

## **HAVANT BOROUGH COUNCIL**

At a meeting of the Operations and Place Shaping Board held on 28 October 2019

Present

Councillor Lloyd (Chairman)

Councillors Carpenter, Milne, Raines, Robinson and Satchwell

Other Councillors Present:

Councillor(s): Pike and Wilson

### **26 Apologies**

Apologies for absence were received from Councillors Howard and Jenner.

### **27 Minutes**

The Minutes of the meetings of the Operations and Place Shaping Board held on 27 August were agreed as a correct record.

### **28 Matters Arising**

There were no matters arising.

### **29 Declarations of Interest**

There were no declarations of interests relating to matters on the agenda.

### **30 Nutrient Neutral Development**

The Chairman thanked the Officers for their work towards the item and advised the public gallery of the reports given to the Board before the meeting's commencement.

Representatives from Natural England, the Environment Agency and Southern Water were invited to join the meeting and answer questions posed by the Board.

In response to questions raised by the Board, the representative from Natural England advised that:

- 1) the Dutch case had identified that if a European site was failing in respect of its condition, it is Natural England's advice that projects must not add further to the circumstances which had led to that failure;
- 2) the impact of Nutrient deposition into the Solent will affect both the overall condition of the SPA and also different species differently;

- 3) Natural England undertakes regular environmental testing based on peer reviewed evidence. It was for competent authorities to choose whether to use the methodology arising from that evidence;
- 4) Natural England are confident given the situation that their methodology is strong enough despite potential challenges;
- 5) Inputs from agriculture are greater than inputs from other nutrient sources so at present it is easier to demonstrate that farmed greenfield sites are nutrient neutral than reusing brownfield sites, even if it is less desirable environmentally.

In response to questions raised by the Board, the representative from the Environment Agency advised that:

- i) Havant Borough is a water stressed area which is why 110 litres of water per person per day as a water efficiency standard for new development is advisable;
- ii) Water use can be measured by water meters in new development;
- iii) The need to adhere to the Habitats Regulations is vital;
- iv) The Environment Agency sets permits in respect of wastewater discharges;
- v) A review of consented permits has taken place to ensure that effluent levels are appropriate – this has affected Southern Water’s investment decisions
- vi) The Environment Agency undertake their own monitoring on a 5-yearly basis;
- iv) The Environment Agency agree with Natural England’s position that action needs to be taken in the long term.

In response to questions raised by the Board, the representative from Southern Water advised that:

- a) Meeting the targets set through Environment Agency permits delivers environmental acceptability in their view;
- b) Waste water treatment works can back-calculate emissions to establish water usage;
- c) In newer developments water meters are the best way to calculate water usage per household as they consider water pressure;
- d) Southern Water seek to offer offsetting opportunities to third parties;

- e) Southern Water hope to cap the volume of discharge by recycling the treated wastewater effluent into other areas that can use grey water in this way rather than by releasing it into the Solent;
- f) Any changes to permits can only come about through the 5-year plan with funding.

In response to questions raised by the Board, the Cabinet Lead for Planning, Regeneration and Communities advised that:

- i) The Partnership for South Hampshire are seeking to formulate common solutions to help the development industry but is difficult when each area has different priorities based on their location;
- ii) The final Nutrient Neutrality policy in the Havant Borough Local Plan 2036 will reflect Havant Borough's individual area-specific needs;
- iii) The need to consider water quality in relation to the Habitats Regulations is a legal requirement set out by regulations, rather than a normal matter of planning judgement.

In response to questions raised by the Board, the Planning Policy Manager advised that:

1. There have been no planning applicants seeking to challenge the need for nutrient neutral development through the appeal process;
2. The National Planning Policy Framework prioritises house building;
3. With issues of nutrient neutrality it is easier to think of sites not as greenfield and brownfield sites, but agricultural and non-agricultural land.

### **31 Exclusion of the Press and Public**

RESOLVED that the press and public be excluded from the meeting during consideration of the remainder of the item as:

- a) It was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item there would be disclosure to them of exempt information of the descriptions specified in paragraphs of Part 1 of Schedule 12A (as amended) of the Local Government Act 1972; and
- b) In all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

This item was considered to be exempt under Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information).

## **32 Nutrient Neutral Development**

Having excluded the Press and Public the Committee then adjourned to thank the speakers and ensure the room was cleared.

**The committee adjourned from 6.49pm and reconvened at 6.54pm.**

(The remainder of this item was taken in Camera).

The Planning Policy Manager gave a presentation. The Planning Policy Officer gave a list of short term potential mitigation options explored by individual PfSH authorities.

The Board agreed there should be a Briefing for all Councillors on the issue prior to potential policy implementation at Cabinet in December, in order to educate all Members on the subject of Nutrient Neutrality and the impact it would have on developments around the Borough and elsewhere. The Chairman also intimated that Nutrient Neutrality training for Councillors specifically on the Development Management Committee and standing deputees would also be beneficial.

**The meeting commenced at 5.32 pm and concluded at 8.20 pm**

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**Chairman**