

Date: 07 October 2025
Our ref: 527502
Your ref: APP/21/01350



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Havant Borough Council

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BY EMAIL ONLY

Dear Arleta

Planning consultation: APP/21/01350 Outline application for erection of up to 29 dwelling units and associated highway works with all other matters reserved.

Location: Land north of Oysters, Station Road, Hayling Island

Thank you for your consultation on the above dated [Click here to enter a date](#), which was received by Natural England on [Click here to enter a date](#).

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.

SUMMARY OF NATURAL ENGLAND'S ADVICE

FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES

As submitted, the application could have potential significant effects on:

- Solent Maritime Special Area of Conservation (SAC)
- Chichester and Langstone Harbours Special Protection Area (SPA) and Ramsar site
- Langstone Harbour Site of Special Scientific Interest (SSSI)

Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. The following information is required:

- A Habitats Regulations Assessment
- A Management and Monitoring Plan for the proposed overwintering bird mitigation strategy

Without this information, Natural England may need to object to the proposal.

Please re-consult Natural England once this information has been obtained.

Natural England's further advice on designated sites/landscapes and advice on other issues is set out below.

Habitats Regulations Assessment

Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant. As competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

Functionally Linked Land

In our previous response dated 27th April 2022 Natural England advised that a comprehensive mitigation package to address the partial loss of a site identified within the Solent Wader and Brent Goose Strategy (SWBGS). The site in question H34E is classified as Secondary Support Area. In addition the mitigation strategy should address indirect impacts to the remainder of the site. Natural England also advised that the mitigation package would need to address loss of the previously agreed onsite mitigation for The Oysters (APP/15/00919), a constructed development which secured management and enhancement measures on H34D and H34E.

The Shadow Habitats Regulations Assessment (Tyler Grange July 2025) refers to a Brent Goose and Wader Mitigation Strategy reference 13956/R07i, however this was not submitted with this consultation, please refer to our previous response for advice on the points that the strategy should cover. We note an offsite mitigation site is proposed on Core area H50C which includes removal of dog walking business, restricting public access and management of habitats for brent geese and waders. We note the mitigation package is also proposed to offset impacts from a second planning application at Land South of Saltmarsh Lane (APP/21/01351), the Council as competent authority should be satisfied that the mitigation package is sufficient to offset both applications and can be adequately secured with any permissions.

Natural England advises that the above detailed strategy should be submitted to Havant Borough Council's Ecologist. This detail is required to inform your authority's appropriate assessment in order to ensure the bird refuge will be delivered in a timely manner and is effective for the lifetime of the development. The appropriate assessment should address in-combination impacts from the concurrent applications and loss of the previously agreed mitigation measures for The Oysters.

Additionally in order to ensure that the Wintering Bird Mitigation Area is completed to the required standard, Natural England recommends that a condition is attached to any outline permission that secures a sign-off visit by Natural England, prior to the commencement of development. For your information, this visit would fall under our Discretionary Advice Service.

Nutrient Neutrality

The application site lies within the catchment of the Solent Designated Sites and will, therefore, be required to demonstrate nitrogen neutrality. The application is supported by a Nutrient Balancing Assessment (Tetra Tech August 2021). As Competent Authority it is your responsibility to ensure that you are confident that there is sufficient information to support the values used in any nutrient budget calculation that supports this application, and that any nutrient budget calculation(s) are correct. The Shadow HRA (Tyler Grange July 2025) proposes to purchase mitigation credits from an agreed strategic scheme and list of potential schemes is presented. It should be confirmed which site credits will be secured from, or alternatively set out how this detail will be adequately secured with any permission.

Recreational Disturbance

Since this application will result in a net increase in residential accommodation, impacts to the coastal Special Protection Area(s) and Ramsar Site(s) may result from increased recreational disturbance. Your authority has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound. Subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential recreational impacts of the development on the site(s). Our advice is that this needs to be confirmed by the Council, as the competent authority, via an appropriate assessment to ensure there is no adverse effect on the integrity of the site(s) in accordance with the Conservation of Habitats and Species 2017 (as amended).

In addition Natural England gives the following advice:

Sites of Special Scientific Interest

Please note that if your authority is minded to grant planning permission contrary to the advice in

this letter, you are required under Section 28(6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

If you have any queries relating to the advice in this letter please send them to consultations@naturalengland.org.uk

Should the applicant wish to discuss the further information required and scope for mitigation with Natural England, we would be happy to provide advice through our [Discretionary Advice Service](#).

Yours sincerely

Rachael Clemson
Higher Officer: Freshwater & Sustainable Development
Thames Solent Area Team