

Michelle Houghton

From: Norton, Tristan <Tristan.Norton@hants.gov.uk>
Sent: 30 August 2017 13:45
To: David Eaves
Cc: Planning and Development Shared Mailbox; Havant Auto-Reply
Subject: APP/17/00817 Northney Coastal Footpath, East of Havant Road, Hayling Island 17.1574

Follow Up Flag: Follow up
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Dear David,

APP/17/00817 | Proposed improved and raised path along a section of Northney Road from the Langstone Hotel westwards approximately 215m. Ditch to be piped with new bank over topped by level path to give safe access for pedestrians with kerbed edge to the car park area and areas of fill between new embankment and existing ground level. (Resubmission of APP/16/00678.) | Northney Coastal Footpath, East of Havant Road, Hayling Island 17.1574

Thank you for consulting me on this application. You will recall that I provided detailed comments on this proposal back in September 2016. Since that date I have spoken with a member of the local community group and also with an ecological consultant who I understood was to carry out an ecological assessment of the site and immediate zone of influence.

The works will be situated within/within the immediate vicinity of the Solent Maritime Special Area of Conservation (SAC), Chichester & Langstone Harbours Special Protection Area (SPA) and Ramsar site and Chichester Harbour Site of Special Scientific Interest (SSSI). The area is therefore of high ecological sensitivity. In addition, the land immediately landward of the proposed works area offers supporting habitat for significant numbers of bird species associated with the adjacent SPA/Ramsar. As discussed in detail in September 2016, and explained to the local group member and the consultant ecologist, any application for works in this area needs to be able to demonstrate how the proposed works will not result in any 'likely significant effect' on the features for which these sites are designated or on their published conservation objectives. This should take the form of a Habitats Regulations Assessment (HRA) screening statement. This should identify the potential impacts associated with the works and provide details of how any potential impacts can be avoided (e.g. by amending works or timings) or mitigated. The requirement for HRA screening was made clear by Natural England in their consultation response on the previous application.

The submitted Ecological Assessment is the same as previously submitted and therefore does not address the previous comments from either myself or Natural England. It would appear that the ecologist I spoke to was not commissioned to undertake the necessary level of assessment. I fully understand the need for these works but there is a clear, well-defined process for ensuring that any development (whether by a local community group or not) is in accordance with the Habitats Regulations. The LPA is obliged legally to have regard for the Regulations in determining planning applications. The level of information required has been explained and need not be onerous. Any submission needs to identify the qualifying features of the designated sites that may be at risk of damage/disturbance from the works, both during construction and operation. Those features may not be within the works area but in adjacent areas. For instance, during construction (for which no details of working methods have been submitted) there may be a risk of direct loss of/damage to

habitat or pollution from fuels or other substances. Unmitigated, these would reasonably be expected to result in impacts to internationally- and nationally-designated sites. Even if the expected impacts are negligible (after mitigation) this needs to be documented within any planning submission.

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

Kind regards,

Tristan

Tristan Norton

**Senior Ecologist
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