

Mr S Cantwell
Planning Service
Havant Borough Council
Civic Centre Road
Havant
PO9 2AX

(by email only
planning.development@havant.gov.uk)

Hampshire & Isle of Wight
Wildlife Trust
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Beechcroft House
Vicarage Lane
Curdrige
Hampshire
SO32 2DP

e feedback@hwt.org.uk
t 01489 774400
www.hwt.org.uk

20th May 2013

Your Ref: APP/13/00317
Our Ref: 13.70.3.21.2 TC

Dear Mr Cantwell

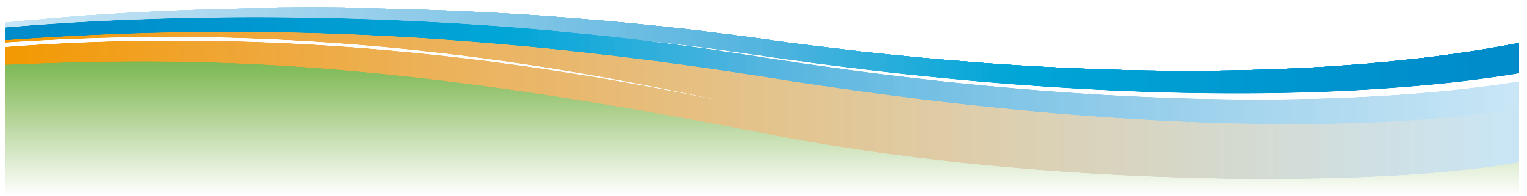
APP/13/00317 – Construction of 6 no. 5 bed detached houses, 1 no. detached residential boat store and ancillary office building, 1 no. detached boat store for sailing charity use with hardstanding, pontoon restricted to 12 berths (6 for house residents and 6 for non residents), improvements to slipway, 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) at Yacht Haven Development Site, Copse Lane, Hayling Island

**Fields & Saltmarsh South of Copse Lane Site of Importance for Nature Conservation (SINC)
Chichester Harbour Site of Special Scientific Interest (SSSI)
Chichester & Langstone Harbour Ramsar/Special Protection Area (SPA)
Solent Maritime Special Area of Conservation (SAC)**

Thank you for consulting the Trust on the above referenced planning application. As you will be aware the Trust objected to the previous planning application APP/11/00955 due to *'the level of risk of harm to the habitats and features of interest of the designated sites within and adjacent to the application site, the lack of detailed assessment of these impacts, and the consequent inadequacy of the mitigation measures proposed'*.

We note that there have been several modifications to the previous application, a summary of which (as per the Ecosupport Environmental Statement (ES) dated December 2011 [and July 2012]) is provided below;

- Construction of a floating pontoon to accommodate twelve (reduced from 19 in the original proposals) sailing boats (generally 10m long by 4m wide) with no multi hulled craft requiring to be moored. The Pontoon will be held in position by 4 driven piles, either timber or steel.
- A boat store and associated office and wash room facilities for on site and off site pontoon owners/lease holders will be located on the existing hard standing areas.
- A new concrete slipway will be constructed over the existing slipway.
- Existing sea defences (concrete piles) and disused pontoons will be removed.



- Construction of six detached dwellings covering an area of approximately 0.1ha on the site of derelict buildings of the former boatyard.
- Public footpath reinstated with inert materials.
- Areas of green space either side of the development are to be landscaped where necessary and managed as a Nature Reserve: Yacht Haven Coastal Meadow Wetland (part of the existing SINCE) to the west and Yacht Haven Conservation Grassland east of the hard standing area.
- No dredging or bottom levelling within the creek is required as part of these proposals.

We acknowledge that the site proposals have been modified in consideration of nature conservation features at the site, and also welcome the management of Yacht Haven Coastal Meadow Wetland as a nature reserve, and the creation of an area of conservation grassland at the site. However we still have a number of concerns with this application and therefore would request that future information is sought from the applicant. Our concerns predominantly relate to the delivery and maintenance of mitigation at the site in order to ensure that disturbance levels on the important ecological features at the site are kept to a minimum.

Disturbance to Birds

The potential for increased disturbance on birds feeding on the intertidal and roosting at Gutner Peninsula and Verner Common has been identified. Mitigation measures aimed at minimising disturbance to these birds have been proposed. These involve restricting the movement of vessels to one inward and one outward per vessel per month during the winter period (end of November to end February). In addition, it is proposed the signage will be erected stating that landing is prohibited at Gutner Peninsula and Verner Common. The Ecosupport ES states that these restrictions will be secured through the rental/purchase agreement. The Trust is concerned that there appear to be no provisions in place for policing these restrictions and ensuring that they are adhered to. We would therefore request clarification on how this will be achieved and also what measures will be in place to ensure that sailors, not licenced to use the new pontoon, don't use it.

Protection of Eelgrass Beds

The Trust acknowledges the level of survey work carried out in relation to the extent of eelgrass *Zostera* spp. within the creek and acknowledges the recommendations to not issue any further swing-moorings within the creek. We also acknowledge that enforcing the codes of operation in relation to the new pontoons will be more manageable. However, we are concerned how this new code of conduct will be enforced. In addition, within the Ecosupport ES it states that *'it is proposed that no new swing-mooring licences are issued and existing licences are reviewed'*. These proposals would appear to be recommendations, therefore the Trust requests further information as to whether the probability of this happening has been explored with Chichester Harbour Conservancy. If it has not, and no agreement has been reached with regard to a reduction in the number of swing-moorings at the site, the proposals will see a marked increase in boat movements at the site. Subsequently the levels of erosion will be higher over the seagrass beds and there will likely be significant impacts on the designated site. If this proposal is to be consented, we consider that any mitigation proposals are secured through agreement prior to any application being consented.

Creation of Coastal Grassland and Management of Nature Reserve

The Trust welcomes the creation of areas of coastal grassland and management of Yacht Haven Coastal Meadow Wetland as a nature reserve. However we would like clarification as to how the on going management and maintenance (such as stock fence repairs) of these sites will be delivered and funded in perpetuity. We are aware that extensive effort can often be put into devising, what appear to be well intended mitigation proposals, only for them not to be delivered in full and managed effectively post construction. The Trust considers that it is essential in the current economic climate that

sufficient funding is in place in order to ensure the on going management of these new habitats in perpetuity.

In summary, the Trust would request that further information is requested in relation the issues identified above, prior to this application being consented, in order to ensure that the features of interest on the designated site are not impacted on.

The above advice is given based on the information made available at this time and may change should further or amended details be submitted. If you wish to discuss these matters further, then please do not hesitate to do so. I also ask that you keep the Trust informed of the progress and outcome of this application.

Yours sincerely



Trevor Codlin
Senior Planning Officer
My Direct Dial: 01489 774457
Fax: 01489 774401
Main Switchboard: 01489 774400
Email: TrevorC@hwt.org.uk