

Date: 16 July 2015
Our ref: 158735
Your ref: -



Alison Fowler
River Hamble Harbour Authority

Cromwell House
15 Andover Road
Winchester
Hampshire
SO23 7BT

By email only, no hard copy to follow

Dear Alison,

**Lincegrove and Hackett's Marshes Site of Special Scientific Interest (SSSI)
Solent Maritime Special Area of Conservation (SAC)
Solent and Southampton Water Special Protection Area (SPA)
Solent and Southampton Water Wetland of International Importance under the Ramsar
Convention (Ramsar site)**

**Proposal: Extension of existing private slipway.
Location: Brooklands Quay, River Hamble, Swanwick.**

Thank you for your email dated 2 July 2015 consulting Natural England on the above application for a Harbour Works Consent. The following constitutes Natural England's formal statutory response.

Conservation of Habitats and Species Regulations 2010 (as amended)

We can confirm that the proposed works are located adjacent to the Solent Maritime SAC and in proximity to the Solent and Southampton Water SPA/Ramsar site. Natural England advises that providing the works are carried out in strict accordance with the details of the application which have been submitted, it can be excluded that the application will have a significant effect on any SAC, SPA or Ramsar site, either individually or in combination with other plans or projects. Therefore it is our view that an Appropriate Assessment of the implications of this proposal on the site's conservation objectives should not be required. We recommend that the following conditions are attached to the Harbour Works Consent to ensure that the activity is undertaken in accordance with the details of the application which have been submitted and therefore compliant with the above legislation:

Condition 1

In accordance with Environment Agency guidelines, all reasonable precautions are undertaken to ensure no pollutants enter the water-course. Ensure that any coatings/treatments on the materials used are suitable for use in the marine environment and are used in accordance with best environmental practice.

Reason: To avoid contamination of the designated sites and the marine environment.

Condition 2

Vibro-piling should be used as standard, percussive piling should only be used if needed to drive a pile to its design depth. A soft-start procedure should be used if percussive piling is required. No percussive piling to be used during the sensitive period for overwintering birds, 1st October to 31st March inclusive.

Reason: To minimise noise disturbance to birds and migratory fish that use the area.

Condition 3

All equipment and debris associated with the works should be removed from the area within 24 hours upon completion of the works.

Reason: To minimise adverse environmental impacts on the designated sites and the marine environment.

Wildlife and Countryside Act 1981 (as amended)

We can confirm that the proposed works are located in proximity to the Lincegrove and Hackett's Marshes SSSI. Natural England advises that the proposal, if undertaken in strict accordance with the details submitted, is not likely to damage the interest features for which the site has been notified. However we recommend that the conditions outlined above are attached to the Harbour Works Consent to ensure that the activity is undertaken as per the application and therefore compliant with the above legislation.

Priority Habitat as identified on Section 41 list of the Natural Environmental and Rural Communities (NERC) Act 2006

The consultation documents indicate that this development includes an area of priority habitat, as listed on Section 41 of the Natural Environmental and Rural Communities (NERC) Act 2006. The National Planning Policy Framework (paragraph 118) states that 'when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity. If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.'

Natural England notes that the development will result in a partial loss of Intertidal Mudflat priority habitat. We are content with the mitigation measures the applicant has proposed, namely removal of the man-made structures and rubble adjacent to the slipway, and the use of the existing slipway for machinery access, where appropriate. Natural England believe there will be no net loss of the priority habitat if these mitigation measures are implemented.

Natural England has no objection to the proposed development. It is our view that, either alone or in combination with other plans or projects, this proposal would not be likely to have a significant effect on any international site or SSSI.

For any queries relating to the content of this letter please contact me using the details provided below.

Yours sincerely,



Marija Nilova
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Hampshire Coast and Isle of Wight Team

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