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20th December 2023

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Dear David

Confirmation of Exchange – Andrew Sellick – Brackley Investments Limited

Mitigation Land	All that land shown as Phase 1 edged red on the plan in Appendix 1 being part of the Warnford Park Estate and subject to the Mitigation S.106 Agreement between East Hampshire District Council, the Council of the Borough of Havant, Winchester City Council and South Downs National Park Authority and Andrew Sellick dated 1 st November 2023
Mitigation Land Owner	Andrew Sellick of Gawthorpe Estates, Warnford Park, Warnford, Southampton, SO32 3LB
Credits Linked Land	0.71 hectares (being an appropriate area located within the Mitigation Land capable of providing the Nitrate Credits to be confirmed with Notice of Purchase issuance)
Land Use Existing Proposed	Dairy land at 43.5kgN/ha/yr Woodland Planting Scheme at 3.0kgN/ha/yr
Nitrate Credits	28.58 kgN per year (see schedule in Appendix 6)
Applicant Name (Developer)	Brackley Investments Limited
Planning Application Reference Number	APP/23/00665
Development Site Address	1059 Bartons Road, Havant, Hampshire
Development Description	Housing
Nitrate Mitigation Required	28.58 kgN per year
Contractual Agreement (conditional on planning permission) between Mitigation Land Owner and Applicant, signed/dated	20 th December 2023

I am writing to confirm that Andrew Sellick has entered into a contract to provide nitrate mitigation under the above terms to provide the Nitrate Credits.

As you will be aware, the Section 106 / Section 33 legal agreement noted above between Andrew Sellick, Havant Borough Council and the South Downs National Park Authority, enables land at Warnford Park to be used for mitigation of the adverse effects of proposed housing development in the Borough of Havant on the integrity of European Protected Sites as a result of increased nitrates discharged into the Solent. This is achieved by taking land on the estate out of agricultural use and implementing a woodland planting scheme.

In order to mitigate the adverse effects of this particular development, the Credits Linked Land at Warnford Park would be taken out of agricultural use. Changing the use of this parcel of land away from agricultural use would provide a reduction in nitrates as recorded in the table above. Once the mitigation is purchased and the land is bound by the legal agreement, the use of the land would be restricted as set out in the agreement to ensure no additional nitrates are added which then may find their way into the water environment.

Please find enclosed the following additional documentation:

Appendix 1: Plan of Warnford Park Nitrate Mitigation Land – Phase 1

(Appendix 2: Detailed Plan of Mitigation Land – to be provided with Notice of Purchase)

Appendix 3: Statement of Historic Land Use and Assessment of Nitrate Mitigation Values – revised 20th April 2022

Appendix 4: Schedule of Mitigation Land per field, identifying historic land use and agreed nitrate credit availability – revised 20th April 2022

NB this table shows the 10 year historic land use of the Mitigation Land, as evidenced by the annual Government returns: Single Payment Scheme (former) and Basic Payment Scheme (current). These schemes provide an official record of annual land use and area and are verified by the Government via inspection processes and fines for false information. The land use was as recorded for each annual period and the land has only been used for the specified arable/dairy use for the entire 10 year period.

Appendix 5: Schedule of Mitigation Land, identifying Contractual Arrangements – revised 20th April 2022

Appendix 6: Nitrate Mitigation Budget – revised 20th April 2022

I trust this information is sufficient for you to be able to continue determining the current application and to carry out an Appropriate Assessment under the Conservation of Habitats and Species Regulations 2017. Please contact me should you have any questions.

Yours sincerely,

A black rectangular box used to redact the signature of Peter Walker.

Peter Walker