



The Planning Inspectorate

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Your Ref: APP/22/00337

Our Ref: APP/X1735/W/23/3334421

Date: 29 May 2024

Sent by email:

planning.development@havant.gov.uk

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (SI 571/2017) ('THE EIA REGULATIONS')

Appeal by: Mr Gianni Shipp

Site Address: 42 North Street, Havant, Hampshire, PO9 1PT

I refer to the above appeal. The Secretary of State has considered the application in accordance with Regulation 14 (1) of the above Regulations.

The development proposed, namely, the Change of use of the vacant office building to two flats and erection of rear external staircase and secure cycle storage falls within the description at 10 (b) of Schedule 2 to the above Regulations. The threshold criteria at 10 (b) of Schedule 2 are not exceeded. In the opinion of the Secretary of State, having taken into account the criteria in Schedule 3 to the above Regulations, the proposal would not be likely to have significant effect on the environment for the following reasons:

The Proposed Development is located near to a number of European sites and Sites of Special Scientific Interest (SSSI), which are sensitive areas as defined in the EIA Regulations:

- Chichester and Langstone Harbours Special Protection Area (SPA) and Ramsar site, located c. 1.3km southeast;
- The Solent Maritime Special Area of Conservation (SAC), located c. 1.3km southeast;
- The Solent and Dorset Coast Marine SPA, located c. 1.5km southwest;
- Chichester Harbour SSSI, located c. 1.3km southeast; and
- Langstone Harbour SSSI, located c. 1.5km southwest.

Mitigation for potential recreational disturbance to the Chichester and Langstone Harbour sites is available in the form of a financial contribution in line with the Solent

Recreation Mitigation Partnership (SRMP). Nutrient mitigation in respect of the Chichester and Langstone Harbours SPA and Ramsar site, the Solent Maritime SAC, and the Solent and Dorset Coast Marine SPA is available in the form of a nutrient mitigation package. Provided that mitigation is secured, significant effects are not likely to occur.

Considering the nature, scale and location of the Proposed Development and nature of the receiving environment, whilst there may be some impact on the surrounding area and nearby designated sensitive areas as a result of this development, it would not be of a scale and nature likely to result in significant environmental impact.

Accordingly, in exercise of the powers conferred on the Secretary of State by Regulations 14(1) and 7(5) of the above Regulations, the Secretary of State hereby directs that this development is not Environmental Impact Assessment (EIA) development.

Under regulation 28(1) of the above Regulations, the relevant planning authority must take steps to secure that this screening direction is placed on the part of the Planning Register which relates to the application in question. I would be grateful if you could do so to ensure that the Secretary of State's view is publicly available.

(This direction does not affect any duties of the appellant under other legislation, including The Conservation of Habitats and Species Regulations 2017.)

Yours faithfully,

Sasha Clark

SASHA CLARK
EIA and Land Rights Advisor
(Signed with the authority of the Secretary of State)

cc: Mr Gianni Shipp (Appellant)

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