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Our Ref: GEN/17/01228
Direct Line: (023)9244 6549
Ask For: Mr D Eaves
Email: planning.development@havant.gov.uk
15 November 2017

Dear Mr Maddox,

Site Address: Land at Rook Farm, St Marys Road, Hayling Island

Proposed Development: Scoping Opinion - The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

I refer to your scoping request of the 11th October 2017. The development would comprise proposed development of up to 210 dwellings (including affordable housing) and 0.6ha for apartments with care (C2), structural planting and landscaping, informal public open space, children's play areas, sustainable drainage system (SuDS) vehicular access from St Mary's Road and associated ancillary works. All matters reserved with the exception of the main vehicular access.

The purpose of the requested scoping opinion is to achieve a consensus over potentially significant environmental impacts and the content of the Environmental Statement which should accompany a future planning application.

The following sections expand upon some of the areas set out in your report and adding other areas regarding the impacts that Havant Borough Council as the Local Planning Authority in consultation with relevant statutory bodies and others considers should be covered in the Environmental Statement (ES).

Screening

During the course of the associated planning application reference APP/07/00007 a letter was sent to the applicants agent setting out the Councils opinion that the development would constitute EIA development (a copy of the letter is attached at **Annex A**)

Scoping

The proposed development falls within the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

In summary your letter dated 11th October 2017 identifies a range of identified topics that are suggested to be 'Scoped -Out' of the EIA and others that are 'Scoped In'. Other potential areas have also been identified through the scoping process. The considerations and suggestions in relation to your identified topic areas are responded to in part 1 with the additional topic areas identified in part 2 below. The comments result largely from consultations within the statutory EIA consultees and a range of other consultees who would also be consulted at the planning application stage.

PART 1

Air Quality

In relation to air quality issues, these are to a large extent synonymous with transport impacts which are considered in part 2 below. The wider impact in terms of transport will need to identify potential traffic congestion and hot spots and potential air quality impacts. It is considered that Air Quality should form part of the Transport Considerations in the EIA.

In conclusion transport related Air Quality should be scoped into the ES.

A copy of the Consultation Response in relation to this Scoping request from the Councils Environmental Control Officer will be forwarded for your information.

Heritage and Archaeology

The impact on the built heritage including the setting of Grade 11* St Marys Church formed a reason for refusal in the related planning application refusal, however this is a matter that can be assessed in the planning considerations of any further planning application with appropriate Heritage Assessments.

In relation to Archaeological Issues a detailed Consultation Response from the Senior Archaeologist at Hampshire County Council has been received. This sets out the archaeological potential for the site which is considered to be underestimated in the Wardell Armstrong scoping request letter.

The County Archaeologist concludes that:

It is concluded that archaeological issues should remain a consideration of any Environmental Impact Assessment (EIA) and that any archaeological chapter should, as well as summarising the archaeological potential of the site as well as the likely impact of the development upon it, also include recommendations on assessment works to explore this potential further.

Notwithstanding this conclusion it is considered that the archaeological potential for the site can be suitably addressed in relation to any further planning application by the submission of an amended Heritage/Archaeological Assessment that takes account of the County Archaeologists consultation response to planning application APP/17/00007 and provides a commitment to addressing the recommended conditions in the consultation. Any amended submission should address the site as having 'moderate' archaeological potential rather than the 'low' potential identified in the original Heritage Statement.

Impacts on Archaeology are therefore scoped out of the EIA.

A copy of the Consultation Response in relation to this Scoping request from Hampshire County Councils Senior Archaeologist will be forwarded for your information.

Landscape and Visual Impact

It is considered that the landscape and visual impact of the proposed development can be adequately assessed with the submission of appropriate Landscape Impact Assessment and Mitigation as part of any planning application.

Landscape impact can therefore be Scoped out of the EIA at this stage.

Noise Impact Assessment

It is considered that the Noise Impact of the proposed development can be adequately assessed with the submission of appropriate Noise Impact Assessment and Mitigation as part of any planning application.

Noise impact can therefore be Scoped out of the EIA at this stage.

Soils/Agricultural Land Quality (Contamination considered separately in part 2)

Natural England have provided the following advice in relation to these matters as follows:

Soil and agricultural land quality should be examined within the EIA to include a consideration of the environmental effects associated with the loss. Impacts from the development should be considered in light of the Government's policy for the protection of the best and most versatile (BMV) agricultural land as set out in paragraph 112 of the NPPF.

We also recommend that soils should be considered under a more general heading of sustainable use of land and the ecosystem services they provide as a natural resource in line with paragraph 109 of the NPPF.

Reason for refusal number 12 relates to the loss of the best and most versatile agricultural land, and specifically its value as a resource for local food production and associated economic benefits. Whilst it is accepted that there is a need to build on the best and most versatile agricultural land to meet housing need in the Borough, no assessment has been made of the likely environmental effect associated with its loss. As such, it is not possible to conclude that soil quality should be scoped out of the EIA.

In the absence of any further information of the likely environmental effects associated with the loss of the best and most versatile agricultural land, Soils/Agricultural Land Quality should therefore be scoped in to the ES.

Ecology and Wildlife

Natural England have provided a general consultation response in relation to the proposed development stating:

Case law and guidance has stressed the need for a full set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant planning permission. Natural England has serious concerns that the proposals will result in the direct loss of supporting habitat for the Chichester & Langstone Harbours Special Protection Area (SPA), in particular for dark-bellied brent geese which is one of the qualifying features of that SPA. The site is considered essential to the continued function of the Solent wader and brent goose ecological network and is functionally-linked to the designated Solent SPAs. The loss of this site would impact on the integrity of the SPA and this issue will need to be thoroughly examined within the Environmental Impact Assessment and Appropriate Assessment.

The recommended details to be included in the scope of the EIA are set out in Annex A and include an assessment of the proposals on:

- *the designated sites, protected species, habitats and species of principal importance and wider biodiversity*
- *the water environment and the need to achieve a nutrient neutral scheme*
- *soil and agricultural land quality*
- *rights of way, access and recreation*
- *climate change and in-combination and cumulative impacts.*

We strongly recommend that the developer seeks Natural England's advice through our Discretionary Advice Service to ensure the sensitivities of the site are appropriately addressed within the EIA, Appropriate Assessment and the subsequent planning application. The first step is to fill out a simple 'Request Form' and email it to consultations@naturalengland.org.uk.

Further detailed comments are provided in Annex A of the Consultation Response with regard to (amongst other matters):

- Ecology
- Designated nature Conservation Sites
- Protected Species - Species protected by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2010
- Habitats and Species of Principal Importance
- Biodiversity Mitigation and Enhancement Plan (BMEP)
- Climate Change Adaptation

The Information in relation to these headings are provided below:

Annex A Advice related to EIA Scoping Requirements

Ecology

Natural England advises that the potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/enhancement should be included within this assessment in accordance with appropriate guidance on such matters. Guidelines for Ecological Impact Assessment (EclA) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM) and are available on their website.

Designated nature conservation sites

The ES should thoroughly assess the potential for the proposal to affect designated sites. European sites (eg designated Special Areas of Conservation and Special Protection Areas) fall within the scope of the Conservation of Habitats and Species Regulations 2010. Under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 an appropriate assessment needs to be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site.

The proposal would result in the loss of supporting habitat (listed as site H46B of the Solent Waders and Brent Goose Strategy) for the Chichester & Langstone Harbours Special Protection Area (SPA), in particular for dark-bellied brent geese which is one of the qualifying features of that SPA. The site is considered essential to the continued function of the Solent wader and brent goose ecological network and is functionally-linked to the designated Solent SPAs. The site has recorded a maximum count of over a 1000 Brent Geese. The loss of this site would impact on the integrity of the SPA and this site would be extremely difficult to replace. Any potential damage to the integrity of the site will be subject to a Habitats Regulations Assessment and the associated requirements to meet the statutory tests. The EIA will need to include a thorough assessment of the baseline environment and assessment of the significant environmental effects arising from the development proposals. Detailed information will need to be provided to determine the extent to which the proposals will adversely affect the integrity of the SPA and measures that would counteract or avoid a likely significant effect or to otherwise address any adverse impacts on site integrity. This assessment will need to meet the statutory tests of the Habitats Regulations Assessment and the EIA Regulations.

Protected Species - Species protected by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2010

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law, but advises on the procedures and legislation relevant to such species. Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, groups and individuals; and consideration should be given to the wider context of the site for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.

The conservation of species protected by law is explained in Part IV and Annex A of Government Circular 06/2005 Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System. The area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES. In order to provide this information there may be a requirement for a survey at a particular time of year. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and where necessary, licensed, consultants. Natural England has adopted standing advice for protected species which includes links to guidance on survey and mitigation.

Habitats and Species of Principal Importance

The ES should thoroughly assess the impact of the proposals on habitats and/or species listed as 'Habitats and Species of Principal Importance' within the England Biodiversity List, published under the requirements of S41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 places a general duty on all public authorities, including local planning authorities, to conserve and enhance biodiversity. Further information on this duty is available here <https://www.gov.uk/guidance/biodiversity-duty-public-authority-duty-to-have-regard-to-conserving-biodiversity>.

Government Circular 06/2005 states that Biodiversity Action Plan (BAP) species and habitats, 'are capable of being a material consideration...in the making of planning decisions. Natural England therefore advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the ES. Consideration should also be given to those species and habitats included in the relevant Local BAP.

Natural England advises that a habitat survey (equivalent to Phase 2) is carried out on the site, in order to identify any important habitats present. In addition, ornithological, botanical and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present. The Environmental Statement should include details of:

- *Any historical data for the site affected by the proposal (eg from previous surveys);*
- *Additional surveys carried out as part of this proposal;*
- *The habitats and species present;*
- *The status of these habitats and species (eg whether priority species or habitat);*
- *The direct and indirect effects of the development upon those habitats and species;*
- *Full details of any mitigation or compensation that might be required.*

The development should seek to avoid an adverse impact on sensitive areas for wildlife within the site, and provide opportunities for overall wildlife gain. The record centre for the relevant Local Authorities should be able to provide the relevant information on the location and type of priority habitat for the area under consideration.

Biodiversity Mitigation and Enhancement Plan (BMEP)

Natural England recommends that the proposal is accompanied by a Biodiversity Mitigation and Enhancement Plan (BMEP), or equivalent, that has been agreed by a Hampshire County Council (HCC) Ecologist. The BMEP should set out all the mitigation measures proposed within the Environmental Statement. It should also ensure the scheme meets the requirements of the standing advice and the additional requirements for biodiversity enhancement, and net gain, as set out in National Planning Policy Framework paragraphs 7, 109 and 118.

Whilst the applicant has identified that Ecology and Wildlife should be scoped in, they are strongly encouraged to engage with the Council's Ecologist and Natural England in the preparation of the Wildlife and Ecology Chapter, the scope of any Wintering Bird Surveys and the information to support the HRA.

Climate Change Adaptation

The England Biodiversity Strategy published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPPF requires that the planning system should contribute to the enhancement of the natural environment 'by establishing coherent ecological networks that are more resilient to current and future pressures' (NPPF Para 109), which should be demonstrated through the ES.

Detailed consideration should be given to Solent Wader and Brent Goose ecological network and how the loss of the site could impact on the resilience of the future network with regard to climate change and sea level rise.

Further consultation comments have been received from the Senior Ecologist Hampshire County Council who has stated:

As detailed within the previous application-stage discussions, the key issue at this site is the potential loss of supporting habitat for Chichester & Langstone Harbours SPA and Ramsar. This site has been shown to support significant numbers of dark-bellied brent geese, a key qualifying species for both SPA and Ramsar, and is one of the most important sites for this species within Havant Borough. The proposed development would, unmitigated, result in an unacceptable significant loss of supporting habitat and would affect the integrity of the SPA/Ramsar.

Any future ES will need to include a comprehensive review of all existing data pertaining to the use of the site, and other nearby sites, by SPA/Ramsar species. The source of this information is the Solent Waders & Brent Goose Strategy. The SWBGS is currently undergoing a refresh and so I would strongly advise that the applicant's ecological advisors ensure that they obtain the latest data and are fully aware of its use in assessing site status: any assessment must not rely solely on the applicant's own collected data. A new framework for mitigation is being developed and so again I would strongly recommend that the applicant engages with Natural England (via the DAS service) when attempting to develop any mitigation/compensation strategy.

A key reason for refusal relates to the direct loss of supporting habitat for the SPA, and in particular dark-bellied Brent geese. Specifically reason for refusal 4 states:

"The development would result in a direct loss of supporting habitat (listed as site H46B of the Solent Waders and Brent Goose Strategy) for the Chichester & Langstone Harbours Special Protection Area (SPA), in particular for dark-bellied brent geese which is one of the qualifying features of that SPA. A likely significant effect on the Chichester & Langstone Harbours SPA cannot therefore be ruled out that this proposal would not have an adverse effect on site integrity. No measures have been proposed or appropriate that would counteract or avoid a likely significant effect, to otherwise address any adverse impacts on site integrity. The proposed development is therefore contrary to Policies CS11 and CS21 of the Local Plan (Core Strategy) 2011 and DM23 of the Local Plan (Allocations) 2014, section 118 of the National Planning Policy Framework and the provision of the Conservation of Habitats and Species Regulations (2010) as amended."

We strongly encourage the applicant to engage with the Council's Ecologist and Natural England, potentially through their Development Advice Service, in the preparation of the Ecology and Wildlife Chapter, the scope of any Wintering Bird Surveys and the information to inform the Council's (as competent authority) Habitats Regulation Assessment (HRA). The latter will be of particular pertinence in examining the likely significant effect to nearby European designated sites and their supporting habitat. In particular, site-specific mitigation measures will need to be deliverable, in order to avoid significant adverse effects.

Please ensure that the ES addresses the matters set out above in relation to Ecology and Wildlife. These matters are therefore Scoped In.

A copy of the Consultation Response from Hampshire & Isle of Wight Wildlife Trust is also attached for your information.

Cumulative Impacts

Natural England have provided the following information in relation to this aspect:

Cumulative and in-combination effects

The ES should include an impact assessment to identify, describe and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. A key issue for consideration is the cumulative and in-combination effects arising from development pressure on the Solent Water and Brent Goose ecological network. The EIA should consider the cumulative impacts arising from the loss of a number of Solent Wader and Brent Goose Sites within the ecological network.

Given the strategic infrastructure issues facing this part of the Borough, it is unclear on what basis Wardell Armstrong has considered 2km as an appropriate radius to identify development proposals of a similar type and scale in the surrounding area.

However, the following additional development proposals may also be of relevance in the cumulative assessment of environmental impacts:

- Land north of Sinah Lane, Hayling Island – Residential proposal for a sustainable development of 162 mixed tenure homes which was the subject of a Development Consultation Forum on Tuesday 14th November.
- The Rotunda, Northney Marina, Hayling Island – Prior notification for the change of use from class B1(a) office use to C3 residential use subject to prior approval covering flooding, highways and transport issues and contamination. Planning application reference APP/17/01042.
- Beachlands (site HY45 of Policy HY2) – allocated site for 125 dwellings, leisure and tourism in the Havant Borough Local Plan (Allocations) (2014).
- Rear of 108-110 Elm Grove (site HY13 of Policy HY1)

In conclusion there are cumulative impacts to be considered in relation to the ecological network as set out above by Natural England which are likely to encompass a substantial area and more local impacts on ecology and transport from future potential development on Hayling Island (some additional sites are highlighted above not identified in the Wardell Armstrong letter).

The cumulative impacts of other development in relation to ecology and transport issues are therefore scoped in to the ES.

PART 2

Transport Considerations:

The Wardell Armstrong covering letter identifies four reasons for refusal which relate to environmental impact including (4) direct loss of supporting habitat for the SPA, and in particular dark-bellied Brent geese; (8) insufficient information on the impact to protected species and their habitat; (11) impact on the setting of St Marys Church a Grade II listed building; and (12) the loss of the best and most versatile agricultural land.

Significantly however, there is absence of any reference to the environmental impact on transport. The related reasons for refusal can be summarised in terms of the impact of development on the existing transport network (5); the proposed access is inadequate to accommodate the development safely (6); and the severe impact on the local transport network as a result of a greater number of trips by private car (7).

The covering letter makes reference to the suite of technical supporting documentation submitted with the original planning application, and includes an assessment of a range of environmental impacts including air quality. However, the request for a Scoping Opinion does not make any assessment of the transport related effects of the development.

Reason for refusal no. 2 also relates to the infrastructure requirements of the development in itself, and in combination with other sites on Hayling Island. Specifically it states:

The proposed development has failed to demonstrate that it would constitute sustainable development as it does not adequately address the infrastructure requirements for the development by itself and in combination with other sites on Hayling Island. The suitability of the site for residential development has been assessed under the Local Plan Housing Statement and at this stage the site is classified as having uncertain potential for development due to sustainability concerns in particular in relation to Highway Capacity and the single access onto the Island, Flooding, Healthcare, Education and provision of Utilities. The consultation on the Draft Local Plan Housing Statement highlighted specific infrastructure issues on Hayling Island which will require further investigation before future development can be considered sustainable under the National Planning Policy Framework. The proposal therefore fails to meet the three dimensions of Sustainable Development: economic, social and environmental as set out in the National Planning Policy Framework and policies CS1, CS7, CS15, CS19, CS20, CS21, DM11 and DM12 of the Havant Borough Local Plan (Core Strategy) 2011, policy AL1 of the Havant Borough Local Plan (Allocations) 2014 together with the Local Plan Housing Statement Guiding Principle 4 and the National Planning Policy Framework.

Guiding Principle 4 of the Local Plan Housing Statement is clear that *“at this stage in the plan preparation, the strategic transport infrastructure constraints facing this part of the Borough mean it is essential there is a comprehensive framework in place before development can proceed. Only the Local Plan can guarantee the suitability of the site for housing delivery, alongside the necessary certainty that strategic transport infrastructure issues are not an overriding constraint to sustainable development”*.

The National Planning Practice Guidance indicates that it is unlikely that a Transport Assessment or Statement in itself could fulfil the specific role required of a transport element of an Environmental Impact Assessment. (Paragraph 014 Reference ID: 42-014-20140306. Revision date: 06 03 2014). The Guidelines for the Environmental Assessment of Road Traffic published by the Institute of Environment Assessment (IEA), and Volume 11 of the Design Manual for Roads and Bridges (DRMB) ‘Environmental Assessment’ published by the former Department of Environment, Transport and the Regions (DETR), now Department for Transport are identified as appropriate tools for the environmental assessment of road traffic.

Given the infrastructure issues identified above and in particular the single access onto the island, it is considered the following development impacts identified by the IEA guidelines are of particular relevance:

- Driver severance and delay
- Pedestrian severance and delay
- Pedestrian amenity
- Accidents and safety

A number of evidence base studies are underway to inform the Local Plan and will also be of relevance to the appraisal of environmental effects of transport and travel. These include a borough-wide Transport Assessment and the Hayling Island Transport Analysis, which will include a Paramics Microsimulation model to provide a detailed analysis of the entire highway network on Hayling Island. Specifically, the Hayling Island Transport Analysis will enable the Council to look at detailed mitigation measures to maintain and improve the highway network functionality of the island's highway network. Unfortunately there have been delays to the modelling work which informs these studies. Nonetheless, the applicant is strongly encouraged to use the Microsimulation model (once available) to inform the Transport Assessment through assessing the impact of their proposals on the highway network and model their proposed mitigation measures as part of any revised planning application.

Given the strategic infrastructure constraints facing this part of the Borough, it is considered appropriate to Scope In the likely significant environmental effects associated with transport and travel demand. The applicant is encouraged to use the Paramics Microsimulation model (once available) to assess the impact of their proposals on the highway network and model their proposed mitigation measures as part of their Transport Assessment and EIA.

Highways England have been consulted in relation to the Scoping Opinion and they have confirmed that:

We have reviewed the above scoping opinion and we do not offer any planning objections to the proposal, however we would be concerned about further future development on Hayling Island without issues of strategic infrastructure needs being addressed. We look forward to the opportunity to being involved in the development.

In conclusion the Transport Considerations are scoped into the ES requirements.

Water Environment

Natural England have provided the following comments in relation to the Water Environment:

The EIA should also consider the impacts of the development on the water environment. There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some designated sites.

An Integrated Water Management Study for South Hampshire has been commissioned by the Partnership for Urban South Hampshire (PUSH) Authorities to examine the delivery of development growth in relation to legislative and government policy requirements for designated sites and wider biodiversity. Further details will be provided in due course. However, it is likely that measures will be required to mitigate the adverse water quality impacts arising from the new development on a significant number of designated sites in the Solent.

Natural England therefore recommends that this issue is examined in the EIA. For confidence that the development will be deliverable, Natural England recommends that the proposals achieve nutrient neutrality. We would be happy to advise further as part of our Discretionary Advice Service. The EIA should also include a consideration of the availability and source of water resources for the development and set out the water supply provider for the development.

The Water Environment requirements above are therefore Scoped into the ES.

Rights of Way, Access and Recreation

Natural England have provided the following advice in relation to these aspects:

The EIA should consider potential impacts on public open land and rights of way in the vicinity of the development. Appropriate mitigation measures should be incorporated for any adverse impacts. We also recommend reference to the relevant Right of Way Improvement Plans (ROWIP) to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

Natural England encourages any proposal to incorporate measures to help encourage people to access the countryside for quiet enjoyment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways are to be encouraged. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.

The impact in relation to Rights of Way, Access and Recreation are therefore Scoped In to the ES.

Contamination

With regard to contamination the Councils Environmental Officer has provided the following comments:

Reference to soils within the Wardell Armstrong letter are to the loss of agricultural land only, within the remit of others to comment upon.

There is no mention of an intrusive ground contamination assessment, such as that previously proposed for the purpose of i) confirming that soil conditions are as expected within greenfield areas of the site, and ii) to investigate the possibility for contamination to exist at significant concentrations within previously developed areas.

This assessment should be included either as a stand-alone technical report, or included within the scope of the ES in line with the decision on the 'in principal' approach to EIA.

It is possible that this element has been omitted from the scoping considerations as it is specifically covered by conditions. This does not mean that it does not / should not form part of an overall / holistic environmental assessment, nor that inclusion within a reserved matters submission would adversely impact the timely discharge of the relevant conditions.

It is considered that contamination issues can be considered with appropriate Contamination Assessments and Mitigation as part of the planning application process in relation to any potential future planning application. Contamination is therefore Scoped out of the ES.

Conclusion:

In conclusion and in summary;

The following matters are scoped into the ES/EIA:

- Air Quality
- Soils/Agricultural Land Quality
- Ecology and Wildlife
- Cumulative impacts (in relation to Ecology/Transport)
- Transport Considerations
- Water Environment
- Rights of Way, Access & Recreation

The following matters are scoped out of the ES/EIA but nonetheless should be subject to detailed submissions/assessments in relation to any further planning application:

- Archaeology
- Impact on Listed Buildings
- Landscape and Visual Impact
- Noise Impact

I trust that the contents of this opinion are clear, but please do not hesitate to contact me if you require any clarification.

This letter should be taken as the local planning authority's scoping opinion under the Regulations.

Yours Sincerely

A handwritten signature in blue ink, appearing to read 'A Biltcliffe', with a stylized flourish at the end.

Andrew Biltcliffe
Head of Planning

Annex A



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Our Ref: APP/17/00007
Direct Line: (023)9244 6549
Ask For: Mr D Eaves
Email: planning.development@havant.gov.uk
17 March 2017

Dear Mr Dutton

**The Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order 2015**

Site Address: Land at Rook Farm, St Marys Road, Hayling Island

Proposed Development: Outline planning application for the erection of up to 210 residential dwellings (including affordable housing) and 0.6ha for apartments with care (C2), structural planting and landscaping, informal public open space, children's play areas, sustainable drainage system (SuDS) vehicular access from St Mary's Road and associated ancillary works. All matters reserved with the exception of the main vehicular access.

I write in relation to the above planning application with regard to EIA matters. Whilst the three week date for formal screening is acknowledged to have expired, the recent confirmation of the sites status as being 'Important' for Brent Geese and Waders and in the light of Consultation Responses received (Natural England, Hampshire County Council Ecologist, RSPB and Hampshire and Isle of Wight Wildlife Trust) the following advice is provided in relation to any appeal made or subsequent application submitted.

I note that the development comprises the following:

- Residential development for up to 210 residential dwellings and 0.6ha for apartments with care (C2) on a site of approximately 11.81 hectares;
- The application is in outline form with all matters excepting Access reserved;
- Associated infrastructure

As a result, I can confirm that the development described in your application and associated plans and documents would represent EIA development.

- **Statement of Reasons:**

The development comprises Schedule 2 development for which a screening opinion is required as it is an 'Infrastructure Project' comprising an 'urban development project', the development includes more than 150 dwellings and the overall area of the development exceeds 5 hectares in Schedule 2(10) of the Regulations.

In my opinion, having regard to the selection criteria in Schedule 3 to the Regulations and the associated guidance including screening indicative criteria and thresholds, the development would be likely to have significant effect on the environment by virtue of factors such as:

Characteristics of Development:

The size of the development - The site area of 11.81 hectares is significant in relation to the land take, this is linked to the sites capacity to provide a valuable habitat for protected species. The area is to change from primarily agricultural fields to residential development which would have the potential to impact on protected species using the site.

The cumulation with other development - This site is identified as part of the Havant Borough Local Plan Housing Statement as being of 'Uncertain Potential' together with another site on Hayling Island. In addition the Housing Statement has identified other greenfield sites within the Borough for early release. The cumulative impact of this site with these other sites needs to be assessed in relation to impacts on protected species.

Location of development:

The environmental sensitivity of the site has been recognised by its identification as an 'Important' Site for Brent Geese and Waders under the Solent Waders and Brent Goose Strategy. Evidence is required to demonstrate levels of impact alone and in combination with other proposals subject to the tests in the Habitat Regulations.

The site is in close proximity to the Chichester and Langstone Harbour Ramsar and Special Protection Areas (SPA) approximately 0.85km and 1km from the site respectively and Solent Maritime Special Area of Conservation (SAC).

The application is on a site that is identified in the 2017 updated data for the Brent Goose and Waders Strategy as an important habitat for Waders and Brent Geese of Chichester and Langstone Harbour SPA with up to 1,000 birds using the site.

The site is therefore considered to be an important supporting habitat for the Waders and Brent Geese of Chichester and Langstone Harbour SPA.

Characteristics of potential impact:

The proposal to introduce residential development within this 11.81 ha site would have a potentially significant impact on the habitat of protected birds linked to their use of internationally and nationally protected species.

The impact relates to a significant number of protected birds.

The impact would be permanent in nature and is clearly impacting on a site known to be in use by protected birds.

In coming to these conclusions the consultation responses received in relation to planning application APP/17/00007 from Natural England, Hampshire County Council Ecologist, the RSPB, Hampshire & Isle of Wight Wildlife Trust have all been taken into account. These consultation responses can be viewed on Havant Borough Councils Website at the following addresses:

<https://planningpublicaccess.havant.gov.uk/online-applications/>

Yours sincerely

A handwritten signature in black ink, appearing to read 'D Eaves', written in a cursive style.

David Eaves
Principal Planning Officer
Development Control