



Our ref: 51464/KM
Your ref: 21/02060/PDZAS

Test Valley Borough Council
Planning Service
Beech Hurst
Weyhill Road
Andover
SP10 3AJ

21 July 2023

Dear Sir/Madam

LODGE FARM, STOCKBRIDGE ROAD, TIMSBURY SO51 0NB
APPLICATION UNDER REGULATION 77 OF THE CONSERVATION OF HABITATS AND SPECIES
REGULATIONS 2017 PURSUANT TO 21/02060/PDZAS

I write on behalf of Mr and Mrs Fretwell regarding the above and the Council's determination under application 21/02060/PDZAS to allow the erection of a dwelling on this site.

The applicant seeks written notification of the approval of the Local Planning Authority under Regulation 77 of the Habitat Regulations to address the requirements of Notes 3 and 4 of the decision notice dated 6 September 2021. Accordingly, the following is provided:

Notification by Natural England;
Details of the development which is intended to be carried out;
The appropriate fee (£30).

Notification by Natural England (NE)

The decision notice (21/02060/PDZAS) states:

"The developer may seek the opinion of Natural England under Regulation 76 as to whether or not the proposed development is likely to have a significant effect."

It is considered that this serves as appropriate notification from Natural England (NE) under Regulation 76 of the Habitat Regulations.

Details of the Development

Development comprises the demolition of the existing buildings and the construction of 1 dwellinghouse. Development is permitted under Class ZA of the Town and Country Planning (General Permitted

Development) (England) (Amendment) (No.3) Order 2020. Prior Approval ref. 21/02060/PDZAS was approved by the Local Planning Authority in a Decision Notice dated 6 September 2021.

In respect of Note 3, current NE¹ advice to Local Planning Authorities notes that high levels of nutrients and phosphorus input into the Solent water environment are causing eutrophication, which leads to a dense build-up of algae at these designated sites. NE consider that these inputs are mostly a result of wastewater from existing housing and agricultural sources.

NE acknowledges uncertainty as to whether new growth will further deteriorate designated sites and advises that one way to address this uncertainty is for new development to achieve nutrient neutrality (NN). This is a means of ensuring that development does not add to existing nutrient burdens and provides certainty that the entire scheme is deliverable in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended).

The enclosed nutrient budget calculation concludes that the Total Nitrogen (TN) load from the development wastewater is zero (0) and as such no mitigation is required.

In respect of Note 4, the applicant will provide a contribution of £1,300 for the approved dwelling towards off-site mitigation measures. Following discussion with Leecy Llewellyn in planning registration, this payment will be made via BACS transfer on receipt of a reference or acknowledgement of this application.

Appropriate Fee

The applicant will pay the application fee (currently stated as being £30 within Regulation 78 of the Habitat Regulations) directly to the Council on receipt of a reference number.

Summary

Therefore, in making an appropriate assessment of the implications of the development for the Solent and New Forest SPA in view of its conservation objectives, we trust that you will conclude that this development will not adversely affect the integrity of the site and you can provide written notification of your approval under Regulation 77 of the Habitat Regulations

If you have any questions regarding the above or the attached, please do not hesitate to contact me.

I look forward to hearing from you in any event.

Yours faithfully,



Katherine Miles BA (HONS) MSc MRTPI

Director

katherinem@pro-vision.co.uk

cc. Mr & Mrs Fretwell

¹ March 2022