

From: [Planning](#)
Subject: SSDC Phosphate Update
Date: 27 May 2021 16:24:39

Dear Applicant/Agent,

I am writing to you following Barry James' email sent in February 2021, to update you regarding the situation with phosphates within the Somerset Levels and Moors catchment area, which remains challenging, and as a result the Council's ability to determine affected applications remains limited. As an agent with live applications in South Somerset you may well have applications caught up by this issue.

The applications most likely to be affected are:

- New dwellings
- Buildings providing overnight accommodation including tourist / guest accommodation
- Some agricultural development where there may be an increase of animal numbers

We have published a phosphate calculator which has been available on our website since February and this is enabling some residential applications to propose on-site mitigation solutions which will allow some schemes to progress in advance of the roll out of a county wide strategy to offer a credit scheme/market. If you are reliant on an off-site solution for mitigation/offsetting, and may have to wait for a credit scheme/market, then this solution is unlikely to be in place for a number of months.

Our previous emails stated that we may have to seek a further extension of time for determination if we are not in a position to proceed with applications, and this has unfortunately turned out to be the case. **We are writing again to seek and agree a further extension of time to 31st October 2021.**

Can I ask you therefore to do the following:

- By the 4th June 2021, respond to the above email address to confirm you agree with this extension, quoting the **Planning Application Number**.
- Alternatively confirm that your client has indicated that they do not wish to agree an extension of time and understand that this may result in a refusal.
- Please ensure you provide the **reference number(s)** of the case(s) you are agreeing an extension of time to, so we can ensure it is recorded as such.

I must also remind you that there may be other issues relating to applications held up by phosphates that require resolution or may ultimately impact upon our recommendation. You should therefore seek clarification from your case officer whether there are other outstanding issues to be resolved.

If we do not receive agreement to an extension of time the Council may determine the application based on the information we have; this could mean that, in the absence of an

Appropriate Assessment under the Habitats Regulations, the application may be refused. Again, you may wish to consider withdrawing the application if this is the case.

The SSDC website will be updated when there is news as we progress towards a resolution:

<https://www.southsomerset.gov.uk/services/planning/somerset-levels-and-phosphates/>

A further issue that you should be aware of in relation to applications impacted by the phosphate issue is that Somerset Ecology Services are not currently providing comments upon the suitability of any ecology survey reports that accompany these applications. This is because the reports may become out of date by the time the phosphate issue is resolved. We would strongly urge applicants therefore to review the age of their surveys and reports where these have been submitted and if necessary use the current survey season to commission updated reports to avoid the possibility that at the point of determination previously submitted ecology work is considered to be out of date, necessitating a further for delay waiting from the 2022 survey season.

Thank you.