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Please quote **^ND,REFVAL.DCAPPL**; on all correspondence

Dear

**Re:**

At

I refer to the above quoted planning application which you have submitted to the Council for assessment.

Your application requires the submission of a nitrogen budget to enable the Council to determine whether your proposal will have a likely significant effect on the water quality of the Solent Special Protection Area. If your proposal does have a likely significant effect an avoidance/mitigation strategy must be offered to enable development to proceed.

On 22nd January 2020, the Council adopted a position statement, which sets out an interim arrangement for dealing with this matter. On 22 July 2020, the Council agreed an update to the position. The Council, to start collecting off-site financial contributions towards mitigation solutions which will be delivered either by the City Council or in partnership with another agency.

The position statement and supporting documentation are available to view on the Council's web site from the following web site:

[link to documents on website](#)

In order for the Council to fulfil its statutory obligations in accordance with the Conservation of Habitats and Species Regulations 2010 you must submit a nitrogen budget to the Council with your application. I would also invite you to complete the European site checklist attached to this letter.

Upon receipt of the nitrogen budget and completed checklist, if you agree to the imposition of a Grampian condition, the Council will be able to progress your application.

If you do not wish to provide a nitrogen budget or accept a Grampian condition please discuss this with your case officer. This may result in the refusal of the application.

I hope that the position statement adopted by the Council explains the background to this issue and what is required to progress your application, however if you have any queries please do not hesitate to discuss those with the planning case officer.

Yours faithfully

**Julie Pinnock** BA (Hons) MTP MRTPI  
Service Lead Built Environment

## European sites checklist

This checklist must be completed by the applicant for proposals for new residential or overnight accommodation. It will set out how the applicant will deal with avoidance and mitigation to remove any likely significant effects on European sites.

Application details	
Applicant name:	
Agents name:	
Site address:	

### Solent nitrogen nutrient water quality

There is evidence of high levels of nitrogen in the water environment with evidence of eutrophication at designated sites. Residential development or development which generate an overnight stay within the Winchester District are likely to have an adverse impact on the Solent Special Protection Areas.

The Council has published a position statement setting out the avoidance and mitigation measures that are needed in order for the Council to meet its legal requirements in accordance with the Conservation of Habitats and Species Regulations 2010.

The full extent of avoidance and mitigation package is not yet known, but it will take the form of a financial contribution.

If you agree to the granting of planning permission with a 'Grampian' condition which will require the provision of an avoidance and mitigation package prior to occupation. Any financial contribution would have to be paid prior to occupation. \*

**\*NB the applicant proceeds at their own risk as the precise scale of the avoidance and mitigation package is not yet known.**

Q1	I confirm that the proposed development will include an avoidance and mitigation package, in line with this position statement and I confirm that I am content that a Grampian condition is used to secure this prior to occupation.	Yes / No  If you answer no, please continue to Q2.
Q2	The proposed development would be nitrogen neutral. A nitrogen budget has been submitted with the application.	Yes / No  If you answer no, please continue to Q3
Q3	The proposed development is not nitrogen neutral and no avoidance or mitigation package is proposed.*	Yes / No

	*NB please note that planning permission can not lawfully be granted in these circumstances.	
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**Bird Aware / Solent Recreation Mitigation Strategy**

<https://www.winchester.gov.uk/planning/solent-recreation-mitigation-partnership>

If the development is within 5.6 km of the Special Protection Areas of the Solent mitigation will need to be provided. The City Council considers that mitigation provided in line with the Solent Recreation Mitigation Strategy ([www.birdaware.org/home](http://www.birdaware.org/home)) is appropriate to relevant planning applications. This would result in a mitigation package as follows:-

- 1 bedroom property - £346
- 2 bedroom property - £500
- 3 bedroom property - £653
- 4 bedroom property - £768
- 5 bedroom property - £902

These figures are as at 1<sup>st</sup> April 2019 - updated annually on 1<sup>st</sup> April each year.

In the absence of the avoidance and mitigation package the City Council will not be able to lawfully grant planning permission.

Q1	The development is within 5.6 km of the Special Protection Area of the Solent	Yes / No If you answer no you are not required to mitigate in respect of the Solent Recreation Mitigation Partnership.
Q2	I confirm that the proposed development will include an avoidance and mitigation package to accord with the Solent Recreation Mitigation Strategy	Yes / No If you answer no, please continue to Q3
Q3	I propose an alternative approach to avoiding and mitigating the recreational impacts arising out of the development proposed (if this is the case please supply more detail in your supporting documentation).	Yes / No

Signed: Applicant / Agent *	
Print name:	
Date:	

By signing and submitting this form to Winchester City Council the applicant is committing to provide mitigation packages, usually in the form of a financial contribution.

If the applicant answers yes to Q1 of the Solent nitrogen nutrient water quality they acknowledge and understand that the scale of the contribution is unknown at this time. They also accept that if a Grampian condition is used on the grant of any planning permission that the mitigation is due prior to the occupation of the accommodation permitted.

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