

DELEGATED OFFICER REPORT

Application Ref:	F/26/101731
Site Address:	FAIRPORT HOUSE, LANDS END ROAD, BURSLEDON, SOUTHAMPTON, SO31 8DN
Case Officer:	Clare Martin
Description:	Installation of new jetty and pontoon

Particular Site Constraints?	Yes ☒	No ☐
• Outside of the Urban Edge – The coast • Within Old Bursledon Conservation Area • Within Solent Marine Special Area of Conservation (SAC) • Within Lincegrove and Hackett's Marshes Site of Special Scientific Interest (SSSI) • Within Solent & Southampton Water Special Protection Area (SPA) • Within Solent and Southampton Water Ramsar		

Planning History?	Yes ☒	No ☐
<u>At the application site</u> • F/20/87923 - Erection of single-storey boathouse following demolition of existing boathouse – Permitted (October 2020) <u>Properties along Lands End Road</u> • C/08/61994 - Installation of floating pontoon with steel bridge and tubular steel piles at Myrtle Cottage – Permitted (April 2008) • C/33062/007 – Construction of a 1.5m high boundary wall with gates and new mooring pontoon at Parsons Plot – Permitted (November 2000) • Z/18088/001 – Extension to existing pontoon jetty at the Elephant Boatyard– Permitted (October 1983) • Z/15397 – Erection of jetty on tidal mudflats – Permitted (July 1974).		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☒
Representations:	19 letters of objection have been received raising the following issues: <u>Impact upon small crafts</u> • This point of the river is very busy with larger boats entering and leaving Swanick Marina and small craft launching from the public hard (approx. 60m up stream of the jetty). The stretch of river is used twice a week by the rowing club (approx. 30 rowers) and for larger events such as the Hamble River Raid (attracting approx. 60 crafts) • For safety, small craft (such as rowing boats, kayaks, paddle boards and sailing dinghies) are directed away from the main channel which is used for larger vessels. Small craft use the inner channel where the jetty is proposed. • The plans give the width of the river at high tide. The proposed jetty (plus any moored boats) will restrict the width of the inner channel to under 20m. This is not wide enough for two rowing		

	boats to pass without risk of collision or scraping the side of moored boats (as each rowing boat is 8m wide with oars out). Rowing boats are relatively low-powered and have limited ability to manoeuvre quickly to avoid other vessels. • The reduction in available water will make it harder for rowing crews to manoeuvre, particularly when outgoing boats meet returning boats; when boats are racing in this stretch of water; when wind conditions make it more difficult to control a rowing boat; or when rowing boats are trying to navigate through slow moving, and inexperienced, paddleboarders and kayakers. This stretch of the river is also used to teach rowers. • Small craft also keep close to this bank in an ebb tide and the proposal will force them into the strong current, making conditions more challenging. • The river is already constrained, and the culminative effects of each pontoon structure should be considered. Each additional structure reduces the amount of unobstructed water available to river users and can increase the potential for conflicts between different types of vessels. • The proposed jetty would have a detrimental effect on leisure users of the river. The river is a shared resource used by a wide range of vessels and recreational users. Small craft provides a cheap and easy access to the river to a broad range of society, enabling access to the water for groups who otherwise would be disadvantaged. <u>Other Impacts</u> • Site is not within the built up area of river frontage • Adverse visual impact on the public foreshore and jetty. • Ecological impacts on SSSI. Increased human activity and loss of habitat will disrupt the feeding and breeding of birds and other wildlife, especially the swans and other waders who nest on the mudflats nearby. • Jetty will affect the water flow over the mud flats. • The private house already has access of a pontoon onto the river. Another jetty is not needed.
Harbour Master:	<u>Comment</u> <u><i>Previous works at the site</i></u> The proposed jetty connects to land and a timber revetment “sea wall” that may have an unresolved regulatory or planning status. The physical and structural changes at the site since 2017, especially in 2023, are clear to see from drawings supporting various previous planning applications at this site (e.g. F/19/85908), as well as from photographic and aerial records. Further information is required to demonstrate the makeup and lawful status of the raised land and structure to which the proposed jetty would connect and ultimately depend.

Navigational Safety

It is the duty of the Harbour Authority to comment on Navigational Safety. The lateral availability of water space will be affected by the proposal. The plan's indicative illustration of the various widths of the inshore navigable water parallel to Lands End is helpful but excludes the width of vessels moored there. It also excludes the mid-stream pontoon installed at mooring U14/15 where the plan states a distance of 35 meters. Although the width of the public water space is narrower further upstream, this is not until approximately another 125metres, so the proposal will narrow the practicable usable width in this area for well-established craft, namely rowing gigs. When rowed, a gig is 9m wide and it is in this vicinity that overtaking manoeuvres can take place during established events, as well as training for novice rowers in an area protected from the prevailing wind conditions and out of the main channel. The choice to overtake in this area will be made less feasible by this structure. The choice to do so will be with the skipper of the craft involved, who must decide on whether a manoeuvre is safe or otherwise. It is Harbour Board Policy to promote small craft activity including gigs and that any reduction in water space affecting the space's usage by a long-established sport would not be consistent with that policy. The space is also used by other small craft such as canoes, kayaks and paddleboarders. The property proposing the new jetty has 5 existing private structures already in place for its vessels to access the River Hamble.

Increase in small craft

Paddlesports, particularly paddleboarding, have seen a significant increase in recent years since the Covid pandemic, so much so that RHHA has had to install safety signage in this area directing paddlers, often novices in matters of navigational safety and associated rules, to use the water space south of the midstream mooring line which is subject to this proposed jetty. (Northwards is the Main Channel used large vessels restricted in their ability to manoeuvre).

Anti-social behaviour

Whereas this is not directly a matter for the Harbour Authority, Lands End is a local hotspot for antisocial behaviour with a Section 34 Public Space Protection Order put in place this Summer. This structure, with its elevated access bridge, would undoubtedly be extremely attractive as an additional target venue for those wishing to jump into the river. Managing this is the responsibility of the Police, but the additional attraction as a swimming venue (notwithstanding trespass) would potentially add to the RHHA's patrol burden.

Nature Conservation

The proposal is located within an area heavily designated for nature conservation. This site has seen significant riverside landscaping changes in recent years and EBC should consider these biodiversity changes as part of its assessment of the application's Biodiversity Net Gain proposals. This site is within the boundaries for a Site of Special Scientific Interest (SSSI), two Special Protection Areas (SPA), a Special Area of Conservation, and a Ramsar Site. To ensure compliance with the requirements of the Wildlife & Countryside Act and Habitats Regulations, authorities such as EBC and RHHA must, in exercising their functions including the consideration of applications, take reasonable steps to conserve and enhance the special features of SSSIs and to assess effects of the developments against the site's conservation objectives. In relation to the application area below mean high water, the development crosses area of saltmarsh and priority

	mudflat habitat and is an area used by wading birds and other wildfowl. <u>Ownership of land</u> The area of foreshore and riverbed below the high water mark is not owned by the applicant. It is owned by The Crown Estate and leased to Hampshire County Council in its role as the River Hamble Harbour Authority and so any development in this area will require an extraction from the lease to RHHA. <u>Archaeological Interest</u> The site is known as a historic shipyard. Archaeologists should be consulted by EBC, given previous advice to RHHA during a different case was that any intrusive work here may need archaeological assessment to ensure no damage to the remains of the shipbuilding site occurs. <u>Other Consents</u> Such a proposal will also be subject to an application for Harbour Works Consent from the River Hamble Harbour Authority in due course for consideration by the River Hamble Management Committee and then determined by the River Hamble Harbour Board.
Ecology: (summarised)	<u>Objection</u> <u>Reliance on unauthorised structures</u> The proposed jetty physically rests on an unconsented sea wall built without planning permission between 2023 and 2024. The sea wall involved a substantial, unpermitted raising of ground levels using imported spoil. Aerial photos also show an unconsented permanent concrete/cobble slipway structure added from 2024 onwards. <u>Habitat Regulation Assessment</u> The development is located within the Solent and Southampton Water SPA/Ramsar, Solent Maritime SAC, and the Solent Wader and Brent Goose Network. Based on the information available, the proposal would have a likely adverse effect on the integrity of these sites and so would fail the Habitats Regulations Assessment (HRA). <u>Impact on Irreplaceable Habitats</u> The site contains Atlantic Salt Meadow (irreplaceable habitat) and Intertidal Mudflats and Sandflats, which are dynamic habitats with cycles of erosion and sedimentation. The jetty, pilings and floating pontoon would cause shading on the habitat and the area covered by the jetty will be less available for foraging birds. The UK Hab plan appears to show the proposed access ramp for the pontoon covering more than 1% of the Atlantic salt meadows priority habitat. Another concern is that the proposed piles (and attachment of the jetty) could potentially change the flow of water and sediment in this area, escalating any existing impact caused by the unconsented seawall and cobbled slipway. Furthermore, it is unclear how the jetty is . The the property already has five other access points to the water, and the culminative impact of these structures must be considered within the HRA. <u>Errors with Preliminary Ecological Appraisal</u>

	- The Preliminary Ecological Appraisal (PEA) contains major geographical errors (as it incorrectly identifies the nearby SSSIs and SINCs.) <u>Errors with Biodiversity net gain (BNG) Information</u> - Unauthorised habitat degradation has taken place at the site. In these instances, the Environment Act 2021 stipulates that the pre-development biodiversity baseline value must be backdated to on or after 30 January 2020, rather than using current post-degradation conditions. This needs to be corrected within the submitted information. - The site boundaries and red-line application areas mismatch significantly across the application form (46 m²), the Statutory Metric (0.21 ha), the PEA mapping, and the Biodiversity Net Gain (BNG) report. They must be identical across all documents. - The development footprint has been wrongly excluded from the BNG metric and mapping (i.e. piles, sea wall, and a timber sleeper wall). - The mycelia BNG software highlighted five unresolved ecology risks, (including incorrect strategic baseline significance and unrealistic targets aiming for "Good" post-development conditions for on-site modified grassland and littoral mud.) - The submitted BNG information needs to include Eastleigh Borough Council BNG Strategy Form, condition assessments in Excel spreadsheet format, a Draft Habitat Management and Monitoring Plan (HMMP), and consistent UK Hab pre-/post-development plans. <u>Comments on suggested mitigation/ enhancements</u> - The invasive non-native seaweed and Pacific Oysters were recorded throughout the intertidal area. The proposed oyster settlement areas would be used by these invasive oysters which out compete native species. The Long-term Habitat Management section of the BNG report suggests that implementing biosecurity measures would provide an enhancement to the intertidal habitat. This usually refers to cleaning equipment before and after use in the water. I don't see how this would decrease the populations of invasive non-native species already in the water. - Mitigation involving interpretation material highlighting the ecological importance of the River Hamble and Solent estuary is not appropriate as this is on private land, and is not an area used by the public. - The report mentions incorporation of biodiversity features within the jetty and pontoon design but has not provided any specific information. Any features which provide habitat for oysters would increase the habitat available for the invasive Pacific oyster and could help to increase its population.
Built Heritage Consultant: (summarised)	<u>Holding Objection</u> Details of the handrail are required
Archaeology: (summarised)	<u>Comment</u> We have reviewed the HER information, and it does refer to a post medieval ship wreck (spot location c30m away) and the shipbuilding yard a little further to the south east. Although there is no indication on the HER of the extent or concentration of these features, so it is unclear whether the proposed construction will impact any sensitive areas.

	The use of piling in for the scheme, in particular, the two steel 12m posts with a diameter of 339mm poses a very low level of ground impact. It is likely that the steel piles will be driven / hammered into the ground, which can cause additional impact on the surrounding area, through displacement and vibration. However, in terms of Historic England guidance the diameter and number of piles poses a low level of archaeological impact. For more definitive advice the applicant would need to provide some additional information on the extent of known shipbuilding yard or shipwreck. However, given the low level of archaeological impact from the posts, any potential archaeological work could be secured by condition.
Environmental Health	<u>No objection</u> , subject to conditions controlling hours of construction and no piling.
Natural England:	<u>Holding Objection</u> As submitted, the application could have potential significant effects on designated sites in the Solent, including the: • Solent and Southampton Water Special Protection Area (SPA) • Solent and Southampton Water Ramsar • Solent Maritime Special Area of Conservation (SAC) • Solent and Dorset Coast SPA • Lincegrove and Hackett's Marshes Site of Special Scientific Interest (SSSI) In addition to the Solent Wader and Brent Goose Strategy (SWBGS) low use site 'E10'. Natural England requires further details of the construction methodology and long-term operation in order to determine the significance of these impacts and the scope for mitigation. Without this information, Natural England may need to object to the proposal.
Fareham Borough Council:	No objection
Parish Council:	No response provided
Crown Estate:	No response provided

Local Planning Authority Response to Third Party Representations and Consultations

Unauthorised Works

The proposal is for the construction of a jetty. While there have been previous unauthorised ground works extending the site into an area of salt marshes, these are outside of the scope of the current planning application. The Council has its own planning enforcement powers to deal with unauthorised structures, and these are separate from any permissions given by Natural England.

Land Ownership

The jetty extends into an area of land owned by The Crown Estate and leased to Hampshire County Council (River Hamble Harbour Authority). The development will, therefore, also require a lease extraction from the River Hamble Harbour Authority and permission from the Crown Estate, which are separate from the planning application.

Other Structures

It is noted that there are other private structures at Fairport allowing vessels to access the river hamble. However, the planning system does not require the residents to justify the need for a new jetty, but instead assesses the impact of the jetty against planning policies.

Anti-social Behaviour

While the jetty may have the potential to attract some anti social behaviour, this is beyond the scope of the planning application and could be controlled through other legislation (such as a Section 34 Public Space Protection Order).

Site Visit:	Yes ☒	No ☐
Details:		

Pre-commencement Conditions:	Yes ☐	No ☒
Details:		

Legislation:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The site also lies within a Conservation Area and Section 72(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:

"In the exercise, with respect to any buildings or other land in the Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".)

Policy:

National Planning Policy Framework - August 2026 (NPPF)

The NPPF sets out the National Decision Making Policies (NDMP), the most relevant for the proposal are:

- S3 (sustainable development); S5 (principle of development outside settlements); DP3 (well-designed places); N2 (improving the natural environment); N5 (maintaining the character of the coast); N6 (areas of particular importance for biodiversity or geodiversity); and HE7 (conservation areas)

Planning Practice Guidance (PPG)

This provides detailed guidance on the planning system and implementation of policies within the National Planning Policy Framework.

Development Plan:

The Eastleigh Borough Local Plan 2016-2036,
of which the most relevant policies are:

- Strategic policies: S1 (delivering sustainable development); S7 (the coast); S8 (historic environment) and S9 (green infrastructure).
- Development Management policies: DM1 (general criteria); DM11 (nature conservation); DM12 (heritage assets) and DM35 (recreational activity on the River Hamble).

Assessment:

Principle

The site is located outside of the urban edge, where the types of developments are controlled by NDMP S5. Part 1a of this policy makes an allowance for developments that provide for outdoor recreation to be located outside of the settlement boundary. This provision would reasonably include the proposed jetty as its purpose is to provide the residents of Fair Port House with further recreational access to the River Hamble. The policy goes on to state that recreational uses should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.

In this case, the overall benefits of the jetty are of limited value given that it is for the private recreational use of a single residence and is not accessible to members of the public. The jetty also extends outside of the property boundary into a public part of the River Hamble. Therefore, the recreational benefits of the jetty for Fairport need to be weighed against the loss of recreational space for existing members of the public. The most notable impact being on small craft that use the inner channel (such as dinghies, rowing boats, kayaks and paddle boards).

Development within the River Hamble

NDMP S5 sets out specific criteria for development on the coastline, which applies to the River Hamble (the coast being defined by Local Plan Policy S7). Part 1 of NDMP S5 requires development proposals to maintain the character of undeveloped areas of coast, including land designated for its landscape, habitat or heritage value, while improving public access to it where appropriate.

Policy DM35 of the local plan is inline with NDMP S5 in that it looks to protect undeveloped areas of River Hamble by only permitting jetties and other structures within parts of the river fronting the settlement boundary or within existing boatyards. The proposal does not accord with Policy DM35 in that it would introduce a jetty along a frontage outside of the settlement boundary and that structure would serve a private residential property. Therefore, the principle of development is contrary to Local Plan Policy DM35 as well as NDMP S5 of the National Planning Policy Framework.

Landscape

NDMP S5 and Policies S5, S7 & DM35 of the Local Plan requires development to avoid adverse impacts on the coastal character of the landscape, including undeveloped areas. NDMP DP3 and Policy DM1 of the Local Plan go on to stipulate that development must take full and proper account of the context of the site (including the character and appearance of the locality) and be well integrated with adjoining buildings, spaces and views.

The site is located at the eastern tip of Lands End Road where salt marshes wrap around all three sides of the property and extend some 1000m towards the south. The wide expanse of salt marshes and very limited development gives this section of the river a more rural undeveloped character. The site sits at the end of the more natural section of the river, and the eastern section of the garden would have previously been covered in a large expanse of salt marshes (before the unauthorised work took place).

As the river moves inland it transitions into a more built-up frontage with low density housing appearing along the banks of Old Bursledon. While many of the old Bursledon riverside properties have a jetty, they are located to the west of the site within the more formalised section of the river frontage. In contrast, the proposal would introduce a new urbanising feature that would have the effect of extending the man-made structures further east wards. The nature and position of the jetty is therefore considered to be detrimental

to the natural landscape character of the river and so would be contrary to NDMP S5 & DP3, and Policies S5, S7, DM1 & DM35 of the Local Plan.

Ecological

NDMP N2, N5 & N6 and Policy DM11 of the Local Plan requires development to support conservation of important habitats and species (including sites of international, national and local importance). These policies also require developments to minimise any adverse impacts on biodiversity (include features which support priority or threatened species) and take the opportunity to provide ecological enhancements. The application is also required to demonstrate a 10% biodiversity net gain, as it was submitted under the previous regulations.

The River Hamble is of high ecological importance, and the site is within the boundaries of Solent and Southampton Water Ramsar and Special Protection Area (SPA), Solent Maritime Special Area of Conservation (SAC), Lincegrove and Hackett's Marshes Site of Special Scientific Interest (SSSI) and Solent Wader and Brent Goose Network site E10.

There are habitats of principal importance on site with a narrow strip of Atlantic Salt Meadow near the seawall (which is in good condition and is an irreplaceable habitat) and the majority of the site is covered by Intertidal Mudflats and Sandflats (in moderate condition). These habitats support wading birds and other wildfowl.

The ecology officer's comments highlight the physical impact of the jetty (plus any moored boats) on the protected habitat. These impacts include the structure casting a shadow over the habitat and resulting in less space being available for foraging birds. The supporting piles also have the potential to change the flow of water and sediment in this area, which is part of a dynamic habitat with cycles of erosion and sedimentation. As such the jetty has the potential to degrade an important area of habitat.

The supporting ecology information does not satisfactorily address these issues and contains errors, including incorrectly identifying the nearby SSSI and SINCE. The biodiversity net gain information does not account for the previous site degradation (unauthorised works) or pontoons footprint with the calculations and so does not demonstrate the required 10% biodiversity net gain. Furthermore, some of the mitigation measures identified are not appropriate, such as the proposed information sign boards on private land or the suggested treatment of the invasive non-native seaweed and Pacific Oysters. On this basis, an objection has been raised by the Council's Ecology Officer.

Natural England has also asked for details of the construction methodology and long-term operation to determine the significance of the ecological impacts and the scope for mitigation. These details have not been submitted, and the council does not have sufficient information to undertake the habitat regulation assessment.

Based on the limited information available the proposal would have a significant negative impact upon the important habitats and so be contrary to NDMP N2, N5 & N6 and Policy DM11 of the Local Plan.

Recreational

NDMP S5 & DP3 and Policy S7 of the Local Plan aims to maintain and enhance coastal related recreational activities and improve public access to the coast.

The River Hamble is recognised for recreational sailing and is home to many marinas and mid stream moorings. The application site is part of a busy stretch of the river, with larger boats using the main channel to access Swanick Marina (opposite the site), Deacons Marina (upstream) and the collection of mid stream moorings).

The site is 60m downstream of Lands End Road public slipway, which is popular for launching small crafts (such as rowing boats, kayaks, paddle boards and sailing dinghies).

The number of small crafts has been rising in recent years and the river provides an opportunity for a wide range of people to take part in water sports. These small craft tend to use the shallower inner channel that hugs the southwestern bank as it is out of the way of larger vessels and more sheltered from wind and tidal conditions.

The proposed jetty would project approximately 26m out from the bank restricting the current area of water used by small craft, particularly during high tide. The jetty would create a pinch point of between 18m and 37m of usable water between the end of the structure and midstream moorings (depending on moored boats and where the measurements are taken). While it is noted that the pinch points between some of the existing Land End jetties and mid-stream moorings are smaller than the proposal, these are clustered some 125m further upstream. Instead, the proposed jetty would introduce a new obstruction into a less impeded section of water thus impacting on the useability and enjoyment of existing small craft.

Nineteen letters of objection were received highlighting the views of small craft users, including the rowing club. These objections noted that narrowing the available water would make it harder for 9m wide rowing boats to safely pass each other (particularly when racing, in difficult tidal/ wind conditions and during the popular Hamble River Raid). They noted that rowing boats and the other small craft can be tricky to steer and the additional river space allows them to safely overtake inexperienced paddleboarders and kayakers as well as providing a safe space to train novice rowers. Another concern was that the proposed jetty could force smaller craft into stronger currents during an ebb tide, making conditions more challenging and potentially causing an obstruction for larger vessels. As such there would be times when the jetty would cause a significant level of disruption to existing small craft.

Many of these concerns are also highlighted within the River Hamble Harbour Master consultation. They also note that any reduction in water space affecting the use of the River Hamble by a long-established sport (such as rowing gigs) would be contrary to the Harbour Masters own policy of promoting small craft activity on the river.

In response to the objections, the agent has provided a rebuttal in which he argues that there are already smaller pinch points further upstream and the size of the jetty has been reduced from a previous scheme (although no permission has been granted for a jetty in this location). The rebuttal includes a range of photos on different dates showing a small number of rowing boats using the water at high tide. However, these photos are a snapshot in time and, while extensive, are unlikely to show the whole picture. Overall, it is not considered that the points raised by the Agent overcome the concerns of small craft users regarding the lack of river space.

On this basis, the provision of the private jetty and subsequent loss of recreational river space would have a significant adverse impact upon the users of existing small craft, thereby lessening opportunities for river related recreational activities. As such the proposal is contrary to NDMP S5 & DP3 and Policy S7.

Heritage

NDMP HE5 and DM12 of the Local Plan require an assessment of the potential effects of development proposals on the significance of a heritage asset, as to whether positive alterations are proposed, and if harm occurs, the level of harm created.

The site is within the Old Bursledon Conservation Area, which is a historic riverside village characterised by traditional buildings, its spacious semi-rural setting and views over the surrounding countryside and River Hamble. The proposed jetty is a small scale, low-level, structure, that is of a comparable design to other jetties within the Old Bursledon waterfront. Therefore, while the jetty would have an adverse impact on the landscape character of the river, it has less of an impact on the distinctive qualities of the Old Bursledon Conservation Area. No objection has been raised by the Built Heritage Consultant and the details for the handrails could be secured via condition.

The site is also in an area of archaeological interest, as there is a historical ship building yard a little further to the south and there are records of a post medieval ship wreck 30m away. However, the jetty (including its two steel piles) would create a very low level of ground impact and so is unlikely to materially affect the archaeological interest of the locality. No objection was raised by the Archaeologist, subject to conditioning further details.

Other Material Considerations

Climate Change:

In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other things, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality by 2030; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020–2030 and the supporting Climate and Environmental Emergency Action Plan – Update June 2020.

The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, development plan and adopted local plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and local plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the adopted local plan, as is an assessment of climate impacts.

When considering the impact of climate change, the proposed development is expected to be resilient to the potential effects of climate change and is expected to reduce/limit impacts on climate emissions as a result of the development or its use.

Equalities Implications:

Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:

- A public authority must, in the exercise of its functions, have due regard to the need to:
 - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equality implications

Conclusion:

It is considered that the jetty's detrimental impact upon the landscape, ecological and recreational value of the River Hamble would substantially outweigh the small recreational benefits afforded to Fairport House. As such the proposal is contrary to policy and is recommended for refusal.

Recommendation:

PERMIT ☐

REFUSE ☒