

FAREHAM

BOROUGH COUNCIL

2021/22
Decision No.
2311

Record of Officer Delegated Decision

Friday, 22 October 2021

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| Portfolio: | Planning and Development |
| Subject: | Nitrate Mitigation at Whitewool Farm, East Meon, Petersfield - Legal Agreement with William and James Butler and Butler Farms Ltd |
| 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 William Butler, James Butler and Butler Farms Ltd in respect of land owned by William and James Butler at Whitewool Farm, Whitewool Lane, East Meon, Hampshire GU32 1HW. The agreement will allow the Council to accept nitrates mitigation for proposed residential developments in the Borough from the mitigation scheme at Whitewool Farm.

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

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

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.

William and James Butler and Butler Farms propose bringing forward agricultural land and a wetland scheme at Whitewool Farm, Hampshire to be used as mitigation for nitrates arising from new residential development within the catchment area. The wetland scheme has obtained planning permission from South Downs National Park Authority.

Authority is sought from the Director of Planning and Regeneration for the Council to enter into a legal agreement with William and James Butler and Butler Farms to secure nitrate mitigation at Whitewool Farm in connection with residential planning permissions granted within the Borough of Fareham.

Options Considered:

That 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 William and James Butler and Butler Farms to secure nitrate mitigation at Whitewool Farm in connection with residential planning permissions granted within the Borough of Fareham.

Reason:

Securing nitrate mitigation at Whitewool Farm 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:

Richard Jolley (Director of Planning and Regeneration)
Friday, 22 October 2021

