

Addendum to Seafront Masterplan SPD Habitats Regulation Assessment

1. This factual note is produced as an addendum to the Habitats Regulation Assessment (HRA) produced by AECOM on behalf of Portsmouth City Council (PCC) in July 2019 conducted on the revised Seafront Masterplan SPD. The HRA was conducted on a draft of the Seafront Masterplan produced in June 2019.
2. This addendum presents the changes in circumstances since June 2019 in terms of the SPD, environmental context, and the context of the Southsea Coastal Scheme sea defences.

Seafront Masterplan SPD context

3. The Seafront Masterplan SPD (SM SPD) has been further refined from the draft produced in June 2019, though changes have been limited to text and graphical amendments. In general, the document has retained its overall meaning and structure, especially in relation to identified development opportunity sites. Therefore, since the HRA already considered all the identified development opportunity sites in its assessment, the findings of the HRA (in terms of screening and scoping exercise on likely significant effects, and carrying those forward into an Appropriate Assessment) remain valid.
4. In addition, the latest version of the SM SPD has been subject to a Sustainability Appraisal (SA), which includes screening and scoping on the likely significant effects (LSEs) on 'biodiversity and nature conservation' as a result of the SM SPD's guidance and proposals. The SA further conducts an Appropriate Assessment on the residual LSEs and puts forward various mitigation options.
5. The latest SM SPD, SA, and HRA are subject to a round of public consultation (in accordance to Regulation 14 of the Town and Country Planning (Local Planning) Regulations 2012) before the SM SPD can be adopted by the Council. All of these documents will be subject to further amendments as necessary before adoption.

Environmental context

Solent and Dorset Coast SPA

6. In January 2020, the Solent and Dorset Coast SPA was formally designated, and is an area which stretches from Worbarrow Bay, Dorset to Middleton-on-Sea, West Sussex¹. The Solent and Dorset Coast SPA has been designated for internationally important populations of common tern, Sandwich tern, and little tern. This area is particularly important to these birds as much of the sea around their breeding colonies is the ideal habitat for plunge diving for food.
7. These relevant bird species also are qualifying features for the Solent and Southampton Water SPA /Ramsar and the Chichester and Langstone Harbours SPA/Ramsar. The HRA includes consideration of these designated areas and considers the draft SM SPD proposals against these qualifying species, including through Appropriate Assessment. It is therefore logical to presume that the Solent and Dorset Coast SPA would result in a similar assessment and recommendations made in the HRA in respect to the Solent and Southampton Water SPA /Ramsar and the Chichester and Langstone Harbours SPD/ Ramsar. The SA also considers the designated Solent and Dorset Coast SPA in its assessment on 'biodiversity and nature conservation'.

¹https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/560627/solent-dorset-boundary-map.pdf

8. Given this, it is therefore considered that the assessment of LSEs upon the Solent and Dorset Coast SPA has been sufficiently addressed.

Nutrient Neutral Mitigation Strategy

9. High levels of nitrogen draining from the Solent catchment area have caused excessive growth of green algae (a process called eutrophication), which is having a recognised, detrimental impact upon the region's internationally protected habitats.
10. Following changes in European Case law, Natural England (the government's advisor for the natural environment) has advised Local Planning Authorities (LPAs) 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.
11. 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.
12. Mitigation measures to become 'nutrient neutral' are therefore required for additional dwellings (including the intensification of dwellings), tourism related development and any other development likely to generate an overnight stay, due to the additional wastewater generated.
13. Whilst there is currently uncertainty as to the extent in which new growth can deteriorate designated sites, in the interim Solent LPAs are working with Natural England, Environment Agency, and water companies to strategically assess and analyse the issue and to work towards a long-term solution.
14. Portsmouth City Council approved an Interim Nutrient Neutral Mitigation Strategy for New Dwellings for the 2019-2023/24 period (adopted 29 November 2019), which provides a robust framework through which planning applications can achieve 'nutrient neutrality' by addressing what types of development require mitigation, mitigation options, and developer contributions. All applications and the associated 'nitrate neutrality' mitigation proposals are determined on a case-by-case basis in consultation with Natural England and other key consultees.

Southsea Coastal Scheme

15. Planning permission was granted for the Southsea Coastal Scheme flood defences on 05 December 2019 (planning reference: 19/01097/FUL).
16. An Environment Statement incorporating a project-level HRA was submitted as part of the planning application, which included the summary of potential impacts, impact significance, mitigation measures, and residual impacts during construction and operational phases of the development. The Environment Statement was approved by the LPA through a Statement of Decision on 20 December 2019.