

REPORT TITLE: SOLENT RECREATION MITIGATION PARTNERSHIP (BIRD AWARE SOLENT) – DEVELOPER CONTRIBUTIONS FOR A NEW MITIGATION STRATEGY

14 FEBRUARY 2018

REPORT OF PORTFOLIO HOLDER: Cllr Caroline Brook Built Environment

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WARD(S): SOUTHERN PARISHES

PURPOSE

The Solent Recreation Mitigation Partnership (SRMP – public brand Bird Aware Solent), of which the Council is a member, was established in 2013 and is comprised of all the PUSH (Partnership for Urban South Hampshire) area councils, adjacent Solent area authorities and national and local conservation bodies. Its purpose is to deliver measures which mitigate the impact of additional recreational visits to the coast resulting from housebuilding in the vicinity of the Solent and this includes the southern part of the District which lies within 5.6 kilometres of the Special Protection Areas.

The mitigation measures are funded by developer contributions and an Interim Strategy was brought into operation across the PUSH and adjacent areas in 2014.

The SRMP has been delivering mitigation under this Interim Strategy for 3 years. This has enabled developers to provide mitigation for their schemes and has meant that local authorities along the Solent have been able to meet their statutory requirements under the Habitats Regulations and continue to grant planning permission for housing developments near to the coast whilst a definitive Strategy was produced.

The Strategy has now been completed and was endorsed by the PUSH Joint Committee on 5th December 2017. The new Strategy will provide a mechanism which will enable housing developers to address the issue of mitigation on the Solent coastline and, in so doing, will mean the Council is able to continue to grant planning permissions for residential developments in the southern part of the District up to 2034.

RECOMMENDATIONS:That:

1. The City Council endorses the Solent Recreation Mitigation Strategy and agrees to seek financial contributions in accordance with the Strategy for all relevant residential developments in the southern parishes of the District (within 5.6 kilometres of the Special Protection Areas of the Solent) unless it can be demonstrated that a development can provide satisfactory mitigation by other means;
2. Financial contributions received by the Council are transferred to the Solent Recreation Mitigation Partnership in order to implement the mitigation measures set out the Strategy; and
3. The sliding scale of developer contributions set out in the Solent Recreation Mitigation Strategy are revised annually in line with the Retail Price Index.

IMPLICATIONS:

1 COUNCIL STRATEGY OUTCOME

- 1.1 The Solent Recreation Mitigation Strategy supports our Housing and Environment outcomes in that it will enable the Council to continue to permit much needed housing development in the southern part of the District by providing a mechanism to meet the requirements of the Habitat Regulations.

2 FINANCIAL IMPLICATIONS

- 2.1 This paper is requesting approval to continue with the existing policy of collecting SRMP contributions and passing them over to the partnership. Therefore, there is no net financial impact.

3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 Developer contributions will be subject to planning obligations and this will be managed as part of the usual planning process.

4 WORKFORCE IMPLICATIONS

- 4.1 Any work associated with securing developer contributions can be met by existing staff resources.

5 PROPERTY AND ASSET IMPLICATIONS

- 5.1 None.

6 CONSULTATION AND COMMUNICATION

- 6.1 The draft Strategy was subject to public consultation between July and September 2017 and was revised, where necessary, to address issues raised.
- 6.2 The Strategy was endorsed by PUSH Joint Committee December 2017.

7 ENVIRONMENTAL CONSIDERATIONS

- 7.1 The Strategy will provide a mechanism which will enable housing developers to address the issue of mitigation on the Solent coastline arising from new house building in the vicinity of the three Special Protection Areas. This will mean that the Council is able to meet its obligations under the Habitats Regulations and, in so doing, continue to grant planning permissions for residential developments in the southern part of the District up to 2034.

8 EQUALITY IMPACT ASSESSMENT

- 8.1 The Strategy was subject to a preliminary Equality Impact Assessment and it was determined that a full assessment would not be required.

9 RISK MANAGEMENT.

Risk	Mitigation	Opportunities
<i>Property N/A</i>		
<i>Community Support – Lack of understanding or awareness of the Strategy could undermine support for it.</i>	Public consultation undertaken in the summer of 2017.	
<i>Timescales The current Interim Strategy is due to expire in April 2018 and, in the absence of Definitive Strategy, it may no longer be possible for the Council to grant planning permission for housing development in the south of the District.</i>	A Definitive Strategy has been drafted and can be introduced in April 2018.	
<i>Project capacity None</i>		
<i>Financial / VfM N/A</i>		
<i>Legal None other than risks generally associated with the granting of planning permissions.</i>	Strategy is based upon the best available evidence, is supported by key nature conservation bodies and its effectiveness will be monitored and reviewed.	Governance for the SRMP is provided by PUSH with annual reporting on budget setting and progress on implementation of the Strategy.
<i>Innovation N/A</i>		
<i>Reputation - Failing to provide a straight forward means for developers to address the issue of mitigation on the Solent coastline could add to development costs and delay or prevent planning permissions being granted thereby harming confidence in the Council's ability to enable new homes to be delivered.</i>	The Strategy provides a convenient and relatively inexpensive way for the effects of new housing development to be mitigated.	Good example of collaborative working and the Strategy will deliver wider benefits for the Solent coastline. Bird Aware Solent is attracting nationwide interest.

<p><i>Other - In the absence of a convenient mechanism for addressing the impacts of new housebuilding on the coastline residential development could be delayed and this could adversely affect the delivery of the Local Plan and maintenance of a 5 year land supply.</i></p>	<p>The Strategy provides a convenient and relatively inexpensive way for the effects of new housing development to be mitigated.</p>	
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10 SUPPORTING INFORMATION:

- 10.1 In 2013 (CAB2537) the Council agreed to seek developer contributions for relevant housing development in the southern parishes of the District in line with the Solent Recreation Mitigation Partnership's Interim Strategy. This allowed the Council and other local authorities in the Solent area to continue to grant planning permissions for residential schemes whilst a definitive strategy was developed. These developer contributions were collected by PUSH members and adjoining authorities and used by the Solent Recreation Mitigation Partnership (public brand Bird Aware Solent) to deliver the measures in the Strategy which are designed to mitigate the effects of additional recreational pressure on the coastline resulting from new homes built within 5.6 kilometres of the three Solent Special Protection Areas (SPAs).
- 10.2 A definitive Strategy has now be drafted which covers the period up to 2034 and incorporates in-perpetuity funding to deliver mitigation for a further 80 years (to 2114). It will therefore provide a mechanism for housing developers to address the issue of mitigation on the Solent SPAs and will enable the Council to meet it's obligations under the Habitat Regulations when determining planning applications for housing developments.
- 10.3 The Strategy focusses on managing the impacts of recreational visits to the coastline by educating people and influencing their behaviour , and providing alternative destinations inland, rather than preventing access to the Solent or enforcing controls on coastal activities. The main mitigation measures are summarised below:
- A team of rangers that patrol the coast and engage with visitors to educate, inform and influence behaviours to avoid detrimentally affecting the over-wintering bird population.
 - Communications, marketing and education initiatives.
 - Initiatives to facilitate and encourage responsible dog walking.
 - Codes of conduct (coastal activities like water based recreation).
 - Site-specific visitor management and bird refuge projects.
 - New/enhanced strategic greenspaces (funded by means other than

developer contributions).

- A delivery officer (called 'Partnership Manager' from this point on).
- Monitoring to help adjust the mitigation measures as necessary.

10.4 Full details of these measures, along with associated costs and funding, are set out in the Strategy which is attached at Appendix A.

10.5 Funding for most of the mitigation measures comes from developer contributions. Under the Interim Strategy these are charged as a flat rate (currently £181 per home). However, the new Strategy incorporates a sliding scale based upon dwelling size (number of bedrooms). This is a more sensible way to calculate the level of contribution because the recreational impact on the coast is generally proportionate to the size of the unit and number of residents. The average costs per home under the definitive Strategy would be £564 (18/19) and the actual costs per dwelling are as follows:

- £337 for 1 bedroom dwelling
- £487 for 2 bedroom dwelling
- £637 for 3 bedroom dwelling
- £749 for 4 bedroom dwelling
- £880 for 5 bedrooms or more

10.6 It is acknowledged that the new charges are significantly higher than the present Strategy but have been carefully considered by the SRMP. The original mitigation package would have represented an average cost per dwelling much higher than £564. The level of mitigation was reviewed and the final version of the Strategy includes the minimum needed to adequately deal with the increased recreational pressures on the coast. By comparison to other similar types of schemes elsewhere in the region the costs to developers are relatively low. For example the New Forest scheme is £2,050 to £5,050 depending on property size, whilst the Thames Basin Heath scheme ranges from £2,000 to £15,000 depending on property size and exact location.

10.7 Whilst anything which adds to the cost of development will not be welcomed by housebuilders it is doubtful that the scale of charges in the Strategy will render schemes unviable when viewed in relation to the overall costs of developing a site and given property values in the south of the District. Furthermore, the Strategy enables developers to know up-front the costs of mitigating the impact of their development which means they can take account of this when buying land and designing their scheme. It should also be noted that no developer will be required to make contributions to the Strategy. They have the option of exploring a bespoke arrangement. However the costs of doing so are likely to be higher than using the Strategy and may also prove very difficult to achieve in practice. The SRMP package is a clear and convenient means to address the matter of mitigation and the

costs are modest when viewed in the context of typical development costs and property values.

- 10.8 In conclusion therefore it is considered that using the SRMP definitive Strategy provides a clear and convenient way to address the issue of mitigating the effects of new residential development on the Solent SPAs for both developers and the Council and builds upon the good work already undertaken over the last 3 years under the Interim Strategy.

11 OTHER OPTIONS CONSIDERED AND REJECTED

- 11.1 In the absence of having a definitive SRMP Strategy in place developers would have to agree bespoke measures to mitigate the effects of their developments before the Council could grant planning permission. This would be likely to increase costs for housebuilders and, in practice, would be very difficult to achieve.

BACKGROUND DOCUMENTS:-

Previous Committee Reports:-

CAB2537 - SOLENT DISTURBANCE AND MITIGATION PROJECT INTERIM PLANNING FRAMEWORK

Other Background Documents:-

PUSH Joint Committee meeting 5 December 2017

http://www.push.gov.uk/work/latest_joint-committee.htm

APPENDICES:

Appendix A – Solent Recreation Mitigation Strategy – available via the following link (and printed copies for Cabinet Members only):

<http://www.birdaware.org/CHttpHandler.ashx?id=29372&p=0>