Havant
BOROUGH COUNCIL

European Site avoidance and mitigation checklist

This checklist must be completed and provided, along with a Nutrient Budget, using the Natural England calculator and an Occupancy Calculator, in order for the Local Planning Authority to validate any planning application for overnight accommodation. It sets out how an avoidance and mitigation package will be provided to remove any likely significant effect on a Solent European Site.

It will be necessary for a suitable avoidance and mitigation package to be provided in order for the Council to lawfully grant permission for applicable schemes. All relevant boxes should be completed and the form must be signed. If signed by an agent, it is their responsibility to ensure that the applicant is aware of the commitment to providing a mitigation package.

Application details	
Site name:	**Oak View Residential Care Home**
Site address:	**47-49 Beach Road, West Town, Hayling Island, Havant, PO11 0JB**

Recreational disturbance

The proposed development would be within 5.6 km of Chichester and Langstone Harbour, which is a Special Protection Area and Ramsar site. As such, mitigation will need to be provided. The Council considers that mitigation provided in line with the Solent Recreation Mitigation Strategy (available at www.birdaware.org/strategy) is appropriate to the applicable planning applications. This would result in a mitigation package based on the table below. It will be necessary for a suitable avoidance and mitigation package to be provided in order for the Council to lawfully grant permission for applicable schemes.

Size of units	Scale of mitigation per unit
1 bedroom	£443.00
2 bedroom	£639.00
3 bedroom	£834.00
4 bedroom	£980.00
5 bedroom	£1150.00

Please note that a monitoring fee is attached, at 5% of mitigation cost.
Please note that an administration fee of £23 per application is applied.

Please select **one** of the following options:	
I hereby confirm that the proposed development will include an avoidance and mitigation package in line with the Solent Recreation Mitigation Strategy.	
The application is in outline with the quantum and mix of development is not known. The applicant therefore will commit through a legal agreement to provide an avoidance and mitigation package in line with the Solent Recreation and Mitigation Scheme at reserved matters stage.	
An alternative approach to avoiding and mitigating the recreational impact arising out of the development is proposed (please set out in more detail in a supporting document appended to this checklist).	
The site is located more than 5.6km from the Solent Special Protection Areas (this applies to only a small section of the Borough in Cowplain).	

Water quality	
There is evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some designated sites. As such, there is considered to be a likely significant effect from any development resulting in an increase in overnight accommodation located anywhere in Havant Borough. As a result, an avoidance and mitigation package will be needed in order for the Council to lawfully grant any planning permission. The Council has published a Nutrient Neutrality Position Statement and Mitigation Plan (www.havant.gov.uk/nitrogen) which sets out how it is possible to mitigate the impact of development. The position statement highlights that developments on agricultural land are expected to provide avoidance and mitigation on-site, thus resulting in a nutrient neutral development. Developments on non-agricultural land will not be able to provide mitigation on site. In such cases, developments will need to contribute towards an off-site land-based scheme. The scale of mitigation is to be determined by a nutrient budget for the development and the Council's occupancy calculator, both of which are to be provided alongside this checklist. Where the application is in outline and the quantum and mix are not known, an average occupancy of 2.4 persons per dwelling is to be used. In such cases the applicant will need to commit to provide an avoidance and mitigation package, through a legal agreement to mitigate the final form of development. Additionally, a revised nutrient budget calculation for the required actual avoidance and mitigation package will need to be submitted at reserved matters stage.	
Please select **one** of the following options:	
The proposed development will include an avoidance and mitigation package, in line with the Council's Nutrient Neutrality Mitigation Plan. Where development schemes are eligible to use the Council's strategic mitigation package. Further information can be found at: www.havant.gov.uk/nitrogen.	**X**
The proposed development intends to use a strategic mitigation scheme where the Council has entered into an overarching legal agreement with the mitigation land owner. Further details can be found at: www.havant.gov.uk/nitrogen	
The proposed development will include an appropriate avoidance and mitigation package from a third party provider from one of the strategic schemes published on the Partnership for South Hampshire's website[1]. In such cases the applicant will need provide the following if choosing to use a third part provider; • A Nutrient Mitigation Statement which sets out the scientific link between the development and the mitigation site • The nutrient budget for the mitigation site • Evidence of reservation *or* proof of purchase of credits	
The proposed development would be 'nutrient neutral' or 'nutrient positive'. A nutrient budget, using Natural England's calculator is attached to this checklist, as well as the Council's occupancy calculator, and evidence of land use for 10 years. (this option is particularly applicable to developments proposed on agricultural land).	
An alternative approach to avoiding and mitigating the impact on water quality arising as a result of the development proposed. (please set out in more detail in a supporting document appended to this checklist).	
The proposed development proposes a bespoke assessment and nitrogen budget. (the applicant would like this bespoke assessment to be considered by the Council in undertaking the required Habitats Regulations Assessment and understands that this will be done in consultation with Natural England).	

Please ensure that you sign, print and date the checklist on the next page

[1] https://www.push.gov.uk/work/mitigation-schemes-available-todevelopers

Please select one of the following options to the right, then complete all boxes below	Signed by applicant	X	Signed by agent	

By submitting this form to Havant Borough Council, the applicant is committing to providing mitigation packages.

If an agent is signing on behalf of an applicant, it is the agent's responsibility to seek the agreement of the applicant to the commitments selected above as it will be the applicants who assumes the risk and responsibility upon the granting of any planning permission.

Signed:	
Print name:	**Stephen Geach**
Date:	26th June 2024