

Dear Daphney,

Emsworth Sailing Club 55 Bath Road, Emsworth, PO10 7ES

APP/18/00650 – Application for variation of condition 5 of Planning Permission APP/17/01092 relating to ecological report and use of hand tools.

Fully delegated Officer decision from Chichester Harbour Conservancy

Recommendation – No objection to this application, but asks that suitably worded conditions be included in any permission granted to ensure that:

- The wooden stakes are only coated (if required) with treatments that are suitable for use in the marine environment;
- The works be carried out in accordance with the recommendations set out at paragraph 6.1 of the Ecological Report and the annotations to drawing SK – 161231 forming part of the application (including that the timing of the works be carried out outside the overwintering bird period, which is October - March inclusive); and,
- Any equipment, debris or machinery be removed from the site upon completion of the works.

I firstly apologise for the delay in replying, due to staff shortage and needing to prioritise Committee and enforcement work.

The Conservancy's Ecology Officer has reviewed the additional information notified by letter dated 27.7.2018.

Following a site visit made 14.8.18 and having regard to the Policy framework* below, the following comments are made.

Emsworth Sailing Club is located on the southwest corner of Emsworth Mill Pond. Water from the Mill Pond through the sluice has formed a channel that is causing the gradual erosion of the mud bank next to Emsworth Sailing Club slipway. There is evidence of existing (rotten) wooden stakes in the mud bank. The issue of the erosion was brought to the attention of the Conservancy, Natural England and the Environment Agency in 2016.

We have considered the application in accordance with the Conservancy's Planning Principle PP11 'Intertidal Structures', which states that intertidal structures will be assessed for their impact on the visual land/seascape, nature conservation and navigational safety.

The site lies within the designated SPA/SAC/Ramsar site and therefore any application should demonstrate that there would be no harm to these nature conservation interests through, for example, direct land take or through disturbance during construction.

Applications are normally required to submit an assessment of how the proposed structure would impact on the protected mudland and if there are any direct impacts, how this would be mitigated or compensated for. Furthermore, a method statement is normally required which sets out how the proposed structure will be put in place, the machinery used, the timings, and the methods etc.

The Conservancy is supportive in principle of the proposed reinstatement of stakes to protect the Sailing Club slipway from being undercut and prevent further erosion of the mudland surrounding it, and is satisfied, on the basis of the alternative additional

information now made available for viewing, that there would not be any significant harm to the natural beauty of the AONB in this location or to the nature conservation interests of the site.

We would support the comments of Natural England in requesting that suitable conditions be included on any permission granted to ensure that only coatings and treatments that are suitable for use in the marine environment are used, in order to prevent pollution of the Harbour; and that any equipment, debris or machinery be removed from the site upon completion of the works.

We would also ask that a suitable condition be included to ensure that the method of construction if carried out in accordance with the recommendations set out at paragraph 6.1 of the Ecological Report and the annotations to drawing SK – 161231 - 1 forming part of the application, in order to ensure there is no significant disturbance or damage to the designated site.

Yours sincerely

Steve Lawrence MRTPI,
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