

APP/23/00993

Change the roof profile and change external materials
13 The Kench, Ferry Road, Hayling Island, PO11 0DF
Our ref: 466006

Thank you for your consultation for the above case.

No objection subject to securing mitigation

Construction Environment Management Plan

We note that a Construction Environment Management Plan (CEMP) has been submitted, located in the Habitat Regulation Assessment dated 01/02/2024. We advise the CEMP should be submitted to and approved in writing by the district ecologist/biodiversity officer.

Habitats Regulations Assessment

Natural England notes that a report to inform an Appropriate Assessment of the proposal has been produced in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the Appropriate Assessment stage of the Habitats Regulations Assessment process, and a competent authority should have regard to Natural England's advice.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

Special Protection Areas (SPA) and Functionally Linked Land

The proposals have the potential to affect SPA and functionally linked land, which form 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. Please see the [Solent Wader and Brent Goose Strategy](#) (SWBGS) for more information.

The site affected, H83, is classed as a Primary Support Area and supports high numbers of dark-bellied Brent Goose.

It is advised that the impact is properly assessed and any identified impacts are addressed in line with the [SWBGS Guidance on Mitigation and Offsetting Requirements](#). Please note, where financial contributions are proposed, for example to mitigate impacts on Low Use sites, it is advised that a sufficient level detail of the measures to which they will be directed is provided to inform your authority's

appropriate assessment, in order to provide the necessary confidence and certainty that such mitigation will be effective and deliverable in perpetuity.

Natural England will be happy to advise further on this aspect via our Discretionary Advice Service (DAS).

Noise Impacts

Wherever possible, percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax – measured at the sensitive receptor) should be avoided during the bird overwintering period (i.e. October to March inclusive). If such a condition is problematic to the applicant than Natural England will consider any implications of the proposals on the SPA bird interests on a case by case basis through our Discretionary Advice Service.

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

In relation to significant long term projects that cannot avoid the winter period the following advice could also be given:

- Natural England recommend that the effects of the piling on the SPA birds are monitored by a suitably qualified ecologist during the works so that additional mitigation measures can be applied to avoid excessive disturbance.
 - For intertidal areas and estuaries, Natural England recommend that percussive piling is undertaken at or around high water to further reduce residual risk. Please note, an alternative approach may be required if high tide roosts are present.

If there are any questions feel free to contact me.

Best Wishes,

Emma

Emma Foster
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Thames Solent Area Team

Natural England