

Ms Honeywell
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PO9 1BU

Our Ref: APP/20/00369
Direct Line: (023) 02392 446698
Ask For: Miss S Donophy
Email: planning.development@havant.gov.uk
Date: 23 September 2020

NUTRIENT NEUTRALITY

Dear Sir/Madam

The Town and Country Planning Act 1990 and the Conservation of Habitats and Species Regulations 2017: Mitigation package available to ensure that the proposed development can be nutrient neutral

Site Address: 14 East Street, Havant, PO9 1AQ

Proposed Development: Change of use from A2 (photography studio) to C3 (residential) to form 2 No. 1 bed flats with associated bin storage and revised fenestration.

PLEASE ACTION THIS CORRESPONDENCE TO ENABLE YOUR APPLICATION TO PROCEED

The Conservation of Habitats and Species Regulations 2017 ('Habitats Regulations') set out how Local Planning Authorities must deal with planning applications that have potential to impact on Special Protection Areas and other European protected sites. The Habitats Regulations prevent local planning authorities from granting planning permission for any development that would, either alone or in combination with other developments, have a likely significant effect on a European protected site, unless full mitigation is provided.

As you know, following case law and in response to the high levels of nutrients in the Solent, there is considered to be a likely significant effect from any development resulting in an increase in overnight accommodation anywhere in Havant Borough. As a result, an avoidance and mitigation package is needed in order for the Council to lawfully grant any such planning permissions.

Whilst it has not been possible for schemes to progress for some time, a solution is now in place which will allow planning permissions for affected schemes, such as the one above, to be lawfully granted provided that the scheme is able to be supported in planning terms. The Council has published an updated 'Nutrient Neutrality Position Statement and Mitigation Plan' which sets out how it is possible to mitigate the impact of development and we have updated our Developer Contributions Guide. There are also video guides explaining the mitigation solution and how to provide a mitigation package as part of a planning application. These can all be found on our website at www.havant.gov.uk/nitrogen.

The Position Statement highlights that most developments, particularly those on non-agricultural land will not be able to provide avoidance and mitigation on-site. As this is the case for your scheme, you need to contribute towards the cost of the off-site scheme which has been set up by the Council. This has been established to provide a cost-effective but robust mitigation package that will allow development to proceed whilst ensuring the preservation of the Solent's valuable natural habitats.

The scale of mitigation is to be determined by a nutrient budget for the development which has been provided as part of the planning application. Where developers elect to use the Council's strategic mitigation package, £1235 per kilogram of nitrogen is payable.

The contribution

To provide mitigation for the development mentioned above, based on a cost of £1235 per kilogram of nitrogen the cost of mitigation for the proposed development will be £1,976.

How we have calculated the final contribution?

In addition to the above there is an administration charge of £23 per unilateral undertaking which is non-refundable. The total sum due for your development is therefore **£1,999**.

How to pay?

The financial contribution must be secured by a legal agreement signed by the owner of the property confirming that the above financial contribution is being paid. A draft agreement referred to as a unilateral undertaking is attached separately.

Please ensure that this unilateral undertaking is completed fully and submitted together with payment prior to the grant of planning permission.

HOW TO PAY

1. A cheque made payable to Havant Borough Council (please quote the Planning Application Number)
2. By bank transfer or BACS to: Account Name: Havant Borough Council
Sort Code: 60-10-20
Account Number: 61767212

Please quote **Nutrient Neutrality** and the Planning Application Number.

We must stress that submission of a completed unilateral undertaking does not guarantee that planning permission will be granted for your application. Where planning permission is refused, and the financial contributions have been paid in advance of the grant of permission, the Council will endeavour to refund the contribution (less the £23 admin fee) after the expiration of the six months following the Council's decision to refuse permission or if the permission has expired.

If you have any queries about this letter or the financial contribution, please contact the Case Officer, Miss S Donophy.

Yours faithfully

Planning Services

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