



nature's voice

Stephen Cantwell
Havant Borough Council

By Email only: stephen.cantwell@havant.gov.uk

4 June 2013

Dear Mr Cantwell

Application ref: APP/13/00317

Location: YACHT HAVEN DEVELOPMENT SITE, COPSE LANE, HAYLING ISLAND

Proposal: Construction of 6No. 5 bed detached houses, 1No. detached residential boat store and ancillary office building, 1No. detached boat store for sailing charity use with hardstanding, pontoon restricted to 12 berths (6 for house residents and 6 for non residents), improvements to slipway, beach, reposition concrete sea defence to side of slipway, coastal footpath and the creation of one area of coastal meadow and one area of conservation grassland. (Revised application.)

**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 above application.

As you will be aware, the RSPB has objected to earlier applications (most recently APP/11/00955) for the development of this site due to serious concerns about the protection of the designated wildlife interests in this particularly sensitive part of Chichester Harbour.

We have reviewed the current application, and unfortunately we can see no changes that address our earlier concerns, as set out in our responses of 3 February 2012 and 24 October 2012. We therefore maintain our **OBJECTION** to the scheme, and refer you to our earlier responses (attached for ease of reference).

Our concerns can be summarised as follows:

- Under-assessment of the importance of the creek and surroundings to SPA/Ramsar/SSSI birds.
- Lack of mitigation for the loss of intertidal mudflats from within the SPA/Ramsar/SSSI as a result of the pontoon and coastal defence works (including anomalies in the calculation of these losses).
- Inadequate mitigation for damage to intertidal habitat, including *Zostera* (eelgrass) beds, from boat movements in and out of the creek.

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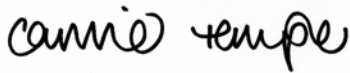
- Lack of assessment/mitigation of further potential impacts on the designated sites as a result of “bottom levelling” (NB there is a contradiction between the revised ES (July 2012) and the Design and Access Statement on the need for bottom levelling as part of the proposals)
- Unmitigated disturbance to roost sites at Gutner Point and Verner Common from boat movements and walkers/dog-walkers.

Please see our earlier responses for full details of these concerns.

In light of the above issues, we believe that *a likely significant effect* on the SPA/Ramsar cannot be ruled out, and that an *appropriate assessment* is therefore required under the Habitats Regulations (Regulation 61(1)). Based on the current information provided, we do not believe it will be possible to reach a conclusion of *no adverse effect on the integrity* of the SPA/Ramsar site, either *alone or in combination* with other plans and projects. As there clearly are *alternatives* available and *no imperative reasons of overriding public interest* (Regulation 62(1)), the application should therefore be refused under the provisions of the Habitats Regulations.

I hope that these comments are helpful in the Council’s determination of this application. Please do get in touch should you wish to discuss any of our comments in further detail.

Yours sincerely

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

Carrie Temple
Senior Conservation Officer

Cc Trevor Codlin, Hampshire & Isle of Wight Wildlife Trust
Jon Holmes, Chichester Harbour Conservancy
Simon Thompson, Natural England