

Date: 04 October 2018
Our ref: 258432
Your ref: Relocation of existing access bridge (Hants) 13092018



River Hamble Harbour Authority
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VIA EMAIL ONLY

Dear Alison Fowler

Consultation: Relocation of existing access bridge and installation of new public access pontoon

Location: Deacons Marina, River Hamble

Designated sites:

Solent Maritime Special Area of Conservation (SAC)

Solent and Dorset Coast potential Special Protection Area (pSPA)

Solent and Southampton Water Special Protection Area (SPA)

Solent and Southampton Water Wetland of International Importance under the Ramsar Convention (Ramsar site)

Lincegrove and Hackett's Marshes Site of Special Scientific Interest (SSSI)

Thank you for your consultation dated 13 September 2018, consulting Natural England on the above application. The following constitutes Natural England's formal statutory response.

Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended):

It is our advice, on the basis of the material supplied by the applicant, that in respect of statutory designated sites, seascapes and protected species an Environmental Impact Assessment (EIA) will not be required for this application.

Marine and Coastal Access Act 2009

The works, as set out in the information supplied by the applicant, are not sited within or near to a Marine Conservation Zone. We are therefore confident that the works will not hinder the conservation objectives of such a site.

The Conservation of Habitats and Species Regulations 2017

We can confirm that the proposed works are located within or in close proximity to the above SPA, pSPA, SAC and Ramsar Sites. Natural England advises that providing the works are carried out in strict accordance with the details of the application which has been submitted, it can be concluded that the application will not 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 should not be required.

Wildlife and Countryside Act 1981 (as amended)

We can confirm that the proposed works are located within or in close proximity to the above SSSI. Natural England advises that the proposal, if undertaken in 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 below conditions are included to ensure that the activity is undertaken as per the application:

If you are minded to grant consent for this application contrary to the advice relating to the below conditions contained in this letter, we refer you to Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended), specifically the duty placed upon you, requiring that you;

- Provide notice to Natural England of the permission, and of its terms. This notice should include a statement of how (if at all) you have taken account of Natural England's advice; and
- Shall not grant a permission which would allow the operations to start before the end of a period of 21 days beginning with the date of that notice.

Other Relevant Matters

In order to further reduce environmental pressures, we recommend that the following best practice should be adhered to:

- The applicant should ensure that only coatings and treatments that are suitable for use in the marine environment are used in accordance with best environmental practice. All reasonable precautions will be undertaken to ensure no pollutants enter the waterbody.
- The applicant should ensure that all equipment, temporary structures, waste and/or debris associated with the licensed activities is removed upon completion of the licensed activities.
- Vibro-piling should be used as standard. Percussive piling must only be used if needed to drive a pile to its design depth. If percussive piling is necessary then soft-start procedure must be used to ensure incremental increase in pile power over a set time period until full operational power is achieved.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours faithfully
Milly Fellows

Solent Team