

# FAREHAM

## BOROUGH COUNCIL

2020/21  
Decision No.  
2262

### Record of Officer Delegated Decision

Friday, 19 March 2021

<b>Portfolio</b>	Planning and Development
<b>Subject:</b>	<b>Nitrate Mitigation at Warnford- Legal Agreement with Mr Sellick &amp; South Downs National Park Authority</b>
<b>Report of:</b>	Head of Development Management
<b>Corporate Priority:</b>	Protect and Enhance the Environment

#### **Purpose:**

This report seeks authority from the Director of Planning and Regeneration for the Council to enter into a legal agreement with Mr Sellick and the South Downs National Park Authority (SDNPA) in respect of land owned by Mr Sellick at Warnford Park, Warnford, Hampshire (also known as Gawthorpe Estate and Warnford Park Estate).

In February 2019, Natural England updated its advice to local councils to reflect European case law and recommended an Appropriate Assessment is undertaken within the Borough of Fareham for every planning application for new dwellings.

Natural England has highlighted that increased levels of nitrates entering The Solent (resulting from increased amounts of wastewater from new dwellings) is likely to have a significant effect upon sites protected for their nature conservation value.

Where developers are not able to demonstrate that their proposals maintain or reduce the levels of nitrates leaving their site, mitigation measures need to be identified. The majority of residential planning applications will need to mitigate for increased levels of nitrates entering The Solent; in most instances developers are unable to provide this mitigation on their development site.

Mr Sellick proposes bringing forward agricultural land at Warnford Park, Hampshire, to be used as mitigation for nitrates arising from new residential development within the catchment area.

Authority is sought from the Director of Planning and Regeneration for the Council to enter into a legal agreement with Mr Sellick and SDNPA to secure nitrate mitigation at Warnford Park in connection with residential planning permissions granted within the Borough of Fareham.

**Options Considered:**

As recommendation.

**Decision:**

RESOLVED that authority is given by the Director of Planning and Regeneration for the Council to enter into a legal agreement with Mr Sellick and SDNPA to secure nitrate mitigation at Warnford Park in connection with residential planning permissions granted within the Borough of Fareham.

**Reason:**

Securing nitrate mitigation at Warnford Park will enable Fareham Borough Council to grant planning permission for a number of residential schemes within the Borough, many of which have stalled for a considerable period of time following the European Court rulings and Natural England's advice. This in turn will ensure that residential planning permissions are granted and housing can be built which will contribute to meeting the Council's housing need.

**Confirmed as a true record:**

Richard Jolley  
Director of Planning and Regeneration  
Friday, 19 March 2021