

Date: 21 July 2022
Our ref: 394228
Your ref: APP/21/00809



Selina Donophy
Havant Borough Council

BY EMAIL ONLY

Customer Services
Hornbeam House
Crewe Business Park
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Crewe
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Dear Selina

Planning consultation: Amended - 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.

Location: Hermitage Park, Harts Farm Way, Havant PO9 1FA.

Thank you for your consultation on the above dated 19 May 2022 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES

As submitted, the application could have potential significant effects on Chichester Harbour Special Protection Area and Solent Maritime Special Area of Conservation. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

A Habitat Regulations Assessment proceeding to Appropriate Assessment where impacts are identified

Without this information, Natural England may need to object to the proposal.

Please re-consult Natural England once this information has been obtained.

Natural England's further advice on designated sites/landscapes and advice on other issues is set out below.

Despite the proximity of the application to European Sites, the consultation documents provided do not include information to demonstrate that the requirements of regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment.

It is Natural England's advice that the proposal is not directly connected with or necessary for the management of the European site. Your authority should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out. Natural England must be consulted on any appropriate assessment your authority may decide to make.

Air Quality

In our previous response dated 29th November 2021 we advised that the 1% Critical threshold exceedance needs to be formally checked and confirmed by your Authority, as the competent authority, via an appropriate assessment, in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), in order to more precisely assess the likely effects identified and to inform a conclusion as to whether an adverse effect on site integrity can be ruled out. This is in line with the procedure set out in Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulation.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Should the applicant wish to discuss the further information required and scope for mitigation with Natural England, we would be happy to provide advice through our [Discretionary Advice Service](#).

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.

Please consult us again once the information requested above, has been provided.

Yours sincerely

Rachael Clemson
Sustainable Development Lead Adviser
Thames Solent Area Team