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Dear David,

Your Ref: APP/21/01434

PROPOSAL: Outline application for development of up to 300 dwellings (including affordable housing). The proposal includes provision for structural planting and landscaping; informal public open space; children's play areas; sustainable drainage system (SuDS); a new vehicular access from St Mary's Road; and associated ancillary works. All matters reserved except for means of vehicular access. Accompanied by an Environmental Statement.

LOCATION: Rook Farm, land off St Marys Road, Hayling Island

Hampshire and Isle of Wight Wildlife Trust **objects to these proposals** due to uncertainty regarding impacts on functionally linked land to Special Protection Areas.

The site lies just 800m from Langstone and Chichester Harbour Site of Special Scientific Interest (SSSI), Special Protection Area (SPA) and Ramsar site, designated in recognition of its national and international importance for wintering birds, including dark-bellied brent geese (*Branta bernicla*) and Eurasian curlew (*Numenius arquata*).

The proposed site is situated directly on land classified as a "Core Area" (H46B) as part of the [Solent Wader and Brent Goose Strategy \(SWBGS\)](#) which forms part of a network of sites of fundamental importance to the functioning of the SPA. Populations of dark-bellied brent goose have previously been recorded within site H46B, with a peak count of 1100 individuals feeding during the winter of 2017 and, more recently, records of over 1000 individual dark-bellied brent geese during the Winter of 2021.

In the Solent Wader and Brent Goose Strategy mitigation guidance "Core Areas" are:

"considered essential to the continued function of the Solent waders and brent goose ecological network and have the strongest functional-linkage to the designated Solent SPAs in terms of their frequency and continuity of use by SPA features. Securing the long term

protection and appropriate management of the Core Areas is a key objective for the Solent Waders and Brent Goose Strategy. The unmitigated loss of these sites would impact on the integrity of the SPA over the long term.”

The proposal would result in the total loss of “Core Site” H46B. Proposed development would therefore need to ensure it addresses the Habitats Regulations decision making tests, ensuring adverse effects on the integrity of Chichester and Langstone Harbours SPA can be avoided through an Appropriate Assessment. Given the importance of “Core Support Areas” to the functioning of the SPA, mitigation would be required that was capable of delivering that same function.

In order for the loss of “Core Area” to be judged acceptable, an appropriate mitigation package will be required. Mitigation should be based on the published SWBGS Mitigation Guidance which, for “Core Areas”, states:

- A suitable replacement site of an equal, or in some circumstances greater, size and quality must be provided in close enough proximity to the Core Area affected to fully replace its ecological function.
- The freehold or long term lease (in perpetuity) of the replacement site must be passed to an appropriate conservation body, or the LPA, in a suitable condition and managed in perpetuity as a nature reserve for waders and / or brent geese.

For many of the “Core Areas”, the lack of alternative sites in close proximity to the SPA, will make it difficult to replace sites in a suitable location to ensure the critical importance of these sites within the ecological network is maintained.

While the shadow HRA alludes to a mitigation site, the developer has not disclosed details on the location, current habitat quality or management of any proposed off-site refuge, making it impossible to assess this requirement to mitigate for a “Core Area”. Further information must include: results of overwintering bird surveys; assessment of proposed refuge site; evidence that refuge site can provide at least the same function to SPA/Ramsar birds as the existing site; details of any enhancements to refuge site and details of ongoing management (methods, timings, responsible organisation) of refuge. Until such information is available, the Trust is unable to determine whether adverse effects on the integrity of the SPA can be avoided through appropriate mitigation, and **objects to these proposals**.

Furthermore, document CR18 of the Havant Borough Emerging Local Plan Examination concluded that Policy H27 (Rook Farm) should be removed from the Council’s supply as the Inspector is ‘unable to find that the site currently meets the definition of ‘deliverable’ or ‘developable’ as set out at Annex 2 of the NPPF’ due to the lack of clarity on if an appropriate mitigation site can be secured and significant uncertainties over the site’s delivery.

We trust that you will find our comments helpful and if you wish to discuss these matters further, please do not hesitate to do so.

Yours sincerely,



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