

Ecology response for CS/25/100083 HYS Holdings Ltd Port Hamble Marina Satchell Lane, Hamble, SO31 4NN

Marine Management Organisation Consultation Request. Consultation on Application for a Marine Licence- MLA/2025/00382 Hamble Yacht Service Replacement

1/10/25

I have reviewed the Supporting Statement, WaFD and WFD Assessments by Lymington Technical Services Ltd (Rpt1 v1, July 2025).

This site is located within and immediately adjacent to the Solent and Southampton Water SPA and Ramsar site, the Solent and Dorset Coast SPA, the Solent Maritime SAC, the Lee-on-the-Solent to Itchen Estuary and to the south of Solent Wader and Brent Goose Network Core Area E13. These activities have the potential to disturb overwintering birds in this area. Areas F57, F71 and F71a are located across the River Hamble, so overwintering birds in these sites may also be disturbed. There are also records of harbour seals in the River Hamble in this area.

I raise a holding objection based on the conflict between the timing of this work and the overwintering period of Solent Waders and Brent Geese and potential disturbance to these site and their designated species. The WFD scoping document states that the work would be done within a planned window of between 1st October to 31st March inclusive each year. This would conflict with and cause disturbance to overwintering Solent Waders and Brent Geese.

Section 7.3 in The Solent Waders and Brent Goose Strategy (October 2024, available at: <https://solentwbgs.wordpress.com/wp-content/uploads/2025/04/solent-waders-brent-goose-strategy-2024.pdf>) states that *Avoidance and mitigation measures may include carrying out construction works outside of the core winter period (October-March inclusive) or enhancing the feeding or roosting site to increase its capacity through favourable management.*

I would recommend consulting the Solent Waders and Brent Geese Strategy Steering Group at the Hampshire and Isle of Wight Wildlife Trust and the Hamble Harbourmaster's office for recommendations and for further information on mitigation. This should be done routinely for all applications in this area.

The 2017 Conservation of Habitats and Species Regulations states: Any impact on a wader roost or Brent goose feeding site outside of the SPA/Ramsar site boundaries may be considered to have an effect on the international site itself. Where impacts cannot be avoided or satisfactorily reduced/mitigated, the competent authority will need to ascertain that the plan or project will not have a negative impact on the designated populations, which would constitute an adverse effect on the integrity of the international site.

As the competent authority we are required to complete a Habitats Regulations Assessment for this proposal. The applicant must provide a mitigation strategy for the impacts on Solent

Waders and Brent Geese and a shadow Habitats Regulations Assessment before determination.

The ecological mitigation measures proposed in the previous application for pile replacement in this area CS/25/99783 may be appropriate for this application. These included:

Undertaking of percussive piling during the overwintering period (October to March inclusive) should be restricted to high tide only.

Reason: to minimise impacts on the non-breeding waterbirds of Solent and Southampton Water Special Protection Area and Ramsar that will be using the intertidal area at low tide.

If temperatures of zero degrees Celsius (or lower) occur on the site, at any point within a 24-hour

period, for five consecutive days leading up to or during any instance of the licenced activities as

recorded by the nearest meteorological station to the site, then works must be suspended. Once

temperatures have been above zero degrees Celsius for three consecutive days then works can

recommence.

Reason: To avoid potential impacts to the overwintering bird population.

Vibrational piling must be used in the first instance. In the event that percussive piling is required, then Soft-start procedures must be used to ensure incremental increase in pile power over a set time period until full operational power is achieved. The soft-start duration must be a period of no less than 20 minutes. Should piling cease for a period greater than 10 minutes, then the soft start procedure must be repeated.

Reason: To allow mobile sensitive receptors to move away from the source of acoustic disturbance in order to reduce the risk of injury.

The following best practice conditions must be followed:

Only coatings and treatments that are suitable for use in the marine environment can be used.

Reason: To ensure hazardous chemicals that may be toxic, persistent or bioaccumulative are not released into the marine environment.

All reasonable precautions must be undertaken to ensure no pollutants enter the waterbody.

Reason: To minimise the risk of pollutants entering the marine environment.

All equipment, temporary structures, waste and/or debris associated with the licensed activities must be removed upon the completion of the licensed activities.

Reason: To minimise impacts to the marine environment and other users of the sea/seabed.

Oil Spill Kits must be carried when undertaking licensed activities and used immediately when a spill is identified.

Reason: To ensure that any spills are appropriately recorded and managed to minimise the risk to sensitive receptors and the marine environment.

Equipment, materials, and/or plant associated with the licensed activities must not be stored on the foreshore or in the intertidal zone.

Reason: To minimise damage and disturbance to sensitive habitats or species from construction plant and personnel.

Contractors adhere to pollution prevention best practice guidelines including the use of materials that are not toxic to the marine environment, use of accelerants in concrete to ensure fast setting, and measures to ensure no leakage of materials (e.g. concrete) into the marine environment.

Reason: To avoid damage to the marine environment by contamination and minimise the risk of pollutants entering the marine environment.

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