

APP/21/01376 (Land adjacent to 54 Long Copse Lane, Emsworth) objection.



Commenter type: Complainant

Stance: Object

Comments

I realise that, at the HBC Development Management Committee meeting on 28th February 2022, the application was approved. However, the decision status is still marked as unknown two months later. As a result, I believe I am still legally entitled to submit an objection.

APP/21/01376 will drain to Thornham WwTW and will use Warblington Farm for mitigation. Natural England gave updated advice to the Council in February 2022 in its document “Nitrogen neutrality mitigation principles.” The current decision is flawed on two counts regarding this advice.

Firstly, in section 3 of the NE document , it says that “Consideration will need to be given as to (i) when the measures will come online and into effect and (ii) when the pollutants come online, as the impact may be phased and take place over the lifetime of the development rather than on day one.....There may be cases where nutrient neutrality is not, at first, achieved because there is a time lag between the initial effects from the project at the Habitats site compared to the benefits of neutrality measures being felt there.” It can take many years for agricultural nitrogen to leach through the soil into the groundwater. As a result, the nitrogen budget at the Habitats site may initially be positive, which contravenes the law relating to the Dutch case.

Secondly, section 3 also says that “Spatially, consideration will need to be given as to the location of any mitigation relative to where the development will have its impact on the Habitats site...”. The section considers cases in which the wastewater discharge may be direct or indirect to the Habitats site. However, in both cases the Mitigation site and Habitats site are regarded as being in the same catchment. The section implies that the Mitigation site must be in the same catchment as the Habitats site, and not in a different catchment. However, in the case of APP/21/01376, the Mitigation site (Warblington Farm) is in a different catchment (Ems catchment) to the Habitats site (Thornham outflow, in the small Ham Brook catchment). In this case it must be necessary to check that the coastal tidal system can move the water of low nitrogen content from the Mitigation site to the Habitats site, so that nutrient neutrality is achieved there. The NE advice regarding catchments avoids the need to do this.

No account has been taken of either of these two principles in arriving at the current decision.

Yours faithfully,



01/05/2022