

Consultee Comments for Planning Application APP/22/00822

Application Summary

Application Number: APP/22/00822

Address: Boatyard, Marine Walk, Hayling Island, PO11 9PG

Proposal: Extension to existing pontoons.

Case Officer: Denise Sheath

Consultee Details

Name: Consultee Principal Ecologist

Address: Public Service Plaza, Civic Centre Road, Havant PO9 2AX

Email: Not Available

On Behalf Of: Ecologist

Comments

Dear Denise,

APP/22/00822 | Extension to existing pontoons. | Boatyard, Marine Walk, Hayling Island, PO11 9PG

Thank you for consulting me on this application.

The application is accompanied by an amended Shadow Habitats Regulations Assessment (Lizard, July 2024). The HRA includes details of potential impact pathways affecting the Solent Maritime SAC and Chichester & Langstone Harbours SPA and Ramsar and concludes that it is reasonable to assume a Likely Significant Effect on all three sites as a result of: physical loss of habitat (permanent and temporary), noise disturbance, visual disturbance, litter, and waterborne pollution. Each of these impact pathways is described and I concur with the outcome of the HRA screening and assessment of impact.

In respect to the identified habitat impacts, permanent losses are relatively minor. It is concluded that c.0.35m² of intertidal habitat is to be lost to the four new pontoon piles. These piles will be located across three intertidal habitats: Intertidal sand and muddy sand, Intertidal mixed sediments, and Intertidal mud. These losses are very minor but are permanent. In addition to the small permanent loss, it is stated that there will be a temporary impacts/loss of c.91m² due to the resting of the pontoon floats on the intertidal at low tide. It is proposed that the removal of a series of existing concrete mooring blocks from the intertidal plus the removal of the two existing pontoon sections will provide a small net gain in intertidal habitat. In addition, the change from the current swing moorings to a pontoon mooring system will remove the scouring effects of the current mooring layout.

In their response dated April 2024, Natural England state that they consider any removal of existing intertidal debris (concrete mooring blocks) and the cessation of the swing moorings to be compensation rather than mitigation. Whilst this seems like a technical procedural point, it does have consequences for the HRA process. The inclusion of compensatory measures (as opposed to mitigation measures) means that the HRA must proceed to stages 3 (consideration of alternatives) and 4 (imperative reasons of overriding public interest). Natural England do not concur with the conclusion of Havant Borough Councils own HRA (which is based upon the applicants shadow HRA) and seem to require the applicant to undertake further assessment of their proposed compensatory measures. I would suggest that the applicant liaises with Natural England to understand the exact requirements of any further assessment.

In terms of the potential effects of noise and visual disturbance, it is proposed to undertake works only in the period 1 April to 30 September, thereby avoiding the overwintering bird season. The potential effects of litter and waterborne pollution will be controlled via construction phase prevention measures. These control measures are proportionate and acceptable. Natural England make no comment on these matters.

If you have any queries, please dont hesitate to contact me.

Kind regards,

Tristan

Tristan Norton

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