

Houghton, Michelle

From: Clemson, Rachael <Rachael.Clemson@naturalengland.org.uk>
Sent: 05 March 2020 09:41
To: Havant Planning and Development Mailbox New
Subject: 309653 NE response to APP/20/00122

FAO Lesley Wells

Your ref - APP/20/00122 | Demolition of existing dwelling; construction of a replacement 1 No. 3-bed detached dwelling to incorporate existing outbuilding with modifications, with balcony to the front elevation (Revision to APP/19/00421). | Point View, 10 Western Parade, Emsworth, PO10 7HS

Dear Lesley

Thank you for consulting Natural England on the above application.

Designated sites

The development site is located in close proximity to the Chichester and Langstone Harbours Special Protection Area and Ramsar site and the Solent Maritime Special Area of Conservation. These sites are designated nationally as the Chichester Harbour Site of Special Scientific Interest. The site is also in close proximity to the Chichester Harbour Area of Outstanding Natural Beauty.

Noise disturbance

To address the potential for disturbance to qualifying features of the Chichester and Langstone Harbours SPA during construction, the following condition is recommended :

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).

Construction Environmental Management Plan

Natural England also advises that a Construction Environmental Management Plan (CEMP) should be submitted to and approved in writing by the local planning authority that identifies the steps and procedures that will be implemented to avoid or mitigate constructional impacts on designated sites, species and habitats. 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.

Chichester Harbour Area of Outstanding Natural Beauty

The proposed development is close to a nationally designated landscape namely Chichester Harbour AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 172 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

We also advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Biodiversity and protected species

Natural England does not hold locally specific information relating to protected species, local or national biodiversity priority habitats and species, local sites (biodiversity and geodiversity) and local landscape character. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the [Hampshire Biodiversity Information Centre](#) and other appropriate bodies. In some instances, further surveys may be necessary through an ecological appraisal to be agreed by an HCC ecologist.

Natural England has published Standing Advice on protected species. Please note Standing Advice is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation. If you have any specific questions not covered by our Standing Advice, or have difficulty in applying it to this application please contact us at consultations@naturalengland.org.uk.

It is a requirement of all development to enhance the natural environment, as stated in the NPPF (2018 as amended), paragraph 109. The attached Annex A includes opportunities for enhancement such as planting native species in gardens and landscaping, as well as the addition of bird and bat boxes. Net gain is also possible for small scale development where there are limited opportunities on-site as contributions can be taken for offsite projects to help enhance the wider biodiversity opportunities in the Borough. For example, proportional contributions could be taken to plant new trees in the Borough, provide new bat and bird boxes, help manage the Borough's wildlife sites etc.

Please let me know if you need any further information or clarification.

Rachael Clemson
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Thames Solent Area Team

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Please note my non-working day is Friday

www.naturalengland.org.uk

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

Please send planning consultations to Natural England by email to: consultations@naturalengland.org.uk.

www.gov.uk/government/organisations/natural-england

Natural England offers two chargeable services – The Discretionary Advice Service ([DAS](#)) provides pre-application, pre-determination and post-consent advice on proposals to developers and consultants as well as pre-licensing species advice and pre-assent and consent advice. The Pre-submission Screening Service ([PSS](#)) provides advice for protected species mitigation licence applications.

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