

Dear Jennie,

APP/25/00937 | Provision of Fixed Container of 9 metre length, to replace present mobile cafe unit; with external freestanding toilet. | Brontes Cafe, Havant Road, Hayling Island, PO11 0LP

Thank you for consulting me on this application, which is not accompanied by any ecological information. The application site is in a highly sensitive location adjacent to the Solent Maritime Special Area of Conservation (SAC), Chichester and Langstone Harbours Special Protection Area (SPA) and Ramsar site, and Langstone Harbour Site of Special Scientific Interest (SSSI).

Whilst the concept of an improved refreshment facility in this general location is in my view fully understandable, there must be recognition of the potential impacts – direct and indirect - of new development on the adjacent sensitive habitats and the species they support. It is the responsibility of the applicant to provide sufficient information to demonstrate that these potential impacts have been addressed. I note the objection from the Chichester Harbour Conservancy based on the impacts to the Chichester Harbour National Landscape and from Coastal Partners in relation to tidal flood risk.

The proposal will require mandatory Biodiversity Net Gain (BNG) unless an exemption can be demonstrated. The application form indicates that the applicant is claiming a de minimis exemption, based on a total area of 24m² being impacted. I am unclear if this is correct: the habitat present will certainly be either 'modified grassland' or 'other neutral grassland' and will therefore have a value greater than zero (though no information is provided). In terms of area impacted, this must include both direct impacts (loss) as well as other areas affected. The total area of the container, WC and decking clearly exceeds 25m². I would welcome further clarification.

NPPF, Circular 06/2005 and Natural England Standing Advice, require that planning decisions are based on full, up-to-date ecological information and it is essential that all necessary survey, assessment and mitigation information is available to the Local Planning Authority prior to determination, particularly in the case of protected sites, habitats and species, which are a material planning consideration. This will enable the Local Planning Authority to determine the application on the basis of full knowledge about the potential ecological impacts of the proposal and to ensure that any impacts can and will be mitigated.

If you have any queries, please don't hesitate to contact me.

Kind regards,

Tristan

Tristan Norton

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