

RECORD OF EXECUTIVE DECISION

Tuesday, 19 August 2014

Decision No: (CAB 14/15 13230)

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	ENVIRONMENT AND TRANSPORT
SUBJECT:	SOLENT DISTURBANCE MITIGATION
AUTHOR:	STEVE HARRISON

THE DECISION

- (i) To note the context of this report;
- (ii) To approve the adoption of the Solent Disturbance Mitigation project so that all new residential development is required to mitigate against the harm caused, in line with policy CS22 of the Core Strategy (2010), by either the submission of site specific schemes of work or payment of a £172 contribution per residential unit, prior to implementation of the development; and
- (iii) Delegate the detailed mechanism for securing the planning obligations to the Head of Culture and Planning, as it evolves.

REASONS FOR THE DECISION

1. In line with all other PUSH Authorities, the Council has a duty as a competent authority to ensure that new development does not cause an unacceptable impact to protected species. Developers also need to ensure that their developments mitigate any potential impact and this will also protect new residential planning applications from challenge by third parties, including Natural England. A copy of the relevant minutes from the PUSH Joint Committee held on the 25th March 2014, which sets out more of the background, are appended to this report.
2. To ensure that appropriate mechanisms are in place to mitigate against the potential harm on Solent Special Protection Areas, that otherwise would be caused by the increased recreational disturbance from new residential development within the surrounding Solent area.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. Failure to mitigate would lead to breach of the Conservation of Habitats and Species Regulations 2010.
2. Doing nothing would lead to possible legal challenge by third parties, including Natural England on new residential planning permissions issued.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None

CONFIRMED AS A TRUE RECORD

We certify that the decision this document records was made in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 and is a true and accurate record of that decision.

Date:

19 August 2014

Decision Maker:

The Cabinet

Proper Officer:

Judy Cordell

SCRUTINY

Note: This decision will come in to force at the expiry of 5 working days from the date of publication subject to any review under the Council's Scrutiny "Call-In" provisions.

Call-In Period expires on

Date of Call-in *(if applicable) (this suspends implementation)*

Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*