

Habitat Regulation Assessment (HRA)

Screening Matrix and Appropriate Assessment Statement

PLEASE NOTE: Undertaking the HRA process is the responsibility of the decision maker 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:	14/06/2023
HRA completion date:	20/06/2023
Application reference:	F/23/95051
Application address:	Port Hamble Marina, Satchell Lane, Hamble, SO31 4QD
Application description:	Erection of single-storey commercial accommodation
Lead Planning Officer:	Andy Grandfield
Case Officer:	Rebecca Altman
Please note that all references in this assessment to the 'Habitats Regulations' refer to The Conservation of Habitats and Species Regulations 2017.	

Stage 1 - details of the plan or project

European site potentially impacted by planning application, plan or project:	Solent and Dorset Coast SPA Portsmouth Harbour SPA and Ramsar Site Chichester and Langstone Harbours SPA Solent Maritime SAC Solent and Southampton Waters SPA
Is the planning application directly connected with or necessary to the management of the site (if yes, Applicant should have provided details)?	No. The development consists of the construction of a commercial storage building/office, which is neither connected to nor necessary to the management of any European site.
Are there any other projects or plans that together with the planning application being assessed could affect the site (Applicant to provide details to allow an 'in combination' effect to be assessed)?	Yes. There have been other recent applications permitted in the locality. All schemes have mitigation measures secured to protect the integrity of the protected areas, and with these mitigation measures in place for all approved schemes, there is not considered to be any likely significant in-combination impact.

Stage 2 - HRA screening assessment

Screening under Regulation 63(1)(a) 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 impacts of the development on the integrity of the SPA/SAC/Ramsar.

The proposed building would accommodate storage and an office associated with the marina. There is no overnight accommodation proposed.

Hydrological impacts and impacts on birds – during construction and operation

The site lies directly adjacent to the River Hamble and near to a Brent Goose and Solent Waders core area. Increased surface water run-off as a result of the development would have the potential to increase pollutants into the protected waters if not properly filtered, and noise and pollution from construction has the potential to impact on bird species. These impacts could in turn impact on the conservation objectives of the protected areas.

Would the proposal lead to a likely significant effect on European site integrity? YES if no mitigation in place.

(If yes, continue to Stage 3).

Stage 3 - Appropriate Assessment

Appropriate Assessment under Regulation 63(1) - if there are any potential significant impacts, 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.

The application follows three previous planning permissions for the same development. The last application, ref. F/19/84970, was subject to an Appropriate Assessment which concluded that the development would not have an adverse effect on the integrity of protected sites provided that the requirements of the submitted Construction Environmental Management Plan and Drainage Statement were secured by condition (Natural England response dated 28 May 2019 enclosed for reference).

The current application is accompanied by the same CEMP and Surface Water Drainage Statement that were prepared for the previous application (enclosed for reference).

Hydrological impacts and impacts on birds – construction and operation phase

The submitted Drainage Statement confirms that water run-off from the roof of the new building would be accommodated by downpipes directing the discharge to adjoining surfacing and run-off to channels and gulley connections to the existing drainage system at the Marina. The existing system has adequate capacity and operates effectively to prevent adverse impacts on protected waters.

With regard to impacts during the construction phase, the CEMP confirms that there will be no requirement for piling or percussive plant operations as the building would be supported on a reinforced concrete raft slab set at ground level, thereby preventing adverse noise impacts. The construction would not involve any hazardous operations or materials to pose risk of contaminants, and construction works would be confined to a working area outside of the sensitive estuary margins.

The recommendations of the CEMP and Drainage Statement would be secured by condition. There would also be conditions to secure contaminated land investigations and remediation in accordance with the advice of the Council's Environmental Health Officer. Subject to these

conditions, it is concluded that the development would not adversely affect the integrity of the protected areas.

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

In conclusion, subject to the imposition of conditions to ensure compliance with the recommendations of the CEMP and Drainage Statement, and to secure contaminated land investigations/remediation, the proposal will not have a likely significant effect on the protected areas.

This represents the authority's Appropriate Assessment as Competent Authority in accordance with the requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006 to the purpose of conserving biodiversity. Consideration of the Ramsar site/s is a matter of government policy set out in the National Planning Policy Framework.