

Habitats Regulations Assessment (HRA) Screening and Appropriate Assessment (AA)

PLEASE NOTE: Undertaking the HRA process is the responsibility of Havant Borough Council as the Competent Authority for the purpose of the Habitats Regulations. However, it is the responsibility of the applicant to provide the Competent Authority with the information that they require for this purpose.

HRA drafting date:	22/5/2026
HRA completion date:	11/6/2026
Application reference:	APP/25/00162
Application address:	Land and coast adjacent to, Langstone Road, Havant
Application description:	Flood and coastal erosion risk management scheme comprising a combination of raised earth embankments, raised footpaths/cycleways, sheet piled sea/flood defence walls with cladding and flood glass, provision of flood gates, associated landscaping and landscaping improvements (including street furniture), tree works and tree removals, realigned sections of cycleway/walkway, highway alterations and improvements, ecological improvements and temporary compounds and access, and all associated works. The proposal constitutes EIA development.
Lead Planning Officer:	Rachel McMurray
Please note that all references in this assessment to the 'Habitats Regulations' refer to The Conservation of Habitats and Species Regulations 2017 (as amended).	

Stage 1 - details of the plan or project	
European site potentially impacted by planning application, plan or project:	▪ Chichester & Langstone Harbours Special Protection Area (SPA) ▪ Chichester & Langstone Harbours Ramsar site ▪ Solent Maritime Special Area of Conservation (SAC)
Is the planning application directly connected with or necessary to the management of the site (if yes, Applicant should have provided details)?	No
Are there any other projects or plans that together with the planning application being assessed could affect the site?	Yes. All new development within Havant Borough that is either a) located in proximity to and may affect directly or indirectly the qualifying habitats and species of the Solent Marine Sites, b) new residential development within 5.6km of the Solent Marine Sites where recreational disturbance is likely to result, and c) new housing schemes and other proposals which include a

	net gain in overnight accommodation or development which has a high volume of water use and which are located in river catchments draining to the Solent Marine Sites.
--	--

Stage 2 - HRA screening assessment

Screening under Regulation 105 of the Habitats Regulations (– The Applicant to provide evidence so that a judgement can be made as to whether there could be any potential significant effects from the development on the integrity of the SPA/SAC/Ramsar.

The proposed works area is partly within the Solent Maritime Special Area of Conservation (SAC) and Chichester & Langstone Harbours Special Protection Area (SPA) and Ramsar site. Impacts to these sites, and their qualifying habitats and species, sub-features and supporting habitats, will or may occur through a range of impact pathways:

- Above water noise
- Abrasion/disturbance of the substrate on the surface of the seabed
- Barrier to species movement
- Changes in suspended solids (water clarity)
- Deoxygenation
- Hydrocarbon & Polycyclic Aromatic Hydrocarbons (PAH) contamination
- Penetration and/or disturbance of the substratum below the surface of the seabed, including abrasion
- Physical loss (to land or freshwater habitat)
- Smothering and siltation rate changes (Heavy)
- Smothering and siltation rate changes (Light)
- Underwater noise changes
- Visual disturbance

Would the proposal lead to a likely significant effect on European site integrity?

Yes, proposed works have potential to result in impacts to internationally and nationally designated nature conservation sites and the species they support via the range of impact pathways described above.

(If yes, continue to Stage 3).

Stage 3 - Appropriate Assessment

Appropriate Assessment under Regulations 105 - if there are any potential significant effects, the applicant must provide evidence showing avoidance and/or mitigation measures to allow an Assessment to be made. The Applicant must also provide details which demonstrate any long-term management, maintenance and funding of any solution. Where residual impacts cannot be avoided, under Regulation 107 evidence must be provided of consideration of alternatives and of Imperative Reasons of Over-Riding Public Interest (IROPI) and Compensatory Measures.

Section 6.5 of the Information for Habitats Regulations Assessment (Coastal Partners, February 2025 - Environmental Statement Appendix C) provides details of incorporated measures to avoid and/or mitigate impacts to sites and their qualifying species during construction.

An Outline Construction Environment Management Plan (CEMP) has been submitted (Coastal Partners, February 2025). It includes the following avoidance and mitigation measures:

1. A silt curtain will be installed prior to the commencement of any work on the intertidal area to fully contain the current working area. The silt curtain will be maintained for the duration of construction works on the foreshore, and any failures in the silt curtain will be reported to the sub-contractor and repaired as soon as feasible. Reason: To clearly delineate the working area on the foreshore and protect the sensitive habitats in the harbour from suspended sediments and smothering and ensure the conservation status of the Solent Maritime SAC and the Chichester and Langstone Harbours SPA and Ramsar site.
2. Intertidal works will be undertaken from the landward side wherever possible to minimise disturbance of the foreshore. Where foreshore working is required, the intertidal works area will be restricted to a maximum of 20 metres seawards of the existing defences. The seaward limit of the intertidal works area will be marked by the silt curtain to limit the extent of foreshore disturbance. The silt curtain and temporary working area boundary will be set out to ensure that areas of *Spartina* swards are protected and excluded from the haul route / working areas to ensure this habitat is not damaged during the works. Where access is required on the foreshore, removable temporary haul routes will be installed so that they are removable (e.g. geotextile with sheet piles laid flat or aggregate on top) to minimise disturbance to the intertidal habitat and accelerate recovery upon reinstatement. Methods will be finalised once a contractor has been appointed and will be confirmed within the final CEMP. Reason: To minimise disturbance of the intertidal habitat and ensure the conservation status of the Solent Maritime SAC and the Chichester and Langstone Harbours SPA and Ramsar site.
3. The vegetated shingle habitat within Frontage 2 will be avoided and will not be impacted during construction works as the new sheet pile wall will be installed working from the landward side. Reason: To avoid disturbance of the sensitive vegetated shingle habitat and ensure the conservation status of the Solent Maritime SAC.
4. The intertidal habitat excavated for construction of the buried apron of the new sea walls in Frontages 3, 4 and 5 will be reinstated to the same topography as existing levels following completion of the new sea wall using material retained from the excavation and stockpiled adjacent to the working area within the silt curtain. The foreshore material will be placed back over the new sea wall apron in the reverse order to that in which it was excavated to ensure that the sediment layers are returned in the order they were prior to the works. Reason: To ensure restoration of conditions suitable for like-for-like re-development of intertidal habitats following completion of the works and ensure the conservation status of the Solent Maritime SAC and the Chichester and Langstone Harbours SPA and Ramsar site.
5. Excavation and piling on the foreshore will only be undertaken over the low tide period (when the surface of the foreshore is above the current tide level). Reason: To minimise the suspension of sediments into the water column and avoid transmission of sound into the water body to ensure the conservation status of the Solent Maritime SAC and the Chichester and Langstone Harbours SPA and Ramsar site.
6. All materials used in the Scheme will be suitable for use in the marine environment. Machinery used during construction will be required to adhere to standard best practice measures including pollution control strategies and spillage response. Reason: To minimise the risk of introducing pollution or contamination during the works and ensure the conservation status of the Solent Maritime SAC and the Chichester and Langstone Harbours SPA and Ramsar site.

7. A contaminated land method statement and materials management plan will be produced for approval by HBC prior to the commencement of construction works. All excavations during the construction works will be undertaken in accordance with the CEMP and Materials Management Plan as is standard practice for all Coastal Partners' projects. Reason: To minimise the risk from any potentially contaminated sediments that may be excavated during the construction works and to ensure the conservation status of the Solent Maritime SAC and the Chichester and Langstone Harbours SPA and Ramsar site.
8. The following seasonal timing restrictions will be incorporated for sensitive bird locations and will be included in the CEMP:
 - In Frontage 1A, a wacker plate or compacting plant with a similar noise profile will not be used between CH120-188 during the overwintering bird period October to March inclusive.
 - In Frontage 2, no construction work to be undertaken during the overwintering bird period October-March inclusive.
 - In Frontage 3, piling work will not be undertaken during the overwintering bird period October to March inclusive. Furthermore, no construction work will be undertaken on the harbourside stretch of this frontage at the Ship Inn and Annex (CH100-152) during the overwintering bird period.
 - In Frontage 4, no construction work to be undertaken during the overwintering bird period October-March inclusive.
 - In Frontage 5, no construction work to be undertaken on the harbourside stretch of this frontage (CH0-110) or piling / trench sheet installation work between CH96-185 during the overwintering bird period October to March inclusive. To minimise risk of disturbance to egret and heron roost, no night working, and particularly no artificial lighting, should be used between CH112-221. Reason: To avoid the effect of acoustic and visual disturbance upon over-wintering birds and ensure the conservation status of the Chichester and Langstone Harbours SPA and Ramsar site.
9. Installation of piles will be undertaken using vibro or silent piling techniques as standard. Percussive piling will only be used when necessary to achieve the required design depth. If percussive piling is required, a soft start procedure will be implemented for a minimum of 20 minutes. Should piling cease for a period greater than 10 minutes, then the soft start procedure must be repeated once piling is recommenced. Piling methods will be agreed and included as part of the final CEMP once a contractor has been appointed. Reason: To reduce the effect of acoustic disturbance upon SPA/Ramsar birds and their prey species and ensure the conservation status of the Chichester and Langstone Harbours SPA and Ramsar site.
10. For any work proposed within the over-wintering bird period (October to March inclusive) an appropriate ornithological watching brief by a suitably qualified and experienced ecologist will be undertaken to assess any impacts. Significant disturbance will be determined by expert opinion and, if required, consultation with relevant bodies, but could be reached by unacceptable daily effects or cumulatively, e.g., a pattern of effect amounting to an adverse impact. Appropriate management measures will be put in place immediately to address it. Such measures could range from the installation of acoustic/screening barriers, implementation of timing restrictions to cessation of construction activities if other measures are not sufficient to avoid significant disturbance to the over-wintering birds. Details of this watching brief will be included within the final CEMP. Reason: To avoid the effect of acoustic and visual disturbance upon over-wintering birds and ensure the conservation status of the Chichester and Langstone Harbours SPA and Ramsar site.
11. In the event of severe weather, defined as frozen ground conditions reported by over half of the meteorological stations in England/Wales, after 7 consecutive days (allowing for short

(24-48 hours) periods of thaw) an expert review will be undertaken by the project ecologist and, if necessary, work may be restricted or halted. After 14 consecutive days of frozen ground conditions and if a statutory suspension is announced all works will cease during the suspension period. Details of this process will be laid out within the final CEMP. Reason: To minimise adverse effects on over-wintering birds and ensure the conservation status of the Chichester and Langstone Harbours SPA and Ramsar site.

It is considered that these incorporated avoidance and mitigation measures will be sufficient to remove the likelihood of impacts to the designated sites and their qualifying features during construction.

As a consequence of construction and operation there will be a permanent loss of intertidal habitat of 172m² resulting from coastal squeeze over the lifetime of the scheme. This will result in an adverse effect on the extent and distribution of the following SAC and SPA qualifying features:

- Estuaries, Mudflats and sandflats not covered by seawater at low tide
- Salicornia and other annuals colonising mud and sand
- Atlantic salt meadows
- Spartina swards
- Intertidal sediment and saltmarsh

These losses require that an off-site habitat compensation scheme is needed. The losses will be added to the Environment Agency's Habitat Compensation and Restoration Programme (HCRP) 'balance sheet'. It is confirmed that this is an acceptable outcome, with compensatory habitat provided at a regional scale through habitat creation and enhancement. The HCRP is approved - and considered to be Habitats Regulations compliant - by the Secretary of State as the agreed strategic compensatory mechanism for habitat losses caused by coastal squeeze due to the 'hold the line' policies within the North Solent Shoreline Management Plan and the Portchester to Emsworth Coastal Strategy, of which the submitted scheme is part. Evidence of the Secretary of State's approval is provided within the submitted documentation.

Stage 4 – Summary of the Appropriate Assessment (To be carried out by the Competent Authority (the local planning authority) in liaison with Natural England

Based on the incorporated avoidance and mitigation measures, as well as off-site compensatory measures via the Habitat Compensation and Restoration Programme (HCRP), it is considered that appropriate and proportionate avoidance, mitigation and compensation measures are secured. The implementation of these measures will remove the potential for impacts to the identified European sites.

Natural England Officer:

Summary of Natural England's comments:

05 June 2025

NO OBJECTION - SUBJECT TO SECURING MITIGATION AND COMPENSATION *Natural England note that this Flood and Coastal Erosion Risk Management Scheme's (FCERM) purpose is to deliver Hold the Line (HTL) coastal defences for homes and essential infrastructure as part of the North Solent Shoreline Management Plan (SMP). The North Solent SMP has been through Habitats Regulations Assessment (HRA) process and the derogation tests under Article 6(4) of the Habitats Directive. The Secretary of State (SoS) has issued an Imperative Reasons of Overriding Public Interest (IROPI) ruling for HTL coastal defences at this location.*

The SoS has approved the Environment Agency's Habitat Compensation and Restoration Programme (HCRP), upon which this proposal relies, as the compensatory mechanism for habitat losses caused by coastal squeeze from the HTL policies within the North Solent SMP. Natural England considers that the scheme will have an adverse effect on the integrity of:

- *Chichester and Langstone Harbours Special Protection Area (SPA) & Ramsar*
- *Solent Maritime Special Area of Conservation (SAC).*

Due to the loss of 172m² of intertidal sediment when these coastal defences are built out, there is a direct footprint loss and in addition, loss of intertidal sediment and saltmarsh habitat that will occur over the lifetime of the scheme as a result of 'coastal squeeze' adjacent to these HTL defences. Both of these losses require compensation. The Environment Agency's Habitat Compensation and Restoration Programme (HCRP) is the agreed mechanism for the strategic coastal squeeze loss, and it may, if the appropriate habitat is available, agree to pick up the footprint losses of any scheme implement the agreed SMP policy.

Essential mitigation measures for constructional impacts to designated sites are also outlined within the body of this letter. We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

2 June 2026

Having taken a look through your Appropriate Assessment for the project, I would agree with its conclusions, and, since nothing has changed with the application, I would point you back to our previous response on this (our ref: 512699) for our official advice.