Date: 03 March 2022
Our ref: 381357
Your ref: HCC/2021/0787

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Peter Bond
Hampshire County Council

**BY EMAIL ONLY**

Dear Peter

**Planning consultation:** Proposed extraction of sand and gravel, with restoration to grazing land and recreation using imported inert restoration materials, the erection of associated plant and infrastructure and the creation of a new footpath and access
**Location:** Hamble Lane at Hamble Airfield

Thank you for your consultation on the above dated 19 January 2022 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

**SUMMARY OF NATURAL ENGLAND'S ADVICE**

**FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES**

As submitted, the application could have potential significant effects on designated sites in the Solent including the Solent and Southampton Water Special Protection Area (SPA) and Ramsar site, the Solent Maritime Special Area of Conservation (SAC) and the Solent and Dorset Coast SPA. In addition, the following Sites of Special Scientific Interest (SSSIs) could be impacted:

- Lincegrove and Hacketts Marshes SSSI
- Hythe to Calshot Marshes SSSI
- Lee-on-the-Solent to Itchen Estuary SSSI
- Upper Hamble Estuary and Woods SSSI

Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

- A detailed Agricultural Land Classification (ALC) and soil resources survey
- Updates to, and clarification of, parts of the Landscaping, Restoration and Outline 5 year Aftercare Scheme document

Without this information, Natural England may need to object to the proposal.

Please re-consult Natural England once this information has been obtained.

Natural England's further advice on designated sites/landscapes and advice on other issues is set out below.

**Habitats Regulations Assessment (HRA)**

A shadow Habitats Regulations Assessment (sHRA) has been produced in support of this planning application (LC Ecological Services, November 2021).

Natural England notes that this sHRA has not been produced by your authority, but by the applicant. As competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

The HRA should consider impacts from the proposals in-combinations with other plans/projects in the area, and with Local Plans.

**Soils, Land Quality and Reclamation**

The applicants describe the site as non-agricultural due to its former use as an airfield site. However, publicly available reconnaissance post 1988 Agricultural Land Classification (ALC) data is available for this site.

Having examined this proposal in the light of our statutory duties under Schedule 5 of the Town and Country Planning Act 1990 (as amended) and the Government's policy for the sustainable use of soil as set out in paragraphs 174 and 175 of the National Planning Policy Framework (NPPF), Natural England has strong reservations about the proposal for the following reasons, and advise further information is provided, as outlined below:

1. Based on the information provided in support of the planning application, we note that the proposed development would extend to approximately 60 ha that is 'best and most versatile' (BMV) agricultural land; namely Grades 1, 2 and 3a land in the Agricultural Land Classification (ALC) system.

2. On the evidence of the information set out in the application, the proposed development may result in the irreversible loss of over 20 ha BMV agricultural land. In particular, the submitted soil handling, restoration and aftercare proposals do not meet the requirements for sustainable minerals development set out in the NPPF and current Minerals Planning Practice Guidance. A detailed Agricultural Land Classification (ALC) and soil resources survey does not appear to have been carried out. This survey should provide:

    - Baseline information about agricultural land quality and the amount of best and most versatile (BMV) agricultural land present
    - Baseline information on soil types and volumes present available for restoration including the identification of any shortfalls, using a 'soil balance'
    - Restoration proposals based on the above information for returning the land back to its original quality with the aim of no net loss of BMV agricultural land and the protection and sustainable use of all soils present.

*3.* Natural England would expect this application to be rigorously examined in the light of Government policy as set out in Paragraph 174 and 175 of the NPPF which states that *'Planning policies and decisions should contribute to and enhance the natural and local environment by:*

    *recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.'*

*And*

*Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework[1]; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.*

The Hampshire Mineral Plan policy 8 also states: *'Minerals and waste development should protect and wherever possible, enhance soils and should not result in the net loss of best and most versatile agricultural land. Minerals and waste development should ensure the protection of soils during construction and where appropriate recover and enhance soil resources.'*

4. Soil is a finite resource which plays an essential role within sustainable ecosystems, performing an array of functions supporting a range of ecosystem services, including storage of carbon, the infiltration and transport of water, nutrient cycling, and provision of food. In order to safeguard soil resources as part of the overall sustainability of the development, it is important that the soil resource is able to retain as many of its important functions as possible. This can be achieved through careful soil management and appropriate, beneficial soil re-use, with consideration on how any adverse impacts on soils can be avoided or minimised.

5. The Institute of Quarrying Good Practice Guide for Handling Soils in Mineral Workings provides detailed advice on the choice of machinery and method of their use for handling soils at various phases, which we strongly recommend is followed. For agricultural after uses, the best available practice is using the excavator-dump truck combination in conjunction with the sequential 'strip' method (Sheets A – D).

6. More general advice for planning authorities on the agricultural aspects of site working and reclamation can be found in the Defra Guidance notes Reclaim minerals extraction and landfill sites to agriculture, which again we strongly recommend is followed.

Natural England therefore, requests that your Authority carefully considers the above issues. We would be pleased to advise on an amended proposal.

**Landscaping, Restoration and Outline 5 Year Aftercare Scheme**

The Landscaping, Restoration and Outline 5 year Aftercare Scheme dated November 2021 states that five years' of aftercare is proposed at this site. While this management is welcomed, we would highlight that certain features such as wetland areas can take time to establish, and may require ongoing management actions including vegetation clearing and de-silting. We recommend that the management period is extended to address the longer-term management and maintenance of this site, including management of the perimeter pathway and fenceline.

We would recommend the following further information is provided:

- An agreed and costed long-term plan is outlined that sets out how the management of the site, post-restoration, will be implemented and delivered;
- Details of which management body(ies) will take long term responsibility for the site, should this be extended beyond five years
- Details of ongoing monitoring of delivery of the agreed management.

Your authority will need to be satisfied that financial arrangements are in place that will guarantee the provision of sufficient funds to ensure the full delivery of the agreed management plans.

[1] Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.

Where a management body is employed that is not the public authority, legal step-in rights may be required to take over management of the area in the case where that body fails or folds.

We advise that the aftercare is secured via a suitable mechanism such as a planning condition.

The following additional comments are provided on the Landscaping, Restoration and Outline 5 year Aftercare Scheme document (November 2021):

**Paragraph 1.4:** We welcome the reinstatement to original ground levels but it is not clear what final gradients are proposed. These should be sufficient to allow a degree of surface water run-off but not exceed 7°, the limit for land being BMV, or contribute to soil erosion risk.

**Paragraph 1.7** Restoration to low intensity agricultural use, such as acid grassland, woodland and other use, is acceptable for BMV agricultural land provided that following reinstatement the restored land retains its original capability as measured by ALC Grade so that it is retained as a high quality resource for future generations; see Mineral Planning Practice Guidance para 040.

**Paragraph 1.12** This information does not appear to be based on a soil resource survey which identifies in detail the soil resources available on this site for restoration, the depths and volumes of different soil types and the different soil horizons (layers) present so that a phase by phase soil balance information is available and that different soil types can be stripped, stored and replaced separately as appropriate in accordance with good practice guidance. A soil resource survey should also identify any specific soil types which would be especially suitable for the proposed end-uses, and importantly determine any likely shortfalls of soil, for example for example where workable mineral is within the normal soil depth (1.2m) so that any soil shortfalls can be identified and suitable substitutes identified. Further guidance is available in Planning and aftercare advice for reclaiming land to agricultural use - GOV.UK (www.gov.uk) and in the Institute of Quarrying (2021) Good Practice Guide for Handling Soil in Mineral Working (Part One, Supplementary Note 2)

**Paragraph 3.1** The MAFF Good Practice Guide to Handling Soil (2000) is now superseded by the Institute of Quarrying (2021) Good Practice Guide for Handling Soil in Mineral Working. The relevant sheets are now A-D. Note that use of bulldozers (as described in the planning statement) is not normally recommended if high standards of restoration are to be achieved.

**Paragraph 3.2** A more comprehensive field test for determining suitably dry soils for handling is given in Institute of Quarrying (2021) Good Practice Guide for Handling Soil in Mineral Working (Part One, Supplementary Note 4, table 4.2) and should be adopted.

**Paragraph 3.5** No soil handling should take place between October and March inclusive as soil conditions are unlikely to be suitable and it will be difficult to establish vegetative cover leaving soils bare and prone to degradation over-winter. At other times adverse weather may result in soil handling being suspended. The Good Practice Guide for Handling Soils (IoQ, 2021) describes a suitable protocol for assessing adverse weather conditions in Part One, Supplementary Note 4, which should be adopted.

**Paragraph 3.2** (after para 3.13) A soil resource survey and soil balance calculations are needed to provide confidence that there is sufficient soil available to achieve the soil depths specified, address any shortfalls and return land back to its original ALC grade, particularly if workable mineral resource, which is currently part of the soil resource within 1.2m, is removed. An annual soil audit during the operational phases would also be desirable.

**Paragraph 4.3** Confirmation as to the organisation responsible for the aftercare is sought.

**Paragraph 5.1 and 5.7** Use of fertilisers is referred to; this does not appear consistent with the intention to create an acid grassland sward as described in Paras 5.4 and 5.6. Whilst it will be important to understand soil nutrient levels, for example to determine whether an acid grassland seed mix is appropriate for the soils present, advice on soil analysis and soil nutrient levels and pesticides should also be undertaken by a FACTS qualified adviser with specific experience of

nature conservation requirements. Similarly pesticide advice should be from a BASIS qualified adviser.

**Paragraph 6.2** The need for a piped underdrainage should also be established as part of aftercare management if dry acid grassland is proposed. The original permeable gravel substratum will be replaced by impermeable fill with a likely increase in overall soil wetness. Mole draining as proposed is typically used for moving water to widely spaced pipe drains and is only successful in soils with a high clay content which may not be the case at this site. Subsoiling could be more suitable and should be considered as an alternative remedial treatment.

**Hydrological Impacts**

The water environment and flood risk chapter of the Environmental Statement (December 2021), (paragraph 8.9.4) notes that the designated sites along the foreshore of the River Hamble and Southampton Water are associated with brackish and estuarine waters, which will be negligibly affected by any small reduction in groundwater flow as a result of the onsite works. We would draw your attention to the Lincegrove and Hackett's marshes SSSI, which shows a natural transition from unimproved pasture through to saltmarsh, and therefore could potentially be impacted by changes to groundwater flows.

While we tentatively agree with the Environmental Statement's conclusion in that changes in hydrology are unlikely to impact nearby designated sites, we would advise further consideration of this SSSI in particular informs your decision making.

Onsite pollutants

The ground condition desk top study (GCC, April 2018) (4.2.2) states that contaminants may be present onsite due to the site's former use as an airfield. Data from a set of 2008 borehole logs indicates that these hydrocarbons have not migrated far from their source locations, although this dataset does not appear to have been provided. Hampshire County Council as competent authority should be satisfied that the conclusions of the ground condition study are robust and fully justified.

**Environmental Management Plan**

The development is in close proximity to designated sites on the Solent. Without best practice working methods and mitigation there is risk during the construction phase of the development that pollution from machinery, equipment or materials may enter into the water. Natural England recommends that an Environmental Management Plan (EMP) is produced prior to start of the works and submitted to and approved in writing by your authority. This should be secured by an appropriate planning condition or obligation. The EMP should include the following:

- A list of defined potential impacts on the nearby designated sites, including the Solent and Southampton Water SPA and the Solent Maritime SAC.
- Details of methods for pollution control to ensure that no pollution (such as debris from dust or surface run off, or any contaminants mobilised from the works) is able to enter the water.
- Details on the storage and disposal of waste on site
- Details on how sediment/concrete/other debris that may be accidently released during construction will be captured to prevent entering the water
- Details of Biosecurity to ensure that all equipment brought onto site does not bring any contaminants such as invasive species onto the site and into the waters.

Noise Impacts

Chapter 7 of the Environmental Statement ('Noise') indicates that increased daytime temporary noise limits of up to 70dB for periods of up to eight weeks in a year should be considered to facilitate essential site preparation and restoration work. This site is approximately 300m west of the Solent and Southampton Water SPA, notified for its overwintering birds.

Wherever possible, percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax – measured at the sensitive receptor) should be avoided during the bird overwintering period (i.e. October to March inclusive). If such a condition is problematic to the applicant than Natural England will consider any implications of the proposals on the SPA bird interests on a case by case basis through our Discretionary Advice Service. Note: The sensitive receptor is the nearest point of the SPA or any SPA supporting habitat (e.g. high tide roosting site).

**Sustainable Urban Drainage (SuDS)**

A Flood Risk Assessment has been prepared in support of this application (Stantec, November 2021). Provided that the Hampshire County Council, as competent authority, are satisfied that this assessment is robust then Natural England raise no comments on this aspect of the proposals.

Groundwater level and quality will continue to be monitored at the site throughout the operational lifetime of the site and for at least five years of aftercare. We advise that this is secured with appropriate mechanisms such as a planning condition with consideration to appropriate remedial measures if required.

**Biodiversity Net Gain**

It is understood that Defra's Biodiversity metric 3.0 has been used to calculate a net gain of just over 10% (Environmental Statement Chapter 10 'Ecology, section 10.3.17). We welcome the applicant's intention to achieve Biodiversity Net gain. It is understood that these calculations do not meet the trading rules for the metric, and therefore we recommend that these calculations are updated, if possible, in line with the trading rules. For further information about Biodiversity Net Gain please see Annex A.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Further general advice on the protected species and other natural environment issues is provided at Annex A.

If you have any queries relating to the advice in this letter please contact me on 07552 268094.

Should the applicant wish to discuss the further information required and scope for mitigation with Natural England, we would be happy to provide advice through our Discretionary Advice Service.

Please consult us again once the information requested above, has been provided.

Yours sincerely

Mary Andrew
Sustainable Development Lead Adviser
Thames Solent Team

# Annex A – Additional advice

Natural England offers the following additional advice:

**Landscape**
Paragraph 174 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland, or dry-stone walls) could be incorporated into the development to respond to and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the Landscape Institute Guidelines for Landscape and Visual Impact Assessment for further guidance.

**Best and most versatile agricultural land and soils**
Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 174 and 175). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in GOV.UK guidance Agricultural Land Classification information is available on the Magic website on the Data.Gov.uk website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra Guidance for Successful Restoration of Mineral and Waste Sites and the Natural England guidance note Planning and aftercare advice for reclaiming land to agricultural use. Reference could also usefully be made to the Institute of Quarrying (2021) Good Practice Guide for Handling Soils in Mineral Workings. The Natural England Guide to reclaiming mineral extraction and landfill sites to agriculture also contains useful background information. We recommend use of these documents in the design and construction of development, including planning conditions. Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

**Protected Species**
Natural England has produced standing advice[2] to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

**Local sites and priority habitats and species**
You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 175 and 179 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found here[3]. Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential

[2] https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals
[3] http://webarchive.nationalarchives.gov.uk/20140711133551/http:/www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx

environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found here.

**Ancient woodland, ancient and veteran trees**
You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 180 of the NPPF. Natural England maintains the Ancient Woodland Inventory which can help identify ancient woodland. Natural England and the Forestry Commission have produced standing advice for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

**Environmental gains**
Development should provide net gains for biodiversity in line with the NPPF paragraphs 174(d), 179 and 180. Development also provides opportunities to secure wider environmental gains, as outlined in the NPPF (paragraphs 8, 73, 104, 120,174, 175 and 180). We advise you to follow the mitigation hierarchy as set out in paragraph 180 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

Natural England's Biodiversity Metric 3.0 may be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. For small development sites the Small Sites Metric may be used. This is a simplified version of Biodiversity Metric 3.0 and is designed for use where certain criteria are met. It is available as a beta test version.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

Natural England's Environmental Benefits from Nature tool may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside Biodiversity Metric 3.0 and is available as a beta test version.

One method to ensure net gain is achieved is to compile a Biodiversity Mitigation and Enhancement Plan (BMEP) or similar document that aims to protect and improve the local ecology. This can help to strengthen ecological networks and wildlife corridors. Such a Plan can bring together specific avoidance, mitigation and any compensatory measures to address impacts on species and habitats, detail how biodiversity net gain will be achieved, plus detail additional enhancement measures for wildlife (such as

bat and bird boxes, habitat refuges etc.).

Such a plan should be agreed with the Hampshire County Council Ecologist and appropriately secured with any planning permission. (Where the Council does not have an in-house ecologist, please re-consult Natural England on this aspect of the proposals).

**Access and Recreation**
Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

**Rights of Way, Access land, Coastal access and National Trails**
Paragraphs 100 and 174 of the NPPF highlight the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

**Biodiversity duty**
Your authority has a duty to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available here.