

Habitats Regulations Assessment (HRA) Screening and Appropriate Assessment (AA)

PLEASE NOTE: Undertaking the HRA process is the responsibility of Havant Borough Council as the Competent Authority for the purpose of the Habitats Regulations. However, it is the responsibility of the applicant to provide the Competent Authority with the information that they require for this purpose.

HRA drafting date:	24 March 2021
HRA completion date:	31 March 2021
Application reference:	APP/20/01093
Application address:	Land at Sinah Lane, Hayling Island
Application description:	Erection of 195No. dwellings, associated open space, pumping station, sub-station and formation of new vehicular access off Sinah Lane. Change of use of land from agricultural to a Wader and Brent Geese Refuge Area (Resubmission of APP/18/00724)
Lead Planning Officer:	Daphney Haywood
Please note that all references in this assessment to the 'Habitats Regulations' refer to The Conservation of Habitats and Species Regulations 2017 (as amended).	

Stage 1 - details of the plan or project	
European site potentially impacted by planning application, plan or project:	▪ Chichester & Langstone Harbours Special Protection Area (SPA) ▪ Chichester & Langstone Harbours Ramsar site ▪ Solent Maritime Special Area of Conservation (SAC) ▪ Solent and Dorset Coast Special Protection Area (SPA) ▪ Solent and Southampton Water SPA ▪ Solent and Southampton Water Ramsar ▪ Portsmouth Harbour SPA ▪ Portsmouth Harbour Ramsar ▪ Solent and Isle of Wight Lagoons SAC (Hereafter known as the Solent European Sites)
Is the planning application directly connected with or necessary to the management of the site (if yes, Applicant should have provided details)?	No. The development consists of an increase in residential dwellings, which is neither connected to nor necessary to the management of any European site.
Are there any other projects or plans that together with the planning application being assessed could affect the site?	Yes. All new housing development within 5.6km of the Solent SPAs is considered to contribute towards an impact on site integrity in combination with other development in the Solent area due to increase in recreational pressure.

	All new housing development that would drain to the Budds Farm or Thornham Wastewater Treatment Works due to increase in nitrogen deposition leading to a reduction in water quality. The PUSH Spatial Position Statement (https://www.push.gov.uk/work/planning-and-infrastructure/push-position-statement/) sets out the scale and distribution of housebuilding which is being planned for across South Hampshire.
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Stage 2 - HRA screening assessment

Screening under Regulation 63(1)(a) of the Habitats Regulations – The Applicant to provide evidence so that a judgement can be made as to whether there could be any potential significant impacts of the development on the integrity of the SPA/SAC/Ramsar.

Recreational Pressure

The proposed development is within 5.6km of Chichester & Langstone Harbours SPA/Ramsar. In accordance with advice from Natural England and as detailed in Policy DM24 of the adopted Havant Borough Local Plan (Allocations), Policy E16 of the Pre-Submission Havant Borough Local Plan and the Solent Recreation Mitigation Strategy, a net increase in housing development within 5.6km of the Solent SPAs is likely to result in impacts to the integrity of those sites through a consequent increase in recreational disturbance.

Development within the 5.6km zone will increase the human population at the coast and thus increase the level of recreation and disturbance of bird species. The impacts of recreational disturbance (both at the site-scale and in combination with other development in the Solent area) are analogous to impacts from direct habitat loss as recreation can cause important habitat to be unavailable for use (the habitat is functionally lost, either permanently or for a defined period). Birds can be displaced by human recreational activities (terrestrial and water-based) and use valuable resources in finding suitable areas in which to rest and feed undisturbed. Ultimately, the impacts of recreational disturbance can be such that they affect the status and distribution of key bird species and therefore act against the stated conservation objectives of the Chichester and Langstone Harbour SPA and Ramsar sites.

The proposed development represents a net increase in residential dwellings. Paragraph 6.4 of the Solent Recreation Mitigation Strategy sets out that the “developer contribution will be required for every net additional dwelling within 5.6 kilometres of the boundaries of the Solent Special Protection Areas” (see para 6.3).

As a result, there would be a likely significant effect to the Chichester & Langstone Harbours SPA due to recreation.

Water Quality

The proposed development is within the catchment of a wastewater treatment works that would drain into the Chichester and Langstone Harbours SPA.

Natural England advises that there is a likely significant effect on the Solent European Sites due to the increase in wastewater from the new housing as a result of the Havant Borough Local Plan. Natural England also advises that any development proposed through any planning application providing overnight accommodation which would discharge into the Solent would be likely to cause a significant effect as there is uncertainty as to whether the increase in waste water from new housing in the Solent catchment will have an adverse effect on the Solent’s European Sites.

Natural England advise that there is existing evidence of high levels of nitrogen and phosphorus in the Solent water environment with evidence of eutrophication at some designated sites. This causes eutrophication, which affects vegetation growth and food resources for qualifying species such that it affects the status and distribution of those species and therefore act against the stated conservation objectives of the Chichester and Langstone Harbour SPA and Ramsar sites. The Partnership for South Hampshire (PfSH), Natural England (NE), and Environment Agency (EA) have been jointly working to develop an Integrated Water Management Strategy (IWMS). This examines the potential for the PfSH region to accommodate future housing growth without having a detrimental effect upon the water environment. There is currently uncertainty as to whether there is sufficient capacity to accommodate the new housing growth.

Natural England recommends that any new proposals which include overnight accommodation have inevitable wastewater implications. These implications, and all other matters capable of having a significant effect on designated sites in the Solent, must be addressed in the ways required by Regulation 63 of the Habitats Regulations. Nonetheless, the existing use of the site can be taken into account and it is the 'net' nutrient emissions into European Sites that is critical.

This would need to be examined within an appropriate assessment and that the existing nutrient and conservation status of the receiving waters be taken into account.

As a result, there would be a likely significant effect to the following Solent European Sites due to water quality:

- Chichester & Langstone Harbours Special Protection Area (SPA)
- Chichester & Langstone Harbours Ramsar site
- Solent Maritime Special Area of Conservation (SAC)
- Solent and Dorset Coast Special Protection Area (SPA)
- Solent and Southampton Water SPA
- Solent and Southampton Water Ramsar
- Portsmouth Harbour SPA
- Portsmouth Harbour Ramsar
- Solent and Isle of Wight Lagoons SAC

Loss / degradation of supporting habitats

The site comprises supporting habitat for bird species associated with the Solent SPA sites. For the purposes of HRA this supporting habitat is classed as 'functionally-linked land' (FLL): it provides a function to bird species linked to the adjacent SPA/Ramsar and its loss would potentially lead to a likely significant effect.

The site has been monitored as part of the Solent Waders & Brent Goose Strategy (SWBGS) and is identified as site H34C for the purposes of the strategy. Site H34C and other sites identified in the strategy can be seen at <https://solentwbgs.wordpress.com/page-2/>.

The site has been subject to recent survey effort:

- 2011/12 & 2012/13 & 2015/16 & 2016/17 – Tyler Grange LLP (for application APP/15/00919)
- 2017/18 – WYG (for current application)
- 2010/11-2016/17 – Solent Waders & Brent Goose Strategy

Using the existing data from winter bird surveys across the Solent (the most recent of which incorporates spatial considerations such as movements rather than just numbers), H34C has been listed as a 'Core support area'. The site was previously classified as a Primary support

area, with the change to Core arising in 2019 following updated field survey records. This included a single record of 1000 birds noted in March 2018 as well as a change to the site classification metric to account for the importance of sites to the overall SPA bird assemblage.

The field-based observations since 2010 indicate that foraging birds are predominantly found within the northern half of H34C. Birds have been observed within the remainder of the site when suitable crops have been present. The landowner has deployed bird-scaring methods and the licensed shooting of brent geese.

The proposed development will result in a loss of FLL in the form of a partial development of H34C. This loss of FLL could result in a likely significant effect and therefore would require Appropriate Assessment.

As a result, there would be a likely significant effect to the following European Sites due to loss / degradation of FLL:

- Chichester and Langstone Harbours SPA
- Chichester and Langstone Harbours Ramsar site

Construction noise / activity / pollution

Fugitive dust

During construction activity, there is the potential for releases of fugitive dust to result in deleterious impacts on plant growth in habitats up to 50m from the source. This distance is based on guidance from the Institute of Air Quality Management (IAQM, 2014). Given the distance from the designated sites, it is considered to be no potential for construction to result in LSEs, and as such, air pollution during construction will not be carried forward to Appropriate Assessment.

Construction noise /activity

There is potential for construction noise and activity to cause disturbance of SPA qualifying bird species present on site, either using existing habitats or those created as mitigation.

As a result, there would be a likely significant effect to the following European Sites due to construction noise and activity:

- Chichester and Langstone Harbours SPA
- Chichester and Langstone Harbours Ramsar site

Atmospheric pollution

Air quality changes can also occur as a result of deposition of nitrogen and acid in the form of oxides of nitrogen and sulphur respectively. These gases are principally released by exhausts from internal combustion engines. During construction, workers vehicles, plant machinery and generators are all potential sources of exhaust gases. During operation / occupation of a site, it is principally vehicles belonging to workers / residents / visitors that cause acid and nitrogen deposition.

These changes can result in an increase in nutrient levels developing in soils that can change species compositions. Most frequently, this results in habitats becoming dominated by neutrophilic (nutrient loving) plants that are much faster growing and can out-compete other species. These species would include bramble *Rubus fruticosus* and common nettles *Urtica dioica* that are of limited ecological value. Deposition of acid can cause changes in soil pH, which can also alter the plant species present over time.

Would the proposal lead to a likely significant effect on European site integrity?
Yes, due to recreational pressure and water quality loss/degradation of supporting habitats and construction impacts.

(If yes, continue to Stage 3).

Stage 3 - Appropriate Assessment

Appropriate Assessment under Regulation 63(1) - if there are any potential significant impacts, the applicant must provide evidence showing avoidance and/or mitigation measures to allow an Assessment to be made. The Applicant must also provide details which demonstrate any long-term management, maintenance and funding of any solution.

Recreational Pressure

The project being assessed would result in a net increase of dwellings within 5.6km of the Solent SPAs. In line with Policy DM24 of adopted Havant Borough Local Plan (Allocations), Policy E16 of the Pre-Submission Havant Borough Local Plan and the Solent Recreation Mitigation Strategy, a permanent significant effect on the Solent SPAs due to increase in recreational disturbance as a result of the new development, is likely. As such, in order to lawfully be permitted, the development will need to include a package of avoidance and mitigation measures.

Havant Borough Council formally adopted the Solent Recreation Mitigation Strategy in February 2018. The SRMP provides a strategic solution to ensure the requirements of the Habitats Regulations are met with regard to the in-combination effects of increased recreational pressure on the Solent SPAs arising from new residential development. This strategy represents a partnership approach to the issue which has been endorsed by Natural England.

As set out in the Solent Recreation Mitigation Strategy, an appropriate scale of mitigation for this scheme would be:

Size of units	Scale of mitigation per unit	Amount proposed in this scheme	Cost
1 bedroom	£361.00	0	£0.00
2 bedroom	£522.00	68	£35,496.00
3 bedroom	£681.00	100	£68,100.00
4 bedroom	£801.00	27	£21,627.00
5 bedroom	£940.00	0	£0.00

Monitoring fee¹ for this scheme: £6,261.15

Administration fee² for this scheme: £23.00

TOTAL AVOIDANCE AND MITIGATION PACKAGE: £131,507.15

¹Monitoring fee is 5% of total mitigation cost

Policy E16 of the Pre-Submission Havant Borough Local Plan and sets out HBC's approach to securing the appropriate mitigation measures to address the in-combination impact of increased recreational disturbance arising from increased housing development. It states:

"Planning permission will be granted for residential development resulting in a net increase in population that mitigates a likely significant effect on the Solent SPAs"

A legal agreement will be necessary to secure the mitigation package. The applicant has confirmed that they commit to providing a mitigation package. Without the security of the mitigation being provided through a legal agreement, a significant effect would remain likely. As long as such a legal agreement is secured through the planning process, the proposed

development will not affect the status and distribution of key bird species and therefore the development will not act against the stated conservation objectives of the European sites.

Water Quality

The project being assessed would result in an increase in population in the catchment of several Solent European Sites as set out in stage 2. As advised by Natural England, a permanent significant effect on the Solent European Sites due to the decrease in water quality as a result of new development, is likely. As such, in order to lawfully be permitted, further assessment is needed as to the net nutrient emissions from the site, including any avoidance or mitigation measures proposed.

Havant Borough Council's has published a Position Statement and Mitigation Plan for Nutrient Neutral Development. This sets out how mitigation can be provided to enable development to take place within Havant Borough whilst avoiding any likelihood of a significant effect on the Solent European Sites identified in stage 2.

The Position Statement sets out that for development on agricultural sites, such as this one, that it would be expected that on-site avoidance and mitigation measures would be used to achieve nutrient neutrality.

Natural England have produced 'Advice on achieving nutrient neutrality for new development in the Solent region. This sets out a methodology to calculate the nutrient emissions from a development site. The applicant has used this methodology to calculate the nutrient emissions from the site. This calculation has confirmed that the site will not emit a nutrient load into any European Sites.

The SuDS techniques will be adopted in accordance with the SuDS Manual (CIRIA, 2007). The pollution hazard indices in the CIRIA SuDS Manual (C753) relate to 'protected waters' with regards to drinking water supply. Step 3 under Section 26.7.1 of the SuDS manual outlines that the requirement for extra treatment should be considered in relation to discharge to environmentally protected sites. It states that 'an additional treatment component (i.e. over and above that required for standard discharges), or other equivalent protection, is required that provides environmental protection in the event of an unexpected pollution event or poor system performance and the calculations have been checked by the Council and are correct.

Achieving a position where there are no net nutrient emissions into Solent European Sites from this development involves the use of specific on-site avoidance and mitigation measures.

A legal agreement will be necessary to secure this avoidance and mitigation package in perpetuity. Without the security of the mitigation being provided through a legal agreement, a significant effect would remain likely. As long as such a legal agreement is secured through the planning process, the proposed development will not affect the status and distribution of key bird species and therefore the development will not act against the stated conservation objectives of the European sites.

Loss / degradation of supporting habitats

The proposal would result in the loss of c.5.7Ha of H34C, comprising c.45% of the site. In order to mitigate for this loss of FLL it is necessary to provide an increase in habitat quality. The uplift in habitat quality will be achieved with the creation of a permanent bird refuge:

- Habitat will be permanently available.
- Habitat will be securely fenced.
- Habitat will be managed by an appropriate organisation, in perpetuity.

At present the site is within an agricultural landholding and subject to the vagaries of market forces: there is no guarantee that the site would be in favourable condition for birds in any given year. The proposed refuge guarantees that suitable habitat will be present in every year.

At present the site is not secure. In particular, the site's eastern boundary is permeable, with informal access between the site and the Hayling Billy footpath to the east. This informal access will be stopped by the installation of a secure fence around the entire site boundary.

The refuge will be managed by the RSPB, in perpetuity. The RSPB is a charitable organisation with experience in managing sites for birds and people.

In addition, the cessation of crop farming will mean an end to bird-scaring and shooting.

The proposed refuge will be managed as permanent clover-rich grassland rather than winter wheat. Research (McKay *et al.* 2000) has shown that brent geese favour white clover-rich permanent grassland over traditional fertilised grassland, due primarily to its better nutritional value. The proposed refuge will therefore provide more nutritional forage on a permanent basis.

The proposed permanent refuge site is also considered an optimal solution for the following reasons:

- Site is immediately adjacent (within) an existing FLL site.
- History of bird records demonstrate preference of birds for proposed refuge area.
- Site is immediately adjacent intertidal foraging area.

The site's proximity to the SPA, where most bird species will forage during lower tidal periods, is a key factor in the choice of refuge. There is a clear line of sight and flight between birds' intertidal foraging/loafing areas and the refuge. The history of records of birds' use of the site provides reassurance that the refuge will continue to be used.

The SWBGS details various factors which make a site more or less suitable for supporting SPA birds. As shown in the following table, the proposed refuge site fulfils the majority of the 'more suitable' factors.

Factor	More suitable	Less suitable
Location	Adjacent to harbour	Distant from harbour
Habitat	High-productivity grassland	Low-productivity grassland
Disturbance	No disturbance	Some disturbance
Management	Short grass 5-10cm	Grass too short or too long <5cm or >10cm
Visibility	Open	Semi-open
Habitat features	Shallow freshwater pools on site	No pools on site
Size of site	Large	Medium/Small

Whilst acknowledging the net loss in area, the proposals allow for the creation of a permanent winter bird refuge managed in perpetuity by an appropriate organisation (the RSPB). In accordance with the published SWBGS Mitigation Guidelines, it is considered that the loss in area is made up for by the uplift in habitat quality and availability resulting from the proposed

permanent refuge. There is guaranteed habitat availability every year and the refuge will be secure from disturbance. As such, it is considered that the permanent refuge will support a comparable number of waders and Brent Geese to the existing site H34C. As a result, there would not be a significant effect as a result of the proposed development.

A legal agreement will be necessary to secure this avoidance and mitigation package in perpetuity. Without the security of the mitigation being provided through a legal agreement, a significant effect would remain likely. As long as such a legal agreement is secured through the planning process, the proposed development will not affect the status and distribution of key bird species and therefore the development will not act against the stated conservation objectives of the European sites.

Policy E17 of the Pre-Submission Havant Borough Draft Local Plan 2036 sets out HBC's approach to securing the appropriate mitigation measures to address the in-combination impact, this policy states that:

Development proposals on, or adjacent to, sites which are used by Solent waders and/or Brent Geese will be assessed in line with the appropriate regulations. These proposals will, therefore, require a project level Habitats Regulations Assessment and, if necessary, an Appropriate Assessment. The Council will consider the Solent Waders and Brent Goose (SWBG) Strategy and the latest survey data when making such an assessment.

it states for Core Areas that:

Core Areas are considered essential to the continued function of the SWBG ecological network. This is because they have the strongest functional linkage to the designated Solent SPAs in terms of their frequency and continued use by SWBG. Therefore, the unmitigated loss of a Core Area to development will not be permitted due to the negative impact this would have on the integrity of the Chichester & Langstone Harbours SPA. It is considered difficult to replace Core Areas as there are limited opportunities available for alternative sites in close proximity to the SPA.

With respect to the Sinah Lane site, the policy states that development will only be permitted:

where suitable replacement habitat is provided on-site and in perpetuity which:

- a) Contributes to a biodiversity net gain to the SWBG network;*
- b) Is suitable in terms of habitat type and quality for at least the number of SWBG recorded on the site being lost; and*
- c) Is secured through a costed Habitat Management and Monitoring Plan*

The submitted Winter Bird Mitigation Strategy proposes a permanent refuge on the north of the proposed housing development. The area would be transferred to the RSPB and actively managed to provide permanent foraging for SPA bird species during the winter. The provision of a permanent and secure refuge in this location is considered to be a positive outcome for the overall SWBGS network.

Construction impacts

During the construction period, noise, pollution and activity has the potential to impact on the designated sites located to the north-west of the residential development area and the remaining area H34C, which will be secured as a Wintering Bird Mitigation Area.. Noise, pollution and construction activity also has the potential to impact on the remainder of site H05A as identified in the Solent Waders and Brent Goose Strategy.

Control measures will be included in the Construction Environment Management Plan (CEMP) e.g. minimising idling by machinery, locating construction compounds and maintaining machinery to further reduce these noise levels. These measures will include:

- An on-site speed limit of 10mph will be enforced for all traffic. Drivers of vehicles will be advised of the speed limits through the erection of signs;
- Mechanical plant used on site will be fitted with effective exhaust silencers. 'White noise' type reversing warnings should be used on mobile plant in preference to 'bleepers', in order to minimise intrusion;
- All plant will be maintained in good working order and will be shut down when not in use;
- Generators and compressors will be of the "noise reduced" variety and fitted with properly lined and sealed acoustic covers;
- In all cases, engine and/or machinery covers will be closed whenever the machines or engines are in use; and
- All pneumatic percussive tools will be fitted with mufflers or silencers as recommended by the equipment manufacturers. All mechanical static plant will be enclosed by acoustic sheds or screens.

Stage 4 – Summary of the Appropriate Assessment (To be carried out by the Competent Authority (the local planning authority) in liaison with Natural England)

This assessment represents Havant Borough council's Appropriate Assessment as a Competent Authority in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006 to the purpose of conserving biodiversity. Consideration of the Ramsar site/s is a matter of government policy set out in the National Planning Policy Framework 2012.

This assessment concludes that the application will have a likely significant effect in the absence of avoidance and mitigation measures on the above Solent European sites.

The authority has concluded that the adverse effects arising from the proposal are wholly consistent with the effects detailed in the Solent Recreation Mitigation Strategy with regards recreational disturbance. The adverse effects are also consistent with the effects detailed in the Position Statement and Mitigation Plan for Nutrient Neutral Development with regards water quality. The authority has concluded that the adverse effects arising from the proposal are wholly consistent with the effects and mitigation proposals detailed in the Solent Waders and Brent Goose (SWBG) Strategy. There are likely significant effects in the absence of avoidance and mitigation measures from construction impacts and noise, disturbance and construction related pollutants. Avoidance and mitigation packages have been proposed.

The authority's assessment is that the application complies with these strategies and the potential to provide mitigation to remove the significant effects that otherwise would have been likely. It can therefore be concluded that there will be no adverse effect on the integrity of the designated sites identified above.

Natural England Officer:

Summary - NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended). 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. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given. Please find comments on the mitigation below.

Construction impacts

The HRA /AA refers to H05A and designated sites to the north-west of the residential development area and the remaining area H34C, which will be secured as a Wintering Bird Mitigation Area.

It is noted that a CEMP will be secured with any planning permission, with some mitigation measures included in the Appropriate Assessment. Provided the CEMP includes measures for dust control, pollution and surface water drainage measures during construction and measures to prevent noise, lighting and visual disturbance on the designated sites and supporting habitat, Natural England raises no further comments.

It is recommended that the following condition is attached to any planning permission:

Wherever possible, percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax – measured at the sensitive receptor) should be avoided during the bird overwintering period (i.e. October to March inclusive). If such a condition is problematic to the applicant than Natural England will consider any implications of the proposals on the SPA bird interests on a case by case basis through our Discretionary Advice Service. Note: The sensitive receptor is the nearest point of the SPA or any SPA supporting habitat (e.g. high tide roosting site)

We advise that you may want to seek your own legal advice on the implications of the Sweetman II ruling and the level of detail that should be included within an Appropriate Assessment.

Loss of Supporting Habitat

We note that the AA states that the submitted Winter Bird Mitigation Strategy proposes a refuge on the north of the proposed housing development near to the Hayling Island Brent Goose Refuge (IN1K). The area would be actively managed to provide permanent foraging for Brent Geese and other waders during the winter by the RSPB. Natural England is satisfied the refuge will provide suitable offsetting habitat in line with Solent Wader and Brent Goose Strategy mitigation guidelines.

Provided any planning permission secures that the Wintering Bird Mitigation Area is operational at the time it is required to offset the adverse effects which are being addressed, Natural England raises no further comments. Natural England recommends that the planning permission secures that the infrastructure works for the Wintering Bird Mitigation Area are progressed at the earliest opportunity and prior to commencement of construction.

Deterioration of the water environment

The nutrient budget has been calculated in line with Natural England's Advice on Achieving Nutrient Neutrality in the Solent (version 5 June 2020). The competent authority should be assured and satisfied that the site areas used in the calculation are correct and that the existing land uses are appropriately precautionary. This is dependent on 7.33ha of retained woodland/public open space as future land use

We note that the Wintering Bird Mitigation Strategy proposes that default future management will be through cutting with low intensity grazing as an alternative. The 5 kg/TN/ha open space figure assumes there is no grazing or a very low density - 1 livestock unit per 10 ha per year. We advised that if grazing levels are likely to be higher than this level then it may be more appropriate to use an alternative figure in the calculation.

The purpose of the mitigation is to avoid the impacts by neutralising the additional nutrient burden that will arise from the proposed development, achieving a net zero change at the designated sites in a timely manner. It is for the competent authority to determine the importance of timing issues for each development, depending on location and form of mitigation applied. In considering the significance of timing issues within an appropriate assessment competent authorities should take account of the average time taken from the removal of agricultural activities to first occupation and rate of completions for each development.

Provided the Council, as competent authority, is satisfied that the approach will ensure the proposal is nutrient neutral and the necessary measures can be fully secured; Natural England raises no further concerns.

Sustainable urban Drainage System (SuDS)

Provided the SuDS is designed, installed with appropriate management in accordance with the requirements in the CIRIA SuDS Manual (C753) and is secured with any planning permission, Natural England raise no further concerns. The pollution hazard indices in the CIRIA SuDS Manual (C753) relate to 'protected waters' with regards to drinking water supply. Step 3 under Section 26.7.1 of the SuDS manual outlines that the requirement for extra treatment should be considered in relation to discharge to environmentally protected sites. It states that 'an additional treatment component (i.e. over and above that required for standard discharges), or other equivalent protection, is required that provides environmental protection in the event of an unexpected pollution event or poor system performance'.

Solent Recreation Mitigation Strategy

Since this application will result in a net increase in residential accommodation, impacts to the coastal Special Protection Area(s) and Ramsar site(s) may result from increased recreational pressure. Havant Borough Council has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound.

Subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential recreational impacts of the development on the site(s). It is Natural England's view that the Solent Mitigation Recreation Strategy Contribution adequately mitigates the effects of the development on potential recreational impacts on the designated sites.