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**28<sup>th</sup> October 2021**

Dear Portsmouth City Council Planning Policy Team,

**Portsmouth Local Plan 2038 – ‘Regulation 18’ Consultation**

The Royal Society for the Protection of Birds (RSPB) and Hampshire & Isle of Wight Wildlife Trust (HIWWT) wish to make the following joint response to Portsmouth City Council’s Draft Local Plan Regulation 18 consultation.

As Portsmouth City Council is aware, the RSPB and HIWWT are united in our serious concerns regarding the Council’s promotion of the Tipner West ‘super peninsula’ option. The majority of our comments in this response relate to these highly damaging proposals and their knock-on effects on the overall soundness of the Plan.

We urge the Council to listen to the 24,000 people who signed our joint petition and over 8,650 people who have so far responded to this Draft Local Plan consultation in opposition to the ‘super-peninsula’ option. Since the publication of the Draft Plan consultation, it has also become clear that the majority of Portsmouth City Council’s own councillors are also significantly concerned enough to pass a motion to “pause and rethink” the ‘super-peninsula’ proposals.

The Council now has a choice. It can either continue to try to drive through the highly damaging, outdated and deeply unpopular ‘super peninsula’ proposals, and in doing so put the entire Local Plan at risk of failure. Or the Council could take the opportunity to demonstrate strong leadership and set the direction for a truly sustainable future for Portsmouth, one that values its natural assets and delivers necessary development without destroying the City’s unique environment.

Our detailed joint response to the Draft Local Plan consultation questions are set out in the annex below.

We trust that you will find these joint comments on behalf of the RSPB and HIWWT helpful. We hope that they will be taken into full consideration as the Council continues to develop its new Local Plan, and in particular as it carefully considers alternative options to the Tipner West ‘super peninsula’ proposals and to the wider delivery of housing across the City.



Should you wish to discuss any of the matters we have raised further, please do not hesitate to get in touch.

Kind regards,



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**Hampshire & Isle of Wight**  
Wildlife Trust  
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## **Annex – Detailed comments of the RSPB and Hampshire & Isle of Wight Wildlife Trust**

### **Question 1: Vision and Objectives**

**a. Do you agree with the use of the Imagine Portsmouth draft vision and objectives to lead the new Local Plan?**

ii. No

**b. Do you have any further comments or suggestions about the use of the Imagine Portsmouth draft version and objectives?**

Portsmouth is an island bounded by water and is under increasing pressure from the impacts of the climate emergency. But it is also a city that is surrounded by designated habitats, vital natural assets that must be protected to help us mitigate and adapt to both the climate and nature emergency. Thriving habitats safely lock up vast amounts of carbon, while providing other vital benefits that help us adapt, such as flood prevention, clean water and improved health and wellbeing.

Portsmouth must recognise the fundamental importance of nature in underpinning the health and wellbeing of its residents and the City's sustainability, society and economy. As such, we encourage Portsmouth City Council to include the role of nature in climate mitigation and adaptation in its strategic objectives and to commit to a specific measurable objective on reversing the decline of nature locally.

### **Question 2: Local Plan Key Themes**

**a. Do you agree with the proposed key themes?**

ii. No

**b. Do you have any further comments or suggestions about the proposed key themes?**

As reaffirmed in Professor Sir Partha Dasgupta's seminal review into [The Economics of Biodiversity](#), commissioned by Her Majesty's Treasury, nature is the foundation of a thriving, healthy and sustainable society and economy. It is clear that Portsmouth City Council cannot achieve any of its vision and objectives without nature's recovery.

We, therefore, encourage Portsmouth City Council to include tackling the nature emergency and restoring ecological networks as a key stand-alone theme in the Local Plan.

### **Question 3: Spatial Development Strategy**

**a. Do you agree with the approach to the proposed Spatial Development Strategy for the new Local Plan?**

ii. No

**b. Do you have any further comments or suggestions about the Spatial Development Strategy for the new Local Plan?**

The draft key principles for the strategic sites must have a stronger emphasis on expanding and protecting the Ecological Network, as identified in draft Policy G1, as well as ensuring that tackling the climate emergency and building resilience to its impacts is prioritised. Currently, it is unclear how Portsmouth City Council has taken the Ecological Network into account when considering the proposed strategic sites.

For example, Tipner West and Portsmouth Harbour should be at the core of the Ecological Network due to their importance for wildlife, including intertidal habitats designated as Special Protection Area (SPA), Site of Special Scientific Interest (SSSI) and Ramsar Site (wetland of international importance designated under the Ramsar Convention) in addition to functionally linked grassland at the heart of Tipner West that is further designated as a Sites of Importance for Nature Conservation (SINC). Yet, this heavily protected area has been put forward as a preferred option (Option 1) for development as part of the Tipner Strategic Site, which would lead to the direct loss of over 30ha of protected land in addition to substantial indirect damage to surrounding protected areas. We consider that the Spatial Development Strategy places far too much emphasis on this highly sensitive area to deliver a substantial quantum of Portsmouth's development needs. For more detail of our concerns surrounding the Tipner West proposals, please see our response to Question 39.

Overall, we would like to see better mapping of the strategic sites layered with the Ecological Network mapping, including designated sites, as it is currently it is not made clear for the general public how the proposed strategic sites sit alongside these important sites for nature.

As an example, the recent [Isle of Wight Draft Local Plan \(Reg 18\)](#) included an interactive map with changeable layers to allow you to view the strategic site allocations alongside designations, green infrastructure, ecological network mapping, flood risk etc. to allow the public to better understand the impacts of the strategic housing and employment allocations, and thus make more informed responses to the proposed locations.

**Question 4: Housing Need**

**a. Are there exceptional circumstances for Portsmouth that should be considered?**

i. Yes

**b. (If yes) Please tell us more about these exceptional circumstances**

We understand that the Council is under pressure to deliver substantial numbers of new housing, in line with the Government's 'standard method' for calculating housing need. As highlighted in the foreword to the Draft Local Plan, direct application of the Government's approach to an area like Portsmouth, that so tightly constrained by space and the presence of highly designated features of nature conservation value, is totally unrealistic.

Furthermore, with the uncertainty surrounding climate change and in particular predicted sea level rise, we question locating large numbers of new homes in areas where they will be at greater risk of such uncertainty in the future.

However, as recognised in the Draft Plan, the Government’s approach does make allowance for ‘exceptional circumstances’ when local planning authorities are considering housing need. As the former Secretary of State for Housing, Communities and Local Government, Robert Jenrick MP, stated in his recent letter to Portsmouth City Council (16 August 2021), the Government’s standard method for calculating housing need is only “a starting point” for councils, and local authorities should take environmental constraints and land supply into consideration in determining the number of homes that can be delivered. He goes on to state that Government “recognises that not everywhere will be able to meet their housing need in full”. Government has encouraged local authorities to work with neighbouring authorities under the Duty to Cooperate in order to help deliver unmet housing needs, where such constraints exist.

**In our view, there is no question that a case for exceptional circumstances exists which justifies an alternative approach to determining local housing need and an appropriate housing target for Portsmouth City.**

We consider that the following factors support a compelling case for a lower, more sustainable housing target for the City:

1. It is clear that the Council is unable to deliver the homes suggested by the Government’s standard method for calculating local housing need without causing irreversible environmental harm, including the substantial loss of designated habitats of international importance to nature conservation arising from the Tipner West ‘super-peninsula’ proposals. It is highly questionable whether such damage is lawful under the legislation protecting such sites, casting considerable doubt on the delivery of a significant proportion of the Government method generated housing target.
2. As the UK’s only island city and the most densely populated city outside of London, constraints on land availability in Portsmouth are high. The City is already severely lacking sufficient green spaces to support its residents – spaces that are also relied on by important wildlife such as brent geese. Unrestrained levels of new housing will continue to put a squeeze on the remaining areas of open space in the City, increasing recreational pressures on sensitive coastal wildlife and depriving current and future residents of access to precious green spaces in a heavily built-up area.
3. Portsmouth is already experiencing significant urbanisation pressures, including air quality impacts linked to traffic congestion, water quality problems and recreational disturbance to surrounding protected habitats, in addition to growing risks arising from sea level rise and coastal flooding. These issues will only be exacerbated by unsustainable housing growth and coastal squeeze, putting increasingly unmitigable pressures on people and wildlife.

We are disappointed that the Council missed the opportunity within the Draft Local Plan to make clear any problems with the standard method for calculating local housing need on the grounds of

environmental and land supply constraints and to adopt an alternative approach, as outlined in the Secretary of State's letter. Crucially, this approach needs to ensure that environmental constraints on development are respected.

### **Question 5: Housing Supply**

**a. Do you agree with the suggested approach to housing supply for the plan period?**

ii. No

**b. Do you have any further comments or suggestions about the suggested approach to housing supply for the plan period?**

It is deeply concerning that around 20% of the Council's housing supply is dependent on delivery of the highly controversial Tipner West 'super-peninsula', Option 1 (the Council's preferred of three options for the site as presented in the Draft Local Plan - see Question 39). Given the outstanding questions about the ability of this option to meet the strict legal tests that protect the wildlife habitats that would be lost as a result of this highly damaging scheme, we consider that the Council's heavy reliance on this allocation for such a substantial proportion of its housing delivery puts the soundness of the overall Plan into doubt.

While we believe that a strong case for 'exceptional circumstances' exists for lowering Portsmouth's housing target for the City (see our response to Question 4), we also consider that alternative options are available to deliver a proportion of new housing within the local area without resorting to damaging protected wildlife habitats or other precious green spaces, including the export of some housing need to neighbouring authorities with fewer environmental constraints. This will require a strategic approach to planning for housing needs across Portsmouth and neighbouring authorities.

All alternatives must be carefully assessed to ensure the Plan does not place undue weight on a high-risk, highly damaging development that we believe will prove to be unlawful and therefore undeliverable.

### **Question 12: Employment Land**

**a. Do you agree with the approach of the draft Policy E2?**

li No

**b. Do you have any further comments or suggestions about the suggested approach of the draft Policy E2?**

Draft Policy E2 proposes to allocate Tipner West and Horsea Island for 60,000sqm of marine employment floorspace. However, this does not appear to be consistent with the options presented for this strategic site elsewhere in the Draft Plan. Draft Policy S2 (Tipner) includes options for 59,000sqm (Option 1), 25,000sqm (Option 2), as well as an option for no employment development (Option 3) at Tipner West, alongside varying levels of associated housing. This policy therefore implies that the scale

of employment development at Tipner West is dependent on the scale of housing delivered on the site – something that the RSPB and HIWWT have previously requested clarification on.

Given the substantial damage to protected sites that would be caused by the proposed 3,500 houses at Tipner West (Draft Policy S2: Option 1) – damage that is unprecedented in terms of meeting the strict derogation provisions under the Habitats Regulations – there can be no room for ambiguity with regard to the inter-dependencies between the proposed 60,000sqm of marine employment development and the damaging housing proposals at Tipner West.

If there are no dependencies between the two elements (housing and employment development) at Tipner West, then this should be accurately reflected in the options set out under Policy S2. Conversely, if dependencies do exist between the two elements, then this should be clarified in the Draft Plan – including a clear indication of the minimum number of houses necessary for the desired level of employment development to be viable – and corresponding scenarios set out for the potential marine employment development under Policy E2.

Importantly if the marine hub is not viable without damaging levels of new housing (i.e. housing levels that would require direct land-take from the statutory protected wildlife sites), further serious questions must arise concerning the soundness of the Draft Plan.

We note that Policy E2 has been screened into the Appropriate Assessment of the Draft Local Plan due to a range of potential impacts on nearby SPAs/Ramsar sites (although we note that Table 4 erroneously identifies the immediately adjacent sites as Chichester and Langstone Harbours SPA/Ramsar site) arising from the proposed marine employment development at Tipner West and Horsea Island. It is unclear why these potential impacts have not been assessed in greater detail in the draft Appropriate Assessment, given that the boundary of the proposed employment allocation is clearly defined in the current Regulation 18 Draft Plan. Nevertheless, we expect to see the identified impacts fully assessed at the next stage of the Local Plan development and policy provisions put in place to ensure that impacts on the protected areas are fully avoided and mitigated as appropriate.

### **Question 18: Open Space and Outdoor Recreation**

#### **c. Are there any areas of open space that should be added or removed from the policy?**

##### **i. Yes**

We know that people value living in places close to nature. Evidence shows that access to good-quality green space is linked to improvements in both physical and mental health, as well as lower levels of obesity. However, access for deprived areas, and for areas with higher proportions of minority ethnic groups, is deeply unequal. Currently, people who live in deprived areas are nine times less likely to have access to green spaces.

Considering Portsmouth is the second most densely populated city in the UK, the Council should focus on increasing and enhancing green and open spaces for residents. In particular, Tipner West already acts as an important open space for local people, who regularly use the site for recreation and as a wild escape from the densely populated city.

Speaking about Tipner West's importance for local people, one local resident in their response to this Portsmouth City Council Draft Local Plan consultation said:

*"Since the first lockdown in March 2020, Tipner West has been an integral part of our walking routine, and has enabled us to remain connected with nature at a time when we were forbidden from travelling outside our local area. This picturesque walk enables us to keep tabs on the pair of resident swans and their cygnets, and observe many of the visiting birds during the autumn and winter months, including the large numbers of Oystercatchers and Brent Geese, together with smaller numbers of Cormorants, Curlews, Herons etc. We have also seen a seal. During the summer months we have enjoyed the wild flowers which brighten the short walk between Harbour School and the beach, where we also pick many blackberries from late August through September. These connections with nature have been a daily highlight at a time when the only alternative would have been to walk around the city streets."*

It is evident that Tipner West already plays a key role as green infrastructure and open space in the densely populated city, so it should be recognised for its importance for both people and nature. We consider that Tipner West could be added as an Open Space for Portsmouth providing that it is well managed for the benefit of both people and wildlife, and measures are put in place to minimise disturbance to the protected areas within and around the site.

### **Question 21: Biodiversity**

**a. Do you agree with the proposed approach to Policy G1? If not what changes would you suggest and why?**

ii. No

**b. Do you have any further comments or suggestions about the suggested approach to Policy G1?**

The RSPB and HIWWT encourage Portsmouth City Council to make the following changes within draft Policy G1:

- There are inconsistencies in the definition of 'international designations' between Table 5 and draft Policy G1 – we recommend that SPAs and SACs are classed as 'international designations' as they are of greater conservation significance than SSSIs. It may be clearer to refer to the different tiers of site as being of international and national 'importance' to avoid confusion between their relative importance and the legislative framework protecting them.
- Table 5: Local Wildlife Sites need to be cross-referenced as SINCs and more clearly explained in the text not just in the table.
- Policy G1 (d) – suggest amending as follows: 'Proposals are in line with the requirements of habitat mitigation or compensation schemes effective within the Portsmouth City Council area,



including the Solent Recreation Mitigation Strategy and the Solent Waders and Brent Goose Strategy.'

- We strongly encourage the Council to adopt the proposed changes around functionally linked land detailed in 7.7 of the Habitat Regulations Assessment of the Portsmouth Local Plan.
- Policy G1 (e) – the word 'significant' before 'adverse effect' should be removed to more accurately reflect the wording of the Habitat Regulations.
- Policy G1 (h) – we suggest the following underlined text is added to more accurately reflect the wording of the NPPF (para 80b): 'The benefits of the development in the location proposed clearly outweigh both the likely impact on the site's interest features, and any broader impacts on the national site network.'
- Reference at the end p149 needs to be: 'Solent Waders and Brent Goose Strategy (2020) and website: <https://solentwbgs.wordpress.com/>'
- As part of the Ecological Network, we would like to see reference to the Nature Recovery Network and sites identified as part of the upcoming Local Nature Recovery Strategy, which is due to be mandated with the enactment of the Environment Act.
- Ecological Network should explicitly state that it includes all Solent Wader and Brent Goose Strategy sites, Hampshire's Local Ecological Network (Core Sites and Opportunity Sites), Biodiversity Opportunity Areas and Priority Habitat Areas.

### **c. How should new development seek to deliver biodiversity net gain within Portsmouth's urban environment?**

Portsmouth City Council should spatially identify which sites are strategically significant for nature through the Ecological Network and put in a presumption that any offsite biodiversity net gain should be delivered on these sites. To protect the integrity of the Ecological Network and to ensure we are truly receiving net gain for nature, there must be the presumption that habitat created by biodiversity net gain should be protected in perpetuity.

Furthermore, Portsmouth City Council should include clear policies to regulate biodiversity net gain within the Local Plan, including requiring regular reporting by developers, a clear statement that failure to meet milestones in habitat condition would trigger a response from the Council, and a statement that amenity features should not be claimed as having high ecological quality unless they have a robust ecological management plan.

To ensure that biodiversity net gain truly halts nature's decline and puts it into recovery, we encourage the Council to amend draft Policy G1 and set a target for development to go above and beyond the Government's 10% minimum biodiversity net gain, instead aiming for at least 20% biodiversity net gain.

It is worth noting that biodiversity net gain provision can work in parallel with green infrastructure, so investment in biodiversity net gain may also be used to create areas for both people and nature to enjoy.

**d. If biodiversity net gain cannot be delivered on-site, where should projects/ locations for biodiversity creation and/or enhancement be located within the city?**

As mentioned above, the Ecological Network should be a foundational spatial tool for the Local Plan to strategically decide the allocation and delivery of Biodiversity Net Gain to ensure maximum benefit for people and nature.

**Question 22: Green Infrastructure**

**a. Do you agree with the proposed approach to Policy G2?**

ii. No

**b. For instance, are there any proposed green infrastructure routes that should be added or removed from the policy?**

i. Yes

**c. (if yes) which ones?**

Please see our above response to Question 18, Open Space, with regards to Tipner West. Tipner West is already cherished and well-used by local people seeking high-quality, natural spaces for recreation.

Here are a few comments from over 8,650 responses that have so far been submitted to Portsmouth City Council during this Draft Local Plan consultation, many of which outline the value of Tipner West for local people, their health and wellbeing:

*“Tipner is one of the few places in Portsmouth my family and I have been able to access the beauty and healing of nature. It has been a landmark for schools and education programs for years.”*

*“Exceptional beautiful area to walk around. Lovely to sit and observe the wildlife along that part of the coast. We live in a council block with no garden and these areas are so valuable for people like us to get out and about and to be a part of the natural habitat.”*

*“During lockdown my partner and I first discovered the haven of peace and quiet in Tipner, and we are shocked to find that it is now under threat. We particularly noted the beautiful wildflowers which were buzzing with insects. We need all the green spaces we can get on Portsea Island, especially wild areas where nature can flourish without competing with humans.”*

*“I live near to Tipner West and the wildlife there makes a massive difference to my personal wellbeing just to watch and experience the natural world in the midst of all the traffic and busyness of the city.”*

*“My Aunt has been taking me birdwatching at Tipner West and the surrounding areas since I was a pre-schooler. I now take my own sons (4 and 1) to go birdwatching there, to teach them about the importance of nature and allow them to explore these spaces which are on our doorstep.”*

It is evident that Tipner West already plays a key role as green infrastructure and open space in the densely populated city, so it should be recognised and protected for its importance for both people and nature as part of any truly sustainable development within the site.

**f. Do you have any further comments or suggestions about the suggested approach to the green infrastructure in Portsmouth?**

Portsmouth City Council needs to make bold interventions through its emerging Local Plan to account for an acute deficit of high-quality green space for people, while being more effective at protecting the special qualities of the protected areas which surround the City.

The pressure on Portsmouth's wildlife rich and sensitive sites highlights both the problem for wildlife protection and recovery but also demonstrates what people are seeking in terms of their outdoor recreation. Traditional amenity spaces lack the enjoyment and fulfilment of more nature-rich spaces, and we are seeing an increasing proportion of the public seeking these wilder spaces. A green infrastructure policy that commits to delivering high-quality green infrastructure within new and existing spaces will encourage active lifestyles, safe places and connect people with nature.

We would like to see the Draft Local Plan adapt the green infrastructure policy to set high quality principles across the built footprints of new and existing areas. This would lead to increased sustainability of developments, boost climate resilience and public wellbeing, as well as increase value, support a resilient economy and desire to live in the area.

An exemplary approach to this would be the [Building with Nature Standard](#), which sets a new framework for green infrastructure. It brings together existing guidance and good practice to recognise high-quality quality green infrastructure where wellbeing, biodiversity and water are core foundations.

We recommend that all proposals for green infrastructure be expected to be designed with the Building with Nature standards, or an equivalent benchmark set by the Council. This will ensure that all green infrastructure is delivering maximum benefits for the health and wellbeing of residents, and for nature's recovery.

**Question 23: Water Quality (Nitrate Neutrality)**

**a. Do you agree with the proposed approach to Policy G3?**

i. Yes

**b. Do you have any further comments or suggestions about Policy G3?**

We are pleased to see the Council will give a strong preference to the mitigation schemes that will deliver wider environmental benefits.

The eutrophication of the Solent waters due to raw sewage from storm overflows and agricultural runoff is widely recognised. It is vital that existing wastewater management infrastructure is fit for purpose and any additional development is properly provisioned to achieve nitrate and nutrient neutrality.

### **Question 25: Flooding and Drainage**

#### **a. Do you agree with the proposed approach to Policy G5?**

ii. No

#### **b. Do you have any further comments or suggestions about the suggested approach to Policy G5?**

There should be an increased focus within Policy G5 on the role of nature-based solutions to increase resilience to the impacts of the climate emergency, including sea level rise and increased flood risk. Draft Policy G5 does not take proper account of the well documented and extensive benefits of natural habitats in absorbing wave energy, storm surges and dissipating high-tide and spring tide wave-action. Hard engineering solutions cannot be relied upon to fully protect vulnerable coastal communities and the Local Plan needs to prioritise the protection and expansion of protective natural habitats, such as those at Tipner West.

### **Question 39: Tipner Development Options**

#### **a. What should the approach be to the future of Tipner?**

We do not consider that any of the options presented offer a realistic or sustainable future for Tipner. It appears that the Council has applied little effort to develop any reasonable alternatives to its favored option - the highly risky and highly damaging 'super-peninsula' (Option 1).

We recommend that, instead of trying to drive through this inappropriate and potentially undeliverable scheme, the Council recognises the value of Tipner as a natural asset to both people and wildlife, and comes up with realistic alternatives that protect and enhance these irreplaceable qualities while delivering necessary development in harmony with them.

We set out our specific comments on each of the options below.

#### **b. Option 1: Innovative Sustainable Community (inc. land reclamation): Do you have any comments or suggestions about the outlined principles and requirements for development'?**

The RSPB and HIWWT object in the strongest terms to Option 1: Tipner West 'super-peninsula' and consider that these proposals, if taken forward, would represent the most ecologically damaging development for a generation.

In the face of a climate and nature emergency, the driving through of outdated solutions, such as land reclamation, with a high cost to nature and people is no longer acceptable. The 'super-peninsula' (Option 1) has been branded by the Council as a 'once in a generation' opportunity for the City to create a sustainable future. But the reality is that this development is shrouded in greenwash and could never be sustainable while simultaneously destroying over 30ha of protected habitats.

Building on the mudflats of Portsmouth Harbour equates to destroying some of our most important and vibrant natural habitats that support internationally important populations of birds which migrate here

every year. The grasslands at Tipner West and the surrounding intertidal mudflats are a core part of the wider ecological network (something that Portsmouth City Council has already committed to protecting and enhancing in draft Policy G1), crucial for many species including dark-bellied brent geese, red-breasted merganser, black-tailed godwit and other waterbirds which flock here in autumn and winter. The Tipner area in particular is known to be a point of connection between Portsmouth and Langstone Harbours for these birds, an essential feeding and high-tide roost site.

There are other environmental concerns such as loss of an incredibly rich store of carbon locked away in the mudflats, risk of erosion, flooding, additional burden on our already struggling water treatment infrastructure, limited water supplies and recreational pressure.

Not only do these proposals blindly ignore the climate and ecological emergencies, building in problems for the future, but they also undermine all commitments made by Portsmouth City Council to tackle the climate and nature emergency, as well as wider environmental commitments on carbon reduction, air quality and nitrate neutrality. The ‘super-peninsula’ also runs counter to the Government’s national ambitions for nature’s recovery, including halting biodiversity declines (as set out in the soon to be enacted Environment Act) and protecting 30% of land and sea for nature’s recovery by 2030 (Leaders’ Pledge for Nature and the United Nation’s Post-2020 Global Biodiversity Framework).

We note that the Habitats Regulations Assessment (HRA) for the Local Plan has been unable to rule out an ‘adverse effect on integrity’ of the Portsmouth Harbour SPA/Ramsar site as a result of direct habitat loss arising from Option 1. It states that this will be revisited at the Regulation 19 stage of the Local Plan when it is anticipated that more information will be available. We consider that adverse effects cannot at this stage be ruled out in relation to a number of other impacts arising from the ‘super-peninsula’ proposals described under Option 1, including recreational disturbance, construction disturbance and loss of functionally linked land; and furthermore that impacts at this stage cannot be limited to the Portsmouth SPA/Ramsar site alone. It is clear, however, that despite these omissions, no amount of additional information can change the overall conclusion and, if Option 1 is pursued, the final HRA will have to set out a ‘derogation case’ demonstrating no alternative solutions and imperative reasons of overriding public interest – a case that would be unprecedented for a housing development.

As set out above (see Question 4) we believe that a strong case of ‘exceptional circumstances’ exists for lowering Portsmouth’s overall housing target for the City due to environmental and land constraints. We consider that alternative options need to be fully explored to deliver new homes within the local area without resorting to damaging protected wildlife habitats or other precious green spaces, including through the Duty to Cooperate with neighbouring authorities. Therefore, we do not believe that the Council will be able to satisfy the first test of ‘no alternative solutions’ necessary to take forward Option 1.

Should the Council continue to pursue the high damaging, unjustified and potentially undeliverable ‘super-peninsula’ option, it risks undermining the soundness of the whole Portsmouth Local Plan. We strongly urge the Council to therefore explore all other viable options as a matter of urgency or risk the

failure of the Plan. See our comments below on the alternative options currently put forward for the Tipner strategic area.

**c. Option 2: Regeneration of Existing Area: Do you have any comments or suggestions about the outlined principles and requirements for development’?**

Option 2 is essentially a repeat of the Tipner allocation from the current Portsmouth Local Plan, with no attempt to bring it up-to-date in terms of the development needs of the City, or to embed any of the sustainability principles that readers of the Draft Local Plan are led to believe are only possible as part of Option 1 – something we do not accept.

In the face of a climate and ecological emergency, we consider that *all* new developments should be carbon neutral and nature-positive in both location and design, whatever the scale. It is therefore extremely disappointing – and in our view misleading – that the Council is suggesting to Portsmouth’s residents and other readers of the Draft Plan that these measures and other necessary infrastructure and enhancements can only be delivered off the back of a highly damaging development scheme.

The RSPB and HIWWT are not opposed to truly sustainable development on parts of Tipner West – that is development that is within the environmental limits of this sensitive area, and which responds to the challenges of the site with intelligent design principles in harmony with nature. As we have stated elsewhere in this response, unless the Council identifies a realistic, viable alternative to the Tipner ‘super-peninsula’ option, we consider there is a very real risk of the Plan being found unsound.

**c ii. Where instead should the other 2,700 homes and 34,000 sqm of employment floorspace required be located?**

We are dismayed that the Council appears to be placing the onus on Portsmouth’s residents to suggest suitable locations for 2,700 homes and 34,000sqm of employment floorspace, effectively pressurising residents into supporting the ‘super-peninsula’ (Option 1) in preference to accommodating more development in existing heavily built-up areas closer to home. This is clearly not a sound approach to plan-making nor to the consideration of viable alternative solutions to damaging development options.

It is ultimately the Council’s responsibility to identify viable locations for the new development. Where it is demonstrably not possible to locate the proposed levels of new housing within the City’s environmental and land constraints, the opportunity remains for the Council to make the case for ‘exceptional circumstances’ and adopt an alternative approach to determining housing need and an appropriate housing target for Portsmouth City. This is a point that has been recently reinforced to the Council by the former Secretary of State for Housing, Communities and Local Government (letter of 16 August to Gerald Vernon-Jackson from Robert Jenrick MP).

As we have highlighted elsewhere in this response (see Question 12), we also note apparent discrepancies in the Draft Local Plan concerning proposals for 60,000sqm of marine employment development at Tipner and Horsea Island under draft Policy E2 and the options for varying levels of housing and employment development set out for the same strategic area under draft Policy S2. Nowhere under draft Policy E2 does it suggest that the marine employment development is dependent

on the delivery of housing at Tipner West, therefore it is unclear why the Council would be seeking views on any alternative sites for all or some of this development were a lower number of houses to be built at Tipner West.

These issues are closely linked to the soundness of the Plan, and therefore the question of the inter-dependencies between the marine employment development and any housing must be clarified as a matter of urgency.

**d. Option 3: Maintain: Do you have any comments or suggestions about the outlined principles and requirements for development’?**

While we would welcome seeing a proposal for the future of Tipner West that does not involve any new development beyond the existing built footprint, and which secures the future of the site as a valuable natural and community asset in an otherwise highly built-up area, sadly we do not consider that Option 3 makes any attempt to do that. Disappointingly we consider that Option 3 instead represents another false option for the site, leaving respondents with no real alternative to the unpopular and highly damaging ‘super-peninsula’ option (Option 1).

As stated above, unless the Council identifies a realistic, viable alternative to the Tipner ‘super-peninsula’ option (including the option of adopting an alternative approach to the calculation of housing need for the City), we consider that there is a very real risk of the Local Plan being found unsound.

**d ii. Where instead should the 3,500 homes and 59,000sqm of employment floorspace required be located?**

As set out under c(ii) above, we do not consider it appropriate for the Council to put the onus on Portsmouth’s residents and other respondents to identify alternative sites across the City for the housing and marine employment development in place of the ‘super-peninsula’ (Option 1) or Option 2.

This is not a sound approach to plan-making nor to the consideration of viable alternative solutions, and furthermore it fails to reflect the option open to the Council to adopt an alternative approach to determining housing need and a sustainable housing target if the current target cannot be delivered within environmental and land constraints.

In relation to the alternative location for 59,000sqm of employment floorspace, we would again highlight the apparent discrepancy in the Draft Plan between draft Policy E2 – which suggests that 60,000sqm of marine employment development can be delivered as a standalone development at Tipner and Horsea Island – and the options under draft Policy S2 which suggest that the level of marine employment is dependent on the level of housing delivered within the strategic area.

This lack of clarity in terms of the true options and alternatives for development at Tipner and across the City as a whole are important matters that are at the heart of the soundness of the Local Plan. It is critical that the Council presents the full options transparently and fairly, rather than trying to weight everything in favour of the highly damaging and, in our view, undeliverable ‘super-peninsula’ option.

**e. Are there any other options for development at Tipner that the Council should consider?**

As stated above, the RSPB and HIWWT are not opposed to truly sustainable development on parts of Tipner West. We believe there could be a wilder future for Tipner West that not only safeguards the protected sites but enhances the site for wildlife, providing local people with much-needed green space to connect with nature, improving their health and overall wellbeing. This future could provide a sustainable level of affordable homes and marine employment, focused within the existing brownfield footprint of the land, abiding by the environmental limits of the site.

Portsmouth City Council should consider the value of nature for the City – providing cleaner air and water, supporting commercial fish species, helping the City to absorb carbon and adapt to a changing climate through reducing flood risk, and dramatically improving Portsmouth residents’ health and wellbeing by providing accessible green space, reducing the strain on the NHS. We know that if harnessed in the right way, the habitats at Tipner West would play a vital role in supporting a sustainable future for the City and its residents.

A better, wilder Portsmouth is possible, we just need bold and courageous leadership to take a stand and instead pave the way for a wilder future for Tipner West, one that invests in our natural assets while also reconnecting Portsmouth’s residents with the green spaces they want and need.

**Question 42: St James’ and Langstone Campus**

**a. Do you agree with the proposed approach to Policy S5?**

ii. No

**b. Do you have any further comments or suggestions about the suggested approach to Policy S5?**

We are concerned that, without robust mitigation or off-setting measures, the proposed housing allocation at St James and Langstone Campus has the potential to negatively impact on features of the nearby statutory wildlife sites - particularly brent geese from the adjacent Chichester and Langstone Harbours SPA/Ramsar site.

The Solent Wader and Brent Goose Strategy recommends the protection of ‘Core Areas’ through local plan policies. We note that Policy S5 has been scoped into the Draft Local Plan Appropriate Assessment due to (amongst other potential effects) direct and indirect impacts on functionally linked habitat, including a ‘Core Area’ for feeding brent geese within the Langstone Campus. However, the draft Appropriate Assessment’s conclusion of ‘no adverse effect’ relies on generic policy wording and detailed project-level assessment to ensure that the impacts are appropriately addressed. We do not consider this approach to be adequate to secure the overall network of wader and brent goose sites, or to allow a conclusion of ‘no adverse effect’ at the plan level.

Instead, we would like to see clearer assessment of the likely direct and indirect impacts to areas known to be used by brent geese within proximity of the proposed allocation. Where off-setting measures are likely to be necessary, the location of these should be identified to ensure that the proposed new housing is deliverable in accordance with the Solent Wader and Brent Goose Strategy.



In addition, we would support the inclusion of the additional text recommended by the Draft Local Plan Appropriate Assessment (para 6.38) in respect of Policy S5, and consider this would improve the soundness of the policy. Nevertheless, we do not consider it appropriate to entirely defer the detailed assessment of impacts to the project-level when data already exists concerning the importance of feeding brent goose areas within proximity of the proposed allocation site.

In general, we consider that the Draft Plan underemphasises the importance of SPA/Ramsar functionally linked land and overlooks the cumulative effects arising from the loss or damage to a number of such sites across the City as a result of proposed housing allocations, including St James' and Langstone Campus, but also notably the Tipner proposals. Whilst we support the broad biodiversity objectives to protect over-wintering brent geese and waders feeding and roosting grounds, it is important to recognise the ecological sensitivities of these areas and set out precisely how the objectives can be successfully achieved.

#### **Question 45: The Seafront**

##### **a. Do you agree with the proposed approach in Policy S8?**

ii. No

##### **b. Do you have any further comments or suggestions about the suggested approach in Policy S8?**

The proposed approach to The Seafront needs to be undertaken with care. The supporting evidence, including the Masterplan and the HRA of the Seafront Masterplan, highlight the sensitive wildlife sites scattered throughout this area. This includes Core Areas supporting brent geese and forming a network of SPA functionally linked land as well as the impact to Portsmouth and Chichester and Langstone Harbours SPAs. However we do not agree with the conclusions of the HRA of the Seafront Masterplan due to a lack of supporting evidence, particularly in the case of recreational pressure and loss of functionally linked land, which we feel should be further assessed. Therefore we recommend that the Draft Local Plan HRA screens in the additional impacts pathways of recreational pressure and loss of functionally linked land in respect of Policy S8, as we do not consider these effects can be ruled out at this stage.

It is important to recognise the ecological sensitivities of these sites and how the objectives of Policy S8 can be achieved whilst not having a negative impact on important sites. We would support the inclusion of the additional text recommended by the Draft Local Plan Appropriate Assessment (para 6.38) in respect of Policy S8, and consider this would improve the soundness of The Seafront policy.