

## Elizabeth Marsden

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**From:** Elizabeth Marsden  
**Sent:** 30 September 2019 15:02  
**To:** 'heineplanning@btinternet.com'  
**Subject:** FW: 18/01441/FUL - Land off Southwick Road, North Boarhunt

Dear Alison,

I hope you had a good holiday.

Further to my request to Natural England for additional advice with regard to the nitrates issue, please find the response, below.

We are still trying to find solutions to the issue and have arranged a meeting with Natural England later this month.

Regards,

Liz

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**From:** SM-NE-Consultations (NE) [mailto:consultations@naturalengland.org.uk]  
**Sent:** 16 September 2019 14:21  
**To:** Elizabeth Marsden  
**Subject:** 18/01441/FUL - Land off Southwick Road, North Boarhunt

Dear Ms Marsden

Thank you for contacting Natural England regarding planning application 18/01441/FUL 'use of land for the stationing of caravans for residential purposes. Land Adjacent To Strawberry Barn Southwick Road North Boarhunt Hampshire'. As far as I am aware, Natural England has not been consulted on this application so we have not reviewed the details of the case.

It is Natural England's view that there is a likely significant effect on the internationally designated sites (SPA, SAC, pSPA) due to the increase in waste water from the new housing, including residential caravans. As you are aware, where there is a likelihood of significant effects (excluding any measures intended to avoid or reduce harmful effects on the European site), or there are uncertainties, a competent authority should fully assess (by way of an "appropriate assessment") the implications of the proposal in view of the conservation objectives for the European site(s) in question.

We advise that a nutrient budget is calculated for this development proposal in line with Natural England's Advice (dated June 2019). For private treatment works, bespoke calculations will be required and best practice guidance for siting and operations should be incorporated into design. We advise that 27 mg/l should be used in the nutrient calculation for all non mains drainage / private water treatment plants at this stage. If applicants or local planning authorities can provide evidence for an alternative figure, then we will review this evidence. This will need to take into account the efficiency of many of the private package treatment works which can vary considerably over their lifetime and is often only 25 years. The necessary evidence should be submitted to the local authority to enable yourselves to undertake an appropriate assessment for this development.

We advise that the design of package treatment works may need a bespoke solution for mitigation that could include a constructed wetland taking discharges from the package treatment works. Further details of this are included in Appendix 4 of Natural England's Advice. Natural England can provide further advice to the applicant on mitigation options under our Discretionary Advice Service.

I am aware that Area Team colleagues are in the process of setting up a meeting with Winchester City Council to discuss nutrient calculations and mitigation options.

Kind regards

Sally Tainton

Operations Delivery  
Consultations Team

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**From:** EMarsden@winchester.gov.uk [mailto:EMarsden@winchester.gov.uk]

**Sent:** 27 August 2019 14:42

**To:** SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>

**Subject:** 18/01441/FUL - Land off Southwick Road, North Boarhunt

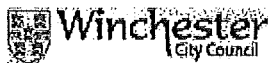
Please would it be possible to advise on a potential nitrate/nutrient issue with regard to the siting of a permanent gypsy caravan in the countryside? There is no mains drainage and the proposal involves a mini packed treatment plant and a drainage field. The site is located some distance from the Solent on elevated land.

Regards;

**Liz Marsden**  
Principal Planning Officer

Winchester City Council  
Colebrook Street  
Winchester  
SO23 9LJ

01962 848267



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## Elizabeth Marsden

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**Subject:** FW: Southwick Ranch  
**Attachments:** Solent Nutrient Advice.pdf; WCC Position Statement - FINAL - Feb 2020.pdf

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**From:** Elizabeth Marsden  
**Sent:** 03 June 2020 17:44  
**To:** 'heineplanning@btinternet.com'  
**Subject:** Southwick Ranch

Hi Alison,

I attach for your information the Natural England advice on nitrates/ nutrients, which also includes a template to work out what the nitrate 'budget' is for the development, together with the Council's position statement. The latter includes the Grampian condition that we are attaching to permissions.

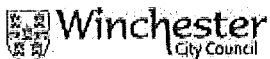
Give me a call if you have any queries.

Regards,

**Liz Marsden**  
Principal Planning Officer

Winchester City Council  
Colebrook Street  
Winchester  
SO23 9LJ

01962 848267



[www.winchester.gov.uk](http://www.winchester.gov.uk)  
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## Elizabeth Marsden

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**From:** Elizabeth Marsden  
**Sent:** 04 June 2020 12:13  
**To:** 'heineplanning@btinternet.com'  
**Subject:** RE: Southwick Ranch

I haven't heard this argument before, but will try and obtain advice from Natural England on the issue.

Regards,

Liz

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**From:** [heineplanning@btinternet.com](mailto:heineplanning@btinternet.com) [<mailto:heineplanning@btinternet.com>]  
**Sent:** 04 June 2020 08:52  
**To:** Elizabeth Marsden  
**Subject:** Re: Southwick Ranch

hello Liz

Thank you for this. I appreciate that this is all very complicated and I am aware from others how difficult this issue is. However from reading the statement it would appear the concern is with development for new residential housing development in the Solent catchment area.

As my clients were previously stopping in the area at Tynefield and on land in Fareham before moving onto their land, it could be argued that they are not adding to residential development or adding to the nitrogen budget. Allowing the appeal would not add to the local resident population and dismissing it would not necessarily reduce it as there is a good probability the family would attempt to stay in the local area on unauthorised sites/ roadside halts in order to keep their children in school and this land where they keep their horses. An itinerant existence based on unauthorised sites in the Solent catchment (which is extensive) would be the principal alternative to remaining on their land and would make no difference to the resident population in the Solent catchment area. In consequence the development would have no adverse effect on the Solent SPA, let alone a significant one.. If anything it would be preferable for them to be settled so that foul waste is properly treated. Their situation can therefore be distinguished from other new residential development which would normally attract new residents who may come from outside the solent catchment or who may, through the housing chain, draw people into the area who were not previously living here. This principle was established and agreed in appeal decisions for the Dorset Heathland SPA several years ago and, if I have understood this issue correctly, I think there are many similarities with the case to be argued for the Solent SPA. The situation for homeless Gypsy Travellers already stopping in the area, does deserve special consideration.

Could you let me have your thoughts on this. I have no idea if this has been argued successfully by others for other GT cases as I have not seen any appeal decisions on this matter-due no doubt to a combination of the backlog at PINs and lockdown. But it does seem a shame to devote huge resources (time and money) on an issue that may, in the case of homeless GTs have a more straightforward solution.

I would appreciate your views.

Alison Heine

## Elizabeth Marsden

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**From:** Elizabeth Marsden  
**Sent:** 04 June 2020 15:52  
**To:** 'heineplanning@btinternet.com'  
**Subject:** RE: Southwick Ranch

Thanks Alison,

I have asked Natural England for advice and will get back to you as soon as possible.

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**From:** [heineplanning@btinternet.com](mailto:heineplanning@btinternet.com) [<mailto:heineplanning@btinternet.com>]  
**Sent:** 04 June 2020 15:49  
**To:** Elizabeth Marsden  
**Subject:** RE: Southwick Ranch

Hello Liz

I attach a bunch of appeal decisions for the Thames Heath SPA. The Insp Anstey for Christchurch in the bundle of 4 may be less relevant but the others all discuss this issue and agreed that as the families were all living in the area before the concern arose they would not add to the resident population. There have been no such decisions now for several years as this can not be argued for folks moving in afterwards. For this reason the decisions did not set any precedent with significant consequences.

It is just a thought but I think the same argument would apply to this new Solent issue. I know that this approach has been agreed recently in connection with the Epping Forest issues-where no new development is allowed any where in Epping neighbouring districts around Epping Forest for fear more cars will drive through Epping Forest causing air pollution. It is holding up their local plan.

Alison

## Elizabeth Marsden

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**From:** Clemson, Rachael <Rachael.Clemson@naturalengland.org.uk>  
**Sent:** 15 June 2020 10:42  
**To:** Elizabeth Marsden  
**Subject:** Re: 18/01441/FUL Query  
**Attachments:** Solent Nutrients V5 June2020.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Liz

Your ref - 18/01441/FUL | Query from agent over whether the development adds to the nutrient load. The use of land for the stationing of caravans for residential purposes | Land Adjacent To Strawberry Barn Southwick Road North Boarhunt Hampshire

Thank you for consulting us on the above application.

We note the appeal examples provided by the agent, referring to Thames Basin Heaths SPA and Dorset Heaths SPA, both of these SPAs are sensitive to impacts from recreational disturbance, appeal decisions were granted based on the specific circumstances in these cases.

The Solent SPAs have a strategy in place to address recreational disturbance which we consider to be ecologically sound, the Bird Aware Definitive Strategy sets out that a developer contributions are required for every new net dwelling within 5.6km of the Solent SPAs and explicitly states this also applies to new permanent accommodation for gypsies and travellers. Natural England understands that this contribution has already been paid. This has addressed our concerns with regard to recreational disturbance.

The Solent Nutrient Neutrality advice sets out that there is a likely significant effect on the Solent Internationally designated sites due to increase in waste water from new developments within the Solent catchment, this applies for all development proposals involving new overnight accommodation coming forward that are subject to new planning permission and have inevitable wastewater implications. This includes new permanent caravan sites. These implications, and all other matters capable of having a significant effect on designated sites in the Solent, must be addressed in line with Regulation 33 of the Conservation of Habitats and Species Regulations 2017.

It is understood that the applicant has questioned whether the proposal would require nutrient neutrality, given that the previous residence in the area, although there is uncertainty as to whether the residence would have been year round and using the same waste water treatment works at all times.

Given that the proposal is for a net new permanent caravan site, Natural England advises that the waste water issue associated with the planning application is examined within an appropriate assessment. The achievement of nutrient neutrality is a means of ensuring that development does not add to existing nutrient burdens. Natural England has prepared a methodology setting out how this can be achieved and this is attached for your information. The nutrient budget considers the waste water from the proposed development including new package treatment works and considers any existing and future changes in land use at the site. Natural England would be happy to provide further advice on the nutrient budget in due course.

Please contact me if you have any queries relating to this advice

Kind regards

Rachael Clemson  
Sustainable Development Lead Adviser