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Ms. Laura Black
Associate Planner, SLR Consulting,
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02 June 2023

By e-mail only.

Dear Laura,

Warnford Park Estate, Hampshire – Nitrate Mitigation scheme

I refer to our recent discussions and correspondence concerning your client's application for planning permission for up to 120 new dwellings at Kings Croft Farm, Havant, Hampshire and their requirement for off-site nitrate mitigation.

Following your enquiry as to whether my client's mitigation scheme has available capacity and could provide mitigation for this development scheme, which you advise requires offset for in the region of 100 – 120 kg/TN/pa, I confirmed that it has available capacity and is authorised to mitigate schemes draining their FW to Budds Farm WWTW. I have subsequently issued draft Heads of Terms of Agreement for your client's consideration.

By way of background, my clients Warnford Park mitigation scheme, which has the support of Natural England and is currently authorised by both Fareham Borough Council and Gosport Borough Council. The Agreements are tri-partite involving the South Downs National Park Authority, my client Andrew Sellick, and the Local Planning Authority. The Agreement is made under Section 106 of the T&CPA and S33 of the LGA. The Agreements permit my clients land to provide up to a little over 3,000 Nitrate Credits – a single Nitrate Credit being 1kg/TN/pa. My client has recently agreed to enter into similar S106/S33 Agreements with East Hampshire District Council, Winchester City Council and Havant Borough Council. Before HBC enter into the Agreement they require Committee approval and are planning to put the matter back before their Planning Policy Committee in July following a deferral of the decision at its May meeting. We are optimistic that the Agreement may be legally completed around late July or early August.

To-date, my client has sold or allocated less than 10% of the Nitrate Credits and accordingly, I can confirm my client currently has ample capacity to mitigate your client's scheme. The

Nitrate Credits your clients require would be formally reserved for heir scheme when they exchange contracts with my client for their purchase.

If you require anything further from me, please ask,

Yours sincerely,



Mark Budden

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