

Havant Borough Council
Development Control
Civic Offices Civic Centre Road
Havant
Hampshire
PO9 2AX

Our ref: HA/2021/123700/01-L01
Your ref: APP/14/00547
Date: 11 January 2022

Dear Sir/Madam

REQUEST TO DISCHARGE CONDITION 19 (29.09.2021).OUTLINE PLANNING PERMISSION FOR 125 RESIDENTIAL UNITS AND A WATER RETENTION AREA. ALL MATTERS RESERVED EXCEPT ACCESS AND LEVELS (APPROVED 29.4.2015). LAND WEST OF HORNDEAN ROAD AND SOUTH OF SOUTHLEIGH ROAD

Thank you for consulting the Environment Agency on the above application.

We have reviewed the information as submitted and set out our position below.

Environment Agency Position

We are satisfied that the condition can now be discharged.

We have the following advice to the applicant due to the close proximity of this development to Emsworth Mill Pond it is likely that the ditch due to be infilled may contain a population of eels.

Advice to LPA/applicant

The applicant could be liable to criminal prosecution under the

- Eels (England and Wales) Regulations 2009

Due to the close proximity of this development to Chichester Harbour and Emsworth Mill Pond European eel (*Anguilla anguilla*) may be present within the existing ditch network. The European eel is protected under the Eel Regulations 2009. Prior to any infilling we advise that the ditch(es) are surveyed by a suitably qualified electric fishing contractor for the presence of European eels. Any eels found within the ditch network should be moved to suitable location downstream of this development and the ditch screened to prevent this species re-entering the work area.

Environment Agency
Guildbourne House Chatsworth Road, Worthing, West Sussex, BN11 1LD.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

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Please do not hesitate to contact me using the contact details shown below should you have any queries regarding the above information.

Yours faithfully

Mrs Sophie Brown
Sustainable Places Planning Advisor

Direct dial 02030 257250

Direct e-mail planningSSD@environment-agency.gov.uk