

From: Haydn Morris

Sent: 21 February 2022 13:25

To: Weaver, Steve

Subject: Planning Application APP/21/01310 Tournerbury Woods, Tournerbury Lane, Hayling Island - Shadow AA query

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Dear Steve

Many thanks for your recent email and the comments of the Council's nutrient team, which are noted.

We must apologise for not providing the completed Stage 4 of the assessment when we submitted the application, it was an oversight on behalf of the team. While this does not affect the substance of the application submitted to date, I am aware you will require confirmation from your nutrient team before submitting your Appropriate Assessment to Natural England.

The site had been assessed fully in its entirety and the nutrient level is low across all stages of the assessment as we had advised. Despite the low levels of nutrient, we accepted the need for mitigation in the form of a contribution to the Solent Recreation Mitigation Strategy (Warblington Farm). This calculation, using the council's calculator at a rate of £1235.00 per credit, results in a mitigation payment of £3087.50. This is set out in the attached report "Technical Note: updated nitrogen budget" prepared by Holbury Consultancy Service. I appreciate the payment will normally be secured through legal agreement as advised in the attached Technical note, but as the development is in part retrospective, does the council have any other mechanism by which it recovers mitigation fees retrospectively? If so, a s106 would appear unnecessary, but we are assuming an agreement will be required and likewise that the planning authority will have a standard form for completion?

You will note the attached is an update of the previous submission as we took the opportunity offered by your email to review the calculation overall, in response to the level of scrutiny being applied by opponents to some elements of the proposal. We have therefore revisited the development form and to be fully precautionary, have included an assessment of the potential change of nitrogen leaching from the ground in response to the changed land use. We accept this results in a higher mitigation charge for us, albeit limited, but it addresses an area of possible disagreement; and ensures that the applicant has submitted all possible information that could be reasonably required by the Council to carry out its own Appropriate Assessment. The degree of change to the nutrient budget is very small. It is not significant in any planning sense, nor does it change the conclusions set out in the Shadow Appropriate Assessment, whether the one submitted originally for this application, or those submitted for the previous application. I do not believe Natural England will be concerned with this very minor change, this latest submission, avoids room for criticism. We have taken the opportunity to send the revised report to NE in anticipation of the further AA consultation you will undertake.

I have as requested also attached an "Updated European Site avoidance and mitigation checklist" to confirm the applicant's willingness to provide an avoidance and mitigation package.

Please let me know if you have any further queries. I will under separate cover provide a response to the representations made to our application. This will be with you this week.

Best regards

Haydn

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From the 1st September 2021 my working hours will be changed to 9 a.m. to 5 p.m. Monday through Wednesday each week. I will not be available on Thursday or Friday each week. Should matters arise when I am not in the office, please send an email or leave a voice message and I will respond as soon as I return to the office.

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