

Wedding & Event Venue,
Tournerbury Woods,
Tournerbury Woods
Estate, Tournerbury Lane,
Hayling Island, Hampshire
PO11 9DL

Shadow Habitat Regulations Assessment Report

April 2020

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Shadow Habitat Regulations Assessment Report
Wedding & Event Venue, Tournerbury Woods, Tournerbury Woods Estate,
Hayling Island, Hampshire PO11 9DL
for
The Tournerbury Woods Estate

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This report represents sound industry practice; reports and recommends correctly, truthfully and objectively; is appropriate given the local site conditions; scope of works proposed and resources allocated to us by the client; and avoids invalid, biased, and exaggerated statements.

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EXECUTIVE SUMMARY

1. Hampshire Ecological Services Ltd was commissioned by The Tournbury Woods Estate to undertake a Shadow Habitat Regulations Assessment (HRA) to support a retrospective planning application for a wedding & event venue at Tournbury Woods, Tournbury Woods Estate, Tournbury Lane, Hayling Island, Hampshire PO11 9DL (approximate ordnance survey grid reference SZ732995).
2. A Habitat Regulations Assessment is a decision making process required by Regulation 63 of the Habitats Regulations, in which the 'Competent Authority', Havant Borough Council, needs to demonstrate that the wedding venue would not have a likely significant effect on the integrity of a European site (also referred to as a *Natura 2000* site) This is often referred to as a screening stage. Should a likely significant effect be identified, an Appropriate Assessment would then be required.
3. This report has been prepared to assess any likely significant effects on the Chichester and Langstone Harbours SPA, the Chichester and Langstone Harbours Ramsar and the Solent Maritime SAC as a result of the retrospective planning application for the use of the site as a wedding & event venue. It does not consider other protected species.
4. The Chichester and Langstone Harbours SPA is designated because it supports populations of European importance of overwintering and breeding birds. The Chichester and Langstone Harbours Ramsar was designated due to the presence of rare wetland habitats which regularly support internationally important numbers of waterbirds. The Solent Maritime SAC was designated due to the Annex I habitats present and the Annex II species Desmoulin's whorl snail *Vertigo moulinsiana*.
5. The use of the site as a wedding venue will result in an increase in the number of people visiting the site. However, a wedding is not held on every day of the year. The site also has been in constant human active use for the last c. 100 years.
6. There is no evidence to suggest that the presence of the wedding & event venue on site has had any impact, or will cause any likely significant effect on the designated features of the SPA, SAC or Ramsar either alone or in-combination. Mitigation measures in this regard are therefore considered unnecessary. An appropriate assessment against the conservation objectives of the designated sites is not required.

INTRODUCTION

2.1 Background

Hampshire Ecological Services Ltd was commissioned by The Tournembury Woods Estate to undertake a Shadow Habitat Regulations Assessment to support a retrospective planning application for a wedding & event venue at Tournembury Woods, Tournembury Woods Estate, Tournembury Lane, Hayling Island, Hampshire PO11 9DL (approximate ordnance survey grid reference SZ732995). The location of the site is shown in *Figures 1* and *2* below.

Figure 1. Aerial photographs showing the approximate location of the site outlined in red.



Figure 2. An Ordnance Survey map showing the site location, as indicated by the green arrow.



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The site is within the Chichester Harbour Site of Special Scientific Interest (SSSI), which forms part of the Chichester and Langstone Harbours Special Protection Area (SPA) and Ramsar. The SPA was designated because it supports populations of European importance of overwintering and breeding birds. Objectors to the planning application have raised concerns that the proposals could potentially have impacts upon the SPA, particularly in relation to increased disturbance.

This report has been prepared by Nicola Pyle MCIEEM, who is a full member of the Chartered Institute of Ecology and Environmental Management (CIEEM) and has over 13 years experience in ecological consultancy and nature conservation.

This report was reviewed by Victoria Russell MCIEEM who is a full member of the Chartered Institute of Ecology and Environmental Management (CIEEM) with over 23 years of experience in ecological consultancy including Ecological Impact Assessment (EcIA) and Shadow Habitat Regulations Assessment (HRA).

This report was also reviewed by John Poland CEnv MCIEEM CBiol MRSB who is a full member of the Chartered Institute of Ecology and Environmental Management (CIEEM) with over 19 years of experience in ecological consultancy including Ecological Impact Assessment (EcIA) and Shadow Habitat Regulations Assessment (HRA).

Comments were also received from Nicola French MRTPI MCIEEM of Holbury Consultancy Service Ltd who specialises in the resolution of planning and ecological interests, and the process and implementation of HRA.

2.2 *Purpose of this report*

A Habitat Regulations Assessment is a decision making process required by Regulation 63 of the Habitats Regulations, in which the 'Competent Authority' (in this case Havant Borough Council as lead Authority) needs to demonstrate that a project (in this case the wedding & event venue at Tournerbury Woods Estate) would not have a likely significant effect on the integrity of a European site, either alone or in-combination with other plans and projects. This is often referred to as a screening test. A European site (also referred to as a *Natura 2000* site) is either a Special Area of Conservation (SAC) identified through the EU Habitats Directive (Council Directive 92/43/EEC) or Special Protection Area (SPA) identified through the Birds Directive (Council Directive 79/409/EEC). Additionally, Ramsar sites are wetlands of international importance which are designated under the Ramsar Convention 1976. Government policy statements on Ramsar sites extend the same protection afforded to SPA's and SAC's. Ramsar's must therefore be considered for the purposes of carrying out the Habitat Regulations, even though they are not technically classed as European sites. This follows guidance within the National Planning Policy Framework (NPPF) 2018.

Following a recent European Court Judgement (*People Over Wind and Sweetman v Coillte Teoranta*) mitigation measures to avoid or reduce impacts cannot be taken into consideration during the screening test.

Should a project be assessed as likely to have a significant effect on a European site, either alone or in-combination with other projects, an Appropriate Assessment would then be required. This looks at the implications of the project and whether or not it will have an adverse effect on the integrity of the European site.

Concerns have been raised during the application for retrospective planning permission about the potential impacts of the use of the site as a wedding & event venue on the Chichester and Langstone Harbours SPA from increased disturbance. In addition, this report will also assess any likely significant effects on the Chichester and Langstone Harbours Ramsar and the Solent Maritime SAC.

Although there have been studies carried out on the impact of recreational pressure on other European designated sites, no extensive studies have been carried out in relation to the designated sites with which this document is concerned. Due to the close proximity of the site this SHRA is required to assess whether there will be any likely significant effects on the Chichester and Langstone Harbours SPA and on the Chichester and Langstone Harbours Ramsar and the Solent Maritime SAC, and consider whether an Appropriate Assessment (AA) is required under the Habitats Regulations.

This report has been prepared to address any potential impacts (such as disturbance) on the Chichester and Langstone Harbours SPA, the Chichester and Langstone Harbours Ramsar and the Solent Maritime SAC as a result of the continued use of the site as a wedding venue either alone or in-combination with other developments within the local area.

2.3 *Relevant legislation*

The primary legislative protection covering the European designated sites of relevance to this report originates from the Habitats Directive. Articles 6(3) and 6(4) of the Habitats Directive are relevant to the proposals in view of their potential to exert recreational disturbance effects upon the designated sites:

“3. Any plan or project not directly connected with or necessary to the management of the [European] site but likely to have a significant effect thereon, either alone or in-combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.

4. If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.

Where the site concerned hosts a priority natural habitat type and/or a priority species, the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.”

The Habitats Directive thus requires that a sequential approach be adopted when addressing potential impacts upon European sites. Guidance for doing this in practice has been published by the European Commission and others, and is discussed below.

The Habitats Directive is transposed into UK law by the *Conservation of Habitats and Species Regulations 2017*. In particular, the main prescriptions of the *Conservation of Habitats and Species Regulations 2017* relating to Appropriate Assessment [Habitats Regulations Assessment] and the protection of European sites are transposed by Regulations 61 to 67:

“A competent authority, before deciding to ... give any consent for a plan or project which is likely to have a significant effect on a European site ... shall make an appropriate assessment of the implications for the site in view of that sites conservation objectives ... The authority shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site”.

2.4 *The Habitats Regulations Assessment (HRA) Process*

The Habitats Regulations Assessment Handbook (Tyledsley et al, 2013) provides guidance on meeting the correct stepwise approach required by Article 6 of the Habitats Directive. The whole process is known as “Habitats Regulations Assessment” (HRA) and is split into the following stages that are undertaken in sequence:

1. Screening (assessment of likely significant effects) and the need for an Appropriate Assessment;
2. The Appropriate Assessment;
3. The Assessment of Alternative Solutions; and
4. Assessment where no alternative solutions exist and where adverse impacts remain (also known as the test for “Imperative Reasons of Overriding Public Interest” or IROPI).

Undertaking the Habitats Regulations Assessment process is the responsibility of the decision maker as the competent authority for the purposes of the Habitats Regulations (in this case Havant Borough Council). However, it is the responsibility of the proponent of a plan or project to provide the competent authority with the information that they require for this purpose.

In view of this, the aim of this report is to provide the information that may be required at each stage in the HRA process to determine the impact of the development and in order to enable Havant Borough Council to reach informed decisions on the likely effects of the proposals on the European designated sites.

2.5 *Scope of the report*

This report is designed:

- To gather information to establish whether or not the wedding & event venue at Tournerbury Woods Estate will cause a likely significant effect from increased recreational disturbance (including noise and lighting) and pollution to the Chichester and Langstone Harbours SPA, the Chichester and Langstone Harbours Ramsar and the Solent Maritime SAC, either alone or in combination with other plans and projects; and
- To gather information to establish, if a significant impact is likely, whether or not it would adversely affect the integrity of the European designated sites.

CHARACTERISATION OF THE PROPOSED DEVELOPMENT

3.1 Introduction

Guidance (Tyledsley et al, 2013) indicates that the first stage of providing the information that is necessary for a competent authority to undertake the Habitats Regulations Assessment process, is for all those elements of the project or plan which either alone or in-combination with other plans and projects have the potential for having a significant effect on a Natura 2000 site to be identified and characterised.

In this instance, potential impacts relate to the potential for the proposals to cause increased disturbance (such as noise and artificial lighting) on the designated sites, thereby affecting the features for which they were designated. This section therefore provides background information on those elements of the proposal which either alone, or in-combination with other plans or projects, have the potential for contributing towards this effect and have a potentially significant effect on a Natura 2000 site.

3.2 Summary of the scheme

3.2.1 Proposal

Retrospective planning permission is being sought to use part of the Tournembury Woods Estate as a wedding & event venue. This includes the use of an existing building, and an adjacent marquee, deck and gazebo.

Figure 3. Map showing the location of the wedding venue within the Tournembury Woods Estate.



The use of the site as a wedding & event venue will result in an increased number of people visiting the site at any one time. However, a wedding or event is not held on every day of the year. There will be low levels of staff use of the site between events, especially during the winter months when weddings & events are less popular.

3.2.2 Site description and previous use

The location of the wedding & event venue is in the south east corner of the estate where there is an existing building (Woods Cottage) that has previously been a permanent residential dwelling. Amenity grassland is present around Woods Cottage, with a patch of poor semi-improved grassland to the west. There are scattered trees across the south-east corner of the amenity grassland and scattered scrub and mature trees are to the south of both areas of grassland. There is broad-leaved woodland further to the north (Tournier Bury Wood) and west of the wedding venue area (Tournierbury Plantation) (Wenman, 2018). The venue area does not sit in either Tournier Bury Wood or Tournierbury Plantation.

3.2.3 Historical use of the site

The site was previously used as a brick works from the late 1800's through to the early 1930's. Woods Cottage was then used as a private residential dwelling until c.2000, after which it has been in use as a wedding & event venue and for holiday lets and accommodation associated with events on site. The site has therefore been in constant active human use for the last c.100 years. Varying levels of noise and artificial lighting have been associated with the various uses of the site over the years.

3.3 Potential impacts

3.3.1 Lighting

Artificial lighting has been shown to affect birds in a variety of ways. Lighting can disorientate birds affecting their migration routes; disturbing their sleep patterns; and results in an increase in collisions with buildings due to the glare obscuring the view of the building.

3.3.2 Noise

Birds communicate with each other by calling. Some species which use low frequencies can be drowned out by noise pollution. Any significant increase in noise from the venue may disturb the birds using the SPA and Ramsar.

3.3.3 *Visual disturbance*

Birds are sensitive to visual disturbance, particularly while feeding. If a person or animal (such as a dog) moves too close the bird may perceive them as a potential threat and stop feeding or fly away. This may affect their body condition due to reduced feeding.

3.3.4 *Air pollution*

Airborne pollutants are easily inhaled by birds due to their high respiratory rates. This can affect the overall health and life span of the bird. The visitors to the wedding venue generally arrive by car, creating air pollution from the vehicles.

3.3.5 *Nutrient neutrality*

Havant Borough Council state in their 'Position statement on nutrient neutral development' (<https://www.havant.gov.uk/nitrogen>) that they are already committed to development only taking place if it is sustainable development that includes relevant environmental protections. Part of the consideration of this is whether there would be a detrimental impact on the water quality on any European Designated Nature Conservation Sites. However, it should be noted the contribution from urban areas to this is relatively small and from new development extremely small. The majority of nitrogen deposition into the harbour is from agricultural practices or background deposition, the source of which is not known.

The wedding and events venue will increase the levels of foul relative to the levels when Woods Cottage was purely a residential dwelling.

3.4 *In-combination/cumulative impacts*

Any unmitigated impact arising as a result of the proposals at the site, even if it may be insignificant when considered *alone*, may have the potential to act in-combination with the effects of other plans or projects to lead to a significant cumulative impact. Because of this, it is necessary to consider how many plans and projects may act in-combination with the proposals at the site to increase recreational pressure on the SPA, Ramsar and SAC.

CHARACTERISATION OF THE DESIGNATED SITES

4.1 Introduction

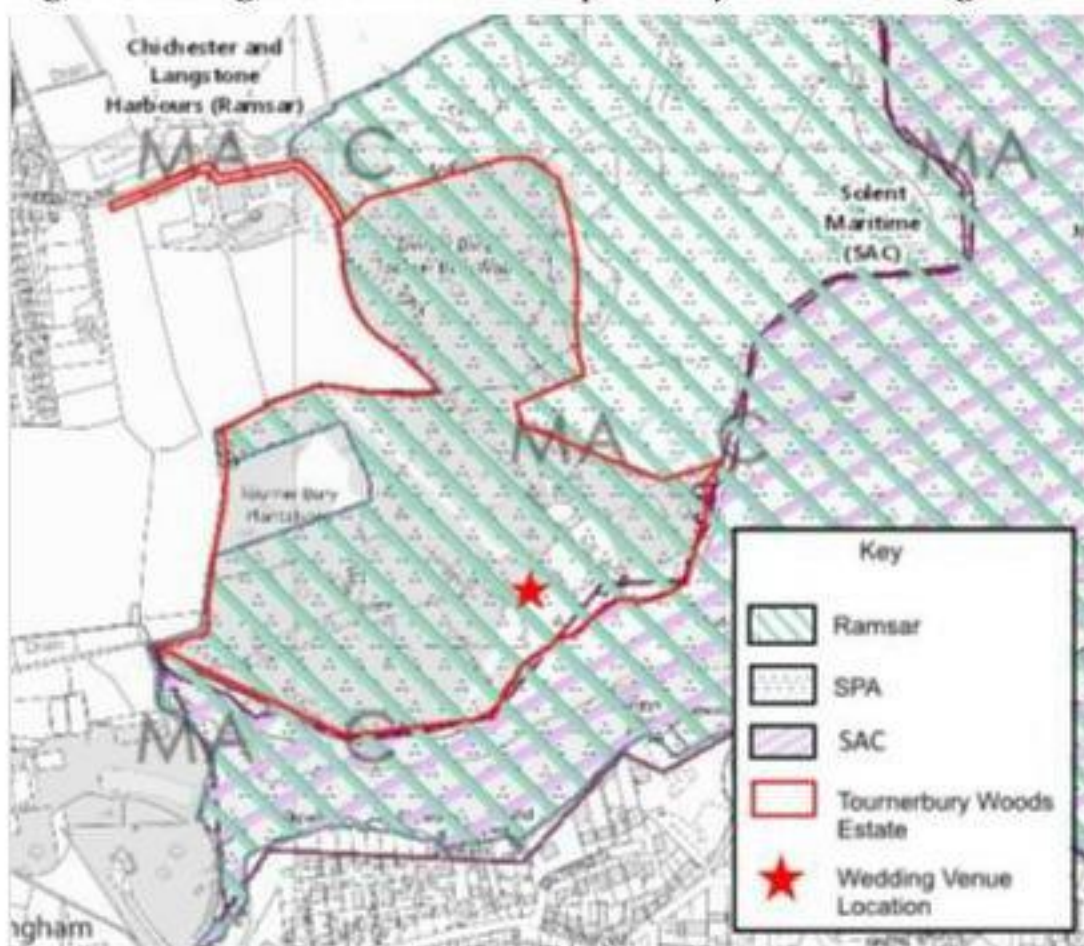
This section describes the internationally designated nature conservation sites which may be affected by the proposals, either alone or in-combination with other plans and projects.

The area of Hayling Island is highly designated with several overlapping European designated sites. It is a Special Protection Area (SPA) designated under the Birds Directive (Council Directive 79/409/EEC) and a Special Area of Conservation (SAC) designated under the EU Habitats Directive (Council Directive 92/43/EEC). It is also designated a Ramsar under The Convention on Wetlands.

Two of these internationally designated nature conservation sites cover part of the site. These are the Chichester and Langstone Harbours SPA and the Chichester and Langstone Harbours Ramsar.

This report has been prepared to address any potential impacts (such as disturbance) on the Chichester and Langstone Harbours SPA, the Chichester and Langstone Harbours Ramsar and the Solent Maritime SAC as a result of the continued use of the site as a wedding & event venue. *Figure 5* shows the location of the designated sites in relation to the venue area.

Figure 5. Designated sites and their proximity to the wedding venue area.



The following section outlines the key features, conservation objectives and vulnerabilities for the designated sites.

4.2 Chichester and Langstone Harbours SPA

The Chichester and Langstone Harbours SPA covers two large estuarine basins, forming part of one of the most sheltered intertidal areas on the south coast of England. The coastal habitats support internationally important numbers of breeding and overwintering bird species which together form the qualifying features of the SPA. These species include:

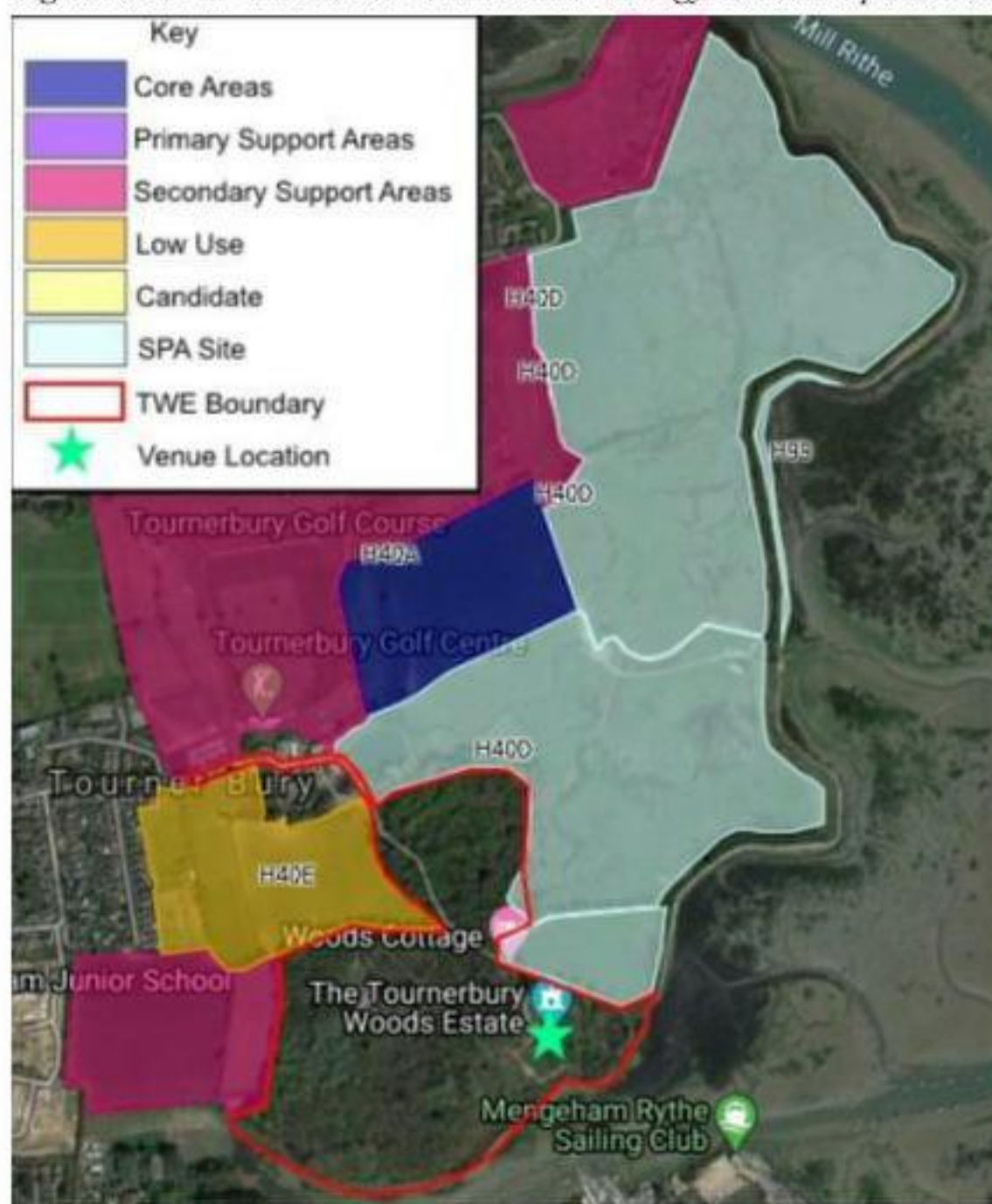
- Bar-tailed godwit (*Limosa lapponica*);
- Common tern (*Sterna hirundo*);
- Curlew (*Numenius arquata*);
- Dark-bellied brent goose (*Branta bernicla bernicla*);
- Dunlin (*Calidris alpina alpina*);
- Grey plover (*Pluvialis squatarola*);
- Little tern (*Sterna albifrons*);
- Pintail (*Anas acuta*);
- Red-breasted merganser (*Mergus serrator*);
- Redshank (*Tringa tetanus*);
- Ringed plover (*Charadrius hiaticula*);
- Sanderling (*Calidris alba*);
- Sandwich tern (*Thalasseus sandvicensis*);
- Shelduck (*Tadorna tadorna*);
- Shoveler (*Spatula clypeata*);
- Teal (*Anas crecca*);
- Turnstone (*Arenaria interpres*); and
- Wigeon (*Mareca penelope*).

The site is strictly protected, classified in accordance with Article 4.1 of the EC Birds Directive, due to supporting breeding bird populations of European importance.

The conservation objectives for the SPA are to “Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

- The extent and distribution of the habitats of the qualifying features
- The structure and function of the habitats of the qualifying features
- The supporting processes on which the habitats of the qualifying features rely
- The population of each of the qualifying features, and
- The distribution of the qualifying features within the site.”

The Solent Waders and Brent Goose Strategy Partnership regularly monitor areas of habitat around the SPA, recording bird species and numbers present. Several of these monitored areas are within the wider landscape around the Tournembury Woods Estate. These are shown on *Figure 6* below.

Figure 6. Solent Waders and Brent Goose Strategy Partnership monitoring areas.

These areas are screened from the site by woodland. They are also outside of the ownership of the Tournembury Woods Estate. As such guests to the site do not have access to these areas. Birds using these areas will therefore not be subject to disturbance events from the wedding venue (such as people walking across the areas with dogs off the lead).

4.3 Chichester and Langstone Harbours Ramsar

The Chichester and Langstone Harbours Ramsar covers the same area covered by the Chichester and Langstone Harbours SPA. It qualifies as a Ramsar under three criteria:

- It contains rare wetland types, including intertidal mudflats, saltmarsh, sand and shingle spits and sand dunes;
- It regularly supports more than 20,000 waterbirds. Between 1998/99 – 2002/2003 the site had a 5 year peak mean of 76,480 waterfowl; and
- It regularly supports 1% of the population of a species of waterbird. Between 1998/99 – 2002/2003 the site regularly supported at least 1% of the population of eight species of waterbird.

The conservation objectives for the Ramsar match those of the SPA and SAC.

4.4 *The Solent Maritime SAC*

The Solent Maritime SAC includes Chichester and Langstone harbours which surround Hayling Island. The primary features for designation include:

- Annex I habitat – Estuary;
- Annex I habitat – *Spartina* swards; and
- Annex I habitat – Atlantic salt meadows.

Additional qualifying features present, which are not a primary reason for designation include:

- Annex I habitat – Sandbanks which are slightly covered by sea water all the time;
- Annex I habitat – Mudflats and sandflats not covered by seawater at low tide;
- Annex I habitat – Coastal lagoons;
- Annex I habitat – Annual vegetation of drift lines;
- Annex I habitat – Perennial vegetation of stony banks;
- Annex I habitat – *Salicornia* and other annuals colonizing mud and sand;
- Annex I habitat – Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes); and
- Annex II species – Desmoulin's whorl snail *Vertigo moulinsiana*.

Desmoulin's whorl snail is found in wetland habitats such as marshes, fens and riparian margins. It can be affected by changes in hydrology; loss of wetland habitat; regular cutting of riparian habitats; intensive grazing or poaching of ditch margins; use of pesticides and herbicides and eutrophication.

The conservation objectives for the SAC are to “*Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;*

- *The extent and distribution of qualifying natural habitats and habitats of qualifying species*
- *The structure and function (including typical species) of qualifying natural habitats*
- *The structure and function of the habitats of qualifying species*
- *The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely*
- *The populations of qualifying species, and*
- *The distribution of qualifying species within the site.”*

4.5 *Heronry*

A heronry is present within the woodland to the north of the site. It has been counted as part of the British Trust for Ornithology (BTO) heronry census since 1966. It has been suggested that the heronry was a qualifying feature for the inclusion of the wider Tournembury Woods Estate in the Chichester Harbour SSSI. However, the heronry is not listed among the 30 notified features of the SSSI. In addition, herons are not listed as one of the qualifying features of the SPA or Ramsar.

Therefore the heronry is not considered further in relation to this shadow Habitat Regulations Assessment. The status of the heronry is discussed separately (Hampshire Ecological Services Ltd 2015 & 2019, Snell 2020).

5 ***ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS IN THE ABSENCE OF MITIGATION OR AVOIDANCE MEASURES***

5.1 ***Introduction***

This section considers the likely significant effects that might arise as a result of the proposals at the site either alone or in-combination with other plans and projects, in the absence of mitigation or avoidance measures.

5.2 ***Likely significant effects as a result of the proposals alone***

5.2.1 ***Summary***

Table 5.3.1.1. provides a summary of likely significant effects as a result of the wedding and events venue. More detailed discussion is provided in the following sections.

Table 5.3.1.1. Summary of likely significant effects as a result of the wedding and events venue.

Potential impacts	Changes to the designated sites		
	Reduction in area of Annex I habitats	Direct effects on the populations of species for which the site is designated	Interruption or degradation of the physical, chemical or biological processes that support habitats and species for which the site was designated
Habitat destruction	No	No	No
Habitat pollution	N/A	No	No
Increased lighting	N/A	No	No
Increased noise	N/A	No	No
Increased visual disturbance	N/A	No	No
Air pollution	N/A	No	No

5.2.2 ***Habitat destruction***

No habitat will be removed as a result of the proposals. There are no Annex I habitats within the venue area. There will therefore be no reduction in area of any Annex I habitats and as such no effects on the species present.

5.2.3 ***Habitat pollution***

There will be no chemical or litter pollution caused by the venue. There will therefore be no pollution to the habitats or species present in the designated sites. As such there will be no impact

on the overwintering birds for which the Chichester and Langstone Harbours SPA and Chichester and Langstone Harbours Ramsar were designated.

5.2.4 Lighting

Lighting will have been present on site throughout its use, particularly as a residential dwelling. Lighting has increased slightly during the sites' use as a wedding and events location, although this has been minimised as much as possible.

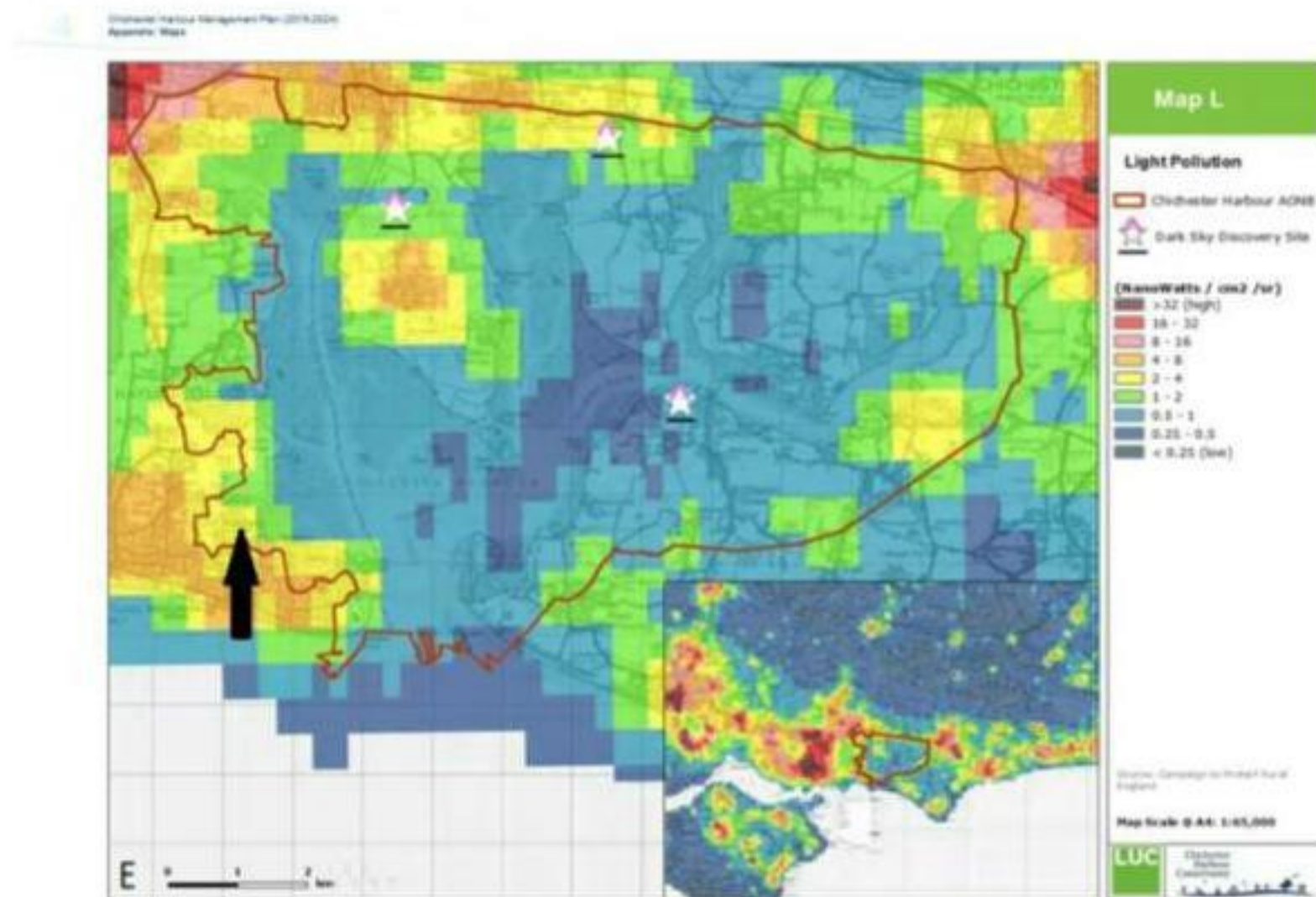
The centre of the venue (marquee) is c.140m from the foreshore, but it is screened from the foreshore by trees and scrub.

In order to assess the levels of light disturbance, a series of photos were taken during December 2019 when no leaves were present on the trees to screen the venue. All lighting around the venue was turned on in order to present a 'worst case scenario'. Most of the events at the site are held during the summer when the surrounding trees will provide natural screening of the lighting. All of the photos (*Appendix A*) were taken on Sunday 15th December 2019 by Chris Snell, owner of the Tournembury Woods Estate. An iPhone 11 Pro Max camera was used with 12MP resolution and f/1.8 to f/2.4 aperture triple lens application with optical image stabilisation (OIS) using naked eye (normal) and night modes.

The photos clearly show that the amount of light emitted from the site is less than that emitted from other commercial and residential premises in the local area, which do not benefit from natural woodland screening, nor do they appear to use louvers etc to control the direction of light and minimise light spill. The lighting at the Tournembury Woods Estate is therefore not considered to significantly increase the amount of artificial lighting, which is already present in the surrounding area (see *Figure 4*). The lighting at the site is therefore unlikely to disturb the overwintering and breeding birds for which the Chichester and Langstone Harbours SPA and Ramsar were designated. In addition, artificial lighting has not been recorded as a disturbance factor during research on the overwintering and breeding birds using the SPA (Liley *et al*, 2010).

Objectors to the planning application have raised concerns that the site is within a 'Dark skies' area. *Figure 4* below is taken directly from the Chichester Harbour Conservancy Management Plan (2019 – 2024), which clearly shows the site is not within a 'Dark skies' area. Moderate levels of light pollution are present across Hayling Island.

Figure 4. Light levels across Chichester Harbour. The approximate location of the site is shown by the black arrow.



Minimal lighting is used at the site. Other commercial and residential premises in the local area emit much higher levels of lighting and are not screened from the foreshore.

The lighting at the wedding & event venue is not considered to significantly increase the amount of artificial lighting, which is already present in the surrounding area. The lighting at the site is therefore unlikely to disturb the overwintering and breeding birds for which the Chichester and Langstone Harbours SPA and Chichester and Langstone Harbours Ramsar were designated.

5.2.5 Noise

The sound system used at the venue (a Zone Array distributed PA system) maximises sound attenuation, particularly at low frequencies (Auracle Acoustics, 2013) which are most likely to affect bird communication. It does not emit sufficient volumes of noise to cause disturbance to feeding birds. Therefore, there is very unlikely to be any significant noise disturbance on the birds using the SPA or Ramsar.

5.2.6 Visual disturbance

The main impacts of disturbance on birds using the SPA and Ramsar is when the birds fly away or stop feeding, which has energetic consequences for the birds which may in turn affect their body condition, survival rate and breeding success. During the 2009/10 winter period research on the affect of disturbance on the SPA was undertaken by Footprint Ecology (Liley *et al*, 2010), which recorded 2,507 potential disturbance events (where birds were within 200m and/or were seen to be

disturbed). Of these, only 17% resulted in disturbance. Four activities (dog walking, walking, cycling and jogging) accounted for 91% of the potential disturbance events, with dog walking being the most frequent (41% of observations). The research showed that birds responded less, the further away the source of disturbance was. 41% of recorded activities along the intertidal area resulted in disturbance, whilst only 12% of shore based activities caused disturbance. Of those activities within the intertidal area, 27% of the disturbance events were caused by dogs off the lead.

The main cause of disturbance to birds using the SPA and Ramsar is from people using the foreshore, particularly when walking a dog off the lead, which interrupts the birds feeding. It is very unlikely that any dogs would be in attendance at any weddings or events on site. In addition, there are no paved footpaths (or artificially lit walkways) leading from the venue area to or across the foreshore, and the venue area is screened from the foreshore by scrub and mature trees.

The use of the site as a wedding & event venue will increase the number of visitors to the site on any one day. However, events are not held on every day of the year. The site has been in constant active human use for the last c.100 years, first as a brick works, then as a private residential property and now as a wedding & event venue.

Given there are no paved footpaths leading from the venue area to or across the nearby foreshore and the venue is screened from the foreshore by scrub and mature trees it is very unlikely that visitors to the site will access or be visible from the foreshore. There will therefore be no increase in visual disturbance from the venue or guests using the venue and as such no direct disturbance from visitors on any birds feeding on the foreshore. Therefore, there is unlikely to be any impacts on the features for which the SPA and Ramsar were designated.

The continued favourable condition assessment; and continued presence of the heronry shows that the use of the site for weddings, events, holidays and camping for the last c.20 years has had no detrimental impact on the heronry.

5.2.7 *Air pollution*

The visitors to the wedding venue generally arrive by car, creating air pollution from the vehicles. However, this is not set to increase from current levels as electric and hybrid cars are increasingly being used. In addition, weddings are not held on every day of the year and there will be little vehicle movement on site between events. Any air pollution is unlikely to be significant. This has been acknowledged by Havant Borough Council's Environmental Health Office; please refer to Havant Borough Council's Environmental Health Officer report on this on the planning portal on 13/12/2019. Therefore, the overwintering birds for which the Chichester and Langstone Harbours SPA and Chichester and Langstone Harbours Ramsar were designated are unlikely to be impacted.

5.2.8 *Nutrient neutrality*

The foul generated on the site from Woods Cottage (and hence any nitrogen deposition) is dealt with by a septic tank, which is pumped out once a year. The waste is then taken to Budds Farm

wastewater treatment works. The amount of foul processed here has actually decreased since its use as a wedding and events venue compared to when it was occupied full-time. It is only used when an event is taking place and therefore unused for a proportion of the year *e.g.* the wedding season is primarily spring to early autumn. Previously the site was in constant active human use for the last *c.*100 years, first as a brick works, then as a private residential property.

The portable luxury toilet suppliers that are used during events are based near Pulborough outside the catchment area of the harbour and will remove and dispose of the foul responsibly off site.

5.3 *Summary of potential site impacts*

In summary, there is no evidence to suggest that the presence of the wedding & event venue on site has had any impact, or will cause any likely significant effect on the designated features of the SPA, Ramsar or SAC.

5.4 *Likely significant effects on the SPA, SAC and Ramsar as a result of the proposals in-combination with other developments*

In order to assess the potential cumulative impact that the proposals might have in-combination with other nearby reasonably foreseeable development, it is required to identify such development proposals coming forward that might conceivably contribute towards an in-combination impact on the SPA, Ramsar or SAC. A review of the Havant Borough Council planning website identified eight recent applications that may cause an increase in recreational pressure on the SPA, Ramsar and SAC. Six of these include new residential properties; one application is for a new touring holiday park; and one application is for a new building to be used for wellness activities. The residential properties will permanently increase the number of residents in the area and therefore likely increase recreational pressure on the SPA, Ramsar and SAC.

The small-scale and low-impact nature of the wedding & event venue will not add to any impact as it has been in place for *c.*20 years and is not a new venue that could add to the possible impacts of other developments proposed for the local area. As such there is unlikely to be any in-combination effect with the Tournerbury Woods wedding & event venue on the SPA, SAC or Ramsar.

CONCLUSION

6.1 Requirement for avoidance or mitigation measures

There is no evidence to suggest that the presence of the wedding & event venue on site has had any impact, or will cause any likely significant effect on the designated features of the SPA, SAC or Ramsar either alone or in-combination with other plans or projects. Avoidance or mitigation measures are therefore considered unnecessary. The existing management plan for the site will continue to be implemented and reviewed as necessary. An appropriate assessment against the conservation objectives of each designated site is not required.

6.2 Ongoing monitoring of the wildlife value of the site

The Tournerbury Estate is committed to the welfare of the wildlife on the estate, as is reflected in it being one of the only SSSI compartments that has been assessed as being in 'Favourable Condition' and has been since 1997.

In keeping with this it is committed to monitoring the wildlife value of not just the SSSI, but the wider site. As such the heronry continues to be monitored, and the estate is planning bat surveys of the estate to inform its ongoing management.

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Photos showing the levels of lighting present on site compared to other nearby sites. The photos were taken on Sunday 15th December 2019 by Chris Snell, owner of the Tournerbury Woods Estate.

Photo 1. View from public footpath in front of the Mengham Rythe Sailing Club (MRSC) looking north west towards Woods Cottage and the venue. The ambient light spill of Portsmouth is very clear behind the Tournerbury Woods Estate. It is just about possible to make out a light at Woods Cottage (red arrow) and, virtually imperceptibly, the marquee lights to the north (blue arrow).



Photo 2. Same view as Photo 1 taken seconds after photo 1 above but using night mode. The ambient light of Portsmouth has now made the sky almost look like daylight and the lights of Woods Cottage (red arrow) and the marquee (blue arrow) can now be more clearly picked out.



Photo 3. Wider harbour view of the Tournembury Woods Estate from the Hayling Island Sailing Club (HISC) Balcony. The ambient light spill of Portsmouth and surrounding urban conurbation is clearly visible behind the Tournembury Woods Estate. Flood lights and pontoon lights at Sparkes Marina are clearly visible to the left of the photograph. In the centre of the photograph the flood lights and security lights of Mengham Rytte Sailing Club (MRSC) are the most prominent light emitting feature in the Tournembury Woods Estate vicinity. One tiny pin prick of light is just about visible to the naked eye emitting from the Tournembury Woods Estate (red arrow) just to the right of the MRSC lights.



Photo 4. Same view as Photo 3, taken seconds later but with night mode on. A single dot of light can be seen from the Tournerbury Woods Estate (red arrow). The Mengham Rythe Sailing Club lights are to the left.

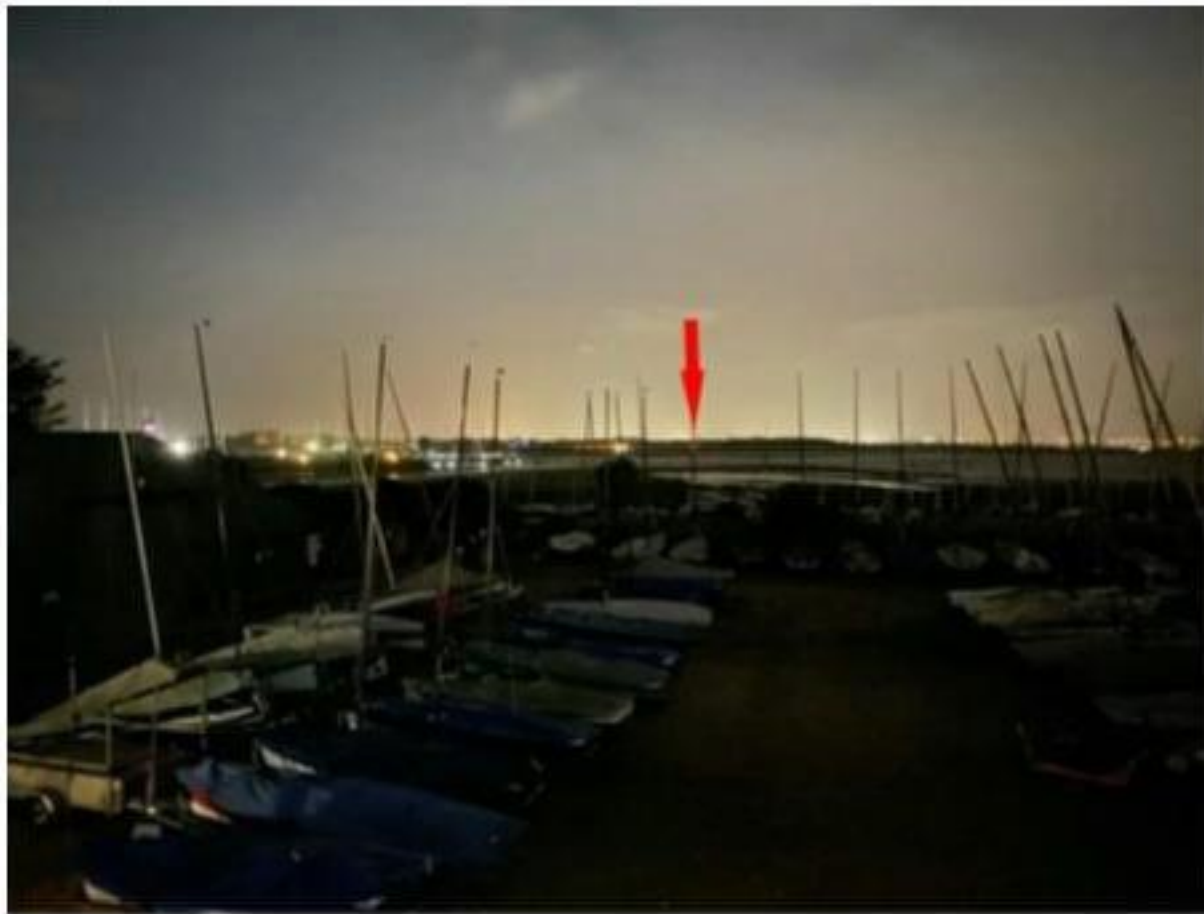


Photo 5. View from Tournerbury Woods Estate foreshore in front of Woods Cottage looking south across My Lord's Pond to the residences in Salterns Close and Wilsons Boat Yard. Night mode is on and the flood lights of Wilsons Boat Yard and lights at the residences in Salterns Close dominate the whole area.



Photo 6. View from same position as Photo 5 but facing south east. Again, floodlights from Wilsons Boat Yard dominate as do floodlights at Mengham Rythe Sailing Club. Lighting at Sparkes Marina can be seen in the distance to the left of the photograph; and just to the left of those lights the lights of Hayling Island Sailing Club can be clearly seen.



Photo 7. Flood lights on high poles at Wilsons Boat Yard directly to the south of the Tournerbury Woods Estate venue area.



Photo 8. Flood lights on high poles at Wilsons Boat Yard, directly to the south of the Tournerbury Woods Estate venue area, pointing out towards My Lord's Pond.



Photo 9. Security flood lights high up on Mengham Rythe Sailing Club. These create considerable light spill across My Lord's Pond to the Tournerbury Woods Estate as can be seen in Photo 6.



Photo 10. Security lights at Mengham Rythe Sailing Club facing directly out across the harbour and the mouth of My Lord's Pond opposite the Tournerbury Woods Estate.



Photo 11. Hayling Island Sailing Club (HISC) security lights on. Like Mengham Rythe Sailing Club, this photo (and photos 12 and 13 below) were taken when HISC was completely shut and closed. There is no screening of these lights to the wider harbour as there is at the Tournerbury Woods Estate.



Photo 12. Hayling Island Sailing Club security lights.



Photo 13. Close up of Hayling Island Sailing Club lights taken from the entrance to the main car park.

