Hampshire & Isle of Wight Wildlife Trust

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Planning Policy and Economic Development
Test Valley Borough Council
Beech Hurst
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Thursday 28th March 2024

Consultation: Draft Test Valley Local Plan 2040 Regulation 18 Stage 2

Hampshire & Isle of Wight Wildlife Trust is an independent charity founded in 1961 and together with 46 others we are part of The Wildlife Trusts, the largest grass roots nature conservation federation in the UK with 900,000 members. Locally across Hampshire and Isle of Wight we have over 27,000 members and we currently manage 5,000 hectares of land for wildlife, primarily nature reserves of local, national, and international importance.

We welcome the opportunity to comment on the draft Test Valley Local Plan. While we are pleased to see the environment as a key issue of the Local Plan, we consider that the Local Plan in its current form suffers from a lack of development of key policies; it does not represent current best practice in policy clarity and ambition to put nature into recovery across the district.

The Wildlife Trusts are calling for at least 30% of land and sea to be restored for nature and climate by 2030, in line with national and international commitments.
We would welcome Test Valley Council in joining this ambition and putting in place a clear target for nature's recovery by 2030, backed by mapping and appropriate policy mechanisms to ensure that the state of nature is turned around and wildlife starts to recover during this decade.

Biodiversity Net Gain

To ensure that biodiversity net gain truly halts nature's decline and puts it into recovery, we encourage the Council to amend draft **Policy BIO3: Biodiversity Net Gain** 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.

We recommend looking at Kent County Council's assessment (https://kentnature.org.uk/wp-content/uploads/2022/07/Viability-Assessment-of-Biodiversity-Net-Gain-in-Kent-June-2022.pdf) of the potential effect of a 15% or 20% Biodiversity Net Gain target on the viability of residential-led development in Kent. In summary a shift from 10% to 15% or 20% Biodiversity Net Gain did not materially affect viability in the majority of instances when delivered onsite or offsite. The biggest cost in most cases is to get to the mandatory, minimum 10% Biodiversity Net Gain. The increase to 15% or 20% Biodiversity Net Gain in most cases costs much less and is generally negligible and because the Biodiversity Net Gain costs are low when compared to other policy costs, in no cases are they likely to be what renders development unviable.

Nature Recovery Network and Local Nature Recovery Strategies

We welcome the reference to the Nature Recovery Network and the Local Nature Recovery Strategy in draft **Policy BIO1: Conservation and Enhancement of Biodiversity and Geological Interest**, the supporting text for draft **Policy BIO3: Biodiversity Net Gain** and draft **Policy BIO4: Green Infrastructure**.

We would strongly recommend that the council commits to the creation and maintenance of a functioning Nature Recovery Network as this is a key mechanism through which the biodiversity of the district can be protected and enhanced. It is now well established that nature is in trouble and that to put nature on the road to recovery it needs bigger, better, more and joined up space to thrive. The Nature Recovery Network, embedded within national policy through the Environment Act, is the key mechanism to deliver nature's recovery within the local plan, providing multiple benefits and meeting the government's 25 Year Environment Plan targets.

Nature Recovery Network mapping is about taking a strategic spatial approach to the natural environment, identifying areas of existing value, and looking for opportunities to create connections with new habitats that will benefit people and wildlife. Without such spatial mapping, it will not be possible to identify where interventions are required in order to create the nature recovery network and thus deliver the environmental policy ambition. Therefore, we strongly recommend that Test Valley Council prepare and use the Nature Recovery Network as a foundational tool for the Local Plan to:

1. Identify areas within the local plan area that are of special importance within the context of the Nature Recovery Network, including: existing habitats that are of highest value, areas that buffer existing core habitat, and gaps within the existing ecological network that, if filled, would improve ecological connectivity and reduce fragmentation.
2. Assess, identify and prioritise opportunities for ecological enhancement through local plans and strategies.
3. Identify the best sites for development and those areas where development should be avoided. Sites of core importance to the Nature Recovery Network should be protected and development should not result in severance of ecological connectivity within the network.
4. Inform the design of any development in such a way that it makes a net contribution to the Nature Recovery Network.
5. Inform and target biodiversity net gain delivery and other nature-based solutions.
6. Inform the use of building standards that promote biodiverse developments within local plans (e.g., Building with Nature standards) to ensure that development targets action to most effectively contribute to restoring nature.
7. Send a clear market signal to developers of your expectations for all future planning to contribute positively and meaningfully to nature's recovery.

The Nature Recovery Network and Local Nature Recovery Strategies should also guide where development should not take place to avoid severance of the landscape and ecological corridors.

We are aware of other councils including policy wording in their draft local plans to the effect of "Development proposals should demonstrate how they have considered the ecological network (as shown on the Policies Map) and are required to align with the Local Nature Recovery Strategy (LNRS)." We recommend that the council also include the statement in the Test Valley Local Plan.

For more information on Nature Recovery Network, we recommend reading the South East Nature Partnerships' 'Principles of Nature recovery Networks across the South East of England' document, available here: https://hantswightlnp.files.wordpress.com/2021/07/joint-south-east-nrn-principles-senp.pdf

Green infrastructure

Green Infrastructure should support both biodiversity, and mitigation and adaption for the climate crisis. We would like to see the Draft Local Plan adapt the green infrastructure policy to set high quality green infrastructure 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.

Therefore, we welcome the reference to the Building with Nature accreditation in the supporting text for draft **Policy BIO4: Green Infrastructure** which sets a new framework for green infrastructure. The accreditation 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 will be expected to be designed with the Building with Nature standards, or an equivalent standard 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.

As for green infrastructure as mitigation for new developments, we encourage that the council recognise that meeting the Suitable Accessible Natural Greenspace (SANG) calculations is the minimum requirement and does not fully mitigate potential impacts to all sites of ecological importance. Developments in close proximity to nature reserves increase the footfall which third parties have to bear the cost of. These sites for wildlife, whether they are designated or not, will play a key role in the ecological network and upcoming LNRS. Therefore, when assessing ecological impact of new developments, the council must go beyond draft **Policy BIO2: International Nature Conservation Designations** and undergo a complete appraisal on impacts of both designated and non-designated wildlife sites (e.g. local nature reserves) and provide sufficient mitigation measures. We would recommend that the draft **Policy BIO4: Green Infrastructure** should consider recreational impacts and disturbance on both designated and non-designated wildlife sites, which is currently missing from the policy wording.

Nutrient Neutrality, Rivers and Water Quality

Whilst it is positive to see the inclusion of nutrient neutrality in draft **Policy BIO2: International Nature Conservation Designations** we would recommend that the policy goes further and that gives a strong preference to nitrate mitigation schemes that will deliver wider environmental benefits, especially for biodiversity. The opportunities for creation and improvement of habitats as part of mitigation proposals should be as identified through the government's forthcoming Nature Recovery Network and the Local Nature Recovery Strategy.

Hampshire and Isle of Wight Wildlife Trust is well positioned to deliver biodiversity net gain and mitigation for nitrates, prioritising significant added value. We are currently one of the only organisations delivering an established nitrates mitigation programme and provide other nature-based solutions services. We would be pleased to discuss these in more detail with you.

The River Test, Itchen and Avon are ecological important and rare chalk streams. Chalk streams are a vital natural capital asset. They provide key regulatory and provisioning services as an important source of water for drinking, agriculture and industry. Pressures from over abstraction, increased development pressure and a legacy of human modification and intervention have resulted in significant and ongoing declines in biodiversity and water quality.

While there are a few references of chalk streams in Chapter 5, there is no mention of chalk streams within any of the draft policies text itself. To reflect the importance of these precious watercourses and ensure the necessary protection there should be specific chalk stream protections are put into policy text. We would strongly encourage the recommendations of the Catchment Based Approach Chalk Stream Strategy are embedded within the local plan including "Planning approval must be contingent on the pre-existence of or parallel investment in more than adequate supply and treatment infrastructure with no additional burden on chalk aquifer abstraction. Developers should make water-company developer contributions to help cover the costs of addressing such impacts".

Of added importance is the current, unacceptable state of river water quality with no rivers achieving good chemical status and only 16% of designated rivers meeting good ecological health. Recent survey data published by the Angling Trust. The River Aton is greatly impacted by pressures such as phosphate and sediment. Smart River invertebrate readings showed that a site in the town centre (*Postcode: SP10 4AU*) was one of the worst, if not the worst, for these two pressures across the headwaters.

This is indicative of the current state of play with our water and drainage infrastructure that frequently fails and, which is unable able to meet existing requirements or adhere to licensed conditions. Given the current lack of confidence in effective and timely investment in our critical water infrastructure this plan must ensure that it does not add further burden to the acute pressures faced by the District's water environment, notably chalk catchments such as the Itchen. Conversely this plan has the opportunity to drive effective investment and safeguards through its policies.

Draft policies **ENV5: Pollution, CL2: Flood Risk** and **CL4: Water Use and Management** do not go far enough to achieve these safeguards so we strongly recommend that the policy test is amended, or a separate water quality policy is created to have more detail on the protection and enhancement of rivers new developments must meet. We encourage wording like the following:

Development that is within or adjacent to river corridors and their tributaries will be required to conserve and enhance:

The natural characteristics of the river, its springs, headwaters and associated species

- *Water sources and water quality*
- *The river corridor's ecosystem, geodiversity and ecological connectivity*
- *The natural functioning of the river through the seasons*

taking into account:

- *Biodiversity and geology*
- *Natural Buffers (minimum 20m) to prevent incidents of polluting run-off and protect biodiversity;*
- *Increased public access to the river corridor and the associated impacts of this increase;*

- *Marginal vegetation and the ecological value of the area including its role as an ecological network;*
- *Aquatic and riparian vegetation of the river environment.*
- *The varying size and associated habitats within a corridor which, in order to avoid uncertainty, are defined as the habitats immediately surrounding the waterbody that contribute toward its character and ecology including but not exhaustively flood plains, water meadows, wet woodland, reedbeds, fens, mires, bankside vegetation and other smaller waterbodies within close proximity and/or sharing the same topography and geology.*

While it is positive to see the inclusion of '*all new development close to watercourse should take advantage of any opportunities to enhance the water environment*' in draft CL2: Flood Risk, the suggested buffers of 8 metres and 5 metres are not sufficient to ensure protections of rivers and water courses. We would recommend a minimum of 20 metre to prevent incidents of polluting run-off and protect biodiversity.

We are pleased to see the requirement for new homes to meet a water efficiency standard of 110 litres per person per day in draft **Policy CL4: Water Use and Management** is positive. However, we think this could be taken further and would recommend that the council amend the draft policy to 90 litres or less per person per day.

In the 'Key Design Considerations' for draft **Northern Area Policy 2 (NA2): Delivering High Quality Development in Andover Town Centre** we welcome the inclusion of the 'enhancement of waterways in the town centre and the benefits this provides for visitors and wildlife will be encouraged' (paragraph 4.37). Renaturalising the River Anton provides a great opportunity for nature recovery in Andover, especially as Andover Town Centre has one of the nutrient rich sites of the headwaters and is under pressure from plastic pollution. Taking that into account, we recommend that when designing the proposal, the benefits for wildlife are not just encouraged but are a priority and run off and drainage into the river is kept to a minimum.

Site Allocations and Recreational Disturbance and Impacts

Planning ahead for the housing needs of the district, the council must be confident that the environment can accommodate the in-combination effects of development at this scale. Environmental limitations must be considered, such as the water and drainage infrastructure being overwhelmed as mentioned in the Nutrient Neutrality, Rivers and Water Quality section above. We have particular concerns about the allocations where wastewater from the site is anticipated to feed into treatment works which are linked to the River Itchen Special Area of Conservation (SAC).

The infrastructure already cannot cope with the current pressures which has resulted in sewage pollution entering the River Test SSSI. The Test is one of the most protected rivers in the country and is a globally important chalk stream yet on the 28th February 2024 the Environment Agency stated a significant pollution event took place of a level that would be hazardous to human health let alone wildlife. The situation cannot be allowed to be exacerbated any further. Therefore, when allocating any new sites for development the council must be confident that pumping stations have capability to handle the increased pressure.

In addition to environmental limitations, the ecological map (and when in place the LNRS) should also be referred to when deciding site allocations so there are no conflicts between

new developments and plans for landscape recovery need to reach the government's biodiversity targets.

The council has the opportunity to deliver ambitious green infrastructure and creation and enhancement of nature which goes above and beyond the minimum 10% biodiversity net gain. Currently we feel there is a lack of ambition to contribute to nature's recovery through the proposed strategic developments.

We hope that you will find our comments helpful and, if you have any questions or wish to discuss these matters further, please do not hesitate to contact us. I also ask that you keep the Trust informed of the progress and outcome of this plan.

Yours Sincerely,

Holly Gray
Policy and Advocacy Officer
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