Dear Daphney,

APP/18/00724 | 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 | Land at Sinah Lane, Hayling Island 19.1423

Thank you for consulting me on this application.

The application includes an amended Winter Bird Mitigation Strategy (WYG, November 2018).

SPA issues

They key ecological issue at this site is the loss of supporting habitat for bird species associated with the adjacent Chichester & Langstone Harbours SPA/Ramsar. The proposed development is featured in the Solent Waders & Brent Goose Strategy (SWBGS) as Site H34C, a Primary Support site the HRA report incorrectly describes H34C as a Secondary Support site). H34C has regularly supported high numbers of brent geese and some waders, as demonstrated by the SWBGS data as well as the applicant's own field surveys and those related to a nearby development site. The site's location adjacent to the harbour, as well as the regular presence of winter wheat crop, makes this a highly attractive site for brent geese in particular.

Following recent revision of the SWBGS, the loss of some sites is accepted as a means of securing, on a permanent basis, the long-term management of good quality wintering bird supporting habitat. The current agricultural regime in this location (as elsewhere on Hayling) does not guarantee suitable terrestrial habitat in every winter and so the guaranteed provision of permanent habitat is significant for the overall protection of a network of high-quality inland habitat.

The use of the northern half of H34C as a permanent bird refuge is in principle acceptable and is consistent with the SWBGS mitigation framework. Key factors that will make this proposal acceptable are its permanence, boundary security (especially blocking informal access from North Shore Lane and the Hayling Billy Trail), grassland establishment and ongoing management and the presence of freshwater scrapes/pools. Details of these factors are provided within the submitted information and are acceptable. I would strongly recommend the trialling of brent goose and wader decoys at this site as a means of potentially encouraging bird use as early as possible.

It is understood that management of the site will be by the RSPB. As ever, it is the deliverability of the mitigation that is key to making it wholly acceptable and for concluding that there will be no likely significant effect on the conservation objectives of the SPA/Ramsar. In this case, it is stated that the applicant and the RSPB have been in discussion and that the RSPB have 'agreed' to accept a commuted sum for the ongoing (80 year) management of the site. The RSPB already have an interest in some land north of Sinah Lane anyway, and therefore it seems sensible for them to take on the ongoing management of the mitigation land. It is unclear whether the land itself will be transferred or simply leased. Clearly the preference would be for land ownership to be transferred so that the site is secured permanently.

In order to be able to conclude no likely significant effect, the LPA needs to see clear evidence that the ongoing management of the mitigation land is secured: there must be absolute certainty that the mitigation is deliverable. This should include evidence that the RSPB has definitely agreed to take on responsibility and that they agree that the proposed commuted sum is acceptable for agreed purposes.

Other ecological matters

In terms of other issues, the site is generally unconstrained. The bulk of the site comprises arable crops and is of minimal value. Boundary hedgerows and trees are present to the north, south and east. Surveys have identified a small population of slow-worms and between four and six species of foraging/commuting bat: no bat roosts have been identified.

Overall, the site is of limited ecological value and the proposals allow for the retention and protection of the bulk of boundary features. There are opportunities for ecologically-valuable enhancements within the application site, including semi-natural habitats and a range of bat and bird boxes: the submitted details are acceptable.

Following confirmation of the proposed RSPB management involvement I would be happy to recommend that all ecological mitigation, compensation and enhancement measures are secured through condition. It will also be necessary to secure ongoing monitoring of bird use of the site as well as monitoring of all habitat and infrastructure: Natural England will have comments on the length of any monitoring period and I would suggest that monitoring should continue for longer than the proposed three years post-development.

If you have any queries please don't hesitate to contact me.

Kind regards,

Tristan

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