

From: Norton, Tristan [Tristan.Norton@hants.gov.uk]
Sent: 03 July 2014 14:32
To: Rachael McMurray
Cc: Planning and Development Shared Mailbox; Havant Auto-Reply
Subject: APP/14/00510 Demolition of the single storey shop, two storey office building and associated outbuildings with the boatyard. Erection of 1 no 3 storey building containing 3 no 3 bed apartments and 1 no 3 bed and 4 no 2 bed apartments and undercroft parking

Dear Rachael,

APP/14/00510 Demolition of the single storey shop, two storey office building and associated outbuildings with the boatyard. Erection of 1 no 3 storey building containing 3 no 3 bed apartments and 1 no 3 bed and 4 no 2 bed apartments and undercroft parking Dolphin Quay, Queen Street, Emsworth 14.0802

Thank you for consulting me on this application. Please accept my apologies for the delay in responding to you. In summary, I do not consider there to be any overriding ecological issues although the applicant will need to provide reassurance that sufficient financial contribution will be made towards the measures Havant Borough Council has in place to address the issue of recreational disturbance to European designated sites.

The application is accompanied by an Ecological Assessment (ECOSA Limited, April 2014) which provides a sound evaluation of the site's current ecological value. The site comprises a series of former commercial buildings surrounded by areas of hardstanding with minimal vegetation. I agree that the site is of very limited ecological value. Further detailed surveys were carried out to assess the presence/likely absence of bat species and it is concluded that roosting bats do not occur.

Given the very limited constraints in respect to on-site ecology I do not consider that any site-specific planning conditions are necessary. It may therefore be more suitable to include an informative note within any consent, reminding the applicant of their responsibilities in respect to legally-protected species:

Bats and their roosts are protected under the Conservation of Habitats and Species Regulations 2010. All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during building demolition - should this occur, further advice should be sought from Natural England and/or a professional ecologist.

Nesting birds, their active nests and eggs are protected under the Wildlife and Countryside Act 1981 as amended. This applies throughout and outside of the bird nesting period (generally considered to be March to August inclusive). Prior to any works a check for nests should be carried out and any active nests must be left in situ, undisturbed, until they become unoccupied of their own accord.

The only remaining potential ecological issue is therefore the site's proximity to nearby national and European designated nature conservation sites, namely Chichester Harbour Site of Special Scientific Interest (SSSI) and Portsmouth Harbour Special Protection Area (SPA). Whilst there are unlikely to be any direct impacts associated with this proposal – the SSSI/SPA is over 200m to the south – there will be substantial construction works within very close proximity of water (Emsworth Mill Pond) which is contiguous with the SSSI/SPA. As such there is a very real risk of potential pollution incidents e.g. with construction run-off (fuels, inorganic substances) entering the water during the works. I would expect the applicant to provide a Construction Environment

Management Plan (CEMP) to the Local Planning Authority, detailing the measures to be put in place to control any potential sources of pollution and detailing who is responsible for the implementation of any agreed CEMP.

A second issue is that of recreational disturbance. As detailed within the consultation letter from Natural England, dated 17th June 2014, there will be an increase in residential units within close proximity to the SPA and as such there is a default 'likely significant effect'. It is the opinion of Natural England that any residential development within 5.6km of the SPA will (either alone or in combination with other sites in the Borough) result in a 'likely significant effect' on the SPA. It is not unreasonable to assume that a proportion of residents from this application site will travel to other sites to recreate, especially coastal sites. Dog walking is one example of an activity for which people will travel some distance and the coast is a significant draw. This proposal has, either alone, or in combination with others, potential to result in likely significant effect, and therefore mitigation measures are required. The recently-published SDMP Phase III contains a range of options for appropriate mitigation measures. I understand that Havant Borough Council, in common with other coastal authorities, now has (or soon will have) in place standard mitigation framework to which developers can contribute financially rather than, as at present, be required to provide often complex site-specific mitigation.

I trust the above is suitable – if you have any queries please don't hesitate to contact me.

Kind regards,

Tristan

Tristan Norton

**Senior Ecologist
Ecology Team**

Strategic Environmental Delivery Group,
Economy, Transport and Environment Department
Hampshire County Council
Elizabeth II Court West
The Castle, Winchester
Hampshire SO23 8UD
Direct Line: 01962 832335

E-mail: tristan.norton@hants.gov.uk; www.hants.gov.uk/biodiversity

Please consider the environment before printing this email.

Please note that this advice is given in accordance with the Service Level Agreement that has been signed between Hampshire County Council and your Council. These comments are expressed as a professional view provided to Havant Borough Council and should not, therefore, be interpreted as those of Hampshire County Council.

*** This email, and any attachments, is strictly confidential and may be legally privileged. It is intended only for the addressee. If you are not the intended recipient, any disclosure, copying, distribution or other use of this communication is strictly prohibited. If you have received this message in error, please contact the sender. Any request for disclosure of this document under the Data Protection Act 1998 or Freedom of Information Act 2000 should be referred to the sender. [disclaimer id: HCCStdDisclaimerExt] ***