
From: Jacob Goodenough <jacob@novaplanning.co.uk>
Sent: 17 June 2024 11:32
To: NEW East 1
Cc: Osmond, Gary
Subject: Re: Planning Inspectorate APP/W1715/W/24/3338792: Brighstone Botley Road, SO50 7DT
Attachments: Rebuttal June 2024 FINAL.pdf; Phosphate Scheme Enquiry Form June 2024.pdf; Nitrate Scheme Enquiry Form June 2024.pdf; F_23_95549 - DevCons Jun24.pdf; 14.06.2024 Unilateral Undertaking (Alderbury Homes Jennifer Birch) _ COMPLETED(11689320.1).pdf; Nitrate Mitigation Offer.pdf; Phosphate Mitigation Offer.pdf; Nutrient_Calculator_Itchen_SAC_Brighstone_Appeal.xlsx

FAO Simon Dunn

Dear Mr Dunn,

Please find attached the Appellants final comment and associated enclosures in relation to the above planning appeal, including the following:

- Final comments
- Contributions calculation dated 4th June 2024
- Nutrient Budget Calculator
- Expressions of Interest X 2 (Nitrates and Phosphates)
- Correspondence with EBC Nutrient Offsetting Scheme – Nitrate and Phosphates Offer
- Scanned copy of signed Unilateral Undertaking

I would be grateful for confirmation of safe receipt.

Should you have any queries, please do not hesitate to contact me.

Best wishes,

Jacob

Jacob Goodenough
Director

Mobile: 07950 482 668
www.novaplanning.co.uk

From: east1@planninginspectorate.gov.uk <east1@planninginspectorate.gov.uk>
Sent: 04 June 2024 14:07
To: Jacob Goodenough <jacob@novaplanning.co.uk>
Subject: Planning Inspectorate APP/W1715/W/24/3338792: Brighstone Botley Road, SO50 7DT

The Planning Inspectorate (England)
Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN
The Planning Inspectorate (Wales)
Crown Buildings, Cathays Park, Cardiff, CF10 3NQ
<http://www.planningportal.gov.uk/planninginspectorate>
Twitter: [@PINSgov](https://twitter.com/PINSgov)
This communication does not constitute legal advice.

How we use your information

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our [privacy notice](#).

The Planning Inspectorate
3C Temple Quay House
2 The Square
Bristol
BS1 6PN

17th June 2024

LPA Case No: F/23/95549
Your Ref: APP/W1715/W/24/3338792
Contact: Jacob Goodenough
Direct Line: 07950 482 668
Email: jacob@novaplanning.co.uk

Town and Country Planning Act 1990
Appeal by Alderbury Homes Limited
Site Address: Brighstone, Botley Road, Horton Heath, Eastleigh, SO50 7DT

Dear Sir/Madam,

I write in relation to appeal APP/W1715/W/24/3338792 and following receipt of Eastleigh Borough Council's Statement of Case received from the Planning Inspectorate on 4th June 2024. The Council maintains its position as set out on the decision notice adding detail to those reasons which ran contrary to the officer recommendation to approve. Whilst the Appellant has already addressed these matters in detail as part of their Statement of Case, the Council has made several assertions about the impact of development, which the Appellant wishes to respond to for the avoidance of doubt.

Reason For Refusal One

The appellant appreciates the Council's acknowledgment of the efforts made to balance the optimal use of the site within the urban edge while minimising adverse impacts on neighbouring properties. However, it is respectfully submitted that the proposal indeed aligns with the principles and requirements set forth in Policy DM1 of the Eastleigh Borough Local Plan 2016-2036 and the Council's 'Quality Places' Supplementary Planning Document.

Firstly, Policy DM1 emphasises the importance of achieving high-quality design that positively contributes to the character of the area and ensures that the amenity of surrounding occupiers is not adversely affected. The proposed development has been carefully designed with these principles in mind, incorporating feedback from officer and consultee responses.

The proposal includes measures specifically aimed at mitigating potential impacts on neighbouring properties. These measures include landscaping, appropriate building orientation, and the use of materials that harmonise with the local context. Additionally, the scale and massing of the development have been thoughtfully considered to ensure they are in keeping with the surrounding built environment.



www.novaplanning.co.uk



Building A, Unit 3, The Yard,
Station Road, Wickham, PO17 5JA

Secondly, the Council's Statement highlights potential amenity concerns arising from the position of the access road in relation to neighbouring residential gardens. The suggestion is that the existing garden of Brighstone is a quiet, tranquil place with a passive impact. However, it is important to recognise that it is a formal residential garden, which is not always a quiet space. In the case of Brighstone, the garden comprises a large, manicured area that requires regular maintenance, including lawn mowing, hedge cutting, and other similar activities. These maintenance activities, along with the active use of this garden, inherently generate noise.

While the proposal will change the source of noise at this boundary, it does not follow that this would be any more harmful to neighbouring occupiers than the existing use. The proposed access arrangement is common in urban areas and occurs locally without any issue or disturbance. There is no reason to believe that this case would be demonstrably more harmful or lead to unacceptable impact on amenity or quality of life.

Whilst the appellant considers that the proposed arrangement is acceptable assuming most vehicle movements are made by petrol or diesel vehicles, it is nonetheless relevant to consider the trend towards increased use of electric vehicles because every home will be provided with charging points. Electric vehicles produce less noise compared to traditional internal combustion engine vehicles. Given the rapid adoption of electric vehicles, it is reasonable to anticipate that the noise impact will diminish further over time.

In summary, the Council has recognised that development on urban sites requires balancing the efficient use of land with respecting the privacy and amenity of neighbouring occupiers. For the reasons set out by the appellant, it is considered that the proposal successfully achieves this balance and will deliver a well-designed scheme that positively contributes to local housing delivery in an area where there is an urgent need to boost supply.

Reason for Refusal Two

The appellant appreciates the concerns raised by the Council regarding the proximity of Plot 5 to the three protected Oaks along the rear western boundary of the appeal site. It is important to address these concerns positively and provide clarity on how the proposal has been designed to mitigate potential issues.

Firstly, it is acknowledged by both parties that Plot 5 can be built without harming the protected trees, as it lies outside the root protection areas and includes protective measures during construction. This demonstrates a commitment to preserving the health and integrity of these significant trees. The main concern expressed by the Council is the potential for future pressure from occupiers of Plot 5 to undertake unnecessary and potentially detrimental works on these trees due to shading and visual dominance.

It is important to note that future occupiers of Plot 5 will be fully aware of the presence and significance of these protected trees prior to purchasing the property. Nevertheless, the design of Plot 5 has taken into account the orientation and positioning of the main habitable spaces to maximise natural light from the south and east thereby minimising the impact of shading from the trees.

While it is true that trees will cast some shade, the garden of Plot 5 is large enough to provide ample outdoor space that will receive sunlight throughout the day. The design ensures that there are sufficient areas within the garden that will not be overshadowed by the tree canopies, allowing for a pleasant and functional outdoor living environment.



The Council's policies, including sections 15 and 16 of the 'Trees and Development' SPD and the 'Quality Places' SPD, emphasise the importance of considering existing trees in the layout of new developments. The appellant has carefully designed Plot 5 to respect these guidelines, ensuring that the layout provides sufficient space for the trees while also creating a desirable living environment.

In summary, the proposal for Plot 5 successfully balances the preservation of protected trees with the creation of a well-designed residential space. The potential for future pressure to undertake works on the trees has been minimised through thoughtful design and layout considerations. The appellant believes that the development is in accordance with Policies DM1 and DM11 of the Eastleigh Borough Local Plan 2016-2036, as well as the Council's 'Quality Places' and 'Trees and Development' Supplementary Planning Documents.

Reason for Refusal Three

Since submitting the appeal Natural England has published a new nutrient calculator for the Itchen River catchment. The Appellant has completed this new calculator which has been reviewed and verified by the Council. Acknowledging that the development continues to generate a nutrient budget that requires mitigation, the appellant has submitted an expression of interest with the Eastleigh Borough Council's Nutrient Offsetting Scheme and correspondence with the Council confirms that there remains sufficient mitigation to offset the proposed development. The updated calculator and associated correspondence are enclosed with this closing statement.

The obligation to secure the necessary mitigation is secured by robust planning condition and additionally through the Unilateral Undertaken that has been executed by the Appellant and verified by the Council, a copy of which is enclosed with this closing statement. The Council and Appellant agree that the proposed approach to mitigating the effects of the development is acceptable, can be adequately secured by condition and as part of the legal agreement, and is deliverable in the lifetime of the development.

The Unilateral Undertaking also secures the necessary financial contributions (see Contribution calculator dated 4th June 2024 by EBC enclosed) to mitigate the recreational impacts of the development on the Solent and New Forest SPAs.

Other Material Considerations

The appellant acknowledges the Council's position that the application was not refused on grounds relating to housing supply or the need for new housing in the Borough, but rather on specific design and layout concerns. However, it is essential to clarify that the Council's housing land supply position remains highly relevant, especially in light of the urgent need to boost local housing supply in accordance with the requirements of the National Planning Policy Framework (NPPF). The Council's current land supply situation underlines a pressing need for new housing developments. This broader context of housing need should inform the consideration of individual applications, including the appeal in question.

Additionally, the site in question is within the urban edge, where there is a presumption in favor of sustainable development. This aligns with the NPPF's objective to promote the development of underutilised land within urban areas to make the most efficient use of available space and resources. Given the Council's need to address housing shortfalls, this proposal represents an opportunity to contribute positively towards meeting local housing targets.

While the specific reasons for refusal pertain to design and layout concerns, it is important to balance these considerations against the overarching need to increase housing supply. The appellant has addressed the Council's concerns by ensuring that Plot 5 can be developed without harming the protected trees and that the design and layout have been thoughtfully planned to mitigate potential impacts on neighbouring amenities.

In conclusion, while the immediate grounds for refusal focus on design and layout, the Council's housing land supply position is inherently relevant to the appeal. The urgent need to boost local housing supply, as required by the NPPF, provides a compelling context for supporting appropriate development proposals within the urban edge. The appellant remains committed to delivering a well-designed, sustainable development that contributes to the Council's housing objectives while addressing the specific concerns raised.

Proposed Conditions

The Appellant supports the proposed conditions included at Appendix A of the Council's Statement of Case, as these reflect what was presented to Planning Committee as part of the Officer recommendation for approval.

Response to Third Party Representations

The Appellant is not aware of any third-party representations submitted in relation to this appeal.

Summary and Conclusions

In addressing the reasons for refusal, the appellant has demonstrated that the proposal aligns with the principles and requirements of the Eastleigh Borough Local Plan 2016-2036 and the Council's Supplementary Planning Documents. The proposed development balances optimal land use within the urban edge while minimizing adverse impacts on neighboring properties and protected trees. Additionally, the Council's current housing land supply situation underscores an urgent need to boost local housing supply, in line with the NPPF. This proposal presents a well-designed, sustainable development that contributes to meeting local housing needs. The appellant remains committed to delivering a development that addresses the specific concerns raised while supporting the broader objective of enhancing local housing delivery.

It is respectfully requested that this appeal be allowed.

Yours faithfully,

A black rectangular box redacting the signature of Jacob Goodenough.

Jacob Goodenough
Director

Cc. Alderbury Homes Limited

Enc. Contributions Calculations dated 4th June 2024
Nutrient Budget Calculator
Expressions of Interest X 2 (Nitrates and Phosphates)
Correspondence with EBC Nutrient Offsetting Scheme – Nitrate and Phosphates Offer
Scanned copy of signed Unilateral Undertaking



Eastleigh Borough Council Phosphate Scheme Expression of Interest

Applicant details

Name and address

Alderbury Homes Ltd
C/O Agent
Nova Planning Limited
Building A, Unit 3, The
Yard, Wickham, SO43 5JA

Contact name

Jacob Goodenough

Contact number

07950482668

Email address

jacob@novaplanning.co.uk

Planning Information

Local Planning Authority

Eastleigh Borough Council

Case officer

Gary Osmond

Contact number

Email address

gary.osmond@eastleigh.gov.uk

Planning reference number

F/23/95549

Planning status

Determined - Refused - Appeal Pending Determination

Number of additional dwellings included in the planning application

4

Development Information

Development name and address

Brighstone, Botley Road, Horton Heath, SO50 7DT

Details of Mitigation

Mitigation required through offset scheme

0.28

Kg/P/year

River Basin affected by development proposals

Itchen

Fluvial catchment mitigation required

Itchen

Name of the wastewater treatment works the development will drain into

Chickenhall

Has LPA confirmed suitability of the offset scheme for the development?

Yes



No



Timescales

dd/mm/yy

Grant of consent date
(actual or anticipated date)

Summer 2024

Start on site

Winter 2024

Occupation of overnight
accommodation

Summer 2025

Enquirer details

Enquiry submitted by

Jacob Goodenough

Date of enquiry

04/06/2024

End of Form

Once completed, please return this form to nutrientoffset@eastleigh.gov.uk.

Receipt of an expression of interest is not a legally binding contract and no contract will be formed unless and until legal documentation is formally completed.

Eastleigh Borough Council Nitrate Scheme Expression of Interest

Applicant details

Name and address

Alderbury Homes Ltd
C/O Agent
Nova Planning Limited
Building A, Unit 3, The
Yard, Wickham, SO17 5JA

Contact name

Jacob Goodenough

Contact number

07950482668

Email address

jacob@novaplanning.co.uk

Planning Information

Local Planning Authority

Eastleigh Borough Council

Case officer

Gary Osmond

Contact number

Email address

gary.osmond@eastleigh.gov.uk

Planning reference number

F/23/95549

Planning status

Determined - Refused - Appeal Pending Determination

Number of additional dwellings included in the planning application

4

Development Information

Development name and address

Brighstone, Botley Road, Horton Heath, SO50 7DT

Details of Mitigation

Mitigation required through offset scheme

12.62

Kg/N/year

River Basin affected by development proposals

Itchen

Fluvial catchment mitigation required

Itchen

Name of the wastewater treatment works the development will drain into

Chickenhall

Has LPA confirmed suitability of the offset scheme for the development?

Yes



No



Timescales

dd/mm/yy

Grant of consent date
(actual or anticipated date)

Summer 2024

Start on site

Summer 2025

Occupation of overnight
accommodation.

Winter 2025

Enquirer details

Enquiry submitted by

Jacob Goodenough

Date of enquiry

04/06/2024

End of Form

Once completed, please return this form to nutrientoffset@eastleigh.gov.uk.

Receipt of an expression of interest is not a legally binding contract and no contract will be formed unless and until legal documentation is formally completed.

04 June 2024

Ref:- 2534

Contribution

Planning Application Reference: f/23/95549

Site Address: BRIGHSTONE, BOTLEY ROAD, HORTON HEATH, EASTLEIGH, SO

Proposal: Construction of 5.no dwellings, landscaping, parking and associated works following demolition of existing dwelling, site clearance and preparation.

Gross Number of Units: 5 **Net Number of Units:** 4

Description (Rate Used)	Determined/Base Amount	Index Linked Amount	RPI Base Month	RPI Calc Month
-------------------------	------------------------	---------------------	----------------	----------------

Totals By Contribution Type

New Forest Ranger (RPIx)	£164.28	£174.03	Nov 22	April 24
New Forest SANG (RPIx)	£7,872.96	£8,340.33	Nov 22	April 24
New Forest SANG monitoring (RPIx)	£36.52	£38.69	Nov 22	April 24
NF SANG Commercial Risk (RPIx)	£806.24	£854.11	Nov 22	April 24
SRMP (April 2024) (RPIx)	£3,986.00	£4,025.18	Feb 24	April 24
Grand Total	£12,866.00	£13,432.34		

Please note that the followings fees are also applicable in addition to the amounts stated above.

	<u>Section 106 Agreement</u>	<u>Unilateral Undertaking</u>	<u>Up Front Payment</u>
Legal Costs	Starting from £1000	Set fee of £350	£0

The above figures have been calculated using the most recent RPI/RPIx/PUBSEC figures available to us and are valid for 1 month

Dated 14 June 2024

UNILATERAL UNDERTAKING
pursuant to s106
Town and Country Planning Act 1990
and Section 111 Local Government Act 1972 and all other enabling powers

relating to

BRIGHSTONE, BOTLEY ROAD, HORTON HEATH, EASTLEIGH, S050 7DT

JENNIFER MARY BIRCH (1)
AND

ALDERBURY HOMES LTD (2)

TO

EASTLEIGH BOROUGH COUNCIL (2)

PLANNING APPLICATION REF: F/23/99549
PLANNING APPEAL REFERENCE: APP/W1715/W/24/3338792

THIS DEED OF UNILATERAL UNDERTAKING is made the 14 day of June 2024
BY:

(1) JENNIFER MARY BIRCH of Brighstone, Botley Road, Horton Heath,
Eastleigh, Hampshire SO50 7DT ("Owner")

(2) ALDERBURY HOMES LTD (Co.Regn.No 08654636) care of Coastal Accountants
Ltd, Office 2 Unit 3 Mitchell Point, Ensign Way, Hamble, Southampton, Hampshire,
S031 4RF ("Developer")

TO:

(3) EASTLEIGH BOROUGH COUNCIL of Eastleigh House, Upper Market
Street, Eastleigh, S050 9YN ("Council")

WHEREAS:-

- (1) Words and phrases appearing in these recitals have the meanings given to them in clause 1 of this Unilateral Undertaking
- (2) The Owner is the registered proprietor with freehold title absolute under Title Numbers HP562830
- (3) The Council is the local planning authority for the purpose of the Act for the area in which the Land is situate
- (4) The Application has been made to the Council for the Development
- (5) The Council issued a decision notice refusing planning permission for the Application on 7 February 2024 and the Appeal has been submitted against the refusal
- (6) This Unilateral Undertaking is given with the intent that any objections of the Council or the Secretary of State to the grant of Planning Permission are overcome

NOW THIS DEED WITNESSETH as follows:-

1. DEFINITIONS AND INTERPRETATION

1.1 In this Unilateral Undertaking the following words and phrases shall have the following meanings:-

"2010 Act"	The Community Infrastructure Levy Regulations 2010 (as amended)
"Act"	the Town and Country Planning Act 1990 (as amended)
" Application"	The full planning application for the Development submitted to the Council and validated by them under reference F/23/99549 on 3 July 2023
" Appeal"	The appeal submitted to the Planning Inspectorate against the refusal of the Application and given reference APP/W1715/W/24/3338792
"Appeal Decision"	The document issued by either the Secretary of State or an Inspector which determines the Appeal
"Checking Fee"	the sum of £350.00
"Commencement"	The carrying out on the Site of a material operation as defined in section 56(4) of the Act in connection with the Development and pursuant to the Permission but

not otherwise save that for the purpose of this definition the carrying out of any

- (a) works of site clearance ground investigation and site survey works
- (b) construction of temporary boundary fencing or temporary hoardings
- (c) construction of temporary accesses
- (d) archaeological investigation
- (e) site decontamination or remediation works
- (f) ecological mitigation works
- (g) creation of site compounds
- (h) site security and
- j) any other site preparation works

shall not be deemed to be the carrying out of a material operation and "Commence" "Commenced" "Commencement" and

"Commencing" shall be construed accordingly

"Development"

The construction of 5.no dwellings, landscaping, parking and associated works following demolition of existing dwelling, site clearance and preparation a contribution of Nine Thousand, Four Hundred and Seven Pounds and Sixteen Pence (£9,407.16) (towards non-infrastructure projects) and as Index Linked in accordance with the retail price index (excluding mortgages) published by the Office of National Statistics from the date of this Unilateral Undertaking to the date of payment of the Habitats Mitigation (Access Management and Monitoring Contribution)

"Habitats Mitigation (Access Management and Monitoring) Contribution"

"Habitats Mitigation (Bird Aware Solent) Contribution" A contribution of Four Thousand and Twenty Five Pounds and Eighteen Pence (£4,025.18) towards Bird Aware Solent and as Index Linked in accordance with the retail price index (excluding mortgages) published by the Office of National Statistics from the date of this Unilateral Undertaking to the date of payment of the Habitats Mitigation (Bird Aware Solent) Contribution

"Land" The land at Brighstone, Botley Road, Horton Heath, Eastleigh, Hampshire SO50 7DT edged red on Plan 1

"Occupy" Occupation of any dwelling permitted by the

Permission for residential purposes but not including occupation by personnel engaged for the purposes of construction or fitting out and "Occupation" and 'Occupied' shall be construed accordingly

"Parties" the parties who have executed this Unilateral Undertaking

"Permission" a valid planning permission for the Development

"Plan 1" The plan marked "Plan 2" showing the Site attached at Appendix 1

"Secretary of State" the Secretary of State for Levelling Up, Housing and Communities (or such successor Secretary of State or minister of state who shall assume the same decision making powers from time to time)

"Unilateral Undertaking" means this deed

1.2 The references to the Parties or any other legal or natural person named in this Unilateral Undertaking shall include his her its or their successors in title heirs and assigns and in the case of any Local Authority shall include any successor in function

1.3 Unless otherwise stated references to clause numbers are references to clauses in this Unilateral Undertaking

- 1.4** Unless otherwise stated references to schedule recital and paragraph numbers are references to the schedule recital and paragraph numbers in this Unilateral Undertaking
- 1.5** The singular includes the plural and vice versa
- 1.6** The masculine gender includes the feminine and neuter genders and vice versa
- 1.7** References to persons includes natural persons and partnerships firms and other such unincorporated bodies corporate bodies and all other legal persons of whatever kind and however constituted
- 1.8** References to Acts of Parliament statutory instruments or Government circulars or regulations or sections or paragraphs of any such acts statutory instruments or Government circulars or regulations include any re-enactments amendments or replacements of them
- 1.9** Save as expressly provided by this Unilateral Undertaking covenants and obligations given by any of the Parties to this Unilateral Undertaking shall attach to the Land and every part of it and shall bind their successors in title and assignees or any persons claiming by under or through them
- 1.10** Wherever there is more than one person named as a Party and where more than one Party undertakes an obligation all their obligations can be enforced against all of them jointly and severally
- 1.11** References in this Unilateral Undertaking to the Council shall include references to any successor to its statutory functions as a local planning authority
- 1.12** Where the agreement, approval, consent or expression of satisfaction is required to be given or reached or taken by any party under the terms of this Unilateral Undertaking such agreement, approval or consent or expression of satisfaction shall not be unreasonably withheld or delayed.
- 1.13** This Unilateral Undertaking is governed by and interpreted in accordance with the law of England and Wales and the Parties submit to the non-exclusive jurisdiction of the courts of England and Wales

2 LEGAL EFFECT

- 2.1** This Unilateral Undertaking is executed as a deed and shall constitute a planning obligation for the purposes of section 106 of the Act to the intent that it shall bind the Owner and its successors in title to each and every part of the Site
- 2.2** This Unilateral Undertaking may be enforced by the Council in their capacity as local planning authority against the Owner and any person deriving title to the Site or any part of it from the Owner
- 2.3** Any person shall upon parting with all interest in any part of the Site be released from all obligations rights and duties under the terms of this Unilateral Undertaking insofar as they relate to such part of the Site save in the respect of liability for any antecedent breach of this Unilateral Undertaking and shall upon parting with the

entirety of their interest in the Site as a whole be released from all liability whatsoever under the terms of this Unilateral Undertaking save insofar as it relates to an antecedent breach of this Unilateral Undertaking

2.4 Clauses 1 -2 and 5 to 12 shall take effect on the date hereof but in all other respects

this Unilateral Undertaking shall not take effect until the following conditions precedent have been satisfied

2.4.1 the Permission I has been granted; and

2.4.2 the Development has been Commenced

but thereupon it shall have full force and effect

2.5 Nothing in this Unilateral Undertaking shall be construed as prohibiting limiting or affecting any right to develop any part of the Site in accordance with a planning permission (other than the Permission) granted by the Council or on any appeal after the date of this Unilateral Undertaking and for the avoidance of doubt any operations works or development in accordance with such a planning permission shall not constitute Commencement under the terms of this Unilateral Undertaking

2.6 If any individual clause or paragraph in this Unilateral Undertaking is subsequently held to be unenforceable by a court the parties agree that the offending clause or paragraph shall cease to be binding and shall be severed from this Unilateral Undertaking **PROVIDED HOWEVER THAT** the severing of such a clause or paragraph shall not affect the continuing enforceability of the remainder of this Unilateral Undertaking

2.7 If the Permission shall expire within the meaning of sections 91, 92 and 93 of the Act or is revoked modified or otherwise withdrawn then this Unilateral Undertaking shall cease to have further effect but in ceasing to have further effect shall not prejudice any express or implied rights accrued or accruing to the Owner by virtue of anything done by the Council or vice-versa in connection with or arising from the terms of this Unilateral Undertaking

2.8 Except insofar as legally or equitably permitted nothing contained within this Unilateral Undertaking shall fetter the Council in the future exercise of their rights

and powers under the Act the Local Government Act 1972 or any other statutory power

2.9 This Unilateral Undertaking shall cease to have effect if in determining the Appeal, the Secretary of State or the Inspector expressly states in its Appeal Decision letter that this Unilateral Undertaking does not comply with Regulation 122 of the 2010 Regulations.

2.10 If in determining the Appeal, the Secretary of State or the Inspector expressly states in its Appeal Decision letter that any individual obligation within this Unilateral Undertaking does not comply with Regulation 122 of the 2010 Regulations or is immaterial to the grant of Planning Permission and that no weight should be given to it in reaching its decision then that/those obligations(s) will cease to have effect and shall be void for the purposes of this Unilateral Undertaking provided that the remaining clauses and obligations shall remain in full force and effect.

3 PLANNING OBLIGATIONS

3.1 HABITATS MITIGATION (ACCESS MANAGEMENT AND MONITORING) CONTRIBUTION

The Owner covenants not to Occupy or permit Occupation of the Development until the Owner has paid the Council the Habitats Mitigation (Access Management and Monitoring) Contribution

3.2 HABITATS MITIGATION (BIRD AWARE SOLENT) CONTRIBUTION

The Owner covenants not to Occupy or permit Occupation of the Development until the Owner has paid the Council the Habitats Mitigation (Bird Aware Solent) Contribution

3.3 NUTRIENT MITIGATION

3.3.1 The Owner covenants not to Occupy or permit Occupation of the Development until a mitigation package addressing the additional nutrient inputs arising from the development has been submitted to and approved in writing by the Council. The mitigation package shall address all of the additional nutrient loading upon protected European sites from the development and shall allow the Council to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of those European Sites, having regard to the conservation objectives for which they are designed.

3.3.2 The Owner covenants not to Occupy or permit Occupation of the Development until evidence has been submitted in writing to the Council that the mitigation package approved by the Council in Clause 3.3.1 has been implemented in full

4. INDEXATION

- 4.1** For the purposes of this Unilateral Undertaking any reference to any Contribution including any constituent part of a Contribution as being "Index Linked" shall mean such Contribution as adjusted in accordance with the following formula namely

$$\frac{A \times B}{C}$$

Where

A is the Contribution specified in this Unilateral Undertaking

B is the figure at which the Retail Price Index excluding mortgages (RPIx) stands when such Contribution is paid to the Council

C is the figure at which the RPIx stood at 1st April 2024

- 4.2** If the RPIx is re-based or replaced an appropriate alternative index shall be substituted by agreement between the parties hereto and any dispute concerning that substitution shall be resolved pursuant to Clause 11
- 4.3** It is hereby declared hereto that indexation shall only be applied in circumstances where the RPIx at the date of payment stands at a higher level than it did at 1st April 2024

5 SERVICE PROVISIONS

- 5.1** Any notice or other written communication to be served upon or given by one party to any other under the terms of this Unilateral Undertaking shall be deemed to have been validly served or given if delivered by hand or sent by recorded delivery post to the party upon whom it is to be served or to whom it is to be given or as otherwise notified for the purpose by notice in writing
- 5.2** The address for any notice or other written communication shall only be within the United Kingdom and is

- 5.2.1 for the Owner as specified above or such other address as shall have been notified to the Council's Service Director for Planning and Environment in writing
- 5.2.2 for the Council as specified above marked "for the attention of the Service Director for Planning and Environment "

- 5.3 Any notice or other written communication to be given by the Council shall be deemed valid and effectual if on its face it is signed on behalf of the Council by an officer or duly authorised signatory

6 THIRD PARTIES

For the purposes of the Contracts (Rights of Third Parties) Act 1999 this Unilateral Undertaking is not intended to and does not give any person who is not a Party to it any right to enforce any of its provisions SAVE FOR the Council

7 LOCAL LAND CHARGE

This Unilateral Undertaking is a Local Land Charge and the Council may register it in its Register of Local Land Charges in accordance with the provisions of the Local Land Charges Act 1975 and Section 106(11) of the Act

8 WARRANTY AS TO TITLE

- 8.1 The Parties hereby warrant to the Council that the title details referred to in the recitals are complete and accurate in every respect. Further the Parties warrant that there are no other persons to their knowledge who have an interest in the Land that have not been disclosed to the Council

9. COSTS

- 9.1 The Developer covenants on or before the completion of this Unilateral Undertaking to pay the Checking Fee towards the Council's costs in connection with the approval and registration of this Unilateral Undertaking

10. S73 APPLICATIONS

- 10.1 In the event that the Council shall at any time hereafter grant a planning permission pursuant to an application made under Section 73 of the Act in respect of the conditions in the Permission then references in this Unilateral Undertaking to the Application and Permission shall be deemed to include any such subsequent planning applications and planning permissions granted as aforesaid and this Unilateral Undertaking shall henceforth take effect and be read and construed accordingly PROVIDED THAT this shall not fetter the Council's discretion in determining any Section 73 application or prejudice its ability to require further s106 obligations

11 DISPUTE RESOLUTION

- 11.1** Save for matters of construction (which shall be matters for the Court) in the event of any dispute arising between the relevant parties or any of them in respect of any matter contained in this Unilateral Undertaking including questions of value and any question of reasonableness the same shall be referred to an expert ("Expert") to be agreed upon between the parties or at the request and option of either of them to be nominated at their joint expense by or on behalf of the President for the time being of the Royal Institute of Chartered Surveyors and the Expert's decision shall be final and binding on the parties hereto with the exception of a manifest error and whose costs (including the reimbursement of the costs of any other expert's fees) shall be at his discretion
- 11.2** The Expert shall have at least ten (10) years post qualification experience in the subject matter of the dispute
- 11.3** Within ten (10) Working Days of his appointment the Expert shall be required to give notice to each of the parties inviting each of them to submit to him within such period as he shall reasonably determine written submissions and supporting material and shall afford to each of the parties an opportunity to make counter submissions within a further ten (10) Working Days in respect of any such submissions and material and the Expert shall disregard any representations made out of time and the Expert's decision shall be given in writing within fifteen (15) Working Days from receipt of any counter submissions or in the event that there are no counter submissions within fifteen (15) Working Days of receipt of the written submissions and supporting material with reasons and in the absence of manifest error the Expert's decision shall be final and binding on the said parties
- 11.4** It is hereby declared that nothing in this Clause 11 shall be taken to fetter the ability of the Council to seek legal redress in respect of any breach of the obligations entered into by the Owner in this Deed
- 12 Stamp Duty Land Tax**
- 12.1** Entry into this Deed does not constitute a transaction for a chargeable consideration for which Stamp Duty Land Tax is required

IN WITNESS WHEREOF the Parties hereto have duly executed and delivered this Unilateral Undertaking as a Deed the day and year first before written

APPENDIX 1: SITE PLAN

H.M.LAND REGISTRY

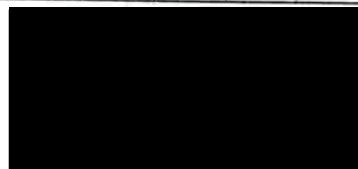
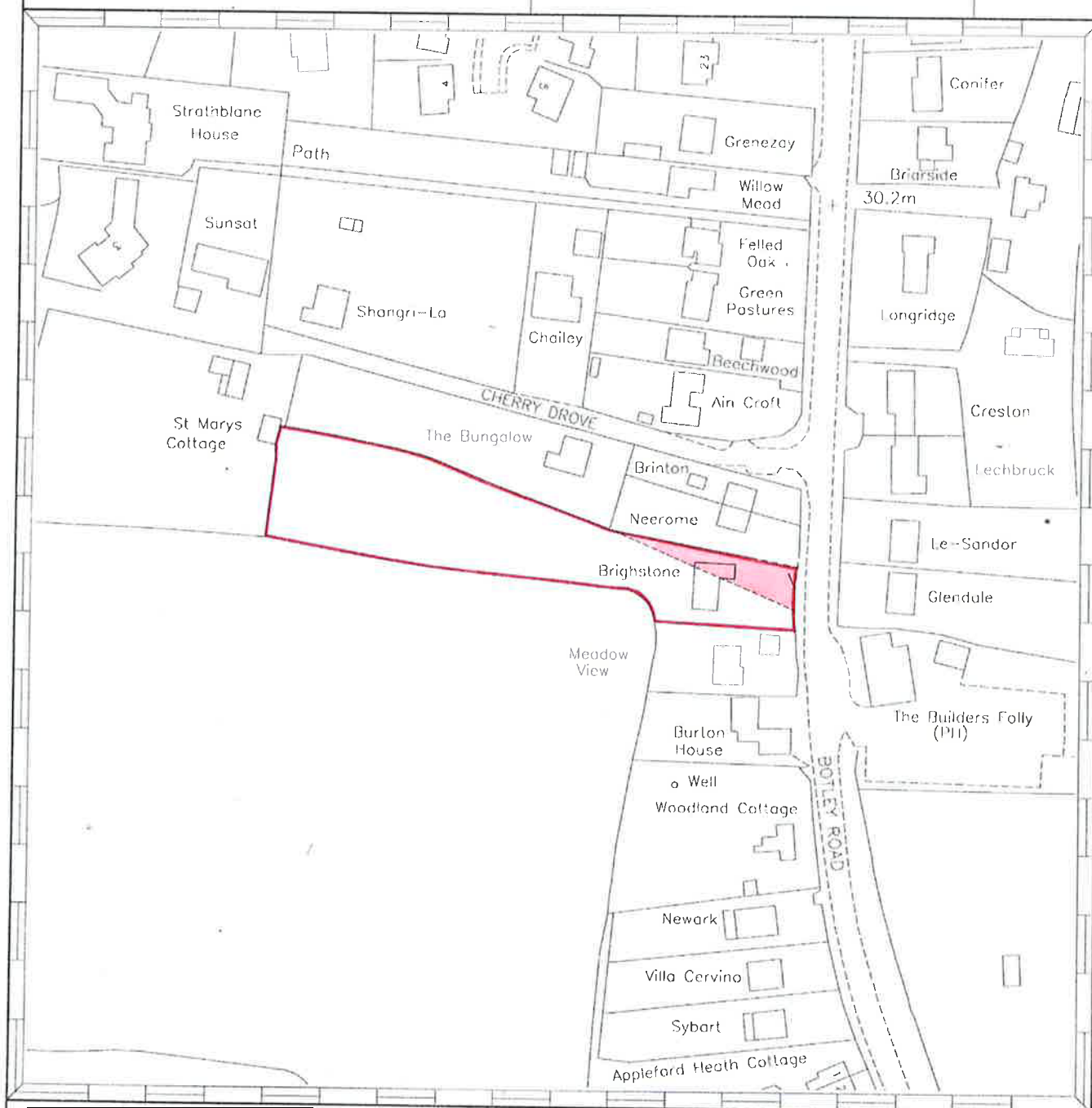
TITLE NUMBER
HP 562830



ADMINISTRATIVE AREA
HAMPSHIRE:EASTLEIGH

ORDNANCE SURVEY MAP REFERENCE
SU4916SW:SU4916SE:SU4916NW:SU4916NE

SCALE
1:1250



CROWN COPYRIGHT

This plan is based on the largest scale of the published Ordnance Survey map

SIGNED as a DEED by JENNIFER MARY BIRCH

In the presence of:- BEN BOYES

Witness (sign and print name)

BR Boyes

Address

Snake Moor House, SNAKE MOOR LANE,
DURLEY, SO32 2BW

Occupation

FARMER

EXECUTED as a DEED by ALDERBURY HOMES LTD

Acting by:

Director

(sign)

(print name)

Steven Parsons.

~~Director/Secretary*~~

~~*delete as applicable~~

~~(sign)~~

~~(print name)~~

Witness (sign and print name)

A PHIPPS

Address

The Dell, clubhouse lane, Waltham Chase
SO32 2NW

Occupation

Manager.

RE: APP/W1715/W/24/3338792 Offer

Nutrient Offset Scheme <nutrientoffset@eastleigh.gov.uk>

Fri 14/06/2024 15:41

To: Jacob Goodenough <jacob@novaplanning.co.uk>; Nutrient Offset Scheme <nutrientoffset@eastleigh.gov.uk>

Cc: Osmond, Gary <Gary.Osmond@eastleigh.gov.uk>

We would like to follow up your Expression of Interest for Nitrate Credits with an offer to purchase.

The cost of 12.62kg of Nitrate Mitigation Credits would be £37,860.00 plus VAT, there is also a fee for legal and administration costs of £500 plus VAT. Please note that all charges are subject to CPI with the base date of December 2022 which will be calculated and added to the cost at the point of raising our invoice.

Please note this offer is valid for 4 months. If we do not hear from you by **14/10/2024** seeking to extend the offer period, we reserve the right to remove your project details from our records. Should you wish to go ahead with the purchase, please reply to this email confirming the below statements:

- . You wish to go ahead with the purchase.
- . Confirmation from your LPA that Planning Permission has been granted.
- . Your LPA will accept a Vesting Certificate as evidence of Nitrate Mitigation, and proof of purchase.

On receiving the above confirmations, we will issue you an invoice requesting payment. Once payment has cleared, we will issue you your Vesting Certificate.

Should you require any further assistance please do get back to me.

Kind regards

Lucy

Nutrient Mitigation Scheme

From: Jacob Goodenough <jacob@novaplanning.co.uk>

Sent: Friday, June 14, 2024 1:39 PM

To: Nutrient Offset Scheme <nutrientoffset@eastleigh.gov.uk>

Cc: Osmond, Gary <Gary.Osmond@eastleigh.gov.uk>

Subject: Re: APP/W1715/W/24/3338792 EOI

Importance: High

Dear Lucy,

Many thanks for your acknowledgment. Unfortunately I am working to a tight timetable to submit our final comments to the Planning Inspectorate, the deadline for which is Monday 17. I would be extremely grateful if you could please come back to me with confirmation that the Council holds sufficient capacity in its existing scheme to mitigate the development.

I look forward to hearing back at your earliest convenience.

Best wishes,

Jacob

Jacob Goodenough

Director

Mobile: 07950 482 668

www.novaplanning.co.uk

From: Nutrient Offset Scheme <nutrientoffset@eastleigh.gov.uk>
Sent: 06 June 2024 10:54
To: Jacob Goodenough <jacob@novaplanning.co.uk>; Nutrient Offset Scheme <nutrientoffset@eastleigh.gov.uk>
Cc: Osmond, Gary <Gary.Osmond@eastleigh.gov.uk>
Subject: APP/W1715/W/24/3338792 EOI

Good morning

Thank you for your completed EOI form. I have registered your interest, which will be assessed in due course. Once accepted we will make you an offer to purchase. Only once this offer has been accepted do we raise an invoice. Once the payment of the invoice is cleared in full, we will issue you with your Vesting Certificate as evidence of Nutrient Mitigation.

If I can help any further, please do get back to me.

Kind regards

Lucy

Nutrient Mitigation Scheme

From: Jacob Goodenough <jacob@novaplanning.co.uk>
Sent: Tuesday, June 4, 2024 3:30 PM
To: Nutrient Offset Scheme <nutrientoffset@eastleigh.gov.uk>
Cc: Osmond, Gary <Gary.Osmond@eastleigh.gov.uk>
Subject: RE: APP/W1715/W/24/3338792 - Appeal by Alderbury Homes Ltd - Brighstone Botley Road, Horton Heath, EASTLEIGH, SO50 7DT (LPA Ref: F/23/95549)
Importance: High

Dear Sir/Madam,

Please see attached expressions of interest for a proposed development at Brighstone, Horton Heath. This is based upon the attached calculator which has been agreed with the case officer, Gary Osmond (cc'd into

this email).

Please could you confirm that credits are available and what the costs would be.

The application is currently subject to an appeal with the deadline for final comments due by 17th June 2024. I would be grateful if you could please respond ahead of this deadline.

Do not hesitate to contact me should you require any further information.

Best,

Jacob

Jacob Goodenough

Director



Building A, Unit 3,

The Yard, Station Road,

Wickham, Hants,

PO17 5JA

Mobile: 07950 482 668

www.novaplanning.co.uk

RE: APP/W1715/W/24/3338792 P Offer

Nutrient Offset Scheme <nutrientoffset@eastleigh.gov.uk>

Fri 14/06/2024 15:43

To: Jacob Goodenough <jacob@novaplanning.co.uk>; Nutrient Offset Scheme <nutrientoffset@eastleigh.gov.uk>

Cc: Osmond, Gary <Gary.Osmond@eastleigh.gov.uk>

We would like to follow up your Expression of Interest for Phosphate Credits with an offer to purchase.

The cost of 0.280kg of Phosphate Mitigation Credits would be £14,000.00 plus VAT, there is also a fee for legal and administration costs of £500 plus VAT. Please note that all charges are subject to CPI with the base date of December 2022 which will be calculated and added to the cost at the point of raising our invoice.

Please note this offer is valid for 4 months. If we do not hear from you by **14/10/2024** seeking to extend the offer period, we reserve the right to remove your project details from our records. Should you wish to go ahead with the purchase, please reply to this email confirming the below statements:

- . You wish to go ahead with the purchase.
- . Confirmation from your LPA that Planning Permission has been granted.
- . Your LPA will accept a Vesting Certificate as evidence of Phosphate Mitigation, and proof of purchase.

On receiving the above confirmations, we will issue you an invoice requesting payment. Once payment has cleared, we will issue you your Vesting Certificate.

Should you require any further assistance please do get back to me.

Kind regards

Lucy

Nutrient Mitigation Scheme

From: Jacob Goodenough <jacob@novaplanning.co.uk>

Sent: Friday, June 14, 2024 1:39 PM

To: Nutrient Offset Scheme <nutrientoffset@eastleigh.gov.uk>

Cc: Osmond, Gary <Gary.Osmond@eastleigh.gov.uk>

Subject: Re: APP/W1715/W/24/3338792 EOI

Importance: High

Dear Lucy,

Many thanks for your acknowledgment. Unfortunately I am working to a tight timetable to submit our final comments to the Planning Inspectorate, the deadline for which is Monday 17. I would be extremely grateful if you could please come back to me with confirmation that the Council holds sufficient capacity in its existing scheme to mitigate the development.

I look forward to hearing back at your earliest convenience.

Best wishes,

Jacob

Jacob Goodenough

Director

Mobile: 07950 482 668

www.novaplanning.co.uk

From: Nutrient Offset Scheme <nutrientoffset@eastleigh.gov.uk>
Sent: 06 June 2024 10:54
To: Jacob Goodenough <jacob@novaplanning.co.uk>; Nutrient Offset Scheme <nutrientoffset@eastleigh.gov.uk>
Cc: Osmond, Gary <Gary.Osmond@eastleigh.gov.uk>
Subject: APP/W1715/W/24/3338792 EOI

Good morning

Thank you for your completed EOI form. I have registered your interest, which will be assessed in due course. Once accepted we will make you an offer to purchase. Only once this offer has been accepted do we raise an invoice. Once the payment of the invoice is cleared in full, we will issue you with your Vesting Certificate as evidence of Nutrient Mitigation.

If I can help any further, please do get back to me.

Kind regards

Lucy

Nutrient Mitigation Scheme

From: Jacob Goodenough <jacob@novaplanning.co.uk>
Sent: Tuesday, June 4, 2024 3:30 PM
To: Nutrient Offset Scheme <nutrientoffset@eastleigh.gov.uk>
Cc: Osmond, Gary <Gary.Osmond@eastleigh.gov.uk>
Subject: RE: APP/W1715/W/24/3338792 - Appeal by Alderbury Homes Ltd - Brighstone Botley Road, Horton Heath, EASTLEIGH, SO50 7DT (LPA Ref: F/23/95549)
Importance: High

Dear Sir/Madam,

Please see attached expressions of interest for a proposed development at Brighstone, Horton Heath. This is based upon the attached calculator which has been agreed with the case officer, Gary Osmond (cc'd into

this email).

Please could you confirm that credits are available and what the costs would be.

The application is currently subject to an appeal with the deadline for final comments due by 17th June 2024. I would be grateful if you could please respond ahead of this deadline.

Do not hesitate to contact me should you require any further information.

Best,

Jacob

Jacob Goodenough

Director



Building A, Unit 3,

The Yard, Station Road,

Wickham, Hants,

PO17 5JA

Mobile: 07950 482 668

www.novaplanning.co.uk

Natural England Nutrient Neutrality budget calculator for 1

This calculator was created by Ricardo Energy and Environment.

This calculator contains 6 worksheets with 9 tables in total.

This is the instructions cover sheet. It tells you how to use the calculator and gives an overview of each worksheet.

You can move between worksheets using the tabs at the bottom of the page.

If you use screen reading software, you can use 'Ctrl' + 'Page Down' keys to move between the tabs.

If you use a keyboard only, to open any link in this form first select the cell with the link and then press the 'Shift' + 'F10' keys or the 'Fn' + the 'Menu' keys, then press the letter 'O' twice to highlight 'Open Hyperlink' and press 'Enter'.

If you use a keyboard only, access dropdown lists by clicking the dropdown arrow or pressing the 'Alt' + 'Down' keys when the cell is selected.

Table of contents

Topic of each table

Worksheet 1 Nutrient loading from additional wastewater

Worksheet 2 Nutrient loading from current land use

Worksheet 3 Nutrient loading from future land use

Worksheet 4 Nutrient loading from future land use after treatment through a sustainable urban drainage system (SuDS)

Worksheet 5 Nutrient budget calculations

General information about the calculator

This calculator helps you calculate the nutrient budget for a new residential development.

The nutrient budget for a site is calculated in 4 key stages with an additional optional stage in which information about the SuDS features on the site can be entered. Each stage is implemented in worksheets 1-5 of this calculator.

Each worksheet is connected through a set of formulas which calculate the nutrient budget.

As such, all sheets which represent the four key stages require data inputs in order to calculate the nutrient budget.

The total nutrient budget is calculated automatically by adding the values from the 'Nutrients_from_wastewater' and the outputs from the 'Nutrients_from_future_land_use' minus the 'SuDS' (if applicable), and then subtracting the values from the 'Nutrients_from_current_land_use', then adding a 20% precautionary buffer to the result. This calculation is completed in the 'Final_nutrient_budgets' worksheet.

Before a nutrient budget can be completed using the methodology, certain site-specific details for the development site need to be determined.

The guidance to this calculator and gives further information on the user inputs required.

The instructions for completing each stage of the nutrient budget methodology are shown in cell A2 of each worksheet.

This calculator uses a set of lookup tables to find relevant values in a hidden spreadsheet titled the 'Value_lookup_tables' worksheet.

It is advisable to retain a blank copy of this calculator and 'Save as' a new copy each time you calculate a budget to minimise the risk of using incorrect data inputs and to ease the calculation of new nutrient budgets.
The values already included have been chosen based on research to determine suitable inputs to the nutrient budget that meet the Habitat Regulations Assessment (HRA) tests of beyond reasonable scientific doubt, in perpetuity (practically speaking this is 80 to 125 years) and in accordance with the precautionary principle.
If editing any values in this calculator, you must make sure there is a sufficient evidence base to justify these changes and that the new inputs are selected in accordance with the precautionary principle.
Notes about the nutrients from wastewater worksheet
This sheet contains 2 tables.
The table under the heading 'water infrastructure information' allows the user to enter key information about the wastewater generated and water infrastructure on the site. This table contains a mix of user specified values and values that are calculated automatically depending on the user selected inputs.
The date of first occupancy is required because some wastewater treatment works (WWTW) may be due an upgrade in 2025 or 2030 which will change the nutrient concentration permit values. This will be shown through 2 or 3 values for the permits and nutrients load from before and after the upgrade.
The amount of wastewater generated as a result of the population needs to be calculated using the following: - an average occupancy rate - a per capita water usage figure - the number of new developments
The default water usage value is preset in the worksheet. The default setting for the average occupancy rate is preset in the worksheet and is the national occupancy rate of 2.4 people per dwelling or unit. Only change this value if there is sufficient evidence that the
it is uncertain what WWTW the development will drain into, find this information from your sewerage company before completing the calculator. If it is not feasible to connect to a WWTW and a septic tank or package treatment plant is being used, select this option.
If the total nitrogen (TN) or total phosphorus (TP) final effluent concentrations (in mg/l) are specified by the manufacturer, select 'Septic Tank user defined' or 'Package Treatment Plant user defined' and enter the manufacturer specified value in the cell where prompted.
The table under the heading 'Final calculation of nutrient load from wastewater' contains the calculation of the nutrient load from additional wastewater. This table may present up to 3 different values for the nutrient load.
If a nutrient permit is changing for the selected WWTW as of 01/01/2025, or 01/04/2030, the table will be broken down into up to 3 parts: - post-2030 wastewater nutrient loading - pre-2030 wastewater nutrient loading - pre-2025 wastewater nutrient loading
If applicable, 3 nutrient budgets will be calculated for the loading before and after the 2030 and 2025 WWTW permit upgrades, and will be presented in cells B22, B23, B25, B26, B28 or B29.
Notes about the nutrients from current land use worksheet

This worksheet contains 2 tables that are used for calculating the annual nutrient load from existing (pre-development) land use on the development site. Environmental information about the current site is required for the first table. The second table requires the user to input the existing type(s) and area(s) of landcover present in order to generate nutrient loads associated with the current landcovers on the site. Only landcovers for the land that is being altered by the development should be entered.

The dropdown list of landcover types contains up to 8 agricultural landcover types and 8 different non-agricultural landcover types. The full list of landcovers can be found in the calculator guidance or in the dropdown list. Find out what landcover types are within the development before completing this table. If there is a landcover within the development area that is not in the list select the most similar landcover type

The calculator guidance gives further information about the landcover types used.

Sources of information required for nutrients from current land use worksheet

Description of the information:

The operational catchment within which the development is located can be found using the [Environment Agency Catchment Data Explorer](#)

The drainage associated with the predominant soil type within the development site can be found using the [Soilscapes Map](#)

The annual average rainfall that the development will receive can be found using the [National River Flow Archive](#) for the '42023 - Itchen at Riverside Park' station

Whether the development is located within a nitrate vulnerable zone (NVZ) can be found using the [UK Soil Observatory 'Nitrate Vulnerable Zones - England' map](#)

Notes about the nutrients from future land use worksheet

This worksheet contains one table which is used to calculate the annual nutrient load from new (post-development) land use on the development site. The type(s) and area(s) of landcover present on the new development is required to generate nutrient loads associated with the current landcovers on the site

The type(s) of landcover present on the new development site can be selected from a list of 8 different landcover types:

- greenspace
- woodland
- shrub
- water
- residential urban land
- commercial or industrial urban land
- open urban land
- community food growing

Find out what landcover types will be within the development site before completing this table. If there is a landcover within the development site that is not in the list select the most similar landcover type

The calculator guidance gives further information about the landcover types used in this calculator

Notes about the SuDS worksheet

This worksheet contains one table in which the user can enter key information about the use of SuDS to treat the runoff from the site and reduce the nutrient loading from future land uses

The table allows the user to enter the SuDS features or SuDS management trains that are proposed to treat the nutrient loading from future land uses. The land covers within the SuDS catchment area and the areas of these landcovers can be entered. Only landcovers entered into the 'Nutrients from future land use' worksheet can be selected. The nutrient loads associated with these landcovers are automatically calculated using the values from the worksheet 'Nutrients from future land use'.

The user must enter the percentage of flow that will be directed through the SuDS. Any numerical value less than or equal to 100% can be entered for the percentage of flow.

Any numerical value less than or equal to 100% can be entered for the removal rates. However, the user will be required to present all evidence of these removal rates to the competent authority. As such, the most up to date SuDS guidance on SuDS for nutrient removal should be followed.

Notes about the final nutrient budgets

This final stage automatically calculates the results from worksheets 1-5.

The value(s) shown represent the nutrient mitigation required in kilograms per year to achieve nutrient neutrality

If there are 2 or 3 values due to changing permits, the calculator will show the total amount of nutrient mitigation that is needed before and after the changing permit date.

the River Itchen SAC

Link to each worksheet
<u>Nutrients from wastewater</u>
<u>Nutrients from current land use</u>
<u>Nutrients from future land use</u>
<u>SuDS</u>
<u>Final nutrient budgets</u>

Nutrients from wastewater

This sheet contains 2 tables. The tables are separated by a heading, which describes the following table.

Note: You will need to fill in cells B5 to B10 in the first table 'Water infrastructure information'. Cells B11 to B12 are automatically calculated and will state '0.00' unless the user inputs have been entered. Cells A13 to A16 and B13 to B16 are automatically generated and will state 'Not applicable' depending on the inputs to cells B5 and B10. You may need to fill in cell C11 and cell C12 depending on the information you entered in cell B10. Cells C5 to C10 and cells C13 to C16 are intentionally blank cells.

You do not need to fill in any cells in the second table 'Final calculation of nutrient load from wastewater'. Cells B20 to B23 are automatically calculated and will state '0.00' unless the user inputs have been entered to the first table 'Water infrastructure information'. Cells A24 to A29, cells B25 to B26 and cells B28 to B29 are automatically generated and will state 'Not applicable' depending on the user inputs to the first table 'Water infrastructure information'. Cell B19, cell B24 and cell B27 are intentionally blank cells.

How to fill in the table 'Water infrastructure information'

Cell B5: Enter the date of first occupancy.

Cell B6: Enter the average occupancy rate of the development. The default rate is 2.4, this should not be edited without sufficient evidence.

Cell B7: Enter the water usage. This value should be kept at 120 unless other efficiency measures are used.

Cell B8: Enter the total number of dwellings or units that will be within the development site as of the project completion date.

Cell B9: Choose whether the development can apply deductible acceptable loading from the dropdown list.

Cell B10: Choose the receiving wastewater treatment works (WwTW) from the dropdown list.

If you select 'Package Treatment Plant user defined' or 'Septic Tank user defined', you must

Water infrastructure information

Description of required information

Date of first occupancy (dd/mm/yyyy):

Average occupancy rate (people/dwelling or people/unit):

Water usage (litres/person/day):

Development Proposal (dwellings/units):

Include deductible acceptable loading?

Wastewater treatment works:

Current wastewater treatment works P permit (mg TP/litre):

Current wastewater treatment works N permit (mg TN/litre):
Not applicable
Not applicable
Post 2030 WwTW P permit (mg TP/litre):
Post 2030 WwTW N permit (mg TN/litre):
Final calculation of nutrient load from wastewater
Description of values generated
Post-2030 wastewater nutrient loading
Additional population (people):
Wastewater by development (litres/day):
Annual wastewater TP load (kg TP/yr):
Annual wastewater TN load (kg TN/yr):
Pre-2030 wastewater nutrient loading
Annual wastewater TP load (kg TP/yr):
Annual wastewater TN load (kg TN/yr):
Not applicable
Not applicable
Not applicable

Data entry column - user inputs required	Additional data entry column - user inputs may be required
01/08/2025	
2.40	
120	
4	
Yes	
Chickenhall Eastleigh WwTW	
0.60	

25.00	
Not applicable	
Not applicable	
0.25	
8	
Values generated	
9.60	
1152.00	
0.09	
3.03	
0.23	
10.52	
Not applicable	
Not applicable	

Nutrients from current land use

This sheet contains 2 tables. The tables are separated by a heading, which describes the following table.

Note: You will need to fill in cells B5 to B8 in the first table 'Current land use information'. You will need to fill in cells A11 to A27, and B11 to B27 in the second table 'Current land uses'. Cells B28, C11 to C28 and D11 to D28 are automatically calculated and will state '0.00' unless the user inputs have been entered. Cells E11 to E27 are automatically generated and will state 'Not applicable' depending on automatically generated data in cells C11 to C27 and D11 and D27. Row 28 is a Total Row. The Total Row states 'Totals:' in cell A28 and automatically calculates the total sum of cells B11 to B27 in cell B28, C11 to C27 in cell C28 and D11 to D27 in cell D28. Cell E28 is intentionally blank.

How to fill in the table 'Current land use information'

Cell B5: Choose the operational catchment the site is located within from the dropdown list.

Cell B6: Choose the soil drainage type associated with the predominant soil type within the development site from the dropdown list.

Cell B7: Choose the annual average rainfall the development will receive from the dropdown list. If the rainfall volume is not on the list, select the nearest value.

Cell B8: Choose whether the development is in a nitrate vulnerable zone (NVZ) from the dropdown list.

How to fill in the table 'Current land uses'

Cell A11-A27: Choose the existing (pre-development) land use type(s) from the dropdown list.

Cells B11-B27: Enter the area in hectares of each land use type.

The nutrient load from current land uses is shown in cells C11-C27 for total phosphorus (TP) and cells D11-D27 for total nitrogen (TN).

The total nutrient load from current land uses is shown in cell C28 for TP and D28 for TN.

Current land use information

Description of required information

Operational catchment:

Soil drainage type:

Annual average rainfall (mm):

Within nitrate vulnerable zone (NVZ):

Current land uses

Existing land use type(s) - user inputs required

Residential urban land

Totals:

Data entry column - user inputs required
Itchen
Freely draining
850.1 - 900
Yes

[illegible]

Notes on data

Not applicable

Not applicable

Not applicable

Not applicable

Not applicable

Not applicable

Not applicable

Not applicable

Not applicable

Not applicable

Not applicable

Not applicable

Not applicable

Not applicable

Not applicable

Not applicable

Not applicable

Not applicable

Nutrients from future land use

This sheet contains one table.

Note: You will need to fill in cells A5 to A21 and B5 to B21. Cells B22, C5 to C22 and D5 to D22 are automatically generated calculations and will state '0.00' unless the user inputs have been entered. Row 22 is a Total Row. The Total Row states 'Totals:' in cell A22 and automatically calculates the total sum of cells B5 to B21 in cell B22, C5 to C21 in cell C22, and D5 to D21 in cell D22.

How to fill in the table 'Future land uses'

Cells A5-A21: Choose the future (post-development) land use type(s) of landcover present on the new site from the dropdown list

Cells B5-B21: Enter the area in hectares of each land use type.

The nutrient load from future land uses is shown in cells C5 to C21 for total phosphorus (TP) and in cells D5 to D21 for total nitrogen (TN).

The total nutrient load from future land uses is shown in cell C22 for TP and D22 for TN.

Future land uses

New land use type(s) - user inputs required

Residential urban land

[illegible]

Totals:

[illegible]

	0.00	0.00	
	0.00	0.00	
0.30	0.53	4.89	

Nutrients from future land use after sustainable urban drainage system (SuDS) treatment

This sheet contains one table.

Note: You will need to fill in cells A5 to A29, cells B5 to B29, cells C5 to C29, cells F5 to F29, cells G5 to G29 and cells H5 to H29 if you are including SuDS to remove nutrients from the surface runoff. Cell B30, cells D5 to D30, cells E5 to E30, cells I5 to I30 and cells J5 to J30 are automatically calculated and will state '0.00' unless the user inputs have been entered. Cells K5 to K29 are automatically generated and will state 'Not applicable' unless the total area of the landcover entered is larger than the total area of the landcover entered into the worksheet 'Nutrients_from_future_land_use'. Row 30 is a Total Row. The Total Row states 'Totals:' in cell A30 and automatically calculates the total sum of cells B5 to B29 in cell B30, cells D5 to D29 in cell D30, cells E5 to E29 in cell E30, cells I5 to I29 in cells I30, and cells J5 to J29 in cell J30. Cell C30, cell F30, cell G30, cell H30 and cell K30 are intentionally blank.

How to fill in the table 'Suds information'

Cells A5 to A29: Choose the future (post-development) land use type(s) of landcover present on the new site within the SuDS catchment area from the dropdown list. Only landcovers entered into the worksheet titled 'Nutrients_from_future_land_use' can be entered.

Cells B5 to B29: Enter the area in hectares of each new land use type within the SuDS catchment area.

Cells C5 to C29: Enter the percentage of the flow entering the SuDS feature. If all flow is being diverted to the SuDS feature then this value should be set to 100%.

The annual total phosphorus (TP) and total nitrogen (TN) loads associated with the landcovers in the SuDS catchment area are automatically calculated in cells D5 to D29 and E5 to E29, respectively.

Cells F5 to F29: Enter the name of the SuDS features used to intercept surface flows can be entered in. Any text can be entered into these cells.

Cells G5 to G29: Enter the nutrient removal rates associated with the SuDS features for TP.

SuDS information

New land use type(s) within SuDS catchment area - user inputs required

[illegible]

SuDS catchment area (ha) - user inputs required	Percentage of flow entering the SuDS (%) - user inputs required	Annual phosphorus inputs to SuDS feature(s) (kg TP/yr)	Annual nitrogen inputs to SuDS feature(s) (kg TN/yr)
		0.00	0.00
		0.00	0.00
		0.00	0.00
		0.00	0.00

		0.00	0.00
		0.00	0.00
		0.00	0.00
		0.00	0.00
		0.00	0.00
		0.00	0.00
		0.00	0.00
		0.00	0.00
		0.00	0.00
		0.00	0.00
		0.00	0.00
		0.00	0.00
		0.00	0.00
		0.00	0.00
		0.00	0.00
		0.00	0.00
		0.00	0.00
		0.00	0.00
		0.00	0.00
		0.00	0.00
		0.00	0.00
		0.00	0.00
		0.00	0.00
		0.00	0.00
0.00		0.00	0.00



Name of SuDS feature(s) - user inputs required	TP removal rate for features - user specified (%) - user inputs required

TN removal rate for features - user specified (%) - user inputs required	Annual phosphorus load removed by SuDS (kg TP/yr)	Annual nitrogen load removed by SuDS (kg TP/yr)
	0.00	0.00
	0.00	0.00
	0.00	0.00
	0.00	0.00

[illegible]

Notes on data	
Not applicable	
Not applicable	
Not applicable	
Not applicable	

[illegible]

Final nutrient budgets

This worksheet contains one table. This table is automatically populated using the outputs from the previous worksheets.

Note: You do not need to fill in any cells in the table. Cells B5 to B12 and cells B14 to B15 are automatically calculated and will state '0.00' unless the user inputs have been entered to all of the required worksheets. Cells A16 to A21, cell B17 to B18 and cells B20 to B21 are automatically generated and will state 'Not applicable' depending on the user inputs to the worksheet 'Nutrients_from_wastewater'. Cell B13, B16 and B19 are intentionally blank.

This table presents calculations that underpin the final annual nutrient budget for the development site. Up to 3 values for the nutrient budget may be presented in cells B14, B17 and B20 for total phosphorus (TP), or B15, B18 and B21 for total nitrogen (TN).

Total nutrient budget calculations

Description of values generated

Wastewater TP load (kg TP/year):

Net land use TP change (kg TP/year):

P budget (kg TP/year):

P budget + 20% buffer (kg TP/year):

Wastewater TN load (kg TN/year):

Net land use TN change (kg TN/year):

TN budget:

TN budget + 20% buffer:

Annual nutrient budget

The total annual phosphorus load to mitigate is (kg TP/yr):

The total annual nitrogen load to mitigate is (kg TN/yr):

Pre-2030 nutrient budget

The total annual phosphorus load to mitigate is (kg TP/yr):

The total annual nitrogen load to mitigate is (kg TN/yr):

Not applicable
Not applicable
Not applicable

Values generated
0.09
0.00
0.09
0.11
3.03
0.00
3.03
3.64
0.11
3.64
0.28
12.62

Not applicable
Not applicable