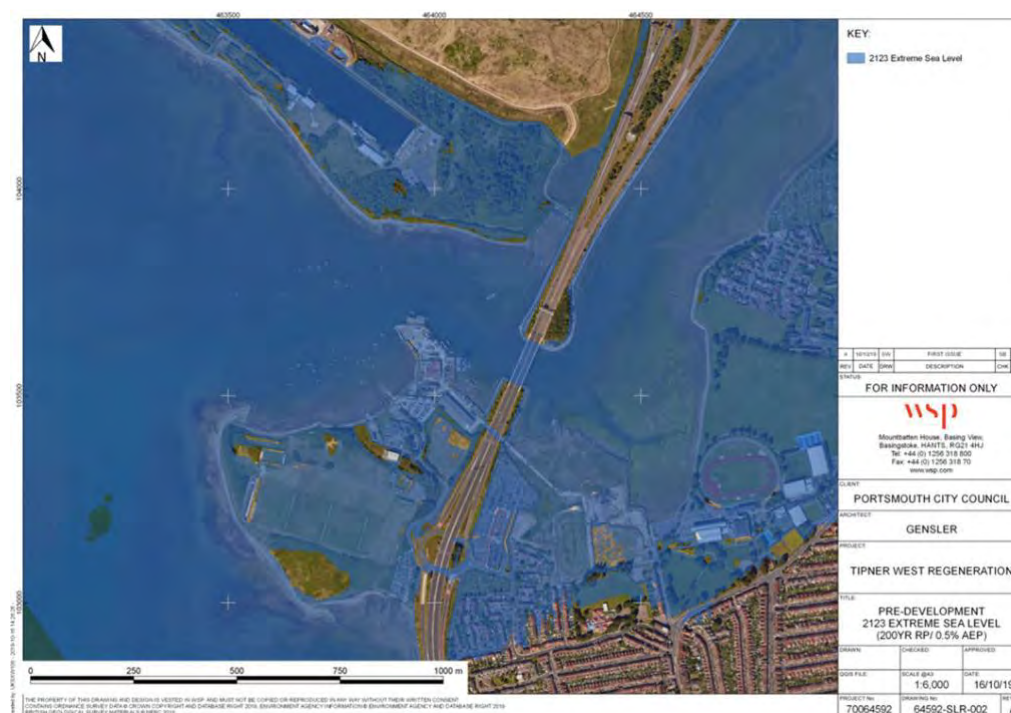


Figure 11: Flood Modelling - 2123 Extreme Sea Level (0.5% Annual Exceedance Probability) – Pre-Development Scenario¹²⁶

- 8.82 As noted in the Alternative Solutions section, the North Solent Shoreline Management Plan¹²⁷ and associated policy map for Portsmouth Harbour sets out an adopted policy of Hold the Line over the long term (to 2105).
- 8.83 The policy of 'Hold the Line' requires that defences and beach management activities are maintained or improved to provide protection from coastal flood and erosion to important assets or features at the coast. Such assets might include centres of development and redevelopment, industry and commerce, agriculture,

¹²⁴ <https://coastalpartners.org.uk/project/portsea-island-coastal-strategy>

¹²⁵ The Harbour School is a maintained Special School and Alternative Provision providing education for Portsmouth pupils who are unable to attend mainstream school for either Social, Emotional and Mental Health (SEMH) Needs or medical reasons

¹²⁶ <https://democracy.portsmouth.gov.uk/documents/s41718/APP%20C%20-%20211126-%20TRP%20-%20Full%20Council-%20Report%20Dec%202021.pdf>

¹²⁷ <https://www.northsolentsmp.co.uk/>
https://www.northsolentsmp.co.uk/media/1700/Policy-statement-and-map-5API01/pdf/Policy_statement_and_map_5API01.pdf?m=637518491614430000

nature conservation designated sites, etc. The method of maintaining or improving the line of defence may consider local adjustments to the alignment of defences or that existing structures are replaced or new defences constructed, depending on the local conditions and requirements identified. The SMP notes that: "Due to the high proportion of the North Solent shoreline that is privately owned and the maintenance of defences that are privately funded, there are frontages where a HTL has been proposed but the works identified to manage the coastal flood risk are considered economically marginal or not economically viable."

- 8.84 Whilst recognising that the SMP is non-statutory, it has been adopted through a partnership of 16 organisations, including input from Portsmouth City Council through the Havant, Portsmouth and Gosport Coastal Defence Partnership ("Coastal Partners"). However, the cost of defending the existing land mass is currently estimated to be in the order of £35m. The provision of City Deal Funding in 2014 was therefore in recognition of the necessity for environmental benefit and public safety of these flood defence works and the multiplicity of environmental, economic, social and human health risks should flood defences remain absent whilst in addition de-risking the site for private investment to secure the Council's (and Solent region's) wider employment, housing and infrastructure needs (detailed further below).
- 8.85 As addressed above in the alternatives section, there is no current prospect that the flood defences envisaged in the City Deal and the SMP will be delivered without developer funding through Policy PLP3.
- 8.86 It is concluded that the need to mitigate significant flooding risks comprise imperative reasons that are in the public interest, meeting the first two tests for IROPI in support of the draft allocation.

Contaminant Leachate Risks to the integrity of SPA/Ramsar habitats

Imperative reasons: Human health, public safety, beneficial consequences of primary importance to the environment, social and economic

- 8.87 Should the sea defences fail, there is a risk of releasing contaminants present in the ground into Portsmouth Harbour and polluting designated nature conservation sites. The site currently represents a weak-spot in island-wide defences, particularly in comparison to the recent/current North Portsea and Southsea coastal defence schemes. Contaminants on the Tipner West site stem from a long history of military use, including extensive areas of made ground, the processing of gunpowder, mustard gas degradation trials, grenade testing, stripping of military vessels (including asbestos, metal, cellulose and fluorescent paints) and discarded bullet casings. Site investigations have identified risks to controlled waters and current site occupiers, including Principal and Secondary Aquifers, notably from inorganic contaminants (metals, asbestos) and organic Polycyclic Aromatic Hydrocarbons (PAH's)¹²⁸. These recently updated assessments on behalf of the PCC Promoter team (reports in draft at time of writing this report) have noted (in the absence of mitigation measures):
- *"Unacceptable risk to ecological receptors present within the designated areas surrounding Horsea Island East and Tipner West."*
 - *The leachate exceedances represent a risk from contaminants within Made Ground leaching down to the groundwater within the Made Ground, Tidal Flat Deposits and Lewes Nodular Chalk, Seaford Chalk and Portsdown Chalk Formation and migrating laterally towards the tidal waters of Portsmouth Harbour.*
 - *Moderate concentrations of widespread inorganic (metals, asbestos) and organic (PAHs) contamination in the soils in the areas assessed on Tipner West Land associated with Made Ground deposited as part of the former military and landfilling activities on site.*
 - *Groundwater level monitoring indicates that it is tidally influenced beneath the site."*
- 8.88 There are clear contaminant leachate risks existing on site and in the absence of mitigation measures, (including sea defences, land raising/capping as part of the development of the site) the integrity of the designated sites and citation species and habitats are at risk. The proposed works would be within the

¹²⁸ Savills EIA Scoping Report for Tipner West and Horsea Island East Strategic Development Area (2020)

<https://www.portsmouthcc.gov.uk/newlocalplanevidence>;

<https://www.portsmouthcc.gov.uk/newlocalplanevidence>;

DRAFT WSP Technical Notes: "Tipner West Outline Remediation Approach" (Feb 2024) and "John Henry Pounds Contamination Summary and Listed Buildings" (Feb 2024)

Portsmouth Harbour Water Framework Directive (WFD) waterbody and Shellfish Water protected area. The waterbody is currently of only 'moderate' ecological status and 'fails' on chemical status due to mercury and Polybrominated diphenyl ethers (PBDE). All such waterbodies are required to be 'good status' and the unmitigated flooding of the Tipner landmass and associated risks of contaminant leachate would have a further negative impact upon the Harbour waterbody status and have direct and indirect impacts upon cited flora and fauna species within the designated sites. The project-level HRA and EIA will need to assess these impacts in more detail, alongside bespoke mitigation measures.

- 8.89 The North Solent SMP adopted the 'Hold the Line' policy for the Tipner flood cell with regard to contamination risks in addition to harm posed from flooding. All flood cells where holding the existing defence line is sought includes areas of contaminated land and/or landfill. It has therefore been agreed through Coastal Partners and endorsement of the SMP by DEFRA that the area should be sealed to prevent contamination of the Harbour.
- 8.90 As outlined in the Portsea Island Coastal Strategy Study, Portsmouth City Council has undertaken detailed desk studies and site investigations at several sites around the coastline with reports detailing the nature and depth of the fill, soil and groundwater contamination levels. The site investigation reports have been reviewed to determine their potential for contamination and the implication of contamination migration into the SPA and SAC. There may of course be conflicts between the damage to the international site caused through pollution and the encroachment on the SPA/Ramsar if defences have to be constructed to protect the area. The study showed that defence failure would lead to release of contamination that would be likely to adversely affect water quality and the ecological integrity of the harbours. Contaminants in sediment would be ingested by invertebrates and in turn by birds, in which concentrations may be sufficient to cause mortality or morbidity. This would be damaging to the integrity of the designated sites.
- 8.91 As set out above, there is a requirement for relevant authorities in England and Wales to take steps to protect SPAs from pollution. Policy PLP3 constitutes part of the Council's strategy for contributing to meeting that requirement. It is concluded that this amounts to an imperative reason that is in the public interest, meeting the first two tests for IROPI in support of the draft allocation.

The creation of a Marine Employment Hub for the Solent Region

Imperative reasons: Social and economic

- 8.92 The necessity to provide employment land and jobs in Portsmouth and the need, and importance of, growth of the marine, maritime and advance manufacturing sectors in the UK and Solent Region are key drivers underpinning the reasons for the proposed site allocation for Tipner.
- 8.93 The Portsmouth Economic Development and Regeneration Strategy, adopted in 2019¹²⁹ defines the need for additional jobs in Portsmouth and highlights the opportunity for a marine and maritime engineering quarter (or 'marine hub') to build on the current buoyant cluster in the City and contribute to the key objectives of addressing local low educational attainment and local talent-progression. The emerging Local Plan and its associated evidence base brings forward this objective of providing an additional 7,000 jobs and the associated need for 177,700 sqm of employment floorspace in the land-constrained City of Portsmouth. The need to provide for this growth is highlighted within the opportunities at Tipner to support marine employment.
- 8.94 The discussion below sets out the value of the marine sector to the UK economy, the current and future needs of the sector and why there is an urgent need for the UK to service its demand. The evidence below explains why the Solent is the optimal location within the UK to achieve this urgent need, and that Tipner is the best site within the Solent to deliver the marine sector requirements. The development of a marine hub at Tipner would also be in line with the first of the Government's levelling up missions namely pay, employability and productivity whilst providing high-quality skills training in the marine sector in line with the sixth levelling up mission.

¹²⁹ <https://www.portsmouth.gov.uk/services/council-and-democracy/policies-and-strategies/economic-development-and-regeneration-strategy/>

- 8.95 The delivery of development to meet the national UK marine sector is considered to be both imperative and critical and in the public interest. Should the market demand of the UK marine sector not be met:
- The growth potential of the maritime sector would not be realised;
 - Activity would either not occur or be displaced to less suitable locations, further minimising the economic potential of the sector and impact on Portsmouth, the Solent region and the UK;
 - Part of the displacement might see the potential for inward investment being diverted away from the UK.
- 8.96 The continued growth of the marine economy in the Solent area is a matter of regional strategic importance. Research carried out by the Council's project promoter team has concluded that the marine and maritime industry makes a substantial contribution to the UK's economy comprising:
- A direct contribution of £14.5 billion in GVA and 186,000 jobs (in 2015). The marine sector represented £6.4 billion of this GVA;
 - A significant supply chain that indirectly contributes approximately £37.4 billion on VA and 957,000 jobs (in 2015).
- 8.97 Key trends influencing the future of the marine and maritime industries include:
- The growing middle class in emerging economies will underpin demand for marine leisure exports.
 - Climate change and the growing need for renewable energy will result in an increased demand for offshore wind and tidal energy.
 - The UK's strength in both Research and Development, and technical expertise, make it well placed to meet the demands of this market and contribute to its growth.
- 8.98 In order to successfully service global markets and leverage the UK's historic strength in these sectors, there is a need for more well located marine land and sites to be provided to deliver the required additional capacity.
- 8.99 The UK offers a number of key clusters of marine and maritime industry that have the potential to service the market demands. Seven clusters have been identified by the Department for Transport in their 2019 report '*Maritime 2050 – navigating the future*'¹³⁰, each with their own specialisms and characteristics. The Maritime 2050 report identified the Solent as having specialisms relating to its Marine and Maritime University and Research and Development Assets, as well as having key institutions such as the Maritime and Coastguard Agency (MCA) and Lloyd's Register.
- 8.100 The *Maritime Growth Study (2015)*¹³¹ states that the maritime industry "*continues to be seen by the international market as a world leading maritime centre*" that remains "*highly competitive*" in providing training, skills and manufacturing. Whilst the "*contribution to the economy is already substantial, with the right conditions, [it] can be grown further*". Innovations, clustering and stability were identified as "*underpinning the health of the UK maritime sector*".
- 8.101 The *Maritime 2050* report sets out the Government's strategy for the maritime sector over the next 30 years and was produced following the *2015 Maritime Growth Study* to create a national strategy for the maritime sector "*which could send a strong signal to international customers and competitors.*" The report identifies strategic ambitions for the UK to build upon the existing international reputation and clusters, which include:
- To strengthen the UK reputation for maritime innovation, maximising benefits to the UK from new maritime technology through our world leading universities, maritime small and medium enterprises (SMEs) and global companies.
 - To grow the UK's maritime workforce and transform their diversity to enhance the UK's reputation as the world leader in the provision of maritime education and training.

¹³⁰ <https://www.gov.uk/government/publications/maritime-2050-navigating-the-future>

¹³¹ *The Maritime Growth Study: Keeping the UK competitive in a Global Market (2015)*

- To support the continued multi-billion pound commercial investments in maritime infrastructure that makes the UK a globally attractive destination for all maritime businesses.
- 8.102 In the context of the coronavirus pandemic, the maritime industry responded to the strategy with a recovery plan issued in 2020 (*Maritime Sector Recovery Plan, Maritime UK, June 2020*)¹³². The plan set out how the maritime sector is well-placed to drive a green, regionally balanced, export-led recovery and the actions needed for both industry and Government to achieve this. The short-term focus is on restarting and recovering the maritime business affected by the pandemic. The longer term goal is to renew the maritime sector in line with existing strategies and plans so as to “*deliver action to revive and transform the sector to ensure its competitiveness...*” and “*The issues on which this sector can support transformational change are many and include driving economic growth in coastal communities and through green growth*”.

Importance of the Solent

- 8.103 The Solent is a prime location within the UK to deliver development to meet the pressing needs of the marine and maritime sector. This is recognised in its recent designation as a Freeport. As explained above, a failure to meet the demands of the marine and maritime sector in the Solent could result in its growth potential not being attained with inward investment to the UK being compromised.
- 8.104 As assessment published by CEBR2 on behalf of the Solent Local Enterprise Partnership (LEP) in 2019 identified the Solent as a ‘gateway for global trade’, with the influence of its existing maritime sector and the Portsmouth Naval Base being key macroeconomic indicators of GVA, turnover and employment. The assessment notes that:
- The Solent cluster has the most diversified marine and maritime industry. Whilst most clusters excel in a few sub-sectors in the assessment, the Solent achieves the highest overall ranking;
 - Whilst having a diversified marine and maritime industry, the Solent maintains a high ranking (top 3 of the 7 clusters) in terms of employment opportunities for marine leisure, MBS, naval defence, shipping and ports;
 - In terms of marine and maritime businesses, the Solent ranks highest for marine leisure and ports and ranks 2nd in other sub-sectors.
- 8.105 A report published by MPL¹³³ undertook a market study, with engagement with the marine sector, to identify the nature and extent of marine sector requirements to be delivered by an optimal development site. The study concluded that the Solent marine sector is currently not meeting existing demand and is not realising its economic potential with the consequence being investment leaving the UK.
- 8.106 In order to meet the urgent needs of the marine sector, locations must provide key enabling infrastructure, with transport links being crucial to the success of an area. In addition to being the home of Southampton Port (the UK’s fifth largest port), both Southampton and Portsmouth Ports benefit from ‘Freeport’ designation, which seek to achieve the following as a key part of the government’s economic plans following its departure from the European Union:
- create jobs;
 - increase international trade;
 - contribute to the regional levelling up agenda; and
 - serve as hubs for innovation.
- 8.107 The Solent also benefits from essential transport infrastructure required to deliver development to meet the needs of the marine sector. The Solent is located on one of the country’s major HGV corridors, linking the region to London via the M3, Oxford and the Midlands via the A34 and M40. The Solent also benefits from two Road Investment Strategy (RIS) projects which would significantly transform the highway infrastructure. This includes the upgrade to the M27 to a smart motorway between junction 4 (M3 interchange) and junction

¹³² <https://www.maritimeuk.org/priorities/maritime-sector-recovery-plan/>

¹³³ See Appendix B at <https://democracy.portsmouth.gov.uk/documents/b14699/Tipner%20West%20Full%20Council%20Update%20-%20Appendices%2006th-Dec-2021%2013.00%20Cabinet.pdf?T=9>

11 (Fareham), linking with the M3 smart motorway project (RIS20 and the upgrade of J3 of the M27 (RIS3). The Solent also benefits from the core rail freight network (as defined by Network Rail) on the corridor connecting Southampton port with the West Midlands. The Solent also performs well in terms of airport infrastructure, with both Southampton and Bournemouth airports located in the sub-region, and the UK's largest airport in terms of passengers and freight tonnage/value, Heathrow, is well connected within convenient travel distance.

- 8.108 Supported by the conclusions reached in Maritime 50, the Solent is one of seven national maritime clusters, it offers specialisms relating to its Marine and Maritime University and Research and development assets and being the location for key institutions such as the Maritime and Coastguard Agency and Lloyd's register. The Solent is uniquely placed to attract marine and maritime businesses through the application of new technology and research. The Solent cluster offers the second highest number of marine and maritime businesses in the UK (after London), with over 500 firms operating in the industry. It provides the most firms in marine leisure (136) and the second highest in marine engineering (274) and maritime business services (108).

Current Shortcomings of the Solent

- 8.109 The availability of waterfront sites with the characteristics to deliver the right development is key to meeting the marine sector needs. With regard to the supply of waterfront land in the Solent, in 2019 only 10% of the remaining such land offers permanent water access. Of these sites, only 57% are over 2ha in size and they offer insufficient capacity to accommodate the infrastructure and development to accommodate marine, maritime and advanced manufacturing to a scale that delivers the UK need. The Savills report for TRP, in support of the project, has conducted research into the Solent employment market to understand the strength of the marine property market, its future profile and the extent of demand and how that could be met. The key findings have concluded:

- There is a shortage of available marine-frontage built area and developable land is in high demand;
- Capital costs may impact the viability of meeting this demand in an undersupplied market;
- An optimally designed marine employment environment will require high upfront costs, but also a long term view from occupiers for this unique cluster and critical mass of activity.

- 8.110 The evidence base demonstrates that there is a shortage of both available marine frontage developable land, coupled with a high demand. The capital costs may impact the viability of meeting this demand in an undersupplied market. Not only will an optimally designed marine hub comprising modern waterfront infrastructure require high up-front costs, but long term financial and advisory support (potentially through partnership with the Solent LEP, among other sources) is likely to be needed to attract occupiers to establish a unique cluster and critical mass of activity.

- 8.111 The MPL report undertook a detailed, targeted and specific market study through engagement with the marine sector to identify the nature and extent of marine sector requirements to be delivered by an optimal development site (see Site Promotion Report, August 2021, (paras. 2.46-2.53)¹³⁴. The study concluded that the Solent marine sector is currently not meeting demand and is losing out where opportunities are leaving the UK. The study noted that other potential marine employment sites in the Solent all suffered from a number of constraints such as poor water depth, inefficient vessel launch and recovery systems.

The Potential of Tipner West/Horsea Island East

- 8.112 The identification of Tipner West and Horsea Island East through the City Deal is based upon the need to address the national, regional and local need for employment focused on marine employment and advance manufacturing, with public funding being provided to address the marker factors summarised above. Such funding and public sector support will enable the early delivery of the required infrastructure to enable the delivery of a 9ha of marine employment development.
- 8.113 The City Deal sought to maximise the impact of marine and maritime assets by unlocking critical employment and housing sites. It states that: "Providing suitable employment sites for Southampton and Portsmouth's growing marine, maritime and advanced manufacturing sectors that are in close proximity to key economic assets (Port of Southampton, Portsmouth Naval Base and the Solen Marine Cluster) as well

¹³⁴ See Appendix D at

<https://democracy.portsmouth.gov.uk/documents/b14699/Tipner%20West%20Full%20Council%20Update%20-%20Appendices%2006th-Dec-2021%2013.00%20Cabinet.pdf?T=9>

as meeting growing housing demand are key economic challenges for the Solent...Unlocking this site fully will enable the provision of 2,370 new homes and 58,000 sqm of employment space [and] will help create over 3,700 jobs."

- 8.114 For all the reasons above, the delivery of development to meet the needs of the UK marine sector is considered to be both imperative and critical and in the public interest in support of the draft allocation.

Supporting Necessary Works through Enabling Development

Imperative reasons: Economic

- 8.115 As already noted, the City Deal does not provide for full Government funding to address the critical works highlighted above and significant additional grant funding will still be required. Despite the significant economic benefits expected to accrue from the development, it is not considered reasonable by the Council Administration to expect Portsmouth residents and taxpayers to solely bear the burden of servicing a loan, over many years, to cover the funding needed, even if such finance could be arranged. With no other feasible capital raising avenues available, utilising the site to provide enabling development to support the deliverability of the objectives is therefore considered essential. Further discussion on the financial constraints is provided in site promoter's report to Cabinet and Full Council in December 2023.¹³⁵
- 8.116 The provision of enabling development, in the form of residential development, is considered by the LPA to be both imperative and in the public interest to ensure the delivery of the site allocation and its many associated benefits. The response from DLUHC of September 2023 confirmed that the provision of housing could constitute IROPI.

Other Public Benefits

Imperative reasons: Human health, public safety, beneficial consequences of primary importance to the environment, social and economic

- 8.117 The LPA's IROPI statement of case outlined other public benefits, notably:

Housing Need

- 8.118 The Tipner West & Horsea Island East allocation will deliver between 814 and 1250 homes in total. The need for new homes in Portsmouth is great. Based on the standard methodology, as of December 2023, the need for new homes in the City is 899 dwellings per year. Policy PLP16 of the Pre-Submission Local Plan sets a housing target of 13,603 new homes to be completed in the City up to 2040, which is 680 new homes each year. There is therefore an annual unmet need of 219 homes per year. The Housing Delivery Test Action Plan¹³⁶ explains the reasons for under delivery and sets out ways in which we will address it.

Sustainable Transport and Connectivity

- 8.119 A city-wide policy in line with the Portsmouth Transport Strategy (LTP4) and Imagine Portsmouth 2040 Vision¹³⁷, including meeting climate change targets as outlined in draft Chapter 9 of the Local Plan ("Greening the City").

Public Access to Open Space and Heritage Assets

- 8.120 With the benefit of City Deal funding and the adoption of the new Portsmouth Local Plan 2040, it is feasible to open up much improved opportunities for public access to areas of public open space planned on former landfill to the north of the HIE site. The land is allocated for new open space under draft policy PLP9 of the Pre-Submission Local Plan. This would cover an area of approximately 64ha and provide public health benefits for existing and new residential communities.
- 8.121 In addition, there are five Grade 2 Listed Buildings on the site which have been neglected for many years. The enabling of development of the Tipner West peninsula as supported through the City Deal and draft Local Plan allocation, alongside the imminent freehold acquisition of these assets by the City Council, provides the City Council with new opportunities and responsibilities. The listed buildings on site have a

¹³⁵ <https://democracy.portsmouth.gov.uk/documents/s49338/TRP%20Report.pdf>

¹³⁶ <https://www.portsmouth.gov.uk/wp-content/uploads/2022/11/Portsmouth-City-Council-Housing-Delivery-Test-Action-Plan-2022-2023.pdf>

¹³⁷ <https://imagineportsmouth.co.uk/the-vision/>

unique maritime history, in particular with regard to the holding of gunpowder and munitions and the site allocation seeks to ensure, as far as possible, the restoration, repair and re-purposing of these assets.

Managing existing recreational disturbance to birds on designated areas

- 8.122 The site is currently inflicted with unmanaged access to the coastal edge resulting in recreational disturbance of qualifying bird species on the intertidal, estuarine and terrestrial areas of the SPA/Ramsar site. Creating a deliverable development on the site will enable an on-site management plan and mitigation/avoidance strategy to be introduced to prevent and reduce direct recreational disturbance and other adverse effects to the site integrity that are arising from current uses, both formal and informal, of the land in its current status. This would be in addition to the established Bird Aware mitigation strategies already in place.

The Overriding Balance

- 8.123 Consideration of IROPI necessarily involves a balancing exercise for the decision-maker. It is necessary for the 'competent authority' namely Portsmouth City Council as LPA, to consider if the imperative reasons and public benefits put forward override the anticipated harms identified. Advocate General Kokott in Case C-239/04 described the exercise as a balancing exercise: *"The necessity of striking a balance results in particular from the concept of 'override', but also from the word 'imperative'. Reasons of public interest can imperatively override the protection of a site only when greater importance attaches to them. This too has its equivalent in the test of proportionality, since under that principle the disadvantages caused must not be disproportionate to the aims pursued."*¹³⁸
- 8.124 The overriding balance is thus a matter of judgement to be conducted by weighing the imperative reasons of public interest against the identified adverse effects on the Portsmouth Harbour SPA / Ramsar site.
- 8.125 On one side of the balance is the reasonable worst-case direct loss of habitat resulting from the adoption of Policy PLP3: 2.1ha of intertidal habitat from dredging for the marine hub; 0.3ha of intertidal habitat for the bridge piers; up to 0.5ha of subtidal habitat from land reclamation for the marine hub; and up to 3.6ha of terrestrial habitat from development on land south of the firing range. According to the Ramsar Information Sheet for the Portsmouth Harbour Ramsar site¹³⁹, 59.3% of the site consists of intertidal flats and 21.2% consists of coastal waters (which will largely have subtidal mudflat as a substrate). This equates to approximately 740.52ha of intertidal flats and approximately 264.74ha of subtidal habitat. The reasonable worst-case habitat loss due to Policy PLP3 therefore equates to 0.3% and 0.19% of these features respectively. While any permanent loss above the trivial requires compensatory provision, this scale of loss is a very small amount of the total available resource.
- 8.126 As for the possible loss of terrestrial habitat, this resource is scarcer within the Portsmouth Harbour SPA/Ramsar boundary with the land to the south of the firing range on Tipner West being the largest area of terrestrial habitat within the SPA/Ramsar boundary. However, this only represents a small amount (c. 3ha) of the terrestrial primary support habitat around the SPA/Ramsar, with the majority of high tide roosting habitat which support SPA birds already lying beyond the SPA/Ramsar boundary, as identified in the Solent Wader and Brent Goose Strategy. For example Primary Support Areas P48C (46.45ha), P40 (10.25ha), P43 (6.8ha), P140 (4.53ha) and P40A (2.6ha) all lie within 1.5km of the land south of the firing range. There is an agreed strategy for offsetting of the loss of primary support areas outside the SPA as set out in section 6.2 of this report, indicating that it is possible to replace such habitat. Moreover, even if development of land to the south of the firing range on Tipner West does occur it will not result in the loss of the entirety of this habitat and such development is not a requirement or inevitable outcome of Policy PLP3. Therefore, while any permanent loss above the trivial requires compensatory provision, the potential scale of loss is a small amount of the total available resource, being approximately 5% of the primary support area resource within c. 1.5km of the development.
- 8.127 On the other side of the balance are long term, significant benefits in the public interest, as set out above. Some of those benefits (sea defence and decontamination) directly contribute to protecting the long-term integrity of the Habitats sites. While it is not possible to quantify the impact of long-term leachate contamination on the integrity of the SPA/Ramsar site, the risk of such contamination is real and present,

¹³⁸

<https://curia.europa.eu/juris/document/document.jsf?text=&docid=56397&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=11738122>

¹³⁹ <https://jncc.gov.uk/jncc-assets/RIS/UK11055.pdf>

and it is reasonable to assume it would have adverse effects at least as harmful as the reasonable worst-case direct habitat loss that might be caused by the PLP3 allocation.

- 8.128 How the balance is struck is ultimately a matter of judgement. The authors collective professional judgement is that the afore-mentioned imperative public interest benefits clearly **OVERRIDE** the risk or certainty of adverse effects on the integrity of the Portsmouth Harbour SPA and Ramsar Site arising from the site's allocation for development as set out in draft policy PLP3. That said, as Council Members are the elected representatives of the competent authority, their views of the public interest carry particular weight and they will ultimately need to endorse or reject this judgement, having regard to the expert evidence in this HRA.

Compensatory Measures

- 8.129 To ensure deep water access to the new marine hub quaysides dredging of approximately 2.1ha of intertidal habitat within Portsmouth Harbour SPA/Ramsar site will be required, converting it to subtidal habitat. This will reduce the overall net extent of intertidal habitat available for bird roosting and foraging within the SPA/Ramsar. Other aspects of development delivery are likely, though not certain, to involve land-take from the SPA/Ramsar site depending on how the development is designed for the planning application. Placement of bridge piers in the intertidal zone are likely to be needed and would involve the loss of up to 0.3ha of intertidal habitat within the SPA/Ramsar. Up to 0.5ha of subtidal habitat could potentially be lost if possible areas of reclamation identified in the Local Plan are realised. For purposes of realistic worst-case assessment, this HRA has also identified the potential for loss of up to 3.6ha of terrestrial habitat in south of the firing range on Tipner West. This totals 2.1ha of inevitable intertidal habitat loss, 0.5ha of likely subtidal and 0.3ha of likely intertidal habitat loss (for the bridge piers), and 3.6ha of possible terrestrial habitat loss.
- 8.130 The progression of an appropriate compensation strategy for the site allocation has been on-going since the City Deal grant was awarded and project team put in place. This initially progressed to detailed landowner negotiations across a Solent-wide search area and for the purposes of compensating the previous 'super peninsula' proposals for the site.
- 8.131 The compensation strategy was informed, in part, by the development of a bespoke 'SPA Metric', originally developed by promoter consultants Environment Bank, based upon DEFRA biodiversity metric principles, and to provide a quantitative assessment of SPA/Ramsar impacts and appropriate levels of compensation. Unlike the Defra biodiversity metric, the SPA metric does not account for habitat distinctiveness, but takes into account the relative functionality of the habitat before and after development for the qualifying Annex 1 bird species concerned. The project promoters are continuing to refine the bespoke SPA metric in consultation with the Regulatory Panel.
- 8.132 In summary, the bespoke SPA metric takes account of the following parameters:
- SPA/Ramsar function, based on bird survey data and other available information, as previously characterised by Environment Bank;
 - Habitat condition, based on SSSI condition assessment information, expert judgement and precautionary assumptions;
 - Time taken to reach target habitat function and condition; and
 - Difficulty in creating target habitat function and condition.
 - In calculating compensation requirements the following assumptions have been made, as informed through consultation to date with the Regulatory Panel:
 - The baseline condition of SPA habitats is assumed to be 'Good', on the basis of the duty to restore to favourable condition;
 - The function of the terrestrial SPA land to the south of the firing range is assumed to be 'High', again, on the basis of the duty to restore habitats to favourable condition;
 - Through appropriate mitigation of urban effects there will be no functional habitat loss within retained terrestrial SPA land south of the firing range;
 - Bridge/road provision for both options has the same impact parameters;

- Coastal squeeze impacts assumed identical for both options; and
 - Dredge channel impacts assumed identical for both options.
- 8.133 In addition to the parameters used within the baseline SPA metric calculation, the post-development calculation uses additional multipliers to take account of the difficulty in creating compensation habitat and the time taken to reach the required condition. The metric has been used to calculate the amount of land potentially required to secure adequate compensation for impacts to SPA habitat arising from development Options A and B set out above at Figures 5 and 6, on the basis that SPA habitat loss would need to be compensated on a like-for-like basis (e.g. terrestrial for terrestrial, intertidal for intertidal, and sub-tidal for sub-tidal), with habitat creation multipliers varying depending on the type of habitat proposed as compensation.
- 8.134 The following types of compensatory provision are required:
- Terrestrial compensation – creation of undisturbed semi-natural terrestrial grazing;
 - Intertidal compensation - conversion of agricultural land (currently unsuitable for SPA birds) to intertidal; and
 - Sub-tidal compensation – conversion of intertidal to sub-tidal through dredging.
 - Not taking account of wider professional judgement, the metric currently indicates a need for between 10ha and 14.5ha of compensatory habitat (approximately), split as follows:
 - Approximately 9ha intertidal compensatory habitat;
 - Approximately 1ha of sub-tidal compensatory habitat; and
 - Approximately a further 4.3ha of terrestrial habitat compensation if Option B is taken forward as this Option involves development on the terrestrial habitat within the SPA/Ramsar that is used by SPA/Ramsar birds.
- 8.135 In the process of identifying potential locations for compensatory provision the site promoter team has identified ten sites across the North Solent between Portsmouth Harbour and Chichester Harbour amounting to approximately 400ha. The smallest parcel is c. 5ha in area with the largest being 126ha in area. Approximately 344ha of this total is suitable for intertidal or subtidal habitat creation and approximately 62ha is suitable for terrestrial habitat creation. This sums to more than 400ha because some parcels are suitable for both/either intertidal or terrestrial habitat. Approximately 40% of this land is in public body ownership (such as Portsmouth City Council, Hampshire County Council and The Crown Estate) with the remainder in private landowner hands. Site owners have expressed willingness in broad terms to contribute land to compensation.
- 8.136 The sites identified by the site promoter team are commercially confidential. Aecom and members of the Council's LPA team have, however, been permitted to review those parcels for the purposes of this HRA and are satisfied that there is easily sufficient land that is both suitable and available to compensate any loss of protected habitat caused by the adoption of Policy PLP3 and available. The Council as LPA is working with the promoter team to explore what information about the sites can be made publicly available and how the Secretary of State, PINS and relevant statutory consultees can receive information about those sites, if necessary on a confidential basis.
- 8.137 The final approach to compensatory habitat will continue to be discussed between the PCC Promoter team and the Regulatory Panel, having regard, for instance, to any preference for high-tide roosting habitat over inter-tidal/sub-tidal options, which may favour a more local solution, such as island recharge within Portsmouth Harbour. Moreover, at the project-stage, the SPA metric will need to be accompanied by a careful assessment of the baseline evidence in relation to both the existing site and the proposed compensation site and professional ecologist assessment will be required.
- 8.138 Some members of the Regulatory Panel have criticised aspects of the metric approach used by the promoter to calculate the compensation requirement. However, due to the area of available land identified a considerable margin for error is built into the proposals at this stage (c. 400ha of land identified as suitable compared to 14.5ha of compensation currently calculated to be required). As such, amendments to the

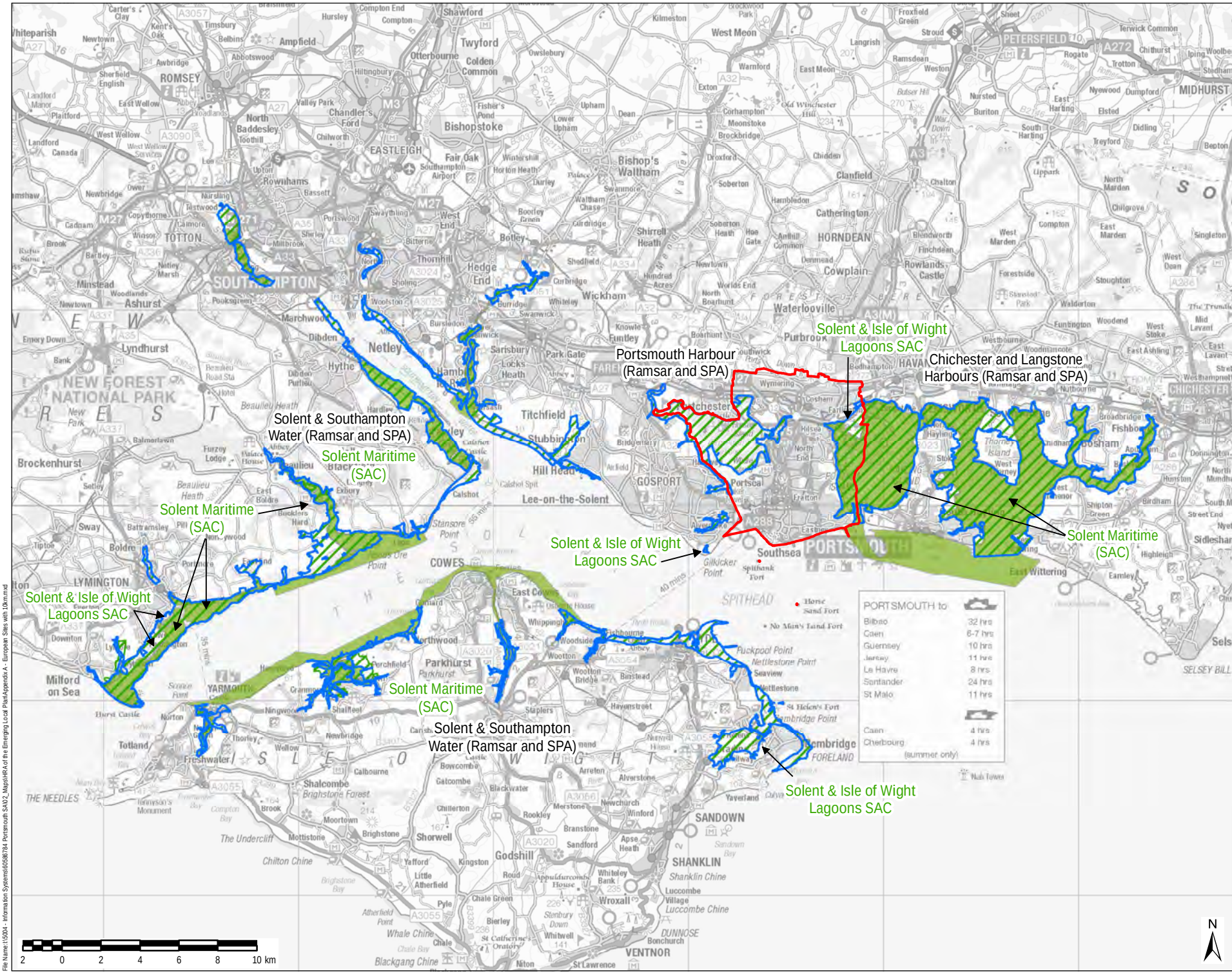
calculations at the project-stage, or in an HRA to accompany a planning application, are unlikely to change compensation requirements to such an extent that suitable and available land is inadequate.

- 8.139 At the strategic planning stage, AECOM considers that there can be high confidence that across these parcels sufficient areas can be secured to deliver the necessary compensatory habitat once the quantum and nature of the required compensatory habitat is known.

Overall conclusion on the Derogations Tests

- 8.140 The overall conclusions of the preceding assessment of each part of the derogation tests, is that sufficient information exists at the Local Plan level to be able to conclude that the Tipner West and Horsea Island East (Policy PLP3) that a) there are no feasible alternatives to this allocation that would be less damaging to the integrity of the SPA/Ramsar site while still meeting the objective set out in section 8.1 of this HRA as expressed in the Local Plan, b) there are IROPI as to why the Local Plan should be adopted with Policy PLP3 intact despite the harm caused to Portsmouth Harbour SPA/Ramsar site and c) there is sufficient suitable land identified for delivery of compensatory measures to conclude that suitable compensation can be secured at the planning application level once the quantum and nature of the required compensatory habitat is known.

Appendix A Map of Habitats Sites



THIS DRAWING IS TO BE USED ONLY FOR THE PURPOSE OF
ISSUE THAT IT WAS ISSUED FOR AND IS SUBJECT TO AMENDMENT

LEGEND

- Portsmouth City boundary
- Ramsar
- Special Protection Area (SPA)
- Special Area of Conservation (SAC)

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Purpose of Issue
DRAFT

Client
PORTSMOUTH CITY COUNCIL

Project Title
**HRA OF THE EMERGING
PORTSMOUTH LOCAL PLAN**

Drawing Title
**EUROPEAN SITES WITHIN
10KM OF PORTSMOUTH CITY**

Drawn JW	Checked TD	Approved DW	Date 24/08/2021
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APPENDIX A

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File Name: I:\1004 - Information Systems\60586784 Portsmouth SA02 - Main\HRA of the Emerging Local Plan\Appendix A - European Sites within 10km.mxd

Appendix B Screening for Likely Significant Effects

Table 8: Likely Significant Effects (LSEs) test for policies included in the emerging Portsmouth Local Plan.

Each policy is assessed for potential impact pathways linking to Habitats sites. If LSEs cannot be excluded and Appropriate Assessment is needed, the final column is marked in orange, otherwise the last cell is marked green.

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
Chapter 3 – Development Strategy		
Core Policy PLP1: Design	This policy seeks to ensure a high standard and quality of design. Proposals will be assessed on certain criteria including: • Making a positive contribution towards achieving the Portsmouth Design Vision • Demonstration of key design and placemaking characteristics: – Context – Identity – Built form – Movement – Nature – Public spaces – Uses – Homes – Resources – Lifespan • Large scale development and development at sensitive locations should have positive regard to any design code or design guide relevant to the site. • Development proposals should combat crime through their design and layout • Developments should not give rise to unacceptable adverse impacts in relation to amenity of occupiers • Developments should avoid, minimize and mitigate where necessary the impact of: – Outlook / aspect – Sense of enclosure – Direct or perceived overlooking / privacy – Daylight / sunlight – Noise – Odour	The are no Likely Significant Effects of this policy on Habitats Sites. This is a design management policy that identifies important design criteria for new developments in Portsmouth City. Some of these features (building height, lighting, fenestration) clearly relate to impact pathways, such as impacts on SPA / Ramsar bird flightlines. However, no specific detail on any of these design criteria is provided in this policy. Therefore, there are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
	– Glare – Micro-climatic effects • Developments for tall buildings are subject to additional criteria	
Core Policy PLP2: Climate Emergency	1. Development proposals will be supported provided that they: a) Reduce greenhouse gas emissions and store carbon; b) Minimise energy use and demonstrate that residual energy demand can be met with renewable forms of energy; c) Maximise the generation of energy from renewable and low carbon sources of energy; d) Are designed to adapt and be resilient to the impacts of local climate change; e) Reduce the risk of flooding both now and in the future, taking account of predicted sea level rises and the impact on areas vulnerable to coastal change; f) Maximise water re-use and the protection of water resources; g) Prioritise active travel and effective public transport over car use wherever possible; h) Deliver green infrastructure and enhance biodiversity; i) Prevent and minimise waste and encourage re-use, recycling, and resource recovery; and j) Encourage the reuse of existing buildings and structures. 2. Development proposals for major development must be supported by a Sustainability Statement, which clearly demonstrates how it meets the objectives set out in Part 1 of this policy	The are no Likely Significant Effects of this policy on Habitats Sites. This is a design management policy that supports environmentally friendly development. There are no specific allocations made in this policy. Therefore, there are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.
Chapter 4 – Strategic Sites		
Strategic Site Allocation Policy PLP3: Tipner West & Horsea Island East	Policy allocates land at Tipner West & Horsea Island East, for mixed use development including: • 58,000m² marine employment floor space • 814 to 1,250 residential dwellings • A bridge between Tipner West and Horsea Island East for the use of sustainable transport modes only; • Flood defences along the peninsula edges; • Shops selling essential goods, including food, where the shop's premises do not exceed 280m²; and • Meeting places for the principal use of the local community (class F2b). Development proposals for these uses will be permitted provided that they meet additional criteria including: • Create a landmark gateway to the City of Portsmouth with a site-wide master plan and design code • Designing of buildings and spaces to break down the barrier (physical and perceived) created by the M275 and Portsbridge Creek. • Allowing views from Tipner West and notable landmarks within the zone of visibility including Portchester Castle, the Spinnaker Tower and His Majesty's Naval Base • Integrating green and blue infrastructure into the masterplanning and design of the development; • Identifying and incorporate opportunities to conserve, restore and recreate priority habitats and ecological networks;	Likely Significant Effects on Habitats Sites cannot be excluded. This is the strategic development policy for Tipner West and Horsea Island East, which allocates the 814 to 1,250 dwellings and 58,000m² of marine employment space The following impact pathways are associated with an increase in population size, employment area and tourism opportunities: • Recreational pressure (in Habitats sites and functionally linked habitat) • Loss of functionally linked habitat • Water quality • Water quantity, level and flow • Visual and noise disturbance in Habitats sites and functionally linked habitats (during and post-construction)

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
	- Except for the minimum dredging necessary to establish and maintain deep water access to the marine hub, avoid the loss of, or damage to, SPA/Ramsar habitats. If that is not viable or feasible, minimise such loss, or damage, to that required to enable the viable and feasible development of the site in line with the development quantum set out in this Policy whilst protecting the integrity of the international, national and local nature designations; - Incorporating car-free streets where feasible; - Improving off-road pedestrian and cycle provision linking Port Solent and Tipner to the City Centre and nearby public open spaces; - Providing safe and efficient vehicular access to and from the M275 and the surrounding non-strategic road network; - Deliver or contribute proportionally to relevant transport and highways mitigation measures, identified in the STP and/or IDP; - Mitigating likely significant effects from recreational disturbance; - Providing for public access along the waterfront where feasible; - Delivering appropriate surface water and foul drainage infrastructure together with required nutrient neutrality and water usage mitigation measures; - Implementing land raising and construction of flood defences informed by the SFRA Level 1 and 2 - Deliver surface water management measures for high tide events - Mitigating and remediate contamination from current and historic uses; - Providing a skills and employability plan; The Listed Buildings and Scheduled Monument must be retained, restored and re-used as appropriate. A segregated bus way between Tipner West and Horsea Island via a new bridge and on to Port Solent will be established and operated. The deep water access to Tipner Point and the new marine hub quaysides will be maintained. A shadow, project level Habitat Regulations Assessment (HRA) will be required to be submitted along with the planning application, and as necessary for any phased applications, to the local planning authority as competent authority. On account of the fact that delivery of the Policy will inevitably result in the loss of some designated SPA/Ramsar habitat and will likely result in the loss of some functionally linked habitat, the HRA must among other things: - provide sufficient evidence for the local planning authority to conclude, in consultation with Natural England and Secretary of State, that all three derogation tests have been passed. - demonstrate that any loss of functionally linked habitat, including that identified as a primary or secondary support area in the Solent Waders and Brent Goose Strategy, will be mitigated through the provision of replacement functionally linked supporting habitat of equal or greater quality and quantity, which fulfils the same special contribution and particular function of the areas lost or damaged for the same species of birds. Planning applications may come forward separately or in phases. All proposals need to demonstrate consistency with other permissions granted and emerging proposals. Planning applications will need to demonstrate potential solutions if future phases do not come forward within an agreed timeframe.	- Atmospheric pollution - Impacts on flightlines - Coastal squeeze - Permanent habitat loss Due to these linking impact pathways, this policy is screened in for Appropriate Assessment.

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
Policy PLP4: Tipner East	Policy allocates land at Tipner East, for mixed use development including: • 1,056 residential dwellings • A new transport hub with 840 m² ancillary commercial uses • Commercial and community uses including a convenience store, a restaurant/café and a community space. • Flood defences in line with robust climate change scenarios Development proposals for these uses will be permitted provided that they meet additional criteria including: • Create a new landmark gateway to the City of Portsmouth ; • Designing of buildings and spaces to break down the barrier (physical and perceived) created by the M275 and Portsbridge Creek. • Integrating green and blue infrastructure into the masterplanning and design of the development; • Incorporating car-free streets where feasible; • Improve off-road accessible pedestrian and cycle provision linking with the city centre and local open space and local facilities; • Providing safe and efficient vehicular access to and from the M275 and the surrounding non-strategic road network; • Deliver or contribute proportionate transport and highways mitigation measures identified in the STP and IDP; • Providing for public access along the waterfront where feasible and mitigating likely significant effects from recreational disturbance; • Safeguard the routes of the Pilgrims Trail, the King Charles III England Coast Path and National Cycle Route 22 through the site • Providing appropriate compensation and mitigation measures to the satisfaction of the local planning authority and Natural England in regard to the Secondary Support Sites P136 and P139 of the Solent Waders and Brent Goose Strategy; • A shadow, project level Habitat Regulations Assessment (HRA) will be required to be submitted along with the planning application(s) to the Local Planning Authority as competent authority. This must provide sufficient evidence for the Local Planning Authority to undertake an Appropriate Assessment, in consultation with Natural England, and to be satisfied that the mitigation measures proposed by the applicants would result in no significant effects upon the integrity of the National Site Network, whether alone or in combination with other plans and/or projects in the area; Delivering surface water management measures to make provision for storage during high tide events. • Implementing land raising and construction of flood defences informed by the SFRA Level 1 and 2 • Mitigating and remediating for contamination from current and historic uses; and • Planning applications may come forward separately or in phases. All proposals need to demonstrate consistency with other permissions granted and emerging proposals. Planning applications will need to demonstrate potential solutions if future phases do not come forward within an agreed timeframe	Likely Significant Effects on Habitats Sites cannot be excluded. This is the strategic development policy for Tipner East, which allocates the 1,056 dwellings and a new transport hub. The following impact pathways are associated with an increase in population size, employment area and tourism opportunities: • Recreational pressure (in Habitats sites and functionally linked habitat) • Loss of functionally linked habitat • Water quality • Water quantity, level and flow • Visual and noise disturbance in Habitats sites and functionally linked habitats (during and post-construction) • Atmospheric pollution • Impacts on flightlines • Coastal squeeze • Permanent habitat loss Due to these linking impact pathways, this policy is screened in for Appropriate Assessment.
Policy PLP5: Lakeside North Harbour	Lakeside North Harbour is allocated as an employment-led location to provide at least 50,000sqm of office uses. Alternative commercial uses may be permitted, if it can be demonstrated that there is insufficient market demand for offices at this location.	Likely Significant Effects on Habitats Sites cannot be excluded.

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
	A new secondary access point at Lakeside to be provided on to the Western Road (A27) in accordance with the general arrangement plan (figure XX) of the Strategic Transport Assessment, or such alternative as may be developed and agreed with PCC Highways. Development proposals will be permitted provided that they meet all of the development requirements, including: • A masterplan and design code for the whole site • A high standard and quality of design sympathetic to the campus style setting and ecological value; • An employment skills plan • To meet the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended), the developer should provide evidence that the allocated site will not result in the loss of habitat that is functionally linked (Candidate Site P138) to Solent's SPAs / Ramsars. To demonstrate this, non-breeding bird surveys between October and March (typically two survey seasons) may be required to determine if the allocation itself or land adjacent to it, constitute an area of significant supporting habitat. If the site is found to be functionally linked to Habitats sites, mitigation and / or avoidance measures will be required, and the planning application will need to be supported by a bespoke Habitats Regulations Assessment to ensure that the development does not result in adverse effects on site integrity.. Appropriate avoidance and mitigation measures to be provided to the satisfaction of the local planning authority and Natural England • A biodiversity net gain of at least 20% • An Arboricultural Impact Assessment, Arboricultural Method Statement and associated Tree Protection Plan • A site specific Flood Risk Assessment will be required • Flood management measures should be incorporated within the site in accordance with the SFRA Level 1 and 2 • Effective surface water management measures for high tide events • The provision of a Sustainable Drainage System (SuDS) to mitigate the risk of surface water flooding. • Provision made for remediation of any current and historical contamination of the site. • Effective access arrangements that are safe and suitable for all users. • A Travel Plan to minimise car use by current and prospective occupants of Lakeside and to maximise use of sustainable modes of transport, • Deliver or contribute proportionally to the relevant transport and highways mitigation measures identified within the Local Plan Strategic Transport Assessment and/or Infrastructure Development Plan	This is the strategic development policy for Lakeside North Harbour which allocates approx. 50,000m² office-led floorspace in the plan period. The following impact pathways are associated with an increase in employment area. Water quality • Water quantity, level and flow • Visual and noise disturbance in Habitats sites and functionally linked habitats (during and post-construction) • Atmospheric pollution • Impacts on flightlines Due to these linking impact pathways, Policy PLP5 is screened in for Appropriate Assessment.
Policy PLP6: Portsmouth City Centre	This policy allocates Portsmouth City Centre, for the comprehensive mixed-use development of the following uses: • 4,158 dwellings • 20,000m² (Gross) of employment office space (net 1,546m²) • 2.9ha park at City Centre North Development proposals will be permitted provided that they meet all of the development requirements, including: • Enhancing the city centre's commercial uses and supporting culture, arts, civic and leisure uses. Including space for a regular market. • Protecting and enhancing the existing open spaces • Provision is made for a space for a regular market on Commercial Road; • Improve pedestrian and cycle connectivity to the surrounding residential areas;	Likely Significant Effects on Habitats Sites cannot be excluded. This is the strategic development policy for Portsmouth City Centre, which allocates new dwellings (4,158), new commercial floorspace (net 1,546m²). The following impact pathways are associated with an increase in population size and employment area: • Recreational pressure (in Habitats sites and functionally linked habitat)

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
	- Incorporating car-free streets with Mobility-as-a-Service and prioritise sustainable transport modes; - Deliver or contribute proportionally to the relevant transport and highways mitigation measures identified within the Local Plan Strategic Transport Assessment and/or Infrastructure Development Plan - Ensure the air quality in adjoining AQMAs is not worsened - Provision made for remediation of any current and historical contamination of the site. - Complement the proposals set out in the University of Portsmouth Estate Masterplan where relevant; - Demonstrate how its design enhances the centre's appearance and considers the needs and safety of all its users including reducing crime, through the provision of a design code; - Major development including major commercial development should provide an employment and skills plan to demonstrate how the proposals provide opportunity for local workers; - Major Development should provide a travel plan to demonstrate how it is contributing to a shift to sustainable and public transport in the centre; and - Development protects trees within the City Centre and takes opportunities to plant more and provide enhanced greening. This policy breaks down the city centre area is divided into areas, with differing design goals for the four areas in which proposals are supported. These areas are City Centre North, City Centre Commercial Area, Station Road Regeneration Area, Guildhall Cultural Regeneration Area.	- Loss of functionally linked habitat - Water quality - Water quantity, level and flow - Visual and noise disturbance in Habitats sites and functionally linked habitats (during and post-construction) - Atmospheric pollution - Impacts on flightlines Due to these linking impact pathways, Policy PLP6 is screened in for Appropriate Assessment.
Policy PLP7: Fratton Park and The Pompey Centre	This policy allocates Fratton Park and the Pompey Centre, for the comprehensive mixed-use development of the following uses: - Expansion to the north stand of Fratton Park Football Stadium; - Approximately 710 residential dwellings with ground floor active uses. - Supporting hotel (Approx 145 rooms) - Mixed conference and event facilities Development will: - include an off-road pedestrian and cycle link from Fratton Train Station to Fratton Park. - Incorporate active frontages and entrances that promote activity - Planning applications may come forward separately or in phases. All proposals need to demonstrate consistency with other permissions granted and emerging proposals. Planning applications will need to demonstrate potential solutions if future phases do not come forward within an agreed timeframe Develop proposals will be permitted if they meet the site specific requirements, which include: - The design, height and density of development integrates with the existing context and character of the site - Effective, safe access arrangements - Deliver or contribute proportionally to the relevant transport and highways mitigation measures identified within the Local Plan Strategic Transport Assessment and/or Infrastructure Development Plan - A travel plan and transport assessment provided - Sustainable Drainage System (SuDS) Provision - A network of interconnecting green and public access corridors throughout the site	Likely Significant Effects on Habitats Sites cannot be excluded. This is the strategic development policy for Fratton Park and the Pompey Centre, which allocates the following number of dwellings, employment areas and leisure uses: - Expansion to Football Stadium, 710 dwellings, - Hotel, conference and event facilities The following impact pathways are associated with an increase in population size and employment area: - Recreational pressure (in Habitats sites and functionally linked habitat) - Loss of functionally linked habitat - Water quality - Water quantity, level and flow - Visual and noise disturbance in Habitats sites and functionally linked habitats (during and post-construction) - Atmospheric pollution

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
		Impacts on flightlines Due to these linking impact pathways, Policy PLP7 is screened in for Appropriate Assessment.
Policy PLP8: St. James' and Langstone Campus	This policy allocates St James's and Langstone campus for a mixed use development comprising healthcare facilities, education facilities, recreation, sports and community facilities, 417 dwellings. Planning permission for the St James's part of the site has the site specific requirements including: - Conserving the setting and significance of heritage assets in the hospital grounds. - A heritage statement for all proposed development - Conserve or enhance the district parkland landscape and open character - Provide Arboricultural Impact assessment and method statement for implementation - Integrating the following open spaces into new development: The St James's Hospital Cricket Pitch, The Dog Park, Land to the north west of the listed chapel, and to the east and west of Chapel Way. - Providing north-south pedestrian and cycle links from Locksway Road to Longfield Road. - Provides off site highway network improvements. Planning permission for the Langstone Campus part of the site has the site specific requirements including: - A landscape and visual impact assessment - Retention of playing fields and pitches where possible - Retention and enhancement of public access - Enhancement and retention of public access to open space and playing fields - The north-south bus / cycleway connection along Furze Lane is retained and enhanced - Safe and accessible off-road walking and cycle routes All developments at the site should provide: - Mitigation for direct recreational disturbance on Nationally and Locally designated habitat sites - A site specific flood risk assessment and appropriate flood management measures - A sustainable drainage system - A travel plan and transport assessment - Deliver or contribute proportionally to the relevant transport and highways mitigation measures identified within the Local Plan Strategic Transport Assessment and/or Infrastructure Development Plan - Transport links including road improvements and pedestrian/cycle links across the site and to wider parts of the City - Proposals should meet the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended). The developer should provide evidence that the allocated site will not result in the loss of habitat that	Likely Significant Effects on Habitats Sites cannot be excluded. This is the strategic development policy for the St. James' and Langstone Campus, which allocates the 417 dwellings. The following impact pathways are associated with an increase in population size and employment area: - Recreational pressure (in Habitats sites and functionally linked habitat) - Loss of functionally linked habitat - Water quality - Water quantity, level and flow - Visual and noise disturbance in Habitats sites and functionally linked habitats (during and post-construction) - Atmospheric pollution - Impacts on flightlines - Coastal squeeze Due to these linking impact pathways, Policy PLP8 is screened in for Appropriate Assessment.

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
	is functionally linked (Core Area P23B, Secondary Support Area P25) to Solent's SPAs / Ramsars. To demonstrate this, non-breeding bird surveys between October and March (typically two survey seasons) may be required to determine if the allocation itself or land adjacent to it, constitute an area of significant supporting habitat. If the site is found to be functionally linked to Habitats sites, mitigation and / or avoidance measures will be required, and the planning application will need to be supported by a bespoke Habitats Regulations Assessment to ensure that the development does not result in adverse effects on site integrity;	
Policy PLP9: Horsea Island Open Space	This Policy allocates Horsea Island Open Space for development including: • Public open space; • Improved habitat for wildlife; • Infrastructure supporting the provision of the open space; • Infrastructure supporting the remediation of the former landfill; • Provision of a segregated busway / cycle and pedestrian link between Tipner West and Port Solent, via a new bridge at Horsea Island East. Development proposals for the above-named uses will be permitted provided that they meet all of the following site-specific development requirements: • The open space provision should consider the needs of users and provide multi- functional spaces; • The open space provides for a mosaic of habitat that links to and supports the habitat of the neighbouring Portsmouth Harbour Special Protection Area and recognises the role of the site as habitat for waders and Brent Geese; • To meet the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended), the developer should provide evidence that the allocated site will not result in the loss of habitat that is functionally linked to Solent's SPAs / Ramsars . To demonstrate this, non-breeding bird surveys between October and March (typically two survey seasons) may be required to determine if the allocation itself or land adjacent to it, constitute an area of significant supporting habitat. If the site is found to be functionally linked to Habitats sites, mitigation and / or avoidance measures will be required, and the planning application will need to be supported by a bespoke Habitats Regulations Assessment to ensure that the development does not result in adverse effects on site integrity.' Proposals will need to comply with and Policy PLP 42 of this plan and take account of the guidance set out in and the Solent Waders and Brent Goose Strategy Guidance on Mitigation and Off-setting Requirements; • Proposals will need to be in line with the restrictions of the MoD exclusion zone; • Public access will be restricted from areas needed for the safe extraction of gases from the former landfill; • Proposals will take account of the approved plan for landscaping and maintenance of the former landfill site; • Allow views to and from the open space and notable landmarks, within the zone of visibility;	The are no Likely Significant Effects of this policy on Habitats Sites. This policy supports the habitat of the neighbouring Portsmouth Harbour Special Protection Area. There are no impact pathways that link this policy to Habitats Sites. Therefore, the policy is screened out from Appropriate Assessment.
Chapter 5: Site Allocations		

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
Policy PLP10: Land West of Portsdown Technology Park	This policy allocates Land West of Portsdown Technology Park for the provision of 12,500m² of employment land for research and development and/or manufacturing. Development proposals for this must meet the site specific requirements including: • Providing an employment and skills plan • Provide evidence for ground conditions and contamination, making provision for remediation as necessary; • Ensuring safe and suitable access arrangements; • Provide a Travel Plan to minimise car use and maximise the use of sustainable transport; • Requiring a landscape design strategy, considering views within an agreed zone of visibility and viewpoints to the north and south; • Landscaping that enhances the site's contribution to the downland setting and provides links to green infrastructure; • Deliver or contribute proportionally to the relevant transport and highways mitigation measures identified within the Local Plan Strategic Transport Assessment and/or Infrastructure Development Plan • Restricting development to the previously developed land; • Responding positively to local heritage assets.	Likely Significant Effects on Habitats Sites cannot be excluded. This is the strategic development policy for Land West of Portsdown Technology Park, which allocates new employment floorspace (12,500m²). The following impact pathways are associated with an increase in employment area: • Loss of functionally linked habitat • Water quality • Water quantity, level and flow • Visual and noise disturbance in Habitats sites and functionally linked habitats (during and post-construction) • Atmospheric pollution • Impacts on flightlines Due to these linking impact pathways, Policy PLP10 is screened in for Appropriate Assessment.
Policy PLP11: Port Solent	Land is allocated at Port Solent for the provision of 500 residential uses and for marine related uses. Development proposals for this will be permitted if they meet site specific requirements including: • A conceptual framework masterplan to ensure high quality development responding positively to the existing character and land uses; • Providing buildings designed to a high standard that complement the existing built form • Including measures to avoid and mitigate impacts, including recreational impact, on the adjacent SPA, SSSI and Ramsar Site; • Including measures to protect and enhance the SPA supporting habitats to the south of Marina Keep; • Provide evidence that the site allocation will not result in loss of functionally linked habitat to Solent SPAs/Ramsar (P48A/P48B) • A site specific Flood Risk Assessment should be submitted; • Safeguarding land for flood defence structures. Improved flood defences should be delivered at Port Solent to ensure any development is safe from floodwaters for its lifetime; • Improving facilities for cycling, walking and public transport linking to and enhancing transport networks; • A Travel Plan and Transport Assessment; • Deliver or contribute proportionally to the relevant transport and highways mitigation measures identified within the Local Plan Strategic Transport Assessment and/or Infrastructure Development Plan	Likely Significant Effects on Habitats Sites cannot be excluded. This is the strategic development policy for Port Solent, which allocates new dwellings (500). The following impact pathways are associated with an increase in population size: • Recreational pressure (in Habitats sites and functionally linked habitat) • Loss of functionally linked habitat • Water quality • Water quantity, level and flow • Visual and noise disturbance in Habitats sites and functionally linked habitats (during and post-construction) • Atmospheric pollution • Impacts on flightlines

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
	- Safeguard the existing cinema, gym, retail and restaurant uses from redevelopment; - Providing leisure, retail and restaurant uses at this location unless there is proven to be insufficient - Safeguard pedestrian access to the waterfront; - Ensure the amenity of occupiers / users of any new development can be adequately protected; - Take into account and where appropriate protect viewpoints and the visual impact across Portsmouth Harbour.	Coastal Squeeze Due to these linking impact pathways, Policy PLP11 is screened in for Appropriate Assessment.
Policy PLP12: St John's College	The policy makes an allocation for land at St John's College for the development of 212 dwellings Development proposals will be permitted if they meet site specific requirements including: - Provide a masterplan ensuring development is high quality and provides improved access arrangements - Retaining and restoring historic assets on the site; - Conserving or enhancing Owen's Southsea Conservation area and retaining and protecting trees on the site; - Responding positively to existing heritage assets on the site; - Enhancing pedestrian connectivity through the site - Not preventing public access to the site - Take opportunities for new publicly accessible open space on site; - Creating greening on site; - Providing reduced car parking provision; - A Travel Plan and Transport Assessment. - Flood Management measures	Likely Significant Effects on Habitats Sites cannot be excluded. This is the strategic development policy for St John's College, which allocates new dwellings (212). The following impact pathways are associated with an increase in population size: - Recreational pressure (in Habitats sites and functionally linked habitat) - Loss of functionally linked habitat - Water quality - Water quantity, level and flow - Visual and noise disturbance in Habitats sites and functionally linked habitats (during and post-construction) - Atmospheric pollution - Impacts on flightlines Due to these linking impact pathways, Policy PLP12 is screened in for Appropriate Assessment.
Policy PLP13: Fraser Range	Fraser Range is allocated for development of: 134 dwellings; - New sea wall flood defences and a related walkway, including removal and reinstatement of listed tank traps; - Construction of access road, parking and landscaping works. Development proposals will be permitted if they meet development requirements including: - Retaining the open green character of the eastern part of the site, and appropriately integrating and enhancing the landscape setting of the rest of the site; - Protecting areas within or near the site that are part of the National Site Network, Ramsar Sites, Sites of Special Scientific Interest (SSSI) and any other designated habitat sites;	Likely Significant Effects on Habitats Sites cannot be excluded. This is the strategic development policy for Portsmouth City Centre, which allocates new dwellings (134). The following impact pathways are associated with an increase in population size: Recreational pressure (in Habitats sites and functionally linked habitat) Loss of functionally linked habitat

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
	- A Habitat Regulations Assessment (HRA) of the site, and appropriate mitigation for any direct recreational disturbance upon the adjacent Langstone and Chichester Harbour SPA and/or Solent Maritime SAC; - To meet the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended), the developer should provide evidence that the allocated site will not result in the loss of habitat that is functionally linked to Solent's SPAs / Ramsars (P142 / P144). The developer will provide mitigation of any alone impacts on the habitat that is functionally linked to Solent's SPAs / Ramsars (P78 / P142 / P144). This is in addition to the contributions provided through the Solent Recreation Mitigation Strategy. Must respond positively to heritage assets on site Provide a Heritage Statement assessing the significance and impact of all proposals on any heritage assets Land should be safeguarded for the delivery, management and maintenance of a seawall and/or other flood defence(s) for the development lifetime. A site-specific Flood Risk Assessment and surface water management measures Secure the construction of an enhanced and appropriate access road, and landscaping works; Provide safe, appropriate, publicly accessible off-road walking and cycling routes linking the site to the nearby Fort Cumberland Road to the north west, but not increasing disturbance of the ecologically sensitive parts of the site to the east; Development proposals that gate off the whole site and prevent public access will be refused; and A Transport Assessment is required including mitigation measures and sustainable transport initiatives.	Water quality Water quantity, level and flow Visual and noise disturbance in Habitats sites and functionally linked habitats (during and post-construction) Atmospheric pollution Impacts on flightlines Coastal Squeeze Due to these linking impact pathways, Policy PLP13 is screened in for Appropriate Assessment.
Policy PLP14: The News Centre, Hilsea	The News Centre, as shown on the Policies Map, is allocated for the development of a purpose built all-electric bus depot and 100 homes. Small scale ancillary uses may be allowed depending on the type and scale, impacts on the surrounding area and nearby centres Development proposals for the above named uses must meet site specific development requirements including: High quality design that maximises the development's gateway location Retains and enhances the distinct character and green infrastructure of the site; including protection of trees on and bordering the site with an arboricultural assessment to ensure this occurs; A design that responds to and celebrates the original building's historic presence and architecture; Delivery of homes at the high end of medium density range Incorporating appropriate mitigation and design measures to minimise and protect residential development from harmful noise and air pollution; Access for a high level of use from buses to and from A2047 and A3. Safe and convenient local pedestrian and cycle links particularly along north-south main roads; A Travel Plan and Transport Assessment A site specific Flood Risk Assessment will be prepared and submitted and flood management measures incorporated.	Likely Significant Effects on Habitats Sites cannot be excluded. This is the strategic development policy for The News Centre, Hilsea, which allocates new dwellings (100). The following impact pathways are associated with an increase in population size: Recreational pressure (in Habitats sites and functionally linked habitat) Loss of functionally linked habitat Water quality Water quantity, level and flow Visual and noise disturbance in Habitats sites and functionally linked habitats (during and post-construction) Atmospheric pollution Impacts on flightlines

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
		Due to these linking impact pathways, Policy PLP14 is screened in for Appropriate Assessment.
Policy PLP15: Somers Orchard	Somers Orchard is allocated for the development of 565 dwellings (293 Net), approximately 500sqm commercial space and approximately 440sqm community space. Development proposals for the above-named uses will be permitted provided that they meet the site-specific requirements: Replaces the 272 affordable homes from Horatia and Leamington with new affordable homes; Provides 30% net homes as affordable homes or in case of Build to Rent scheme provides 20% of affordable private rented; Creating open space and landscaping that providing for the needs of the community; Biodiversity Net Gain of at least 20% is demonstrated and secured on site; Improves connectivity, permeability and legibility through the development, prioritised cycling and walking; Includes tall buildings and high density blocks in order to achieve the densities needed to meet the required level of housing; Provides landscaping to enhances the setting of the retained Birmingham Blocks; Incorporate car-free streets wherever feasible, with 'Mobility as a Service' and sustainable transport modes prioritized. Takes advantage of the site's sustainable location to provide a reduced car parking ratio; Any new build development proposals for the site must respond positively to the presence of nearby heritage assets.	Likely Significant Effects on Habitats Sites cannot be excluded. This is the strategic development policy for Somers Orchard, which allocates 566 dwellings (293 net), approximately 500sqm commercial space and approximately 440sqm community space. The following impact pathways are associated with an increase in population size: Recreational pressure (in Habitats sites and functionally linked habitat) Loss of functionally linked habitat Water quality Water quantity, level and flow Visual and noise disturbance in Habitats sites and functionally linked habitats (during and post-construction) Atmospheric pollution Impacts on flightlines Due to these linking impact pathways, Policy PLP15 is screened in for Appropriate Assessment.
Chapter 6 – Housing		
Policy PLP16: Housing Target	The council will make provision for at least 13,603 net additional dwellings between 2020 and 2040. Housing has or will be provided through; Completions (2020-2023) Sites that have planning permission as of 31 March 2023 (with 15% non implementation discount); Strategic sites; Allocations in the local plan; Identified non strategic housing sites from HELAA; Windfall development of small sites;	Likely Significant Effects on Habitats Sites cannot be excluded. This text identifies that the Portsmouth Local Plan will provide for at least 13,603 additional dwellings in the city between 2020 and 2040. The policy also allows for unexpected windfall development, which is inherently difficult to

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
	Equivalent contribution from HMOs Equivalent contribution from C2 accommodation Contribution to unmet housing need will be sought from neighbouring local authorities including 800 homes in the Fareham Local Plan. Neighbourhood plans that allocate additional land for housing will be supported if they meet local housing need and are in-keeping with the strategic policies of the local plan.	assess because it is not known where and to what degree this may be coming forward. The following impact pathways are associated with an increase in the local population: Recreational pressure Loss of functionally linked habitat Water quality Water quantity, level and flow Atmospheric pollution Visual and noise disturbance in Habitats sites and functionally linked habitats (during and post-construction) Coastal squeeze Impacts on flightlines Due to these linking impact pathways, Policy PLP16 is screened in for Appropriate Assessment.
Policy PLP17: Affordable Homes	Policy states that development proposals of 10 or more dwellings must: Make on-site provision for 30% of the total residential dwellings as affordable homes Provide a mix of affordable home tenure Affordable homes should be indistinguishable in design and appearance from the open market houses and shall normally be "pepper-potted" around the site. Where there is an indication that a site or development has been artificially split in order to avoid policy requirements by being below the dwelling or site size threshold identified above, the Council will consider whether it would be appropriate to apply the policy requirements to each of the smaller sites individually, irrespective of their number of dwellings or site area, in order to secure the delivery of affordable housing in accordance with this policy. Where development proposals do not meet the policy requirements for affordable housing the applicant will be required to: Provide an open book viability assessment, that will be independently reviewed on behalf of the Council at the cost of the applicant, demonstrating that the proposed affordable homes provision has been maximised and all other options have been fully explored; and Demonstrate that the proposal contributes towards creating mixed and balanced communities. Where development proposals have been permitted that do not meet policy threshold requirements on affordable housing, the development will be subject to:	The are no Likely Significant Effects of this policy on Habitats Sites. This development management policy establishes the proportion of dwellings in a development that should be offered as affordable housing. However, the type of housing typically has no effect on potential impact pathways relating to Habitats sites. There are no impact pathways that link this policy to Habitats Sites. Therefore, the policy is screened out from Appropriate Assessment.

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
	An Early Stage Viability Review if an agreed level of progress on implementation is not made within two years of the permission being granted (or another period agreed by the Council); A Late Stage Viability Review which is triggered when 75% of the homes in a scheme are sold or let (or another period agreed by the Council); or Mid Term Reviews prior to implementation of phases for larger schemes. On site-provision of new affordable homes will be prioritised. Where this not feasible nor viable, then off-site provision or an appropriate financial contribution to provide affordable housing will be accepted where justified. Off-site provision will preferably be through provision on an alternative site close to the development site.	
Policy PLP18: Housing Mix	Policy details how the housing mix of residential developments should be divided, with differing mixes for market rate homes, affordable homes and older persons homes. Deviation from this mix will be granted if there is evidence of local housing need justifying a different mix or site-specific considerations necessitate a different mix. At least 5% of all new market homes should be wheelchair adaptable and 10% of all affordable homes should be wheelchair accessible.	The are no Likely Significant Effects of this policy on Habitats Sites. This development management policy establishes the different types of housing to be provided in Portsmouth City, including older people's housing, accessible housing and family housing. However, the type of housing typically has no effect on potential impact pathways relating to Habitats sites. There are no impact pathways that link this policy to Habitats Sites. Therefore, the policy is screened out from Appropriate Assessment.
Policy PLP19: Housing for Specific Groups	Development proposals for the following specialist housing will be supported where there is a need: - Self-build and custom-build housing - Specialist and Supported housing including older person's housing and children's/young people's housing - Student accommodation - Build to Rent Homes - Communal/co-living homes - Service personnel and service family accommodation Developments including multiple self/custom build homes must have a design framework. Development proposals for purpose built student accommodation will be permitted where: - Provision is made for cluster flats and not just studios; - An appropriate management plan(s) is submitted that demonstrates that a positive and safe living environment is created for students and negative impacts on the local community are minimised; - The building(s) is 'future-proofed' in terms of design to support potential alternative and appropriate uses during its lifespan; and	The are no Likely Significant Effects of this policy on Habitats Sites. This development management policy establishes the different types of housing to be provided in Portsmouth City, including older people's housing, accessible housing and family housing. However, the type of housing typically has no effect on potential impact pathways relating to Habitats sites. There are no impact pathways that link this policy to Habitats Sites. Therefore, the policy is screened out from Appropriate Assessment.

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
	Relevant regard has been had to the Council's Student Halls of Residence SPD91 or future equivalent. Development proposals for Build to Rent homes will be permitted where at least 20% of the units within the scheme are let as Affordable Private Rented units at a discount of 20% to local market rents capped at Local Housing Allowance rates. Development proposals for communal or co-living homes will be permitted where an appropriate management plan is submitted that demonstrates how the site will be adequately managed and negative impacts on the local community are minimised.	
Policy PLP20: Houses in Multiple Occupation	In order to support mixed and balanced communities and ensure that a range of household needs continue to be accommodated throughout the city, including development to increase the occupancy of an existing HMO, planning applications for new HMOs and changes of use to a HMO, will only be granted planning permission where: Less than 10% of residential properties within a 50m radius of the area surrounding the application property are in existing use as a HMO; Development does not result in a non-HMO property being 'sandwiched' between HMO properties and does not result in three or more HMO properties in a row Development avoids harm to the amenity of residents; and Developments take account of the HMO Supplementary Planning Guidance. In areas where concentrations of HMOs exceed the 10% threshold, development proposals that intensify the use of an existing HMO, namely change the use of a Class C4 or mixed C3/C4 use to an HMO in Sui Generis use or increase the occupation of an existing HMO, will only be permitted in exceptional circumstances..	The are no Likely Significant Effects of this policy on Habitats Sites. This design management policy sets out the conditions that must be fulfilled for houses in multiple occupation. However, housing occupancy has no bearing on Habitats sites. There are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.
Policy PLP21: Residential Density	Policy Outline the minimum density for residential development within certain areas of the city. These are: High density development of at least 120dph in areas of high accessibility; Medium density development of at least 80dph across the City's core residential areas; Lower density development of at least 40dph in the suburban edge. Where a proposed development has a lower residential density level to the thresholds above, the proposal must be supported by robust evidence and rationale that justifies the proposed density is appropriate and is responding positively to its context.	The are no Likely Significant Effects of this policy on Habitats Sites. This is a development management policy that sets out the housing density guidelines for Portsmouth City. However, housing density is not a criterion with implications for Habitats sites. There are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
Policy PLP22: Residential Space Standards	Where planning permission is required, development proposals for new homes (including change of use or conversions) should ensure that the layout and size are suitable to meet the amenity needs of future occupiers. Planning permission will be granted for new homes that: Meet as a minimum the Nationally Described Space Standards (or future equivalent). Provide sufficient on site private and/ or communal outdoor amenity space/ balcony space. Provide sufficient storage space for refuse and recycling	The are no Likely Significant Effects of this policy on Habitats Sites. This development management policy identifies required space standards for new residential development. There are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.
Policy PLP23: Estate Renewal	Development proposals within Portsmouth City Council's Estates will be supported provided that they meet specific criteria including: Making provision for suitable homes to meet the needs of residents, Making provision for accessible facilities and hubs for the community; Making the health and wellbeing of residents central Improving access through improved connectivity; Creating open spaces and play areas and improvements to existing open spaces and amenity areas; Delivering improved, safer pedestrian and cycle routes; and Delivering high quality design and sustainability	The are no Likely Significant Effects of this policy on Habitats Sites. This design management policy sets out requirements that must be fulfilled for developments within Portsmouth City Council's Estates. However, this policy does not allocate any housing development to these areas and as such has no bearing on Habitats sites. There are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.
Policy PLP24: Gypsies, Travellers and Travelling Showpeople	Development proposals for Gypsies, Travellers and Travelling Show people accommodation planning permission will be granted where certain conditions are met including: The site being well related to and safe, reasonable access to local services, including schools, shops, community facilities and health and welfare services; Sites should have reasonable access for vehicles, pedestrians and cyclists Sites for permanent accommodation must not be located within Flood Zone 2 or 3; Where proposed for transit or temporary provision, the site must not be located within Flood Zone 3; Sites for permanent or transit accommodation must not be located on contaminated or unstable land unless the land can be appropriately remediated and mitigated as part of proposed development The site is capable of being provided with on-site services including water supply, sewage disposal and power supply; Sites should be landscaped to avoid adverse impacts on the amenity and character of an area, or on the natural and historic environment Sites should have good design and landscaping to ensure residential amenity and privacy for occupants	The are no Likely Significant Effects of this policy on Habitats Sites. This development management policy stipulates that accommodation proposals for gypsies, travelers and travelling showpeople will be permitted, provided several criteria are met. However, while in principle allowing for new accommodation, no specific locations or quanta are provided. Therefore, there are no impact pathways that link this policy to Habitats sites. Therefore,

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
	Site should not cause unacceptable harm to the amenities of neighbouring uses. There should be safe vehicular access and adequate parking.	the policy is screened out from Appropriate Assessment.
Chapter 7 – Thriving Economy		
Policy PLP25: Employment Target	Policy states that the council will make provision for at least 138,429 m² of new employment floorspace from 2020-2040 including: 58,645m² office floorspace 15,270m² research and development / industrial processes floor space 64,514m² manufacturing/warehouse floorspace This will be provided from the following source: Completions 2020-2023 Outstanding permissions at 31 March 2023 Strategic Sites allocated in the Local Plan Site allocated for employment in the Local Plan	Likely Significant Effects on Habitats Sites cannot be excluded. This is a policy that provides 77,099m² of office floorspace, 29,450m² research and development/industrial employment floorspace, 64,514 m² of manufacturing/warehouse floorspace. The following impact pathways are associated with an increase in employment across Portsmouth City: Loss of functionally linked habitat Water quality Water quantity, level and flow Atmospheric pollution Visual and noise disturbance in Habitats sites and functionally linked habitats (during and post-construction) Coastal squeeze Impacts on flightlines Due to these linking impact pathways, Policy PLP25 is screened in for Appropriate Assessment.
Policy PLP26: Safeguarding Employment Land	Policy outlines the conditions under which redevelopment of employment land will be acceptable: Proposals for the redevelopment of existing employment premises that provide improved employment accommodation, make more efficient use of land and provides a similar number of jobs will be encouraged. Development proposals for the change of use of land and/or premises allocated, currently used or last used for employment purposes to non-employment purposes will only be permitted where it has been demonstrated that the land or premises is not fit for purpose for employment.	The are no Likely Significant Effects of this policy on Habitats Sites. This development management policy stipulates the requirements for existing employment land

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
	If the site is not fit for purpose and that there is no market demand for the business premises or land for employment, other commercial uses should be considered in the first instance. Only if another type of economic development cannot be found will other uses such as housing be considered. Development proposals that would result in the loss of marine business premises on waterfront sites will be refused.	to be redeveloped. It does not provide any quanta or allocations for redevelopment. Therefore, there are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.
Policy PLP27: Employability and Skills	Development proposals will be permitted where they, as relevant, at both the construction and occupation stages of the scheme: Raise local skill levels and increase employability; Tackle skill shortages in existing and potential business sectors particularly advanced manufacturing and engineering including marine and space businesses, life sciences, creative industries and sustainable construction methods; Address barriers to employment for economically inactive people including the provision of sustainable transport; Provide childcare facilities within or in close proximity to employment sites. Planning applications should where relevant have regard to the Achieving Employment and Skills Plans SPD or future equivalent both at the construction and occupation stages of the development.	The are no Likely Significant Effects of this policy on Habitats Sites. This development management policy supports development which addresses skill shortages and improves skill levels. It does not provide any quanta or allocations for development. Therefore, there are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment
Policy PLP28: Town Centres	Proposals for main town centre uses should be primarily located within the Portsmouth network of centres. Development proposals should contribute positively to the function, vitality and viability of the centre. The Core Commercial Area should be promoted and enhanced as the heart of the centre. Other uses will be acceptable if: It makes a positive contribution to the vitality of the Core Commercial Area and centre overall; It contributes to creating an attractive and vibrant environment through a wide range of complementary uses; It provides an active frontage at ground floor level, with immediate access to the street; It generates pedestrian activity by being open for substantial periods of time to visiting members of the public; There are no significant harmful impacts on the function, on the vitality or viability of the core frontage or Core Commercial Area; and It provides a shopfront or other frontage with a well designed and appropriate display window. Development proposals that would result in the loss of a town centre will need to show that there is no market demand for the premises in its existing use or for another retail, commercial, leisure, cultural and service use.	Likely Significant Effects on Habitats Sites cannot be excluded. This is a development management policy that supports the development of Portsmouth's town centres. While no specific quanta are provided, the policy establishes locations in which proposals (e.g. leisure and tourism uses) will be delivered. The provision of further cultural and tourism opportunities is likely to increase the number of temporary visitors to Portsmouth City and are associated with the following impact pathways: Recreational pressure (in Habitats sites and functionally linked habitats)

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
	Development proposals for a variety of uses including town centre uses and housing on land and/or premises that is within an identified centre but outside the Core Commercial Area will be permitted. Development of new homes and other residential uses, including as part of mixed use proposals, will be acceptable, where there is a high level of accessibility to key services and transport links. Retail, commercial, leisure, cultural and service uses will be encouraged at ground floor level where there is market demand.	Loss of functionally linked habitat Water quality Water quantity, level and flow Visual and noise disturbance in Habitats sites and functionally linked habitats (during and post-construction) Atmospheric pollution Impacts on flightlines Coastal squeeze Due to these linking impact pathways, Policy PLP28 is screened in for Appropriate Assessment.
Policy PLP29: Small Local Shops	Policy outlines the conditions for the development of small local shops outside of City, Town, Neighbourhood and Local Centres. These include: A net sale area less than 150m² The shop must sell essential goods and provide day to day shopping and service needs such as food. There is no near by similar facility It provides an active well designed shop frontage Development proposals that would result in the loss of a small local shop outside the City, Town, District and Local Centres will be resisted, and will only be allowed where: There is no market demand for the premises in its existing use, or There is an alternative local shop or service use that meets key day to day needs of the community within close proximity.	The are no Likely Significant Effects of this policy on Habitats Sites. This development management policy which controls the development of shops outside of central locations. It does not provide any quanta or allocations for redevelopment. There are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.
PLP30: Cultural and Visitor Economy	Proposals that maximise the cultural and visitor economy will be supported in principle. New or enhanced facilities are particularly encouraged at Cultural Quarter and Core Commercial Area as well as other areas identified in the town centre hierarchy. Development proposals should meet certain criteria including: Being of an appropriate type, scale and design Retaining an active and welcoming frontage at ground floor level, attracting pedestrian activity and encouraging linked trips; Ensuring effective access arrangements, including local pedestrian and cycle links; Not having a harmful impact on nearby occupiers due to	Likely Significant Effects on Habitats Sites cannot be excluded. This is a development management policy that supports the delivery of cultural, tourism and leisure facilities, especially in the coastal area of Portsmouth. The provision of further cultural and tourism opportunities is likely to increase the number of temporary visitors to Portsmouth City and are associated with the following impact pathways:

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
	Pop up and temporary uses will be encouraged for vacant properties for a period prior to permanent re-occupation or redevelopment. Access to cultural facilities and visitor attractions and the City and town centres should be improved. This may be through enhancement to building design, public realm, signposting and wayfinding. The loss of cultural and tourism facilities in Portsmouth will only be granted where it can be demonstrated that there is no market demand for their existing use or in a related use. Other uses adjacent to cultural and visitor attractions should not undermine the feasibility of these attractions.	Recreational pressure (in Habitats sites and functionally linked habitat) Loss of functionally linked habitat Water quality Water quantity, level and flow Visual and noise disturbance in Habitats sites and functionally linked habitats (during and post-construction) Atmospheric pollution Impacts on flightlines Coastal squeeze Due to these linking impact pathways, Policy PLP30 is screened in for Appropriate Assessment.
Chapter 8 – Climate Emergency		
Policy PLP31: Flooding	Development proposals will be permitted if they meet certain criteria including: They seek to reduce the impact and extent of flooding They have a site specific Flood Risk Assessment. The proposal meets the sequential and exception tests as set out in Government policy and guidance The development will be safe over its lifetime The development does not impact the integrity of land used for existing or future flood defences The development will not result in the increase of flood risk elsewhere They are appropriately flood resistant and resilient so that in the event of a flood they can be quickly brought back into use without significant refurbishment Appropriate safety measures have been taken. Appropriate safety measures have been taken in accordance with the SFRA Level 1 and 2 specifically in relation to finished floor levels, access/escape routes, places of safety and emergency planning. Site specific Flood Risk Assessments should use the Upper End climate change allowance when assessing flood risk, unless an alternative approach can be justified; Opportunities should be sought to implement natural flood management techniques to attenuate surface water runoff and groundwater discharge; Opportunities for de-culverting watercourse sections should be sought to bolster local channel capacity and conveyance; and Proposals that include self-contained basement accommodation for use as a habitable room will not be permitted due to the unacceptable residual flood risks associated with this type of accommodation.	The are no Likely Significant Effects of this policy on Habitats Sites. This policy provides requirements for developments focused on mitigating flood risk to development proposals. This policy does not establish any quota or location for development. There are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
Policy PLP32: Sustainable Drainage System	Development proposals should: - not increase existing surface run-off rates - reduce surface run off if the proposal is in an area at risk of flooding - minimise the amount of hard landscaping and incorporate permeable surfacing to reduce surface water run-off. - incorporate methods for rainwater harvesting, such as water butts. Development proposals will be permitted where SuDS are incorporated and meet criteria including: - They incorporate green infrastructure; - They are sensitively located and designed to promote an enhanced landscape/townscape and good quality spaces that improve public amenity; - Surface water will be separated and managed within the site, or if not possible suitably disposed of - Any surface water resulting from development on greenfield sites will not be permitted to enter the combined or foul water system; and - Details for future maintenance over the lifetime of the development shall be included with the proposal as part of a sustainable drainage strategy. Development proposals will be permitted where they provide proportionate evidence to demonstrate that wastewater infrastructure can accommodate or be improved to accommodate the proposals and that appropriate provisions will be made. Where necessary, occupation of development should be phased to align with the delivery of network reinforcement, in liaison with the service provider.	The are no Likely Significant Effects of this policy on Habitats Sites. This policy provides requirements for developments focused on mitigating flood risk to development proposals. This policy does not establish any quota or location for development. There are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.
Policy PLP33: Sustainable Construction and Onsite Renewable Energy	Development proposals will be permitted where they are designed to reduce their impact on the environment during construction. Relevant proposals must demonstrate using a Sustainability Statement that all resources are used efficiently, as part of the construction and operation of a building, including consideration of embodied emissions. All developments must follow the principles of the energy hierarchy, to ensure that the design of a building prioritises energy reduction through highly energy efficient fabric measures, lighting, ventilation, and orientation. The retention of existing buildings will be given preference to the demolition and replacement of existing buildings. Retrofitting energy efficiency measures in existing buildings will be supported. Proposals should address rising temperatures and overheating. Development proposals that are powered by solid fossil fuels will not be permitted. Residential development should be designed to meet the 110 litres per person per day water efficiency standard. Development proposals should incorporate Swift Boxes	The are no Likely Significant Effects of this policy on Habitats Sites. This development management policy promotes sustainable design and construction in Portsmouth City. Most relevant from an HRA perspective, the policy specifies that new developments will be required to achieve a water efficiency standard of 110l per person per day. This will limit the amount of potable water required and wastewater produced in Portsmouth. Solent's Habitats sites are sensitive to a decline in water quality (primarily due to nitrogen in treated sewage effluent) and changes in the hydrological regime (primarily due to water abstraction). Therefore, this policy contributes to the protection of its ecological integrity. There are no impact pathways that link this policy to Habitats sites. Therefore, the policy

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
		is screened out from Appropriate Assessment.
Policy PLP34: Renewable Energy	Development proposals for wind turbines and solar arrays will be supported at appropriate locations Development proposals for renewable and low carbon energy generation developments that are led by / meet the needs of local communities will be supported. Where community support is identified for a specific technology at a given location, this will be identified as a preferred location for that technology. Proposals for wind and solar PV farms to re-power at the end of their operational life will be permitted, as long as the turbines and/or solar panels are replaced with new equipment of either the same or larger installed capacity, and subject to compliance with statutory, site-specific and other constraints. The development of Combined Heat and Power networks will be encouraged provided that they use renewable and low carbon forms of energy generation; and b) Individual developments make all reasonable efforts to meet net zero through onsite measures, before connecting to a heat network.	The are no Likely Significant Effects of this policy on Habitats Sites. This policy provides general support and guidance for renewable energy projects it will not in itself lead to any development. There are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.
Policy PLP35: Air Quality and Pollution	Planning permission will only be granted where it can be demonstrated that development will not contribute to, be put at unacceptable risk from, and will not be adversely affected by pollution (including cumulative levels) which cannot be addressed through appropriate mitigation, including: a. Air quality/ odour/ dust b. Noise c. Vibration d. Light e. Water (including leachate) f. Any other forms of pollution Planning permission will be granted where development proposals demonstrate how determinants of health and wellbeing have been incorporated into the development, and its impact on the mental and physical health and wellbeing of occupiers. Major development proposals must undertake a Health Impact Assessment, demonstrating how the planning application has been informed by the findings of the assessment in regard to air quality. Planning permission will be granted where it addresses any potential impacts of airborne pollution on the natural environment.	The are no Likely Significant Effects of this policy on Habitats Sites. This is a development management policy that states adverse impacts on amenity features, health and in terms of pollution should be avoided. For example, developments must demonstrate that they will not contribute unacceptable risks in terms of air quality, noise, light and water pollution. Solent's Habitats sites are sensitive to all of these impacts and this policy will contribute to their protection. There are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.
Policy PLP36: Coastal Zone	Development proposals on the coast will be permitted where: - avoid adverse impacts upon marine and maritime related uses; - seek opportunities to maintain and enhance access to the coast. Preserve the character of the coastal zone Protect and where possible enhance key views to and from the Coastal Zone linking the City to its wider landscape setting; Are consistent with the Shoreline Management Plan and South Inshore and South Offshore Marine Plans.	The are no Likely Significant Effects of this policy on Habitats Sites. This development management policy identifies the conditions required for planning permissions in the Coastal Zone. However, the policy content has no bearing on Habitats sites.

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
		There are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.
Policy PLP37: Contaminated Land	Planning permission will only be granted for development on or near contaminated land where appropriate and sufficient measures can be taken to remediate and/ or satisfactorily mitigate the risk of contamination. Such measures must address the long-term safety of the proposed development, the end users of that development and the natural environment and include the future management of the site.	The are no Likely Significant Effects of this policy on Habitats Sites. This development management policy relates to planning permissions on or near contaminated land, ensuring that appropriate measures must be in place to prevent contamination. However, developments on contaminated land are not specifically relevant to Habitats sites. There are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.
Chapter 9 – Greening the City		
Policy PLP38: Green infrastructure	Major development will be permitted where it provides or contributes to Green Infrastructure. Development should conserve and enhance the green grid and should meet green infrastructure priorities. Proposals that reduce the quality of the green infrastructure network will only be permitted where suitable mitigation is identified and secured. Development impacting proposed green infrastructure projects should not prejudice its future delivery and should provide a physical connection to it. Proposals which impact the Green Grid should take opportunities to raise awareness of nature as part of the design of the scheme. Development that does not provide onsite green infrastructure as set out above will only be permitted where sustainable alternative green infrastructure provision of an equivalent standard is provided in close proximity to the development.	The are no Likely Significant Effects of this policy on Habitats Sites. This policy protects the natural environment by promoting green infrastructure. There are no impact pathways that link this policy to Habitats Sites. Therefore, the policy is screened out from Appropriate Assessment.
Policy PLP39: Biodiversity	Development proposals will be permitted where they conserve and enhance biodiversity. Development proposals should demonstrate that they: Retain, protect and enhance features of biodiversity interest and ensure appropriate long-term management of those features; Contribute to the creation of larger improved wildlife habitats; Protect and support recovery of rare, notable and priority species;	The are no Likely Significant Effects of this policy on Habitats Sites. This policy focuses on the natural environment around Portsmouth City, identifying that

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
	Seek to eradicate or control any invasive non-native species present on site; Contribute to the protection, management and enhancement of biodiversity; Comply with the mitigation hierarchy as set out in national policy. The following hierarchy of site designation will apply in the consideration of development proposals: Internationally Protected Sites: SPAs, SACs and Ramsar Sites, or candidate and formally proposed versions of these designations: – Development proposals with the potential to impact alone or in combination on one or more international sites(s) will be subject to an HRA. – Development proposals that will result in any adverse effect on international sites will be refused unless: there are no alternatives to the proposal; there are imperative reasons of overriding public interest why the proposal should proceed; and adequate compensatory provision is secured. Nationally Protected Sites: Sites of Special Scientific Interest (SSSI) and National Nature Reserves (NNR): – Development proposals considered likely to have a significant effect on nationally protected sites will be required to assess the impact by means of an Environmental Impact Assessment; – Development proposals should avoid impacts on these nationally protected sites. Development proposals where an adverse effect which cannot be avoided or mitigated on the site's notified special interest features is likely will be refused, unless the benefits clearly outweigh the likely impact to the notified features of the site and any broader impacts on the network of nationally protected sites. Irreplaceable Habitats (veteran and ancient trees): – Development proposals which result in the loss or deterioration of irreplaceable habitats will be refused unless there are exceptional reasons and a suitable compensation strategy exists. Locally protected sites: Local Wildlife Sites (LWS), including Sites of Importance for Nature Conservation (SINC), Locally Protected Sites (Sites of Nature Conservation Importance (SNCI)) and in addition Local Nature Reserves (LNR): – Development proposals considered likely to have a significant effect on local sites will be required to assess the impact by means of an Ecological Impact Assessment; – Development proposals that will result in an adverse effect on the integrity of a local site which cannot be avoided or adequately mitigated will be refused, unless exceptional circumstances outweighing the effects are demonstrated. Outside of designated sites: – Development proposals should identify and incorporate opportunities to conserve, enhance, restore and recreate priority habitats and ecological networks. Development proposals should contribute and deliver on the aims and objectives of the relevant biodiversity strategies; – Where development adjoins protected sites, buffers should be provided in order to protect and enhance their biodiversity roles; – Opportunities should be taken to create linkages for wildlife between protected sites.	development proposals must avoid harmful effects on biodiversity and / or ecology. Furthermore, the policy also extends protection to internationally designated sites, by setting out that planning permission will be refused where a proposal has an adverse effect on a SAC, SPA or Ramsar site without compensatory provision. The importance of nature protection is also highlighted in the policy's supporting text, which places international sites at the highest level in the protection hierarchy. There are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.
Policy PLP40: Biodiversity Net Gain	Development proposals (except exempt development) will be permitted where they: Demonstrate at least a 10% net gain for biodiversity, accounted for in a biodiversity net gain plan. Development proposals should prioritise on site Biodiversity Net Gain and only use offsite banks and credits where this is not achievable.	The are no Likely Significant Effects of this policy on Habitats Sites.

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
	Development proposals within the strategic sites of Portsmouth City Centre and Lakeside and the allocation site of Somers Orchard must demonstrate a 20% net gain for biodiversity accounted for in a biodiversity net gain plan.	This policy provides requirements for biodiversity net gain in development proposals within the local plan area. There are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.
Policy PLP41: Trees & Hedgerows	Planning permission for development will be granted where: Proposals must have been informed and influenced by the presence of trees on the site, with regard to any Tree Preservation Order designations; The need for and benefits of the development outweigh loss or deterioration of woodlands, hedgerows or trees of high amenity value; Tree canopy cover is increased in line with the Natural England Green Infrastructure Urban Tree Canopy Cover Standard as follows: – Tree canopy cover of at least 15% is provided on new major development – Replace lost trees at a ratio of 1:1 Development proposals resulting in the loss or deterioration of aged or veteran trees, or impacting on their immediate surroundings, will be refused unless there are wholly exceptional reasons, as defined by national policy, and a suitable compensation strategy has been agreed in writing with the Council.	The are no Likely Significant Effects of this policy on Habitats Sites. This policy provides requirements for biodiversity net gain in development proposals within the local plan area. There are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.
Policy PLP42: Solent Waders and Brent Geese Sites	Functionally linked sites which are used by Solent Waders and/or Brent Geese will be protected from adverse impacts commensurate to their status in the hierarchy of the Solent Wader and Brent Geese Network as outlined in the Solent Waders and Brent Goose Strategy. Proposals that impact the functionally linked sites will need to provide mitigation as set out in the Solent Waders and Brent Goose Strategy (Guidance on Mitigation and Off- setting Requirements) document, and future updated guidance.	The are no Likely Significant Effects of this policy on Habitats Sites. This is a positive policy that protects areas used by waders and Brent Geese. There are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.
Policy PLP43: Recreational Disturbance on International Nature Designations	Planning permission for proposals resulting in a net increase in residential units will be permitted where a financial contribution is made towards the Solent Recreation Mitigation Strategy. In the absence of a financial contribution towards the Solent Recreation Mitigation Strategy, proposals will need to avoid or mitigate any in combination negative effects from recreation through a developer-provided package of measures for the lifetime of the development. Development should avoid noise disturbance impacts on birds at the SPA sites and/or at identified terrestrial SPA supporting habitat sites though the overwintering period.	The are no Likely Significant Effects on Habitats Sites. This is a policy that seeks to protect Internationally Designated Sites by requiring a financial contribution to the Solent Recreation Mitigation Strategy. This policy does not

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
		allocate any sites for development and does not set a quanta for growth. There are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.
Policy PLP44: Nutrient Neutrality in International Nature Designations	Development proposals (except exempt development) will be permitted where they demonstrate through a nutrient budget that they secure Nutrient Neutrality through either offsetting, provision of direct and indirect mitigation measures, purchase of mitigation credits or a mixture of these	The are no Likely Significant Effects of this policy on Habitats Sites. This is a positive policy that requires nutrient neutrality for development proposals within the plan area. There are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.
Policy PLP45: Open Space	Proposals should seek to create, protect and/or enhance open space and accessibility to open space where possible. Enhancements of existing open spaces should seek to maximise their quality and multi-functionality. Any proposals that would result in the net loss of open space will be refused, unless: Provision is surplus to requirements; or The loss would be adequately replaced Development would provide alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use; or There are wider public benefits which outweigh the harm of the loss. Development proposals for 50 or more new homes will be expected to provide open space to the ratio of 1.65 ha per 1,000 people. Where this is not feasible, off-site enhancement or developer contribution may be agreed The nature of new open space provision should consider the needs of the intended occupants and that of the local area, and the need to provide multi-functional spaces where practicable.	The are no Likely Significant Effects of this policy on Habitats Sites. This policy specifies that new developments should create, protect or enhance existing open spaces, maximizing their quality and functionality. Furthermore, developments of more than 50 dwellings are to provide publicly accessible open space at the standard of 1.65ha per 1,000 people. The provision of additional open space is standard statutory requirement and helps in diverting recreational pressure away from more sensitive sites. Proximity to home is a very important factor in determining site usage and the inclusion of an appropriate amount of open space in large residential developments is considered to be positive for Solent's Habitats sites. There are no impact pathways that link this policy to Habitats sites. Therefore, the policy

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
		is screened out from Appropriate Assessment.
Policy PLP46: Local Green Spaces	The following green areas are designated and protected as Local Green Spaces: Southsea Common West, St Thomas & St Jude Southsea Common East, Eastney & Craneswater Kingston Park, Fratton Tamworth Park, Baffins Baffins Pond and Tangier Field, Baffins Great Salterns Recreation Ground, Baffins Hilsea Lines, Hilsea Alexandra Park, Hilsea College Park, Hilsea Gatcombe Gardens, Hilsea Gurnard Road Park, Cosham Cosham Park, Cosham King George Playing Field, Cosham Drayton Park, Drayton & Farlington Farlington and St John's College Playing fields and Farlington Triangle Farlington Marshes Nature Reserve, Drayton & Farlington Portsdown Hill Stamshaw Fields, Nelson Victoria Park, Charles Dickens Land at Leominster Road, Hempsted Green and Paulsgrove Park, Paulsgrove Highland Road Cemetery, Eastney and Craneswater Kingston Cemetery, Fratton	There are no Likely Significant Effects of this policy on Habitats Sites. This is a development management policy that designates several green areas to be Local Green Spaces. There are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.
Policy PLP47: Movement and Transport	Development proposals will be permitted where they deliver a people centred travel network that prioritises walking, cycling, public and shared transport, in line with LTP4, and which is compatible with the Council's Climate Emergency pledge Improvements to transport infrastructure that align with the aims of the Local Transport Plan will be supported. Development proposals that are in highly accessible locations and facilitate access to sustainable transport will be permitted. Development proposals should contribute to the delivery of a network of walking and cycling routes throughout the City. Applications should be supported by a Travel Plan along with a Transport Statement or Transport Assessment. Development proposals should protect and enhance highway safety. Any significant detrimental impacts must be mitigated as approved by the Local Highway Authority.	The are no Likely Significant Effects of this policy on Habitats Sites. This policy promotes a reduction in travel and the use of sustainable transport modes, such as walking, cycling and public transport. It explicitly gives priority to pedestrian and cycle movements, facilitating high levels of permeability. Overall, this policy is likely to have a positive effect on well-being, as well as helping to protect Habitats sites. Reducing the need for

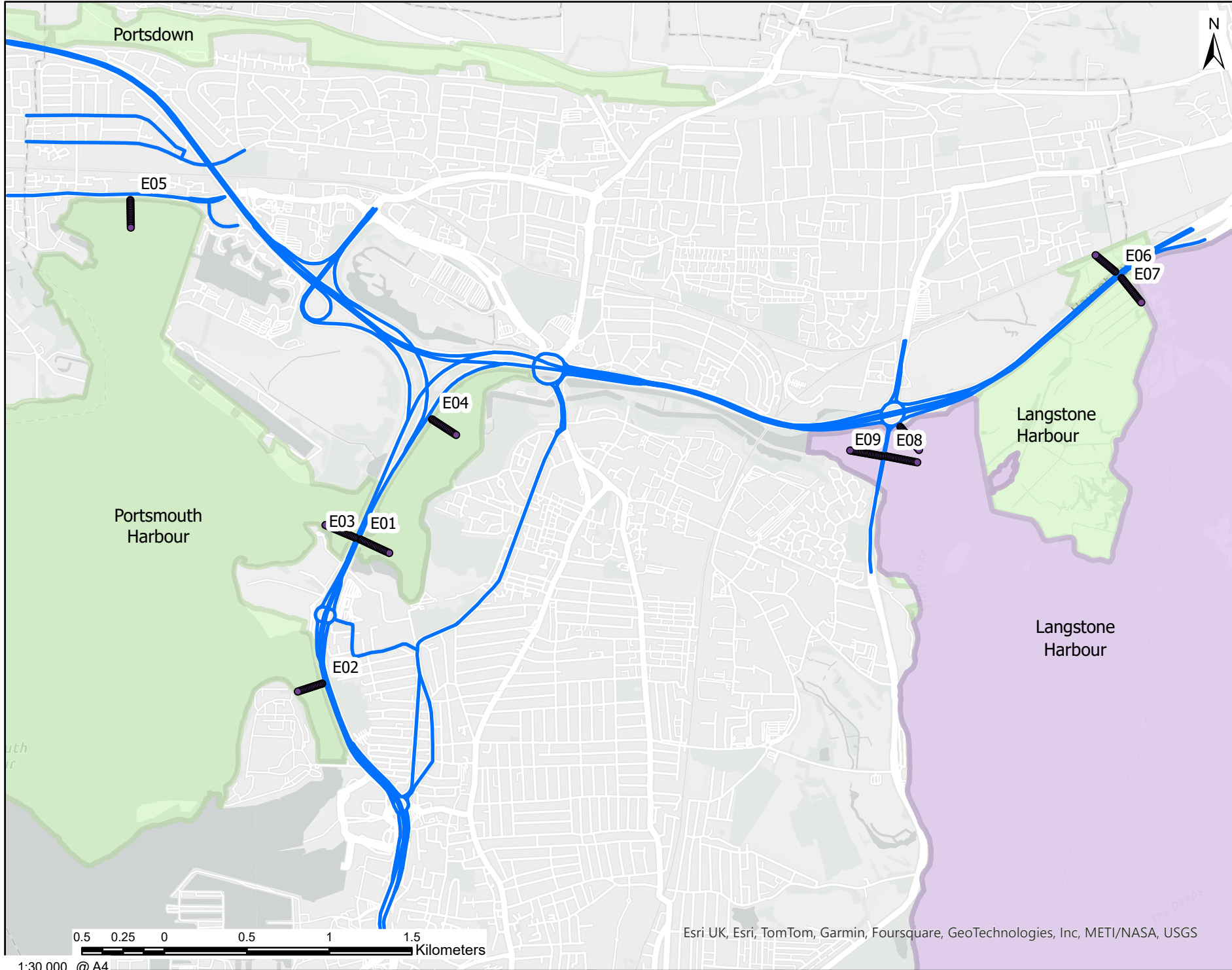
Policy Number / Name	Policy Summary	Test of Likely Significant Effect
	The design and site layout of new development must protect the safety and amenity of all and give priority to the needs of pedestrians, cyclists, users of mobility aids and other non-motorised forms of transport. Movement through the site must be a safe, legible and attractive experience for all users, with roads and surfaces that contribute to the experience rather than dominate it. Development proposals must accommodate the needs of people with disabilities by all modes of transport. All proposals should allow for delivery of goods and access by service and emergency vehicles. All proposals must maintain or enhance all transport interchanges and sustainable transport facilities where relevant.	individual car-based travel will reduce the amount of nitrogen deposition on sensitive habitats. There are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.
Policy PLP48: Access and Parking	Development should be designed in a way that discourages car use and encourages travel by other means. If parking is deemed desirable for the development it should meet parking standards. If parking is deemed desirable or necessary as part of a development it should be provided in accordance with the Parking Standards set out in the Parking Standards and Transport Assessments SPD or future equivalent and made neighbourhood plans as relevant. All new private and public parking provision must: • Not give rise to unacceptable adverse impacts on amenity; • Be of a location, scale, layout and design that reflects its context; • Incorporate appropriate sustainable drainage systems; and • Where feasible, incorporate green infrastructure and renewable energy. New development should include infrastructure for electric and ultra-low emission vehicles and consider shared transport options. Development proposals should provide sufficient levels of cycle and other micro-mobility parking to serve the needs of that development. Development proposals will be permitted where on and off-street parking provision and access protects a highway safety. Any significant impacts must be mitigated. Development proposals should provide parking facilities compatible for all users, including those with disabilities and reduced mobility. Proposals which result in an increase in the number of access points onto primary and distributor roads will not normally be permitted.	There are no Likely Significant Effects of this policy on Habitats Sites. This policy details parking and access restrictions for new developments. It specifically promotes the encouragement of sustainable transport modes. It explicitly gives priority to pedestrian and cycle movements, facilitating high levels of permeability. Overall, this policy is likely to have a positive effect on well-being, as well as helping to protect Habitats sites. Reducing the need for individual car-based travel will reduce the amount of nitrogen deposition on sensitive habitats. There are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.
Policy PLP49: Public Realm	Development proposals should enhance the public realm, ensuring that: It is safe, healthy, accessible for all, inclusive, multifunctional, attractive, well-connected, legible and easy to maintain, and that it relates to the local, cultural and historic context; Measures to prevent Violence Against Women and Girls (VAWG) have been incorporated; Design is of the highest quality; Street clutter is avoided; It encourages walking and cycling and eases movement within the city; Integration into key corridors and provides ease of access to areas of public convenience and amenity. Major development proposals and allocated sites will be expected to create and enhance the public realm, supporting the wider sustainability of the city and providing social and environmental benefits.	There are no Likely Significant Effects of this policy on Habitats Sites. This is a design management policy which details how developments should interact with the public realm. This policy state that development should improve the quality of public spaces. There are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
	The Council will support the delivery of public art that helps to enhance the public realm.	is screened out from Appropriate Assessment.
Policy PLP50: Infrastructure Delivery	Development proposals will be required to: Demonstrate appropriate infrastructure investment through on or off site works and/or financial contributions. The whole life cost of infrastructure provision has been considered and mechanisms are in place for its future maintenance/care; A programme of delivery has been agreed with the relevant infrastructure provider(s) prior to commencement. Delivery of infrastructure should be integrated with development phasing to ensure prompt delivery. The provision of new or improved utility infrastructure by service providers will be supported in principle where it meets identified strategic and/or community needs, or enhances protection of the environment.ies	The are no Likely Significant Effects of this policy on Habitats Sites. This policy stipulates that development proposals will be required to provide or make financial contributions to relevant infrastructure, which may cover various types of infrastructure relating to transport, open space, water supply and wastewater. While no specific detail is provided, this is a positive policy from an HRA perspective. This is because it ensures that the necessary infrastructure to accommodate development is provided. There are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.
Policy PLP51: Electronic Communication and Utilities Infrastructure	Development proposals for new electronic communications and/or utilities infrastructure will be permitted where; The most efficient use of existing electronic communication networks and utilities infrastructure has been fully explored and the need cannot be met using existing infrastructure; They are of an appropriate design; They minimise environmental impacts; They remove, reduce in prominence, or move underground related existing infrastructure, where feasible. Where one or more infrastructure providers have agreed to provide superfast broadband connectivity or full fibre, the development should be designed to connect to this service. Development proposals will be expected to be served by superfast broadband connection as a minimum and full fibre connections where available. If this cannot be achieved, it must be demonstrated that this would not be deliverable.	The are no Likely Significant Effects of this policy on Habitats Sites. This is a design management policy that requires developments be suitable for superfast broadband or full fibre. It also stipulates requirements for development of communications and utility infrastructure. There are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.
Policy PLP52: New & Existing Community & Leisure Facilities	Development proposals for new and/or expanded community and leisure facilities will be permitted where: The site is accessible and inclusive; Appropriate consideration has been given to the shared use, re-use and/or redevelopment of existing buildings; The scale of the proposed infrastructure is proportionate.	The are no Likely Significant Effects of this policy on Habitats Sites. This policy provides criteria under which change of use, or loss of premises or land used for community facilities would be considered.

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
	Developments resulting in the change of use or loss of premises or land in use as a community facility must demonstrate there is no market demand for the existing use or an equivalent community use, for commercially run facilities For community or publicly owned or managed facilities, there is no longer a need for the facility or an equivalent community use and its retention would not be practical or viable; Alternative community facilities are provided that are accessible, inclusive and available, and of an equivalent or better quality to those lost, without causing unreasonable reduction or shortfall in the local service provision. Development proposals for community and leisure facilities that are listed as Assets of Community Value will be subject to a six month statutory delay on sale.	There are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.
Policy PLP53: Historic Environment Policy	Development proposals will only be permitted where they conserve or enhance the City's heritage assets. Development proposals which affect heritage assets, or their setting, will be determined with regard to the significance of the asset. Proposals which are considered to substantially harm the significance of a designated heritage asset will not be permitted except in exceptional circumstances. Where a development proposal would impact on the fabric or setting of a designated or non-designated heritage asset, the applicant will be required to provide a supporting Heritage Statement (HS). Development proposals that would improve the condition of heritage assets that are considered to be 'at risk' through neglect, decay or other threats will be encouraged and supported. Development proposals which secure the long term conservation or enhancement of redundant or under-used heritage assets including their setting through their optimal/ viable (re)use will be supported. Proposals for alteration and/ or extension that conserve or enhance the significance of non-designated heritage assets will be supported. Non-designated heritage assets should be retained where appropriate. Any development proposals relating to a registered park or garden that would lead to harm to its significance will not be permitted, unless the public benefits associated with the proposal are considered to outweigh that harm. Development proposals for works to heritage assets that are intended to adapt to, or mitigate the effects of, climate change will be supported where it can be clearly demonstrated that they conserve the fabric and/or setting of the asset.	The are no Likely Significant Effects of this policy on Habitats Sites. This policy protects the historic environment from the impacts of development. It makes no allocations for any development. There are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.
PLP54: Listed Buildings	Development proposals which affect a listed building, or its setting will only be permitted and Listed Building Consent and or Planning Permission granted where: They preserve or enhance the significance of the listed building and its setting by demonstrating that loss of historic fabric and detail of significance, including internal features, floor plans and the integrity of the rooms, is avoided; or Harm to the significance of the listed building or its setting is minimised and considered to be outweighed by public benefits by the Council. In such circumstances appropriate mitigation measures will be expected, including archaeological investigation including a written report or recording. Development proposals will be refused planning permission and/or listed building consent where they cause substantial harm to a listed building or its setting.	The are no Likely Significant Effects of this policy on Habitats Sites. This policy protects existing listed buildings from negative impacts of development. It makes no allocations for any development. There are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.

Policy Number / Name	Policy Summary	Test of Likely Significant Effect
Policy PLP55: Conservation Areas	Development proposals within a conservation area will be permitted where they preserve/enhance the character of the conservation area. Development in a conservation area will be permitted where: Architectural features which contribute to the character of an area are retained; There is no adverse impact on the townscape and roofscape of the conservation area, A high standard of design has been applied and good quality materials are proposed to be used; Trees, open spaces and other landscape features are protected. Within a conservation area, development proposals involving the total or substantial demolition of buildings or structures will only be permitted where: The current buildings or structures make an insufficient positive contribution to the conservation area; A replacement building of equal or greater quality is proposed.	The are no Likely Significant Effects of this policy on Habitats Sites. This policy protects areas that are designated as conservations areas from unsuitable development. It makes no allocations for any development. There are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.
Policy PLP56: Archeology	Development proposals will be permitted where they do not cause harm to archaeological heritage assets and/or their setting. There will be a presumption in favour of preservation in-situ for Scheduled Monuments and equivalently significant archaeological heritage assets. Development proposals that would result in unavoidable harm to, or loss of, an archaeological heritage asset's significance, will only be permitted where there is clear justification in terms of benefits from the development which outweigh that harm and also meet the following requirements: There is no less harmful viable option; The amount of harm has been reduced to the minimum possible. The city's archaeological ALERT layers should be used to identify sites where unrecorded archaeology may be present and research such as a desk-based assessment should be carried out. In those cases where archaeological intervention and recording is considered appropriate to take place the resulting archive should be deposited with Portsmouth Museum and a copy of the report with the city's HER.	The are no Likely Significant Effects of this policy on Habitats Sites. This policy protects the archeological heritage assets from negative impacts of development. It makes no allocations for any development. There are no impact pathways that link this policy to Habitats sites. Therefore, the policy is screened out from Appropriate Assessment.

Appendix C Air Quality Modelled Transects



Appendix D Air quality modelling results

Transect / Receptor	Total Annual Mean NOx (µg/m³)				Total Annual Mean NH ₃ (µg/m³)				Total Annual Mean N Dep (kgN/ha/yr)			
	2019	2041	2041	2041	2019	2041	2041	2041	2019	2041	2041	2041
	Base	FB	DM	DS	Base	FB	DM	DS	Base	FB	DM	DS
E1_4.9m	86.55	25.37	27.78	28.30	3.89	3.89	5.09	5.26	29.74	24.95	31.37	32.29
E1_10m	70.82	23.69	25.45	25.86	3.17	3.17	4.05	4.18	25.04	21.07	25.80	26.50
E1_20m	57.63	22.29	23.49	23.79	2.56	2.56	3.18	3.26	21.07	17.82	21.09	21.57
E1_30m	51.35	21.62	22.56	22.78	2.28	2.28	2.75	2.82	19.16	16.28	18.82	19.20
E1_40m	47.58	21.22	22.00	22.18	2.10	2.10	2.50	2.55	18.01	15.36	17.46	17.77
E1_50m	45.04	20.95	21.62	21.77	1.99	1.99	2.33	2.37	17.24	14.73	16.53	16.80
E1_60m	43.20	20.75	21.34	21.48	1.91	1.91	2.20	2.24	16.67	14.28	15.86	16.09
E1_70m	41.80	20.60	21.13	21.25	1.84	1.84	2.10	2.14	16.25	13.94	15.35	15.55
E1_80m	40.70	20.49	20.96	21.07	1.79	1.79	2.03	2.06	15.91	13.67	14.94	15.13
E1_90m	39.81	20.39	20.83	20.93	1.75	1.75	1.97	2.00	15.63	13.45	14.61	14.78
E1_100m	39.07	20.31	20.72	20.81	1.72	1.72	1.92	1.95	15.41	13.27	14.34	14.50
E1_110m	38.45	20.25	20.63	20.71	1.69	1.69	1.87	1.90	15.22	13.12	14.11	14.26
E1_120m	37.92	20.19	20.55	20.62	1.67	1.66	1.84	1.86	15.05	12.99	13.91	14.05
E1_130m	37.46	20.14	20.48	20.55	1.64	1.64	1.81	1.83	14.91	12.88	13.74	13.87
E1_140m	37.06	20.10	20.42	20.48	1.63	1.63	1.78	1.80	14.79	12.78	13.60	13.72
E1_150m	36.71	20.06	20.36	20.43	1.61	1.61	1.75	1.77	14.68	12.70	13.47	13.58
E1_160m	36.40	20.03	20.32	20.37	1.60	1.60	1.73	1.75	14.58	12.62	13.35	13.46
E1_170m	36.12	20.00	20.27	20.33	1.58	1.58	1.71	1.73	14.50	12.55	13.24	13.35
E1_180m	35.87	19.97	20.23	20.29	1.57	1.57	1.69	1.71	14.42	12.49	13.15	13.25
E1_190m	35.65	19.95	20.20	20.25	1.56	1.56	1.68	1.70	14.35	12.43	13.07	13.16

Transect / Receptor	Total Annual Mean NOx (µg/m³)				Total Annual Mean NH ₃ (µg/m³)				Total Annual Mean N Dep (kgN/ha/yr)			
	2019	2041	2041	2041	2019	2041	2041	2041	2019	2041	2041	2041
	Base	FB	DM	DS	Base	FB	DM	DS	Base	FB	DM	DS
E1_200m	35.44	19.93	20.17	20.22	1.55	1.55	1.66	1.68	14.29	12.38	12.99	13.08
E2_15.45m	61.00	27.44	28.54	28.65	2.48	2.48	3.01	3.07	19.92	16.83	19.67	20.01
E2_20m	57.31	27.05	27.99	28.08	2.31	2.31	2.76	2.82	18.81	15.94	18.35	18.65
E2_30m	52.29	26.52	27.24	27.31	2.08	2.08	2.43	2.47	17.29	14.71	16.56	16.79
E2_40m	49.32	26.20	26.79	26.86	1.95	1.95	2.23	2.27	16.39	13.99	15.50	15.69
E2_50m	47.34	25.99	26.50	26.55	1.86	1.86	2.10	2.13	15.78	13.50	14.79	14.96
E2_60m	45.91	25.84	26.28	26.33	1.79	1.79	2.00	2.03	15.34	13.15	14.28	14.43
E2_70m	44.82	25.72	26.12	26.17	1.74	1.74	1.93	1.95	15.01	12.89	13.89	14.02
E2_80m	43.97	25.63	25.99	26.04	1.70	1.70	1.87	1.90	14.74	12.68	13.58	13.71
E2_90m	43.29	25.56	25.89	25.93	1.67	1.67	1.83	1.85	14.53	12.51	13.34	13.45
E2_100m	42.72	25.50	25.80	25.84	1.65	1.65	1.79	1.81	14.36	12.37	13.13	13.24
E2_110m	42.24	25.45	25.73	25.77	1.62	1.62	1.76	1.77	14.21	12.25	12.96	13.06
E2_120m	41.83	25.41	25.67	25.71	1.61	1.60	1.73	1.75	14.08	12.15	12.81	12.91
E2_130m	41.48	25.37	25.62	25.65	1.59	1.59	1.71	1.72	13.97	12.06	12.69	12.77
E2_140m	41.17	25.33	25.57	25.61	1.58	1.57	1.68	1.70	13.88	11.98	12.57	12.66
E2_150m	40.89	25.31	25.53	25.56	1.56	1.56	1.67	1.68	13.79	11.92	12.47	12.55
E2_160m	40.65	25.28	25.49	25.53	1.55	1.55	1.65	1.66	13.71	11.86	12.39	12.46
E2_170m	40.44	25.26	25.46	25.49	1.54	1.54	1.63	1.65	13.65	11.80	12.31	12.38
E3_3.9m	78.33	24.48	26.67	27.61	3.47	3.47	4.72	4.95	27.09	22.71	29.36	30.61
E3_10m	60.87	22.63	24.01	24.54	2.69	2.69	3.46	3.59	21.96	18.53	22.62	23.34
E3_20m	50.67	21.54	22.47	22.78	2.24	2.24	2.74	2.82	18.91	16.07	18.73	19.17
E3_30m	45.90	21.04	21.75	21.97	2.02	2.02	2.40	2.46	17.48	14.92	16.93	17.25
E3_40m	43.08	20.74	21.32	21.49	1.90	1.90	2.20	2.25	16.62	14.24	15.87	16.12

Transect / Receptor	Total Annual Mean NOx (µg/m³)				Total Annual Mean NH ₃ (µg/m³)				Total Annual Mean N Dep (kgN/ha/yr)			
	2019	2041	2041	2041	2019	2041	2041	2041	2019	2041	2041	2041
	Base	FB	DM	DS	Base	FB	DM	DS	Base	FB	DM	DS
E3_50m	41.19	20.54	21.04	21.17	1.81	1.81	2.07	2.11	16.05	13.78	15.15	15.36
E3_60m	39.83	20.39	20.83	20.94	1.75	1.75	1.97	2.01	15.63	13.45	14.64	14.82
E3_70m	38.79	20.28	20.68	20.77	1.70	1.70	1.90	1.93	15.31	13.20	14.25	14.41
E3_80m	37.97	20.20	20.55	20.64	1.67	1.67	1.84	1.87	15.06	13.00	13.95	14.09
E3_90m	37.31	20.13	20.45	20.53	1.64	1.64	1.80	1.82	14.86	12.84	13.70	13.83
E3_100m	36.77	20.07	20.37	20.44	1.61	1.61	1.76	1.78	14.69	12.71	13.50	13.61
E3_110m	36.31	20.02	20.30	20.36	1.59	1.59	1.73	1.75	14.55	12.60	13.32	13.43
E3_120m	35.91	19.98	20.24	20.30	1.57	1.57	1.70	1.72	14.43	12.50	13.18	13.27
E3_130m	35.57	19.94	20.19	20.24	1.56	1.56	1.68	1.69	14.33	12.42	13.05	13.14
E3_140m	35.28	19.91	20.15	20.19	1.54	1.54	1.66	1.67	14.23	12.34	12.94	13.02
E3_150m	35.02	19.88	20.11	20.15	1.53	1.53	1.64	1.65	14.15	12.28	12.84	12.92
E3_160m	34.78	19.86	20.07	20.11	1.52	1.52	1.62	1.63	14.08	12.22	12.75	12.83
E3_170m	34.58	19.84	20.04	20.08	1.51	1.51	1.61	1.62	14.02	12.17	12.68	12.75
E3_180m	34.39	19.82	20.01	20.05	1.50	1.50	1.59	1.61	13.96	12.13	12.61	12.67
E3_190m	34.22	19.80	19.99	20.02	1.50	1.50	1.58	1.59	13.91	12.09	12.54	12.61
E3_200m	34.07	19.78	19.96	20.00	1.49	1.49	1.57	1.58	13.86	12.05	12.48	12.55
E4_26.1m	64.04	30.19	31.06	31.33	1.97	1.97	2.29	2.35	17.49	15.13	16.87	17.17
E4_30m	63.34	30.12	30.93	31.17	1.93	1.93	2.23	2.28	17.25	14.93	16.56	16.83
E4_40m	62.00	29.97	30.67	30.87	1.86	1.86	2.12	2.16	16.78	14.54	15.95	16.19
E4_50m	61.03	29.87	30.48	30.65	1.81	1.81	2.04	2.08	16.45	14.26	15.52	15.72
E4_60m	60.29	29.79	30.34	30.49	1.77	1.77	1.98	2.01	16.19	14.05	15.19	15.38
E4_70m	59.69	29.72	30.23	30.36	1.74	1.74	1.93	1.96	15.99	13.88	14.93	15.10
E4_80m	59.20	29.67	30.14	30.26	1.71	1.71	1.89	1.92	15.82	13.74	14.72	14.88

Transect / Receptor	Total Annual Mean NOx (µg/m³)				Total Annual Mean NH ₃ (µg/m³)				Total Annual Mean N Dep (kgN/ha/yr)			
	2019	2041	2041	2041	2019	2041	2041	2041	2019	2041	2041	2041
	Base	FB	DM	DS	Base	FB	DM	DS	Base	FB	DM	DS
E4_90m	58.79	29.62	30.06	30.17	1.69	1.69	1.86	1.88	15.68	13.63	14.54	14.68
E4_100m	58.43	29.59	30.00	30.10	1.67	1.67	1.83	1.85	15.56	13.53	14.39	14.52
E4_110m	58.12	29.55	29.94	30.04	1.65	1.65	1.80	1.83	15.45	13.44	14.25	14.38
E4_120m	57.85	29.52	29.89	29.98	1.64	1.64	1.78	1.80	15.36	13.36	14.14	14.26
E4_130m	57.60	29.50	29.85	29.93	1.63	1.63	1.76	1.78	15.28	13.29	14.03	14.15
E4_140m	57.38	29.47	29.81	29.89	1.61	1.61	1.75	1.76	15.20	13.23	13.94	14.05
E4_150m	57.19	29.45	29.77	29.85	1.60	1.60	1.73	1.75	15.14	13.18	13.86	13.96
E4_160m	57.01	29.43	29.74	29.81	1.60	1.59	1.72	1.73	15.07	13.13	13.78	13.88
E4_170m	56.85	29.41	29.71	29.78	1.59	1.59	1.70	1.72	15.02	13.08	13.71	13.80
E4_180m	56.70	29.40	29.69	29.75	1.58	1.58	1.69	1.71	14.97	13.04	13.65	13.74
E4_190m	56.56	29.38	29.66	29.72	1.57	1.57	1.68	1.70	14.92	13.00	13.59	13.68
E4_200m	56.43	29.37	29.64	29.70	1.57	1.56	1.67	1.68	14.88	12.97	13.53	13.62
E5_32.95m	33.66	18.80	19.05	19.08	1.74	1.68	1.79	1.80	16.96	14.55	15.15	15.21
E5_40m	32.86	18.71	18.94	18.97	1.69	1.63	1.73	1.74	16.63	14.32	14.85	14.91
E5_50m	32.06	18.62	18.82	18.85	1.63	1.59	1.68	1.69	16.30	14.09	14.56	14.61
E5_60m	31.48	18.56	18.74	18.77	1.60	1.56	1.64	1.65	16.06	13.93	14.35	14.40
E5_70m	31.05	18.51	18.68	18.71	1.57	1.54	1.61	1.62	15.88	13.80	14.19	14.24
E5_80m	30.71	18.47	18.63	18.66	1.55	1.52	1.59	1.59	15.75	13.70	14.07	14.11
E5_90m	30.44	18.44	18.59	18.62	1.53	1.50	1.57	1.58	15.63	13.63	13.97	14.01
E5_100m	30.21	18.41	18.56	18.59	1.51	1.49	1.55	1.56	15.54	13.56	13.88	13.93
E5_110m	30.01	18.39	18.54	18.56	1.50	1.48	1.54	1.55	15.46	13.50	13.81	13.85
E5_120m	29.84	18.37	18.51	18.54	1.49	1.47	1.53	1.53	15.39	13.45	13.75	13.79
E5_130m	29.69	18.36	18.49	18.52	1.48	1.46	1.52	1.52	15.33	13.41	13.70	13.73

Transect / Receptor	Total Annual Mean NOx (µg/m³)				Total Annual Mean NH ₃ (µg/m³)				Total Annual Mean N Dep (kgN/ha/yr)			
	2019	2041	2041	2041	2019	2041	2041	2041	2019	2041	2041	2041
	Base	FB	DM	DS	Base	FB	DM	DS	Base	FB	DM	DS
E5_140m	29.56	18.34	18.47	18.50	1.47	1.46	1.51	1.51	15.28	13.37	13.65	13.69
E5_150m	29.44	18.33	18.46	18.48	1.46	1.45	1.50	1.51	15.23	13.34	13.61	13.64
E5_160m	29.34	18.32	18.44	18.47	1.46	1.44	1.49	1.50	15.18	13.31	13.57	13.60
E5_170m	29.24	18.31	18.43	18.46	1.45	1.44	1.49	1.49	15.15	13.28	13.53	13.57
E5_180m	29.15	18.30	18.42	18.44	1.45	1.43	1.48	1.49	15.11	13.25	13.50	13.53
E5_190m	29.07	18.29	18.41	18.43	1.44	1.43	1.47	1.48	15.08	13.23	13.47	13.50
E5_200m	28.99	18.28	18.40	18.42	1.44	1.43	1.47	1.47	15.05	13.21	13.44	13.47
E6_15.7m	67.17	23.45	24.10	24.13	3.07	3.09	3.46	3.48	33.61	29.97	31.95	32.05
E6_20m	61.75	22.88	23.44	23.46	2.79	2.82	3.13	3.15	31.85	28.49	30.19	30.28
E6_30m	53.90	22.04	22.47	22.49	2.40	2.41	2.65	2.67	29.28	26.35	27.63	27.70
E6_40m	49.23	21.54	21.90	21.91	2.16	2.18	2.37	2.38	27.74	25.07	26.11	26.16
E6_50m	46.10	21.21	21.51	21.52	2.01	2.02	2.18	2.19	26.71	24.21	25.08	25.13
E6_60m	43.83	20.97	21.23	21.24	1.89	1.90	2.04	2.05	25.95	23.59	24.34	24.38
E6_70m	42.12	20.79	21.02	21.03	1.80	1.81	1.93	1.94	25.38	23.12	23.78	23.81
E6_80m	40.77	20.64	20.85	20.86	1.74	1.74	1.85	1.86	24.93	22.75	23.33	23.37
E6_90m	39.69	20.53	20.71	20.73	1.68	1.69	1.78	1.79	24.57	22.45	22.98	23.01
E6_100m	38.80	20.43	20.60	20.61	1.64	1.64	1.73	1.73	24.27	22.20	22.68	22.71
E6_110m	38.06	20.36	20.51	20.52	1.60	1.60	1.68	1.69	24.02	22.00	22.43	22.46
E6_120m	37.42	20.29	20.43	20.44	1.57	1.57	1.64	1.65	23.80	21.82	22.22	22.25
E6_130m	36.88	20.23	20.36	20.37	1.54	1.54	1.61	1.61	23.62	21.67	22.04	22.07
E6_140m	36.41	20.18	20.30	20.31	1.51	1.52	1.58	1.58	23.46	21.54	21.89	21.91
E6_150m	36.00	20.14	20.25	20.26	1.49	1.49	1.56	1.56	23.32	21.43	21.75	21.77
E6_160m	35.64	20.10	20.21	20.22	1.47	1.48	1.53	1.54	23.20	21.33	21.63	21.65

Transect / Receptor	Total Annual Mean NOx (µg/m³)				Total Annual Mean NH ₃ (µg/m³)				Total Annual Mean N Dep (kgN/ha/yr)			
	2019	2041	2041	2041	2019	2041	2041	2041	2019	2041	2041	2041
	Base	FB	DM	DS	Base	FB	DM	DS	Base	FB	DM	DS
E6_170m	35.32	20.06	20.17	20.18	1.46	1.46	1.51	1.52	23.09	21.24	21.52	21.54
E7_10.8m	97.63	26.71	27.84	27.88	4.64	4.68	5.34	5.37	43.60	38.49	41.99	42.14
E7_20m	77.45	24.55	25.36	25.39	3.61	3.64	4.10	4.12	37.06	32.90	35.37	35.48
E7_30m	66.56	23.39	24.03	24.05	3.05	3.08	3.43	3.45	33.51	29.89	31.80	31.89
E7_40m	59.99	22.69	23.22	23.24	2.72	2.74	3.03	3.05	31.34	28.08	29.65	29.73
E7_50m	55.54	22.22	22.67	22.69	2.49	2.51	2.76	2.77	29.87	26.85	28.19	28.26
E7_60m	52.28	21.87	22.27	22.29	2.33	2.34	2.56	2.57	28.79	25.95	27.13	27.18
E7_70m	49.79	21.61	21.97	21.98	2.20	2.21	2.41	2.42	27.97	25.26	26.31	26.37
E7_80m	47.82	21.40	21.72	21.74	2.10	2.11	2.29	2.30	27.31	24.72	25.67	25.71
E7_90m	46.21	21.22	21.53	21.54	2.02	2.03	2.19	2.20	26.77	24.27	25.14	25.18
E7_100m	44.87	21.08	21.36	21.37	1.95	1.96	2.11	2.11	26.33	23.90	24.70	24.74
E7_110m	43.74	20.96	21.22	21.23	1.89	1.90	2.04	2.04	25.95	23.59	24.33	24.37
E7_120m	42.77	20.86	21.10	21.11	1.84	1.85	1.98	1.98	25.62	23.32	24.01	24.05
E7_130m	41.93	20.77	21.00	21.01	1.80	1.81	1.93	1.93	25.34	23.09	23.73	23.77
E7_140m	41.19	20.69	20.91	20.92	1.76	1.77	1.88	1.89	25.09	22.89	23.49	23.52
E7_150m	40.54	20.62	20.82	20.84	1.73	1.73	1.84	1.85	24.87	22.70	23.27	23.30
E7_160m	39.96	20.56	20.75	20.76	1.70	1.70	1.80	1.81	24.68	22.54	23.08	23.11
E7_170m	39.43	20.50	20.69	20.70	1.67	1.68	1.77	1.78	24.50	22.40	22.91	22.93
E7_180m	38.96	20.45	20.63	20.64	1.65	1.65	1.74	1.75	24.34	22.27	22.75	22.78
E7_190m	38.53	20.41	20.57	20.58	1.62	1.63	1.71	1.72	24.19	22.14	22.60	22.63
E7_200m	38.14	20.36	20.53	20.53	1.60	1.61	1.69	1.70	24.06	22.04	22.48	22.50
E8_6.75m	84.22	31.33	33.04	34.49	3.46	3.16	3.33	3.40	26.44	20.88	21.89	22.34
E8_10m	77.96	30.61	32.06	33.29	3.12	2.88	3.03	3.09	24.31	19.35	20.25	20.63

Transect / Receptor	Total Annual Mean NOx (µg/m³)				Total Annual Mean NH ₃ (µg/m³)				Total Annual Mean N Dep (kgN/ha/yr)			
	2019	2041	2041	2041	2019	2041	2041	2041	2019	2041	2041	2041
	Base	FB	DM	DS	Base	FB	DM	DS	Base	FB	DM	DS
E8_20m	67.69	29.41	30.43	31.26	2.58	2.43	2.55	2.59	20.85	16.91	17.63	17.87
E8_30m	62.69	28.82	29.62	30.25	2.33	2.21	2.32	2.35	19.19	15.74	16.37	16.56
E8_40m	59.66	28.47	29.12	29.62	2.17	2.08	2.18	2.20	18.19	15.04	15.62	15.77
E8_50m	57.60	28.23	28.79	29.20	2.07	1.99	2.09	2.11	17.51	14.57	15.11	15.24
E8_60m	56.11	28.05	28.54	28.89	1.99	1.93	2.02	2.04	17.02	14.23	14.74	14.85
E8_70m	54.97	27.91	28.36	28.66	1.94	1.88	1.97	1.98	16.65	13.97	14.45	14.56
E8_80m	54.06	27.81	28.21	28.47	1.89	1.84	1.93	1.94	16.35	13.76	14.23	14.32
E8_90m	53.31	27.72	28.09	28.32	1.85	1.81	1.89	1.91	16.10	13.58	14.04	14.13
E8_100m	52.69	27.64	27.99	28.20	1.82	1.78	1.86	1.88	15.90	13.44	13.88	13.96
E8_110m	52.15	27.58	27.90	28.09	1.80	1.76	1.84	1.85	15.72	13.32	13.75	13.82
E8_120m	51.69	27.53	27.82	28.00	1.77	1.74	1.82	1.83	15.57	13.21	13.63	13.70
E8_130m	51.28	27.48	27.76	27.92	1.75	1.72	1.80	1.81	15.44	13.11	13.53	13.59
E8_140m	50.92	27.44	27.70	27.85	1.73	1.71	1.78	1.79	15.32	13.03	13.43	13.49
E8_150m	50.59	27.40	27.65	27.79	1.72	1.69	1.76	1.77	15.21	12.95	13.35	13.41
E8_160m	50.29	27.36	27.60	27.73	1.70	1.68	1.75	1.76	15.12	12.88	13.27	13.33
E8_170m	50.02	27.33	27.56	27.68	1.69	1.67	1.74	1.75	15.03	12.82	13.20	13.25
E8_180m	49.77	27.30	27.52	27.64	1.68	1.66	1.73	1.73	14.95	12.76	13.13	13.18
E8_190m	49.54	27.27	27.49	27.59	1.67	1.65	1.71	1.72	14.87	12.70	13.07	13.12
E8_200m	49.32	27.25	27.45	27.55	1.65	1.64	1.70	1.71	14.80	12.65	13.01	13.06
E9_8.05m	76.08	30.46	32.20	33.71	2.90	2.69	2.84	2.88	23.04	18.38	19.25	19.58
E9_10m	73.02	30.09	31.62	32.94	2.77	2.58	2.72	2.75	22.14	17.76	18.57	18.87
E9_20m	64.39	29.05	30.02	30.82	2.37	2.25	2.37	2.39	19.54	15.98	16.65	16.84
E9_30m	60.42	28.57	29.30	29.87	2.19	2.10	2.20	2.23	18.31	15.14	15.75	15.90

Transect / Receptor	Total Annual Mean NOx (µg/m³)				Total Annual Mean NH ₃ (µg/m³)				Total Annual Mean N Dep (kgN/ha/yr)			
	2019	2041	2041	2041	2019	2041	2041	2041	2019	2041	2041	2041
	Base	FB	DM	DS	Base	FB	DM	DS	Base	FB	DM	DS
E9_40m	58.14	28.30	28.89	29.32	2.08	2.01	2.11	2.13	17.60	14.66	15.23	15.36
E9_50m	56.67	28.12	28.63	28.98	2.01	1.95	2.05	2.07	17.14	14.35	14.90	15.01
E9_60m	55.66	28.00	28.44	28.74	1.96	1.91	2.01	2.02	16.82	14.14	14.67	14.77
E9_70m	54.94	27.91	28.31	28.56	1.93	1.88	1.98	1.99	16.59	13.98	14.51	14.61
E9_80m	54.40	27.84	28.21	28.43	1.90	1.86	1.96	1.97	16.42	13.87	14.40	14.48
E9_90m	54.00	27.79	28.14	28.33	1.88	1.85	1.94	1.96	16.30	13.79	14.32	14.40
E9_100m	53.70	27.75	28.08	28.25	1.87	1.84	1.93	1.95	16.20	13.73	14.26	14.33
E9_110m	53.47	27.72	28.04	28.19	1.86	1.83	1.93	1.94	16.13	13.69	14.22	14.29
E9_120m	53.30	27.70	28.00	28.14	1.85	1.83	1.92	1.93	16.08	13.66	14.19	14.26
E9_130m	53.18	27.68	27.98	28.11	1.84	1.82	1.92	1.93	16.04	13.64	14.17	14.24
E9_140m	53.10	27.67	27.96	28.08	1.84	1.82	1.92	1.93	16.02	13.63	14.17	14.23
E9_150m	53.06	27.66	27.94	28.06	1.84	1.82	1.92	1.93	16.00	13.63	14.17	14.23
E9_160m	53.04	27.66	27.93	28.04	1.84	1.82	1.92	1.93	16.00	13.64	14.18	14.24
E9_170m	53.04	27.66	27.93	28.03	1.84	1.82	1.92	1.93	16.00	13.65	14.19	14.25
E9_180m	53.07	27.66	27.93	28.02	1.84	1.83	1.93	1.94	16.01	13.66	14.21	14.28
E9_190m	53.11	27.66	27.93	28.02	1.84	1.83	1.93	1.94	16.03	13.68	14.24	14.30
E9_200m	53.18	27.66	27.93	28.02	1.84	1.83	1.94	1.95	16.05	13.71	14.27	14.33

Appendix E Air quality modelling methodology

Portsmouth City Council- Air Quality Modelling

Portsmouth Local Plan

Project number: 60586784

February 2024

Quality information

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Revision History

Revision	Revision date	Details	Authorized	Name	Position
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1. Introduction

- 1.1 Portsmouth City Council (PCC) is preparing a Draft Local Plan 2041 which represents a full review of the adopted Local Plan. Once the Local Plan has been through a number of statutory stages of preparation, it will be examined and if found to be sound, it can be adopted. Upon adoption it will replace the current Portsmouth Plan (Revised Local Plan 2012-2027). The Council has commissioned AECOM Limited to conduct an air quality assessment to inform the Habitats Regulations Assessment (HRA) of the Regulation 18 Stage 2 preparation of the Local Plan 2041 and to form part of the evidence base.
- 1.2 The work presented in this report is to be used to inform the Appropriate Assessment of the HRA. It focuses on the impact of traffic related emissions due to planned development during the Local Plan period on sensitive ecosystems within the:
- Solent Maritime Special Area of Conservation (SAC);
 - Portsmouth, Chichester and Langstone Harbour Special Protection Areas (SPAs);
 - Portsmouth, Chichester and Langstone Harbour wetlands of international importance (RAMSAR); and
 - Portsmouth and Langstone Harbour Sites of Special Scientific Interest (SSSIs).
- 1.3 The Ecological sites are mainly designated for their importance for bird species, consisting of a range of wetlands and mudflats which are potentially sensitive to nitrogen and acid deposition due to several reasons, such as soil acidification and toxicity to species (Natural England, 2018). More specifically, in terms of nitrogen sensitive habitats, the Solent Maritime SAC contains salt meadows, coastal dunes, mudflats and sandflats. Special Protection Areas (SPAs) are designated for the conservation of wild birds. They are classified for rare and vulnerable species of birds and for regularly occurring migratory species. It should be noted that many of the identified ecological sites overlap substantially and that some areas are designated with two or three different forms of protection.
- 1.4 This assessment considers the following four key pollutants shown to affect sensitive ecosystems: ammonia (NH₃), oxides of nitrogen (NO_x), total nitrogen (N) deposition and total acid deposition. All pollutants are considered at receptor points, within transects, up to 200m of the roadside, within each of the ecological sites considered in the assessment.
- 1.5 The main aims of this study are to:
- Identify potentially sensitive ecological receptor locations within the ecological sites, within 200m of roads that are expected to be affected by the Local Plan 2041;
 - Predict annual mean NO_x and NH₃ concentrations and nitrogen and acid deposition rates for the following scenarios at selected ecological receptors;
 - Baseline year (2019): represents air quality in a recent past year (2019);
 - Future Baseline (2041): uses the traffic data from the 'current baseline' in 2019, but applies future assessment year vehicle emission factors and background pollutant concentrations to allow for the 'in combination' assessment required for the HRA;
 - 2041 'Do Minimum' (DM) Reference Case: future assessment year, which does not include the influence of planned development from the Local Plan 2041, but does allow for strategic planned development in neighbouring local authorities;
 - 2041 'Do Something' (DS) Scenario: future assessment year, which includes the influence of planned development from the Portsmouth City Council Local Plan 2041, using the growth scenario from the Transport Assessment and from strategic planned development in neighbouring local authorities.
 - Determine if there are any exceedances of NO_x and NH₃ critical levels, and nitrogen and acid deposition critical loads within the three ecological habitat sites.

- 1.6 The results and implications of the modelling outputs are presented in the accompanying report 'Habitats Regulations Assessment (HRA) of the Portsmouth City Council Plan Review'. More detail on the Transport Assessment and associated modelling are available separately.

2. Policy Context

Clean Air Strategy

- 2.1 In 2019, the UK government released its Clean Air Strategy 2019 (Defra, 2019) as part of its 25 Year Environment Plan (Defra, 2018). These documents include targets to reduce emissions of ammonia from farming activities, and nitrogen oxides from combustion processes, and thus reduce the deposition of nitrogen to sensitive ecosystems.

Environment Act

- 2.2 The Environment Act 2021 (HM Government, 2021) amends the Environment Act 1995 (HM Government, 1995). On 9th November 2021, the Act received Royal Assent after being first introduced to Parliament in January 2020 to address environmental protection and the delivery of the Government's 25 Year Environment Plan. It includes provisions to establish a set of statutory environmental principles to ensure environmental governance through an environmental watchdog, the Office for Environmental Protection (OEP).
- 2.3 The Secretary of State must publish a review report every five years (as a minimum and with yearly updates to Parliament). The 25 Year Environment Plan has been adopted as the first Environmental Improvement Plan (EIP) of the Environment Act 2021, with long-term legally binding targets being finalised by Defra¹. The EIP 2023 was published in January 2023 (updated February 2023), building on the 25 Year Environment Plan, and setting out how the delivery of environmental goals will be coordinated with landowners, communities and businesses.

Habitats Regulations Assessment

- 2.4 While the UK is no longer a member of the EU, a requirement for HRA will continue as set out in the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.
- 2.5 The HRA process applies the 'Precautionary Principle'² to European sites³. Plans and projects can only be permitted having ascertained that there will be no adverse effect on the integrity of the European site(s) in question. To ascertain whether or not site integrity will be affected, an Appropriate Assessment should be undertaken of the Plan or project in question.
- 2.6 Following evidence gathering, the first stage of any HRA is the screening for Likely Significant Effects (LSEs), a high-level assessment to decide whether the Appropriate Assessment is required. Where it is determined that a conclusion of 'no Likely Significant Effects' cannot be drawn, the analysis proceeds to the Appropriate Assessment.

Other Guidance documents

- 2.7 Best practice and advice / guidance contained within documents from Natural England (Natural England, 2018), the Institute of Air Quality Management (IAQM) (IAQM, 2020), the Chartered Institute of Ecology and Environmental Management (CIEEM) (CIEEM, 2021) and National Highways (Design Manual for Roads and Bridges DMRB LA105) (DMRB, 2019) have been used to determine the methodology applied, and in the accompanying ecological interpretation of the results.

¹ <https://www.gov.uk/government/news/update-on-progress-on-environmental-targets>

² The Precautionary Principle, which is referenced in Article 191 of the Treaty on the Functioning of the European Union, has been defined by the United Nations Educational, Scientific and Cultural Organisation (UNESCO, 2005) as: "When human activities may lead to morally unacceptable harm [to the environment] that is scientifically plausible but uncertain, actions shall be taken to avoid or diminish that harm. The judgement of plausibility should be grounded in scientific analysis".

³ <https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site> - "A European site is protected by the Conservation of Habitats and Species Regulations 2017 as amended (known as the Habitats Regulations)". These include Special Areas of Conservation (SACs), Special Protection Areas (SPAs), and Ramsar sites (wetlands of international importance).

Critical Levels

- 2.8 Annual mean critical levels of NO_x and NH₃ are summarised in Table 1. These are concentrations above which adverse effects on ecosystems may occur based on present knowledge. The critical level for NO_x is taken from the EU Ambient Air Quality Directive 2008/50/EU (EU Directives, 2008) which has also been set as the Air Quality Strategy objective for the protection of vegetation and ecosystems and has been incorporated into English legislation.
- 2.9 The EU Directive (EU Directives, 2008) states that the sampling point to determine compliance should be sited more than 20 km away from agglomerations or more than 5 km away from other built-up areas, industrial installations or motorways or major roads with traffic counts of more than 50,000 vehicles per day, which means that a sampling point must be sited in such a way that is representative of an area of at least 1,000 km². Applying the critical level for NO_x to designated nature conservation sites that are located close to busy roads is therefore precautionary.
- 2.10 The critical levels for NH₃ have not been incorporated into legislation and are a recommendation made by the United Nations Economic Commission for Europe (UNECE) Executive Body for the Convention on Long-Range Transboundary Air Pollution (CLRTAP) (UNECE, 2013).

Table 1: Annual Mean Critical Levels (NO_x and NH₃)

Pollutant	Critical Level
Oxides of nitrogen (NO _x)	30 µg/m ³
Ammonia (NH ₃)	3 µg/m ³ for higher plants
	1 µg/m ³ for lichens and bryophytes

3. Methodology

- 3.1 The Local Plan will significantly increase the population and employment opportunities within the city which may result in more commuter journeys being undertaken within 200m of sensitive ecological sites. Therefore, LSEs cannot be excluded, and four European sites are screened in for Appropriate Assessment regarding this impact pathway. This is in accordance with Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations (Natural England, 2018). In addition, a number of SSSIs have been considered in order to take a precautionary approach.
- 3.2 As such, the air quality modelling methodology and analyses presented in this report have been undertaken to inform the HRA for the ecological sites, set out in paragraph 1.2. These ecological sites have been considered in the assessment as they contain habitats and species that are sensitive to air quality or deposition impacts with more information provided in the introduction section.
- 3.3 The following sections outline the methodology used to model air quality in the ecological sites as listed above, affected by changes to traffic associated with the Portsmouth Local Plan 2041. The following sources of information and data have been used to form the basis of the air quality assessment:
- Department for Environment, Food and Rural Affairs' (Defra) Air Quality Background Concentration Maps based on a 2018 base year (Defra, 2020a);
 - Defra's Vehicle Emission Factors (Defra, 2020b);
 - Emission rates as published in the Calculator for Road Emissions of Ammonia (CREAM) tool (Air Quality Consultants, 2020);
 - 1x1 km modelled nitrogen and acid deposition data and ammonia background concentrations from the Air Pollution Information System (APIS, 2022);
 - Traffic count and speed data used to inform the Transport Assessment for 2019 and 2041.
- 3.4 The modelling assessment was conducted following methodology within Defra's Local Air Quality Management Technical Guidance (LAQM.TG(22)) (Defra, 2022), and guidance contained within documents from Natural England (Natural England, 2018), the Institute of Air Quality Management (IAQM) (IAQM, 2020) and the Chartered Institute of Ecology and Environmental Management (CIEEM) (CIEEM, 2021).

Pollutants of Interest

- 3.5 The pollutants of interest with regard to sensitive ecosystems for which critical levels and critical loads exist, and which are included in the air quality modelling and assessment of impacts on the ecological sites listed above, are NO_x, NH₃, and nitrogen and acid deposition. Modelling of these pollutants is undertaken to assess the air quality impacts of planned development in the Local Plan on the ecological sites alone, and 'in combination' with existing plans within surrounding authorities.
- 3.6 Whilst emissions of NO_x from road vehicles are regulated according to Euro standards, emissions of NH₃ are not. This means that emissions of NH₃ from individual vehicle types are highly uncertain, particularly as measurements are rarely made (as this is not required for regulatory purposes). The uncertainty associated with the predicted nitrogen deposition rates from NH₃ is also greater than for NO₂, with the NH₃ derived nitrogen deposition rates representing an upper estimate.
- 3.7 There is currently no tool publicly available for the assessment of road traffic emissions of NH₃ from National Highways, Defra, Natural England, or other nature conservation bodies. However, there is evidence that exclusion of NH₃ from assessments leads to an underestimate of deposited nitrogen (Air Quality Consultants, 2020).
- 3.8 The methodology used to model NH₃ concentrations from road traffic, using ADMS Roads, and the subsequent contribution to nitrogen deposition within the ecological sites (described below), is considered the most appropriate that is available at this time. The methodology has been applied by AECOM in

several Appropriate Assessments to inform HRA including that for Tunbridge Wells Borough Council, Epping Forest, Wealden and Mid Sussex District Councils.

Nitrogen Oxides

- 3.9 Detailed dispersion modelling of road traffic emissions of NO_x has been undertaken using the latest version of ADMS Roads (currently v5), combined with the latest version – at the time of assessment – of Defra's Emissions Factor Toolkit (EFT v12.0.1). Although vehicle emission factors are now available for 2031 - 2050, it should be noted that improvements in vehicle emission factors may not be fully accounted for, e.g. the introduction of Euro 7 engine standard anticipated to be around 2025, and the ban on the sale of new petrol and diesel cars and vans in 2035.

Ammonia

- 3.10 In February 2020, Air Quality Consultants developed and published the Calculator for Road Emissions of Ammonia (CREAM) tool, '*in order to allow tentative predictions regarding trends in traffic-related ammonia emissions over time*'. The tool is based upon remotely sensed pollutant measurements, published real-world fuel consumption data, and ambient measurements of ammonia recorded in Ashdown Forest (2014-2016).

- 3.11 The report that was published alongside the CREAM tool states that:

"It should be recognised that these emissions factors remain uncertain. Using them to make future year predictions will clearly be an improvement on any assessment which omits ammonia. They are also considered to be more robust than the emissions factors contained in the EEA Guidebook, which risk significantly under-predicting ammonia emissions. The emissions factors contained in the CREAM model can be considered to provide the most robust estimate of traffic-related ammonia possible at the present time, but they may be updated in the future as more information becomes available."

- 3.12 The CREAM tool currently uses vehicle fleet information from Defra's EFT v9 which has now been superseded. AECOM has therefore applied the ammonia emission factors, as derived by Air Quality Consultants and in the current version of CREAM, with the average vehicle fleet on rural roads from EFT v12.0.1 to estimate emissions.
- 3.13 The latest version of ADMS Roads (v5) has been employed to model the dispersion of emissions of NH₃ from road traffic, consistent with the approach for modelling emissions of NO_x.

Traffic Data

- 3.14 The traffic data used for this assessment is based on the modelling undertaken for the Transport Assessment for 1 growth scenario. The traffic data were provided for a series of road links within 200m of the ecological sites considered. These links were chosen as they are located on the busiest roads in the area that are expected to experience the greatest increase in flows over the Local Plan period. As such, these are the roads where an air quality effect due to additional traffic growth is most likely to be observed. The modelled road links in each of the ecological sites are shown in Figures A1 and A2.
- 3.15 Traffic data were provided for each of the road links, in the form of 24-hour Annual Average Daily Traffic (AADT) flows, with percentage heavy duty vehicle (HDV) flows and average speed for four scenarios – 2019 baseline (also used for the future baseline), future year 'Do Minimum' (or 'Reference Case'), and two future year 'Do Something' Scenarios. A summary of the traffic data used in the air quality assessment is given in Appendix 1.

Modelled Vehicle Fleet

- 3.16 Automatic Number Plate Recognition (ANPR) data from 2023 was used to obtain an estimate of the current local vehicle fleet. Data was obtained from three local traffic monitoring sites over two full days (48 hours in total, one weekend and one weekday). This data was used within the EFT's fleet projection tool to project the 2023 Euro engine classifications of the default fleet backwards to the base scenario year (2019), and also forwards to the future scenario year (2041). These projected fleets were then used in EFT v12.0.1 with the default basic split fleet projections.

Receptors

- 3.17 Pollutant concentrations and deposition rates have been predicted along defined transects within the ecological sites, within 200m of affected roads, in accordance with National Highways guidance for ecological assessments (LA105) (DMRB, 2019) and Natural England guidance (Natural England, 2018). The greatest impacts from changes in road traffic emissions will be observed and modelled closest to the roadside. Consideration of the road network within 200m of the ecological sites is therefore considered robust as background concentrations utilised in the assessment will account for all other sources that are not defined explicitly in the model.
- 3.18 The locations of the ecological transects relevant to this project were agreed with PCC and other stakeholders. The transects are situated at key locations where the greatest impacts upon each of the ecological sites assessed are likely to occur.
- 3.19 For each SAC, the receptors are situated at the closest point to the road within the SAC, and spaced every 10m within the transects, up to 200m from the roadside. All receptors are modelled at ground level (0m height).
- 3.20 The greatest impacts will generally occur where both the greatest change in traffic flows is expected and the habitats lie closest to the road. This information has been used to select transect locations. The usual approach is to place a transect on a modelled link (sometimes having a transect either side of the road to account for differences in the dispersion of emissions due to meteorology), with each link being defined as a stretch of road between changes in emissions i.e. where there are changes in traffic flows and/or speeds.

Model Setup

- 3.21 Detailed dispersion modelling was undertaken using the current version of ADMS-Roads (v5) to model concentrations of NO_x and NH₃ using the parameters in Table 2 for the following scenarios:
- 2019 Baseline – 2019 AADT, 2019 emission factors and 2019 “Basic Split” fleet using the backward-projected Euro engine classifications from the 2023 ANPR data, and 2019 background concentrations.
 - 2041 Future Baseline – 2019 AADT, 2030 emission factors (latest available year), 2041 projected vehicle fleet using the forward-projected Euro engine classifications from the 2023 ANPR data, and 2030 background concentrations (the latest projected year available from Defra);
 - 2041 Do Minimum – 2041 AADT without Local Plan but with all committed development, 2030 emission factors, 2041 projected vehicle fleet using the forward-projected Euro engine classifications from the 2023 ANPR data, and 2030 background concentrations; and
 - 2041 Do Something – 2041 AADT with Local Plan, 2030 emission factors, 2041 projected vehicle fleet using the forward-projected Euro engine classifications from the 2023 ANPR data, and 2030 background concentrations.
- 3.22 A baseline year was modelled to provide a means of model verification – for this assessment, 2019 traffic data were provided for the modelled baseline. To support the assessment of the potential impact of the planned development in the Local Plan scenarios, a ‘future baseline’ and future year ‘do minimum’ scenario were modelled. The ‘do minimum’ scenario includes the influence of development in neighbouring local authorities, whereas the ‘future baseline’ does not.
- 3.23 The future baseline is a hypothetical scenario as it applies improvements in vehicle emissions standards to the baseline vehicle fleet without allowing for any traffic growth. However, such an approach enables the ‘in combination’ effect of development and traffic growth to be seen unobscured by improvements in emissions technology / performance.
- 3.24 The difference between the ‘do something’ and the ‘do minimum’ scenarios provide the impact of the planned development within the Local Plan, alone. The difference between the ‘do something’ and the ‘future baseline’ scenarios provides a thorough and precautionary assessment of the impact of the

planned development within the Local Plan 'in combination', as the 'future baseline' accounts for no future growth.

Table 2: General ADMS-Roads Model Conditions

Variables	ADMS-Roads Model Input
Surface roughness at source	0.5m
Surface roughness at Meteorological Site	0.2m
Minimum Monin-Obukhov length for stable conditions	30m
Terrain types	Flat
Receptor location	x, y coordinates determined by GIS, z = 0m for ecological receptors.
Emissions	NO _x – Defra's EFT v12.0.1 NH ₃ – CREAM V1A
Meteorological data	1 year (2019) hourly sequential data from Thorney Island meteorological station.
Receptors	Ecological transects
Model output	Long-term (annual) mean NO _x and NH ₃ concentrations.

Plume Depletion

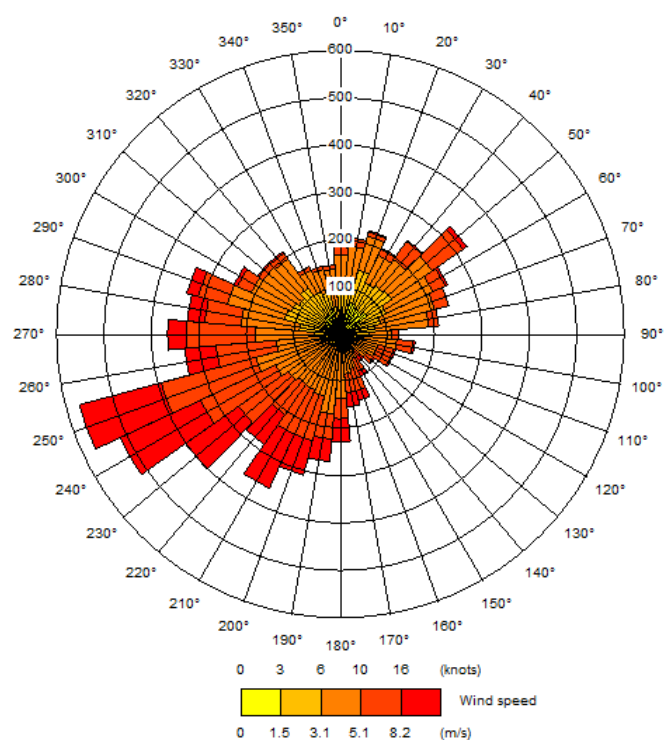
- 3.25 Plume depletion due to dry deposition onto vegetation was taken into account in the model. This was enabled by using the ADMS-Roads 'Dry Deposition' module, applying the 'grassland' deposition rates presented in the Air Quality Technical Advisory Group (AQTAG) deposition velocities that are cited in 2020 IAQM guidance (IAQM, 2020), as shown in Table 3.
- 3.26 The deposition velocity for NO₂ was applied to raw modelled NO_x. This assumes that 100% of NO_x is emitted as NO₂, and therefore represents an optimistic depletion of NO_x from the atmosphere.

Table 3: Nitrogen Deposition Velocities and Conversion Rates

Pollutant	Habitat	Nitrogen deposition conversion rates	Deposition velocity
NO ₂	Grassland / short vegetation	1 µg/m ³ NO ₂ = 0.14 kgN/ha/yr	0.0015 m/s
NH ₃	Grassland / short vegetation	1 µg/m ³ NH ₃ = 5.2 kgN/ha/yr	0.020 m/s

Meteorological Data

- 3.27 One year (2019) of hourly sequential observation data from Thorney Island meteorological station has been used in this assessment to correspond with the baseline traffic data and emission factors. The station is located in a rural setting approximately 3.5 km South of the A27 near Emsworth, along which three of the twelve transects considered in the study are located, and experiences meteorological conditions that are representative of those experienced within the overall air quality study area. In particular, it is noted that the meteorological site experiences a similar level of coastal effects as the ecological sites which is important as this can have a profound effect on dispersion.
- 3.28 Figure 1 shows that the dominant direction of wind was from the south-west, as is typical for the UK.

Figure 1: Wind Rose, Thorney Island Meteorological Data, 2019

Background Data

- 3.29 Background concentrations of nitrogen dioxide (NO₂) and NO_x for 2019 and 2030 were sourced from Defra's 2018-based 1x1km background maps in the study area (Defra, 2020a).
- 3.30 Contributions from explicitly modelled source sectors were removed from the NO₂ and NO_x background concentrations, as outlined in Table 4, in accordance with Defra guidance (Defra, 2022). The data presented in Table 4 show that the concentrations are predicted to decrease between 2019 and 2030.
- 3.31 The NH₃ background concentrations from APIS are presented in Table 5.

Table 4: Defra Mapped Background Pollutant Concentrations

Transects	Road Name	Grid Square (X, Y)	Annual Mean Concentrations (µg/m ³)			
			2019 NO ₂	2019 NO _x	2030 NO ₂	2030 NO _x
T1	M275	464233 103579	20.8	30.0	14.1	19.3
T2	M275	464003 102705	23.8	35.8	17.3	24.8
T3	M275	464204 103589	20.8	30.0	14.1	19.3
T4	M275	464670 104307	31.9	50.5	19.8	28.7

Transects	Road Name	Grid Square (X, Y)	Annual Mean Concentrations ($\mu\text{g}/\text{m}^3$)			
			2019 NO ₂	2019 NO _x	2030 NO ₂	2030 NO _x
T5	A27	462840 105636	17.8	25.3	13.7	17.9
T6	A27	468812 105203	21.0	30.3	14.2	19.5
T7	A27	429500, 113500	21.0	30.3	14.2	19.5
T8	A2030	467422 104083	26.8	41.1	18.3	26.3
T9	A2030	467394 104084	26.8	41.1	18.3	26.3

Note: Sectors removed as emissions included in detailed dispersion modelling: Motorway (in of 1x1km grid square) and Trunk A road (in of 1x1km grid square)

Ecological Data

- 3.32 APIS provides 'a searchable database and information on pollutants and their impacts on habitats and species'. For the ecological sites assessed, data for the appropriate habitat have been applied for each receptor along each transect in the study. Data applicable to short vegetation or grassland was used for all of the ecological sites assessed. This includes critical loads of nitrogen and the average nitrogen and acid deposition rates to the habitat, as presented in Table 5.
- 3.33 Background concentrations of ammonia were also sourced from 5x5 km modelled maps available from APIS, whereas background concentrations of NO_x and NO₂ were sourced from Defra's latest 1x1 km maps, thereby accounting for all sources that are not explicitly defined in the model.
- 3.34 While scrub and other shrubs are likely to be present within some of the ecological sites assessed, they are not of ecological significance in relation to these habitats. The deposition velocity to short vegetation is applicable where such shrubs are interspersed as part of the habitat.
- 3.35 In order to create a robust and scientifically agreed projection for background nitrogen deposition trends in the UK, even allowing for growth, the Joint Nature Conservation Committee (JNCC) commissioned the Nitrogen Futures project, which reported in 2020 (JNCC, 2020). The JNCC Nitrogen Futures project investigated whether a net improvement in nitrogen deposition (including expected development over the same period) was expected to occur to 2030 under a range of scenarios ranging from the most cautious scenario (Business As Usual, BAU, reflecting simply existing emission reduction commitments /measures already in place) to much more ambitious scenarios that would require varying amounts of additional, currently uncommitted, measures from the UK government and devolved administrations.
- 3.36 The report concluded that *'The scenario modelling predicts a substantial decrease in risk of impacts on sensitive vegetation by 2030, under the most likely future baseline [a scenario called '2030 NAPCP+DA (NECR NO_x)']'. This is estimated to achieve the UK Government's Clean Air Strategy (CAS) target for England, defined as a 17% decrease in total reactive N deposition onto protected priority sensitive habitats, with a predicted 18.9% decrease [for England] from a 2016 base year'*. The report predicted a fall in nitrogen deposition by 2030 under every modelled scenario, including the most cautious (2030 BAU). For the BAU scenario nitrogen deposition was forecast to decrease between 2017 and 2030 from 277.1 kt N to 239.5 kt N (i.e. a reduction of 37.6 kt N).

- 3.37 No other changes to the APIS data have been made from those presented (3-year average, 2019-21) for any modelled scenario.
- 3.38 Not to make *any* allowance for improvements in emission factors or background concentrations would result in increased emissions and hence concentrations over the plan period as an increased number of vehicles is expected on the roads. This is not expected to occur as can be seen from previous long-term trends in the UK, which show improvements over extended periods, not worsening. Historical records (e.g., Defra monitoring trends) show that as increased vehicles enter the fleet that these increases are offset by the improvements in the emissions of the newer vehicles and the removal of older vehicles.
- 3.39 In 2018 the Court of Justice of the European Union (CJEU) ruled in cases C-293/17 and C-294/17 (often dubbed the Dutch Nitrogen cases). One aspect of that ruling concerned the extent to which autonomous measures (i.e., improvements in baseline nitrogen deposition that are not attributable to the Local Plan) can be taken into account in appropriate assessment, the CJEU ruled that it was legally compliant to take such autonomous measures into account provided the benefits were not 'uncertain' (paragraphs 130&132). Note that previous case law on the interpretation of the Habitats Directive has clarified that 'certain' does not mean absolute certainty but '*where no reasonable scientific doubt remains*'⁴ [emphasis added].
- 3.40 The forecasts for improvements in NO_x emission factors, background concentrations and background deposition rates used in this report are considered to be realistic and have the requisite level of certainty. This is because a) data are used and to a large extent they build upon established historic trends in NO_x and oxidised nitrogen deposition and b) for total nitrogen deposition they are based on a cautious use of evidenced central government forecasts associated with uptake of technology that has either already been introduced or is widely expected within the professional community to be introduced and effective before 2030, as illustrated in the Nitrogen Futures project.
- 3.41 When it comes to forecasting the NO_x emissions of additional traffic, it would overestimate those emissions to assume that by 2041 the emission factors will be no different to those in 2019; to make such an assumption would be to fail to take account of the expected continued uptake of Euro 6 compliant vehicles between 2019 and 2041 and would assume (putting it simply) that no motorists would replace their cars during the entire plan period. For example, the latest (Euro 6/VI) emissions standard only became mandatory in 2014 (for heavy duty vehicles) and 2015 (for cars) and the effects will not therefore be visible in the data available from APIS because relatively few people will have been driving vehicles compliant with that standard as early as 2019. Far more drivers can be expected to be using Euro 6 compliant vehicles by the end of the Local Plan period.
- 3.42 The vehicle emission factors within the air quality modelling tools available only project out to 2030 and so the 2041 assessment year does not recognise continued uptake of more stringent emissions standards. Therefore, the results are likely to be cautious in terms of emissions related to vehicle age.

Table 5: APIS Data for Ecological Transects for 2019-2021

Transect	Av. N Dep kgN/ha/yr ^{\$}	Critical Load N Dep kgN/ha/yr	Total Av. Acid Dep keq/ha/yr N ^{\$}	Critical Load N Acid Dep keq/ha/yr	Background NH ₃ (µg/m ³)
				MaxCLMinN- MaxCLMaxN	
E1	12.52	10 - 20	1.01	1.071-5.071	1.29
E2	12.16	10 - 20	0.98	1.071-5.071	1.32
E3	12.52	10 - 20	1.01	1.071-5.071	1.29
E4	12.88	10 - 20	1.04	1.071-5.071	1.26
E5	13.70	10 - 20	1.12	1.071-5.071	1.23

⁴ Case C-239/04 Commission v Portugal [2006] ECR 10183, para. 24; Holohan et al vs. An Bord Pleanála (C-461/17), para. 33

Transect	Av. N Dep kgN/ha/yr ^{\$}	Critical Load N Dep kgN/ha/yr	Total Av. Acid Dep keq/ha/yr	Critical Load N Acid Dep keq/ha/yr	Background NH ₃ (µg/m ³)
			N ^{\$}	MaxCLMinN- MaxCLMaxN	
E6	21.39	5 - 10	0.97	1.071-5.071	1.20
E7	21.39	5 - 10	0.97	1.071-5.071	1.20
E8	12.06	5 - 10	0.94	1.071-5.071	1.24
E9	12.06	5 - 10	0.94	1.071-5.071	1.24

Verification

- 3.43 Model verification is the process by which the performance of the model is assessed to identify any discrepancies between modelled and measured concentrations at air quality monitoring sites within the study area.
- 3.44 Modelled predictions were made for annual mean NO₂ concentrations at monitoring locations in order to compare monitored and modelled pollutant concentrations. The comparison of model outputs was made against 2019 monitoring data so as to correspond with the baseline year of assessment. No NH₃ monitoring locations were available and so a standard model adjustment factor of 1.0 was used to adjust the modelled NH₃ concentrations. Following detailed analysis of each monitoring location in the study area, a total of 9 roadside monitoring sites were taken forward in the NO₂ model verification process.
- 3.45 The calculated verification factor was found to be less than 1.0, which is likely to be due to the impact of open coastal meteorological impacts affecting (increasing) pollutant dispersion at the selected monitoring locations. Therefore, a worst case approach has been considered and a verification factor of 1.0 has been used for NO₂ concentrations, and this factor has additionally been applied to modelled NH₃ concentrations.

Deposition velocities

- 3.46 Deposited nitrogen from road traffic derived NH₃ and NO₂ was estimated using the deposition velocities presented in Table 3. The conversion rates were applied to the final modelled NO₂ and NH₃ concentrations from road traffic, to provide kgN/ha/year. All of the transects across the ecological habitats were modelled and analysed as heathland / grassland i.e. 'short vegetation' was used at all locations.

Appendix A Traffic Data

Transect	Link_Ref	Base 2019			DN 2041			With LP 2041			AADT Comparisons	
		AADT	HGV%	Speed	AADT	HGV%	Speed	AADT	HGV%	Speed	Baseline Growth	2041 Change
E1	58751_90755	35,999	5.0%	103	55,653	3.0%	97	57,550	3.1%	96	19,654	1,896
E2	54146_90847	39,805	4.9%	105	65,620	3.3%	97	68,960	3.2%	95	25,815	3,339
E3	90842_58737	39,820	4.9%	105	69,222	3.2%	50	73,950	3.1%	37	29,401	4,729
E4	58242_58730	0	0.0%	0	1,674	0.0%	80	3,096	0.0%	80	1,674	1,422
E5	28923_58712	10,704	3.6%	52	12,695	5.4%	52	11,992	6.1%	52	1,990	-703
E6	56148_59850	71,749	8.0%	102	89,865	6.7%	95	90,857	6.7%	95	18,115	992
E7	59832_56140	72,134	7.4%	98	89,266	6.4%	92	89,547	6.5%	92	17,132	281
E8	56136_55335	22,474	10.0%	55	25,388	8.2%	53	26,432	8.5%	52	2,914	1,044
E9	55335_56112	22,827	8.4%	20	24,701	7.3%	10	25,232	7.3%	8	1,875	530

Note: Speed is given in kph

Appendix B Modelled Ecological Receptor Locations.

Transect 1	X Co-ordinate	Y Co-ordinate	Transect 2	X Co-ordinate	Y Co-ordinate
E01_4.9m	464233	103579	E02_15.45m	464003	102705
E01_10m	464238	103577	E02_20m	463999	102703
E01_20m	464247	103573	E02_30m	463989	102700
E01_30m	464256	103568	E02_40m	463980	102697
E01_40m	464265	103564	E02_50m	463970	102694
E01_50m	464274	103560	E02_60m	463961	102691
E01_60m	464283	103556	E02_70m	463951	102688
E01_70m	464292	103552	E02_80m	463942	102685
E01_80m	464301	103547	E02_90m	463932	102682
E01_90m	464310	103543	E02_100m	463923	102679
E01_100m	464319	103539	E02_110m	463913	102676
E01_110m	464329	103535	E02_120m	463904	102672
E01_120m	464338	103530	E02_130m	463894	102669
E01_130m	464347	103526	E02_140m	463885	102666
E01_140m	464356	103522	E02_150m	463875	102663
E01_150m	464365	103518	E02_160m	463866	102660
E01_160m	464374	103514	E02_170m	463856	102657
E01_170m	464383	103509			
E01_180m	464392	103505			
E01_190m	464401	103501			
E01_200m	464410	103497			

Transect 3	X Co-ordinate	Y Co-ordinate	Transect 4	X Co-ordinate	Y Co-ordinate
E03_3.9m	464204	103589	E04_26.1m	464670	104307
E03_10m	464199	103592	E04_30m	464673	104305
E03_20m	464189	103596	E04_40m	464681	104299
E03_30m	464180	103600	E04_50m	464690	104294
E03_40m	464171	103603	E04_60m	464698	104288
E03_50m	464162	103607	E04_70m	464707	104283
E03_60m	464153	103611	E04_80m	464715	104277
E03_70m	464143	103615	E04_90m	464723	104272
E03_80m	464134	103619	E04_100m	464732	104267
E03_90m	464125	103623	E04_110m	464740	104261
E03_100m	464116	103627	E04_120m	464748	104256
E03_110m	464107	103631	E04_130m	464757	104250
E03_120m	464097	103635	E04_140m	464765	104245
E03_130m	464088	103639	E04_150m	464774	104239
E03_140m	464079	103643	E04_160m	464782	104234
E03_150m	464070	103646	E04_170m	464790	104228
E03_160m	464060	103650	E04_180m	464799	104223
E03_170m	464051	103654	E04_190m	464807	104218
E03_180m	464042	103658	E04_200m	464816	104212
E03_190m	464033	103662			
E03_200m	464024	103666			

Transect 5	X Co-ordinate	Y Co-ordinate	Transect 6	X Co-ordinate	Y Co-ordinate
E05_32.95m	462840	105636	E06_15.7m	468812	105203
E05_40m	462841	105629	E06_20m	468808	105205
E05_50m	462841	105619	E06_30m	468801	105212
E05_60m	462841	105609	E06_40m	468793	105218
E05_70m	462841	105599	E06_50m	468785	105225
E05_80m	462841	105589	E06_60m	468778	105231
E05_90m	462841	105579	E06_70m	468770	105237
E05_100m	462842	105569	E06_80m	468762	105244
E05_110m	462842	105559	E06_90m	468755	105250
E05_120m	462842	105549	E06_100m	468747	105257
E05_130m	462842	105539	E06_110m	468739	105263
E05_140m	462842	105529	E06_120m	468732	105270
E05_150m	462842	105519	E06_130m	468724	105276
E05_160m	462843	105509	E06_140m	468716	105282
E05_170m	462843	105499	E06_150m	468709	105289
E05_180m	462843	105489	E06_160m	468701	105295
E05_190m	462843	105479	E06_170m	468693	105302
E05_200m	462843	105469			

Transect 7	X Co-ordinate	Y Co-ordinate	Transect 8	X Co-ordinate	Y Co-ordinate
E07_10.8m	468851	105163	E08_6.75m	467422	104083
E07_20m	468857	105155	E08_10m	467425	104082
E07_30m	468863	105148	E08_20m	467435	104080
E07_40m	468869	105140	E08_30m	467445	104078
E07_50m	468876	105132	E08_40m	467455	104077
E07_60m	468882	105124	E08_50m	467464	104075
E07_70m	468888	105117	E08_60m	467474	104073
E07_80m	468895	105109	E08_70m	467484	104071
E07_90m	468901	105101	E08_80m	467494	104069
E07_100m	468907	105093	E08_90m	467504	104067
E07_110m	468913	105086	E08_100m	467514	104065
E07_120m	468920	105078	E08_110m	467523	104063
E07_130m	468926	105070	E08_120m	467533	104061
E07_140m	468932	105062	E08_130m	467543	104059
E07_150m	468939	105054	E08_140m	467553	104057
E07_160m	468945	105047	E08_150m	467563	104056
E07_170m	468951	105039	E08_160m	467572	104054
E07_180m	468958	105031	E08_170m	467582	104052
E07_190m	468964	105023	E08_180m	467592	104050
E07_200m	468970	105016	E08_190m	467602	104048
			E08_200m	467612	104046

Transect 9	X Co-ordinate	Y Co-ordinate
E09_8.05m	467394	104084
E09_10m	467392	104085
E09_20m	467383	104087
E09_30m	467373	104088
E09_40m	467363	104090
E09_50m	467353	104092
E09_60m	467343	104093
E09_70m	467333	104095
E09_80m	467323	104097
E09_90m	467314	104099
E09_100m	467304	104100
E09_110m	467294	104102
E09_120m	467284	104104
E09_130m	467274	104106
E09_140m	467264	104107
E09_150m	467254	104109
E09_160m	467245	104111
E09_170m	467235	104113
E09_180m	467225	104114
E09_190m	467215	104116
E09_200m	467205	104118

Appendix 3: Regulation 19 responses

Natural England (NE)

Environment Agency (EA)

Hampshire and Isle of Wight Wildlife Trust (HIWWT)

Royal Society for the Protection of Birds (RSPB)

Date: 03 September 2024
Our ref: 480922



Planning Policy
Portsmouth City Council

BY EMAIL ONLY

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Dear Sir/Madam,

Consultation: Portsmouth City Council – Local Plan Reg 19 Consultation Request

Thank you for your consultation on the above dated 02 July 2024. This letter constitutes Natural England's advice with regard to regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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.

On the 8th November 2021 we shared our Regulation 18 advice (our ref: 368175). Since then we have worked with Portsmouth City Council on the development of the Local Plan and we welcome that much of our earlier advice has been incorporated into the plan.

Natural England has one substantive comment to make on Policy PLP3 of this Local Plan. We include a number of advisory comments later in this letter.

1 Strategic Site Allocation Policy PLP3: Tipner West & Horsea Island East - UNSOUND

Whilst it is likely that more detailed analysis and assessment of the compensation option is taking place, it is regrettable that it is not currently available to support the plan. In light of this, we advise that the Local Plan **would not pass the tests of soundness** described in Paragraph 35 of the NPPF. Namely:

- Justification: the evidence base currently available as part of the Shadow Habitats Regulations assessment (sHRA) of the Plan does not indicate that PLP3 is likely to satisfy the derogation tests.
- National Policy: the NPPF integrates the tests of the habitats regulations into national policies and PLP3 is currently inconsistent with the NPPF.

Policy PLP3 allocates a new marine hub with significant employment floorspace, between 815 to 935 residential dwellings, a bridge between 'Tipner West' and 'Horsea Island East', flood defences (incorporating land raising as required), and associated works.

The allocation is likely to lead to the direct and significant loss of habitats within the Portsmouth Harbour Special Protection Area (SPA) designated for overwintering bird species. The most damaging option would lead to the loss of:

- 2.4ha of intertidal SPA
- 0.5ha of subtidal SPA
- 3.6ha of Terrestrial SPA
- 6ha of land which is functionally linked to the SPA

Proposed Plans which have the potential to cause a likely significant effect on a designated Habitats site (Special Area of Conservation (SAC) or Special Protection Area (SPA)) must be assessed in line with the Conservation of Species and Habitats Regulations (2017) (hereafter referred to as 'the Habitats Regulations'). The appropriate assessment of the local plan in line with regulation 105 of these Regulations is supported by a shadow Habitats Regulations Assessment (sHRA). It concludes that the mitigation of impact from delivering PLP3 is not possible and thus your plan-making authority cannot ascertain that there would be no adverse effect on the integrity of Portsmouth Harbour SPA.

Regulation 107 of the Habitats Regulations sets out that if a plan-making authority is satisfied that, there being no alternative solutions, a land use plan may be adopted where there are imperative reasons of overriding public interest, it may give effect to that land use plan where it cannot be ascertained that there is no adverse effect on the integrity of a European Site. If it is minded to do so, a plan-making authority must give prior notice to the Secretary of State. Where, in accordance with regulation 107, a land use plan is given effect notwithstanding a negative assessment of the implications for a European site, the appropriate authority must secure that any necessary compensatory measures are taken to ensure that the overall coherence of the National European Site Network is protected.

Upon failing the test of integrity, a plan or project may still be adopted or authorised provided it can pass the [three following legal tests](#) (aka 'the derogations'):

- 1) It can be shown that a plan or project has no alternatives.
- 2) That it needs to be carried out for imperative reasons of overriding public interest (IROPI).
- 3) The necessary compensation measures can be secured.

The Derogation Tests

Should your plan-making authority decide to submit this Plan for examination, including allocation PLP3, the matter of whether the plan warrants either a modification or a derogation will become a matter for the Inspector.

It is not a requirement of the Habitats Regulations that a plan-making or competent authority must seek Natural England's advice at the derogation stage of a HRA. In this letter, and without prejudice to the examination of the Plan, we consider it helpful to provide further advice regarding any consideration of alternative solutions and the certainty of the compensation measures, should the Plan be subject to the derogation tests.

Test of Alternatives

At this time, we are not commenting *in detail* on the scope and viability of alternatives to the proposed allocation. However, we do note that several alternatives are currently included within the plan proposals. Paragraphs 8.11-8.14 (and figures 5 and 6) of the sHRA demonstrate the multiple options for PLP3. It is our advice that Option A is likely to be less ecologically damaging than Option B. While Option A retains the 3.6ha parcel of terrestrial SPA to the south of the development, this is lost in Option B.

Compensation

A comprehensive package of compensation to offset the anticipated effects on the SPA will need to be detailed and secured before a derogation argument could be accepted.

We have welcomed the early in-principle discussions on compensation to date. Natural England agree the compensation metric (discussed in sHRA paragraph 8.131) is a useful tool to help inform the scale of the requirement for compensatory habitats. As this is a complex matter, we will continue

to work with Portsmouth City Council on honing the metric outputs, once we are in receipt of the further information set out below.

Paragraphs 8.135-8.138 of the sHRA contain the available information on the proposed compensation areas. In our opinion there is insufficient certainty over the feasibility or delivery of measures at these potential compensation sites. The argument that a quantum of circa 400ha of potential compensation land has been identified and so 'this provides high confidence' that 'sufficient areas can be secured' relies on a set of assumptions and information, which we are not party to, and cannot therefore have confidence in.

Appropriate assessments cannot have lacunae and must contain complete, precise and definitive findings and conclusions capable of removing all reasonable scientific doubt as to the effects of the works proposed on the protected site concerned. Complete information is required to ensure that the proposal will not affect the integrity of the international sites.

Furthermore, we are aware of other developing proposals, some of which are also considering mitigation/compensation for similar impacts to those posed by PLP3. It is therefore possible that the potential identified compensation land for the Tipner allocation may be already apportioned to another plan or project. It is not clear whether or not this has been factored into the site selection evidence presented to Natural England.

The [Habitats regulations assessment: derogation notice](#) published by Defra and Welsh Government provides a detailed framework for guiding any consideration and application of the legal tests. It has been produced with Plans in mind and will be a valuable reference for Portsmouth City Council in considering the level of information required on the compensation, which should include:

- the objectives, target features (the affected habitats and species) and the ecological processes and functions to be compensated
- the precise extent of the compensatory measures - for example, surface areas, population numbers
- the precise location of compensation areas - include maps, and digitised data provided as an ESRI Shapefile
- the current status and condition of the compensation areas – for example existing habitats and their status, type of land, existing land uses
- time schedule for implementing the compensatory measures (including their long-term implementation), indicating the expected results and when they will be achieved
- methods and techniques for implementing the compensatory measures, evaluation of their feasibility and expected effectiveness
- costs and financing of the compensatory measures, including their design, establishment, and maintenance for the necessary duration
- responsibilities for implementing the compensatory measures
- how the compensatory measures will be monitored and by whom, including timescales, and where necessary (for example, if there are uncertainties concerning the effectiveness of the measures) assessment of results and what you will do if the compensatory measures do not work as planned
- enforcement of the necessary compensatory measures if required - how they will be enforced, and who will enforce them
- the process that will be used to confirm that the measures have been successfully completed

As it currently stands, should a HRA derogation for this Local Plan be sought due to the inclusion of allocation PLP3, Natural England's advice is that, as a plan-making authority, your Council does **not** have enough information to adequately demonstrate necessary compensatory measures have been, or can be secured.

We continue to work with the LPA on addressing this matter, including on a Statement of Common Ground.

2 Nutrient Impacts

There are impacts on nationally and internationally designated sites in the Solent Catchment arising from excessive nutrients entering the water environment. It is Natural England's view that there is a likely significant effect on internationally designated sites in the Solent catchment due to the increase in wastewater from new housing.

PLP44 ensures that any new development posing a likely significant effect to designated sites through wastewater will not cause an adverse effect to the integrity of designated sites. Natural England have previously agreed the use of the Interim Nutrient Neutral Mitigation strategy (INNMS).

The plan sHRA is supported by a plan level nutrient budget. Natural England agree with the conclusions of the sHRA regarding the plan level budget and expected mitigation requirements across the plan period.

Occupancy Rates

It is Natural England's view that competent authorities may choose to adopt bespoke calculations for detailed planning applications, if sound evidence is available.

Occupancy rates for HMOs and hotels are considered in paragraph 6.88 onward in the Plan sHRA. These paragraphs make reference to documents 'appendix 2 and 3' and 'appendix 5'. These are appendix from the 'Portsmouth City Council Nutrient Budget', not the plan sHRA. Natural England have been sent these documents as part of the Reg 19 consultation.

A water use figure for hotels of 55 litres per person per day is proposed, based on data from 'Energy and carbon implications of rainwater harvesting and greywater recycling' (Environment Agency, 2010). [The British Water Code of Practice Flows and Loads document](#) (2013) suggests water use can vary based on the types of hotel proposed with a range of water use between 80 – 300 litres per person per day. Natural England advise that a more precautionary bespoke water use calculation would be appropriate for proposed hotels.

3 Recreational Disturbance

Research has shown that new housing around the Solent will lead to more people visiting the coast for leisure, potentially causing additional disturbance to bird species such as dark-bellied brent geese and wader species protected under the Solent and Southampton Water SPA, Portsmouth Harbour SPA and Chichester and Langstone Harbours SPA.

PLP43 addresses potential recreational disturbance impacts to Internationally designated sites. Natural England agree that the Solent Recreation Mitigation Partnership (SRMP) a.k.a. 'Bird Aware' is an ecologically sound and robust mitigation and avoidance strategy. We would highlight that the SRMP is designed to mitigate and avoid the in-combination impacts from development across the Solent region, but there may be instances where a development proposal may pose impacts to a site alone. This will require further consideration through the Habitats Regulations Assessment process.

The potential for alone recreational disturbance impacts are covered by the overarching PLP39 (and covered in the supporting policy text of 9.82).

4 Solent Wader & Brent Goose Strategy

The [Solent Wader and Brent Goose Strategy](#) (SWBGS) identifies a network of non-designated terrestrial wader and brent goose sites that support the Solent and Southampton Water SPA, Portsmouth Harbour SPA, and Chichester and Langstone Harbours SPA (commonly referred to as the 'Solent SPAs') and aims to protect it from land take and recreational pressure associated with new development. These sites can be referred to as 'SPA functionally linked land' or 'SPA supporting habitat'.

The terrestrial wader and brent goose sites are located on land that falls outside of the Solent SPA boundaries. However, as this land is frequently used by SPA species (including qualifying features and assemblage species), it supports the functionality and integrity of the designated sites for these features. This land will contribute to the achievement of the SPAs' conservation objectives and is therefore afforded the full protection of the Habitats Regulations.

PLP 5, 9, 11 and 13 all contain policy wording suggesting that up to two seasons of bird survey 'may be required to determine if the allocation itself of land adjacent to it, constitute an area of significant supporting habitat'. The allocation of the site as supporting habitat within the strategy already evidences that it is an area of significant supporting habitat. It is a requirement of the agreed SWBGS that should site classification be disputed, reclassification of a site will be considered if confirmed by **three** consecutive years of survey to the agreed survey methodology, under appropriate habitat management conditions for waders and/or brent goose usage throughout the survey period.

Natural England welcome that the plan has a bespoke policy on Solent Wader & Brent Goose sites (PLP42). We highlight that the strategy is currently undergoing its 5-year review, and so also welcome the reference to 'future updated guidance' (PLP42(2)). As part of the review we are expecting to remove the worked examples and costings referred to in paragraph 9.75 of the Plan so you may wish to remove this reference.

PLP5 – Lakeside North Harbour

PLP5 allocates 5 hectares of employment land which includes Candidate site P138. This SWBGS site is afforded protection by PLP42 but we would recommend that surveys are carried out at this site as early as possible to avoid any delay to the Habitats Regulations Assessment.

Noise Impacts

Potential noise impacts to the SPA Qualifying Features are considered throughout the Plan sHRA and Natural England welcome policy PLP43(3).

Flight Lines

Potential impacts to the Portsmouth Harbour SPA and associated functionally linked land have been considered through the Plan sHRA. The need to consider these impacts are covered in PLP1 (3.49) and PLP39. Natural England welcome this inclusion within the local plan and agree the policies are appropriate.

5 Air Quality

The Plan is supported by detailed air quality modelling and assessment. Based on the information presented, Natural England agree with the conclusions of the Plan sHRA.

6 Biodiversity Net Gain

Planning Practice Guidance describes net gain as an 'approach to development that leaves the natural environment in a measurably better state than it was beforehand' and applies to both biodiversity net gain and wider environmental net gains. For biodiversity net gain, Natural England's [statutory metric](#), can be used to measure gains and losses to biodiversity resulting from development. We advise you to use this metric to implement development plan policies on biodiversity net gain. Any action, as a result of development, that creates or enhances habitat features can be measured using the metric and as a result count towards biodiversity net gain.

Policy PLP40 and the requirement for some development to reach 20% biodiversity net gain (BNG) is welcomed by Natural England.

Further general advice is provided at Annex 1.

For any new consultations, or to provide further information on this consultation please send your

correspondences to consultations@naturalengland.org.uk

Yours sincerely,

Jonathan Shavelar
Senior Officer
Thames Solent Team

Annex 1 - Natural England's Local Plan Advice

Biodiversity and Geodiversity

The Plan should set out a strategic approach, planning positively for the creation, protection, enhancement and management of networks of biodiversity. There should be consideration of geodiversity conservation in terms of any geological sites and features in the wider environment.

A strategic approach for networks of biodiversity should support a similar approach for green infrastructure (outlined below). Planning policies and decisions should contribute and enhance the natural and local environment, as outlined in para 180 of the NPPF. Plans should set out the approach to delivering net gains for biodiversity. Net gain for biodiversity should be considered for all aspects of the plan and development types, including transport proposals, housing and community infrastructure.

Priority habitats, ecological networks and priority and/or legally protected species populations

The Local Plan should be underpinned by up-to-date environmental evidence. This should include an assessment of existing and potential components of local ecological networks. This assessment should inform the Sustainability Appraisal, ensure that land of least environment value is chosen for development, and that the mitigation hierarchy is followed and inform opportunities for enhancement as well as development requirements for particular sites.

Priority habitats and species are those listed under Section 41 of the Natural Environment and Rural Communities Act, 2006 and UK Biodiversity Action Plan (UK BAP). Further information is available here: [Habitats and species of principal importance in England](#). Local Biodiversity Action Plans (LBAPs) identify the local action needed to deliver UK targets for habitats and species. They also identify targets for other habitats and species of local importance and can provide a useful blueprint for biodiversity enhancement in any particular area.

Protected species are those species protected under domestic or European law. Further information can be found here [Standing advice for protected species](#). Sites containing watercourses, old buildings, significant hedgerows and substantial trees are possible habitats for protected species.

Ecological networks are coherent systems of natural habitats organised across whole landscapes so as to maintain ecological functions. A key principle is to maintain connectivity - to enable free movement and dispersal of wildlife e.g., badger routes, river corridors for the migration of fish and staging posts for migratory birds. Local ecological networks will form a key part of the wider Nature Recovery Network proposed in the 25 Year Environment Plan. Where development is proposed, opportunities should be explored to contribute to the enhancement of ecological networks.

Planning positively for ecological networks will also contribute towards a strategic approach for the creation, protection, enhancement and management of green infrastructure, as identified in paragraph 181 of the NPPF.

Soil, Agricultural Land Quality and Reclamation

The Minerals and Waste Plan should give appropriate weight to the roles performed by the area's soils. These should be valued as a finite multi-functional resource which underpins our wellbeing and prosperity. Decisions about development should take full account of the impact on soils, their intrinsic character and the sustainability of the many ecosystem services they deliver for example:

1. Soil is a finite resource that fulfils many important functions and services (ecosystem services) for society, for instance as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution. It is therefore important that the soil resources are protected and used sustainably. The [Natural Environment White Paper](#) (NEWP) 'The Natural Choice: securing the value of nature' (Defra, June 2011), emphasises the importance of natural resource protection, including the conservation and sustainable management of soils, for example:
 - A Vision for Nature: 'We must protect the essentials of life: our air, biodiversity, soils and

water, so that they can continue to provide us with the services on which we rely' (paragraph 2.5).

- Safeguarding our Soils: 'Soil is essential for achieving a range of important ecosystem services and functions, including food production, carbon storage and climate regulation, water filtration, flood management and support for biodiversity and wildlife' (paragraph 2.60).
 - 'Protect 'best and most versatile' agricultural land' (paragraph 2.35).
2. The conservation and sustainable management of soils also is reflected in the [National Planning Policy Framework](#) (NPPF), particularly in paragraph 180. When planning authorities are considering land use change, the permanency of the impact on soils is an important consideration. Particular care over planned changes to the most potentially productive soil is needed, for the ecosystem services it supports including its role in agriculture and food production. Plan policies should therefore take account of the impact on land and soil resources and the wide range of vital functions (ecosystem services) they provide in line with paragraph 180 of the NPPF, for example to:
- Safeguard the long-term capability of best and most versatile agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future.
 - To avoid development that would disturb or damage other soils of high environmental value (e.g., wetland and other specific soils contributing to ecological connectivity, carbon stores such as peatlands etc) and, where development is proposed.
 - Ensure soil resources are conserved and managed in a sustainable way.
3. To assist in understanding agricultural land quality within the plan area and to safeguard 'best and most versatile' agricultural land in line with paragraph 180 of the National Planning Policy Framework, strategic scale Agricultural Land Classification (ALC) Maps are available. Natural England also has an archive of more detailed ALC surveys for selected locations. Both these types of data can be supplied digitally free of charge by contacting Natural England. Some of this data is also available on the www.magic.gov.uk website. The planning authority should ensure that sufficient site specific ALC survey data is available to inform decision making. For example, where no reliable information was available, it would be reasonable to expect that developers should commission a new ALC survey, for any sites they wished to put forward for consideration in the Local Plan.

General mapped information on soil types is available as 'Soilscapes' on the www.magic.gov.uk and also from the LandIS website <http://www.landis.org.uk/index.cfm> which contains more information about obtaining soil data.

Further guidance for protecting soils (irrespective of their ALC grading) both during and following development is available in Defra's [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#), to assist the construction sector in the better protection of the soil resources with which they work, and in doing so minimise the risk of environmental harm such as excessive run-off and flooding. The aim is to achieve positive outcomes such as cost savings, successful landscaping and enhanced amenity whilst maintaining a healthy natural environment, and we would advise that the Code be referred to where relevant in the development plan.

All of the allocated sites contain BMV agricultural land. In line with the Planning Practice Guidance (PPG) to support the NPPF; we welcome that the allocated sites are all accompanied by a detailed ALC Survey (Post-1988), available on the [magic](#) website. Where minerals underlie BMV agricultural land, it is particularly important that restoration and aftercare preserve the long-term potential of the land as a national, high-quality resource. Where alternative after-uses (such as forestry and some forms of amenity, including nature conservation) are proposed on BMV agricultural land, the methods used in restoration and aftercare should enable the land to retain its longer-term agricultural capability, thus remaining a high-quality resource for the future.

Reclamation to non-agricultural uses does not mean that there can be any reduced commitment to high standards in the reclamation. Such reclamations require equal commitment by mineral operators, mineral planning authorities and any other parties involved to achieve high standards of

implementation.

Sustainable soil management should aim to minimise risks to the ecosystem services which soils provide, through provision of suitable soil handling and management advice. The planning authority should ensure that sufficient site-specific soil survey data is available to inform decision making. To include, for example, assessment of soil properties to inform appropriate soil management, restoration and drainage, where required.

The [25 Year Environment Plan](#) (25YEP) sets out government action to help the natural world regain and retain good health, including highlighting the need to:

- protect the best agricultural land.
- put a value on [natural capital](#), including healthy soil.
- ensure all soils are managed sustainably by 2030.
- restore and protect peatland.

Biodiversity Net Gain

Embedding biodiversity net gain

It is highly recommended that the Local Plan Update incorporates a policy for biodiversity net gain. Biodiversity net gain is a key tool to help nature's recovery and is also fundamental to health and wellbeing as well as creating attractive and sustainable places to live and work in. The NPPF highlights the role of policies and decision making to minimise impacts and provide net gains for biodiversity (para 180).

Planning Practice Guidance describes net gain as an 'approach to development that leaves the natural environment in a measurably better state than it was beforehand' and applies to both biodiversity net gain and wider environmental net gains. For biodiversity net gain, Natural England's [statutory metric](#), can be used to measure gains and losses to biodiversity resulting from development. We advise you to use this metric to implement development plan policies on biodiversity net gain. Any action, as a result of development, that creates or enhances habitat features can be measured using the metric and as a result count towards biodiversity net gain.

The Chartered Institute of Ecology and Environmental Management, along with partners, has developed '[good practice principles](#)' for biodiversity net gain, which can assist plan-making authorities in gathering evidence and developing policy.

The following may also be useful considerations in developing plan policies:

- Use of a map within the plan. Mapping biodiversity assets and opportunity areas ensures compliance with national planning policy and helps to clearly demonstrate the relationship between development sites and opportunities for biodiversity net gain.
- Use of a biodiversity net gain target. Any target should be achievable, and evidence based and may be best placed in lower tier documents or a Supplementary Planning Document, or similar, to allow for regular updates in line with policy and legislation.
- Consideration should be given to thresholds for different development types, locations or scales of development proposals and the justification for this. Setting out the scope and scale of expected biodiversity net gains within Infrastructure Delivery Plans can help net gain to be factored into viability appraisals and land values. Natural England considers that all development, even small-scale proposals, can make a contribution to biodiversity. Your authority may wish to refer to Technical Note 2 of the [CIEEM guide](#) which provide useful advice on how to incorporate biodiversity net gain into small scale developments.
- Policy should set out how biodiversity net gain will be delivered and managed and the priorities for habitat creation or enhancement in different parts of the plan area. The plan policy should set out the approach to onsite and offsite delivery. Natural England advises

that on-site provision should be preferred as it helps to provide gains close to where a loss may have taken place. Off-site contributions may, however, be required due to limitations on-site or where this best meets wider biodiversity objectives set in the development plan. Further detail could be set out in a supplementary planning document.

- The policy could also usefully link to any complementary strategies or objectives in the plan, such as green infrastructure and Local Nature Recovery Strategies.

Wider environmental gains

Natural England focusses our advice on embedding biodiversity net gain in development plans, since the approach is better developed than for wider environmental gains. However, your authority should consider the requirements of the NPPF (paragraph 180, 185 and 186) and seek opportunities for wider environmental net gain wherever possible. This can be achieved by considering how policies and proposed allocations can contribute to wider environment enhancement, help adapt to the impacts of climate change and/or take forward elements of existing green infrastructure, open space or biodiversity strategies. Opportunities for environmental gains, including nature-based solutions to help adapt to climate change, might include:

- Identifying opportunities for new multi-functional green and blue infrastructure.
- Managing existing and new public spaces to be more wildlife friendly (e.g., by sowing wild flower strips, changing cutting regime of open spaces and road verges*) and climate resilient
- Planting trees, including street trees, characteristic to the local area to make a positive contribution to the local landscape.
- Improving access and links to existing greenspace, identifying improvements to the existing public right of way network or extending the network to create missing footpath or cycleway links.
- Restoring neglected environmental features (e.g., a hedgerow or stone wall or clearing away an eyesore).
- Designing a scheme to encourage wildlife, for example by ensuring lighting does not pollute areas of open space or existing habitats

Any habitat creation and/or enhancement as a result of the above may also deliver a measurable biodiversity net gain.

Evidence gathering

Existing environmental evidence can be gathered from various sources including online data sources like [MAGIC](#), the [Hampshire Biodiversity Information Centre](#) (HBIC), and strategies for green infrastructure, open space provision, landscape character, climate and ecosystem services and biodiversity opportunity mapping. We advise that reference is made to the **Hampshire Ecological Network Mapping** dataset – this comprises the Local Ecological Network mapping for Hampshire, prepared by HBIC. The network comprises statutory designations, non-statutory designated sites, ancient woodlands, and other non-designated priority habitat, and other ecological features such as undesignated water bodies. Usefully, the Hampshire network mapping also identifies areas where there is the greatest potential to enhance the network, referred to as the network opportunities layer, based on habitat suitability indices. This can be useful where deciding where to create or enhance habitat.

Biodiversity data can also be obtained from developments that were subject to Environmental Impact Assessment (EIA) Monitoring, the discharge of conditions or monitoring information from legal agreements with a biodiversity element. This can help establish a baseline to understand what assets exist and how they may relate to wider objectives in the plan area. Cross boundary environmental opportunities can also be considered by working with neighbouring authorities, local nature partnership and/or the local enterprise partnership. The relationship between environmental assets and key strategic growth areas may help to highlight potential opportunities that development could bring for the natural environment. The following may also be useful when considering biodiversity priorities in your plan area:

- What biodiversity currently exists, what is vulnerable or declining?
- How are existing assets connected, are there opportunities to fill gaps and improve connectivity?
- How does the above relate to neighbouring authority areas, can you work collaboratively to improve links between assets or take strategic approaches to address issues or opportunities?

Applying the mitigation hierarchy

The plan's approach to biodiversity net gain should be compliant with the mitigation hierarchy, as outlined in paragraph 185 of the NPPF. The policy should ensure that biodiversity net gain is not applied to irreplaceable habitats and should also make clear that any mitigation and/or compensation requirements for European sites should be dealt with **separately** from biodiversity net gain provision.

Policies and decisions should first consider options to avoid adverse impacts on biodiversity from occurring. When avoidance is not possible impacts should be mitigated and finally, if there is no alternative, compensation provided for any remaining impacts. Biodiversity net gain should be additional to any habitat creation required to mitigate or compensate for impacts. It is also important to note that net gains can be delivered even if there are no losses through development.

The policy for net gain, or its supporting text, should highlight how losses and gains will be measured. The [statutory metric](#) can be used for this purpose as a fully tested metric that will ensure consistency across the plan-area, and we would encourage its use. Alternatively, your authority may choose to develop a bespoke metric, provided this is evidenced based.

The following may also be useful considerations in developing plan policies:

- Use of a map within the plan. Mapping biodiversity assets and opportunity areas ensures compliance with national planning policy and also helps to clearly demonstrate the relationship between development sites and opportunities for biodiversity net gain.
- ***NB: The Hampshire Ecological Network Mapping dataset would be ideally placed to provide this evidence base.***
- Use of a biodiversity net gain target. Any target should be achievable, and evidence based and may be best placed in lower tier documents or a Supplementary Planning Document, to allow for regular updates in line with policy and legislation.
- Consideration should be given to thresholds for different development types, locations or scales of development proposals and the justification for this. Setting out the scope and scale of expected biodiversity net gains within Infrastructure Delivery Plans can help net gain to be factored into viability appraisals and land values. Natural England considers that all development, even small-scale proposals, can make a contribution to biodiversity. Your authority may wish to refer to Technical Note 2 of the CIEEM guide which provide useful advice on how to incorporate biodiversity net gain into small scale developments.
- Policy should set out how biodiversity net gain will be delivered and managed and the priorities for habitat creation or enhancement in different parts of the plan area. The plan policy should set out the approach to onsite and offsite delivery. Natural England advises that on-site provision should be preferred as it helps to provide gains close to where a loss may have taken place. Off-site contributions may, however, be required due to limitations on-site or where this best meets wider biodiversity objectives set in the development plan. Further detail could be set out in a supplementary planning document.
- The policy could also usefully link to any complementary strategies or objectives in the plan, such as green infrastructure.

Monitoring

Your plan should include requirements to monitor biodiversity net gain. This should include

indicators to demonstrate the amount and type of gain provided through development. The indicators should be as specific as possible to help build an evidence base to take forward for future reviews of the plan, for example the total number and type of biodiversity units created, the number of developments achieving biodiversity net gains and a record of on-site and off-site contributions.

LPAs should work with local partners, including the Local Environmental Record Centre and wildlife trusts, to share data and consider requirements for long term habitat monitoring. Monitoring requirements should be clear on what is expected from landowners who may be delivering biodiversity net gains on behalf of developers. This will be particularly important for strategic housing allocations and providing as much up-front information on monitoring will help to streamline the project stage.

Water Quality and Resources and Flood Risk Management

Natural England expects the Plan to consider the strategic impacts on water quality and resources as outlined in paragraph 180 of the NPPF. We would also expect the plan to address flood risk management in line with the paragraphs 166 and 167 of the NPPF.

The Plan should be based on an up-to-date evidence base on the water environment and as such the relevant River Basin Management Plans should inform the development proposed in the Plan. These Plans implement the EU Water Framework Directive and outline the main issues for the water environment and the actions needed to tackle them. Competent Authorities must in exercising their functions, have regard to these plans.

The Local Plan should contain policies which protect habitats from water related impacts and where appropriate seek enhancement. Priority for enhancements should be focussed on European sites, SSSIs and local sites which contribute to a wider ecological network.

Plans should positively contribute to reducing flood risk by working with natural processes and where possible use Green Infrastructure policies and the provision of SUDs to achieve this.

Tranquillity

The Local Plan should identify relevant areas of tranquillity and provide appropriate policy protection to such areas as identified in paragraph 106 and 191 of the NPPF.

Tranquillity is an important landscape attribute in certain areas e.g. within National Parks/ AONBs/National Landscapes, particularly where this is identified as a special quality. The CPRE have mapped areas of tranquillity which are available [here](#) and are a helpful source of evidence for the Local Plan and SEA/SA.

Agri-environment schemes

Minerals sites may be under existing Higher Level Stewardship agreements before minerals are extracted and may be returned to agricultural use following landfilling. We advise early contact by agreement holders with the Rural Payments Agency to discuss individual cases so that any payments can be amended accordingly.

- Official -

Shavelar, Jonathan <Jonathan.Shavelar@naturalengland.org.uk>
To: Howard, Lucy; Policy Consultations
Cc: Lloyd-Davies, Nick; Maguire, Ian; Turner, Marc <Marc.Turner@naturalengland.org.uk>
Tue 03/09/2024 13:48

Flagged

- Official Sensitive -

Hi Lucy,

I am really sorry to hear your thoughts on our letter, we did not intend for you to read it that way. Apologies for the potential miscommunication.

In our view, this a 'holding' response or a 'request for further information' to support the soundness of the Plan. We do not explicitly state that we are objecting to the Local Plan. We have also clearly stated that we continue to work with yourselves on addressing the matter which we intended to be read positively. As the letter went through various stages of revision and approval by senior colleagues and our legal team some of the text was edited around our PLP3 wording, but we didn't feel it differed significantly from the advice we gave you in the run up to its publishing. Once again I apologise if you feel that is not the case. We are looking forward to seeing you all on Friday and working through the list of points made previously regarding the derogations evidence.

Kind regards,
Jonathan Shavelar
Infrastructure Projects Senior Adviser
Thames Solent Team
Natural England

www.naturalengland.gov.uk

Eastleigh House
Upper Market Street
Eastleigh
SO50 9YN

Portsmouth Local Plan

Pre-Submission Response Form



Portsmouth
CITY COUNCIL

Portsmouth City Council has prepared a new Local Plan to guide development in the City up to 2040. This response form allows you to provide your views on the Pre-Submission version of the Portsmouth Local Plan (the 'Plan') along with its Policies Map, Sustainability Appraisal and Habitat Regulations Assessment before it is submitted for examination to the Planning Inspectorate.

The consultation is open from 09 July 2024 to 23.59 on 03 September 2024.

Here is a link to the [Portsmouth Local Plan Evidence](#), which includes the Local Plan and other supporting documents.

Please contact the Planning Policy team by email at policyconsultations@portsmouthcc.gov.uk or phone 07990138226 if you have any queries or require this form in an alternative format.

Privacy Notice

Portsmouth City Council is the data controller of any personal data you provide on this form. It will only be used for the purpose of preparing the Portsmouth Local Plan and will only be held for as long as necessary for this purpose. Your comments and your name will be published on the City Council's website. We will make every effort to remove other personal details including telephone numbers, postal and email addresses and signatures prior to being uploaded. All representations received at this Pre-Submission stage will be sent to the Secretary of State for consideration at the Public Examination undertaken by an independent Planning Inspector appointed by the Planning Inspectorate (PINS).

For full details of how the council collects and uses personal data, please see the full [Data Protection Privacy Notice](#).

This survey uses software supplied by Evolutive. For full details of how Evolutive complies with the UK GDPR, please see their website and private notice ([Evolutive Website](#)).

How to complete this form

This form has three parts:

Part A Your Representation(s): fill in and submit a new response form for each representation you wish to make on a specific policy of the Pre-Submission Local Plan and its Policies Map, Sustainability Appraisal and Habitat Regulations Assessment.

This is a technical consultation that focuses solely on legal compliance, compliance with the Duty to Cooperate and soundness. In order for the Plan to be legally compliant it needs to meet all legal and procedural requirements. All local planning authorities, including Portsmouth City Council, are under a Duty to Cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries. The Government defines a Local Plan as sound if it is:

1. Positively prepared: providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
2. Justified: an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
3. Effective: deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
4. Consistent with national policy: enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant

Please outline which document and section of the document you are responding to. For ease of interpretation please be as descriptive as possible using the policy number, paragraph numbers and/or site names you are responding to and supporting evidence documents where relevant.

Please provide all the supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

Part B Personal Details: need only be completed once by each person responding to the consultation. Please provide your name, postal address, email address and any other contact information. A name and postal address must be provided for the comments to be accepted. Anonymous or confidential representations without the required personal information cannot be accepted.

Part C Diversity Monitoring: is an optional section that asks questions about the characteristics of the person completing the form including sex, age, ethnicity and disability. This section only needs to be filled in once. Answering these questions allows the City Council to monitor responses from different groups and understand their views.

After this Pre-Submission consultation by the City Council, further submissions may only be made if invited by the Planning Inspector, based on the matters and issues they identify for examination.

Part A: Your Representation

Please complete a separate copy of this form for each representation you would like to make. You can make as many representations as you like.

1. Please state below which part of the Local Plan and its Policies Map, Sustainability Appraisal and Habitat Regulations Assessment your representation relates to. *

Local Plan Policy



Policy *

Strategic Site Allocation Policy PLP3: Tipner West & Horsea Island East



2. Do you consider this part of the Local Plan and its Policies Map, Sustainability Appraisal and Habitat Regulations Assessment is:

2(a) Legally compliant: *

- ☐ Yes
☒ No

2(b) Sound: *

- ☐ Yes
☒ No

2(c) Complies with the Duty to Co-operate: *

- ☒ Yes
☐ No

3. If you have answered 'no' to any of questions 2(a) to (c) please give details of why you consider this part of the Local Plan or its Policies Map, Sustainability Appraisal and Habitat Regulations Assessment is not legally compliant, is unsound or fails to comply with the Duty to Co-operate. Please be as precise as possible. *

We have concerns regarding the deliverability of this site especially in relation to biodiversity. Currently we do not feel that the evidence provided demonstrates the allocation could come forward without damage to the

environment, specifically the internationally and nationally designated sites. Our main concern relates to a lack of evidence regarding the availability and delivery of required mitigation/compensation sites.

As well as the local plan document we have reviewed the associated Habitats Regulations Assessment (HRA) which provides assessment for this allocation. The Environment Agency is not the decision maker with regards to the derogation case. However, based on our review of the HRA we do not agree with the conclusion. There is too much uncertainty attached to the evidence that underpins the conclusion.

As described in the HRA text, the policy wording sets out the requirement for the provision of replacement habitat. However, this provides no certainty that the replacement habitat can be found and/or no explanation as to the lead-in time required to ensure any replacement habitat is of a suitable quality and functioning before the loss occurs. Paragraph 6.33 of the HRA highlights that parcels of land have been identified as potential mitigation/compensation. In the absence of this information being shared, the validity of the statement cannot be supported.

The Regional Habitat Creation Programme, now referred to as the Habitat Compensation and Restoration Programme addresses coastal squeeze losses resulting from the hold the line policy of the North Solent SMP. However, any losses over and above what was included at the SMP stage e.g., resulting from increasing the size of flood defence, encroachment into the intertidal must be addressed. This has not been addressed in the HRA.

Whilst we acknowledge the continued engagement regarding this site through the Regulatory Panel, we are concerned that the HRA fails to reflect or highlight concerns and issues that have been raised at the Regulatory Steering Group meetings. It is acknowledged in paragraph 8.138 of the HRA that some panel members have raised concerns and questioned the value of continued use of the bespoke metric however in the absence of any detail of the sites identified as potential compensation, we are very sceptical of 400ha figure. This has been flagged at the Regulatory Panel meetings. We do not therefore support the level of confidence that has been assigned in the assessment to finding compensatory habitat.

In conclusion we do not feel that the evidence provided at this time to support this allocation is robust. Too much uncertainty remains regarding the deliverability of compensation/mitigation.

If you have answered 'yes' to any of questions 2(a) to (c) please give details of why you support the legal compliance or soundness of the Local Plan or its compliance with the Duty to Co-operate. Please be as precise as possible. *

It is our opinion that the duty to cooperate has been met through the Regulatory Panel meetings and ongoing dialogue in association with this.

4. If you have answered 'no' to any of questions 2(a) to (c) please set out the modification(s) you consider necessary to make the Portsmouth Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at question 3 above. (Please note that non-compliance with the Duty to Co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. *

Further evidence is required to demonstrate that the mitigation/compensation for this site is available and deliverable.

Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)? *

☐ Yes

☒ No

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Part B Personal Details:

If you are responding on behalf of an organisation, the postal address noted should be that of the organisation.

☐ Please select here if an agent has been appointed for this representation

1. Personal Details

Title

Mrs

Forename *

Laura

Surname *

Lax

Job Title

(where
relevant)

Organisation

(where
relevant)

Environment Agency

Postcode

Look-up

Canal Walk, Romsey, Hamp...✕ ▼

Building Name

Secondary

Name	
Street	Canal Walk
District	
Town	Romsey
County	Hampshire
Postcode *	SO51 7LP
Telephone Number	
Email Address *	laura.lax@environment-agency.g

Please note: anonymous or confidential representations cannot be accepted.

Do you wish to be informed:

When the Plan is submitted for independent examination?	☒ Yes ☐ No
When the examination recommendations are published?	☒ Yes ☐ No
When the Plan has been adopted?	☒ Yes ☐ No
Of other planning policy work by the City Council?	☒ Yes ☐ No

Part C: Diversity Monitoring

If you are responding on behalf of an organisation, you do not need to answer these questions.

What is your sex?

What is your age group?

What is your ethnic group?

Do you consider yourself to have a disability, or a long-term illness, physical or mental health condition that reduce your ability to carry out day-to-day activities?

* - Compulsory Question.

If you would like a copy of your completed response form, please e-mail the Planning Policy team at policyconsultations@portsmouthcc.gov.uk



**Hampshire &
Isle of Wight
Wildlife Trust**

Beechcroft House
Vicarage Lane
Curdridge
Hampshire
SO32 2DP

01489 774400

Planning Policy
Portsmouth City Council,
Civic Offices,
Guildhall Square,
Portsmouth PO1 2AU

Tuesday, 03 September 2024

Consultation: Draft Portsmouth Local Plan 2040 Regulation 19 Pre-Submission consultation

Hampshire & Isle of Wight Wildlife Trust is an independent charity founded in 1961 and together with 46 others we are part of The Wildlife Trusts, the largest grass roots nature conservation federation in the UK with 900,000 members. Locally across Hampshire and the Isle of Wight we have over 28,000 members and we currently manage 5,000 hectares of land for wildlife, primarily nature reserves of local, national, and international importance.

We welcome the opportunity to comment on the draft Portsmouth Local Plan. While we are pleased to see the environment as a key issue in the Local Plan, we consider that the Local Plan in its current form suffers from a lack of development of key policies; it does not represent current best practice in policy, clarity and ambition, as based on robust evidence, to put nature into recovery across the district. This risks the soundness and legal compliance of the plan, including ensuring sufficient support for achieving the legal targets set out in the Environment Act 2021, and alignment with key provisions of the Levelling Up and Regeneration Act 2023.

The Wildlife Trusts are calling for at least 30% of land and sea to be restored for nature and climate by 2030, in line with national and international commitments. We welcome the commitment to protect 30% of land for nature by 2030 in the Council's Ecological Emergency Declaration of December 2021. In order to align with this ambition and with the UK's endorsement of the Kunming-Montreal Global Biodiversity Framework, we call on Portsmouth Council to fully embed and reflect this goal, and our legal target for nature's recovery by 2030 in its local plan, backed by mapping and sufficient, evidence-based policy mechanisms to ensure that the state of nature is turned around and wildlife starts to recover during this decade.

Core Policies PLP1: Design and Core Policy PLP2: Climate Emergency:

We strongly welcome the inclusion and content of the Council's two core policies, **Core Policy PLP1: Design** and **Core Policy PLP2: Climate Emergency**. Both policies are crucial for ensuring the local plan aligns with the obligations of the Environment Act 2021 and Levelling Up and Regeneration Act 2023. We strongly welcome the references within **Core Policy PLP1: Design** to the National Model Design Code and the reflection of the important role of natural green infrastructure in delivering well designed beautiful places. Likewise, we welcome this citation given the National Model Design Code's detailed guidelines and emphasis on climate resilient sustainable design. Furthermore, we welcome the overarching provisions and topics included within **Core Policy PLP2: Climate Emergency**, as these will be essential for ensuring the plan supports delivery of the Environment Act targets.

However, we would recommend that **Core Policy PLP2: Climate Emergency** is updated to reflect the Council's declaration of a nature emergency¹, to: "**Core Policy PLP2: Nature and Climate Emergencies**". This would reflect the dual emergency declarations already made by the Council, and help ensure compliance with the obligations of both the Climate Change Act 2008 and Environment Act 2021 in tandem.

To ensure these core policies, and their associated legal obligations, are reflected throughout the local plan, subsequent policies must provide suitably detailed, robust, and effective means by which these goals can be both defined and realised, in line with the latest related evidence. Below we provide recommendations to ensure these policies, and their associated aims, are fully reflected, embedded, and can ultimately be delivered, through the local plan. Without such amendments, in line with the latest evidence, the plan risks failing to meet its statutory objectives, including aligning with related national planning policy and legislation.

Biodiversity Net Gain

We strongly support the proposition that development proposals within the strategic sites of Portsmouth City Centre and Lakeside, and the allocation site of Somers Orchard, will be permitted where they demonstrate a 20% net gain for biodiversity as accounted for in a Biodiversity Net Gain Plan.

However, to ensure that Biodiversity Net Gain truly halts nature's decline and puts it into recovery, we encourage the Council to amend draft **Development Management Policy PLP40: Biodiversity Net Gain** and set a target for development to go above and beyond the Government's 10% minimum Biodiversity Net Gain, instead aiming for at least 20% Biodiversity Net Gain across all new development.

Failure to integrate a 20% target risks the Plan's effective alignment with the Environment Act's legal target to halt species decline by 2030, and the enhanced duty within the Act for local authorities to conserve and enhance nature across their functions.² The original 2018 Defra impact assessment for BNG highlighted that a 10% enhancement would likely be inhibited in practice by a number of factors, including habitat degradation between initial assessment and construction completion, pressures from occupation (such as light and sound pollution) and the possible loss of gains over decades. As such, the impact assessment described 10% as the 'lowest level of net gain that the department could confidently expect to deliver genuine net gain, or at least no net loss, of biodiversity and thereby meet its policy objectives.'³ The 2023 State of Nature report has presented evidence of a 16% decline in the average abundance of terrestrial and freshwater species in the UK since 1970 (an earlier 2019 assessment had put the figure at 13%)⁴.

To be commensurate with the scale of the challenge, the Council's ecological emergency declaration, and genuinely support progress towards the legal target to halt species decline in the UK by 2030 in the Environment Act 2021, it is imperative the Council follow other LPAs -

¹ <https://democracy.portsmouth.gov.uk/ieListDocuments.aspx?CId=146&MId=4634&Ver=4>

² https://www.legislation.gov.uk/ukpga/2021/30/pdfs/ukpga_20210030_en.pdf [102]

³ https://consult.defra.gov.uk/land-use/net-gain/supporting_documents/181121%20%20Biodiversity%20Net%20Gain%20Consultation%20IA%20FINAL%20for%20publication.pdf

⁴ https://stateofnature.org.uk/wp-content/uploads/2023/09/TP25999-State-of-Nature-main-report_2023_FULL-DOC-v12.pdf

including Guildford and Worthing⁵ - and adopt a more widely applicable 20% minimum requirement.⁶

We recommend Kent County Council's assessment (<https://kentnature.org.uk/wp-content/uploads/2022/07/Viability-Assessment-of-Biodiversity-Net-Gain-in-Kent-June-2022.pdf>) of the potential effect of a 15% or 20% Biodiversity Net Gain target on the viability of residential-led development in Kent. In summary a shift from 10% to 15% or 20% Biodiversity Net Gain did not materially affect viability in the majority of instances when delivered onsite or offsite. The biggest cost in most cases is to get to the mandatory, minimum 10% Biodiversity Net Gain. The increase to 15% or 20% Biodiversity Net Gain in most cases costs much less and is generally negligible and because the Biodiversity Net Gain costs are low when compared to other policy costs, in no cases are they likely to be what renders development unviable. In 2020 Defra reviewed five infrastructure projects and found that the costs for 20% BNG was around just 1% of the capital costs for all but one of these projects.⁷

In addition, concerning research cited by the Green Finance Institute has indicated that as low as 0.5% of applications could be delivering Biodiversity Net Gain due to abuse of the exemptions.⁸ Significant non-compliance and failure to deliver Biodiversity Net Gain represents a serious risk to the environmental credentials of the Local Plan and its compliance with the provisions of the Environment Act 2021. To address this abuse, we recommend that the Council follow the example of Guildford in its local plan policy, and insert wording to prevent the abuse of exemptions.⁹

Trees and hedgerows

We welcome and support the goals and inclusion of **Development Management Policy PLP41: trees and hedgerows**. Increasing tree cover will be vital for achieving the Council's Greener City Vision and ambition to double tree cover in the city over the next 25 years. Likewise, urban tree coverage will be vital for delivering key ecosystem services, such as enhancing local climate resilience through helping to mitigate the urban heat island effect. For the policy to deliver in line with the Council's vision and legal objectives, we recommend its ambition is increased in line with wider best practise, guidance and policies.

Seeking to maximise the ecosystem services delivered by trees and green infrastructure is essential for meeting legal air quality targets under the Environment Act, obligations and national policy direction to consider climate adaptation in planning, and aligning with the key missions and associated obligations under the Levelling Up and Regeneration Act 2023 - notably the missions to improve local health outcomes and pride of place.

Research, notably from Wycombe, has indicated a good level of ecosystem services is likely to be delivered at 25% canopy cover.¹⁰ Testing shows that it should be possible for developments of around 35% (dependent upon development form). The CABI publication 'What makes an eco-town?' suggested canopy cover of at least 25% in residential areas in

⁵ [Biodiversity Net Gain progress report 7 Feb 2024.pdf \(wcl.org.uk\)](https://wcl.org.uk/Biodiversity-Net-Gain-progress-report-7-Feb-2024.pdf)

⁶ <https://stateofnature.org.uk/wp-content/uploads/2023/09/TP25999-State-of-Nature-main-report-2023-FULL-DOC-v12.pdf>

⁷ <https://randd.defra.gov.uk/ProjectDetails?ProjectID=20490&FromSearch=Y&Publisher=1&SearchText=NE0146&SortString=ProjectCode&SortOrder=Asc&Paging=10#Description>

⁸ <https://legacy.greenfinanceinstitute.com/wp-content/uploads/2024/07/GFI-BNG-ROADMAP.pdf>

⁹ <https://intercom.help/joes-blooms/en/articles/9281447-lpa-guide-guildford>

¹⁰ <https://www.charteredforesters.org/wp-content/uploads/2016/11/Philip-Simpkin-Canopy-Cover-Targets-in-Planning-Policy-2016.pdf>

order to deliver the associated ecosystem service benefits.¹¹ We therefore recommend that the policy is amended to follow best practice and require 25% tree canopy coverage.¹² Likewise the requirement to replace lost trees at a ratio of 1:1 should be increased to 1:2, in order to mitigate against net loss from sapling die off. Compliance with best practise guidance and assessment procedure, should also be integrated, including British Standard 5837:2012 Trees – in relation to design, demolition and construction (or subsequent revisions), with the use of buffers which exclude damaging activity or other suitable protective measures. The Council should require a tree survey and an Arboricultural Impact Assessment (AIA) to be submitted. Where special techniques and tree protection methods will be necessary for successful implementation, details of them must also be included in the form of a Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS).

Further supplementary planning documents and guidance should seek to maximise the multifunctional benefits of tree planting, including for nature recovery, drawing on relevant species and planting guidance.¹³

Strategic Policy PLP42: Solent Waders and Brent Geese Sites

We welcome the inclusion of policy **PLP42 on Solent Waders and Brent Geese sites**. We especially welcome the references to, and inclusion of, the Solent Waders and Brent Goose Strategy as a key point of reference. It is crucial that the recommendations and key guidance within this strategy are properly and systematically reflected across the strategic allocations and sites within the plan. Particularly to ensure plans and measures are based on a spatial analysis of three years of up-to-date field survey data, and that the relevant mitigation best practice, as recommended within the Strategy, is followed.

Nature Recovery Network and Local Nature Recovery Strategies

We welcome the reference to alignment with the Local Nature Recovery Strategy in draft **Strategic Policy PLP39: Biodiversity**, and the supporting text for **Strategic Policy PLP38: Green Infrastructure**. We particularly welcome the emphasis on support for delivering ecological networks and areas of high potential for nature restoration and recovery, including linking together protected sites, as this will be critical for delivering our national goal to halt species decline and facilitate species recovery under the Environment Act 2021, and in line with the key conclusions of the Lawton review.¹⁴

We welcome the commitment to establishing a local nature recovery network in the cited ecological emergency declaration of December 2021. To ensure this is given due and proper regard in relation to the obligations of the Environment Act 2021 and the Levelling Up and Regeneration Act 2023's requirement for LPAs "*to take account of*", local nature recovery priorities and measures in spatial planning¹⁵, we strongly recommend that the Council commits to the creation and maintenance of a functioning nature recovery network, as this is a key mechanism through which the biodiversity of the district can be protected and enhanced, and ensures this is fully reflected and embedded in the wording of **Strategic Policy PLP39: Biodiversity**. The Nature Recovery Network, now embedded within national policy through the Environment Act, is the key national mechanism to deliver nature's recovery and must be

¹¹ <https://www.designcouncil.org.uk/fileadmin/uploads/dc/Documents/what-makes-an-eco-town.pdf>

¹² <https://ukgbc.org/wp-content/uploads/2022/11/The-Nature-Recovery-and-Climate-Resilience-Playbook.pdf>

¹³ <https://www.barchampro.co.uk/wp-content/uploads/2019/05/Species-Selection-FINAL.pdf> ;

<https://www.tdag.org.uk/our-guides.html>

¹⁴ <https://www.gov.uk/government/news/making-space-for-nature-a-review-of-englands-wildlife-sites-published-today>

¹⁵ https://www.legislation.gov.uk/ukpga/2023/55/pdfs/ukpga_20230055_en.pdf

clearly supported through the Local Plan, in order to support the delivery of local nature recovery priorities, the enhanced duty to conserve and enhance nature, and meet the Government's 25 Year Environment Plan targets.

Nature recovery network mapping is about taking a strategic spatial approach to the natural environment, identifying areas of existing value, and looking for opportunities to create connections with new habitats that will benefit people and wildlife. Without such spatial mapping, it will not be possible to identify where interventions are required to create a nature recovery network and thus deliver the Government's environmental policy ambition.

Therefore, we strongly recommend that the Council prepare and use the Nature Recovery Network, and Local Nature Recovery Strategy, as foundational tools for the Local Plan to:

1. Identify areas within the local plan area that are of special importance within the context of the Nature Recovery Network, including: existing habitats that are of highest value, areas that buffer existing core habitat, and gaps within the existing ecological network that, if filled, would improve ecological connectivity and reduce fragmentation.
2. Assess, identify and prioritise opportunities for ecological enhancement through local land management plans and strategies.
3. Identify the best sites for development and those areas where development should be avoided. Sites of core importance to the Nature Recovery Network should be protected and development should not result in severance of ecological connectivity within the network.
4. Inform the design of any development in such a way that it makes a net contribution to the Nature Recovery Network.
5. Inform and target biodiversity net gain delivery and other nature-based solutions.
6. Inform the use of building standards that promote biodiverse developments within local plans (e.g. Building with Nature standards) to ensure that development targets action to most effectively contribute to restoring nature.
7. Send a clear market signal to developers of expectations for all future planning to contribute positively and meaningfully to nature's recovery.

The Nature Recovery Network and Local Nature Recovery Strategy should guide where development should not take place to avoid severance of the landscape and ecological corridors.

We welcome the statement that development proposals should take opportunities to contribute to - and deliver - the aims and objectives of the Local Nature Recovery Strategy (LNRS) where possible, and support the Green Grid.

However, the Council must strengthen this wording to ensure the policy aligns with, and fully reflects, the spatial priorities of the Nature Recovery Network, and the associated nature recovery objectives, as mapped.

To do this, we recommend the following wording changes:

Strategic Policy PLP39: Biodiversity

1. *Development proposals will be permitted where they conserve and enhance biodiversity, giving particular regard to ecological networks and areas with high potential for priority habitat restoration or creation, [insert] as identified in the Local Nature Recovery Strategy (LNRS). Up-to-date ecological information should be submitted which demonstrates that development proposals:*

- a) Retain, protect and enhance features of biodiversity interest (including supporting habitat and commuting routes through the site and taking due account of any use by migratory species) and ensure appropriate and long-term management of those features;
- b) Contribute to the creation of larger improved wildlife habitats through the creation of linkages between sites to create and enhance local and regional ecological networks, *[insert] and deliver the spatial Local Nature Recovery Strategy priorities;*
- c) Protect and support recovery of rare, notable and priority species;
- d) Seek to eradicate or control any invasive non-native species present on site;
- e) Contribute to the protection, management and enhancement of biodiversity for example by supporting the delivery of green infrastructure and Biodiversity Action Plan targets, *[insert] the Local Nature Recovery Strategy priorities and measures,* and enhance Biodiversity Opportunity Areas; and
- f) Comply with the mitigation hierarchy as set out in national policy

...

e) Outside of designated sites:

i. Development proposals should identify and incorporate opportunities to conserve, enhance, restore and recreate priority habitats and ecological networks. Development proposals should take opportunities to contribute and deliver on the aims and objectives of the relevant biodiversity strategies including the emerging Local Nature Recovery Strategy *[remove] where possible;*

We recommend these changes to ensure a clearer, more-direct regard is given to local nature recovery priorities in planning (as required by the Levelling Up and Regeneration Act 2023). The current, more generic, wording of the policy is not sufficient to ensure adequate consideration of the LNRS is embedded in the Plan, and that the associated measures, priorities and spatial elements of the LNRS are fully, and duly, considered.

For more information on Nature Recovery Network, we recommend reading the South East Nature Partnerships' 'Principles of Nature recovery Networks across the South East of England' document, available here: <https://hantswightlnp.files.wordpress.com/2021/07/joint-south-east-nrn-principles-senp.pdf>

Green infrastructure

Ambitious green infrastructure policy is a vital component, particularly in an urban setting, for achieving alignment with the Environment Act's targets, as well as achieving the Levelling Up and Regeneration Act's associated missions, including on public health and pride of place. In line with **Core Policy PLP1 Design**, the relevant citation of the National Model Design Code, and recommendations of the Building Better Building Beautiful Commission,¹⁶ suitably maximising green infrastructure is an essential component of well-designed places. Likewise ambitious policy on green infrastructure is essential in order to comply with the relevant directions of the NPPF and duties to consider climate change, notably climate adaptation. Green Infrastructure can, and should, support biodiversity, as well as both mitigation and adaptation efforts related to the climate crisis.

In order to fully comply with the associated policy directions and support the associated legal targets, we would like to see the Draft Local Plan adapt the green infrastructure policy to set high quality green infrastructure principles across the built footprints of new and existing areas.

¹⁶ <https://www.gov.uk/government/publications/living-with-beauty-report-of-the-building-better-building-beautiful-commission>

This would lead to the increased sustainability of developments, boost climate resilience and public wellbeing, as well as increase value, support a resilient economy and desire to live in the area.

Therefore, we welcome the reference to the Building with Nature accreditation in the supporting text for draft **Strategic Policy PLP38: Green Infrastructure**. This accreditation brings together existing guidance and good practice to help recognise and deliver high-quality green infrastructure where wellbeing, biodiversity and water are core foundations.

To ensure the Local Plan aligns with current best practise, we recommend the Council follow the examples set by other LPAs, and the Welsh Government's wording in *Planning Policy Wales*¹⁷, in strengthening the local plans policy requirements to specifically recommend that **all** proposals for green infrastructure will be expected to be designed with the Building with Nature standards, or an equivalent standard set by the Council.¹⁸ This will ensure sufficient quality control, and help ensure all green infrastructure is delivering maximum benefits for the health and wellbeing of residents, and for our nature recovery targets.

As for green infrastructure as mitigation for new developments, the Council should recognise that meeting the Suitable Accessible Natural Greenspace (SANG) calculations is the minimum requirement and does not fully mitigate potential impacts to all sites of ecological importance. Developments near nature reserves increase the footfall, which third parties have to bear the cost of. These sites for wildlife, whether they are designated or not, will play a key role in the ecological network and upcoming LNRS.

Therefore, when assessing the ecological impacts of new development, the Council must go beyond draft **Strategic Policy PLP39: Biodiversity** and require a complete appraisal on impacts of both designated and non-designated wildlife sites (e.g. local nature reserves) and sufficient mitigation measures in line with accredited best practise guidance.

We welcome the prospective inclusion of an Urban Greening Factor (UGF) within the supporting text of **Strategic Policy PLP38: Green Infrastructure** and the associated green infrastructure strategy. This will be a vital policy for supporting urban greening in the city through new development, in addition to Biodiversity Net Gain, where initial habitat baselines are low. We welcome the interim provision that until such time as the City Council publishes additional guidance, applicants should use Natural England's Urban Greening Factor as set out in its Green Infrastructure Framework using surface cover types and factors. We would recommend that the Council's related planning policy follows the model of the London plan urban greening factor, Policy G5.¹⁹ However, given the significant and severe issues of green space and greenery deprivation in Portsmouth, in order to address the scale of nature decline and deliver the relevant public health and pride of place outcomes needed, we recommend setting a higher target minimum score than 0.3 for commercial development and 0.4 for

¹⁷ <https://www.gov.wales/sites/default/files/publications/2024-07/planning-policy-wales-edition-12.pdf> p139
<https://www.buildingwithnature.org.uk/newsblog1/2023/11/28/delivering-high-quality-green-infrastructure-in-wales-a-briefing-for-developers-planners-and-placemakers>

¹⁸ <https://static1.squarespace.com/static/5c45e569c3c16a9eac56d244/t/60c8c0d9388d15329745f4d8/1623769306004/BwN+key+literature+%26+references+guide+v1.0+SJ+Feb21.pdf>

¹⁹ <https://www.london.gov.uk/programmes-strategies/planning/implementing-london-plan/london-plan-guidance/urban-greening-factor-ugf-guidance> ; <https://www.london.gov.uk/programmes-strategies/planning/london-plan/the-london-plan-2021-online/chapter-8-green-infrastructure#policy-g5-urban-greening-171016-title>

residential developments, as well as ensuring it encompasses all types and sizes of development within the city.

Strategic Policy PLP43: Recreational Disturbance on International Nature Designations & Development Management Policy PLP45: Open Space

We welcome the inclusion of policies intended to address recreational disturbance on areas with international nature designations and encourage the provision of open space within new development. However, we are concerned that these do not go far enough to fully integrate relevant mitigation, alternative green space provision, management and monitoring best practise in line with the obligations of relevant policy and legislation.

We would recommend that the draft **Policy PLP43: Recreational Disturbance on International Nature Designations** should consider recreational impacts and disturbance on both designated and non-designated wildlife sites, which is currently missing from the policy wording. A failure to fully consider non-designated sites risks environmental damage to key nature recovery sites, potentially conflicting with the priorities to be outlined in the Local Nature Recovery Strategy.

We welcome relevant wording in **Strategic Policy PLP38: Green Infrastructure** that: *“development that does not provide onsite green infrastructure ... will only be permitted where sustainable alternative green infrastructure provision of an equivalent standard is provided in close proximity to the development”*. However, we are concerned that the current draft does not include specific wording on the provision of Suitable Alternative Natural Greenspace (SANG) or relevant Strategic Access Management and Monitoring (SAMM) projects and requirements. This is a particularly concerning omission, given the predicted impacts of key strategic allocations, such as Tipner West, on SPAs.

To ensure a compliant and adequate level of protection for designated sites, the Council must include - and integrate fully - a more detailed policy for the provision of alternative greenspace that is both functional, and of a standard that provides viable habitat alternatives for those areas under pressure on the coast, drawing on SANG and SAMM guidance.

We recommend the Council mirror the effective policy wording of other authorities, such as Surrey Heath²⁰ and Guildford²¹, to ensure suitable alternative greenspace provision and strategic access management and monitoring mitigation. A failure to do so, given the direct implications of the Plan for protected areas, designated and non-designated sites, risks serious implications for both the soundness and legal compliance of the Plan with regards to the key environmental duties and considerations required.

To address this concerning deficiency, we recommend the following wording:

- (1) *Permission will only be granted for development proposals where it can be demonstrated that doing so would not give rise to adverse effects on the ecological integrity of a Special Protection Area (SPA), whether alone or in combination with other development. Where one or more adverse effects on the integrity of the SPA will arise, measures to avoid and mitigate these effects must be delivered and secured in perpetuity. These measures are unlikely to be acceptable unless agreed with Natural England.*

²⁰ <https://www.surreyheath.gov.uk/planning-and-building-control/planning-policy/thames-basin-heaths-special-protection-area/sang-and-samm-mitigation>

²¹ [https://www.guildford.gov.uk/newlocalplan/media/29891/The-Guildford-borough-Local-Plan-strategy-and-sites-2015-2034/pdf/Guildford Borough Local Plan \(2015-2034\) \(Web Version\) \(Reduced\)1.pdf](https://www.guildford.gov.uk/newlocalplan/media/29891/The-Guildford-borough-Local-Plan-strategy-and-sites-2015-2034/pdf/Guildford%20Borough%20Local%20Plan%20(2015-2034)%20(Web%20Version)%20(Reduced)1.pdf)

(2) *The following principles apply:*

a) There is an “exclusion zone” set at 400m linear distance from the SPA boundary. Permission will not be granted for development that results in a net increase in residential units within this zone. Proposals for other types of development within this zone must undertake Habitats Regulations Assessment to demonstrate that they will not harm the integrity of the SPA.

b) There is a “zone of influence” between 400m and 5km linear distance from the SPA boundary. Where net new residential development is proposed within the zone of influence, avoidance and mitigation measures must be delivered prior to occupation of new dwellings and in perpetuity. Measures must be based on a combination of 1) the provision, improvement and/or maintenance of Suitable Alternative Natural Greenspace (SANG) and 2) Strategic Access Management and Monitoring (SAMM).

c) Residential development of over 50 net new dwellings that falls between five and seven kilometres from the SPA may be required to provide avoidance and mitigation measures. This will be assessed on a case-by-case basis and in consultation with Natural England.

(3) *The following principles apply to the provision of SANG:*

a) A minimum of 8 hectares of SANG land (after discounting to account for current access and capacity) should be provided per 1,000 new occupants.

b) Developments must fall within the catchment of the SANG that provides avoidance, except developments of fewer than 10 net new residential units.

c) The Council will collect developer contributions towards avoidance and mitigation measures, including SANG (unless bespoke SANG is provided) and SAMM.

d) Developments may secure or provide bespoke SANG. Proposals for new SANGs are unlikely to be acceptable unless agreed by Natural England. Large developments may be required to provide bespoke SANG.

(4) *Where further evidence demonstrates that the integrity of the SPA can be protected using different distance thresholds or with alternative measures (including standards of SANG provision different to those set out in this policy), the Council will agree these in consultation with Natural England.*

Nutrient Neutrality, Rivers, and Water Quality

We welcome and strongly support the inclusion of nutrient neutrality in **Strategic Policy PLP44: Nutrient Neutrality in International Nature Designations**. We strongly welcome the emphasis on local delivery mechanisms and mitigation, as well as ensuring appropriate mitigation is secured through legal agreements and delivered prior to first occupation.

However, in order to fully address the evidence outlined regarding the scale of the problem and support the Council's wider goals for a greener Portsmouth, we would recommend that the policy goes further and integrates a stronger preference for nitrate mitigation schemes that will deliver wider environmental benefits, especially for biodiversity. The “stacking” of nutrient and Biodiversity Net Gain benefits offers a valuable route to deliver this. The opportunities for the creation and improvement of habitats, as part of mitigation proposals, should be as identified through the Government’s forthcoming Nature Recovery Network and the Local Nature Recovery Strategy.

Hampshire and Isle of Wight Wildlife Trust is well positioned to deliver Biodiversity Net Gain and mitigation for nitrates, prioritising significant added value. We are currently one of the only organisations delivering an established nitrates mitigation programme and provide other nature-based solutions services. We would be pleased to discuss these in more detail.

Portsmouth has two designated main rivers: Great Salterns Drain and Farlington Marshes Gutter. No rivers are currently achieving good chemical status in England and only 14% of

designated rivers are meeting 'good' ecological status.²² Water quality remains a significant issue of concern locally, we have high levels of contaminants recorded in Portsmouth Harbour and advice not to swim off Southsea.²³ In 2023, a Southern Water sewer storm outflow on the south-east coast of Portsea Island spilled 85 times into the Solent/Langstone Harbour for a total of 1232.63 hours.²⁴ This problem is likely to significantly worsen due to climate change, with rising sea levels and extreme weather, having detrimental impacts on the health and well-being of Portsmouth residents.

This is indicative of the current state of play with our water and drainage infrastructure that frequently fails and which is unable to meet existing requirements or adhere to licensed conditions. Given the current lack of confidence in effective and timely investment in our critical water infrastructure, this plan must ensure that it does not add further to the acute pressures faced by the district's water environment.

We welcome key elements within **Development Management Policy PLP32: Sustainable Drainage Systems**, including reducing surface runoff, hard landscaping, support for the drainage hierarchy and SuDs. However, draft policies do not go far enough to achieve sufficient safeguards for water-based habitats and ecosystems.

We strongly recommend that a separate water quality policy is created to have more detail on the protection and enhancement of rivers that new developments must meet. This should include an initial emphasis on prohibiting new development that is within or adjacent to river corridors and their tributaries. Development in the riparian environment is not sustainable and contributes to the existing issues facing our river systems, further reducing their capacity to function naturally. This will be an essential tool in combatting climate change.

A well-functioning floodplain and associated habitats are integral to the sustainable management of water resources, water quality, flooding and building in climate resilience, particularly in the face of climate change, extreme weather and sea level rise. Where development in a riparian setting is fundamentally unavoidable, we suggest the following wording:

1) Development that is within or adjacent to river corridors and their tributaries will be required to conserve and enhance:

The natural characteristics of the river, its springs, headwaters and associated species

- A) *Water sources and water quality*
- B) *The river corridor's ecosystem, geodiversity and ecological connectivity*
- C) *The natural functioning of the river through the seasons*

This should take into account:

- A) *The local biodiversity and geology;*
- B) *Natural Buffers (minimum 20m) to prevent incidents of polluting run-off and protect biodiversity;*
- C) *Increased public access to the river corridor and the associated impacts of this increase;*

²² <https://www.gov.uk/government/publications/state-of-the-water-environment-indicator-b3-supporting-evidence/state-of-the-water-environment-indicator-b3-supporting-evidence>

²³ <https://www.hampshirechronicle.co.uk/news/24330542.hampshire-beaches-rivers-contaminated-sewage-spills/> ; <https://www.portsmouth.co.uk/news/environment/poor-water-quality-hurting-portsmouths-economy-as-survey-reveals-impact-on-uk-coastal-communities-4532552>

²⁴ [Sewage Map | The Rivers Trust](#)

- D) *Marginal vegetation and the ecological value of the area including its role as an ecological network;*
- E) *Aquatic and riparian vegetation of the river environment;*
- F) *The varying size and associated habitats within a corridor which, in order to avoid uncertainty, are defined as the habitats immediately surrounding the waterbody that contribute toward its character and ecology including but not exhaustively flood plains, water meadows, wet woodland, reedbeds, fens, mires, bankside vegetation and other smaller waterbodies within close proximity and/or sharing the same topography and geology.*

Our research has suggested buffer strips of 8 metres near rivers are not sufficient, and we recommend a minimum of 20 metres to prevent incidents of polluting run-off and protect biodiversity.

Sustainable development

We welcome and support the inclusion of **Development Management Policy PLP33: Sustainable Construction and Onsite Renewable Energy**. In particular, we strongly support the specification that development proposals should incorporate swift boxes, something we have long supported and been calling for. Micro nature enhancement and support measures such as swift boxes, bee bricks and hedgehog highways are “no regrets” measures that can help support nature at very minimal cost, particularly per unit on volume sites.

Such measures have significant support from across the industry, notably through the Future Homes Hub ‘Homes for Nature’ commitment, which has seen 21 volume housebuilders, responsible for more than 90,000 homes a year, commit to install a bird nesting brick or box for every new home built, as well as hedgehog highways as standard for every new development taken through planning from September 2024. In addition, home builders are encouraged to incorporate additional features, such as bat roosts, insect bricks and hibernacula. To reflect this wider industry support and mobilisation, we recommend this policy is strengthened to incorporate swift boxes, bee bricks and hedgehog highways as standard requirements, in order to support the development industry in what it is already committed to deliver and to fulfil the Council’s objectives for a greener Portsmouth and align with its ecological emergency declaration.

In addition, we are pleased to see the requirement for new homes to meet a **water efficiency standard** of 110 litres per person per day in the draft. However, this is not commensurate with the scale of the challenge, or the level of ambition required in water efficiency standards to mitigate against the significant issues predicted with water supply and demand. As the Government’s Plan for Water set out in 2023, we face a significant water supply shortfall in the coming decades.²⁵ Waterwise identified the critical need to reduce water use, in their UK Water Efficiency Strategy to 2030 report. This stated that, if there was no action, England faces a potential water deficit, by 2050, of over 4,000 MI/d (million litres a day). To secure future water supplies, over half of that deficit must be met by reducing water use and leakage, including nearly 1,000 MI/d from water efficiency measures.²⁶

Efficiency standards of 110 litres per person per day are already being noted as insufficient. The Government in its Plan for Water indicated plans “to consider mandating a new minimum water efficiency standard for new homes in England of 105 litres per person per day and 100

²⁵ https://assets.publishing.service.gov.uk/media/6492c8b35f7bb7000c7fae61/plan_for_water.pdf

²⁶ https://database.waterwise.org.uk/wp-content/uploads/2022/09/J37880-Waterwise_Water_Efficiency_Strategy_Inners_Landscape_WEB.pdf

litres per person per day where there is a clear local need, such as in areas of serious water stress.”

To compliment the Government’s commitment to review Building Regulations in order to prevent new development causing issues with water supply, the Future Homes Hub conducted a review of the options and feasibility of tightening water efficiency regulations with wide-ranging input from across the industry. Its final report recommends a target of 100 litres per person per day by 2030, and 90 in water stressed areas.²⁷ This would be tightened to 90 as standard by 2035 and 80 litres per person per day in water stressed areas. The feasibility of building to these standards is evidenced in detail, building on previous research and evidence behind such specifications in the former Code for Sustainable Homes.²⁸

Most of England is already classified as seriously water stressed²⁹, and as such, urgent action must be taken. We recommend that the Council amend the draft policy to 90 litres or less per person per day. To help achieve this, in line with industry recommendations, we strongly recommend that **Development Management Policy PLP32: Sustainable Drainage Systems specifications** is amended to further support grey-water recycling and rain harvesting technologies, including mandatory water butts.³⁰

We welcome the inclusion of **overheating** within the policy and the requirement for major development to produce a Sustainability Statement incorporating thermal comfort. Likewise, we welcome referral to the Good Homes Alliance tool and guidance on overheating in new homes. To ensure adaptation concerns are considered to the same degree as energy, we recommend the Plan draw on the example of the “cooling hierarchy” in the London Plan Policy SI 4 Managing heat risk,³¹ whereby major development proposals should demonstrate through the Sustainability Statement how they will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with the following cooling hierarchy. Policies should be added to look favourably on and encourage the installation of relevant adaptation and resilience measures, such as external wooden shutters, awnings and blinds. In addition to requiring dynamic thermal modelling associated tools and methodologies, it should be specified that datasets must be used to ensure that all new development is designed for the climate it will experience over its design life and future climate scenarios, not just present conditions.³² Part O of building regulations only requires current climate scenarios be used (in the dynamic method), meaning that buildings are not being properly assessed for their whole lifespan, whereas London’s TM 49 weather data uses more up to date figures than TM 59.³³

Strategic Site Allocation Policy PLP3: Tipner West & Horsea Island East

²⁷ https://irp.cdn-website.com/bdbb2d99/files/uploaded/Water%20Ready_A%20report%20to%20inform%20HM%20Government-s%20roadmap%20for%20water%20efficient%20new%20homes.pdf

²⁸ <https://database.waterwise.org.uk/wp-content/uploads/2019/10/Advice-on-water-efficient-homes-for-England061118.pdf>

²⁹ https://database.waterwise.org.uk/wp-content/uploads/2022/09/J37880-Waterwise_Water_Efficiency_Strategy_Inners_Landscape_WEB.pdf p.39

³⁰ https://irp.cdn-website.com/bdbb2d99/files/uploaded/Water%20Ready_A%20report%20to%20inform%20HM%20Government-s%20roadmap%20for%20water%20efficient%20new%20homes.pdf; <https://ukgbc.org/wp-content/uploads/2022/11/The-Nature-Recovery-and-Climate-Resilience-Playbook.pdf>

³¹ https://www.london.gov.uk/sites/default/files/the_london_plan_2021.pdf

³² <https://ukgbc.org/wp-content/uploads/2022/11/The-Nature-Recovery-and-Climate-Resilience-Playbook.pdf>
see page 82

³³ <https://ukgbc.org/wp-content/uploads/2023/12/UKGBC-NAP-Scorecard-Final.pdf>

We strongly object to the current content of **Strategic Site Allocation Policy PLP3: Tipner West & Horsea Island East**.

The Council's decision to abandon the original Tipner West 'super-peninsula' option following the Regulation 18 consultation (which received over 9,000 objections from members of the public) was a positive step. However, the new plans for the site still involve substantial loss of protected land. The draft allocation for Tipner West, as set out in the Pre-Submission draft plan, would lead to the direct and permanent loss of between 2.1 and 6.5 hectares of the protected sites, including Portsmouth Harbour SPA and Ramsar site. At worst, it would result in the loss of an area of the internationally important land more than three times that area. This is in addition to the indirect effects and loss of functionally linked habitat, including essential feeding and roosting areas for the protected populations of wintering waterbirds such as Brent Geese and Black-tailed Godwits.

This proposal risks establishing a gravely damaging precedent for delivering local development needs at the expense of nationally and internationally important wildlife assets across the UK. Hampshire and Isle of Wight Wildlife Trust is adamant that the proposed development, which consists of a housing development and a marine employment hub, does not justify compromising the integrity of the globally significant wildlife habitats found in the Solent's SPAs and Ramsar Wetland Sites. These sites include Portsmouth Harbour SPA and a Ramsar site that is partially within and immediately adjacent to the current allocation boundary.

In collaboration with RSPB, we have sought to persuade the Council to choose a design option that would not compromise the integrity of the protected sites. For example, we created a shared vision of a "nature positive" design for the site that could achieve the marine employment hub and the original number of homes desired through gradual densification (see Pre-Submission Draft Portsmouth Local Plan Habitats Regulations Assessment (HRA) (para 8.72-73). We are, however, disappointed that the Council changed the project parameters (most notably the decision to consolidate the entire development onto the Tipner West site) and ruled out this 'nature positive' option on financial and operational viability grounds (HRA para 8.73).

We believe the Council's justification (as legally required for this scale of harm) that there are no less damaging alternatives and 'imperative reasons of overriding public interest' is flawed, and risks rendering the Local Plan both unsound and non-compliant with legal protections. Furthermore, the Council's proposals for Tipner West clearly conflict with the legal goals set out in the Environment Act, whose targets and enhanced duties require public bodies to further biodiversity protection and recovery. The proposed development would result in significant habitat loss and degrade vital ecosystems that support both wildlife and climate resilience.

Adverse effects test (Regulation 105(1))

We agree with the assessment that both remaining development options for Tipner West would have a negative impact on the integrity of the SPA/Ramsar sites, simply due to the magnitude of the anticipated immediate loss of the protected areas. We agree, therefore, with the general conclusion of the HRA's Appropriate Assessment section that, regarding Policy PLP3, adverse effects cannot be completely eliminated and that, in order for the draft Plan to move forward with adoption, the "derogation tests" (outlined in regulations 107 & 109 regarding land use plans) must be passed. However, we do not believe that the Appropriate Assessment has sufficiently evaluated the scope and specific character of the derogation tests.

Despite the amount of information gathered by the Tipner West Regeneration promoter team on behalf of the Council, we are concerned that the Appropriate Assessment only provides a cursory impact assessment that does not go beyond calculating the area of habitat loss to determine the extent of the damage. The failure to evaluate the functional significance of the habitat - that would be lost in the context of species and ecosystems - is particularly problematic, as it obscures the importance of these places both temporally and spatially to Ramsar and SPA species. Additionally, it disregards the possibility that species populations of nearby SPA/Ramsar site populations may be connected to the impacted areas, making it impossible to assess whether unfavourable consequences may occur in relation to sites and populations outside of Portsmouth Harbour.

Derogation Tests (Regulations 107(1) & 109)

A proper assessment of alternative solutions requires a clear understanding of the predicted damage from the proposals. Weighing public interest against harm to protected sites is only possible if the level of harm is accurately understood. Additionally, compensatory measures can only be determined if the affected habitats, species, and ecological processes are fully quantified. Without a thorough account of adverse effects, the derogation case cannot be lawfully considered.

Moreover, there are significant flaws in the Council's derogation case, detailed in Chapter 8 of the HRA. These issues, in our view, have led to the flawed conclusion that the development in Policy PLP3 could qualify as an exception under the stringent legal tests set by the Habitats Regulations.

The derogation tests set a high bar for justifying exceptions where impacts on protected sites cannot be mitigated. They are designed to allow only indispensable projects to proceed, based on social or economic public interests, with necessary compensatory measures in place. While we recognize that some details may be lacking at the plan stage, the wording of the derogation tests for local plans (Regulations 107 & 109) is consistent with those for other plans and projects (Regulations 64 & 68). Thus, each of the three tests must be fully satisfied based on the best available information.

1 - No Alternative Solutions

The HRA assessed the individual elements of the Tipner West regeneration scheme. Whilst subdividing can aid the alternatives assessment, this method is counterproductive for identifying broader alternative solutions for the overall project objective. The HRA acknowledges (para 8.14) that this approach is highly theoretical, as the elements would not logically proceed in isolation or meet the overarching need individually. Additionally, some assessed elements (e.g., site decontamination) do not independently cause adverse effects on protected sites, making their inclusion questionable.

By not considering the scheme holistically, we believe the Council's alternatives test overlooks key less damaging solutions, such as:

- Alternative sites for the project, potentially across multiple locations.
- Modifications to existing marine employment sites in the region.
- Design options for Tipner West that minimize habitat loss but were dismissed on viability grounds.
- Alternative funding or development options to support the marine hub or other project elements.

A broader approach to alternatives is essential to satisfy Regulation 107, alongside a better understanding of the adverse effects of the Tipner West proposals.

2 - Imperative Reasons of Overriding Public Interest (IROPI)

The HRA divides the IROPI case into three issues:

1. Flood risk to human health and safety.
2. Contamination leachate risk to the SPA/Ramsar sites.
3. Creation of a marine hub for the Solent.

While the first two issues are compelling drivers for the Council's support of Tipner West's regeneration, their scale and urgency are debatable. Moreover, alternative land-use options, such as purely residential or other mixed-use developments, could address these risks without harming protected sites. Similar risks at other Solent brownfield sites have been managed without adverse effects on protected areas.

Therefore, we argue that only the third issue—the creation of a marine hub for the Solent—is relevant to the IROPI assessment. The other two concerns are secondary benefits of any large-scale regeneration at Tipner West. This aligns with the supporting text of draft Policy PLP3, which emphasizes that "the principal driver behind this allocation is the creation of a new marine hub" (HRA paras 4.16 & 4.20).

Regarding the marine hub, we note that the justification relies heavily on reports from 2015. Given their age, we are concerned that the evidence supporting this component of the development may be outdated, especially in light of economic and societal shifts post-Covid. Furthermore, we struggle to identify the imperative and overriding public need that the marine hub would fulfil or any exceptional problem it would solve. The hub is described as an "opportunity" (para 4.7 draft PLP), with the risk being missed "growth potential" and compromised "inward investment to the UK" (para 4.6 draft PLP). However, this does not appear to constitute an essential, justified or urgent public need.

Finally, we could not find any assessment weighing the wider conservation importance of the protected sites against the proposed public need, making it difficult to justify overriding these environmental interests.

3 – Compensatory Habitat Concerns

The final part of the Council's derogation case provides little assurance that suitable compensatory habitat can be secured or delivered, even if the first two tests are met. While the total amount of potentially available habitat may seem significant, without specific details on locations, site sizes, ecological functionality, current status, condition, and cost, it is difficult to conclude that the compensatory measures for Policy PLP3 would be adequate. Given ongoing efforts to secure mitigation and compensation land for other Solent projects, there is a strong risk that the identified sites may not be available when needed.

Moreover, we believe that the full scope of adverse effects requiring compensation has not been determined. Despite significant ecological data collection, the promoter team has not shared an assessment of the ecological function of the habitat expected to be lost, nor have they evaluated the potential indirect and cumulative effects from the Tipner West scheme and nearby developments in the draft Plan. As a result, the objectives, target features (affected habitats and species), and the ecological processes needing compensation remain unclear.

Additionally, we have repeatedly expressed concerns about the SPA compensation metric used by Portsmouth City Council, which we believe is fundamentally flawed both mathematically and ecologically. Despite assurances that it would only be used for options appraisal, it continues to be relied upon in the HRA as the primary method for calculating compensation requirements. Further errors persist, such as the assumption that all SPA habitats are in "good" condition, which misrepresents the ecological reality and artificially lowers the calculated compensation needs.

Given these issues, we have no confidence in the draft HRA's compensation figures and strongly disagree with the Council's stance that further details can be deferred to a future planning application.

We believe the Pre-Submission Draft Plan proposals are not legally compliant because the Habitats Regulations have not been correctly applied in the following areas:

1. **Assessment of Adverse Effects:** There has been insufficient assessment to accurately determine the scale and nature of the adverse effects of draft Policy PLP3 on the integrity of the SPAs/Ramsar sites (Regulation 105(1)), which is necessary to evaluate the subsequent derogation tests.
2. **Derogation Tests (Regulations 107(1) & 109):**
 - o **Alternatives:** The assessment of potentially less damaging alternatives to achieve the project objective is inadequate.
 - o **IROPI:** There is insufficient evidence of an imperative or overriding public need for the development.
 - o **Compensation:** There is a lack of evidence to demonstrate that suitable compensatory habitat can be secured or delivered.

Additionally, we consider the Draft Plan to be unsound under the National Planning Policy Framework (Para 35(b) 'justified'), as Draft Policy PLP3 does not present an appropriate strategy for this key development site and fails to consider all reasonable alternatives for its regeneration that would meet local development needs.

If Policy PLP3 proceeds without modification, we are seriously concerned that it would not only cause irreversible damage to the Portsmouth Harbour SPA and Ramsar sites but also set a dangerous precedent, weakening the interpretation of the Habitats Regulations (particularly the derogation tests) across the UK. Please see our proposed modifications, which we believe are essential to ensure that draft Policy PLP3 complies with the Habitats Regulations and the tests of soundness, and to ensure the scheme is ultimately deliverable.

Furthermore, we are concerned the Council's draft policy for Tipner West goes against the Environment Act legal duty to take actions to further the protection and recovery of biodiversity by allowing between 2.1ha and 6.5ha of direct loss of part of Portsmouth's most important area for wildlife (plus additional impacts on surrounding wildlife areas), including vital feeding and roosting areas for wintering waterbirds. These mudflats are also essential for storing carbon and helping us deal with the changing climate. Therefore, the draft plan risks failing the soundness test because Policy PLP3 is not justified and does not comply with legislation protecting Portsmouth Harbour or the Council's legal duties to take action to further biodiversity.

This is the first time a local plan has tried to make the case for an exception under the laws that are designed to protect these special areas, allowing irreversible damage to Portsmouth Harbour where nature is already under pressure. A 'Portsmouth Precedent' for damaging wildlife risks paving the way for many other damaging developments elsewhere to follow, and

fundamentally undermines the declared objectives of the Council's nature emergency declaration.

Development Management Policy PLP36: Coastal Zone

We welcome the official inclusion of a development management policy designed to deliver sustainable development in the coastal zone. However, in line with **Core Policy PLP2: Climate Emergency**, and both existing duties and national policy to consider climate change adaptation, we recommend this policy be strengthened to include specific reference to climate adaptation and the need for development in the coastal zone to be safe from coastal change for its lifetime, in line with relevant and up-to-date climate and erosion data. Paragraph 152 of the NPPF underlines that planning should take full account of flood risk and coastal change. Paragraph 153, footnote 53 makes clear that local planning authorities are expected to adopt proactive strategies to mitigate and adapt to climate change, in line with the Climate Change Act 2008.

The NPPF is also clear that development should be safe from flood risk and coastal change for its lifetime (see paragraphs 159 and 172), so local policy on coastal development and climate adaptation should reflect these time horizons (planning practice guidance defines development lifetimes as 75 years for non-residential and at least 100 years for residential development).

To ensure the Local Plan is aligned with national policy and associated legal duties, we recommend that specific wording is inserted to ensure that development is steered away from, or likely to be refused in, areas of high coastal erosion risk, as evidenced by the latest and up-to-date climate change forecast data, unless sufficient mitigation can be put in place to show the development is not vulnerable throughout its anticipated lifetime in all modelled scenarios.

Site Allocations and Recreational Disturbance and Impacts

In planning for the housing needs of the district, the Council must be confident that the environment can accommodate the cumulative effects of development at this scale. Environmental limitations must be considered, such as the water and drainage infrastructure being overwhelmed as mentioned in the Nutrient Neutrality, Rivers and Water Quality sections above.

In addition to environmental limitations, the ecological map (and when in place the LNRS) should also be referred to when deciding site allocations so there are no conflicts between new developments and plans for landscape recovery needed to reach the Government's biodiversity targets.

The Council has the opportunity to deliver ambitious green infrastructure and creation and enhancement of nature which goes above and beyond the minimum 10% Biodiversity Net Gain. Currently we feel there is a lack of ambition to deliver nature's recovery through the proposed strategic developments.

We hope that you will find our comments helpful and, if you have any questions or wish to discuss these matters further, please do not hesitate to contact us. I also ask that you keep the Trust informed of the progress and outcome of this plan.

For more information, please contact:

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Hampshire and Isle of Wight Wildlife Trust

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Main Switchboard: 01489 774400

Portsmouth Local Plan Pre-Submission Response Form



Portsmouth City Council has prepared a new Local Plan to guide development in the city up to 2040. This response form allows you to provide your views on the Pre-Submission version of the Portsmouth Local Plan (the 'Plan') along with its Policies Map, Sustainability Appraisal and Habitat Regulations Assessment before it is submitted for examination to the Planning Inspectorate.

The consultation is open from 09 July 2024 to 23.59 on 03 September 2024.

Please return this completed form to the Planning Policy team either by email to policyconsultations@portsmouthcc.gov.uk or in writing to Planning Policy, Portsmouth City Council, Civic Offices, Guildhall Square, Portsmouth PO1 2AU

Alternatively, you can send comments in using our online form at www.portsmouth.gov.uk/localplan

Please contact the Planning Policy team by email at policyconsultations@portsmouthcc.gov.uk or phone 07990138226 if you have any queries or require this form in an alternative format.

Privacy Notice

Portsmouth City Council is the data controller of any personal data you provide on this form. It will only be used for the purpose of preparing the Portsmouth Local Plan and will only be held for as long as necessary for this purpose. Your comments and your name will be published on the council's website. We will make every effort to remove other personal details including telephone numbers, postal and email addresses, and signatures prior to being uploaded. All representations received at this Pre-Submission stage will be sent to the Secretary of State for consideration at the Public Examination undertaken by an independent Planning Inspector appointed by the Planning Inspectorate (PINS).

For full details of how the council collects and uses personal data, please see the full [Data Protection Privacy Notice](#)

How to complete this form

This form has three parts

Part A Your Representation(s): fill in a separate sheet for each representation you wish to make on a specific policy of the Pre-Submission Local Plan and its Policies Map, Sustainability Appraisal and Habitat Regulations Assessment. Please print off a new set of response pages for each part of the Plan you wish to respond to.

This is a technical consultation that focuses solely on legal compliance, compliance with the Duty to Cooperate and soundness. For the Plan to be legally compliant it needs to meet all legal and procedural requirements. All local planning authorities, including Portsmouth City Council, are under a Duty to Cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries. The Government defines a Local Plan as sound if it is:

- a) Positively prepared: providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) Justified: an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) Effective: deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) Consistent with national policy: enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant

Please outline which document and section of the document you are responding to. For ease of interpretation please be as descriptive as possible using the policy number, paragraph numbers and/or site names you are responding to and supporting evidence documents where relevant.

Please provide all the supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

Part B Personal Details: need only be completed once by each person responding to the consultation. Please provide your name, postal address, email address and any other contact information. A name and postal address must be provided for the comments to be accepted. Anonymous or confidential representations without the required personal information cannot be accepted.

Part C Diversity Monitoring: is an optional section that asks questions about the characteristics of the person completing the form including sex, age, ethnicity, and disability. This section only needs to be filled in once. Answering these questions allows the council to monitor responses from different groups and understand their views.

After this Pre-Submission consultation by the council, further submissions may only be made if invited by the Planning Inspector, based on the matters and issues they identify for examination.

Part A: Your Representation

Please use a separate sheet for each representation you would like to make. You can make as many representations as you like.

Name or Organisation:

1. Please state in the correct box below which part of the Local Plan and its Policies Map, Sustainability Appraisal and Habitat Regulations Assessment your representation relates to.

Local Plan
Paragraph

Local Plan
Policy

Policies
Map

Sustainability Appraisal Section
and/or Paragraph

Habitat Regulations Assessment
Section and/or Paragraph

2. Do you consider this part of the Local Plan and its Policies Map, Sustainability Appraisal and Habitat Regulations Assessment is:

2(a) Legally compliant

Yes

No

☒

2(b) Sound

Yes

No

☒

2(c) Complies with the
Duty to Co-operate

Yes

No

☒

Please tick as appropriate

3. If you have answered 'no' to any of questions 2(a) to (c) please give details of why you consider this part of the Local Plan or its Policies Map, Sustainability Appraisal and Habitat Regulations Assessment is not legally compliant, is unsound or fails to comply with the Duty to Co-operate. Please be as precise as possible.

Background to the RSPB's engagement with Tipner West

The RSPB has engaged closely with the proposals for Tipner West since development options involving large-scale reclamation of the adjacent Portsmouth Harbour Special Protection Area (SPA) and Ramsar Wetland Site (i.e. the 'super-peninsula') were first publicly consulted on in 2019, and more recently as a guest member of Portsmouth City Council's Tipner West Regeneration Regulatory Panel. We welcomed the Council's decision to drop the highly ecologically-damaging 'super-peninsula' option following the Regulation 18 consultation on the draft Portsmouth Local Plan (which received over 9,000 objections from members of the public to the 'super-peninsula' option) and commended the Council's greater recognition of the ecological sensitivities of the site as it commenced the process of re-examining design

options for the regeneration of Tipner West, while still meeting the development aspirations set out in the 2013 Southampton and Portsmouth City Deal.

During the entirety of our engagement with the Tipner West regeneration proposals, the RSPB has been firm in its position that the type of development proposed (i.e. a marine employment hub and housing development) does not justify damage to the integrity of the internationally important wildlife interests of the Solent's SPAs and Ramsar Wetland Sites ('the protected sites'), which include Portsmouth Harbour SPA and Ramsar site located immediately adjacent to and partly within the current allocation boundary. Together with the Hampshire & Isle of Wight Wildlife Trust (HIWWT), we have gone to great lengths to encourage the Council to select a design option that would not lead to adverse effects on the integrity of the protected sites, including sharing an illustrative vision of a 'nature positive' design for the site which could deliver the original desired housing numbers (through gentle densification) and the marine employment hub (see Pre-Submission Draft Portsmouth Local Plan Habitats Regulations Assessment (HRA) (para 8.72-73).

It should be noted that the RSPB/HIWWT's illustrative vision was based on the development parameters set at the time for Tipner West, including 1,250 houses and the delivery of a proportion of the employment development (c23,000 square metres) at Horsea Island East. At that time, there was no information shared with the Regulatory Panel members regarding the scale of the direct land-take of the protected sites now predicted by the Council to be necessary in order for the marine hub to be operationally functional (Regulatory Panel members understood that time that there would be limited direct loss to the SPA/Ramsar site from the marine employment hub and associated dredging), nor for the now claimed need to consolidate the full 58,000 square metres of marine employment development and associated housing onto the Tipner West landmass.

The Council included a version of the RSPB/HIWWT's vision for Tipner West as one of the design options in its 2023 optioneering for the site (put forward as Option 1), which received support from Natural England and other members of the Regulatory Panel. It is greatly disappointing that the Council have since changed the project parameters (most notably the recent decision to consolidate the entire development onto the Tipner West site) and consequently ruled out this 'nature positive' option on financial and operational viability grounds (HRA para 8.73), in favour of the two current preferred options which form the basis of draft policy PLP3. The Pre-Submission Draft Portsmouth Local Plan HRA ('the HRA') confirms that overall the remaining options being considered by the Council would lead to between 2.1 and 6.5 hectares of direct loss of habitat from within the protected sites (in addition to further indirect effects and loss of functionally linked habitat – see comments below), including essential feeding and roosting areas for the protected populations of wintering waterbirds such as Brent Geese and Black-tailed Godwits.

Despite the claimed intentions to deliver a development that protects and indeed 'cherishes' the internationally important wildlife sites while still meeting the original objectives of the City Deal agreement (as per the Council's vision for Tipner West, in the Pre-Submission Portsmouth Local Plan ('the draft Plan') para 4.17), the Council's promoter team's optioneering process appears to conclude that doing so would render the scheme financially and/or operationally unviable. Indeed, even delivering the most economically viable (and correspondingly, the most ecologically damaging) option outlined under draft Policy PLP3 would appear to create a substantial financial deficit (draft Plan para 8.12). We have serious doubts as to whether all less damaging options have been adequately explored and whether the package of information put forward in support of draft Policy PLP3 can satisfy the strict tests of the Habitats Regulations. Despite this, however, questions must remain as to whether the scheme itself is viable in this location, and whether the financial and legal uncertainties

that will need to be overcome to deliver the scheme are so great that the security of entire scheme is at severe risk. This also of course raises questions regarding the soundness of draft Plan itself, which relies on Tipner West to deliver a large proportion of Portsmouth's employment needs.

Potential adverse effects (Regulation 105(1), the Habitats Regulations¹)

There is no disagreement between the RSPB and the Council that, based solely on the scale of the predicted direct loss of the protected sites, both of the remaining development options for Tipner West (covered under draft Policy PLP3) would lead to adverse effects on the integrity of the SPA/Ramsar sites and their features. We therefore agree with the overarching conclusions of the Appropriate Assessment section of the HRA that adverse effects cannot be ruled out in respect of Policy PLP3, and that the 'derogation tests' (set out under regulations 107 & 109, The Habitats Regulations, with respect to land use plans) must therefore be satisfied if the draft Plan is to proceed to adoption. However, crucial to the derogation tests, we do not consider that the HRA has adequately assessed the scale and precise nature of the potential impacts to the protected sites and their designated species/features. Therefore, we consider it does not follow Government guidance to "...use the best available objective and scientific information to make confident decisions..." (Defra, 2023: Habitat Regulations assessments: protecting a European site).

Given the wealth of data that has been collected by the Tipner West Regeneration promoter team, on behalf of the Council, the HRA presents a surprisingly superficial impact assessment which fails to quantify the identified or potential adverse effects to the integrity of the SPAs/Ramsar sites beyond a simple calculation of area of direct habitat loss. Critically, it fails to assess the functional role of the habitat that would be lost in a species and ecosystem context i.e. understanding how the SPA/Ramsar species utilise these areas and therefore their importance spatially and temporally (nor the importance of the functionally linked habitats as mentioned above and below). No consideration appears to have been given to the present condition of the site or the areas that would be lost. The assessment also fails to consider the potential relationship of the lost habitats to species populations that form part of the adjacent SPA/Ramsar site populations (e.g. Chichester & Langstone Harbours SPA/Ramsar site to the east and the Solent & Southampton Water SPA/Ramsar site to the west), and therefore determine whether adverse effects may occur in respect additional sites beyond the Portsmouth Harbour SPA/Ramsar site.

The HRA assumes that it should be possible to fully mitigate all other impacts (with the possible exception of hydro-geomorphological impacts as a result of the reclamation of SPA/Ramsar site habitats linked to the marine employment development (HRA para 6.170) and impacts of tall buildings/structure on bird flight/sight-lines) at the application stage (HRA paras 6.138-6.151). We are less confident that this will prove to be the case, but accept that detailed application-level assessment will be required to fully quantify the residual effects (following mitigation) from these additional impact pathways. However, we consider that the HRA's approach to the loss of SPA functionally linked land (i.e. Solent Wader and Brent Goose Sites) within or adjacent to the Tipner West allocation site is inadequate to rule out further adverse effects at the plan stage. While the HRA suggests that wader and Brent Goose mitigation sites have been identified for all other strategic allocations in the draft Plan that could result in the loss of such sites (HRA para 6.30), it is explained (HRA paras 6.32-6.33) that although potentially suitable sites for offsetting the loss of 'Primary' wader and Brent Goose sites within the Tipner West allocation may have been identified as part of the wider search for SPA/Ramsar compensation, the details of these sites are currently considered to be

¹ Conservation of Habitats and Species Regulations 2017

'commercially confidential'. Therefore no independent assessment can be made of their likely suitability/deliverability, and as a result it cannot currently be independently established that no adverse effects will arise from the loss of this functionally linked land.

In the case of loss or damage to the 'Core Areas' of functionally linked land, stricter measures are in place as part of the approach agreed in the Solent Waders and Brent Goose Strategy and these must be considered in the same way as direct damage to the SPAs/Ramsar sites themselves, and therefore must be considered as part of the derogation case. Despite this, we can find no assessment of the likely impacts to Core Area P75 from the Tipner West allocation, only passing reference to it (within the HRA and the PLP3 supporting text) being located within 100m of the Tipner West allocation. This further increases our concerns that the full extent of adverse effects arising from the Tipner West allocation have not been properly accounted for in the HRA.

Derogation tests (Regulations 107(1) & 109, the Habitats Regulations)

The above concerns have a substantial bearing on each stage of the derogation tests. Clearly an assessment of less damaging alternative solutions can only be made in light of a proper comparison with the damage that is predicted to arise from the proposals. Weighing the public interest against the level of harm to the protected sites is also logically only possible if the level of harm is correctly understood. And, of course, determining whether compensatory measures are possible can only be done if the affected habitats, species and the ecological processes and functions to be compensated have been suitably quantified. Therefore, without a proper account of the full nature and extent of adverse effects, we do not consider that the derogation case can be practically or lawfully considered.

The EU guidance Managing Natura 2000 Sites (MN2000, 2019) (which remains a useful reference for the consideration of UK cases under the Habitats Regulations) emphasises this point with reference to a European Court of Justice decision. It states, in relation to the scope of the derogations assessment (section 5.2):

"In its ruling in case C-304/05, paragraph 83, the Court clearly stated that: 'Article 6(4) of Directive 92/43 can apply only after the implications of a plan or project have been studied in accordance with Article 6(3) of that directive. Knowledge of those implications in the light of the conservation objectives relating to the site in question is a necessary prerequisite for application of Article 6(4) since, in the absence thereof, no condition for application of that derogating provision can be assessed. The assessment of any imperative reasons of overriding public interest and that of the existence of less harmful alternatives require a weighing up against the damage caused to the site by the plan or project under consideration. In addition, in order to determine the nature of any compensatory measures, the damage to the site must be precisely identified'."

In addition to the above concerns, we have identified significant further flaws, gaps and errors in the Council's derogation case, as set out under Chapter 8 of the HRA, which in our view have led to the HRA's flawed conclusion that the development set out in Policy PLP3 could constitute an exception under the strict legal tests set by the Habitats Regulations.

Taken together, the derogation tests set an extremely high bar for the justification of exception cases, where impacts to the protected sites cannot be mitigated to prevent adverse effects on the integrity of the site/s. Their purpose being to allow only plans or projects to proceed that are indispensable in terms of social and/or economic public interests, and only then with the necessary compensatory measures to protect the overall sites network in place.

While we accept that some finer detail may not be available at the plan stage, the wording of the derogation tests for local plans (Regulations 107 & 109) do not differ from that of the general derogation tests of other plans and projects (Regulations 64 & 68), therefore it is clear that each of the three tests must be satisfied in full, based on the best available information.

We summarise below our key points of concern under each test, with reference to the Chapter 8 of the HRA.

No alternative solutions

The HRA takes a disaggregated approach to the alternative solutions test, by considering the alternatives to individual elements of the current preferred design options for the Tipner West regeneration scheme. While some breakdown of the key elements of the draft allocation is (or could be – see our further comments below) helpful for the purpose of the alternative solutions assessment, many of the individual elements currently assessed for their alternatives would not logically come forward in isolation (HRA para 8.14), nor would they individually meet the same specified overarching need. We also note that some of the elements subject to alternative solutions assessment (e.g. site decontamination) would not on their own lead to adverse effects on the protected sites, therefore the value of including them is unclear.

The HRA acknowledges (para 8.9) that the marine hub is the main cause of the financial deficit common (to a lesser or greater degree) to all of the options considered to-date by the Council for delivering the project objectives at Tipner West. This is because the marine hub severely limits the available area of the site available for higher value development, such as residential (HRA para 8.9), which is critical to the economic viability of the regeneration of such a small site with substantial flood risk and contamination challenges. It is clear that these financial viability challenges flowing from the delivery of the marine hub at Tipner West are closely correlated with the level of ecological damage caused by the various proposals considered by the Council during the options shortlisting, with damage to the protected sites generally increasing for development options with a lower financial deficit. Therefore, it seems highly important that significant scrutiny should be placed on the marine employment hub in the alternative solutions assessment as this appears to be the main cause of the resulting damage to the protected sites. (NB It is interesting to note that the marine hub has previously been estimated by the Council to further increase housing need in Portsmouth City by around 1,000 homes due to the need for the relocation of marine industry skilled workers from elsewhere in the country, thereby itself adding to wider housing pressures in the City; although we can find no recent mention of this important point in the HRA or other background documents to the draft Plan).

This being the case, there are fundamental questions regarding the viability-testing that has been carried out of other potential locations for the marine hub, in particular the Tipner West project parameters that were used to previously test alternative sites against. For example, many of the alternative Solent sites compared unfavourably to Tipner West when assessed against the original 9ha area allocated to deliver the desired 58,000sqm employment development (see summary in HRA Table 5, p108), but that area now appears to have reduced to just 4.9ha, which could bring a number of less damaging sites back into the running as less damaging alternative solutions. In addition, the new information indicating that the creation of deep-water full-tide access to the marine hub at Tipner West will result in 2.1ha of intertidal loss due to dredging should also now be factored into the comparison of the deep-water access at the other sites previously ruled out. Given the significant alterations to the Tipner West proposals since the consideration of alternative locations for the marine hub was carried out (the most recent report dating back to 2020), there may be additional

factors that have altered which could fundamentally alter the outcomes of those assessments.

In addition, we believe the Council's alternative solutions assessment fails to thoroughly consider a number of additional issues that could also represent less damaging solutions, if not entirely remove adverse effects. These include:

- Alternative means of delivering the project objective e.g. modifications to existing marine employment sites in the region
- Alternative design options for the marine hub (such as a suspended wharf extension) and bridge (such as a single-span design) that would avoid or reduce direct loss of SPA/Ramsar habitats
- Alternatives to providing full tide deep water access (i.e. consideration of less damaging dredging regimes)
- Alternative options for enabling development or other funding streams to support the delivery of the marine hub or other project elements (e.g. getting a delivery partner onboard to support financing the marine hub; or alternatives land uses for the now redundant Horsea Island site, such as delivery of Biodiversity Net Gain for other local developments)
- Delivery of the proposals across more than one site (e.g. delivery of parts of the marine employment at an alternative site/s or delivering the enabling housing on an alternative site/s within or outside the local authority, which does not appear to have been thoroughly assessed)

It is important that all less damaging options are considered regardless of their potential increased economic costs. This is in line with EU Guidance, which states that: "As concerns the economic cost of the steps that may be considered in the review of alternatives, it cannot be the sole determining factor in the choice of alternative solutions (C-399/14, paragraph 77). In other words, a project proponent cannot claim that alternatives have not been examined because they would cost too much" (MN2000, 2019 para 5.3.1). Therefore, alternative design options that may have previously been ruled out on economic grounds should be included in the presentation of alternative solutions.

We consider that it is essential that the alternative solutions assessment takes both a broader and deeper look at the full range of options for delivery of the overarching project objectives, including the points listed above, in order to satisfy the requirements of Regulation 107. This is in addition to our underlying concern that the alternatives have not been assessed against a sufficient understanding of the scale and nature of the adverse effects arising from the Tipner West proposals and therefore there is a clear risk that the potential adverse effects are underestimated.

Imperative Reasons of Overriding Public Interest

The HRA separates the case for imperative reasons of overriding public interest ('IROPI') into three issues:

1. Flood risk to human health and safety
2. Contaminate leachate risk to the SPA/Ramsar
3. Creation of a marine hub for the Solent

While we appreciate that the first two issues are compelling drivers for the Council in support of regeneration of the Tipner West site (although we would question the scale and imminency of each of the risks, and strongly disagree that upgraded coastal defences are necessary to prevent loss of the protected areas from erosion (HRA para 8.80)), there are plainly other land-use options (such as a wholly residential development or other form of mixed use development) that would equally address these needs and avoid adverse effects on the

protected sites. Indeed, these needs (flood risk and contamination risk) are not uncommon to other brownfield sites fringing the Solent SPAs/Ramsar sites, where options have been secured or are proposed to address them that do not entail adverse effects to the protected sites. As such, we consider these aspects could and should be ruled out at the alternative solutions assessment stage.

Therefore, we would strongly argue that the third issue – creation of a marine hub for the Solent – is the only matter that is relevant to the IROPI assessment. The other two issues are merely secondary benefits to any large-scale regeneration scheme at Tipner West, for which less damaging alternatives exist. This is consistent with the supporting text for draft Policy PLP3 which twice states that “the principal driver behind this allocation is the creation of a new marine hub” (HRA paras 4.16 & 4.20).

Concerning the case put forward for the creation of a marine hub at Tipner West, we note that great weight has been placed on a number of reports dating between 2015 and 2020 (in addition to the City Deal agreement approved by the Government in 2013). Given the age of these reports, we are seriously concerned that the evidence base used to support the main component of the Tipner West development may no longer be valid, particularly following widespread economic and societal changes as a result of the global Covid pandemic and the UK’s departure from the European Union. For example, the draft Plan refers to the “pressing needs of the [UK] marine and maritime sector” (draft Plan para 4.6), yet the HRA suggests that the Marine Sector Recovery Plan, Maritime UK report from June 2020 already recognised the need to first ‘restart and recover’ the maritime businesses affected by the pandemic (HRA para 8.102). Given market conditions may have changed substantially since 2020, we consider it essential that the Council provides an updated analysis of the need for the form of marine employment hub identified as required to meet the project objectives (and, following which, a reassessment of the possible alternative locations in the region that can meet those objectives).

Nevertheless, based on the apparent “pressing needs” previously identified, we find it difficult to discern an imperative or overriding public need that the marine hub would fulfil, or indeed the exceptional problem that the marine hub would solve. Instead, the marine hub is frequently referred to as an “opportunity” (HRA paras 8.37 & 8.93; draft Plan para 4.7), which if not delivered could result in unattained “growth potential...with inward investment to the UK being compromised” (draft Plan para 4.6; and similar in HRA paras 8.95 & 8.103). This does not in our view translate to being either an essential or urgent (i.e. imperative) public need (and also points to the alternative solutions assessment needing to clearly set out why Tipner West is the only UK location for this marine hub). While we accept that the development may lead to modest job creation, other claimed benefits such as meeting local housing need (HRA para 8.37), protecting local properties from coastal flooding and even protecting the SPA/Ramsar sites from flooding and contamination are either unsupported (such as meeting local housing need, which we understand would actually be increased by the marine hub) or are not uniquely dependent on the delivery of the marine hub.

Finally, the failure to properly assess the functional role of the habitat that would be lost in a species and ecosystem context (as well as the full range of potential adverse effects as yet without clear mitigation identified) has resulted in the deeply flawed approach to the weighing up of the perceived public interests of the Tipner West proposals against the percentage area of loss of the overall Portsmouth Harbour SPA and Ramsar site (HRA paras 8.123-8.128 – The Overriding Balance). Although paragraph 8.126 does identify the fact that the terrestrial area of the SPA within the allocation site is in fact “the largest area of terrestrial habitat within the SPA/Ramsar boundary”, it fails to consider its role in terms of the site’s integrity and instead goes on to consider it in the context of the network functionally linked

terrestrial sites outside the protected sites, which clearly do not possess the same level of protection and nor are they referenced in the SPA conservation objectives against which impacts should be assessed.

Compensation

The final part of the Council's derogation case provides little assurance that, even if the first two tests could be satisfied, that suitable compensatory habitat can be secured or delivered.

Whilst the total figure of potentially available habitat (c400ha – HRA para 8.135) sounds impressive, without any further information concerning at least broad locations, individual site size, potential ecological functionality, current status and condition, cost etc., it is difficult to see how it can be concluded that acceptable compensatory measures can be secured in respect of draft Policy PLP3. We are also aware that there are ongoing efforts to find mitigation / compensation land for a number of other projects in the Solent area, and therefore unless suitable sites are secured, there is a strong chance that a number of the identified sites will no longer be available once serious efforts are made to secure them.

Notwithstanding which, as explained above, we do not consider that the full impacts of the adverse effects to be compensated have yet been determined. Although we understand that significant amounts of ecological data have been collected to date, the promoter team do not appear to have undertaken (or at least have not shared) any detailed assessment of the ecological function of the habitat that is predicted to be lost, nor of the potential additional effects of the loss of or damage to SPA functionally linked land (i.e. Solent Wader and Brent Goose sites) that could arise from the Tipner West policy. Therefore the basic objectives, target features, ecological processes and functions to be compensated remain unclear (see section 6 of the UK Government's Habitats Regulations Assessment: derogation notice form, which includes these basic requirements first in a list of 11 points that should be included in the presentation of the compensatory measures for consideration in any derogation case).

In addition, as we have previously raised on many occasions with the Council, we have serious concerns about the suitability of using the SPA compensation metric used by Portsmouth City Council to calculate the necessary compensation (highlighted in HRA para 8.138). We have advised the Council that the metric itself is seriously flawed (mathematically and ecologically) and therefore cannot in our view be relied on to determine the necessary type and area of compensation required. We were given repeated assurances from the Council that it would only be used for the purposes of options appraisal alongside professional ecological judgement, yet it nevertheless appears to continue to be relied upon as the primary means of calculating compensation requirements in the HRA. In addition, there are further errors we have previously highlighted to the Council in terms of the information and assumptions that have been fed into the metric that also appear to have been repeated here, such as assigning all SPA habitats to 'good' condition, which does not reflect the ecological reality on the ground and has the effect of actually reducing the metric's calculation of the compensation requirements, therefore compounding the flaws in the outputs from the SPA metric.

For the reasons set out above, we are firmly of the view that no confidence can currently be placed in the HRA's conclusions regarding the ability to secure suitable compensatory measures and we strongly disagree with the Council's view that further details of the compensation can be deferred to be considered as part of the future planning application.

Conclusion

In summary, we consider that the Portsmouth Pre-Submission Draft Plan is not legally compliant because the Habitats Regulations have not been correctly applied in respect of the following:

1. Insufficient assessment to identify the scale and precise nature of the adverse effects of draft Policy PLP3 on the integrity of the SPAs/Ramsar sites (i.e. Regulation 105(1)) against which to assess the further derogation tests; and
2. Flaws, gaps and errors in the derogation case (i.e. Regulations 107(1) & 109), namely:
 - i. Alternative solutions – inadequate and outdated assessment of potentially less damaging alternatives to deliver the public interest the allocation seeks to provide,
 - ii. IROPI – insufficient up-to-date evidence to demonstrate an imperative or over-riding public need for the development,
 - iii. Compensation – insufficient evidence to demonstrate that suitable compensatory habitat can be secured/delivered.

Furthermore, the draft Plan is in our view unsound under the National Planning Policy Framework because it is not ‘justified’ or likely to be ‘effective’. We do not believe draft Policy PLP3 sets out an appropriate strategy for this key development site, nor has it considered all reasonable alternatives for the regeneration of the site that would meet local development needs while safeguarding the statutory protected sites, and the proposals are not, in our view, based on proportionate or up-to-date evidence; therefore it cannot be considered ‘justified’. The lack of legal and financial security of the proposals also, in our view, render the deliverability of draft Policy PLP3 in serious doubt, therefore potentially failing the test of ‘effectiveness’. We also question whether the Duty to Cooperate has been met in respect of the potential delivery of enabling housing development in one or more neighbouring authorities.

If policy PLP3 were to proceed unmodified, we are seriously concerned that it would not only irreversibly damage the Portsmouth Harbour SPA and Ramsar sites and their features but would also, in our view, not be interpreting the Habitats Regulations as they should be (in particular the ‘derogation tests’). Instead of testing the boundaries of this critical legislation designed to protect the country’s internationally important wildlife assets, we would like to see the Council deliver a nature positive development at Tipner West that delivers for Portsmouth’s wildlife and its local communities, and in doing so take a positive step towards meeting its duties to further the protection and recovery of biodiversity under the Environment Act.

Please see our proposed modifications, which we consider are essential if draft Policy PLP3 is to comply with the Habitats Regulations and the tests of soundness, and if the resulting scheme is to ultimately be deliverable.

References

1. [Habitat regulations assessments: protecting a European site](#) Defra, 2023 (Accessed 30 August 2024)
2. [Managing Natura 2000 sites: The provisions of Article 6 of the ‘Habitats’ Directive 92/43/EEC](#), Publications Office of the European Union 2019
3. [Habitats regulations assessment: derogation notice form](#), UK Government, Published 24 February 2021

(Continue on a separate sheet if necessary)

If you have answered 'yes' to any of questions 2(a) to (c) please give details of why you support the legal compliance or soundness of the Local Plan or its compliance with the Duty to Co-operate. Please be as precise as possible.

N/A

(Continue on a separate sheet if necessary)

4. If you have answered 'no' to any of questions 2(a) to (c) please set out the modification(s) you consider necessary to make the Portsmouth Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at question 3 above. (Please note that non-compliance with the Duty to Co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In order to avoid adverse effects on the protected sites and thereby ensure compliance with the Habitats Regulations (as well improving the soundness of the Plan), we consider that draft Policy PLP3 would need to be modified in one or more of the following ways:

- Reduce the housing range to levels that can be accommodated within the allocation site without encroachment onto the SPA/Ramsar sites
- Increase housing densities to allow delivery of optimum dwellings while avoiding encroachment onto the SPA/Ramsar sites
- Reduce the area of the marine employment development to allow regeneration of the site without encroachment onto the SPA/Ramsar sites
- Relocate part of the housing and/or marine employment development to Horsea Island East to avoid/reduce encroachment onto the SPA/Ramsar sites (as per the original City Deal proposals)
- Remove all references from the policy which suggest the acceptability of direct loss or damage to SPA/Ramsar habitats e.g. 2(g)

We appreciate that many if not all of the above modifications to draft Policy PLP3 may affect the financial viability of the Tipner West regeneration scheme. However, given that there already exists a substantial funding deficit in the current preferred options, we do not consider that this should be a reason not to modify the policy in order to deliver a scheme that is within the environmental limits of the allocation site and in full compliance with the Habitats Regulations.

If the scheme is of sufficient importance, it follows that it should be possible for the Council to identify additional funding sources. If this is not possible then this strongly suggests that the desired scheme is simply not viable on this site and that an alternative use or uses for the site should be found. An example could be a wholly residential development, which would help to meet local housing needs while addressing other site-specific challenges such as funding of upgrades to coastal flood protection as well as protecting valuable ecological and built heritage assets.

(Continue on a separate sheet if necessary)

Please note in your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

☐

No, I do not wish to participate in hearing session(s)

☒

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The matters addressed in our objection are of great importance to the RSPB and we are seriously concerned that, if draft Policy PLP3 were to proceed unmodified, it would establish a damaging precedent which we consider would constitute a weakening of the interpretation of the Habitats Regulations (in particular the 'derogation tests') across the whole of the UK. Therefore we would like the opportunity to further explain and clarify these concerns and our reasons for requesting that the draft policy be modified through the examination process.

(Continue on a separate sheet if necessary)

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Part B Personal Details:

1. Personal Details***2. Agent's Details (if applicable)**

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

Title	Mrs	
First Name	Carrie	
Last Name	Marchbank	
Job Title (where relevant)	Senior Casework Officer	
Organisation (where relevant)	The RSPB	
Address Line 1	The Lodge	
Line 2	Potton Road	
Line 3	Sandy	
Line 4	Bedfordshire	
Post Code	SG19 2DL	
Telephone Number		
E-mail Address (where relevant)		

Please note: anonymous or confidential representations cannot be accepted.

Do you wish to be informed:

When the Plan is submitted for independent examination? ☒ Yes ☐ No

When the examination recommendations are published? ☒ Yes ☐ No

When the Plan has been adopted? ☒ Yes ☐ No

Of other planning policy work by the City Council? ☒ Yes ☐ No

Part C: Diversity Monitoring

What is your sex?

Government	Percentage
Current government	85%
Previous government	15%

What is your age group?

1. [REDACTED]
 2. [REDACTED]
 3. [REDACTED]
 4. [REDACTED]
 5. [REDACTED]
 6. [REDACTED]

What is your ethnic group?

Ethnic Group	Prefer not to say (%)
Other	100
Chinese	45
Malay	42
Indian	40
Others	38
Chinese	35
Malay	32
Indian	30
Others	28
Chinese	25
Malay	22
Indian	20
Others	18
Chinese	15
Malay	12
Indian	10
Others	8

Do you consider yourself to have a disability, or a long-term illness, physical or mental health condition that reduce your ability to carry out day-to-day activities?

- [REDACTED]
- [REDACTED]
- [REDACTED]

If 'Yes' ask: **What type of disability, long-term illness, physical or mental health condition do you have?**

Government	Percentage
Current government	85%
Previous government	15%

Thank you for taking the time to respond.

Appendix 4: LPA Summary of Tipner West Regulatory Panel stakeholder responses (on habitat matters)

Pre-Submission Portsmouth Local Plan 2024

Regulation 19 - summary of habitats issues raised by members of the Tipner West Regulatory Panel in relation to draft Policy PLP3

#	Organisation	Summary of representation	LPA response
1	Natural England		
	1.1	Policy currently considered UNSOUND due to (a) the evidence base forming part of the HRA is insufficient to confirm that Derogation tests could be satisfied, notably in respect of compensation strategy; and (b) consequent inconsistency with the NPPF	The LPA disagrees that the HRA is deficient. As indicated at 8.136 of the HRA, the LPA was unable to include detailed information about potential compensation sites at the time the HRA was published, due to commercial confidentiality. Since then, the LPA has worked with the site promoter to make further information about those sites publicly available. As planned, the LPA is currently preparing a Supplement to the HRA to provide further detail on compensation. That further detail should address NE's concerns.
	1.2	Option A is likely to be less ecologically damaging than Option B.	Noted. Options A and B are promoter project options that are referred to in the HRA for illustration only. Policy PLP3 is the LPA's proposed policy for the Local Plan. It does not predetermine the location of built development on the allocation site and does not limit development to promoter project options A and B.

			Under criterion 2(g) of Policy PLP3, and through the project-level HRA required by criterion 6 of Policy PLP3, any applicant for planning permission for development that causes harm to the SPA/Ramsar habitat beyond the inevitable dredging will need to justify why less harmful alternatives have not been proposed (including, if Option B is advanced to a planning application, why – amongst other options – Option A is not a feasible alternative).
	1.3	The compensation metric (HRA 8.131) is a useful tool to inform the scale of requirement for compensatory habitat and NE will continue to work with PCC to refine this.	Noted. The HRA uses the compensation metric for this purpose at the Plan-level, combined with the qualitative judgement of the expert ecologist on ecosystem function. The LPA welcomes NE's commitment to work with PCC to refine the metric for use at the planning application stage (together with the qualitative judgement of expert ecologists) once the scale and nature of habitat loss can be more precisely defined.
	1.4	Insufficient certainty over the feasibility of the 400ha which relies upon assumptions and information to which NE are not party to.	This will be addressed in the Supplement to the HRA, which will include both public information and a confidential annex for review by NE and Secretary of State.
	1.5	Appropriate assessments cannot have lacunae and must contain complete, precise and definitive findings and conclusions capable of removing all reasonable scientific doubt.	This statement is inapt in relation to the HRA's consideration of compensation provision. Chapter 8 of the HRA (which addresses regs 107 & 109 Habitats Regs) is not a part of the "appropriate assessment" (which is required by reg 105).

			Nonetheless, the LPA accepts the that it needs to be satisfied to a high degree of confidence that sufficient suitable compensatory habitat is available and can be delivered as part of a planning application. More of the detail underpinning that confidence will be provided in the Supplement to the HRA. In addition, a proposed minor modification is to be made to Policy PLP3 by adding the following text to the end of criterion 6(a): <i>“As regards compensation, the LPA will expect any applicant for planning permission to engage in early consultations with the LPA and Natural England in the development of a compensation strategy, and will require the HRA to be accompanied by:</i> <i>(i) A scheme of compensatory measures to be implemented on a timescale that ensures the overall coherence of the national site network;</i> <i>(ii) A monitoring and adaptive management strategy which ensures the long-term effectiveness of the scheme of compensatory measures; and</i> <i>(iii) Evidence of sufficient funds to deliver, monitor, maintain and adapt the compensatory measures.”</i>

	1.6	It is therefore possible that the potential identified compensation land for the Tipner allocation may be already apportioned to another plan or project.	The LPA has conducted due diligence to identify potential conflicting claims on the identified compensation sites. It has met with the neighbouring LPAs of Gosport, Fareham, Havant and Chichester and discussed potential compensation and mitigation land with them. The purpose of this was to check that the land identified by the promoter team for Tipner has not already been apportioned, or is to be apportioned, to another plan or programme. A desk top exercise was also carried out of local and neighbourhood plans to check that the sites were not identified or allocated in any other plans both emerging and extant. It is not possible – at the plan-level – to guarantee that <u>all</u> of the potential compensatory habitat in these sites will be available at the time a planning application comes forward. However, the LPA has done reasonable due diligence at the plan-level to have a high degree of confidence that a compensation scheme providing <u>sufficient</u> suitable compensatory habitat will be capable of being delivered at the planning-application stage. This will be addressed in the Supplement to the HRA.
	1.7	As it currently stands, should a HRA derogation for this Local Plan be sought due to the inclusion of allocation PLP3, Natural England's advice is that, as a plan-making authority, your Council	The LPA disagrees with this conclusion but acknowledges that some of the information available to the LPA was not publicly

		does not have enough information to adequately demonstrate necessary compensatory measures have been, or can be secured.	available and was not made available to NE due to commercial confidentiality. This is now being addressed through the Supplement to the HRA.
2	Environment Agency		
	2.1	The draft Plan is not legally compliant , it is not Sound but complies with the Duty to Cooperate.	The LPA disagrees with this conclusion which is premised on the conclusions that follow, which are responded to below.
	2.2	There is not enough evidence or certainty regarding the availability and delivery of required mitigation/compensation sites. The HRA provides no certainty that the replacement habitat can be found and/or detail available as to the lead-in time for replacement habitat of sufficient quality and function before the loss occurs.	The LPA disagrees that the HRA is deficient. As indicated at 8.136 of the HRA, the LPA was unable to include detailed information about potential compensation sites at the time the HRA was published, due to commercial confidentiality. Since then, the LPA has worked with the site promoter to make further information about those sites publicly available. As planned, the LPA is currently preparing a Supplement to the HRA to provide further detail on compensation. That further detail should address the EA's concerns.
	2.3	The HRA fails to have regard to losses accounted for in the Shoreline Management Plan and the associated Habitat Compensation and Restoration Programme eg. resulting from increasing the size of flood defence, encroachment into the intertidal.	This is incorrect. Coastal squeeze arising from the "hold the line" approach in the SMP is addressed at 6.151-6.158 of the HRA. As noted there, the IROPI case for the loss of habitat arising from the implementation of the SMP has already been established

			and compensation provision arranged through the Regional Habitat Creation Plan (now the Solent and South Downs Habitat Compensation and Restoration Programme (HCRP)). Should the detailed design of flood defences exceed the footprint taken into account in the SMP, that will need to be addressed, through an appropriate HRA at the planning application stage.
	2.4	The HRA does not reflect concerns raised in Regulatory Panel meetings about the absence of detail on compensatory sites and as such the EA cannot support the level of confidence assigned in the HRA to the 400ha compensation site habitat available.	As indicated at 8.136 of the HRA, the LPA was unable to include detailed information about potential compensation sites at the time the HRA was published, due to commercial confidentiality. Since then, the LPA has worked with the site promoter to make further information about those sites publicly available. As planned, the LPA is now preparing a Supplement to the HRA which provides further detail on compensation. That further detail should address the EA's concerns.
3	Marine Management Organisation		
	3.1	No representation received. This has been followed up, but there has been no response from the MMO.	N/A
4	Historic England		

	4.1	No representation relevant to habitats issues. A Statement of Common Ground is being prepared with HE on non-habitat matters.	N/A
5	RSPB		
	5.1	Not legally compliant, Not sound and Not compliant with the Duty to Cooperate.	
	5.2	The type of development proposed does not justify damage to the integrity of the internationally important wildlife sites.	The Habitats Regulations permit adverse effects to the integrity of designated sites where the three derogations tests are met, namely: i) there are no alternative solutions; ii) there are IROPI; and iii) where compensatory habitat can be secured to ensure the overall coherence of the national site network. Neither the Habitats Regulations, nor the Habitats Directive from which they derive, define the “type of development” that can benefit from a derogation. Both recognise that IROPI may be of a social or economic nature. Chapter 8 of the HRA, together with Appendix 6 of the request to the Secretary of State for an opinion under reg 107(3) of the Habitats Regulations sets out the LPA’s case for why the derogations tests are met in this case.
	5.3	The RSPB has gone to great lengths to encourage the Council to select a design option that would not lead to adverse effects on the integrity of the designated sites, including sharing an illustrative 'nature positive' design option (HRA 8.72-73)	The LPA has welcomed RSPB’s constructive engagement in the development of Policy PLP3. RSPB’s position on its preferred ‘nature positive’ design option has been clear.

			Policy PLP3 does not determine any design option but leaves flexibility on design, scale, density, massing, and layout across the allocated site for the planning application stage. However, Policy PLP3 does embed a ‘nature positive’ presumption. Save for the dredging necessary to ensure deep water access to the marine employment hub, Policy PLP3 requires a proposed development to avoid any further loss of, or damage to, the SPA/Ramsar site unless it can be demonstrated that such further loss or damage is the minimum necessary to deliver a viable and feasible development. The reason that Policy PLP3 does not <u>rule out</u> development on, or reclamation of, parts of the SPA/Ramsar site is because the emerging evidence suggests that it may not be viable or feasible to deliver a policy-compliant development without causing some further loss of, or damage to, the SPA/Ramsar site. However, under criterion 2(g) of Policy PLP3, and through the project-level HRA required by criterion 6 of Policy PLP3, any applicant for planning permission for development that causes harm to the SPA/Ramsar habitat beyond the inevitable dredging will need to justify why less harmful alternatives are not viable or feasible and do not constitute “alternative solutions” for the purposes of the Habitats

			Regulations. That will require the applicant to address alternative designs, scale, density, massing, and layout across the allocated site.
	5.4	The RSPB/HIWWT illustrative vision was based on parameters of 1,250 homes and a proportion of marine employment development on Horsea Island East (circa 23,000sqm).	Options A and B are promoter project options that are referred to in the HRA for illustration only. Policy PLP3 is the LPA's proposed policy for the Local Plan. It does not predetermine the location of built development, including the marine hub, on the allocation site and does not limit development to promoter project options A and B. That said, the promoter team has shared the results of a viability assessment of RSPB's preferred option which demonstrated a much larger viability gap than options A and B (referred to in the HRA at 8.73).
	5.5	At the time of sharing the illustrative proposal, there was no information shared with the Regulatory Panel about the scale of land-take of the protected sites now predicted to be necessary for the marine hub and dredging, with the full 58,000sqm now being consolidated on TW landmass.	The need for dredging to ensure all tide access to the marine hub has always been anticipated, but the promoter previously shared a mistaken figure of 0.21ha rather than 2.1ha. That decimal point error has now been corrected and is factored into the HRA. The marine employment hub floorspace of 58,000sqm was first defined in the Southampton and Portsmouth City Deal (2013). Since the promoter team first shared the illustrative proposal, the

			proposed quantum of “<i>up to 58,000sqm</i>” has remained the same. The quantum for housing units and other uses on the site have fallen since the illustrative proposal was circulated. The key element dictating the footprint of the marine employment hub is not the level of employment floorspace (as much of the employment floorspace will be delivered in multistorey buildings). Instead, the key driver is the combination of uses required by a “hub” that meets the regional need identified through market research. The identified need requires a combination of: deep water access; a boat lifting facility of between 500 – 1000 ton; a working quayside, access routes, and other ancillary space; open yard storage of around 30,000sqm; sufficient number of boat sheds to hold vessels between 500 – 1000 ton; and a sufficient mix and quantity of employment floorspace (including workshops, offices, and ancillary spaces) to generate a “hub” or “cluster” effect. The HRA acknowledges the inevitability of dredging but predicts only that some land reclamation will “possibly” be necessary for the marine hub.
	5.6	It is greatly disappointing at the change in project parameters, ruling out the 'nature positive' option in favour of Options A or B, resulting in loss of 2.1-6.5ha of protected site habitat plus loss of, and harm to, functionally linked habitat.	As above, it is important to distinguish between PCC as LPA and PCC as promoter.

			Options A and B are promoter project options that are referred to in the HRA for illustration only. Policy PLP3 is the LPA's proposed policy for the Local Plan. It does not predetermine the location of built development on the allocation site and does not limit development to promoter project options A and B. Policy PLP3 does not predetermine any more than the 2.1ha of habitat loss for the dredging required to deliver deep water access to the marine hub. Under criterion 2(g) of Policy PLP3, and through the project-level HRA required by criterion 6 of Policy PLP3, any application for planning permission for development that causes further harm to the SPA/Ramsar habitat will need to justify why less harmful alternatives are not viable or feasible and do not constitute "alternative solutions" for the purposes of the Habitats Regulations. That will require the applicant to address alternative designs, scale, density, massing, and layout across the allocated site. The LPA maintains that Policy PLP3 is "nature positive": one of the key elements of Policy PLP3 is the delivery of sea defences and site decontamination (subsidised by City Deal funding, which is linked to the delivery of Policy PLP3) to

			protect the SPA/Ramsar site from the risk of contaminant leachate.
	5.7	We have serious doubts as to whether all less damaging options have been explored to adequately meet the HRA tests.	Noted. As set out above, alternative approaches to design, scale, density, massing, and layout across the two parts of the Site will need to be addressed at the planning application stage under criterion 2(g) of Policy PLP3 and in the project-level HRA required by criterion 6 of Policy PLP3.
	5.8	There remain questions as to the financial viability of the scheme in this location and that these can be overcome at all. This raises questions regarding the soundness of the Plan.	The Council is optimistic that Policy PLP3 can be delivered, but acknowledges that financial viability is challenging. Work is ongoing to narrow the currently predicted viability gap.
	5.9	<i>Potential adverse effects</i> We agree with the overarching conclusions of the Appropriate Assessment section of the HRA that adverse effects cannot be ruled out in respect of Policy PLP3, and that the 'derogation tests' (set out under regulations 107 & 109, The Habitats Regulations, with respect to land use plans) must therefore be satisfied if the draft Plan is to proceed to adoption.	Noted
	5.10	We do not consider that the HRA has adequately assessed the scale and precise nature of the potential impacts to the protected sites and their designated species/features. Therefore, we consider it does not follow Government guidance to "...use the best available objective and scientific information to make confident decisions..." (Defra, 2023: Habitat Regulations assessments: protecting a European site).	The LPA considers the appropriate assessment of impacts in the plan-level HRA to be robust. Nonetheless, the Supplement to the HRA will provide some further information on the ecosystem function of the habitat that may/will be lost.

5.11	The HRA presents a surprisingly superficial impact assessment which fails to quantify the identified or potential adverse effects to the integrity of the SPAs/Ramsar sites beyond a simple calculation of area of direct habitat loss. Critically, it fails to assess the functional role of the habitat that would be lost in a species and ecosystem context i.e. understanding how the SPA/Ramsar species utilise these areas and therefore their importance spatially and temporally (nor the importance of the functionally linked habitats as mentioned above and below).	The LPA considers the appropriate assessment of impacts in the plan-level HRA to be robust. Nonetheless, the Supplement to the HRA will provide some further information on the ecosystem function of the habitat that may/will be lost.
5.12	No consideration appears to have been given to the present condition of the site or the areas that would be lost.	The LPA considers the appropriate assessment of impacts in the plan-level HRA to be robust. Nonetheless, the Supplement to the HRA will provide some further information on the present condition of the site and the areas that may/will be lost.
5.13	The assessment also fails to consider the potential relationship of the lost habitats to species populations that form part of the adjacent SPA/Ramsar site populations (e.g. Chichester & Langstone Harbours SPA/Ramsar site to the east and the Solent & Southampton Water SPA/Ramsar site to the west), and therefore determine whether adverse effects may occur in respect additional sites beyond the Portsmouth Harbour SPA/Ramsar site	The LPA considers the appropriate assessment of impacts in the plan-level HRA to be robust. The birds of all the North Solent SPAs almost certainly do move to some extent between different SPAs within and between seasons, but the habitat directly affected is within the Portsmouth Harbour SPA and impacts its ability to function as part of the overall North Solent SPA network. The LPA's expert ecologist maintains that the limited loss of habitat in the Portsmouth Harbour SPA would not undermine the integrity of the other North Solent SPAs. Moreover, the lost habitat is to be compensated in a manner that preserves the overall

			coherence of the national site network (including the North Solent SPAs).
	5.14	The HRA assumes that it should be possible to fully mitigate all other impacts (with the possible exception of hydro-geomorphological impacts as a result of the reclamation of SPA/Ramsar site habitats linked to the marine employment development (HRA para 6.170) and impacts of tall buildings/structure on bird flight/sight-lines) at the application stage (HRA paras 6.138-6.151). We are less confident that this will prove to be the case, but accept that detailed application-level assessment will be required to fully quantify the residual effects (following mitigation) from these additional impact pathways.	As acknowledged, these will be matters to be addressed in a project-level HRA.
	5.15	The HRA's approach to the loss of SPA functionally linked land (i.e. Solent Wader and Brent Goose Sites) within or adjacent to the Tipner West allocation site is inadequate to rule out further adverse effects at the plan stage and no mitigation details are provided as such details are advised to be 'commercially confidential'.	Impacts on functionally-linked land due to Tipner West and Horsea Island East are addressed in the HRA, particularly in paragraphs 6.28 to 6.34. Paragraph 6.30 concludes that <i>'By the nature of the policy wording [of Policy PLP3], the development proposal could therefore not result in the loss of functionally linked habitat, either because the development would be planned out in such a way as to preserve these areas, or because they would deliver adequate offsetting for any loss in line with the Solent Wader and Brent Goose Strategy'</i>. Paragraphs 6.32-6.34 of the HRA discuss the potential for the promoters to find sufficient land for this mitigation from within the pool of sites they have identified for <u>compensation</u> for direct loss of terrestrial habitat.

			As discussed above, the LPA is currently preparing a Supplement to the HRA to provide further detail on the pool of potential compensation sites.
	5.16	Loss or damage to the 'Core Areas' of functionally linked land must be considered in the same way as direct damage to the SPAs/Ramsar sites themselves, and therefore must be considered as part of the derogation case. Despite this, we can find no assessment of the likely impacts to Core Area P75 from the Tipner West allocation, only passing reference to it	Policy PLP3 does not cause the loss of, or harm to, any Core Areas – including Core Area P75. However, the supporting text to the policy recognises that Core Area 75 is adjacent to the site and any impacts on that Core Area will need to be considered in the project level HRA.
	5.17	<i>Derogation tests</i> Without a proper account of the full nature and extent of adverse effects, we do not consider that the derogation case can be practically or lawfully considered.	The LPA considers the appropriate assessment at the Plan-level to be robust.
	5.18	While we accept that some finer detail may not be available at the plan stage, the wording of the derogation tests for local plans (Regulations 107 & 109) do not differ from that of the general derogation tests of other plans and projects (Regulations 64 & 68), therefore it is clear that each of the three tests must be satisfied in full, based on the best available information	The LPA agrees that the relevant wording in regs 107 and 109 is materially the same as the relevant wording in regs 64 and 68. However, what is required to satisfy the regulations is context specific and is likely to differ at the Plan-level as compared to the project-level. There is ample precedent for this and it is not understood to be seriously disputed.
	5.19	<i>Alternative Solutions</i>	The first derogation test requires the LPA to consider whether there are alternative solutions to the policy that are likely to have

	The HRA takes a disaggregated approach to the alternative solutions test, by considering the alternatives to individual elements of the current preferred design options for the Tipner West regeneration scheme. While some breakdown of the key elements of the draft allocation is (or could be – see our further comments below) helpful for the purpose of the alternative solutions assessment, many of the individual elements currently assessed for their alternatives would not logically come forward in isolation (HRA para 8.14), nor would they individually meet the same specified overarching need. We also note that some of the elements subject to alternative solutions assessment (e.g. site decontamination) would not on their own lead to adverse effects on the protected sites, therefore the value of including them is unclear.	less of an adverse impact on a protected site. A solution is only an alternative solution if it meets the overall objective of the policy, is financially, legally and technically feasible, and is less damaging to the protected site. The HRA identifies key elements of the overall objective of policy PLP3 (sea defences, site decontamination, the marine hub, bridge, housing as enabling development) and considers if there are alternative solutions to each element individually. The HRA acknowledges that an individual assessment is somewhat theoretical because the package is likely to be financially viable only if delivered as a whole. However, the individual assessment allows for a structured consideration of alternatives that demonstrates the absence of alternative solutions to the individual elements of policy PLP3, and to the collective package. While it is true that, for example, site decontamination would not, alone, lead to adverse effects on protected habitats, the alternatives assessment demonstrates that the only source of funding available to pay for this work is the cross subsidy to come from the delivery of Policy PLP3 together with the City Deal funding which is tied to the delivery of Policy PLP3 as a whole. That

			is, delivery of Policy PLP3 is currently needed to ensure necessary decontamination work on land which currently “ <i>represents an extreme risk to the integrity of the designated sites within Portsmouth Harbour in the event of a failure of the existing defences.</i> ” Portsea Island Coastal Strategy Study (2011) at 2.2.9.
	5.20	The marine hub is highlighted in the HRA (8.9) as the main cause of the financial deficit common (to a lesser or greater degree) to all of the options considered to-date by the Council for delivering the project objectives at Tipner West. This is because the marine hub severely limits the available area of the site available for higher value development, such as residential. Therefore, it seems highly important that significant scrutiny should be placed on the marine employment hub in the alternative solutions assessment as this appears to be the main cause of the resulting damage to the protected sites	The marine hub is a critical driver for Policy PLP3. It is a key element of the City Deal and meets a clearly identified need in the Solent. The LPA has prepared a summary of pre-existing and updated evidence in support of the marine employment hub IROPI case. That document is included as Appendix 6 of the September 2024 reg 107(3) request to the Secretary of State (and will also be included as an annex to the Supplement to the HRA). The key element dictating the footprint of the marine employment hub is not the level of employment floorspace (as much of the employment floorspace will be delivered in multistorey buildings). Instead, the key driver is the combination of uses required by a “hub” that meets the regional need identified through market research. The identified need requires a combination of: deep water access; a boat lifting facility of between 500 – 1000 ton; a working quayside, access routes, staff parking, and

			other ancillary space; open yard storage of around 30,000sqm; sufficient number of boat sheds to hold vessels between 500 – 1000 ton; and a sufficient mix and quantity of employment floorspace (including workshops, offices, and ancillary spaces) to generate a “hub” or “cluster” effect. In the alternative sites assessment, it was assumed that this mix and scale of development would require a site footprint of around 9ha. Policy PLP3 does not predetermine the siting or layout of the marine employment hub on the allocation site. Although the HRA assumes that the northern tip of Tipner West will be the site of deep water access, Policy PLP3 does not determine whether the hub should be split across Tipner West and Horsea Island East or located solely on Tipner West.
	5.21	NB It is interesting to note that the marine hub has previously been estimated by the Council to further increase housing need in Portsmouth City by around 1,000 homes due to the need for the relocation of marine industry skilled workers from elsewhere in the country, thereby itself adding to wider housing pressures in the City; although we can find no recent mention of this important point in the HRA or other background documents to the draft Plan	The relationship between job creation and the need for housing is complex. A key tenet of the super peninsula concept was that many of the workers at the marine hub would live in the new housing provided. This self-containment ethos is less relevant to Policy PLP3. It is relevant to look at PCC’s Housing and Economic Land Development Assessment (HEDNA), which is the primary evidence relied on by the LPA on housing and employment need supporting the Local

			Plan. Overall the Local Plan is planning for 7,000 new jobs up to 2040 in line with the Economic Development & Regeneration Strategy. Many of these new jobs will be at Tipner's marine hub. The Local Plan sets a housing target of 13,603 new homes up to 2040, which equates to 680 homes per year. Although it does not meet housing need in full as defined by the Standard Methodology, it does meet the housing need set against the job growth scenarios of 431 to 634 dwellings per annum. This shows that the need for housing generated by the people working at the new marine hub can be met in Portsmouth, including through housing delivery pursuant to Policy PLP3.
	5.22	Many of the alternative Solent sites compared unfavourably to Tipner West when assessed against the original 9ha area allocated to deliver the desired 58,000sqm employment development (see summary in HRA Table 5, p108), but that area now appears to have reduced to just 4.9ha, which could bring a number of less damaging sites back into the running as less damaging alternative solutions	The total footprint of the marine employment hub is not defined in Policy PLP3, save that the quantum of floorspace required is "up to 58,000sqm". The alternative sites assessment proceeded on the basis that a marine employment hub would require around 9ha of land to accommodate the necessary mix and scale of uses. The promoter's current project options A and B suggest the marine employment hub can be accommodated on a total site area of 7.5ha. The promoter has been able to shrink the anticipated footprint of the marine employment hub from 9ha to 7.5ha

			primarily due to the availability of off-site parking at Tipner West. Having regard to Table 5 at p.108 of the HRA, the reduction of the low-end of the target site area to 7.5ha would not have brought any other sites “back into the running”, as claimed. And, in any case, off-site parking is not available in some alternative sites reviewed. RSPB is wrong to say that the area of the marine employment hub in the promoter’s project options A and B is only 4.9ha. Instead, the marine employment hub in those options includes: - A “developed footprint” of 4.94ha (including all built development and allocated open yard storage); and - A “total footprint” of 7.5ha (including the developed footprint plus the working quayside, general access routes, other infrastructure, landscaping, sea defences, and any unusable areas of site)
	5.23	The new information indicating that the creation of deep-water full-tide access to the marine hub at Tipner West will result in 2.1ha of intertidal loss due to dredging should also now be factored into the comparison of the deep-water access at the other sites previously ruled out.	In the alternatives assessment carried out by the promoter, the allocation site was scored as having deep water access because it was considered capable of providing deep water access with limited dredging.

			Having regard to Table 5 at p.108, the sites that were identified as <u>not</u> having full tide access were: Vestas, Fawley Waterside, Daedalus; and Kingston Marine Park. Deep water (all tide) access at Vestas was ruled out because deep water was 1.25 miles away and it was not considered viable to invest in dredging which would be a “major undertaking”. Deep water (all tide) access at Fawley Waterside was ruled out because access was restricted to high tide by the planning permission. Deep water (all tide) access to Daedalus was ruled out because the only access to the water was across a main road. Deep water (all tide) access to Kingston Marine Park was ruled out because it was not considered sustainable to undertake a capital dredge to provide full tidal access. There is no basis for suggesting that any of those alternative sites should have been scored as having deep water access.
	5.24	The Council's alternative solutions assessment fails to thoroughly consider a number of additional issues that could also represent less damaging solutions, if not entirely remove adverse effects. <u>These include:</u> 1. Alternative means of delivering the project objective e.g. modifications to existing marine employment sites in the region	The LPA addresses each bullet point in turn: 1. The alternatives assessment did consider and discount a number of existing marine employment sites. Moreover, the case underpinning the delivery of a marine

		2. Alternative design options for the marine hub (such as a suspended wharf extension) and bridge (such as a single-span design) that would avoid or reduce direct loss of SPA/Ramsar habitats 3. Alternatives to providing full tide deep water access (i.e. consideration of less damaging dredging regimes) 4. Alternative options for enabling development or other funding streams to support the delivery of the marine hub or other project elements (e.g. getting a delivery partner onboard to support financing the marine hub; or alternatives land uses for the now redundant Horsea Island site, such as delivery of Biodiversity Net Gain for other local developments) 5. Delivery of the proposals across more than one site (e.g. delivery of parts of the marine employment at an alternative site/s or delivering the enabling housing on an alternative site/s within or outside the local authority, which does not appear to have been thoroughly assessed)	employment hub in the Solent is based on the demonstrated need for a <u>new</u> marine employment hub, <u>more</u> marine employment floorspace, and the maximisation of the very limited available waterfront sites. 2. Save for the dredging necessary to ensure deep water access to the marine hub, Policy PLP3 requires an applicant for planning permission to avoid any further loss of, or damage to, SPA/Ramsar habitat unless it can be demonstrated that such further loss or damage is the minimum necessary to deliver a viable and feasible development. If, at the planning application stage, the applicant proposes a marine hub that reclaims land from SPA/Ramsar habitat and/or proposes a bridge that has an adverse effect on the SPA/Ramsar habitat, it will be required to demonstrate why the alternatives proposed by RSPB (amongst others) are not viable or feasible. 3. Deep water access is a critical element of the overall objective of the policy. Tidally restricted access would severely limit the marine employment opportunities and would not deliver on the overall objective.

			4. The HRA considers alternative options for enabling development at 8.56-8.65. The promoter is exploring funding from Homes England and further public subsidy to support delivery of the development. Any private sector deliver partner will only support a financially viable development. The use of Horsea Island East is not predetermined by Policy PLP3, and it remains open for a developer to propose built development, compensatory habitat, or a BNG project for that site. 5. The HRA considered disaggregating the marine hub components at 8.45-8.48 and concluded that it would frustrate the growth needs of the UK's marine sector. The HRA also considered delivering the enabling housing on an alternative site at 8.62-8.65 and concluded it was not a feasible alternative solution.
	5.24	It is important that all less damaging options are considered regardless of their potential increased economic costs. Therefore, alternative design options that may have previously been ruled out on economic grounds should be included in the presentation of alternative solutions.	The first derogation test requires the LPA to consider whether there are alternative solutions to the policy that are likely to have less of an adverse impact on a protected site. A solution is only an alternative solution if it meets the overall objective of the policy

			and is, amongst other things, financially feasible. The LPA is not required to set out an exhaustive list of financially unfeasible alternative options. Moreover, Policy PLP3 does not determine the design, scale, density, massing, and layout of the development. Those are matters that may need to be addressed at the planning application stage under criterion 2(g) of Policy PLP3 and in the project-level HRA required by criterion 6 of Policy PLP3. At that stage, alternative design options will need to be considered.
	5.25	The alternative solutions assessment must take both a broader and deeper look at the full range of options for delivery of the overarching project objectives	The LPA considers the alternative solutions assessment to be acceptable at the Plan level.
	5.26	<i>IROPI</i> While we appreciate that flood risk and contamination leachate risk are compelling drivers for the Council in support of regeneration of the Tipner West site (although we would question the scale and imminency of each of the risks, and strongly disagree that upgraded coastal defences are necessary to prevent loss of the protected areas from erosion (HRA para 8.80)), there are plainly other land-use options (such as a wholly residential development or other form of mixed use development) that would equally address these needs and avoid adverse effects on the protected sites. Indeed, these needs (flood risk and contamination risk) are not uncommon to other brownfield sites fringing the Solent SPAs/Ramsar sites, where options have been secured or are proposed to address them that do not entail adverse effects to	The LPA welcomes RSPB's acknowledgment that the management of flood risk and contaminant leachate risk is a "compelling driver" in support of the regeneration of the Tipner West site. In 2011, the Portsea Island Coastal Strategy estimated that defences on Horsea Island East may fail within 5-10 years, and within 10-15 years on Tipner West. It recommended that works be carried out as a priority, noting that contaminant leachate posed "<i>an extreme risk to the integrity of the designated sites within Portsmouth Harbour in the event of a failure of the</i>

		the protected sites. As such, we consider these aspects could and should be ruled out at the alternative solutions assessment stage	<i>existing defences.</i>” Portsea Island Coastal Strategy Study (2011) at 2.2.9. Contrary to RSPB’s assertion, it is not clear that flood defences and site decontamination could be wholly cross-subsidised through alternative land-use options. Financial viability on this site is challenging. Withdrawing the City Deal funding which is tied to the delivery of a marine employment hub would make it even more challenging. Moreover, an alternative land use would not deliver on the overall objective of Policy PLP3. The LPA maintains that the only clear source of funding for flood defence improvements and site decontamination is through cross-subsidy from the delivery of Policy PLP3 together with the benefit of City Deal funding.
	5.27	We would strongly argue that the third issue – creation of a marine hub for the Solent – is the only matter that is relevant to the IROPI assessment. The other two issues are merely secondary benefits to any large-scale regeneration scheme at Tipner West, for which less damaging alternatives exist. This is consistent with the supporting text for draft Policy PLP3 which twice states that “the principal driver behind this allocation is the creation of a new marine hub” (HRA paras 4.16 & 4.20).	For the reasons above, the LPA disagrees with this contention. The need to deliver flood defences and site decontamination are site specific elements of IROPI in this case. However, the LPA also maintains that the need to deliver a marine hub in the Solent is an additional and self-standing imperative reason of public interest capable of overriding the likely harm to the integrity of the SPA/Ramsar site.

5.28	The evidence base used to support the case for the marine hub may no longer be valid, particularly following widespread economic and societal changes as a result of the global Covid pandemic and the UK's departure from the European Union. We consider it essential that the Council provides an updated analysis of the need for the form of marine employment hub identified as required to meet the project objectives (and, following which, a reassessment of the possible alternative locations in the region that can meet those objectives).	There is extensive evidence demonstrating the need for a marine employment hub in the Solent. The LPA has prepared a summary of pre-existing and updated evidence in support of the marine employment hub IROPI case. That document is included as Appendix 6 of the September 2024 reg 107(3) request to the Secretary of State (and will also be included as an annex to the Supplement to the HRA).
5.29	Difficult to discern an imperative or overriding public need that the marine hub would fulfil, or indeed the exceptional problem that the marine hub would solve. Instead, the marine hub is frequently referred to as an "opportunity" (HRA paras 8.37 & 8.93; draft Plan para 4.7),	The need to provide a marine employment hub in the Solent of sufficient scale to enhance and expand the marine business cluster is well established. The social and economic benefits that the marine employment hub will deliver constitute IROPI. The case for IROPI is set out in the HRA at paragraphs 8.92 – 8.114. The LPA has also prepared a summary of pre-existing and updated evidence in support of the marine employment hub IROPI case. That document is included as Appendix 6 of the September 2024 reg 107(3) request to the Secretary of State (and will also be included as an annex to the Supplement to the HRA).
5.30	While we accept that the development may lead to modest job creation, other claimed benefits such as meeting local housing need (HRA para 8.37), protecting local properties from coastal flooding and even protecting the SPA/Ramsar sites from flooding and contamination are either unsupported (such as meeting local	The LPA disagrees that 1900 FTE jobs is "modest" job creation. As above, there is no clear source of alternative funding to protect the

		housing need, which we understand would actually be increased by the marine hub) or are not uniquely dependent on the delivery of the marine hub.	SPA/Ramsar sites from flooding and contamination. The City Deal funding which supports the delivery of necessary infrastructure on site (including improved flood defences and site decontamination) is linked to the delivery of Policy PLP3. It is correct that the proposed development sites in the Local Plan (included Policy PLP3) will not meet Portsmouth's housing need in full. However, the new homes at Tipner West will contribute to meeting the City's housing need while also supporting economic growth.
	5.31	The failure to properly assess the functional role of the habitat that would be lost in a species and ecosystem context (as well as the full range of potential adverse effects as yet without clear mitigation identified) has resulted in the deeply flawed approach to the weighing up of the perceived public interests of the Tipner West proposals against the percentage area of loss of the overall Portsmouth Harbour SPA and Ramsar site (HRA paras 8.123-8.128 – The Overriding Balance).	The LPA considers the appropriate assessment at the Plan-level to be robust. Nonetheless, the Supplement to the HRA will provide further information on the ecosystem function of the habitat that may/will be lost.
	5.32	<i>Compensation</i> Whilst the total figure of potentially available habitat (c400ha – HRA para 8.135) sounds impressive, without any further information concerning at least broad locations, individual site size, potential ecological functionality, current status and condition, cost etc., it is difficult to see how it can be concluded that acceptable compensatory measures can be secured in respect of draft Policy PLP3. Such sites may even not be available now or in the near future unless secured early enough.	As indicated at 8.136 of the HRA, the LPA was unable to include detailed information about potential compensation sites at the time the HRA was published, due to commercial confidentiality. Since then, the LPA has worked with the site promoter to make further information about those sites publicly available.

			As planned, the LPA is now preparing a Supplement to the HRA which should address this concern.
	5.33	The promoter team do not appear to have undertaken (or at least have not shared) any detailed assessment of the ecological function of the habitat that is predicted to be lost, nor of the potential additional effects of the loss of or damage to SPA functionally linked land (i.e. Solent Wader and Brent Goose sites) that could arise from the Tipner West policy. Therefore the basic objectives, target features, ecological processes and functions to be compensated remain unclear	The LPA considers the appropriate assessment of impacts in the plan-level HRA to be robust. Nonetheless, the Supplement to the HRA will provide some further information on the ecosystem function of the habitat that may/will be lost.
	5.34	We have serious concerns about the suitability of using the SPA compensation metric used by Portsmouth City Council to calculate the necessary compensation (highlighted in HRA para 8.138). We have advised the Council that the metric itself is seriously flawed (mathematically and ecologically) and therefore cannot in our view be relied on to determine the necessary type and area of compensation required. We were given repeated assurances from the Council that it would only be used for the purposes of options appraisal alongside professional ecological judgement, yet it nevertheless appears to continue to be relied upon as the primary means of calculating compensation requirements in the HRA	The HRA does not rely on the SPA metric to “determine” the necessary type and area of compensation required. It is used as a tool to help inform the scale of the requirement for compensatory habitats. Natural England has endorsed its use for this purpose. The LPA has now prepared a Supplement to the HRA which provides further detail on the SPA metric and how it has been used alongside professional judgment to inform the assessment of what compensatory habitat may be required.
	5.35	There are further errors we have previously highlighted to the Council in terms of the information and assumptions that have been fed into the metric that also appear to have been repeated here, such as assigning all SPA habitats to ‘good’ condition, which does not reflect the ecological reality on the ground	The SPA metric assumes that improvement for existing habitat to reach 'good' category would be undertaken in line with the statutory obligations of relevant public authorities. That approach is precautionary and ensures that, in this case, compensation is calculated for the loss of SPA habitat on the assumption it is serving its optimum ecological function, even

			where (as in the case of land south of the firing range) that is not the current reality on the ground.
	5.36	We strongly disagree with the Council's view that further details of the compensation can be deferred to be considered as part of the future planning application	The Supplement to the HRA will provide further detail on suitable and available compensation sites and should address this concern. The LPA rejects the contention (if it is made) that – to comply with regulation 109 of the Habitats Regulations – such sites need to be secured by way of option agreement or allocation in the Plan. It is sufficient to comply with regulation 109 for the LPA to be satisfied – to a high degree of confidence – that a suitable compensation scheme can be delivered at the planning application stage.
	5.37	<i>Conclusion</i> The Portsmouth Pre-Submission Draft Plan is not legally compliant because the Habitats Regulations have not been correctly applied in respect of the following: 1. Insufficient assessment to identify the scale and precise nature of the adverse effects of draft Policy PLP3 on the integrity of the SPAs/Ramsar sites (i.e. Regulation 105(1)) against which to assess the further derogation tests; and 2. Flaws, gaps and errors in the derogation case (i.e. Regulations 107(1) & 109), namely: i. Alternative solutions – inadequate and outdated assessment of potentially less damaging alternatives to deliver the public interest the allocation seeks to provide,	The LPA disagrees with this conclusion. The LPA considers the Local Plan is legally compliant.

		ii. IROPI – insufficient up-to-date evidence to demonstrate an imperative or over-riding public need for the development, iii. Compensation – insufficient evidence to demonstrate that suitable compensatory habitat can be secured/delivered.	
	5.38	Furthermore, the draft Plan is in our view unsound under the National Planning Policy Framework because it is not ‘justified’ or likely to be ‘effective’.	The LPA disagrees with this conclusion. The LPA considers the Local Plan is sound.
	5.39	<i>Proposed Modifications</i> Policy PLP3 would need to be modified in one or more of the following ways: 1. Reduce the housing range to levels that can be accommodated within the allocation site without encroachment onto the SPA/Ramsar sites 2. Increase housing densities to allow delivery of optimum dwellings while avoiding encroachment onto the SPA/Ramsar sites 3. Reduce the area of the marine employment development to allow regeneration of the site without encroachment onto the SPA/Ramsar sites 4. Relocate part of the housing and/or marine employment development to Horsea Island East to avoid/reduce encroachment onto the SPA/Ramsar sites (as per the original City Deal proposals) 5. Remove all references from the policy which suggest the acceptability of direct loss or damage to SPA/Ramsar habitats e.g. 2(g)	None of the proposed modifications are required to make the Local Plan legally compliant or sound. As for bullets 1 and 5, the LPA does not – on the evidence available at the plan-making stage – consider it inevitable that delivery of Policy PLP3 will require encroachment onto the SPA/Ramsar sites, save for the dredging necessary to deliver deep water access. To the extent further harm is possible or probable, the LPA considers that the Policy meets the derogation test under regulations 107 and 109 of the Habitats Regulation. As for bullets 2 – 4, these each propose modifications that are not relevant to Policy PLP3. 2. As to bullet 2, Policy PLP3 does not set a requirement for housing density, though an applicant for planning permission would be expected to deliver housing density in line with Policy PLP21. Tipner is identified on the Policies Map in the

			Local Plan at figure 6.1 as a high density zone with a minimum density of 120 dph. 3. As to bullet 3, Policy PLP3 does not prescribe an area for marine employment which (as above) is driven not by the employment floorspace quantum but by the mix and scale of uses necessary to deliver a “hub” of sufficient scale to to enhance and expand the marine business cluster. 4. As to bullet 4, Policy PLP3 does not predetermine the location of built development on the allocation site and does not limit development to promoter project options A and B.
	5.40	Given that there already exists a substantial funding deficit in the current preferred options, we do not consider that this should be a reason not to modify the policy in order to deliver a scheme that is within the environmental limits of the allocation site and in full compliance with the Habitats Regulations.	The Habitats Regulations permit adverse effects on the integrity of designated sites where the three derogations tests are met, namely: i) there are no alternative solutions; ii) there is IROPI; and iii) compensatory habitat can be secured to ensure the overall coherence of the national site network. Accordingly, the LPA considers that Policy PLP3 is in full compliance with the Habitats Regulations. Policy PLP3 will deliver very substantial public benefits, including: improved flood defences; site decontamination; improved public transport and connectivity; 1900 FTE jobs, the much needed enhancement and expansion of the marine business cluster in the Solent; and between 814 and 1250

			dwellings in a region that has unmet housing need. However, the financial viability of delivering Policy PLP3 is challenging, not least because of the requirement to deliver substantial and costly infrastructure (flood defences, bridge) and site decontamination. City Deal funding will contribute to meeting those costs and further public subsidy is expected from Homes England. Nonetheless, at present, a viability gap remains. The Council is confident the viability gap can be narrowed and is exploring options to do so. The LPA's approach in drafting Policy PLP3 is to embed a 'nature positive' presumption. Save for the dredging necessary to ensure deep water access to the marine employment hub, Policy PLP3 requires a proposed development to avoid any further loss of, or damage to, the SPA/Ramsar site unless it can be demonstrated that such further loss or damage is the minimum necessary to deliver a viable and feasible development. The reason that Policy PLP3 does not <u>rule out</u> development on, or reclamation of, parts of the SPA/Ramsar site is because of the current evidence on viability. In the final assessment, if the option is further (fully compensated and limited) harm to the SPA/Ramsar site or no

			development at all, the LPA considers that the imperative reasons of public interest identified in the HRA override the limited harm to the SPA/Ramsar site, so it is willing to countenance that further harm, if that is what is required to deliver the substantial public benefits of the Policy.
	5.41	If the scheme is of sufficient importance, it follows that it should be possible for the Council to identify additional funding sources. If this is not possible then this strongly suggests that the desired scheme is simply not viable on this site and that an alternative use or uses for the site should be found. An example could be a wholly residential development,	This is a non-sequitur. It does not follow that because a policy is of sufficient importance, there is always public money available to deliver it. The Council is confident the current viability gap can be narrowed and is exploring options to do so.
6	HIWWT		
	6.1	We strongly object to the current content of Strategic Site Allocation Policy PLP3: Tipner West & Horsea Island East,	Noted
	6.2	The new plans for the site still involve substantial loss of protected land. The draft allocation for Tipner West, as set out in the Pre-Submission draft plan, would lead to the direct and permanent loss of between 2.1 and 6.5 hectares of the protected sites, including Portsmouth Harbour SPA and Ramsar site. This is in addition to the indirect effects and loss of functionally linked habitat, including essential feeding and roosting areas for the protected populations of wintering waterbirds such as Brent Geese and Black-tailed Godwits.	Noted.
	6.3	This proposal risks establishing a gravely damaging precedent for delivering local development needs at the expense of nationally and internationally important wildlife assets across the UK.	There is ample precedent for the use of derogations in the UK context: see the derogations relied on in a series of National Policy Statements, and for the delivery of a wide range of projects including windfarms, ports, airports, shoreline management plans etc.

			While this would be the first time a derogation has been relied on for the adoption of a Local Plan, that is explicitly contemplated as a possibility in regulations 107 and 109 of the Habitats Regulations. To allow reliance on a derogation when those tests are met is to comply with the law rather than (as implied) unacceptably to cross a rubicon.
	6.4	We are, however, disappointed that the Council changed the project parameters (most notably the decision to consolidate the entire development onto the Tipner West site) and ruled out this ‘nature positive’ option on financial and operational viability grounds (HRA para 8.73)	It is important to distinguish between PCC as LPA and PCC as promoter. Options A and B are promoter project options that are referred to in the HRA for illustration only. Policy PLP3 is the LPA’s proposed policy for the Local Plan. It does not predetermine the location of built development across the allocation site and does not limit development to promoter project options A and B. However, Policy PLP3 does embed a ‘nature positive’ presumption. Save for the dredging necessary to ensure deep water access to the marine employment hub, Policy PLP3 requires a proposed development to avoid any further loss of, or damage to, the SPA/Ramsar site unless it can be demonstrated that such further loss or damage is the minimum necessary to deliver a viable and feasible development.

			The reason that Policy PLP3 does not <u>rule out</u> development on, or reclamation of, parts of the SPA/Ramsar site is because the emerging evidence suggests that it may not be viable or feasible to deliver a policy-compliant development without causing some further loss of, or damage to, the SPA/Ramsar site. However, under criterion 2(g) of Policy PLP3, and through the project-level HRA required by criterion 6 of Policy PLP3, any applicant for planning permission for development that causes harm to the SPA/Ramsar habitat beyond the inevitable dredging will need to justify why less harmful alternatives are not viable or feasible and do not constitute “alternative solutions” for the purposes of the Habitats Regulations. That will require the applicant to address alternative designs, scale, density, massing, and layout across the allocated site.
	6.5	We believe the Council's justification (as legally required for this scale of harm) that there are no less damaging alternatives and ‘imperative reasons of overriding public interest’ is flawed, and risks rendering the Local Plan both unsound and non-compliant with legal protections. Furthermore, the Council’s proposals for Tipner West clearly conflict with the legal goals set out in the Environment Act, whose targets and enhanced duties require public bodies to further biodiversity protection and recovery. The proposed development would result in significant habitat loss and degrade vital ecosystems that support both wildlife and climate resilience.	The LPA disagrees with these conclusions and considers the Local Plan to be sound and legally compliant. The Council had regard to, and complied with, its duties under the Environment Act when developing the Local Plan as a whole. The LPA has met the derogations tests under regulation 107 and 109 of the Habitats Regulations which are not varied

			or trumped by any provision of the Environment Act.
	6.6	We agree with the assessment that both remaining development options for Tipner West would have a negative impact on the integrity of the SPA/Ramsar sites, simply due to the magnitude of the anticipated immediate loss of the protected areas. We agree, therefore, with the general conclusion of the HRA's Appropriate Assessment section that, regarding Policy PLP3, adverse effects cannot be completely eliminated and that, in order for the draft Plan to move forward with adoption, the "derogation tests" (outlined in regulations 107 & 109 regarding land use plans) must be passed.	Noted
	6.7	We do not believe that the Appropriate Assessment has sufficiently evaluated the scope and specific character of the derogation tests	The LPA considers the appropriate assessment of impacts in the plan-level HRA to be robust.
	6.8	The Appropriate Assessment only provides a cursory impact assessment that does not go beyond calculating the area of habitat loss to determine the extent of the damage. The failure to evaluate the functional significance of the habitat - that would be lost in the context of species and ecosystems - is particularly problematic, as it obscures the importance of these places both temporally and spatially to Ramsar and SPA species. Additionally, it disregards the possibility that species populations of nearby SPA/Ramsar site populations may be connected to the impacted areas,	The LPA considers the appropriate assessment of impacts in the plan-level HRA to be robust. Nonetheless, in response to regulation 19 consultation responses, a Supplement to the HRA will provide some further information on the ecosystem function of the habitat that may/will be lost.
	6.9	<i>Derogation Tests</i> While we recognize that some details may be lacking at the plan stage, the wording of the derogation tests for local plans (Regulations 107 & 109) is consistent with those for other plans and projects (Regulations 64 & 68). Thus, each of the three tests must be fully satisfied based on the best available information	The LPA agrees that the relevant wording in regs 107 and 109 is materially the same as the relevant wording in regs 64 and 68. However, what is required to satisfy the regulations is context specific and is likely to differ at the Plan-level as compared to the project-level.

			There is ample precedent for this and it is not understood to be seriously disputed.
	6.10	<i>Alternative Solutions</i> The HRA assessed the individual elements of the Tipner West regeneration scheme. Whilst subdividing can aid the alternatives assessment, this method is counterproductive for identifying broader alternative solutions for the overall project objective. By not considering the scheme holistically, we believe the Council's alternatives test overlooks key less damaging solutions, such as: 1. Alternative sites for the project, potentially across multiple locations. 2. Modifications to existing marine employment sites in the region. 3. Design options for Tipner West that minimize habitat loss but were dismissed on viability grounds. 4. Alternative funding or development options to support the marine hub or other project elements.	The first derogation test requires the LPA to consider whether there are alternative solutions to the policy that is likely to have less of an adverse impact on a protected site. A solution is only an alternative solution if it meets the overall objective of the policy, is financially, legally and technically feasible, and is less damaging to the protected site. The HRA identifies key elements of the overall objective of policy PLP3 (sea defences, site decontamination, the marine hub, bridge, housing as enabling development) and considers if there are alternative solutions to each element individually. The HRA acknowledges that an individual assessment is somewhat theoretical because the package is likely to be financially viable only if delivered as a whole. However, the individual assessment allows for a structured consideration of alternatives that demonstrates the absence of alternative solutions to the individual elements of policy PLP3, and to the collective package. Addressing each of the bullets in turn: 1. The primary driver of the location for the development as a whole is the

			marine employment hub. It is clear there are no feasible alternative sites for the marine employment hub and therefore the project package as a whole. The HRA considered disaggregating components of the marine hub and concluded that that would fail to deliver on the project objective. It also considered disaggregating the housing element from the package and concluded that would exacerbate the existing financial viability gap. 2. The alternatives assessment did consider and discount a number of existing marine employment sites. Moreover, the case underpinning the delivery of a marine employment hub in the Solent is based on the demonstrated need for a <u>new</u> marine employment hub, <u>more</u> marine employment floorspace, and the <u>maximisation</u> of the very limited available waterfront sites 3. Policy PLP3 does not determine or dismiss any design option but leaves flexibility on design, scale, density, massing, and layout across the allocated site for the planning application stage. 4. The HRA addresses the funding provided for delivery of the Policy through the City Deal and probable funding to be provided from Homes England. It notes that there is no clear alternative funding source for flood

			defences and site decontamination. It is not clear what alternative funding or development options HIWWT considers the HRA should have addressed.
6.11	<i>IROPI</i> While the first two issues (flood risk and contamination leachate risk) are compelling drivers for the Council's support of Tipner West's regeneration, their scale and urgency are debatable. Moreover, alternative land-use options, such as purely residential or other mixed-use developments, could address these risks without harming protected sites. Similar risks at other Solent brownfield sites have been managed without adverse effects on protected areas		The LPA welcomes HIWWT's acknowledgment that the management of flood risk and contaminant leachate risk is a "compelling driver" in support of the regeneration of the Tipner West site. In 2011, the Portsea Island Coastal Strategy estimated that defences on Horsea Island East may fail within 5-10 years, and within 10-15 years on Tipner West. It recommended that works be carried out as a priority, noting that contaminant leachate posed "<i>an extreme risk to the integrity of the designated sites within Portsmouth Harbour in the event of a failure of the existing defences.</i>" Portsea Island Coastal Strategy Study (2011) at 2.2.9. Contrary to HIWWT's assertion, it is not clear that flood defences and site decontamination could be wholly cross-subsidised through alternative land-use options. Financial viability on this site is challenging. Withdrawing the City Deal funding which is tied to the delivery of a marine employment hub would make it even more challenging. Moreover, an alternative land use would not deliver on the overall objective of Policy PLP3.

			The LPA maintains that the only clear source of funding for flood defence improvements and site decontamination is through cross-subsidy from the delivery of Policy PLP3 together with the benefit of City Deal funding.
6.12	We argue that only the third issue—the creation of a marine hub for the Solent—is relevant to the IROPI assessment. The other two concerns are secondary benefits of any large-scale regeneration at Tipner West. This aligns with the supporting text of draft Policy PLP3, which emphasizes that "the principal driver behind this allocation is the creation of a new marine hub" (HRA paras 4.16 & 4.20).		For the reasons above, the LPA disagrees with this contention. The need to deliver flood defences and site decontamination are key elements of IROPI in this case. However, the LPA also maintains that the need to deliver a marine hub in the Solent is an additional and self-standing imperative reason of public interest capable of overriding the likely harm to the integrity of the SPA/Ramsar site.
6.13	The evidence supporting this component of the development may be outdated, especially in light of economic and societal shifts post-Covid. Furthermore, we struggle to identify the imperative and overriding public need that the marine hub would fulfil or any exceptional problem it would solve. The hub is described as an "opportunity" (para 4.7 draft PLP),		There is extensive evidence demonstrating the need for a marine employment hub in the Solent. The LPA has prepared a summary of pre-existing and updated evidence in support of the marine employment hub IROPI case. That document is included as Appendix 6 of the September 2024 reg 107(3) request to the Secretary of State (and will also be included as an annex to the Supplement to the HRA).
6.14	<i>Compensation</i> While the total amount of potentially available habitat may seem significant, without specific details on locations, site sizes,		As indicated at 8.136 of the HRA, the LPA was unable to include detailed information about potential compensation sites at the time the HRA was published, due to

		ecological functionality, current status, condition, and cost, it is difficult to conclude that the compensatory measures for Policy PLP3 would be adequate. Given ongoing efforts to secure mitigation and compensation land for other Solent projects, there is a strong risk that the identified sites may not be available when needed.	commercial confidentiality. Since then, the LPA has worked with the site promoter to make further information about those sites publicly available. As planned, the LPA is now preparing a Supplement to the HRA which should address this concern.
6.15		The full scope of adverse effects requiring compensation has not been determined. Despite significant ecological data collection, the promoter team has not shared an assessment of the ecological function of the habitat expected to be lost, nor have they evaluated the potential indirect and cumulative effects from the Tipner West scheme and nearby developments in the draft Plan. As a result, the objectives, target features (affected habitats and species), and the ecological processes needing compensation remain unclear	The LPA considers the appropriate assessment of impacts in the plan-level HRA to be robust. Nonetheless, the Supplement to the HRA will provide some further information on the ecosystem function of the habitat that may/will be lost.
6.16		We have repeatedly expressed concerns about the SPA compensation metric used by Portsmouth City Council, which we believe is fundamentally flawed both mathematically and ecologically. Despite assurances that it would only be used for options appraisal, it continues to be relied upon in the HRA as the primary method for calculating compensation requirements. Further errors persist, such as the assumption that all SPA habitats are in "good" condition, which misrepresents the ecological reality and artificially lowers the calculated compensation needs.	The HRA relies on the SPA metric as a tool help inform the possible scale of the requirement for compensatory habitats at the Plan-level stage. Natural England has endorsed its use for this purpose. The LPA has now prepared a Supplement to the HRA which provides further detail on the SPA metric and how it has been used alongside professional judgment to inform the assessment of what compensatory habitat may be required. The SPA metric assumes that improvement for existing habitat to reach 'good' category would be undertaken in line with the statutory obligations of relevant public authorities. That approach is precautionary

			and ensures that, in this case, compensation is calculated for the loss of SPA habitat on the assumption it is serving its optimum ecological function, even where (as in the case of land south of the firing range) that is not the current reality on the ground.
6.17	Given these issues, we have no confidence in the draft HRA's compensation figures and strongly disagree with the Council's stance that further details can be deferred to a future planning application		The Supplement to the HRA will provide further detail on suitable and available compensation sites and should address this concern. The LPA rejects the contention (if it is made) that – to comply with regulation 109 of the Habitats Regulations – such sites need to be secured by way of option agreement or allocation in the Plan. It is sufficient to comply with regulation 109 for the LPA to be satisfied – to a high degree of confidence – that a suitable compensation scheme can be delivered at the planning application stage.
6.18	<i>Conclusions</i> The Pre-Submission Draft Plan proposals are not legally compliant because the Habitats Regulations have not been correctly applied in the following areas: 1. Assessment of Adverse Effects: There has been insufficient assessment to accurately determine the scale and nature of the adverse effects of draft Policy PLP3 on the integrity of the SPAs/Ramsar sites (Regulation 105(1)), which is necessary to evaluate the subsequent derogation tests. 2. Derogation Tests (Regulations 107(1) & 109):		The LPA disagrees with this conclusion. The Local Plan is legally compliant.

		- o Alternatives: The assessment of potentially less damaging alternatives to achieve the project objective is inadequate. - o IROPI: There is insufficient evidence of an imperative or overriding public need for the development. - o Compensation: There is a lack of evidence to demonstrate that suitable compensatory habitat can be secured or delivered	
	6.19	We consider the Draft Plan to be unsound under the National Planning Policy Framework (Para 35(b) 'justified'), as Draft Policy PLP3 does not present an appropriate strategy for this key development site and fails to consider all reasonable alternatives for its regeneration that would meet local development needs.	The LPA disagrees with this conclusion. The Local Plan is sound.
	6.20	If policy PLP3 proceeds without modification a dangerous precedent would be set, weakening the interpretation of the Habitats Regulations (particularly the Derogation tests) across the UK.	There is ample precedent for the use of derogations in the UK context: see the derogations relied on in a series of National Policy Statements, and for the delivery of a wide range of projects including windfarms, ports, airports etc. While this would be the first time a derogation has been relied on for the adoption of a Local Plan, that is explicitly contemplated as a possibility in regulations 107 and 109 of the Habitats Regulations. To allow reliance on a derogation when those tests are met is to comply with the law rather than (as implied) unacceptably to cross a rubicon.
	6.21	The policy would go against the Environment Act legal duty and also release carbon contrary to the Council's own nature and climate emergency commitments.	See response to 6.5 above.

Appendix 5: Pro-forma letter generated by RSPB and HIWWT and submitted, with minor amendments, by 6,910 representors during the regulation 19 consultation

From: [Susan Lyne](#)
To: [Policy Consultations](#)
Subject: Objection to Portsmouth Pre-Submission Local Plan
Date: 27 July 2024 17:52:04

[You don't often get email from susan.lyne@messages.wildlifetrusts.org. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

To the consultation team,

Please accept this as an individual response to Portsmouth City Council's Pre-Submission Local Plan consultation.

I object to Policy PLP3 Tipner West in the draft Portsmouth Pre-Submission Local Plan due to the damage it would cause to Portsmouth's internationally important wildlife sites.

Wildlife areas are protected for a reason. We need to keep our limited wildlife safe and building on known havens is a disaster for all species.

I agree with the points raised by the RSPB and Hampshire and Isle of Wight Wildlife Trust as listed below:

- Public bodies, including Portsmouth City Council, have new duties under the Environment Act to take actions to further the protection and recovery of biodiversity. However, the Council's draft policy for Tipner West goes against this legal duty by allowing between 2.1ha and 6.5ha of direct loss of part of Portsmouth's most important area for wildlife (plus additional impacts on surrounding wildlife areas), including vital feeding and roosting areas for wintering waterbirds. These mudflats are also essential for storing carbon and helping us deal with the changing climate.

- Whilst the Council's decision to drop the super-peninsula option included in the last draft local plan consultation is welcome, the new proposed policy for Tipner West would still mean losing an area of Portsmouth Harbour that is bigger than Fratton Park Football stadium and designated as a legally protected wildlife site. At worst, it would result in the loss of an area of the internationally important land more than three times that area.

- The Council's proposed case to the Government that there are absolutely no less damaging "alternative solutions" to delivering the marine hub and housing development at Tipner West is flawed, as is the suggestion that there are "imperative reasons of over-riding public interest" for the development to go ahead that would justify the damage of such an important wildlife site. Therefore, the draft plan fails the soundness test because Policy PLP3 is not justified and does not comply with legislation protecting Portsmouth Harbour or the Council's legal duties to take action to further biodiversity.

- This is the first time a local plan has tried to make the case for an exception under the laws that are designed to protect these special areas, allowing irreversible damage to Portsmouth Harbour where nature is already under pressure. People do not want to see the 'Portsmouth Precedent' damaging precious wildlife here and paving the way for many other damaging developments elsewhere to follow in its footsteps.

- The Council must step up and fulfil their biodiversity duties by finding a sustainable solution for Tipner West, delivering a regeneration scheme that Portsmouth can be proud of. That means keeping the development within the ecological limits of the site and not building on vital habitats that are relied on by special wildlife, that also help reduce carbon emissions and that are valued and enjoyed by the community.

Yours faithfully,

Susan Lyne

A large black rectangular redaction box covering the signature area.

**Appendix 6: Updated summary of evidence on the need for a Marine
Employment Hub**

Appendix 6

Updated summary of evidence on the need for a Marine Employment Hub

INTRODUCTION

1. The Local Planning Authority ('LPA') considers that there are imperative reasons of overriding public interest ('IROPI') to adopt draft Policy PLP3 of the pre-submission Local Plan notwithstanding the adverse impact it will have on the Portsmouth Harbour SPA/Ramsar site.
2. The LPA's IROPI case is based on a number of grounds, including the need to improve flood defences and ensure site decontamination. This document is, however, focused only on the evidence underpinning the IROPI case based on the need for a marine employment hub in the Solent. It provides a summary of that evidence, updated to include reference to additional documents.

STRATEGIC NEED FOR GROWTH IN THE MARINE AND MARITIME SECTOR

National strategic need

3. The Department for Transport's '**Maritime Growth Study: keeping the UK competitive in a global market**' (2015) highlighted the importance of the UK's marine and maritime sector to national economic success and identified opportunities for growth. It identified a need for the UK Government to develop a national strategy for the maritime sector to "*send a strong signal to international customers and competitors*".
4. The resulting strategy is the Department for Transport's '**Maritime 2050: navigating the future**' (2019) ¹ which identifies a national strategic ambition to grow the maritime workforce, support commercial investment in maritime infrastructure, and support, enhance and promote the strength of all regional clusters in the UK and their importance to the UK economy. The Solent is identified as one of seven important regional clusters in the UK.
5. In the wake of the disruption caused by the Covid-19 pandemic, Maritime UK's (the umbrella industry body's) '**Maritime Sector Recovery Plan**' (June 2020) ²

¹ <https://www.gov.uk/government/publications/maritime-2050-navigating-the-future>

² https://www.maritimeuk.org/documents/665/Maritime_Sector_Recovery_Plan_v1.pdf

reaffirmed the importance of the marine and maritime sector in driving a green, regionally balanced, export-led recovery in the UK.

6. Maritime UK's '**State of the Maritime Nation**'(2022)³ revealed the strength and resilience of the maritime sector in the wake of the Covid-19 pandemic. It recorded that the maritime sector makes a greater contribution to UK GVA than the rail and aviation sector combined and predicted growth of 16.6% for 2021-2025. In light of the report, the Minister for Aviation, Maritime and Security affirmed that the sector *"is vital to the UK's economy and to levelling up the country as a whole"*.⁴
7. On 18 September 2024, the Secretary of State for Transport acknowledged *"the outsized contribution"* of the maritime sector to the UK economy and confirmed her commitment to place the maritime sector at the heart of the government's plan for a decade of national renewal.⁵

Regional strategic need

8. There is an extensive evidence base demonstrating the significant macroeconomic contribution that the marine and maritime sector in the Solent provides to UK GDP: see in particular '**The economic contribution of the maritime sector in the Solent LEP**' (2019),⁶ and parts 1 – 5 of '**Solent Marine and Maritime Study**' (Oct 2021).⁷
9. The '**Portsmouth and Southampton City Deal**' (2013)⁸ recognised the vital importance of the Solent to the UK's marine and maritime economy, and to regional economic success (accounting, at that time, for 20.5% of the Solent's GVA). The City Deal represented the UK Government's endorsement of a key aspect of the growth strategy of the region, namely maximising the economic impact of the Solent's marine and maritime assets. A key element of the City Deal was the release of land at Tipner and Horsea Island East to enable the delivery of 58,000sqm of marine employment land and up to 2370 new homes.
10. In November 2013, BAE Systems announced that it would cease ship-building in the Portsmouth Dockyard in 2014. Recognising that the Solent would need

³ www.maritimelondon.com/wp-content/uploads/2022/06/CEBR-report-2022pdf.pdf

⁴ <https://www.maritimeuk.org/state-of-the-maritime-nation/>

⁵ <https://www.gov.uk/government/speeches/maritime-is-at-the-heart-of-our-governments-mission>

⁶ https://solentpartners.com/wp-content/uploads/2023/10/cebr_maritime_uk_solent_lep_16102019.pdf

⁷ <https://www.portsmouth.gov.uk/wp-content/uploads/2024/09/21-10-28-Marine-and-Maritime-Study-Report-FINAL.pdf>

⁸ <https://www.gov.uk/government/publications/city-deal-southampton-and-portsmouth>

additional support to recover from this shock, the Minister for Business, the Rt Hon Michael Fallon, announced the creation of an industry-led Solent Marine and Maritime Forum, to identify the steps that should be taken to secure the future of the marine and maritime industries in Portsmouth and across the Solent.⁹

11. The result of that forum was a report entitled ***‘Transforming Solent – Marine and Maritime Supplement’*** (2014).¹⁰ That report noted that harnessing the marine and maritime potential in the Solent was already a regional strategic priority, reflected in (amongst other things) the City Deal. It noted the demonstrated success of sector-based hubs and clusters in other parts of the country, delivering economies of scale, improving access to skills, enhancing innovation, supply chains and the availability of support services (e.g. legal, marketing and training services), and generating a host of other benefits via informal businesses-to-business networking. It recommended the creation of three Marine Enterprise Hubs in the Solent (with one in Portsmouth) as magnets for inward investment and high-value marine manufacturing. The report recommended a review of waterside sites across the Solent and the development of a regional policy to safeguard sites with the greatest marine manufacturing utility for employment use.
12. The recommended review of waterside sites across the Solent was carried out by Solent LEP and published as ***‘Maritime Future: Solent Waterfront Sites’*** (2015).¹¹ The review noted the critical importance of waterfront employment sites to the future of the marine and maritime sector in the Solent. It recorded that marine and maritime businesses and some policy makers had expressed concerns that land suitable for marine industries was being lost to alternative uses such as residential. The report considered a total of 97 waterfront sites and ranked 23 as “Tier 1” sites (*“prime importance... the most important sites for marine and maritime activities in the Solent”*). Of those 23 sites, the majority were in established use without potential for growth. Only four “Tier 1” sites (including Tipner West) remained underdeveloped for marine and maritime use, equating to just 4.1% of the total number of waterfront sites across the Solent region.

⁹ <https://www.gov.uk/government/news/fallon-announces-boost-for-solents-maritime-and-marine-engineering-industry>

¹⁰ <https://www.gov.uk/government/publications/transforming-solent>

¹¹ https://solentlep.org.uk/media/1341/maritime_futures_-_solent_waterfront_sites_-_169_15_.pdf

13. The **‘Solent 2050 Strategy’** (2019)¹² affirmed the need for growth in the marine and maritime sector in the Solent region, setting a vision for the Solent to be the globally leading maritime cluster. To achieve that, the Strategy sets seven strategic priorities including the development of “a world leading marine and maritime economy, building on our existing assets and global competitive advantages to strengthen the UK’s international trading relationships”. The Strategy notes that the Solent contributes £5.8billion GVA per annum to the UK economy and identifies the growth opportunities for the world-renowned business cluster.
14. **‘The Portsmouth Economic Development and Regeneration Strategy’** (2019)¹³ sets a target of 7,000 more jobs in 2036 than in 2017. It identifies the marine and maritime sector as a focal point for jobs growth, including through the development of a marine and maritime engineering quarter to build on the current advantages of the City and contribute to the key objectives of addressing local low educational attainment and local talent-progression. Maritime UK’s **‘Solent Recovery Plan’** (May 2021),¹⁴ produced in the wake of the Covid-19 pandemic, reaffirmed the Solent maritime cluster “at the helm of the region’s future”. Figures from June 2023 show the sector contributing 25% of the Solent LEP economy, 199,000 jobs, and £17.2 billion of turnover.¹⁵
15. PCC’s **‘Housing and Economic Development Needs Assessment’** (**HEDNA**)¹⁶ was commissioned by PCC in 2023 in order to get updated evidence on housing and economic need, taking into account macro-economic factors such as Brexit, the Covid-19 pandemic and the Russian war in Ukraine. The HEDNA records that there are significant concentrations of deprivation across a number of indices which means that Portsmouth residents, and the economy as a whole, is ‘held back’ from faster growth.
16. In identifying opportunities to address deprivation and generate growth, the HEDNA affirmed the conclusions of previous research, noting that Portsmouth has a huge competitive advantage in terms of supply chain demand for marine related engineering and research. Collaborating across the Solent as a whole, and building

¹² <https://solentpartners.com/wp-content/uploads/2023/10/solent-2050-executive-summary.pdf>

¹³ <https://www.portsmouth.gov.uk/wp-content/uploads/2022/01/Economic-Development-Regeneration-Strategy-Accessible.pdf>

¹⁴ <https://solentlep.org.uk/media/3905/maritime-uk-solent-recovery-plan.pdf>

¹⁵ See: Maritime UK Solent **‘Business Plan 2023/24’** at <https://muksolent.com/wp-content/uploads/2023/06/Maritime-UK-Solent-Business-plan-2023-2024-Final-17.5.23.pdf>

¹⁶ www.portsmouth.gov.uk/wp-content/uploads/2024/04/4-Portsmouth-HEDNA_Final-Report-Dec-2023-CONFIDENTIAL-1.pdf

on the recently-conferred Solent Freeport status, it concluded that there are further opportunities to grow the sector and enhance productivity, including through the development of the Tipner West site. The HEDNA reports that stakeholder engagement indicated that the Tipner West development would provide the infrastructure to attract and retain businesses that were currently finding/using facilities across the Channel.

17. Solent Partners **‘The Solent Economic Profile’** (March 2024)¹⁷ highlights the fact that Portsmouth and Southampton are both within the 20% most deprived local authorities nationally and are performing “*worse than the national median*” on levelling-up indicators. It identifies development and growth in maritime and related sectors as one of the key opportunities for the region and as one of the key drivers for growth in Portsmouth and Southampton.

THE NEED FOR A MARINE EMPLOYMENT HUB IN THE SOLENT

18. To best meet the growth in the marine and maritime sector in the Solent, Portsmouth City Council has prioritised the delivery of a “marine employment hub”. As noted in **‘Transforming Solent – Marine and Maritime Supplement’** (2014) sector-based hubs deliver economies of scale, improve access to skills, enhance innovation, supply chains and the availability of support services and generate a host of other benefits via informal businesses-to-business networking.
19. To meet the regional need, a marine employment hub needs to deliver a suitable mix of components and be of sufficient scale. Research conducted by MPL in 2016 identified a specific market need for a facility with deep water access and a boat lifting capacity of between 500 - 1000 ton, to include a hoist dock, washdown, holding berths and work berths. In addition, the initial research indicated that such a facility would need open yard storage of at least 10,000 – 20,000sqm, undercover storage (boat sheds) of between 3000 – 10,000sqm; and marine employment buildings with a footprint of between 7000 – 12,000sqm (allowing floorspace well in excess of that square meterage over multiple stories). Together with a working quayside, access routes, staff parking, and other ancillary space, this was likely to require a site area of around 9ha: see **‘Marine Market: Baseline and Literature**

¹⁷ <https://www.portsmouth.gov.uk/wp-content/uploads/2024/09/06.-The-Solent-Economic-Profile-2024.pdf>

Review' (January 2016);¹⁸ and **'City Deal: Marine Employment Parameters'** (June 2016).¹⁹

20. Further project-specific / site-specific work conducted by the promoter has largely confirmed those requirements, except that the quantum of open yard storage needed is now assessed to be closer to 30,000sqm. The promoter has also identified ways to shrink the total site area for the marine employment hub to around 7.5ha through efficient use of space and the use of off-site parking (at Tipner West).

ABSENCE OF ALTERNATIVE SITES

21. The project promoter has carried out an alternative site assessment **'Marine employment alternatives: Tipner Regeneration Programme'** (July 2020).²⁰ The assessment considered all Tier 1 sites in the Solent Waterfront Assets Register and some additional sites. It filtered out those sites that were clearly not suitable (on account of e.g. land area less than 2ha, or with no capacity to deliver deep water access). Having narrowed the search to 8 potential alternatives, it then assessed each against the criteria identified through market research. The assessment shows the Tipner site to be the only site in the Solent region that meets all the core criteria for a marine employment hub.

¹⁸

<https://democracy.portsmouth.gov.uk/documents/b14699/Tipner%20West%20Full%20Council%20Update%20-%20Appendices%2006th-Dec-2021%2013.00%20Cabinet.pdf?T=9> at pp 387-337.

¹⁹

<https://democracy.portsmouth.gov.uk/documents/b14699/Tipner%20West%20Full%20Council%20Update%20-%20Appendices%2006th-Dec-2021%2013.00%20Cabinet.pdf?T=9> at pp 338-361.

²⁰

<https://democracy.portsmouth.gov.uk/documents/b14699/Tipner%20West%20Full%20Council%20Update%20-%20Appendices%2006th-Dec-2021%2013.00%20Cabinet.pdf?T=9> at pp 33

Attribute	Do Nothing	Tipner	Royal Clarence Yard	Centenary Quay	Vestas Newport	Fawley Waterside	Marchwood Industrial Park	Daedalus	Kingston Marine Park
Existing depth (Chart Datum)	n/a	-3m	-4m	-2m	+1.5m	-1.5m	-3m	N/A	+4m
Available site area (ha)	n/a	9	2.31	3.18	3.75	6	6.2	83	6
Deliver full tide access	x	✓	✓	✓	x	x	✓	x	x
Develop a large boat lift facility in the order of 600-700 tonnes	x	✓	x	x	x	✓	✓	x	x
Ensure an appropriate level of open yard storage	x	✓	x	x	x	✓	x	✓	x
Provision of circa 58,000m ² marine employment space	x	✓	x	x	x	x	x	✓	x
Site area 9-10Ha	x	✓	x	x	x	x	x	x	x
Provide a regionally significant marine employment hub	x	✓	x	x	x	x	x	x	x

22. The promoter's updated assessment, completed in September 2023, shows that the conclusions reached in 2020 remain valid.²¹

SUMMARY OF MARINE EMPLOYMENT HUB IROPI CASE

23. The Local Planning Authority considers there are imperative public interest reasons for adopting draft Policy PLP3:
- The UK Government, through the City Deal, has endorsed the need for delivery of 58,000ha of marine employment space on Tipner West and Horsea Island East to maximise the economic impact of the Solent's marine and maritime assets and create jobs;
 - A marine employment hub at Tipner West and Horsea Island East:
 - supports the delivery of a national strategic ambition, set out in the Maritime 2050 strategy, to grow the maritime workforce, support commercial investment in maritime infrastructure, and support, enhance and promote the strength of all regional clusters in the UK and their importance to the economy;
 - supports the delivery of a regional strategic priority, set out the Solent 2050 strategy, to develop a world leading marine and

²¹ https://www.portsmouth.gov.uk/wp-content/uploads/2024/09/MP244-R-09-Land-supply-v4-Final_Appx.pdf

maritime economy in the Solent, building on its existing assets and global competitive advantages to strengthen the UK's international trading relationships.

- iii. supports the delivery of a local economic strategy to address deprivation, increase skills, and deliver 7,000 more jobs by 2036 as compared to 2017.
- iv. meets an identified need for a facility with deep water access and a boat lifting capacity of between 500 - 1000 ton, together with sufficient open yard storage, boat sheds, and sufficient flexible marine employment floorspace to generate the desired “hub” or “cluster” effect.
- v. Delivers on the promise of the City Deal by providing 58,000sqm of marine employment floorspace, 1900 FTE jobs, supporting skills growth, and growing the marine and maritime economy in the Solent to (amongst other things) address local deprivation.

- c. These significant social and economic benefits constitute IROPI and there is no alternative site which can accommodate the regionally significant marine employment hub that meets the identified need.

24. The question of whether these imperative public interest reasons override the identified harm to protected habitats is addressed elsewhere.

Portsmouth City Council

Local Planning Authority

1st October 2024