

**Statement of Common Ground
Portsmouth City Council as Local
Planning Authority
&
Natural England**

February 2026



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1. Introduction

- 1.1 This Statement of Common Ground (SCG) has been prepared jointly by Portsmouth City Council as Local Planning Authority (PCC-LPA) and Natural England (NE). It sets out the parties agreed positions and understandings with respect to key issues as of February 2026. It has been prepared to support the emerging Portsmouth Local Plan. The new Local Plan will cover the period from 2025 to 2040 and sets out the vision, objectives and policies to guide future development in the City over the plan period.
- 1.2 Portsmouth City Council (PCC) is the Local Planning Authority for the purposes of plan-making under the Town and Country Planning Acts and is also a competent authority for the purposes of the Conservation of Habitats and Species Regulations 2017 (as amended) ('the Habitats Regulations').
- 1.3 The City Council is also acting as a site promoter, through the 'Tipner Regeneration Project' (PCC-TRP), which is the 'developer' arm of the City Council tasked with delivering the project. The City Council has put handling arrangements in place to ensure functional separation between the two arms of the Council to ensure transparent, fair and proper decision making and for the avoidance of any conflicts of interests. PCC-TRP is not a party to this SCG.
- 1.4 NE is a statutory consultee on strategic plans including development plans, as well as related Habitats Regulations Assessments (HRA) and Sustainability Appraisal/Strategic Environmental Assessments. NE has also acted as a member of the Tipner West Regulatory Panel. The Panel was established in January 2021 to act as a coordinated consultation body to consider matters relating to the Tipner West project, as promoted by PCC-TRP as landowner. Further information about the Panel can be found in its working protocol¹.

2. Regulation 19 Local Plan Addendum Consultation

- 2.1 On 18 November 2025, PCC-LPA published its Regulation 19 Pre-Submission Local Plan Addendum for consultation together with an accompanying Habitats Regulations Assessment.
- 2.2 On 08 January 2026, NE provided a consultation response as set out in Appendix 1 of this SCG. Natural England confirmed that 'with the changes included in the Addendum, our previous concerns [raised in response to the 2024 regulation 19 consultation] have been addressed and we no longer challenge the soundness of the Local Plan.' The response contained a number of specific comments, which are agreed by both parties:
- That Policy PLP3 as set out in the Local Plan Addendum has been significantly revised from the previous iteration of the Local Plan and no longer results in direct loss of Special Protection Area (SPA) addressing NE's primary concern with the Plan. NE agree with the Plan's position that impacts around the loss of supporting habitat and recreational disturbance impacts including the landfall of the proposed bridge on the Portsmouth Harbour SPA can be dealt with at the project level.

¹ <https://www.portsmouth.gov.uk/wp-content/uploads/2025/10/Tipner-West-Regulatory-Panel-2025-updated-working-protocol-vFINAL.pdf>

- That Policy PLP9 has the potential to impact functionally linked land parcels P48C and P75. However, the Policy includes a requirement to avoid impact on the functionally linked land and that it is fully considered through the HRA.
- That Policy PLP43(3) includes the need for development proposals to avoid noise impacts to any SPA or Functionally Linked Land sites. NE support this policy but suggest that it includes reference to visual disturbance. In response to this comment PCC proposes a minor modification to the wording of Policy PLP 43 (3) to reference visual disturbance. PCC also added a new paragraph referencing visual disturbance to the supporting text of that policy though the Local Plan Schedule of Changes. The revised policy wording is set out as appendix 2 to this SCG.
- The use of the Interim Nutrient Neutral Mitigation strategy and the updated plan level nutrient budget as set out in the HRA.
- The conclusion of the HRA as follows: '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.'

2.3 Natural England had in September 2024 provided detailed comments in response to the July 2024 regulation 19 consultation. These comments and PCC's response to them are detailed in the Council's Consultation Statement. Both NE and PCC are satisfied that the new policies in the Local Plan Addendum and proposed minor modifications document address all of the comments raised by NE and that NE have no outstanding reasons to challenge the soundness of the Local Plan.

3. Signatories

3.1 Both parties agree that this statement is an accurate representation of matters discussed and issues agreed upon.

3.2 Both parties agree that they have engaged positively on an ongoing basis and that on this basis the Duty to Cooperate has been met.

3.3 Both parties agree that there are no areas of disagreement between the parties relating to the Portsmouth Local Plan. Both parties continue to work proactively on the key strategic issues identified in this SCG.

Signatories

	Signed: 	Signed: 
	Name: Lucy Howard	Name: Jonathan Shavelar
	Position: Head of Planning Policy	Position: Senior Officer

	Portsmouth City Council	Natural England
	Date: 26.02.26	Date: 26.02.26

Appendix 1: Natural England's response to the Local; Plan Regulation 19 Addendum consultation.

- Official -

Date: 08 January 2026

Our ref: 533646



Head of Planning Policy,
Portsmouth City Council

BY EMAIL ONLY

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Dear

Consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

Portsmouth City Council – Local Plan Addendum Regulation 19

Thank you for your consultation on your Local Plan Addendum dated 20th November 2025. Natural England provided a Regulation 19 response on the 3rd September 2024 (ref: 480922) and a subsequent response to the HRA Addendum on the 20th December 2024 (ref: 480922). In both our previous responses we advised that the local plan would not pass the tests of soundness. This response should be read in conjunction with our Regulation 19 response of the 3rd September 2024.

With the changes included in the addendum, our previous concerns have been addressed and **we no longer challenge the soundness of the local plan**. Further comments are provided below.

As part of this consultation Natural England have reviewed the following sections of the Local Plan Addendum which we believe are relevant to our remit:

- Preface
- Chapter 3: Development Strategy
- Chapter 4: Strategic Sites
- Tipner West
- Horsea Island Strategic Open Space
- Chapter 5: Site Allocations
- Local Plan Addendum Habitats Regulations Assessment (HRA)
- Tipner West – Draft Policy PLP3 SPA Recreational Disturbance Mitigation Study (Holbury Consulting Services, October 2025)

Strategic Site Allocation Policy PLP3: Tipner West

PLP3 has been significantly revised since the previous iteration of the Plan. The allocation would no longer result in permanent direct habitat loss of Portsmouth Harbour Special Protection Area (SPA). This change addresses Natural England's primary concern with the Plan.

The allocation of this site would lead to the loss of functionally linked land. Site P60 is identified in the Solent Wader and Brent Goose Strategy as a Primary Support Area. This loss has been adequately considered in the Plan sHRA. The Plan includes relevant policies to safeguard the functional network of the SPA and Natural England agree that it is appropriate for further detail and assessment of these impacts to be developed as part of a future project-level HRA.

The proposal constitutes a significant number of residential units in close proximity to the Portsmouth Harbour SPA which has the potential to cause a Likely Significant Effect on the site alone. The Holbury Consulting Services report provides more detail on potential recreational disturbance impacts. Policy 3m of PLP3 commits to the mitigation of potential recreational disturbance impacts through a bespoke package of measures. We agree that this is a sufficient level of information for a plan level sHRA. Natural England expect to continue to provide further input on the necessary access management measures to ensure the ongoing function of the Portsmouth Harbour SPA.

PLP9: Horsea Island Strategic Open Space

PLP9 has the potential to impact functionally linked land parcels P48C and P75. The policy includes section 3c which sets out the requirement to avoid impacts to this functionally linked land and we support this inclusion. It is also fully considered within the HRA. Natural England are keen to be involved with the development of this policy in future and encourage you also engage with the Solent Wader and Brent Goose Steering Group.

Nutrient Impacts

The addendum sHRA is supported by an updated 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.

We look forward to working with your authority on an updated Statement of Common Ground.

Appendix 2: Proposed minor modification to Policy PLP43: Recreational Disturbance on International Nature Designations and its supporting text

In response to the representation made by NE in respect of Policy PLP43 the following changes are proposed through the Council's Schedule of Changes.

Revised wording of Policy PLP43(3). (new text addition underlined)

Development should avoid noise and visual disturbance impacts on birds at the SPA sites and/or at identified terrestrial SPA supporting habitat sites though the overwintering period.

New paragraph in the supporting text following paragraph 9.87:

Development proposals which may result in the visual disturbance of qualifying SPA / Ramsar bird species in Habitats Sites or functionally linked habitats will need to undertake an assessment of impacts and outline mitigation measures. Types of visual disturbance which will need to be considered include behavioural changes arising from construction activities such as flight from the nest and cessation of foraging and post-construction disturbance from site usage, road traffic and operational lighting.