

Dear M/s Tomlinson,

I refer to your letter of 30 August 2024 regarding the reason for refusal that is attached to the above Appeal that relates to the issue of Nutrient Neutrality.

As you are aware, in respect of the Appeal for the WWTW, a full suite of evidence has been presented that in the opinion of the Appellants demonstrates the acceptability of that proposal.

The Planning Inspectorate have confirmed that Appeal reference APP/E2205/W/24/3345453 for the WWTW is to be determined before the opening of the Inquiry for Possingham Farm. Based on the evidence submitted by Mr Guy Laister for the WWTW Appeal it is clear that there is adequate capacity to meet the mitigation need of the Possingham Farm Appeal site in addition to the residual numbers from Phase 1, Phase 2, and the Gables (1899 units). With a capacity of 2700 dwellings, it is clear that the WwTW can accommodate the Possingham Farm Appeal proposals.

In this respect we attach the assessment of the unmitigated nutrient load created by the proposal (using the Natural England Calculator) to show what the nutrient load is prior to the mitigation. We also submit the evidence of the capacity of the WWTW from Te-Tech and the Severn Trent Connect letter confirming they have submitted for the relevant licence. We also attach evidence submitted as part of the WWTW Appeal demonstrating that the capacity of the WwTW is more than adequate to mitigate Possingham Farm in combination with the residual areas of Phase 1, Phase 2, and the Gables.

In respect of the nutrient budget calculations for Possingham Farm it is important to note that these are academic as:

- The site is outside the hydrological catchment of Stodmarsh and therefore there is no surface water contribution, and
- Wastewater from the Proposed Development will discharge to a new WWTW at Chilmington Green discharging into the River Beult catchment and therefore there is no impact on Stodmarsh from wastewater either.

In summary, if wastewater were sent to Ashford WwTW, the nutrient budget for 655 dwellings (inclusive of 20% buffer) is as follows:

Pre 2030: **2,232.38** kgTN/year and **37.21** kgTP/year

Post 2030: **744.13** kgTN and **18.60** kgTP/year

This is based on the NE default water consumption of 110l/p/d (+10l/p/d buffer). If the development is proposing a lower water consumption which will be conditioned (e.g. for sustainability reasons) then we would update the calculations.

As noted above, this is purely academic as these nutrient loads will not be realised in the Stodmarsh catchment.

We have made clear throughout the Appeal process for Possingham Farm that the scheme relies on the WWTW for its mitigation. As with the recent Kingsnorth Appeal decision, a condition can secure the delivery of the WWTW in advance of first occupation of any unit. A condition as follows could be used.

Prior to the commencement of development in each residential phase a detailed foul water sewerage disposal strategy for that phase shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include the following:

- i) The arrangements and implementation plan for the connection of all dwellings to the Wastewater Treatment Works (WwTW) allowed at Appeal under reference APP/E2205/W/24/3345453.

No dwelling within any phase shall be occupied until the WWTW is fully operational and under the management of Ofwat-regulated water company appointed by the Secretary of State.

We trust that the above and attached is adequate to address your queries in this matter.

If you have have further queries please contact me on 01622776226.

Regards

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Director

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