

From: Clemson, Rachael <Rachael.Clemson@naturalengland.org.uk>
Sent: 18 December 2020 14:32
To: Havant Planning and Development Mailbox New
Subject: 336498 NE response to APP/18/00943 Tournebury

Dear Steve

Your ref – APP/18/00943 | A material change of use of Land as a wedding and events venue and ancillary operational development to the material change of use. | Tournebury Woods, Tournebury Lane, Hayling Island

No objection subject to mitigation

The consultation documents provided by your authority do not include information to demonstrate that the requirements of Regulations 63 and 64 of the Conservation of Habitats and Species Regulations 2017 ('the Habitats Regulations') have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment.

In advising your authority on the requirements relating to Habitats Regulations Assessment, it is Natural England's advice that the proposal is not necessary for the management of the European site. Your authority should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out.

The following comments are provided to assist your authority in completing the HRA for the proposals and take into account the information provided in the shadow HRA and Visitor Management Strategy by Holbury Consultancy Service on behalf of the applicant.

Disturbance

Natural England previously raised concerns about potential increased disturbance from access, noise and light at Tournebury Foreshore during wedding events during the overwintering period. We welcome the recognition in the shadow HRA that the overwintering period for the SPA species is 1st October to 31st March inclusive, however note that mitigation measures set out in the visitor management strategy will commence from 1st November to 31st March with a noise restriction period in place 30th November to 31st March.

The shadow HRA states that 'disturbance events associated with events would be infrequent (a maximum of 3-4 times across the month), of short duration (max 1-2 hours) and extremely localised in nature, confined to the temporary jetty or the adjacent Harbour Lawn'. We accept that access to outdoor areas is less attractive during winter months and that the nature of the terrain at the foreshore is in itself not attractive to wedding guests in formal attire. We welcome the proposed barrier and signage which will further discourage access along with the event rules which requires dogs on short leads at all times and no fireworks allowed. We therefore on balance we agree that provided the competent authority is confident these rules will be implemented by site managers and the measures set out in the visitor management strategy, there is unlikely to be an adverse effect on integrity on the SPA.

It is Natural England's view that use of the jetty and lawn area during the month of October represent a novel source of noise which SPA species are unlikely to be habituated to, we therefore advise the competent authority recognise this in the HRA and take a precautionary approach. The competent authority should be satisfied that use of the jetty will be limited to 3-4 times during October.

In addition the proposals have the potential to impact on SPA species through noise disturbance from amplified music in the marquee. The applicant states an attenuated sound system will be continue to be used in the marquee which prevents noise levels exceeding 69db at the foreshore with measurements showing typical sound levels of

34db. We therefore agree that disturbance from noise is unlikely to have an adverse effect on integrity provided the use of this system and monitoring can be secured via appropriately worded condition with any planning consent.

Should the frequency of events increase beyond 4 we recommend that further bespoke wintering bird surveys are conducted to assess disturbance impacts.

The Bury

Natural England raised concerns potential disturbance to the Heronry within The Bury which is listed as a feature of the Chichester Harbour SSSI. However evidence suggests that Herons are more likely to be disturbed by vehicles stopping than by vehicles which drive by without stopping. The Visitor Management Strategy sets out that visitors are unlikely to stop on the access track but as a precaution signage will be erected at entrances to the access track which advises visitors to not stop due to nesting birds. Based on this evidence and the additional measures we are satisfied there is unlikely to be increased disturbance to the Heronry during the nesting months of January to June.

Nitrogen neutrality

The nitrogen calculation sets out that the proposals will result in a negative nitrogen budget of -0.51Kg/N/year taking into account camping associated with wedding events and the reduction in occupancy of Woods Cottage as a previous full time residential property to its current use by married couples on average 26 nights per year. Provided the competent authority is satisfied with the nitrogen budget, Natural England raises no concerns. It is Natural England's view that competent authorities may choose to adopt bespoke calculations for detailed planning applications, if sound evidence is available. These are matters for each competent authority. Natural England's advice is to take a precautionary approach that recognises the uncertainty.

Protected species

Natural England has not assessed this application and associated document for impacts on protected species. Natural England has produced [standing advice](#) to help planning authorities understand the impact of particular developments on protected species. We advise that the standing advice is interpreted for you by your district ecologist, or an equivalent independent party with the necessary expertise. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Please contact me if you have any queries regarding this advice

Kind regards

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Please note my non-working day is Friday



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