

Keith Reed
Case Officer
South Downs National Park Authority

By Email only: planning@southdowns.org.uk

11 February 2015

Dear Mr Reed

Proposal: Up to 140 residential units, including 40% affordable housing, custom-build plots, and live-work units; farm shop and cafe; nature reserve area; Suitable Alternative Natural Green Space (SANGS) area; sustainable drainage infrastructure; and associated access works

Location: Bohunt Park, Bohunt Manor, Portsmouth Road, Liphook, Hampshire, GU30 7DL

Ref: SDNP/14/06426/OUT

We wish to **object** to the above application as we consider that it is likely to lead to increased recreational disturbance to ground-nesting heathland bird populations protected within the Wealden Heaths (Phase 2) Special Protection Area (SPA), and is therefore contrary to the tests of the Habitats Regulations, and further fails to conform with one of the two statutory purposes of the National Park, to '*conserve and enhance the natural beauty, wildlife and cultural heritage*'. We are additionally concerned that the proposed housing would significantly exceed the level allocated for Liphook in the adopted Joint Core Strategy, and therefore represents a departure from the Plan.

Our concerns are set out in further detail below:

1. The document entitled 'Information to Inform a Habitats Regulations Assessment' (IIHRA) presents an incomplete assessment of the potential recreational impacts on the Wealden Heaths SPA. Critically, it fails to undertake an assessment of the scheme in combination with the effects of other developments in the surrounding area (as required under Regulation 61(1)(a) of the Habitats Regulations). Available guidance on undertaking 'in combination' assessments under the Habitats Regulations¹ clarifies that such assessments should include consideration of:

¹ Government Circular 06/2005: Biodiversity and Geological Conservation – Statutory Obligations and Their Impacts Within the Planning System.

Managing Natura 2000 Sites – The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.

English Nature Habitats Regulations Guidance Note 4 – Alone or in combination, May 2001.

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- i. Completed plans and projects (such as the Silent Garden Housing Site, which will place pressure on some parts of SPA);
 - ii. Approved but as yet uncompleted plans and projects;
 - iii. Plans and projects that are currently under consideration;
 - iv. Plans and projects not yet proposed, but for which sufficient detail exists on which to make a judgement (such as the East Hants DC Allocations Plan);
2. We consider that a full in combination assessment, as set out above, would reveal that the additional visits to the SPA arising from the Bohunt Park development (as identified in paragraph 7.12 of the IIHRA), together with further additional visits generated by other plans and projects falling under the scope of an in combination assessment, will lead to a significant impact on the Annex 1 bird populations within the SPA. Without targeted access management measures on the heaths, such as wardening and education projects aimed at reducing the impact of these additional visits, an adverse effect on the integrity of the Wealden Heaths SPA cannot be ruled out. Such measures are entirely consistent with the Thames Basin Heaths and Dorset Heathlands mitigation strategies referenced in the IIHRA, which it is suggested have informed the mitigation proposed for Bohunt Park.
3. Subject to our concerns above, the RSPB supports the provision of a high quality SANG as part of a package of measures to protect ground-nesting heathland birds from the effects of increased recreational disturbance. However, we are concerned that the applicant's proposals for the management of the Bohunt Park SANG are likely to reduce its effectiveness as an attractive alternative to the SPA heaths, thereby risking increased tendency for residents to visit the SPA, and therefore increased disturbance to the Annex 1 birds. Our concerns are as follows:
 - **No suitable managing body identified for SANG**

The proposed creation of a Residents Management Company (RMC) to take on stewardship of the SANG does not offer sufficient certainty that the SANG will be appropriately managed in line with its core objective (ie to provide an attractive alternative to SPA visitors, in particular dog-walkers) in perpetuity, as required under the Habitats Regulations. In particular, it does not provide certainty that an appropriate body will be appointed by the RMC to undertake management of the SANG, nor does it offer any safeguard to prevent conflicting interests taking priority on the SANG, should the RMC members fail to understand or support its core purpose.
 - **No long term funding of the SANG**

The SANG Management Plan suggests that the RMC "*would be established with a commuted sum type endowment based on a multiple of the anticipated annual maintenance costs*", with long-term costs covered by an "*annual householder management fee...calculated on a similar basis...expected to be in the order of £200 – 300.*" We consider this arrangement to be inappropriate for the long term funding of European site mitigation measures, as it lacks the necessary financial security for the delivery of mitigation measures in perpetuity, as required under the Habitats Regulations. We also consider it inappropriate for the applicant to reap the benefits of building in a highly sensitive area, and then 'pass the buck' in terms of the financial cost of protecting the special features of that area.
 - **Conflicts of multiple SANG land-uses**

Other attempts to maximise the different land-uses of the landscape around Bohunt Park, such as grazing of the SANG and allowing ball games within a core area of SANG open space, also run counter to its core objectives and as consequence could reduce its effectiveness in diverting visitors who would otherwise choose to visit the SPA. The proposed grazing in particular could deter a significant number of dog-walkers, particularly as it appears that all visitors would have to walk through a grazed part of the SANG in order to access areas free of stock where dogs can run freely off the lead.

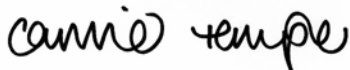
– **Lack of discount for existing access to the SANG**

Although we acknowledge that the SANG exceeds the minimum 8ha/1,000 population standard, we are concerned that no attempt has been made to assess the existing recreational use (formal or permissive) of the site and to discount the available capacity accordingly.

4. The Joint Core Strategy allocates '*a minimum of 175 dwellings*' at Liphook. It is clear from the draft East Hampshire Site Allocations Plan that the preferred site for the delivery of those houses is at Lowsley Farm. Even if it is considered by the applicant (as suggested in the Planning Statement) that other competing edge of settlement housing sites around Liphook (including Lowsley Farm) do not perform as well on accessibility grounds, or offer the same community benefits as Bohunt Park would provide, it is clear that Lowsley Farm remains the favoured site to deliver the housing allocation for Liphook. So, regardless of any shortcomings of Lowsley Farm, Bohunt Park must be considered additional to the 175 houses allocated at Lowsley Farm, and therefore represents a departure from the Joint Core Strategy.

For the reasons set out above, we consider that the current application should be refused. However, should the National Park Authority be minded to allow the application, we would be pleased to advise on a suitable mitigation scheme that could allow the scheme (in combination with other proposed new housing around the Wealden Heaths SPA) to fully meet the tests of the Habitats Regulations.

Yours sincerely



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