

# Chichester Harbour Conservancy

The Harbour Office  
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Director  
Ms Si  n Cranny BA MSc MBA



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9 February 2012

Dear Mr & Mrs Baker

We have asked Natural England to support the proposals that we recently discussed to enable you to add a floating element to the end of your jetty:

- Cut 4 metres off the existing, and newly refurbished, jetty;
- Cut down the floating pontoon by 2 metres;
- Locate the floating pontoon on the end of the shortened jetty so the overall net increase in length of structure would be 6 metres
- Give up one adjacent C3 mooring.

Natural England has responded positively to this proposal and their response is attached for your information.

Thank you for resubmitting a revised site plan; please can I ask you to annotate it to show that there is no gap between the jetty and the pontoon. As we discussed it is important that the overall extension into the creek does not exceed 6m, the gap as currently drawn is 3.75m. Please will you also amend the Application for a Works Licence to describe the new scheme. I will return these for your action.

Please will you apply for:

1. Planning permission, or, in light of our previous discussion, acquire written confirmation from HBC that it is not required.
2. A Licence from the Marine Management Organisation

These two documents will need to be obtained before Chichester Harbour Conservancy can issue a works Licence.

If you have any questions please do not hesitate to call me.

Yours sincerely

  
Richard Craven  
Harbour Master

Mr & Mrs Baker  
25 Eastoke Avenue  
Hayling Island  
PO11 9QW

Date: 6<sup>th</sup> February 2012  
Our ref: SU70.2/HI/CHC  
Your ref:

NATURAL  
ENGLAND

Alison Fowler  
Chichester Harbour Conservancy  
Harbour Office  
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Chichester  
PO20 7AW

2<sup>nd</sup> Floor  
Cromwell House  
15 Andover Road  
Winchester  
SO23 7BT

T 0300 060 4622

Dear Alison,

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

**Proposals:** Conservancy works licence for alteration and relocation of jetty and pontoon

**Location:** Jetty and pontoon at rear of 25 Eastoke Avenue, Hayling Island

Further to your email of 2<sup>nd</sup> February 2012, please find outlined below Natural England's comments on the above proposal. We can confirm that the application site lies within the Chichester Harbour SSSI, the Chichester and Langstone Harbours SPA / Ramsar and the Solent Maritime SAC.

**Assessment under the Conservation of Habitats and Species Regulations 2010**

In Natural England's opinion, this proposal in its current form is unlikely to have a significant effect on the interest features of the above SAC / SPA / Ramsar as it represents a net reduction in shading of intertidal mudflat. The proposal therefore does not require appropriate assessment in accordance with Regulation 61 of the Conservation of Habitats and Species Regulations 2010, provided conditions to the effect of the following are attached to any harbour works licence granted:

- The works are to be carried out in accordance with the methodology as set out in your email of 2<sup>nd</sup> February 2012 to result in a net reduction of shaded intertidal mudflat within the designated site.
- Given the bird sensitivities in the area, the proposed works will need to be timed and undertaken in a suitable way to minimise disturbance to over wintering birds, therefore it will be necessary to ensure that:
  - Ensure best practice is in place for operating machinery to reduce unnecessary noise;
  - No percussive piling or works with heavy machinery occur within the waterfowl over-wintering period, 1 October to 31 March inclusive. Heavy machinery constitutes, for example, use of pneumatic drills, diggers, dumper trucks and lorries.
- In accordance with Environment Agency guidelines, all reasonable precautions are undertaken to ensure no pollutants enter the watercourse.
- Any equipment and debris associated with the works are removed from the area upon completion of the works.

- The works should be carried out in such a way as to give rise to as little damage as reasonably practical to the SSSI.
- All those involved with the works should be informed of the status and legal obligations attached to the designation and where the boundary of the protected area is.

**Advice under S28I of the Wildlife & Countryside Act 1981 (as amended by the Countryside & Rights of Way Act 2000)**

It is Natural England's advice that the above SSSI is unlikely to be adversely affected by the above proposal provided conditions to the effect of the above are attached to any harbour works licence granted.

I draw your attention to your duty, under S28G of the Wildlife and Countryside Act 1981, as incorporated by the Countryside and Rights of Way Act 2000, to take reasonable steps, consistent with the proper exercise of your functions, to further the conservation and enhancement of the SSSI.

I also draw your attention to the provisions of S28I of the 1981 Act, in particular to the requirement that, should permission be given contrary to Natural England's advice, then you must ensure that:

- notification is given to Natural England of the date and terms of the permission and how, if at all, you have taken account of Natural England's advice.
- the permission does not permit operations to begin before 21 days after details of the permission and a statement of how you have taken account of Natural England's advice, has been given to Natural England.

**Please forward a copy of the decision notice to our office at the above address.**

If you have any queries relating to this response, please do not hesitate to contact me.

Yours sincerely



Hilary Crane  
Adviser  
Hampshire & Isle of Wight Land Management Team

Tel: 0300 060 4622

[Hilary.Crane@naturalengland.org.uk](mailto:Hilary.Crane@naturalengland.org.uk)