

**From:** [info@nelsonplanthire.co.uk](mailto:info@nelsonplanthire.co.uk)  
**To:** [Tanner, Matt](#)  
**Cc:** ["Jones, Michael"](#)  
**Subject:** RE: Whitehouse Field - Schedule 5 Notification and TVBC consultation  
**Date:** 30 January 2023 11:43:25  
**Attachments:** [image007.png](#)  
[image012.png](#)  
[image013.png](#)  
[image014.png](#)  
[image015.png](#)  
[image016.png](#)  
[image017.png](#)  
[image018.png](#)  
[image019.png](#)  
[image020.png](#)  
[image021.png](#)  
[APP-EPR-548.pdf](#)

---

Matt,

Thank you.

Can I remind you once again of the findings of the inspectorate in the last hearing.

I Quote.

Appeal Decision EPR/APP/548

UNDER THE HEADING.

**A recovery operation**

**13. The EA accept that there is an obligation on the appellant to complete the works to fulfil planning permission ref: TVN6179/8, which the LPA are evidently keen to see completed. It was established at the Hearing that the EA's only concern relates to the level of waste that is needed to complete the works.**

This is once again attached for your records and this decision given by the planning inspectorate on behalf of the secretary of state supersedes anything that you could now possibly introduce.

So surely as a senior permitting officer you know this ?

So the question begs what further clarification can you possibly need from the LPA ? Or is this another pre-meditated attempt to stop the scheme from legitimately continuing.

Currently you are stopping us progressing the project and are prejudicing our commercial position should the LPA decide to begin enforcement action against us as they have indicated numerous times.

If you can answer the above then I can decide whether we proceed now with an appeal or once again agree to give you another extended deadline of which there have been many to date.

Kind regards,

Simon Nelson



**Phone:** 01264 726121 or 01264 357627

**Mobile:** 07920 100 120

**Email:** [info@nelsonplanthire.co.uk](mailto:info@nelsonplanthire.co.uk)

**Website:** [www.nelsonplanthire.co.uk](http://www.nelsonplanthire.co.uk)

**Confidentiality Note:**

This message is intended for the named person above and may be confidential, privileged or otherwise protected from disclosure. If it has reached you by mistake please contact the sender on 01264 726121 and delete the message immediately.

---

**From:** Tanner, Matt <Matthew.Tanner@environment-agency.gov.uk>

**Sent:** 30 January 2023 10:18

**To:** [info@nelsonplanthire.co.uk](mailto:info@nelsonplanthire.co.uk)

**Cc:** 'Jones, Michael' <Michael.Jones2@tetrattech.com>

**Subject:** RE: Whitehouse Field - Schedule 5 Notification and TVBC consultation

Morning Simon,

It is not my intention to extend this determination longer than required, and we are carrying out legitimate consultation with the council. As stated in my email dated 1<sup>st</sup> December, the consultation is in regards to your obligation to carry out the works - similar to question 2 of the Schedule 5 Notification I sent on the 9<sup>th</sup> November.

We are hoping to hear from TVBC by the end of the week. I will let you know when we are able to continue our assessment.

Kind regards,

**Matt Tanner BSc (Hons) MSc**

Senior Permitting Officer (Waste Deposit Team)

**Environment Agency** | Richard Fairclough House, Latchford, Warrington WA4 1HT

[Matthew.Tanner@Environment-Agency.gov.uk](mailto:Matthew.Tanner@Environment-Agency.gov.uk)

Mobile: 07876 130613

**Pronouns:** he/him ([why is this here?](#))

Typical hours : Monday – Friday, 7am – 3pm



Creating a better place  
for people and wildlife



---

**From:** [info@nelsonplanthire.co.uk](mailto:info@nelsonplanthire.co.uk) <[info@nelsonplanthire.co.uk](mailto:info@nelsonplanthire.co.uk)>

**Sent:** 26 January 2023 12:34

**To:** Tanner, Matt <[Matthew.Tanner@environment-agency.gov.uk](mailto:Matthew.Tanner@environment-agency.gov.uk)>

**Cc:** 'Jones, Michael' <[Michael.Jones2@tetrattech.com](mailto:Michael.Jones2@tetrattech.com)>

**Subject:** RE: Whitehouse Field - Schedule 5 Notification and TVBC consultation

Matt,

What could Test Valley Borough Council possibly add to this ? You have seen the numerous emails & letters from the LPA stating that they would like the works completed as soon as possible to avoid further enforcement action.

You have seen the planning inspectorates previous decisions and notes in relation to the planning position of the site which confirm unequivocally the position. Perhaps if you could be transparent and share the questions you have asked the LPA we could assist you in answering them ?

This has been delayed so far for over 5 years !! My concern is that the EA have now adopted an approach which seems to be "lets just delay the job as long as we can",

How do we know that we will agree the extension once again with you and then on the 17<sup>th</sup> Feb you will either delay us again and ask for another extension or simply say NO its not recovery, sadly at this stage I have grave concerns over the motives of the EA which I do hope that I am proven wrong over. At some point we must glean a positive and level headed outcome and if this means it must come from the inspectorate then that is what we must do.

I quote the last planning inspectorates comments in relation to our environmental permit application and whether the threshold of recovery was met.

13. " The EA accept that there is an obligation on the appellant to complete the works to fulfil planning permission ref: TVN6179/8, which the LPA are evidently keen to see completed. It was established at the Hearing that the EA's only concern relates to the level of waste that is needed to complete the works.

16. " The EA stated at the Hearing that if a robust calculation for the amount of waste required to complete the necessary works was put before them, they would very likely issue a recovery permit, as they accept there is an obligation to undertake the works. However, the amount of waste required in this case remains somewhat unclear from the evidence before me. The LPA are of the view that it is in the region of 16,000 cubic metres.

Please read the above carefully because this was given in evidence on oath by the EA & I cannot see where there can be any clarification needed, in fact The only thing required was an accurate plan of the works which the EA now have with this submission yet still we have been waiting nearly 2 years.

Kind regards,

Simon Nelson



**Phone:** 01264 726121 or 01264 357627

**Mobile:** 07920 100 120

**Email:** [info@nelsonplanthire.co.uk](mailto:info@nelsonplanthire.co.uk)

**Website:** [www.nelsonplanthire.co.uk](http://www.nelsonplanthire.co.uk)

**Confidentiality Note:**

This message is intended for the named person above and may be confidential, privileged or otherwise protected from disclosure. If it has reached you by mistake please contact the sender on 01264 726121 and delete the message immediately.

---

**From:** Tanner, Matt <[Matthew.Tanner@environment-agency.gov.uk](mailto:Matthew.Tanner@environment-agency.gov.uk)>

**Sent:** 26 January 2023 11:10

**To:** [info@nelsonplanthire.co.uk](mailto:info@nelsonplanthire.co.uk); Jones, Michael <[Michael.Jones2@tetrattech.com](mailto:Michael.Jones2@tetrattech.com)>

**Subject:** RE: Whitehouse Field - Schedule 5 Notification and TVBC consultation

Morning Simon and Michael,

Thank you for your previous email. I have been chasing Test Valley Borough Council over the last couple of weeks, and they are not yet in a position to provide feedback. Without this information which is pertinent to our assessment, we are not in a position to conclude our Recovery vs Disposal decision. It is correct you are entitled to deem it refused, but in an effort to get an agreeable conclusion to our determination, we would like to ask for an extension to the deadline. We are expecting a response from TVBC within the next couple of weeks – so I would like to recommend a deadline of the 17<sup>th</sup> February. Please let me know if this is agreeable, or if you are still intending to appeal.

Kind regards,

**Matt Tanner BSc (Hons) MSc**

Senior Permitting Officer (Waste Deposit Team)

**Environment Agency** | Richard Fairclough House, Latchford, Warrington WA4 1HT

[Matthew.Tanner@Environment-Agency.gov.uk](mailto:Matthew.Tanner@Environment-Agency.gov.uk)

Mobile: 07876 130613

**Pronouns:** he/him ([why is this here?](#))

Typical hours : Monday – Friday, 7am – 3pm



Creating a better place  
for people and wildlife



---

**From:** [info@nelsonplanthire.co.uk](mailto:info@nelsonplanthire.co.uk) <[info@nelsonplanthire.co.uk](mailto:info@nelsonplanthire.co.uk)>

**Sent:** 24 January 2023 17:09

**To:** Tanner, Matt <[Matthew.Tanner@environment-agency.gov.uk](mailto:Matthew.Tanner@environment-agency.gov.uk)>

**Cc:** 'Jones, Michael' <[Michael.Jones2@tetratech.com](mailto:Michael.Jones2@tetratech.com)>

**Subject:** RE: Whitehouse Field - Schedule 5 Notification and TVBC consultation

**Importance:** High

Matt,

Further to our recent emails and in anticipation of the EA response after your recent meeting with the LPA.

You are aware that we have set a reasonable deadline to yourselves of COB on the 27<sup>th</sup> January 2023 before we commence with the appeal process and escalate the application to the planning inspectorate to finally obtain the Permit that we require in order to complete the works to the golf course. I am hopeful that you are now in a position after your meeting with the LPA whereby you have verified the works to be done to complete the golf course and can concur with our application and provide us with the required permit in order to proceed and complete the works.

Your earliest response is greatly appreciated.

Kind regards,

Simon Nelson



**Phone:** 01264 726121 or 01264 357627

**Mobile:** 07920 100 120

**Email:** [info@nelsonplanthire.co.uk](mailto:info@nelsonplanthire.co.uk)

**Website:** [www.nelsonplanthire.co.uk](http://www.nelsonplanthire.co.uk)

**Confidentiality Note:**

This message is intended for the named person above and may be confidential, privileged or otherwise protected from disclosure. If it has reached you by mistake please contact the sender on 01264 726121 and delete the message immediately.

---

**From:** Tanner, Matt <[Matthew.Tanner@environment-agency.gov.uk](mailto:Matthew.Tanner@environment-agency.gov.uk)>

**Sent:** 07 December 2022 09:18

**To:** Jones, Michael <[Michael.Jones2@tetratech.com](mailto:Michael.Jones2@tetratech.com)>

**Cc:** [info@nelsonplanthire.co.uk](mailto:info@nelsonplanthire.co.uk)

**Subject:** RE: Whitehouse Field - Schedule 5 Notification and TVBC consultation

Morning Michael,

Thank you for the update. We are taking all reasonable efforts to progress this determination, but appreciate your clients position and their right to appeal. As soon as we have any further information, I will be in touch.

Kind regards,

**Matt Tanner BSc (Hons) MSc**

Senior Permitting Officer (Waste Deposit Team)

**Environment Agency** | Richard Fairclough House, Latchford, Warrington WA4 1HT

[Matthew.Tanner@Environment-Agency.gov.uk](mailto:Matthew.Tanner@Environment-Agency.gov.uk)

Mobile: 07876 130613

**Pronouns:** he/him ([why is this here?](#))

Typical hours : Monday – Friday, 7am – 3pm



---

**From:** Jones, Michael <[Michael.Jones2@tetratech.com](mailto:Michael.Jones2@tetratech.com)>

**Sent:** 06 December 2022 14:39

**To:** Tanner, Matt <[Matthew.Tanner@environment-agency.gov.uk](mailto:Matthew.Tanner@environment-agency.gov.uk)>; [info@nelsonplanthire.co.uk](mailto:info@nelsonplanthire.co.uk)

**Subject:** RE: Whitehouse Field - Schedule 5 Notification and TVBC consultation

Matt

Having spoken to my client, we reluctantly agree to your timescales but would expect a response from you by Friday 27<sup>th</sup> January 2023.

If we do not receive a response by then we will sadly have to consider an appeal due to not determination of the permit.

Regards

**Michael Jones** BSc, FGS, AMIEMA, MIAEG  
Head of Waste and Resource Management

**TETRA TECH**

Geneva Building, Lake View Drive, Sherwood Business Park, Annesley, Nottingham, NG15 0ED

**Mob:** +44 7500 072 812

[tetratecheurope.com](http://tetratecheurope.com)

Tetra Tech Limited. Registered in England number: 1959704

Registered Office: 3 Sovereign Square, Sovereign Street, Leeds LS1 4ER VAT No: 431-0326-08.



---

**From:** Tanner, Matt <[Matthew.Tanner@environment-agency.gov.uk](mailto:Matthew.Tanner@environment-agency.gov.uk)>

**Sent:** 01 December 2022 09:51

**To:** [info@nelsonplanthire.co.uk](mailto:info@nelsonplanthire.co.uk); Jones, Michael <[Michael.Jones2@tetratech.com](mailto:Michael.Jones2@tetratech.com)>

**Subject:** Whitehouse Field - Schedule 5 Notification and TVBC consultation

Morning Simon and Michael,

Thank you for your response to the Schedule 5 Notification. We will not be asking for

any further information at this stage.

As the competent regulator it is incumbent upon the Environment Agency to collect all relevant information to enable us to determine your application. It is our role as a responsible regulator to ensure we consider all information available and make reasonable efforts to obtain the information.

To that end, we are consulting with Test Valley Borough Council (“the Borough Council”) regarding your obligation to carry out the work. From preliminary discussions with the Borough Council, we understand that they will not be able to respond to our enquiries before 20 January 2023.

Until we have a response from the Borough Council we are unable to conclude our assessment and determine your application.

We can only apologise for any inconvenience this may cause you but we will update you as soon as we are in receipt of any further information and able to proceed further towards determination.

Kind regards,

**Matt Tanner BSc (Hons) MSc**

Senior Permitting Officer (Waste Deposit Team)

**Environment Agency** | Richard Fairclough House, Latchford, Warrington WA4 1HT

[Matthew.Tanner@Environment-Agency.gov.uk](mailto:Matthew.Tanner@Environment-Agency.gov.uk)

Mobile: 07876 130613

**Pronouns:** [he/him \(why is this here?\)](#)

Typical hours : Monday – Friday, 7am – 3pm



Information in this message may be confidential and may be legally privileged. If you have received this message by mistake, please notify the sender immediately, delete it and do not copy it to anyone else. We have checked this email and its attachments for viruses. But you should still check any attachment before opening it. We may have to make this message and any reply to it public if asked to under the Freedom of Information Act, Data Protection Act or for litigation. Email messages and attachments sent to or from any Environment Agency address may also be accessed by someone other than the sender or recipient, for business purposes.

---

This message contains confidential information and is intended only for the recipient. If you are not the recipient you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does not accept liability for any errors or omissions in the contents of this message, which arise as a result of e-mail transmission. If verification is required please request a hard-copy version. Tetra Tech is a trade name of the Tetra Tech Group, for our contracting entity company details please refer to our appointment documentation.

---

Information in this message may be confidential and may be legally privileged. If you have received this message by mistake, please notify the sender immediately, delete it and do not copy it to anyone else. We have checked this email and its attachments for viruses. But you

should still check any attachment before opening it. We may have to make this message and any reply to it public if asked to under the Freedom of Information Act, Data Protection Act or for litigation. Email messages and attachments sent to or from any Environment Agency address may also be accessed by someone other than the sender or recipient, for business purposes. Information in this message may be confidential and may be legally privileged. If you have received this message by mistake, please notify the sender immediately, delete it and do not copy it to anyone else. We have checked this email and its attachments for viruses. But you should still check any attachment before opening it. We may have to make this message and any reply to it public if asked to under the Freedom of Information Act, Data Protection Act or for litigation. Email messages and attachments sent to or from any Environment Agency address may also be accessed by someone other than the sender or recipient, for business purposes. Information in this message may be confidential and may be legally privileged. If you have received this message by mistake, please notify the sender immediately, delete it and do not copy it to anyone else. We have checked this email and its attachments for viruses. But you should still check any attachment before opening it. We may have to make this message and any reply to it public if asked to under the Freedom of Information Act, Data Protection Act or for litigation. Email messages and attachments sent to or from any Environment Agency address may also be accessed by someone other than the sender or recipient, for business purposes.