

Houghton, Michelle

From: Berry, Rebecca (NE) <Rebecca.Berry@naturalengland.org.uk>
Sent: 03 January 2019 11:42
To: Havant Planning and Development Mailbox New
Subject: FTAO Mrs Pickup - Tracker ref 268896 - NE Consultation response – APP/18/01228
- Stoke Farm, Northwood Lane, Hayling Island, PO11 0LR

Dear Mrs Pickup,

RE: APP/18/01228 - Change of use to a mixed use of agricultural and logging/timber business with timber processing taking place in north west corner of site only (revised application) - Stoke Farm, Northwood Lane, Hayling Island, PO11 0LR

Thank you for consulting Natural England on the above application.

Appropriate Assessment

Please note that, recent case law ([‘Sweetman II’](#)) outlines that mitigation measures should not be assessed through a Habitats Regulations Assessment (HRA) to ‘screen out’ impacts at the stage of considering Likely Significant Effects (LSE), rather avoidance/mitigation measures should be considered through an Appropriate Assessment. Therefore in this case, the HRA may need to move on to the Appropriate Assessment stage where avoidance/mitigation measures to offset recreational impacts on the Chichester and Langstone Harbours SPA and its functional land sites can be outlined.

Special Protection Area Functional Land

The proposals have the potential to affect SPA functional land, which forms part of a network of terrestrial sites located outside of the Solent SPAs boundaries used by SPA species (including qualifying features and assemblage species) as alternative areas for roosting and foraging. These sites support the functionality of the designated sites and are therefore protected in this context.

The site affected H60L is classed as a Primary Support Area and supports Curlew, Oystercatcher and Brent Goose. As a result, Natural England advise that best practice measures are adopted during construction to limit noise and visual disturbance to the adjacent sensitive habitat. We advise the following condition is secured with any planning permission:

- No percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax – measured at the sensitive receptor) to be undertaken during the bird overwintering period (i.e. October to March inclusive).

Note: The sensitive receptor is the nearest point of the SPA or any SPA supporting habitat (e.g. high tide roosting site).

Protected Species

Natural England has produced [standing advice](#) to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

If you have any queries please let me know.

Kind regards,
Rebecca

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These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce uncertainty, reduce the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.

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