

Date: 31 October 2013
Our ref: 99796
Your ref: APP/13/00911



Sally Smith
Development Control
Havant Borough Council

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

T 0300 060 3900

By email only, no hard copy to follow

Dear Mrs Smith,

**LANGSTONE HARBOUR SITE OF SPECIAL SCIENTIFIC INTEREST (SSSI)
CHICHESTER AND LANGSTONE HARBOURS SPECIAL PROTECTION AREA (SPA)/Ramsar
SOLENT MARITIME SPECIAL AREA OF CONSERVATION (SAC)**

Proposal: Reserved Matters Application relating to Planning Permission APP/10/00737 for Plot 1 of new business and industrial development and associated discharge of conditions [3(i) the Reserved Matters: a, b, c and (ii) other matters: d, e, f, g, h, i, j, k, l, m, n, o, p, q, r, s, t, u, v, w] together with discharge of conditions 4, 7, 8, 9, 10 and 12 relating to the whole development site

Location: Former Council Depot, Harts Farm Way, Havant

Thank you for your letter dated 01 October 2013 requesting Natural England's comments on the above proposal.

The Conservation of Habitats and Species Regulations 2010 (as amended)

The application site is within approximately 400m of habitats which form part of the Langstone Harbour Site of Special Scientific Interest (SSSI). This SSSI is part of the Chichester and Langstone Harbours Special Protection Area (SPA) and is a Wetland of International Importance under the Ramsar Convention (Ramsar Site). This letter comprises our statutory consultation response under provisions of Article 10 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 28 of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended).

Natura 2000 site

Condition 10

Natural England considers that insufficient detail has been submitted with regard to the pollution prevention measures proposed. We also have concerns relating to the apparent absence of interceptors within the car park proposals. Therefore we cannot be sure that impacts to the nearby designated sites will be avoided, and cannot recommend the discharge of this condition.

We would also highlight that the proposed works to the watercourse could lead to impacts to the downstream designated sites, and would recommend a detailed construction management plan is produced and submitted prior to works commencing on site.

Under S28I of the Wildlife and Countryside Act 1981 your authority must take Natural England's advice into account in deciding whether or not to grant permission. If your authority resolves not to

follow this advice then it must notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, it has taken our advice into account. You must then allow a further period of 21 days before the development can commence to allow us to consider any further action. For further details of these requirements, and a summary of the legislations protecting SSSI's and the duties which apply to planning authority, please refer to Part II of Circular 06/2005¹.

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 the case officer Simon Thompson by telephone on 0300 060 4625 or by email to simon.thompson@naturalengland.org.uk

Yours sincerely

Simon Thompson
Lead Adviser
Land Use Operations - Winchester

¹ Government Circular: Biodiversity and Geological Conservation – Statutory obligations and their impact within the planning system ODPM Circular 06/2005/Defra Circular 01/2005
<http://www.communities.gov.uk/publications/planningandbuilding/circularbiodiversity>