

From: info@nelsonplanthire.co.uk
To: [Tanner, Matt](#)
Cc: ["Jones, Michael"](#); ["James, Andrew"](#)
Subject: RE: Whitehouse Field
Date: 15 February 2023 18:02:22
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

Matt,

Thank you for your email.

I noticed you have swerved answering the questions posed in my last email, I wonder why ?

For what its worth I agree with you entirely and it is very important that all conversations are held on record for the benefit of any future hearing with the planning inspectorate should there be one.

By the way this isn't a guessing game,
FYI, in anticipation of further delays I have already done what you said and spoken to the Head of planning at TVBC last week (simon Finch), who has confirmed that you are in fact dealing with Andrew James the enforcement manager at TVBC council. However Andrew is on holiday until next Monday. At this point can I suggest that you liaise with him as I am sure that he will confirm that the works left to do which have been detailed within our application for a permit do concur with the works that are left do and levels to be achieved in order to complete the scheme. I have copied Andrew in for surety that you make contact and that there is no more problems.

I am also sure that he will confirm that we cannot fulfil the enforcement notice upheld by the inspectorate until the works are complete.

This was detailed in our application and was confirmed under oath at the last hearing by the planning inspectorate so I fail to see why you choose to ignore this information.

Please take this next paragraph as a formal answer to your question:

At this point in time we are proceeding with the application and will not be withdrawing. You will know when I decide that enough is enough and call a hearing for the inspectorate to determine matters because I will email you out of courtesy. I hope this answers your question within the 7 day window that you have put on me.

In the interim I can envisage no more delays once Mr James has confirmed what you require and this should enable you to provide what we need to proceed.

Kindest regards,

Simon Nelson

Simon Nelson



Phone: 01264 726121 or 01264 357627

Mobile: 07920 100 120

Email: info@nelsonplanthire.co.uk

Website: www.nelsonplanthire.co.uk

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

Sent: Wednesday, February 15, 2023 3:17 PM

To: info@nelsonplanthire.co.uk

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

Subject: RE: Whitehouse Field

Afternoon Simon,

I appreciate your voicemails, but would prefer emails at the moment to ensure there are reliable records of conversations held.

We are not at liberty to give individual names of representatives of the Local Authority, but we can confirm we are formally consulting with Test Valley Borough Council. If you would like to consult with your previous contacts at TVBC (Simon Finch and Andrew Ferrier), they should be able to provide details if deemed appropriate.

As requested in the letter, we would be grateful for your response by 17 February 2023 to inform us how you wish to proceed with this application.

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

Mobile: 07876 130613

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

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for people and wildlife



From: info@nelsonplanthire.co.uk <info@nelsonplanthire.co.uk>
Sent: 09 February 2023 18:15
To: Tanner, Matt <Matthew.Tanner@environment-agency.gov.uk>
Cc: 'Jones, Michael' <Michael.Jones2@tetrattech.com>
Subject: RE: Whitehouse Field
Importance: High

Matt,

so let me get this straight.

You have contacted the LPA as far back as Nov 2022. To date you have not had any type of response from them to the very simple questions that you posed. The extent of the obligation is clear in that we cannot satisfy the enforcement notice or finally complete the scheme leaving us open to further enforcement action. You have seen the evidence and do NOT need further verification of this from the LPA. Please therefore Stop creating issues and allow us to move forward.

In the interim we are waiting patiently (so far for 2 years since the last hearing). We have now attended a meeting with the LPA in person who failed to agree that you had been in contact and actually confirmed that you hadn't been in touch.

Clearly someone is not telling the truth !! I would like some answers so Please confirm who in the LPA you have been liaising with ?

It appears that the inability between the EA and the LPA to communicate productively and cross reference some very simple data are affecting us adversely and have prejudice our commercial position and will continue to do so until this is resolved.

Perhaps it's a ploy to keep us waiting as long as possible ? The LPA are keen to see the enforcement notices complied with and currently these antics are stopping progress.

I note your letter gives us 2 options which in simplified terms mean the following.

1. Adhere to the extended date that the EA keep purposely moving backwards whilst supposedly liaising with the council.
2. Start an appeal and potentially lose our application fee.
3. Withdraw the application.
4. I am not sure that you are correct when you state that if we apply to PINS then you will determine the application, this is tantamount almost to bribery !!! (the power of determination will then be afforded to the inspectorate by way of appealing your decision should you finally decide to determine the application)

Whilst you are clearly taking instructions from personnel above you within the EA, its plain to see that you are trying to on the face of matters to look reasonable (no doubt for the benefit an inspectorate), however, It is clear to any outside person looking at matters in the round that we

are being messed around and purposely delayed.

The schedule 5 notice that you sent us has been complied with the exception of the bits that are outside of our control and reliant on 2 authorities communicating with each other (i.e the EA and the LPA) and confirming some very simple data. This now seems to have hit a stumbling block and either you have or you haven't been communicating with the LPA ? please confirm the following because.

1. If you have been communicating with the LPA then clearly the LPA aren't telling the truth !!
2. If you haven't been communicating with the LPA then clearly the EA aren't telling the truth !!

Which one is it Matt ? Please confirm.

It can only be one or the other cant it ?? I expect you will say that you have been communicating with the LPA in order to avoid paying costs if we end up in front of an inspectorate which is looking increasingly more likely due to this UNREASONABLE behaviour.

It is not a case of whether anyone would accept a lesser scheme because it is our right to complete the planning permission that we currently have approved, therefore in this regard and in relation to the planning permission it has been demonstrated that we are using the minimum amount of waste needed to complete the scheme. This has been confirmed with the LPA previously and the information was included within our waste recovery plan submission. This aligns with both planning inspectors findings to date so I fail to see how you can state that this isn't clear within the submission and our waste recovery plan.

We have exhausted all conversations with the LPA and have agreed what needs to be done to complete the works which is detailed clearly within our submissions, the last hearing and inspectorate determined this and also clarified that if we applied again we would likely be granted a permit once it had been agreed with the LPA what needed to be done. This was all given in evidence under oath Matt. We have now applied again and got to the point once again where the EA/LPA are creating obstacles to stop progress. You were appointed 6 months ago to streamline this process because the EA were putting obstacles in the way, so far your not really streamlining anything Matt just finding limp excuses to delay us further and trying to muddy the waters.

I expect that this is a dual pronged and pre-planned approach by both authorities that has been taken in an attempt to stymie the works being completed.

Nevertheless we cannot wait infinitely and need to act quickly now in order to bring this matter to its conclusion and to enable us to complete the works & satisfy the enforcement notices and the LPA without our commercial position being prejudice as it is currently.

I trust this is clear and we will not wait until the date in March that you have proposed. We have been patient, reasonable and all you and the LPA do is try your best to find a reason to stop us completing the scheme. Companies and their staff are struggling like never before and its easy to see why this is the case when we are met with this type of pre-meditated resistance from authorities which are supposed to be assisting and streamlining applications like this, we have

done everything as you have asked for and I cannot understand why both authorities would be so obstructive to stop a company finishing a scheme off which brings lots of benefits throughout construction and thereafter. Is there little wonder the country is in such a state ?

Enough is enough.

Please answer the questions that I have asked you above clearly so that we can establish who is responsible for the delays and why.

Kind regards,

Simon Nelson



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

Sent: 08 February 2023 15:27

To: info@nelsonplanthire.co.uk; 'Jones, Michael' <Michael.Jones2@tetrattech.com>

Subject: Whitehouse Field

Afternoon Both,

Thank you for your previous email. In response to your queries regarding the progress of the application and communications with TVBC, please see the attached letter. If you have any further questions, please let me know.

I am away for the rest of the week, returning next Tuesday, but will be happy to respond on my return.

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

Mobile: 07876 130613

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From: info@nelsonplanthire.co.uk <info@nelsonplanthire.co.uk>

Sent: 01 February 2023 13:29

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

Cc: 'Finch, Simon' <SFinch@testvalley.gov.uk>; 'Ferrier, Andrew' <AFerrier@testvalley.gov.uk>;
'Jones, Michael' <Michael.Jones2@tetrattech.com>

Subject: Whitehouse field.

Importance: High

Dear Matt,

I hope you are well. I am yet to receive a reply to my last email but write again by way of update.

I attended a meeting yesterday with the chief executive and Head of Planning of the LPA to discuss the above project, both were kind enough to accommodate me at the local council offices. For your information Simon Finch is currently the Head Of Planning & Building and Andrew Ferrier is currently the chief executive both for Test Valley Borough Council.

As all parties fully understand the planning position has been fully confirmed previously by the planning inspectorate. The LPA also made reference within our meeting to certain enforcement notices which cannot be fulfilled until the works have been completed, The knock on effect, As you well know is that the works cannot be fully completed until we receive an environmental permit from yourselves so at this stage these delays are really causing us problems.

As you confirmed that was the case in your email and stated that you had spoken to the LPA and were awaiting information which you estimated would take a couple of weeks. Surprisingly both parties were unaware of you needing to contact them to verify certain information in order to finally approve our environmental permit and to ensure that we can finally complete the works on site.

I am sure that this may be an oversight or crossed wires and as such feel that this introductory email may assist you in moving forward as you know that we are keen to avoid the appeal process in order to obtain the environmental permit which would finally enable us to complete the works, however we are also fully prepared to follow this is route if we need to.

I am hoping that this introductory email to all parties now gives you the opportunity as the determining officer from the EA to confer with the correct contact (Simon Finch) of the LPA quickly to now confirm that the detail we have provided in relation to the plans and drawings for the finished scheme that we have submitted within our application to yourselves for an environmental permit, is the same as has been agreed with the LPA and can be cross referenced

in terms of the works that need to be done to complete the planning permission in line with the inspectors decision. This is a very straight forward exercise and as your aware this was all the inspector required at the last hearing and confirmed that if this was provided the EA would very likely issue a permit, notwithstanding this it is disappointing that we have still had to wait a further 2 years to get to this point.

This last dialogue between yourselves should hopefully now allow you to complete your reasonable balanced checks and measures in order to approve the environmental permit application which we have submitted and which in turn will then allow us to finally complete the works to the golf course in line with the enforcement plan, inspectors decision and the planning approval.

You have requested another extension of the previous deadline that you set of 27th December 2022 until the 17th February 2023.

After careful consideration and in light of the above and the fact that it would appear that the Head of Planning has not had any dialogue with yourself up to now, I am prepared to extend the deadline date until Friday 10th February 2023 before we lodge an appeal with the planning inspectorate at which point the determination of the application will be afforded to the inspectorate, at this point we will have no choice but to seek costs for following this process from the EA.

This offer of an extension is a final attempt to allow the EA sufficient time to determine the application and in the hope that we can avoid the lengthy, and costly process of having to proceed to an appeal for matters which are very straight forward and that can be dealt with quickly and efficiently and without the need to further clog up unnecessarily the already over worked appeal process.

I trust the above to be self explanatory and look forward to hearing from you soon .

Kind regards,

Simon Nelson



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