

Your ref – APP/20/00853. Erection of 2No. new build 2-bedroom dwellings on the land rear of 13-15 Park Parade. (Resubmission).

Hi Daphney,

Thank you for consulting Natural England on the updated Habitats Regulations Assessment and Appropriate Assessment for the above application.

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given. Please find comments on the mitigation below.

Solent Recreation Mitigation Strategy

Since this application will result in a net increase in residential accommodation, impacts to the coastal Special Protection Area(s) and Ramsar site(s) may result from increased recreational pressure. Havant Borough Council has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound.

Subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential recreational impacts of the development on the site(s). It is Natural England's view that the Solent Mitigation Recreation Strategy Contribution adequately mitigates the effects of the development on potential recreational impacts on the designated sites.

In accordance with the Solent Recreation Mitigation Strategy, the mitigation contribution has been calculated as **£1028**:

2 x 2 bed dwellings (contribution £1028).

Solent Recreation Mitigation charges effective from 1st April 2020:

1 bedroom £356
2 bedroom £514
3 bedroom £671
4 bedroom £789
5 bedroom or more £927

Deterioration of the water environment

We note the application is supported by a nitrogen budget, we advise the calculation should be updated in line with latest version of the Solent nutrient neutrality guidance (v5June 2020). We have the following additional comments to make:

- We note the calculation uses a water use figure of 64L/ we advise that the calculation uses 110L figure set out in the guidance as this figure needs to be suitably precautionary in terms of the Habitats Regulations.
- We note that the wastewater will discharge to Budds Farm WwTW but has used a figure of 27mg/L, we advise the nitrogen permit for Budds Farm is 9.7mg/L and this figure should be used in the calculation.
- As the proposals are located in an existing urban setting there would be no change in land use and therefore no requirement to complete stages 2 and 3 of the calculation as both uses fall within the urban load category.

In line with Natural England's advice, it is noted that a planning condition will be imposed on any permission to secure that the dwellings shall not be occupied until the Building Regulations Optional requirement of a maximum water use of 110 litres per person per day has been complied with. This results in **1.6kg/N/yr**.

It is noted that the approach to address the positive nitrogen budget for this development is via Havant Borough Council's mitigation scheme. We welcome and support this initiative which has scope for nutrient offsetting and biodiversity gain.

Natural England has reviewed the Position Statement and Mitigation Plan for Nutrient Neutrality Development (August 2020) and Warblington Farm Study Evidence Base (Ricardo, June 2020). Natural England concurs with the conclusion of this work that this scheme will deliver effective mitigation for developments draining to Budd's Farm WwTW and Thornham WwTW.

The nitrogen capacity of the land and proposed management of the offsetting land has been discussed and agreed. It is understood that this has been secured through legal agreements to ensure that effective mitigation is delivered for the lifetime of the development. It is also understood that a system has been set up to monitor the developments using the mitigation scheme to ensure there is capacity available for each scheme. Provided this is the case and the long term management of the mitigation scheme is monitored by the local planning authority, as competent authority, to ensure effective mitigation for the lifetime of the development, Natural England raises no further concerns.

It is for the competent authority to determine the importance of timing issues for each development, depending on location and form of mitigation applied. Given the close proximity of the mitigation land to designated sites, Natural England is not expecting any significant timing issues in this case, provided the land is brought into appropriate management at the earliest opportunity. In considering the significance of timing issues within an appropriate assessment competent authorities should take account of the average time taken from the removal of agricultural activities to first occupation and rate of completions for each development. Provided the local planning authority is satisfied that timely mitigation can be delivered in this case, Natural England raises no further comments for consideration.

Joseph Forster

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