

Date: 15 July 2019
Our ref: 287073
Your ref: APP/19/00623



Daphney Haywood
Havant Borough Council
BY EMAIL ONLY

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Dear Daphney,

Planning consultation: Retain the existing 'Fowley Cottage' dwelling and construction of 6No. 5 bed detached dwellings, two on the Warblington Road frontage and four to the rear garden area. Access to Plot 5 to be taken off Warblington Road, access to Plots 1-4 and 6 to be taken off Curlew Close

Location: Fowley Cottage, 46 Warblington Road, Emsworth, PO10 7HH

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. Thank you for your consultation dated 26 June 2019.

Nutrient Neutrality – No objection subject to mitigation

The application site is within 30m of the Solent Maritime Special Area of Conservation (SAC) and the Chichester and Langstone Harbours Special Protection Area (SPA). Natural England advises that there is a likely significant effect on the Solent's European Sites due to the increase in waste water from the new housing within the Solent catchment.

We recommend that the waste water issue is examined as part of the requirement for Appropriate Assessment under The Conservation of Habitats and Species Regulations (as amended 2017) and note the submission of a Mitigation Checklist which will inform your Authority's consideration of the application. Natural England must be consulted on any Appropriate Assessment.

Natural England is aware that Havant Borough Council has published a Position Statement on Nutrient Neutrality which provides an interim approach to the issue and requires applicants to prepare a site specific nutrient budget or use a Grampian condition to ensure the provision of an avoidance and mitigation scheme prior to occupation of the development. Natural England recommends that site specific nutrient budgets are agreed with Natural England at the earliest opportunity via our [charged advice service](#).

Provided that the applicant is complying with the requirements of position statement in full and the development achieves nutrient neutrality through an agreed site specific nutrient budget or through the mitigation package outlined by the Grampian condition, Natural England is satisfied that the applicant has mitigated against the potential adverse effects of the development on the integrity of the European sites, and has no objection to this aspect of the application.

Solent Recreation Management Strategy – No objection subject to mitigation

This application is within 5.6km of the Chichester and Langstone Harbours SPA and will lead to a net increase in residential accommodation. Natural England is aware that Havant Borough Council has adopted a Supplementary Planning Document (SPD) or planning policy to mitigate against

adverse effects from recreational disturbance on the Solent SPA sites, as agreed by the Solent Recreation Mitigation Partnership (SRMP).

Provided that the applicant is complying with the SPD or policy and the requirement for Appropriate Assessment under The Conservation of Habitats and Species Regulations (as amended 2017). Natural England is satisfied that the applicant has mitigated against the potential adverse effects of the development on the integrity of the European site(s), and has no objection to this aspect of the application.

Area of Outstanding Natural Beauty

The development lies within the setting of the Chichester Harbour AONB. You should therefore consider seeking advice of the AONB Team. Their knowledge of the location and wider landscape setting of the development should help to confirm whether or not it would impact significantly on the purposes of the designation. They will also be able to advise whether the development accords with the aims and policies set out in the AONB management plan.

Biodiversity Mitigation and Enhancement

In order for your authority to be assured that the proposal meets the requirements of Natural England's standing advice and the additional requirements for biodiversity enhancement and net gain as set out in National Planning Policy Framework paragraphs 8, 118, 170, 174 and 175d, Natural England recommends that the application is supported by a Biodiversity Mitigation and Enhancement Plan (BMEP), or equivalent, that has been agreed by a Hampshire County Council (HCC) Ecologist.

The submission of an HCC approved BMEP will help ensure your authority meets the requirements of Section 40 of the Natural Environment and Rural Communities Act (2006), which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'. Biodiversity 2020: A strategy for England's wildlife and ecosystem services and Making Space for Nature (2010) also provide strong drivers for the inclusion of biodiversity enhancements through the planning process.

Please note that provided the HCC Ecologist is satisfied with the submitted biodiversity mitigation and enhancement measures and the measures are secured by any permission then no further consultation with Natural England on this aspect of the proposal is required.

I trust this advice will assist you and the authority in considering the application further. Please contact me if you have any queries relating to this advice.

Yours sincerely

Emily Greaves

Sustainable Development Adviser

Natural England - Dorset, Hampshire and Isle of Wight

Tel: 020802 69986

Mob: 07747 780783

Email: Emily.Greaves@naturalengland.org.uk