

FAREHAM

BOROUGH COUNCIL

2020/21
Decision No.
2266

Record of Officer Delegated Decision

Tuesday, 18 May 2021

Portfolio:	Planning and Development
Subject:	Nitrate Mitigation at Coleman's Lane, Porchfield, Newport, Isle of Wight - Legal Agreement with Heaton Farms Ltd & Isle of Wight Council
Report of:	Head of Development Management
Corporate Priority:	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 Heaton Farms Ltd and the Isle of Wight Council (IWC) in respect of land owned by Heaton Farms Ltd at Coleman's Lane Porchfield, Newport, Isle of Wight (IOW).

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.

Heaton Farm Ltd proposes bringing forward agricultural land at Coleman's Lane on the Isle of Wight, to be used as mitigation for nitrates arising from new residential development within The Solent Fluvial catchment area.

Authority is sought from the Director of Planning and Regeneration for the Council to enter into a legal agreement with Heaton Farms Ltd and IWC to secure nitrate mitigation at Coleman's Lane in connection with residential planning permissions granted within the Borough of Fareham.

Options Considered:

The Director of Planning and Regeneration considered the contents of the report.

Decision:

RESOLVED that authority be given by the Director of Planning and Regeneration for the Council to enter into a legal agreement with Heaton Farms Ltd and IWC to secure nitrate mitigation at Coleman's Lane in connection with residential planning permissions granted within the Borough of Fareham

Reason:

Securing nitrate mitigation at Coleman's Lane will enable Fareham Borough Council to grant planning permission for a number of residential schemes within the Borough, many of which have been 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 towards meeting the Council's housing need.

Confirmed as a true record:

R Jolley (Director of Planning and Regeneration)
Tuesday, 18 May 2021