

Consultee Comments for Planning Application APP/21/00809

Application Summary

Application Number: APP/21/00809

Address: Hermitage Park, Harts Farm Way, Havant

Proposal: Proposed Gas fuelled Capacity Mechanism embedded generation plant to support the National Grid. A resubmission of previously approved applications (APP/17/00511 as amended by APP/18/01281) in order to secure a further three years to commence development following transfer of ownership of the site.

Case Officer: Selina Donophy

Consultee Details

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On Behalf Of: County Ecologist

Comments

Dear Selina,

APP/21/00809 | Proposed Gas fuelled Capacity Mechanism embedded generation plant to support the National Grid. A resubmission of previously approved applications (APP/17/00511 as amended by APP/18/01281) in order to secure a further three years to commence development following transfer of ownership of the site. | Hermitage Park, Harts Farm Way, Havant 22.0597

Thank you for consulting me on this application.

I have reviewed the Harts Farm Way Air Quality Assessment (Wood, May 2022). The AQA concludes that there is likely to be an exceedance in Annual Mean NO_x levels within the Solent Maritime SAC and the contiguous Chichester & Langstone Harbours SPA (plus underlying SSSI). This exceedance is estimated to extend to c.9 hectares and will include habitat listed under Annex 1 of the Habitats Directive. In addition, there are predicted exceedances at several sites included in the Solent Waders & Brent Goose Strategy (SWBGS). SWBGS sites are functionally linked to the SPA and must therefore be treated as analogous to the SPA in terms of effects. There are also exceedances in acid deposition at one SWBGS site, H09. This SWBGS site is largely developed and does not, in my view, constitute suitable habitat for SPA birds.

The predicted exceedances within the SAC and SPA (and underlying SSSI) will affect the Annex 1 habitat Estuaries (H1130): Mudflats and sandflats not covered by seawater at low tide. Using DEFRA's MAGIC website, this habitat is described as intertidal mud. This habitat is situated within the Solent Maritime SAC and Chichester & Langstone Harbours SPA. From my review of DEFRA's

MAGIC data and the inventory of Priority Habitats available from HBIC, I am content that there are no areas of saltmarsh or other Annex 1 habitats within the predicted exceedance zone. It is therefore concluded that only intertidal mud habitat is within the exceedance envelope.

It is not clear from the report what is proposed in terms of avoiding or mitigating this exceedance impact. Whilst the exceedance envelope may be small in the context of the wider designated sites, it is nevertheless an exceedance of published limits. It follows that there is potential for effects on vegetation communities/habitats associated with the designated sites, such that SAC/SPA qualifying features may be impacted. For the SPA, the Supplementary Advice on Conservation Objectives (SACO) states that to avoid/mitigate air quality impacts the target is to maintain concentrations and deposition of air pollutants at below the site-relevant Critical Load or Level values given for this feature of the site on the Air Pollution Information System. With the exceedance of these values for NO_x there is a potential Likely Significant Effect on the conservation objectives of the SPA. This requires further action to avoid/mitigate this effect.

The SACO advice for the Solent Maritime SAC does not explicitly mention air pollution as a potential impact. However, as identified within the AQA report, nutrient enrichment is discussed as a potential threat.

In summary, there are predicted exceedances in air pollutants across an area containing habitats associated with the Solent Maritime SAC and Chichester & Langstone Harbours SPA. This exceedance may result in a Likely Significant Effect on qualifying features of these designated sites, such that the sites conservation objectives are undermined. No details of any mitigating actions are provided: the fact that only a small proportion of the sites are within the exceedance envelope is not sufficient to avoid a Likely Significant Effect. This AQA needs to be developed into a Habitats Regulations Assessment (HRA) in order that the Local Planning Authority can understand the potential for effects on the internationally designated sites. This should include an assessment of the potential for impacts on the specific qualifying features of the designated sites within the exceedance envelope.

NPPF, Circular 06/2005 and Natural England Standing Advice on Protected Species, require that planning decisions are based on full, up-to-date ecological information and it is essential that all necessary survey, assessment and mitigation information is available to the LPA prior to determination, particularly in the case of protected species, which are a material planning consideration. This will enable the LPA to determine the application on the basis of full knowledge about the ecological impacts of the proposal and to ensure that any impacts can and will be mitigated, and are acceptable

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

Kind regards,

Tristan

Tristan Norton

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