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Lifestory



Mr S Belli
Planning Officer
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst
SO43 7PA



7 August 2020

Dear Mr Belli,

**Redevelopment of land at Stanford Hill, Lymington - Nitrogen Mitigation
Application Reference: 20/10481 - Without Prejudice**

Further to the recent contact between the Council and our planning consultant, Kate Holden, and with potential progress made in respect of nitrogen mitigation associated with our proposals, I wanted to update you.

Given Natural England's response to our packaging plant proposals and as a result of further dialogue with its representatives, we have been directed towards an additional mitigation option; an agricultural offset. As the Council's full avoidance and mitigation strategy is still being prepared, we have taken steps to explore this offset option directly, which comprises agricultural land off Coleman's Lane, Porchfield, Isle of Wight. In fact, we also understood that Heaton Farms, which owns this land has already held discussions with the Council.

Our position is that the packaging plant proposals which will form part of our development adequately mitigate the development, and that this additional mitigation option is not required. However, we are willing to progress this additional mitigation option on a without prejudice basis pending the outcome of the habitats regulation appropriate assessment in due course.

From our own discussions with Heaton Farms, we understand there is sufficient capacity to offset the net nitrogen load associated with our development, which has been modelled according to agreed occupancy rates. Furthermore, we have also seen correspondence from Natural England, which confirms that this location would be suitable to mitigate against nitrogen loads discharging into the Pennington Waste Water Treatment plant. In light of this and given the Council's policy outlines that either applicants agree to a grampian condition linked to a future scheme payment or demonstrates nitrate neutrality, it seems clear to us that an offset arrangement using land off Coleman's Lane would meet the necessary requirements. However, we would value understanding whether securing a 'credit' for land off Coleman's Lane would, indeed, be acceptable to the Council.

Furthermore, we note in the Council's most recent position paper (June 2020) that *"any scheme for offsetting nitrogen must meet the basic tests of certainty of delivery, enforceability and the need for securing the adopted measures for perpetuity, generally 80-125 years, or for the duration over which the development is causing the effects."*

On this basis, we would also welcome understanding whether there are specific items or requirements that the Council would like to see covered by the credit i.e terms of management for instance.

As referenced, we understand that some contact has been held between Heaton Farms and the Council and it would be helpful if we could understand in broad terms the latest position. If the Council is working towards securing some or all of the Coleman's Lane site as part of its avoidance and mitigation strategy, we would appreciate being updated. If a section 106 agreement has been completed in relation to Heaton Farms, or is in negotiation, then we request that you provide us with a copy of such agreement.

Given the above and with no confirmed avoidance or mitigation strategy in place as yet, we would value receiving your feedback on the above as soon as possible. Alternatively, if you would welcome a discussion, please let me know.

Yours sincerely.



Spencer Lindsay
Development Director