

Houghton, Michelle

From: Clemson, Rachael <Rachael.Clemson@naturalengland.org.uk>
Sent: 29 November 2021 15:00
To: Havant Planning and Development Mailbox New
Subject: NE response to APP/21/00809

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FAO Selina Donophy

Your ref: APP/21/00809 HRA & Appropriate Assessment - 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 PO9 1FA.
Our ref: 371823

Thank you for consulting us on the HRA & AA for the above application

SPA functionally linked land

The proposals are adjacent to a Solent Wader and Brent Goose Strategy Candidate sites H09 and H130 and is also in close proximity to a number of other SWBGS sites. These sites support the functionality of the nearby Chichester & Langstone Harbours SPA and are therefore protected in this context. As a result, Natural England advise that best practice measures are adopted during construction to limit noise and visual disturbance to the adjacent sensitive habitat. Natural England advises that a Construction Environmental Management Plan (CEMP) should be submitted to and approved in writing by the district ecologist/biodiversity officer that identifies the steps and procedures that will be implemented to avoid or mitigate constructional impacts on the adjacent Chichester and Langstone Harbours SPA, Ramsar and the SPA's functional land mentioned above.

The CEMP should address the following impacts:

- Noise/visual/vibrational impacts
- Visual screening (for SPA birds)
- Storage of construction materials/chemicals and equipment;
- Dust suppression
- Chemical and/or fuel run-off from construction into designated sites
- Waste disposal.

The CEMP should ensure there is no percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax – measured at the sensitive receptor) to be undertaken during the bird overwintering period (i.e. October to March inclusive). The sensitive receptor is the nearest point of the SPA or any SPA supporting habitat (e.g. high tide roosting site).

This detail should be included in the Appropriate Assessment to ensure there is no adverse impact from the construction work on the adjacent designated sites and its functional land.

Air Quality

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has screened the proposal to check for the likelihood of significant effects.

Your assessment concludes that the proposal can be screened out from further stages of assessment because significant effects are unlikely to occur, either alone or in combination. This conclusion has been drawn based on the Air Quality assessment provided by the applicant. The air quality dispersion modelling predicts that the critical threshold of 1% will be exceeded but and the limited area of 16ha representing 0.14-0.28% of the European designated site which may potentially affected has been used to screen out effects. It notes that the modelling is based on a worst case scenario and is unlikely to represent real world operational impacts.

For the purposes of a Habitat Regulations Assessment, Natural England advises that the 1% Critical threshold is a screening tool which should be used a guideline to initially check whether a plan or project may require an appropriate assessment. This exceedance therefore need 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.

We refer you to [Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulation](#) which more fully sets out our approach, section 5 in particular has useful guidance to completing an appropriate assessment. Whilst we appreciate this guide is referring to road traffic emissions which is not applicable to this application, on a point of procedure the approach to HRA and the requirement to proceed to AA if 1% of critical load is exceeded is the same.

Please contact me if you have any queries relating to the above advice.

Kind regards

Rachael Clemson
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Thames Solent Area Team

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Please note my non-working day is Friday



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