

Date: 31 January 2022
Our ref: 379808
Your ref: APP/21/01310



Steve Weaver
Havant Borough Council

Customer Services
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BY EMAIL ONLY

Dear Steve

Planning consultation: Further Info - COU of land & woodland (retrospective) as a wedding & events venue, including retention of permanent ancillary buildings & structures, the erection of removable structures (including marquees & temporary facilities), etc.

Location: Tournerbury Woods, Tournerbury Lane, Hayling Island

Thank you for your consultation on the above dated 11 January 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.

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

Natural England notes this application is a resubmission of a previous application for which we provided a no objection subject to mitigation response

The consultation documents provided by your authority include the HRA & Appropriate Assessment from the previous application for context and an updated shadow HRA (Holbury Consultancy Services Nov 2021)

The following comments are provided to assist your authority in completing the HRA for the proposals and take into account the information provided in the shadow HRA and Visitor Management Strategy documents by Holbury Consultancy Service on behalf of the applicant.

Disturbance

Natural England previously raised concerns about potential increased disturbance from access, noise and light at Tournerbury Foreshore during wedding events during the overwintering period.

The shadow HRA states that 'disturbance events associated with events would be infrequent (a maximum of 3-4 times across the month), of short duration (max 1-2 hours) and extremely localised in nature, confined to the temporary jetty or the adjacent Harbour Lawn'. We accept that access to outdoor areas is less attractive during winter months and that the nature of the terrain at the foreshore is in itself not attractive to wedding guests in formal attire. We welcome the proposed barrier and signage which will further discourage access along with the event rules which requires dogs on short leads at all times and no fireworks allowed. We therefore on balance we agree that provided the competent authority is confident these rules will be implemented by site managers and the measures set out in the visitor management strategy, there is unlikely to be an adverse effect on integrity on the SPA.

It is Natural England's view that use of the jetty and lawn area during the month of October represent a novel source of noise which SPA species are unlikely to be habituated to, we therefore advise the competent authority recognise this in the HRA and take a precautionary approach. The competent authority should be satisfied that use of the jetty will be limited to 3-4 times at highwater during October and use restricted from 1st November to 31st March inclusive.

In addition the proposals have the potential to impact on SPA species through noise disturbance from amplified music in the marquee. The applicant states an attenuated sound system will be continue to be used in the marquee which prevents noise levels exceeding 69db at the foreshore with measurements showing typical sound levels of 34db. We therefore agree that disturbance from noise is unlikely to have an adverse effect on integrity provided the use of this system and monitoring can be secured via appropriately worded condition with any planning consent.

Should the frequency of events increase beyond 4 we recommend that further bespoke wintering bird surveys are conducted to assess disturbance impacts.

Chichester Harbour Site of Special Scientific Interest - The Bury

Natural England previously raised concerns potential disturbance to the Heronry within The Bury which is listed as a feature of the Chichester Harbour SSSI. However evidence suggests that Herons are more likely to be disturbed by vehicles stopping than by vehicles which drive by without stopping. The Visitor Management Strategy sets out that visitors are unlikely to stop on the access track but as a precaution signage will erected at entrances to the access track which advises visitors to not stop due to nesting birds. Based on this evidence and the additional measures we are satisfied there is unlikely to be increased disturbance to the Heronry during the nesting months of January to June. Provided the measures within the Visitor Management Strategy are secured with any permission we are satisfied the proposals will have mitigated any potential disturbance impacts from vehicle access and raise no further concerns.

Nutrient Neutrality

We note that the application does not now include use of Wood Cottage for overnight accommodation and the nitrogen budget for the remaining camping has therefore been recalculated resulting in a small positive nitrogen budget of 0.12 Kg/N/year. As mitigation it is proposed to purchase credits from Havant Borough Council's Warblington Farm strategic offsetting scheme. Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing harmful effects on the Habitats Site(s) for the duration of the proposed development.

This advice is provided on the basis that all mitigation measures will be secured as planning conditions or obligations by your authority to ensure their strict and timely implementation for the full duration of the development. Your authority should be assured that proposed financial contribution rates are proportionate to the identified effects of the proposed development, suitably precautionary, and in line with the Retail Price Index, where relevant. Provided that your authority is assured and satisfied that the budget calculations are suitably precautionary and accurately reflect the proposal, then Natural England raise no concerns with regard to the nutrient budget.

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.

Further general advice on consideration of protected species and other natural environment issues is provided at Annex A.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek 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.

Should the proposal change, please consult us again.

Yours sincerely

Rachael Clemson
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Thames Solent Area Team