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TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (SI 571/2017) ('THE EIA REGULATIONS') SCREENING OPINION REQUEST IN RESPECT OF THE DEVELOPMENT AT:

Sparkes Marina, Wittering Road, Hayling Island, PO11 9SR

PROPOSED DEVELOPMENT - Replacement sheet piled quay wall with concrete capping beam.

Dear Mr Hanna

I am writing to you further to your enquiry received on the 15 September 2020 regarding the above address.

Having considered the proposal as detailed in your letter, Havant Borough Council is of the opinion that the application does not fall within Schedule 1 Development of the Environmental Impact Assessment Regulations 2017 but within Schedule 2 Development, Part 10, Infrastructure Projects (b) – Urban development projects. However, Havant Borough Council has also given consideration to the characteristics of the development, its location and potential impact as set out in Schedule 3 of the Environmental Impact Assessment Regulations 2017 and Planning Practice Guidance. Planning Practice Guidance indicates the types of case in which, an EIA is more likely to be required. It states:

An EIA is more likely to be required where:

'Environmental Impact Assessment is unlikely to be required for the redevelopment of land unless the new development is on a significantly greater scale than the previous use, or the types of impact are of a markedly different nature or there is a high level of contamination.'
EIA is more likely to be required where:

'(i) the area of the scheme is more than 5 ha; or (ii) it would provide a total of more than 10,000m² of new commercial floorspace; or (iii) the development would have significant urbanising effects in a previously non-urbanised area (e.g. a new development of more than 1,000 dwellings).'

'Account is also to be taken of the physical scale of such developments, potential increase in pollution and noise.'

It is noted that the red line area, exceeds the 1 hectare threshold for Schedule 2 development. The site as a whole is classed as "previously developed" as an existing marina, located within the built up area. the site also falls within the Chichester Area of Outstanding Natural Beauty, a Special Protection Area, a Special Area of Conservation and a Site of Special Scientific Interest.

The proposal is for a replacement sheet piled quay wall with a concert capping beam to the same finish level. The development would be constructed, as close as possible, in front of the existing wall, which should not be materially different to the existing wall.

Taking into account the scheme's scale, nature and location, associated proposed assessments with documents accompanying the planning application, it is not anticipated it will result in significant environmental effects.

Therefore, the Local Planning Authority considers that the application for this site **is not EIA development**.

Statement of Reasons:

- The development would be of a minor nature, replacing a similar wall, to be built to the same finished levels, primarily on the same footprint, with the types of impact not markedly different in nature.
- The impact on water resources, flood risk and pollution can be managed and mitigated through the planning application process and through the marine licensing process, which the Local Planning Authority is a statutory consultee.
- The site itself is located within the Chichester Harbour Area of Outstanding Nature Beauty, a Special Protection Area, a Site of Special Scientific Interest and a Special Area of Conservation. However, the site is an existing marina, within an urban area, comprising previously development land and the proposal seeks to replace an existing wall, with the types of impact similar to the current wall.
- Whilst the site is located within Flood Zone 3, its use as a marina is considered to be a flood compatible development.
- The proposed development is not considered to have any significant environmental effects and any impacts can be considered, managed and mitigated through the planning application process and through the marine licensing process, which the Local Planning Authority is a statutory consultee.
- The impact of the proposed development on protected species can be effectively reduced through the planning application process and the marine licensing process, which the Local Planning Authority is a statutory consultee, through appropriate avoidance and mitigation measures being secured.

This letter should be taken as the Local Planning Authority's screening opinion under the Regulations.

Yours sincerely

Ms L Wells
Shared Planning Compliance Manager
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