

EASTLEIGH BOROUGH COUNCIL

Land at GE Aviation, Kings Avenue, Hamble-Le-Rice, Southampton, SO31 4NF

Appeal by GE Aviation

Planning Inspectorate Reference: APP/W1715/W/20/3255559

Eastleigh Borough Council Reference O/18/84191

INTERIM POSITION STATEMENT: NITRATES

27 OCTOBER 2020

1. This Interim Position Statement is provided on behalf of Eastleigh Borough Council (“the Council”) to explain the current position with respect to nitrates issues under the fifth reason for refusal.
2. Since mid-April 2019 Natural England (NE) has required developers in south Hampshire including the Borough of Eastleigh to quantify the nitrate load generated by their development and mitigate any increase in nitrates compared to the existing land use. A development must demonstrate how it will ensure for at least 80 years there will be no nitrate loading from the development within the Solent. This is in response to recognition that the water environment within the Solent region, which is internationally important for its wildlife and protected, suffers from problems as a result of nitrate enrichment.
3. A full explanation of the issues and the methodology for calculating the nitrogen load from a proposed development is set out in the NE guidance ‘Advice on Achieving Nutrient Neutrality for New Development in the Solent Region, Version 5 – June 2020’.
4. During the course of the outline planning application that is the subject of this appeal, the appellant submitted a nitrogen budget calculation for the site (RSK letter dated 17 September 2019). Following an update to the NE guidance in June 2020, the Local Planning Authority requested that the nitrogen budget calculation for the appeal be updated to reflect the current methodology and enable a Shadow HRA Appropriate Assessment to be undertaken to assist the Inspector. This update was provided in the form of a further letter from RSK, dated 16 October 2020.
5. The nitrogen budget calculated by RSK follows the NE guidance and the figures contained within the calculation allow the carrying out of an appropriate assessment of the implications of the proposed development. The nutrient budget demonstrates a waste total nitrogen load from the development of 93.8kg/TN/year and a nitrogen budget (with 20% buffer) of 77.6kg/N/yr. The impacts of this increase in nitrogen load are such that the development would have a likely significant effect on the Solent designated sites due to the increase in waste nitrogen. In order to be lawfully permitted, therefore, a package of avoidance and mitigation measures are required.

6. Discussions have been held between the Council and the appellant and confirmation of the appellant's preferred mitigation package is awaited. It is believed that agreement regarding the necessary mitigation can be reached and will be appropriately secured within the S106 legal agreement currently being prepared.
7. A note for agreement between the Council and appellant has been prepared and will be submitted to PINS with a shadow HRA Appropriate Assessment, once the mitigation package has been confirmed and the note agreed.

Kitty Budden

Development Management Principal Planning Officer

Eastleigh Borough Council