

Date: 29 August 2014
Our ref: 130472
Your ref: APP/14/00672



Mrs D Haywood
Havant Borough Council

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Mrs Haywood,

Planning consultation: Construction of new electrical substation including 1no. sub-station building (elevated) and 2no. concrete bunds .

Location: Land at Seagull Lane, Emsworth, Hampshire.

Thank you for your consultation on the above dated 27 August 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

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), The Chichester and Langstone Harbour Special Protected Area (SPA), the Solent maritime Special Area of Conservation (SAC) and the Chichester and Langstone Harbour Ramsar site which is a wetland of international importance under the Ramsar Convention.

Natura 2000 site – No objection

Natural England advises that your authority can conclude that the project is not likely to adversely affect the integrity of the aforementioned designated sites. Subject to the proposals being carried out in strict accordance with the details submitted (including any conditions or legal agreements), we advise you, that it can be concluded that there **will be no likely significant effect** on the Chichester and Langstone Harbours SPA/Ramsar and the Solent Maritime SAC. You do not therefore need to undertake further stages in the Habitats Regulations Assessment process.¹

SSSI

This application is in close proximity to the Chichester Harbour SSSI. Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws

¹ This reply comprises our statutory consultation response under provisions of Article 20 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, Regulation 61 (3) of the *Conservation of Habitats and Species Regulations 2010* (The Conservation Regulations) and Section 28(I) of the *Wildlife and Countryside Act 1981* (as amended).

your attention to Section 28(l) of the *Wildlife and Countryside Act 1981* (as amended), requiring your authority to re-consult Natural England.

Other advice

We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:

- local sites (biodiversity and geodiversity)
- local landscape character
- local or national biodiversity priority habitats and species.

Natural England does not hold locally specific information relating to the above. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the appropriate bodies (which may include the local records centre, your local wildlife trust or other recording society and a local landscape characterisation document) in order to ensure the LPA has sufficient information to fully understand the impact of the proposal before it determines the application. A more comprehensive list of local groups can be found at [Wildlife and Countryside link](#).

If the LPA is aware of, or representations from other parties highlight the possible presence of a protected or Biodiversity Action Plan (BAP) species on the site, the authority should request survey information from the applicant before determining the application. The Government has provided advice² on BAP and protected species and their consideration in the planning system.

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.

If you disagree with our assessment of this proposal as low risk, or should the proposal be amended in a way which significantly affects its impact on the natural environment, then in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, please consult Natural England again.

² Paragraph 98 and 99 of ODPM Circular 06/2005

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