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11 August 2009

Dear Ms Mottershead

Town and Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999

Screening opinion request in respect of the construction of a replacement timber jetty on land at Lymbourne Manor Quay, Pook Lane, Warblington

Thank you for your letter and plans dated 14 July 2009 requesting a screening opinion in respect of the above matter on behalf of your client. I apologise for the delay in my reply.

I note that the development is likely to comprise:

- A replacement timber jetty of c.30m in length extending from high water mark
- Removal of former quay structures

I would confirm that, in this case, the development comprises Schedule 2 development for which a screening opinion can be requested as it comprises 'Maritime works capable of altering the coast' (Schedule 2 (10)(m) of the Regulations refer) and lies within a 'sensitive area' as defined by the Regulations.

In my opinion, having had regard to the selection criteria in Schedule 3 to the Regulations and the guidance in Circular 2/99, the development would not be likely to have significant effect on the environment by virtue of factors such as its nature, size or location.

As a result, I can confirm that the development described in your letter and plan is **not EIA development**.

This letter should be taken as the local planning authority's screening opinion under the Regulations, and I can confirm that I have the delegated authority for issuing this screening opinion.

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Without prejudice to the foregoing opinion, however, which is given solely in relation to the requirements of the EIA Regulations, I would advise that I do have concerns over the proposal to introduce a new jetty at this location.

Whilst it is noted that your enquiry describes the proposal as a 'replacement jetty', a visit to the site has confirmed that the former quay structures are now very much remnants and as such do not have a significant impact on the visual amenity of the area - save perhaps for the southernmost row of individual piles and, in plan, the former quay's historical association with the area's former oyster industry. Instead, the general area within which the new jetty would lie forms part of the coastal plain and foreshore where projections beyond the sea wall are not an established feature of the AONB.

The new jetty will, in contrast, project approximately 2m above ground level at its highest point and will introduce a prominent new mooring point into a part of the AONB which is characterised by its tranquil and undeveloped qualities. Whilst moorings are apparent in the main channel they do not extend to the undeveloped foreshore in this part of the coastal plain and in my opinion the new jetty will appear out of keeping with this context. Consequently I would not expect such a proposal to be supported by the local planning authority on visual/landscape grounds.

I would also recommend that, should you nevertheless wish to pursue a planning application for the new jetty, you consult with Natural England before making any application in order to clarify their information requirements for assessing the impact of the new jetty piles on the inter-tidal area. Whilst I have concluded that, given its modest scale, the new development does not trigger the need for EIA, there is nevertheless likely to be a concern that the development may have an adverse impact upon the inter-tidal habitat.

I trust that this information and views are of use to you. Please note that they are given without prejudice to the decision that may be taken by the Council on any application submitted.

Yours sincerely,



Mrs J A Batchelor
Head of Development and Technical Services