

Date: 18 December 2013
Our ref: 97372
Your ref: APP/13/00749



David Eaves
Havant Borough Council

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

T 0300 060 3900

BY EMAIL ONLY

Dear Mr Eaves,

Planning consultation: Application for Certificate of Lawful proposed development relating to taking off and landing of model helicopters and parking for members.

Location: Verner Common, Copse Lane, Hayling Island

Thank you for your consultation on the above dated 06 September 2013, and for the additional correspondence dated 3 December 2013.

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.

The application site is within Chichester Harbour Site of Special Scientific Interest (SSSI). This SSSI is part of the Chichester and Langstone Harbours Special Protection Area (SPA)/Ramsar.

Our previous response (dated 18 September 2013) requested that a Habitats Regulations Assessment be carried out prior to the issuing of a Lawful Development Certificate. However, following the receipt of your letter setting out the legal opinion you have received on this matter, we accept the conclusion that a Habitats Regulations Assessment does not apply to this matter.

However, we would clarify that if a Lawful Development Certificate is to be granted this would not constitute consent under SSSI legislation. Therefore, should the Local Planning Authority be minded to issue a Lawful Development Certificate, we would request that an informative be attached informing the applicant that the Lawful Development Certificate does not confer consent under the Wildlife and Countryside Act 1981 (as amended). This consent will need to be applied for from Natural England.

For any queries relating to the specific advice in this letter only please contact Simon Thompson on 0600 030 4625. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely,

Simon Thompson
Lead Adviser
Land Use Operations Team -Winchester