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Dear Sir / Madam

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**Replacement sheet piled quay wall with concrete capping beam at Sparkes Marina,
38 Wittering Road, Hayling Island, PO11 9SR**

**Request for a Screening Opinion under the Town and Country Planning (Environmental Impact Assessment)
Regulations 2017 (as amended)**

We are instructed by MDL Marinas Group Limited (the applicant) to request a Screening Opinion from Havant Borough Council to determine whether the proposed development at the above address should be subject to an Environmental Impact Assessment (EIA).

This request for a Screening Opinion is made in accordance with the procedures set out in Part 2, Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regulations).

In summary, this letter provides a brief description of the nature and purpose of development and its possible effects on the environment together with the location plan and existing and proposed site plans accompanying this submission.

This letter explains how we have assessed the development proposals in accordance with the EIA Regulations and relevant guidance and explains why we consider that the proposed development would not give rise to significant environmental effects and therefore would not require an EIA.

Description of the Nature and Purpose of the Proposed Development

The proposed development involves the Replacement sheet piled quay wall with concrete capping beam.

The existing quay wall has come to the end of its serviceable life and requires replacement to ensure that the boatyard and the businesses it supports can continue to operate. The replacement will be in the form of a sheet piled wall with a concrete capping beam. The works are only to replace the existing wall and the usage of the boatyard or any other surrounding land will not be affected or changed.

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The applicant intends to pile in front of the existing wall. There will be minimal reclamation between the existing and replacement wall, with the sheet pile line being kept as close as possible to the existing wall once construction allowances for the piling equipment used has been allowed for.

The Marine Management Organization (MMO) has already gained opinion from Havant Borough Council in relation to these works under their licencing regime.

The MMO application reference for these works is MLA/2019/00499.

As the works effectively replace an existing wall to the same finished levels, it is considered that the new structure will not be materially different from the existing wall. Furthermore, the environmental aspects of the construction activities and long-term impact of the new wall are being considered in detail through the marine licencing process, through which the Planning Authority is a statutory consultee.

Screening and Need for EIA

The proposed development has been screened against the EIA thresholds in schedule 1 and 2 to identify the need for an EIA and follows the detailed advice provided in the Planning Practice Guidance (PPG).

The development is not considered to fall within any category listed under Schedule 1 of the EIA Regulations. However, it could be considered to fall within Category 10(b) of Schedule 2 as an “urban development” that “(i) includes more than 1 hectare of urban development which is not dwelling house development”.

The PPG advises that EIA is unlikely to be required for development of land unless the new development is:

- (i) on a significantly greater scale than the previous use;
- (ii) the types of impact are markedly different in nature, or
- (iii) there is a high level of contamination.

The PPG also advises that an EIA is more likely to be required for development that is located wholly or partly in a sensitive area.

An assessment of whether the proposed development is likely to have significant effects on the environment is set out below.

Environmental Conditions

Schedule 3 of the EIA Regulations set outs criteria that must be taken into account when determining if a Schedule 2 development is likely to have significant effects on the environment. Potential significant effects must be evaluated in terms of the perceived sensitivity of the receiving environment and having regard to the criteria set out in Schedule 3.

We have characterised the base line environment following EIA guidance in the PPG, which has been used as a basis for predicting the likely environmental effects as follows:

- *Characteristics of the development* – the size of the site exceeds the 1 hectare threshold for Schedule 2 development. The site as a whole is classed as “previously developed”. The proposed development is

not considered to be of significantly greater scale than the existing wall and the types of impact are not markedly different in nature.

- *Location of the development* – we have reviewed the environmental conditions at and around the site and note the following:
 - The site is located within an existing marina and comprises previously developed land. The site is also within the urban area.
 - The site is located within the Chichester Harbour Area of Outstanding Natural Beauty. However as previously outlined, the site is an existing marina within the urban area, comprises previously developed land and the proposed development is for a replacement quay wall built to the same finished levels.
 - The site is adjacent to, but not within, the following ecologically sensitive designations:
 - Chichester Harbour SSSI
 - Solent and Maritime SAC
 - Chichester and Langstone Harbours SPA
 - While the site is located in Flood Zone 3, the site comprises an existing marina which is considered to be a flood compatible development (Table 2 of the NPPG Paragraph: 066 Reference ID: 7-066-20140306). The replacement quay wall will also be built to the same finished levels.
- *Characteristics of potential impacts* – the proposed development is not considered to have any unusually complex and/or potentially hazardous environmental effects and the development is on Brownfield land. The characteristics or potential impacts could be contained to the local geographical area, should not be significant and can be effectively avoided or mitigated. Therefore, no significant environmental effects are anticipated.

Potential Environmental Effects

Topic	Potential Effect	Proposed Approach
Ecology	The proposed works on site will not significantly impact any valuable habitats or protected species on the site. The proposed development is primarily on the footprint of the existing wall. The uses proposed are already in operation on this site. The proposed development is not considered to result in significant environmental effects.	There will be minimal reclamation between the existing and replacement wall, with the sheet pile line being kept as close as possible to the existing wall once construction allows for the piling equipment used has been allowed for. The environmental aspects of the construction activities and long term impact of the new wall are being considered in detail through the marine licencing process, through which the

Topic	Potential Effect	Proposed Approach
		Local Planning Authority is a statutory consultee
Landscape	Sparkes Marina already exists and operates on this site. The proposed development replaces part of the existing quay wall to similar finished levels. Therefore, it is not considered that the proposed development will cause a significant impact on landscape views.	
Noise	There is potential for noise from construction for a limited period. The proposed development is similar in use to the existing site operations.	The proposed quay wall is for the replacement of an existing quay wall to a similar size. The construction of the replacement quay wall will be controlled via environmental and marine permits.
Flood Risk	The site lies within Flood Zone 3 and is therefore considered to be at high risk of flooding.	The proposed development is for a replacement quay wall and is to be built to the same finished levels. The site comprises an existing marina which is designated as a flood-compatible development (Table 2 of the NPPG Paragraph: 066 Reference ID: 7-066-20140306)
Demolition and Construction	Temporary effects associated with the demolition and construction process will include noise, vibration, traffic, dust and light pollution. These are not considered significant environmental effects due to their temporary nature.	Taking into account the short term effect of the demolition and construction activities, it is considered that potential impacts can be controlled through effective site management. The construction of the replacement quay wall will be controlled via environmental and marine permits.

Conclusions

Based on the assessment provided above, we conclude that the proposed development will not result in significant environmental effects.

Overall, we are therefore of the opinion that the proposed scheme should not be subject to an EIA. In accordance with the procedures set out in Part 2, Regulation 5 of the EIA Regulations, we request a Screening Opinion from Havant Borough Council within three (3) weeks of receipt of this letter.



We look forward to receiving the Council's Screening Opinion shortly, however, in the interim please do not hesitate to contact us if you require any additional information to assist you in preparing your Screening Opinion.

Yours sincerely

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