



nature's voice

Mrs Rachael Hebden
Havant Borough Council

By Email only: planning.development@havant.gov.uk

24 October 2012

Dear Mrs Hebden

Application ref: APP/11/00955

Location: YACHTHAVEN, COPSE LANE, HAYLING ISLAND, PO11 0RH

Proposal: Construction of 6 detached houses, detached marine office, detached boat storage building for 6 boats, pontoon for 12 berths, 8 lockers for equipment storage, improvements to slipway and coastal footpath and the creation of one area of coastal meadow and one areas of conservation grassland.

**Chichester and Langstone Harbours Special Protection Area (SPA)/Ramsar site
Chichester Harbour Site of Special Scientific Interest ('SSSI')**

Thank you for consulting the RSPB on the amended plans relating to the above application. I confirm that the RSPB maintains its **OBJECTION** to the proposals.

We understand that the amended plans propose a number of changes to the marine-related elements of the scheme, including a reduction in the size of the pontoon from 19 to 12 berths, and a reduced area of hard-standing for the proposed boatyard. The two proposed marine-related buildings remain, however we note that the proposed office would now be a larger building including 8 lockable stores to the rear. The 6 proposed houses also appear to remain the same as the previous scheme.

We acknowledge that some attempts have been made by the applicant to reduce the impact of the scheme on the designated ecological interests of the area, notably by the reduced number of berths and some minor amendments to the mitigation proposals. We broadly welcome these amendments, however, concerns remain as to the net effect of the proposals on the international and national site features, which lead us to continue to doubt the ES's conclusion that there will be no residual impact on the SPA, Ramsar site and SSSI.

As stated above, the modest reduction in the size of the number of berths and associated size of the pontoon is broadly welcomed. However, there appear to be some anomalies in the figures provided for intertidal habitat losses and gains as a result of the amended proposals. We note for example that a disproportionate area of intertidal loss is calculated to be 'saved' by the reduced number of berths. The November 2011 ES (4.2.2) calculated a loss of 1,300m² due to the presence of 19 moored boats; whereas the revised ES calculates a reduced loss of 551.5m² from the presence of 12 moored boats (i.e. a 57%

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decrease in loss of intertidal, from a 37% reduction in berths). Paragraph 4.2.1 suggests an even lower figure of 384m² of intertidal (calculated by subtracting 651.5m² from 267.5m²) lost as a result of the 12 moored boats. These apparent anomalies bring into question whether the overall balance of habitat losses and gains are positive (as is suggested by the applicant) or negative.

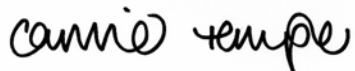
Further questions exist as to whether the sea defences proposed for removal (in part mitigation for the loss of intertidal from the proposed pontoons) are located within or outside of the SPA boundary. If they lie outside of the designated boundary, then any intertidal gained by their removal, while otherwise welcome, cannot be considered as mitigation for the loss of intertidal within the SPA.

We further note the introduction of a proposed restriction on boat movements from late November to the end of February in order to try to limit the impact of disturbance to wintering birds from boat movements. This additional measure is again broadly welcomed, however we question how such restriction could be effectively monitored/enforced. Hence, without a rigorous mechanism in place to ensure that such a restriction is adhered to, its value as a mitigation measure is severely limited.

In summary, we consider that the revised Ecological Assessment (July 2012) continues to under-assess the value of the creek to wintering birds that form part of the SPA/Ramsar/SSSI populations, and that the amended application and associated mitigation measures remain insufficient to overcome the potential impact from the loss of habitat and/or disturbance to the nationally and internationally important bird populations within and adjacent to the application site. The RSPB's objection is therefore unchanged, and we refer you to our previous response of 3 February 2012.

I hope that these further comments are helpful.

Yours sincerely

A handwritten signature in black ink that reads "Carrie Temple". The script is cursive and fluid.

Carrie Temple
Senior Conservation Officer

Cc Linda Park, Chichester Harbour Conservancy
Simon Thompson, Natural England