Date: 13 December 2017
Our ref: 231250
Your ref: APP/17/01092

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Dear Mrs Hopwood

Consultation: Installation of wooden stakes as part of an erosion plan to protect the main slipway at Emsworth Sailing Club and prevent further erosion of mudland.
Location: Emsworth Sailing Club, 55 Bath Road, Emsworth, PO10 7ES

Designated sites:
Chichester and Langstone Harbours Special Protection Area (SPA)
Chichester and Langstone Harbours Wetland of International Importance under the Ramsar Convention (Ramsar site)
Chichester Harbour Site of Special Scientific Interest (SSSI)
Solent Maritime Special Area of Conservation (SAC)
Solent and Dorset Coast potential Special Protection Area (pSPA)

Thank you for your consultation dated 08 November 2017, consulting Natural England on the above application. The following constitutes Natural England's formal statutory response.

Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended):

It is our advice, on the basis of the material supplied by the applicant, that in respect of statutory designated sites, seascapes and protected species an Environmental Impact Assessment (EIA) will not be required for this application.

Marine and Coastal Access Act 2009

The works, as set out in the information supplied by the applicant, are not sited within or near to a Marine Conservation Zone. We are therefore confident that the works will not hinder the conservation objectives of such a site.

The Conservation of Habitats and Species Regulations 2017

We can confirm that the proposed works are located within or in close proximity to the above SPA, SAC or Ramsar Site**.** Natural England advises that providing the works are carried out in strict accordance with the details of the application which has been submitted, it can be concluded that the application will not have a significant effect on any SAC, SPA or Ramsar site, either individually or in combination with other plans or projects.

Therefore, it is our view that an Appropriate Assessment should not be required. We recommend that the following conditions are included to ensure that the activity is undertaken in accordance with the details of the application:

Condition 1

The applicant should ensure that only coatings and treatments that are suitable for use in the marine environment are used in accordance with best environmental practice. All reasonable precautions will be undertaken to ensure no pollutants enter the waterbody.

Reason: To ensure hazardous chemicals that may be toxic, persistent or bio-accumulative are not released into the marine environment.

Condition 2

The applicant should ensure that all equipment, temporary structures, waste and/or debris associated with the activities are removed upon completion of the works.

Reason: To minimise impacts to the marine environment and other users of the sea/seabed.

Wildlife and Countryside Act 1981 (as amended)

We can confirm that the proposed works are located within or in close proximity to the above SSSI. Natural England advises that the proposal, if undertaken in accordance with the details submitted, is not likely to damage the interest features for which the site has been notified. However we recommend that the above conditions are included to ensure that the activity is undertaken as per the application:

Should the application change, or if the applicant submits further information relating to the predicted impacts of this proposal on the SSSI aimed at reducing the damage likely to be caused, we will provide further advice as appropriate.

If you are minded to grant consent for this application contrary to the advice relating to the above conditions contained in this letter, we refer you to Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended), specifically the duty placed upon you, requiring that you;

- Provide notice to Natural England of the permission, and of its terms. This notice should include a statement of how (if at all) you have taken account of Natural England's advice; and

- Shall not grant a permission which would allow the operations to start before the end of a period of 21 days beginning with the date of that notice.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Sally Wintle
Consultations Team