

Houghton, Michelle

From: Clemson, Rachael <Rachael.Clemson@naturalengland.org.uk>
Sent: 13 October 2020 15:56
To: Havant Planning and Development Mailbox New
Subject: Re: APP/20/00761

FAO Lewis Oliver

Your ref - APP/20/00761 - Erection of a 64 bed older persons care home (Use Class C2) together with construction of new access road, car/cycle parking, drainage works, hard/soft landscaping and other associated infrastructure. Land on the east side of Helmsley House, Bartons Road, and west of Normandy Road, Havant PO9 5NB

Thank you for consulting us on the above application.

The consultation documents provided by your authority do not include information to demonstrate that the requirements of Regulations 63 and 64 of the Conservation of Habitats and Species Regulations 2017 ('the Habitats Regulations') have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment.

In advising your authority on the requirements relating to Habitats Regulations Assessment, it is Natural England's advice that the proposal is not necessary for the management of the European site. Your authority should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out.

Solent Recreation Mitigation

The supporting planning statement states that the proposals are for an end of life facility therefore a contribution to the Solent recreation mitigation strategy is not required as the nursing home is for people who are unable to independently leave that accommodation and which does not provide residents parking or allow pets. It is also confirmed there will be no live in staff on site.

Provided the competent authority is satisfied that the proposals are for a care home where residents cannot independently leave the site and there will be no live in staff on site we would agree this conclusion.

Deterioration of the water environment

The application is supported by a nitrogen budget. We note that the calculation is based on 27 units in order to have a population near to 64 residents. It is Natural England's view that competent authorities may choose to adopt bespoke calculations for detailed planning applications, if sound evidence is available. These are matters for each competent authority. Natural England's advice is to take a precautionary approach that recognises the uncertainty.

There is a slight discrepancy between the total land use areas of stage 2 and stage 3 being 0.6ha and 0.58ha respectively, the total area should be the same in both stages which for the site as a whole is 0.63ha. Provided the competent authority is assured and satisfied that the site areas used in the calculation are correct and that the existing land uses are appropriately precautionary, then Natural England raises no concerns with regard to the nutrient budget.

Please note the calculation is based on all wastewater from the development being treated at Budds Farm WwTW. If this situation changes, a reassessment of the nutrient calculation will be required and a revised Habitats Regulations Assessment will be necessary.

Where there is a positive nitrogen budget mitigation will be required. We advise that the waste water issue is examined via an appropriate assessment. Natural England is aware that your authority has adopted a position statement and mitigation plan to address nutrient impacts from developments currently in the planning system and

we have been working with the Council to develop this approach. Natural England are statutory consultees on any appropriate assessment your authority decides to make.

Biodiversity Mitigation and Enhancement

Please note we have not assessed the application and associated documents for impacts on protected species. Natural England has published Standing Advice on protected species. Standing Advice is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation. If you have any specific questions not covered by our Standing Advice, or have difficulty in applying it to this application please contact us at consultations@naturalengland.org.uk.

In order for your authority to be assured that the proposal meets the requirements of the standing advice and the additional requirements for biodiversity enhancement and net gain as set out in National Planning Policy Framework paragraphs 8, 118, 170, 174 and 175d, Natural England recommends that the application is supported by a Biodiversity Mitigation and Enhancement Plan (BMEP), or equivalent, that has been agreed by a Hampshire County Council (HCC) Ecologist / the district ecologist or biodiversity officer.

Provided an HCC approved BMEP, or equivalent, is received and secured by any permission then your authority may be satisfied that it will have met its duties under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity', and in relation to European Protected Species Regulation 9(3) of The Conservation of Habitats & Species Regulations 2017.

Natural England notes and welcomes the ecological appraisal submitted with the planning application. This report includes as enhancement measures for biodiversity gain such as hedgerow and woodland enhancement, creation of living walls and a green roof and planting of fruit trees.

We would recommend that a BMEP is agreed with the HCC Ecologist to ensure that any measures identified within the report, and any further measures as necessary, are secured and implemented with any planning approval. Consideration should be given to other developments proposed in the locality to ensure the biodiversity mitigation and enhancement measures are addressed strategically and consider the continued ecological function of the area.

Please note that provided the HCC Ecologists are satisfied with the submitted BMEP and the full implementation of the plan is secured by any permission then no further consultation with Natural England on this aspect of the proposal is required. In the event that a BMEP cannot be agreed with the applicant then Natural England should be re-consulted on the proposals so that we can reconsider our advice.

Please contact me if you have any queries relating to this advice.

Kind regards

Rachael Clemson
Sustainable Development Lead Adviser
Thames Solent Area Team

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Please note my non-working day is Friday



Please send planning consultations to Natural England by email to: consultations@naturalengland.org.uk.

Natural England offers two chargeable services – The Discretionary Advice Service ([DAS](#)) provides pre-application, pre-determination and post-consent advice on proposals to developers and consultants as well as pre-licensing species advice and pre-assent and consent advice. The Pre-submission Screening Service ([PSS](#)) provides advice for protected species mitigation licence applications.

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