

Title of meeting: Cabinet Member for Planning, Regeneration and Economic Development
Date of meeting: 10 March 2015
Subject: Candidate Local Wildlife Sites 2015 update
Report by: City Development Manager
Wards affected: Drayton & Farlington, Paulsgrove, Cosham, Eastney & Craneswater, St Thomas, Nelson
Key decision: No
Full Council decision: No

1. Purpose of report

- 1.1 To seek the Cabinet Member's approval to treat six identified sites with nature conservation interest as 'candidate local wildlife sites'.

2. Recommendation

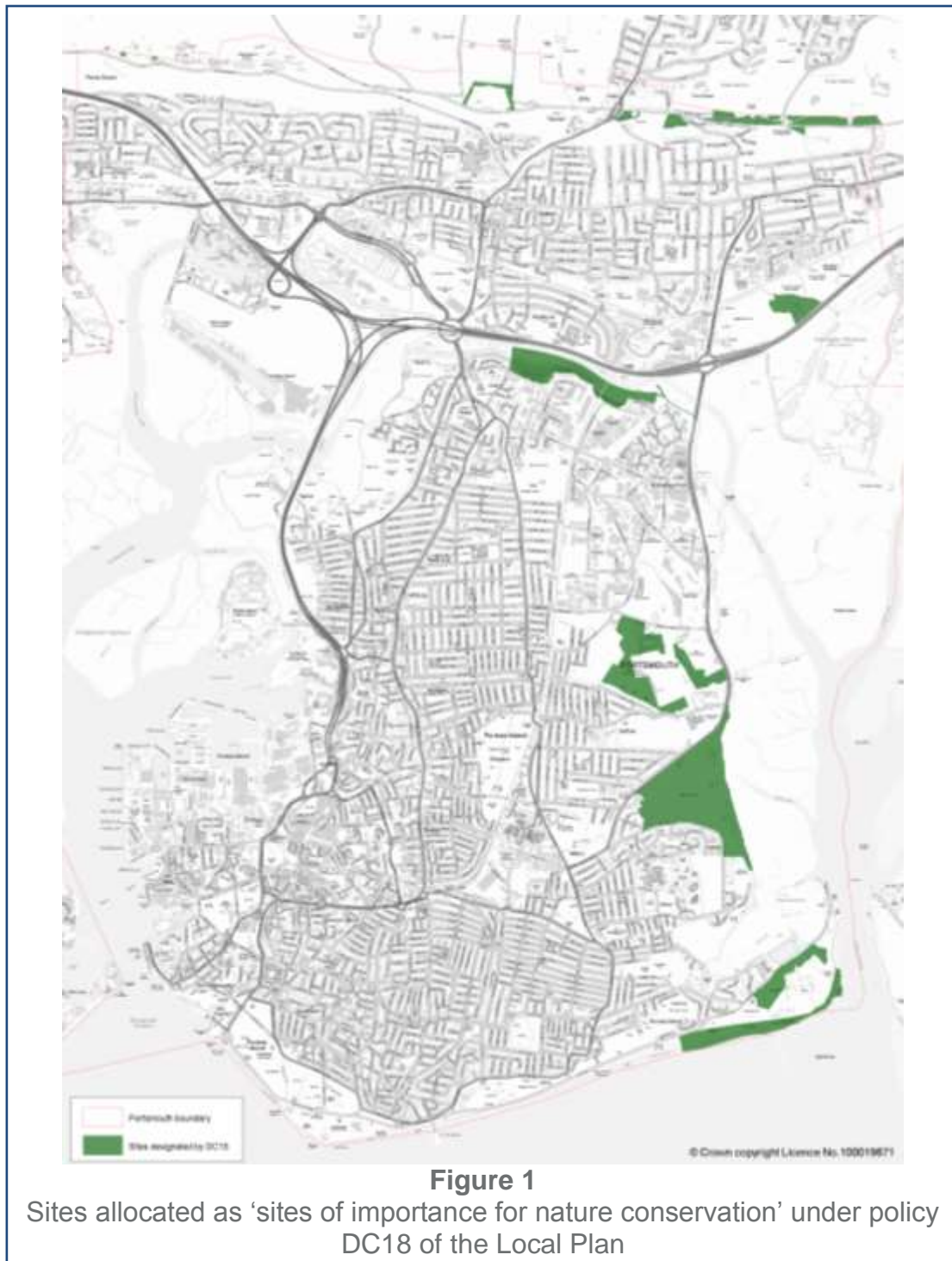
That the following sites being treated as 'candidate local wildlife sites' for planning policy and development management purposes:

- i. East and west of Gillman Road**
- ii. Fort Cumberland**
- iii. James Callaghan Drive**
- iv. Kings Bastion Moat**
- v. Paulsgrove Chalk Pit**
- vi. Foreshore to the west of Tipner Ranges**

3. Background

- 3.1 The network of nationally and internationally significant nature conservation sites makes up 30% of Portsmouth's administrative area. Langstone and Portsmouth Harbours are Sites of Special Scientific Interest (SSSIs), Ramsar Sites and Special Protection Areas. In addition, Langstone Harbour forms part of the Solent Maritime Special Area of Conservation and sections of Portsdown Hill are a designated SSSI. Whilst extensive, this network leaves out many sites that are of significant value for both the conservation of wildlife and its enjoyment by the city's residents and visitors.

3.2 As a result, Portsmouth also has a network of locally valued, non-statutory nature conservation sites. In the past these were referred to as 'sites of importance for nature conservation' and 12 were designated as part of the Local Plan¹ (figure 1).



¹ <http://www.portsmouth.gov.uk/living/7472.html>

- 3.3 The city council's criteria for assessing potential sites are based on those used by Hampshire County Council in the designation of sites on a county-wide basis, adjusted to reflect local circumstances, as some of the habitats designated by Hampshire County Council do not occur in Portsmouth.

Ongoing survey work

- 3.4 The Portsmouth Plan² acknowledges the importance of up to date ecological data on local wildlife sites. Through policy PCS13, the city council pledges to *“resurvey designated sites periodically as well as others which could meet the criteria for selection”*. Since 2007 the Hampshire Biodiversity Information Centre (HBIC) has been conducting such surveys on behalf of the city council.
- 3.5 The survey work has already highlighted a number of new sites which meet the criteria and some changes to existing sites boundaries. These were agreed by the city council in 2010³ and 2011⁴. Following this, the review of site boundaries and new sites would have been included as part of the Site Allocations Plan. However the Portsmouth Plan is now being reviewed, which will include site allocations and the designation of local wildlife sites. This is timetabled to be adopted in 2017.
- 3.6 Prior to being recommended to the city council as local wildlife sites, each site, boundary change or criteria change is assessed by a panel comprised of Hampshire County Council's ecology group, Natural England and the Hampshire and Isle of Wight Wildlife Trust. If the site is found to meet the criteria for selection, the land owner is notified by HBIC and the site is recommended to the city council for designation.
- 3.7 Unlike internationally and nationally designated sites which are designated by the Government and protected by national and international law, local wildlife sites are only given full status if designated in an adopted development plan. However they may support legally protected species or habitats recognised as being of principal importance under the Natural Environment and Rural Communities (NREC) Act 2006. The presence of these species or habitats would be a material consideration in the determination of planning applications irrespective of any local wildlife site designation (existing or pending).
- 3.8 New local wildlife sites can only be formally allocated through the development plan. However in the interim period, in order to recognise the nature conservation value of these sites, it is proposed to treat them as 'candidate local wildlife sites' for development management purposes and assess any proposals which could affect these sites against policy PCS13 of the Portsmouth Plan. Government guidance on

² <http://www.portsmouth.gov.uk/living/7923.html>

³ <http://tinyurl.com/mmbg5td>

⁴ <http://tinyurl.com/kq3vsph>

the identification, selection and management of local wildlife sites states that all sites that meet the agreed criteria should be selected. Prior to the adoption of the revised Portsmouth Plan, their formal identification by the council as candidate local wildlife sites will offer the habitats and species which make up these sites some protection from the adverse impact which development might otherwise have on them.

3.9 Nonetheless, whilst the recognition of such sites can be treated as a material consideration in the determination of planning applications, they remain undesignated sites. It is important that site owners are given the opportunity to present alternative evidence as to the site's ecological status and to appear before an independent Inspector should they wish to. This can only be done by taking the sites through the designation process, including an Examination in Public.

3.10 The sites which have been identified through the survey process are detailed below.

East and west of Gillman Road

The site straddles Gillman Road in Drayton and is occupied by Portsmouth Water. The site is used as a treatment works and reservoirs. It is also adjacent to another proposed local wildlife site (site ref PO0006).



Some of the grassland is found around the water treatment works and on top of the reservoirs. The rest is on the man-made slopes throughout the site. Much of the grassland is herb rich and diverse in chalk flora. In addition, a total of 24 calcareous grassland indicators were noted in the survey. The county scarce Corn Parsley (*Petroselinium segetum*) and Flattened Meadow-grass (*Poa compressa*) were also noted.

The site meets the criteria for designation due to the presence of semi-improved chalk grassland as well as the two notable species.

Proposed designation criteria	P1.2 P4.1	
Proposed site area	18.4ha	
Last survey date	24th August 2011	
HBIC site reference	PO0019	
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Fort Cumberland

Fort Cumberland is located off of Ferry Road in Eastney. It is close to the Langstone and Chichester Harbours SPA, SAC and Ramsar sites, together with Langstone Harbour SSSI. It is also adjacent to two other local wildlife sites (PO0011 & PO0013). It is comprised of the inside of the original fort.

Grassland is found on the parade ground, old moat and verges as well as along the extensive ramparts. The majority of the grassland is semi-improved and has a mix of mesotrophic, chalk and coastal species. Some of these swards are rough. There is also some unimproved parched grassland present as well as improved grassland and scrub. The fort's walls are old and provide another habitat type on the site.



The site has an excellent range of grassland and coastal species, including four notable species. These are the county rare Wild Clary (*Salvia verbeneca*) and Nottingham Catchfly (*Silene nutlans*) and the county scarce Sea Radish (*Raphanus raphanistrum ssp. Maritimus*) and Flattened meadow-grass (*Poa compressa*).

Overall, the site supports a remarkable amount of diverse and interesting grassland habitats and several notable species, both of which mean that it meets the criteria for designation.

Proposed designation criteria	P1.1 P1.2 P4.1
Proposed site area	9.52ha
Last survey date	23rd August 2010 - 26th August 2010
HBIC site reference	PO0018
Geographical coverage	

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James Callaghan Drive

The site is a long stretch of road verge along the top of Portsdown Hill that runs between Cosham and Paulsgrove wards. The site is adjacent to the Portsdown Site of Special Scientific Interest. It is also adjacent to the proposed Fort Widley local wildlife site (ref PO0002).



The verge supports unimproved rough chalk grassland as well as areas of less diverse mesotrophic sward. There is grassland which has a good species diversity including 24 calcareous grassland indicators. The presence of chalk grassland ensures that the site meets the criteria for designation.

Proposed designation criteria	P1.1 P4.1
Proposed site area	2.28ha
Last survey date	10th August 2011

 Proposed Local Wildlife Site
 Additional Local Wildlife Site

NORTH

Geographical coverage

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Kings Bastion Moat

The site is located close to the seafront in St Thomas ward. It was previously used as a naval defence moat.

The moat is linked to the sea and so is effectively a saline lagoon. It supports a good population of Eel-grass (*Zostera marina*) which is a county rare species.

The deep stone walls of the moat support a large number of non-notable coastal species including sea mayweed (*Tripleurospermum maritimum*), sea-purslane (*Atriplex portulacoides*), rock-samphire (*Crithmum maritimum*), spear-leaved orache (*Atriplex prostrate*), sea beet (*Beta vulgaris susp. maritima*) and sea couch (*Elytrigia atherica*).

As the site contains notable species and coastal grassland, it meets the criteria for designation.



Proposed designation criteria	P2.1 P4.1
Proposed site area	0.86
Last survey date	23rd August 2011

Proposed Local Wildlife Site
 Additional Local Wildlife Site

Geographical coverage

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Paulsgrove chalk pit

The site is located on Portsdown Hill, to the north of Butterfly Drive. The site is an old chalk pit and is directly adjacent to the Portsdown Site of Special Scientific Interest.

At the northern edge of the site there is extensive exposed chalk along the sides of the quarry. At their base is a mix of scrub and unimproved chalk grassland. The site is rich in chalk grassland species as well as some chalk ruderal species. The floor of the pit is mostly amenity sward but there is some chalk grassland present here as well. Overall, the site has a good diversity of chalk species. This includes 22 calcareous grassland indicators and Autumn Lady's-tresses (*Spiranthes spiralis*), which is noted by the International Union for the Conservation of Nature as 'near threatened'.



As the site supports unimproved chalk grassland together with notable species, it qualifies for local wildlife site designation.

Proposed designation criteria	P1.1 P4.1
Proposed site area	1.54
Last survey date	7th August 2009
HBIC site reference	PO0006



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Geographical coverage



Foreshore to the west of Tipner Ranges

The site is an area of coastal grassland located on the Tipner coast. It is part of the Portsmouth Harbour Site of Special Scientific Interest. The site supports semi-improved grassland and saltmarsh vegetation. The grassland has a fair species diversity though there are some areas of more improved and rough sward present. The edge of the site is a strip of grassy saltmarsh and shingle which has some maritime species including golden-samphire (*Inula crithmoides*) which is nationally scarce.



The presence of saltmarsh habitat on the site means that it meets the criteria for designation.

Proposed designation criteria	P2.1
Proposed site area	1.54
Last survey date	13th April 2011
HBIC site reference	PO00023

 Proposed Local Wildlife Site
 Additional Local Wildlife Site

NORTH

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Geographical coverage



3.12 The total area which would be covered by PCS13 as a result of the proposals in the table above is shown in figure 2.



Implications of designation on site management and potential development

- 3.13 Whilst designation at a national or international level would offer significant policy and legal protection to the nature conservation interests of sites, local designation does not. Nonetheless, as described in paragraph 3.11 many of the sites in question could well support legally protected species which the HBIC surveys, given their botanical focus, have not identified. In particular, bats and reptiles are commonly found in urban areas, both of which are legally protected, whilst bats have additional protection through a licensing regime. In addition, most of the sites are also designated as open space in the local plan and as a result are afforded significant protection from development under PCS13.
- 3.14 PCS13 of the Portsmouth Plan specifically recognises *“the benefits of local sites for nature conservation and its enjoyment by residents and visitors”*. Regarding site protection, the policy states that development should ensure *“the intrinsic habitat value of the site can be retained or enhanced through development proposals”*. The policy also states that we will allow development *“only if it clearly outweighs the substantive nature conservation value of the site, an impact on the site cannot be avoided or mitigated and compensatory measures are provided”*.
- 3.15 As a result, whilst local policy offers the sites some protection from the adverse impacts which development could have, they are not seen as sacrosanct. A site’s status as a local wildlife site is not intended to be a barrier to development, more to inform and influence any development in the area whilst also recognising that wildlife should be regarded as having intrinsic value as a social and educational resource.
- 3.16 The fact that a site has sufficient value to warrant its selection as a local wildlife site generally reflects management which, whether intentional or not, has resulted in a site with value to wildlife. However unlike nationally and internationally designated sites, its identification as a local wildlife site would not impose management restrictions on the owner of the site and does not allow public access on a site where none exists already.

4. Reasons for recommendations

- 4.1 All local authorities have a statutory obligation to conserve biodiversity.
- “Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”*
- Natural Environment and Rural Communities (NERC) Act 2006 s.40.
- 4.2 By identifying a site in this report as a candidate local wildlife site, the city council will be affording a degree of protection to areas which contain a species which is listed as county scarce and a nationally important habitat.

5. Equality impact assessment (EIA)

5.1 A preliminary EIA has been conducted. It concluded that a full EIA is not necessary.

6. Legal Implications

6.1 The formal identification of the sites as candidate local wildlife sites by the Council through the PRED decision will increase the weight and significance that may be afforded by the Council to their status. Until such time as the Council may adopt appropriate DPD, the recommended designation as “candidate local wildlife sites” will enable development control decisions affecting the sites referred to in this report to have due regard to such sites in compliance with the duty of the Council through the Natural Environment and Rural Communities Act 2006 to conserve biodiversity.

7. Head of Finance Comments

7.1 The recommendation in this report to treat the specified sites as 'candidate local wildlife sites' will require no additional financial resources.

7.2 There is no registration process for these sites and the protection offered is limited to consideration of the site's ecological interest when assessing planning applications.

7.3 Surveying of the sites is carried out through a service level agreement with the Biodiversity Information Centre. Some of this work is also done by PCC's Countryside Ranger service. All of this is funded from current budget resources.

7.4 Some local wildlife sites do not have any 'value' whereas others have significant development value. Local wildlife designation is intended to shape and influence a development rather than prevent it from going ahead.

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Signed by:

Appendices:

None.

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
East and West of Gillman Road HBIC survey report	City Development and Cultural Services
Fort Cumberland HBIC survey report	
James Callaghan Drive HBIC survey report	
Kings Bastion Moat HBIC survey report	
Paulsgrove Chalk Pit HBIC survey report	
Foreshore to the west of Tipner Ranges survey report	

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

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 Signed by: