

Date: 21 June 2023
Our ref: 438820
Your ref: APP/23/00076



Steve Weaver
Havant Borough Council

BY EMAIL ONLY

Customer Services
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Dear Steve

Planning consultation: APP/23/00076 AMENDMENT - HRA/Nutrient docs . Change of Use of land and woodland (retrospective) as a wedding and events venue, including retention of permanent ancillary buildings and structures, the erection of removable structures (including marquees and temporary facilities), and the use of the land as a campsite in association with events. Construction of vehicular track from the public highway to the proposed wedding and events venue at Tournerbury Woods.

Location: Tournerbury Woods, Tournerbury Lane, Hayling Island

Thank you for your consultation on the above dated 16 June 2023 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES

As submitted, the application could have potential significant effects on the Chichester Harbour Site of Special Scientific Interest. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

- Further ecological assessment of the section woodland bank to be removed
- Construction Environmental Management Plan

Without this information, Natural England may need to object to the proposal.

Please re-consult Natural England once this information has been obtained.

Natural England's further advice on designated sites/landscapes and advice on other issues is set out below.

Chichester Harbour SSSI – Further information required

The current proposal for works to connect the track outside of the SSSI to the existing track within the SSSI would require removal of a section of woodland bank, infilling of ditch within the SSSI

boundary and removal of vegetation outside the SSSI boundary. This is contradictory to the previously provided report (Technical Note, Holbury Consultancy, 2nd March 2023) and Natural England's recommended condition (response dated 27th March 2023) which stated that no works would be required within the SSSI to make the track passable to vehicles.

The latest Technical note (dated 14th June 2023) relies on the SSSI Site Management Statement (SMS) giving permission for these types of works. While the SMS does state that limited infilling of ruts with rubble in order to allow continued vehicular access is permitted, it **does not** include provision for removal of woodland bank and it specifically states that the earthen/unimproved character of the tracks should be retained as far as possible.

The Technical note also relies on previously submitted ecological surveys (Hampshire Ecological Service June 2020) which covered the whole of the Tournbury Woods Estate, this report however did not include a specific target notes nor information on the ecological or historical context of the woodland bank at this location. We recommend that further ecological assessment is undertaken to assess the bank, including any historical context of the bank if applicable. It should be clarified if this is a long standing historical hedgerow bank or it has more recent origins.

A detailed ecological assessment of this area of the SSSI, in relation to the works proposed, should support an informed conclusion as to whether the works would impact the integrity of the designated site. If so, compensatory measure(s) would be required and details of such measures should be provided. Natural England would be pleased to review the assessment conclusions and any compensatory measures proposed in due course.

Havant Borough Council should be satisfied that the evidence provided that removal of the bank will not result in loss of priority habitat, which may require compensatory measures. You should also be satisfied that there are no alternative options for routing of the track or a variation in construction methods that would avoid or minimise removal of the woodland bank.

We recommend a Construction Environmental Management Plan is submitted to and approved in writing by the district ecologist/biodiversity officer that identifies the steps and procedures that will be implemented to avoid or mitigate constructional impacts on the SSSI. The CEMP should address the following impacts:

- Storage of construction materials/chemicals and equipment;
- Dust suppression
- Chemical and/or fuel run-off from construction into nearby watercourse(s)
- Waste disposal
- Noise/visual/vibrational impacts

The approved CEMP should be secured via an appropriately worded condition attached to any planning consent and shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Chichester Harbour Special Protection Area – No objection subject to mitigation

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has undertaken an Appropriate Assessment of the proposal, in accordance with Regulation 63 of the Regulations. Natural England is a statutory consultee on the Appropriate Assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question.

Natural England previously commented on potential impacts to the SPA in our previous response dated (27th February 2023) where we advised that provided that the mitigation measures set out within the Appropriate Assessment are secured by an appropriate condition or obligation attached to any planning permission and are fully adhered to at all times by the applicant, Natural England is satisfied that the applicant has mitigated against the potential adverse effects on the integrity of the European site(s). This advice equally applies to the updated Appropriate Assessment dated 4th May 2023.

If you have any queries relating to the advice in this letter please contact me on Rachael.clemson@naturalengland.org.uk.

Please consult us again once the information requested above, has been provided.

Yours sincerely

Rachael Clemson
Sustainable Development Lead Adviser
Thames Solent Area Team