

11 July 2020



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## Solent Nutrients Issue

Thank you for contacting Hampshire & Isle of Wight Wildlife Trust to raise your concerns or ask a question about the scheme we have been developing as part of the wider effort to deal with the issue of nutrient pollution in the Solent.

### Background and context

Several people are questioning why the Wildlife Trust is involved, as it seems counterintuitive to some that we should work constructively with planners and developers on positive solutions rather than trying to stop development. In fact, the Trust has worked with the planning system for decades, and we continue to invest a significant amount of time in influencing planning at a strategic level, both within our two counties and nationally. We continue to challenge the most damaging developments and over the years have won a few important campaigns. We have made some good progress in changing policy too, for example, many of the planning policies and regulations that force developments to take wildlife into account have come about due to campaigning by ourselves and others. Indeed, many of today's nature reserves<sup>1</sup> were secured through the planning system, and the relatively recent concepts of the **local ecological network** and **biodiversity net gain** are both designed to move planning in a more environmentally sustainable direction.

However, it is also true that we have little or no influence on **housing numbers** or broad locations which are set by central government. Indeed, when we recently analysed our development control work over several years (i.e. objecting to planning applications) we found we were rarely successful as decisions had already been made. The government sets housing targets using a formula (the so-called Objectively Assess Need (OAN)) which ignores local environmental considerations, and once these are set the local planning authorities are duty bound to deliver them. Achieving housing targets dominates the deliberations of Planning Inspectors, and if local planning authorities fail to meet their housing targets Inspectors will often allow development to go ahead even if the site is not allocated in the local plan, and sometimes they issue fines for non-delivery.

<sup>1</sup> e.g. Swanwick Lakes, Blashford Lakes, Testwood Lakes, Barton Meadows and Fishlake Meadows



Environmental legislation such as the **EU Habitats Directive** provide important safeguards to ensure that any damage to the environment is avoided, mitigated or compensated, but even these strictest of rules do not prevent the overall scale of development driven by central government. In our view, this is a major failure of the planning system and is one reason we continue to campaign for better planning laws with other NGOs.

The Habitats Directive is the reason that house building in the Solent area is currently on hold. There are high input levels of nitrogen and phosphorus to the Solent's water environment with sound evidence that these nutrients are causing eutrophication<sup>2</sup>. These inputs are caused mostly by wastewater and diffuse sources from existing housing and agricultural runoff. The resulting dense mats of green algae are impacting negatively on the area's protected habitats and bird species. Natural England has advised the planning authorities that further development will have a likely significant effect on the Solent because of this nutrient pollution, and therefore **mitigation** must be in place before it can be allowed.

This is very welcome, and the Trust is pleased that Natural England has stood firm on this advice. However, it is only causing a delay to development. There is a broad suite of **mitigation measures** being developed by various organisations and individuals including: agricultural land being taken out of intensive use, improvements to wastewater treatment works and on-site wetland construction. Once these are in place, development will restart.

The delays to development have resulted in significant and growing political pressure against nature which is being held up as a barrier to economic progress. The demand for economic growth, especially now, will force the situation to be resolved. We saw a glimpse of the likely direction of travel in Boris Johnson's '**Build, Build, Build**' speech on 30<sup>th</sup> June in which the prospect of diluting wildlife and environmental protections to accelerate house building was clearly stated. There is no doubt the government is frustrated with the Solent nitrates 'issue'. Once the UK fully leaves the EU, the government will be free to introduce legislation that will dilute or remove the protections currently in place through the Habitats Directive. If this happens, the impact of nitrates will be unmitigated and our most important wildlife sites will lose their protection. Further unrestrained development of our coastal landscape and damage to the environment will be even more likely.

While the nitrates issue has undoubtedly delayed house building in the area, solutions are becoming available, and development of sites allocated within local plans will take place **with or without** the Wildlife Trust's involvement.

In choosing to be involved, we aim to demonstrate that protecting and improving the environment is essential to a strong economy and that **solutions are not only possible but can deliver additional benefits for wildlife and people** as well.

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<sup>2</sup> Eutrophication is where a body of water has become overly enriched with excessive nutrients, which causes dense growth of algae, depleting oxygen levels and impacting other forms of wildlife.

## Questions about the effectiveness of mitigation and 'nutrient neutrality'

There have been some criticisms that achieving neutrality alone will not result in significant improvements to the Solent's important habitats. **We agree.**

Natural England has published a detailed justification explaining the methodology for calculating nitrate impacts and the way that various mitigation measures will work, such as the creation of interceptor wetlands and appropriate land being taken out of high nitrogen uses such as intensive farming. The Trust is comfortable that the methodology and approach satisfy the required legal tests. The calculations are based on the best available evidence on nutrient loading from different land use types and the way in which runoff moves through the catchments and into the Solent. Importantly, the figures include a **precautionary buffer** of approximately 20% to recognise that there is an element of risk in relation to the exact amount of nutrients coming from developments if the actual occupancy rates and use of water by individuals differ from the assumptions used.

In addition there are a range of **other initiatives** in place, such as Catchment Sensitive Farming, designed to curb excessive nutrient loads from agriculture more broadly. The Trust is actively involved in influencing the new Agriculture Bill and we campaign with other NGOs for the continued reduction of chemicals and artificial fertilisers in farming. We also influence water policy and have campaigned for more investment from water companies in better wastewater treatment.

However, we continue to push for **more to be done** for nature, and we aim to demonstrate what we mean by delivering high quality solutions and seeking to raising the bar overall. The Wildlife Trust's nutrient reduction scheme is therefore designed to be rather different from the other mitigation measures being put forward.

Our scheme is the **only one which will deliver significant additional benefits** for wildlife as any mitigation sites delivered by us will be transformed into wildlife rich spaces and nature reserves which will be safeguarded in perpetuity. In addition, we aim to incorporate additional headroom into our calculations on top of the precautionary buffer to provide more capacity for nutrient reduction where possible. Each mitigation site is considered on a case by case basis, and the nitrate reduction potential depends on several factors. However, we will always strive to achieve **more than neutrality** as this is clearly needed to improve the quality of the Solent's habitats.

We are also clear that any mitigation we deliver must be in line with our **ethical principles**. The Trust will only provide nitrate mitigation for developments that have satisfied all other planning and legal requirements, particularly those relating to biodiversity. The planning process requires all developments to demonstrate that their proposals will not result in unacceptable impacts to existing important biodiversity. We have already **refused** to provide mitigation for developments which we have an objection to. Where possible we will give preference to smaller developments, and to those who agree to incorporate wildlife gains into their plans.

## Locations of mitigation sites

At present, we have acquired one site on the **Isle of Wight**, which is acting as a pilot, allowing us to demonstrate proof of concept and to test out how the scheme might be rolled out more widely.

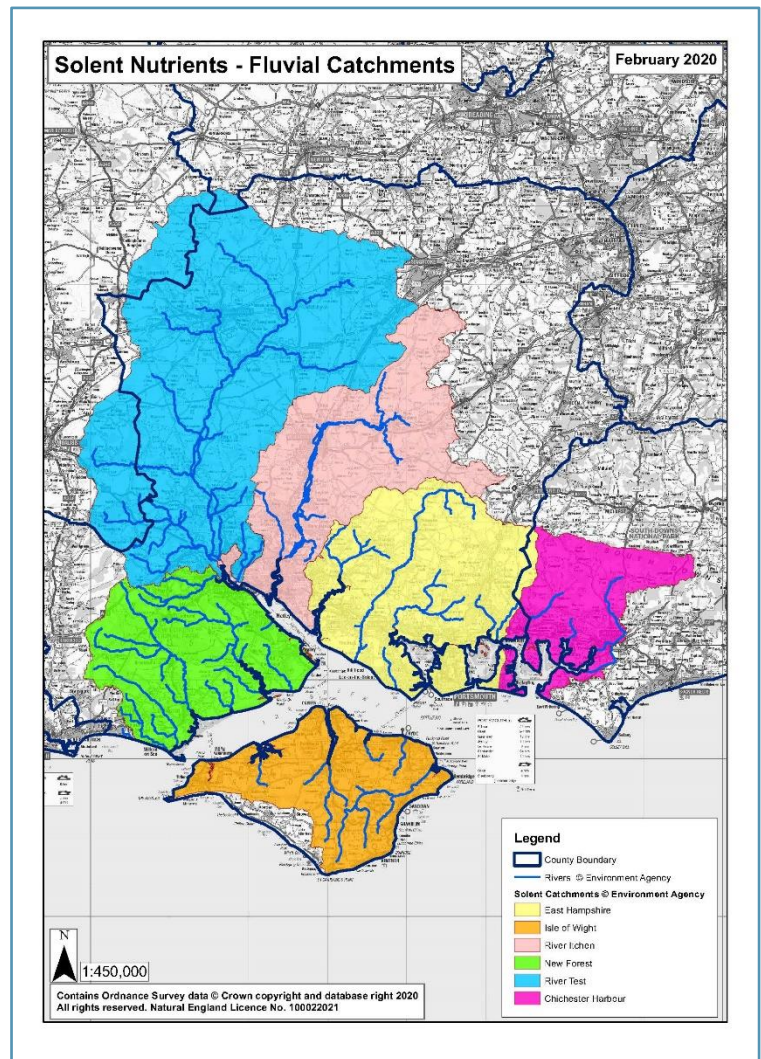
The site, a former arable farm, discharges into the Wootton Creek, and as the Trust restores it to natural wildlife habitats, this will directly reduce nitrate inputs into the Solent.

It is deemed suitable by Natural England as a mitigation site for several hundred<sup>3</sup> new homes whose wastewater will discharge via the Peel Common and Budds Farm sewage treatment works as it discharges into the same part of the eastern Solent catchment.

There have been questions as to whether it is right for developments in south Hampshire to be mitigated elsewhere. Specifically, the Isle of Wight farm will provide mitigation for houses in Fareham as explained above.

Because the suitability and location of mitigation sites is determined by **hydrological modelling**; it means that it is not always possible to secure appropriate farmland close to where new houses are being built.

Looking ahead, the Trust is aiming to acquire a number of sites across the Solent sub-region; it is our aim to secure **at least one strategic land acquisition in each sub-catchment area** so that environmental and wildlife benefits are delivered across the whole area, if possible. These benefits will be delivered in perpetuity. We also aim to secure sites that add value to the **nature recovery network** and help deliver our Wilder strategy as outlined below.



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<sup>3</sup> Exact figure to be agreed



We understand that many people are frustrated with the failures in the planning system and **we agree that more accessible green space is needed in urban areas**. This is something we continue to campaign for.

We appreciate that by providing mitigation sites, this will allow some house building to occur, but as explained above this will happen whether or not the Trust is involved as there are other mitigation schemes available now and in the pipeline. We decided to offer mitigation because we believe it is **important to demonstrate** an ethical, high quality, strategic scheme that delivers more than the bare minimum and achieves genuine gains for wildlife overall.

## Strategic fit with the Wildlife Trust's mission

Some people have questioned if the Trust is acting in line with our charitable objectives and strategic plan. We have carefully considered whether offering a mitigation scheme to reduce nitrate pollution in the Solent is the right thing to be doing, and we have discussed and developed our approach over several months in consultation with the charity's Board of Trustees, senior staff and our in-house ecologists, as well as Natural England and the local authorities.

We are firmly of the view that delivering nitrate reduction together with the wider benefits described above as part of a range of **'nature-based solutions'** is entirely consistent with our mission to create a wilder Hampshire and Isle of Wight.

The Trust recognises the urgency of the ecological crisis and we have recently shaped a new strategy in response. This was developed over 18 months through a series of events and consultations with our staff, Trustees, members, supporters and partners – starting with the launch of our Wilder discussion document and ending in October 2019 with the launch of our Wilder 2030 strategy. For wildlife to recover, we are clear that **at least 30%** of our land and sea must be made wilder by 2030. The concept of a 'nature recovery network' is key to achieving this vision.

To achieve this, we need to use **all the mechanisms** available to us, including working with farmers, private landowners, schools, community groups, businesses, public bodies, government agencies, planners and developers.

The nature recovery network does not exclude anyone, and we have **community engagement** and education programmes in place to encourage people to make space for wildlife in their gardens, schools, parks and streets.

We know that **intensive agriculture** is by far the main cause of wildlife decline, and with farmland covering almost 80% of our land surface it is vital that we work proactively to change this. Our so-called 'green and pleasant land' is often devoid of wildlife and so working with farmers and landowners to incorporate wildlife into their businesses, influencing agriculture policy, and creating new large **wild areas** for nature in the countryside are all high priorities for us.

We also know that **developments** can, if designed well, result in an overall **net gain** for wildlife, and we are keen to demonstrate what good development looks like through our new Building with Nature service. Developed areas still represent less than 10% of the total area of Hampshire and Isle of Wight and whilst we appreciate the failings of the planning system to provide adequate green infrastructure for people, we are keen to influence the design of developments where we can so that they achieve positive outcomes.

And as part of our collective responsibility to tackle climate change and our journey to net zero greenhouse gas emissions, we will be offering ways in which **carbon** can be removed from the atmosphere through restoring natural habitats – another ‘nature-based solution’.

As a charity we uphold high standards of integrity and **transparency**, and we aim to make available as much information about our scheme as possible including the land we acquire, the benefits being delivered, and the calculations on which our mitigation measures and costs are based. This is a new concept for all the parties involved and some aspects of the scheme are likely to evolve as it moves into the delivery phase.

Hampshire & Isle of Wight Wildlife Trust

July 2020