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Our Ref: JT/ 9553-001

Warren Simmonds
Planning Department
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst
SO43 7PA

27th July 2021

Dear Warren,

**RE: APPLICATION UNDER REGULATION 77 OF THE CONSERVATION OF HABITATS
AND SPECIES REGULATIONS 2017. UNITS 2A – 4A GOSPORT STREET, LYMINGTON
SO41 9BE. REF. 20/11276**

Further to your recent correspondence with my colleague, Carl Riley, in respect of the above previously approved Prior Approval application, please find attached our application under Regulation 77 of The Conservation of Habitats and Species Regulations 2017.

Our application includes the following documents:

- Application drawings and documents previously approved under application 20/11276:
 - SHA drawings:
 - 9553.100 – P1 – Block and Location Plan
 - 9553.101 – P1 – Existing Floor Plans
 - 9553.102 – P1 – Existing Elevations
 - 9553.103 – P1 – Proposed Floor Plans.
 - Decision Notice Ref – 20/11276
- Copy of any relevant notification by the appropriate nature conservation body – see the attached standardised response published by Natural England which is available online and is evidence of Natural England's opinion on the matter of Nitrates.
- Nitrogen budget calculator NFDC specific – Completed July 2021.
- Water Quality Checklist – Completed July 2021.
- A fee of £30 as set out in Regulation 78. We will forward a cheque in the post today with a copy of this letter attached.



We would highlight that, whilst our application includes a completed copy of the nitrogen budget calculator, we do not believe the spread sheet accurately reflects the impact on the waste water system as this does not facilitate a site specific approach. The change of use from office to residential will reduce occupancy figures together with pressure on the waste water system and will therefore have a positive effect on reducing Nitrates in the Solent catchment area. As discussed with my colleague, Carl, an office use accommodates staff and visitors from outside the catchment area whereas a small residential unit such as this will appeal to expanding families within the local area. We therefore do not believe this development will have any negative impact and no mitigation or financial contribution should apply.

As previously discussed, we would be happy to demonstrate by way of a water usage calculation how the proposed change of use to a dwelling would reduce the pressure on the wastewater system compared to an office.

At the time of our previous correspondence, you had not arrived at a solution in unlocking the nitrates issue or quantifying the level of contribution that is required from new developments. We would be grateful if you could confirm if there has been any progress on this as our client needs to progress these works as soon as possible. The delay is having a significant financial impact and we wish to conclude this as a matter of urgency.

As you suggested, we have been in contact with the Hampshire and Isle of Wight Wildlife Trust who we understand have a mitigation scheme in place to offset the nitrates in the Solent Catchment area. Unfortunately, we have not heard back from them despite our continued attempts. Is this something the local authority have now adopted, and have you worked with them to arrive at a solution?

I trust that the above statement and accompanying information is satisfactory and will enable you to register this application and a solution can be concluded quickly. If, however you have any comments or require additional information then please do not hesitate to contact me.

Yours sincerely,

