

Date: 01 March 2013
Our ref: 77347
Your ref: PLAN/KK/NF172



Ms K King
Principal Development Control Officer
Hampshire County Council

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

BY EMAIL ONLY

T 0300 060 3900

Dear Ms King,

Planning consultation: Installation of a communications building, Auxiliary Transformer and CCTV cameras.

Location: Tavells Lane, Marchwood, Hampshire.

Thank you for your consultation on the above dated 04 February 2013.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

The application site is approximately 340m from the Eling & Bury Marshes Site of Special Scientific Interest (SSSI). This SSSI is part of the Solent & Southampton Water Special Protection Area (SPA)/Ramsar and the Solent Maritime Special Area of Conservation (SAC).

Natura 2000 site – No Objection Subject to Conditions

Natural England advises your authority that the proposal is not likely to have a significant effect on the interest features for which the above SSSI/SAC/SPA/Ramsar sites are designated, either alone or in combination with other plans or projects. Furthermore, we would wish to see conditions and advice to the effect of the following attached to any permission granted:¹

- Given the bird sensitivities in the area, the proposed construction will need to be timed and undertaken in a suitable way to minimise disturbance to over wintering and nesting birds, therefore it will be necessary to:
 - Ensure best practice is in place for operating machinery to reduce unnecessary noise;
 - No percussive piling or works with heavy machinery occur within the waterfowl over-wintering period, 1 October to 31 March inclusive. Heavy machinery constitutes, for example, use of pneumatic drills, excavators, dumper trucks and lorries.

SSSI

Natural England is satisfied that, subject to the imposition of the above conditions and the development being undertaken in strict accordance with the submitted proposals and the conditions set out above, these development proposals will avoid impacts upon the interest features of the Eling & Bury Marshes SSSI.

¹ This reply comprises our statutory consultation response under provisions of Article 20 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 Regulation 61 (3) of the *The Conservation of Habitats and Species (Amendment) Regulations 2012* and Section 28(1) of the *Wildlife and Countryside Act 1981* (as amended).

These conditions are required to ensure that the development, as submitted, will not impact upon the features of special interest for which the Eling & Bury Marshes SSSI is notified.

If your Authority is minded to grant consent for this application without the conditions recommended above, we refer you to Section 28I (6) of the *Wildlife and Countryside Act 1981* (as amended), specifically the duty placed upon your authority, requiring that your Authority;

- Provide notice to Natural England of the permission, and of its terms, the notice to include a statement of how (if at all) your authority has 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 advice

Natural England does not hold locally specific information relating to local sites, local landscape character and local or national biodiversity priority habitats and species. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the appropriate bodies (which may include the local records centre, your local wildlife trust or other recording society and a local landscape characterisation document) in order to ensure that your authority affords these matter the appropriate weight in determining this application. A more comprehensive list can be found at [Wildlife and Countryside link](#).

We would be happy to comment further should the need arise but if in the meantime you have any queries, please do not hesitate to contact the case officer Rebecca Bishop on 0300 060 0958. For any new consultations or issues, please contact consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Rebecca Bishop

Rebecca Bishop

Adviser

Land Use Operations Team - Winchester

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Simon Thompson

Lead Adviser

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