

Date: 9 May 2018
Our ref: 244753
Your ref: APP/18/00380



Mr David Eaves
Havant Borough Council

Customer Services
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BY EMAIL ONLY

Dear David,

Planning consultation: APP/18/00380 Outline application for the construction of 3No. two storey detached dwellings, following demolition of existing buildings

Location: Southmere Farm House, The Mallards, Langstone, Havant, PO9 1SS

Thank you for your consultation on the above dated 19 April 2018 which was received by Natural England on the same date.

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.

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

This application site is within 5.6km of the Chichester and Langstone Harbours SPA and will lead to a net increase in residential dwellings. Natural England is aware that Havant Borough Council has adopted planning policy to mitigate against adverse effects from recreational disturbance on the Solent SPA sites, as agreed by the Solent Recreation Mitigation Partnership (SRMP) Definitive Strategy.

Provided that the applicant is complying with this policy and an appropriate planning condition or obligation is attached to any planning permission to secure the contributions towards this mitigation measure, Natural England is satisfied that the applicant has mitigated against the potential adverse effects of recreational disturbance on the integrity of the European site(s).

The development site is also immediately adjacent to a site (H27) classified as a 'Secondary Support Area' in the forthcoming update of the Solent Waders and Brent Goose Strategy. It is important for brent geese and curlew. Brent geese are a qualifying feature of the aforementioned SPA. As a precautionary measure, we recommend that the following condition is appended to the 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).

With the above mitigation in place, Natural England has **no objection** to this application.

Biodiversity Mitigation and Enhancement Plan

Please note we have not assessed the application and associated documents for impacts on protected species. Natural England has published Standing Advice on protected species. 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.

In order for your authority to be assured that the proposal meets the requirements of the standing advice and the additional requirements for biodiversity enhancement as set out in National Planning Policy Framework paragraphs 7, 109 and 118, Natural England recommends that the application is supported by a Biodiversity Mitigation and Enhancement Plan (BMEP) that has been agreed by a Hampshire County Council (HCC) Ecologist.

It is noted that no ecological assessment has been submitted with the application and we would recommend that the HCC Ecologist is consulted in the first instance to identify the scope of the BMEP required for this development.

Provided an HCC approved BMEP is received and secured by any permission then your authority may be satisfied that it will have met its duties under Section 40 of the Natural Environment and Rural Communities (NERC) 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', and in relation to European Protected Species Regulation 9(3) of The Conservation of Habitats & Species Regulations 2017.

Natural England recommends that biodiversity enhancements are included in the development proposals, such as planting native trees including fruit trees within gardens, native hedges and the provision of bird (eg house martin, swift) and bat boxes of a design that is incorporated into the fabric the new buildings.

Please note that provided the HCC Ecologists' are satisfied with the submitted BMEP and the full implementation of the plan is secured by any permission then no further consultation with Natural England on this aspect of the proposal is required. In the event that a BMEP cannot be agreed with the applicant then Natural England should be re-consulted on the proposals so that we can reconsider our advice.

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

Yours sincerely

Rachel Jones
Lead Advisor, Solent
Dorset, Hampshire and Isle of Wight Team