

Updated European Site avoidance and mitigation checklist

This checklist must be completed and provided, along with a nutrient budget, using the Natural England calculator and Havant Borough Council 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, in the form of a financial contribution.

Application details

Site name:	'Nightingale Court Care Home'
Site address:	63-67 Silvester Road, Cowplain, Havant, PO8 8TR

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	£390.00
2 bedroom	£563.00
3 bedroom	£735.00
4 bedroom	£864.00
5 bedroom	£1014.00
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 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

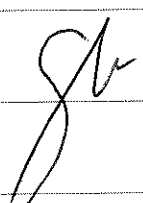
There is evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some designated sites. As such, there is considered to be a likely significant effect from any development resulting in an increase in overnight accommodation located anywhere in Havant 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, to be provided alongside this checklist. In the case that developers elect to use the Council's strategic mitigation package, £1,308 per kilogram of nitrogen is payable.

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 Council's Nutrient Neutrality Mitigation Plan. A nutrient budget, using Natural England's calculator and the Council's Occupancy Calculator is attached to this checklist	☒
The application is in outline with the quantum and mix of development not known. The applicant therefore commits through a legal agreement to provide an avoidance and mitigation package in line with the Council's Position Statement and Mitigation Plan for Nutrient Neutral Development at the reserved matters stage.	☐
The proposed development would be 'nutrient neutral' or 'nutrient positive'. A nutrient budget, using Natural England's calculator and the Council's Occupancy Calculator is attached to this checklist (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 select one of the following options to the right, then complete all boxes below	Signed by applicant	☒	Signed by agent	☐
By submitting this form to Havant Borough Council, the applicant is committing to providing mitigation packages, usually in the form of a financial contribution.				
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:	31/10/2022			