

FAO Lewis Oliver

Your ref: APP/21/01010 HRA & Appropriate Assessment - Erection of 194 dwellings, means of access, public open space, play areas, associated infrastructure & landscaping. Land east of, St Georges Avenue, Havant

Our ref: 376038

Thank you for consulting us on the HRA & Appropriate Assessment for the above application

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.

Loss Of SPA Supporting Habitat

A financial contribution has been agreed to address the loss of supporting habitat as a result of the development. It is noted that this will be secured through the legal agreement and Natural England agrees with this approach.

The appropriate assessment confirms that the mitigation contribution could be used to bring forward the Broadmarsh refuge or an alternative location. Natural England recommends that these details are agreed and progressed at the earliest opportunity. Provided this is the case and the mitigation work can be delivered in a timely manner to address the loss of supporting habitat from this development, Natural England raises no further comments. We would be happy to discuss this further in due course.

Deterioration Of The Water Environment

The nutrient budget has been calculated in line with Natural England's Advice on Achieving Nutrient Neutrality in the Solent (version 5 June 2020). 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.

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.

It is noted that the approach to address the positive nitrogen budget for this development is via a development previously permitted at Land at Forty Acres Farm references APP/18/00450 and APP/21/00605. The nitrogen budget for this proposal and the proposed management of the offsetting land has been discussed and agreed with Natural England. It is understood that this has been secured through legal agreements to ensure that effective mitigation is delivered for the lifetime of the Forty Acres Farm development

The nitrogen capacity of the land and proposed management of the offsetting land has been discussed and agreed. It is understood that this will be secured through legal agreements to ensure that effective mitigation is delivered for the lifetime of the development. 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 comments. We recommend you seek your own legal opinion as to whether this approach of using mitigation from previously permitted development is suitable and meets the requirements of the legal tests in the Habitats Regulations.

It is for the competent authority to determine the importance of timing issues for each development, depending on location and form of mitigation applied. 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.

Construction Impacts

It is noted that a CEMP will be secured with any planning permission to address impacts from construction work on supporting habitat. Recommendations have been included within the application documentation and consultation responses. Provided the CEMP includes these measures to prevent noise, lighting and visual disturbance on supporting habitat, Natural England raises no further comments.

Please let me know if you have any queries

Kind regards

Rachael Clemson

Sustainable Development Lead Adviser

Thames Solent Area Team