

Date: 28 October 2014
Our ref: 135163
Your ref: APP/14/01030



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Mr D Eaves
Havant Borough Council

BY EMAIL ONLY

Dear Mr Eaves,

Planning consultation: Outline application for construction of 1no 2 bed chalet style dwelling with all matters reserved.

Location: 36, Havant Road, Hayling Island, PO11 0PX

Thank you for your consultation on the above dated 20 October 2014 which we received the same day.

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.

Town and Country Planning Act 1990

Town and country Planning (General Development Procedure Order) 1995, Article 10

The Conservation of Habitats and Species Regulations 2010, regulation 61

Wildlife and Countryside Act 1981, Section 28 (G) and (I)

This application is within close proximity to the Chichester Harbour Site of Special Scientific Interest (SSSI). This site is also part of the Solent Maritime Special Area of Conservation (SAC), the Chichester and Langstone Harbours Special Protection Area (SPA) and Chichester and Langstone Harbours Ramsar Site which is a wetland of international importance under the Ramsar Convention. The application also falls adjacent to the Chichester Harbour Area of Outstanding Natural Beauty (AONB).

Natura 2000 site – No Objection Subject to Conditions

Natural England advises your authority that the proposal is not likely to have a significant effect on the interest features for which the above SSSI/SAC/SPA/Ramsar sites are designated, either alone or in combination with other plans or projects subject to conditions to the effect of the following attached to any permission granted:

- 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).
 - Note: The sensitive receptor is the nearest point of the SPA or any SPA supporting habitat (e.g. high tide roosting site). In this instance the field to the rear of the

application site which is identified within the Solent Brent Goose and Waders Strategy and could be impacted by this proposal.

- All materials, equipment and machinery will be stored in a designated compound within the curtilage of the property. This is required in order to protect the adjacent SPA supporting habitat.

Solent Recreation Mitigation Partnership

This application is within 5.6km of the Chichester and Langstone Harbour SPA and will lead to a net increase in residential accommodation. Natural England is aware that Havant Borough council has recently adopted a Supplementary Planning Document (SPD) or planning policy to mitigate against adverse effects from recreational disturbance on the Solent SPA sites, as agreed by the Solent Recreation Mitigation Partnership (SRMP)

Provided that the applicant is complying with the SPD or policy, Natural England are satisfied that the applicant has mitigated against the potential adverse effects of the development on the integrity of the European site(s), and has no objection to this aspect of the application.

Natural England is satisfied that, subject to the imposition of the above conditions/advice and the development being undertaken in strict accordance with the submitted proposals and the conditions set out above, these development proposals will avoid impacts upon the interest features of the Chichester Harbour SSSI.

If your Authority is minded to grant consent for this application without the conditions recommended above, we refer you to Section 281 (6) of the *Wildlife and Countryside Act 1981* (as amended), specifically the duty placed upon your authority, requiring that your Authority;

- Provide notice to Natural England of the permission, and of its terms, the notice to include a statement of how (if at all) your authority has taken account of Natural England's advice; and
- Shall not grant a permission which would allow the operations to start before the end of a period of 21 days beginning with the date of that notice.

Protected species

We have not assessed this application and associated documents for impacts on protected species.

Natural England has published [Standing Advice](#) on protected species. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence is needed (which is the developer's responsibility) or may be granted.

If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us with details at consultations@naturalengland.org.uk.

We would be happy to comment further should the need arise but if in the meantime you have any

queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Chelsea Hayward on 0300 060 0841 . For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Chelsea Hayward
Adviser – New Forest, Hampshire Coast and Isle of Wight
Dorset, Hampshire and Isle of Wight Team