

Moorlands Farm Industrial Development Application: F/22/93835.

Comments on original submission dated October 2022 and second application dated May 2023.

Summary:

October 22: The Environment Impact Assessment (EIA) section 7.2.1 states that due to the proximity of Moorgreen Meadows SSSI (along the site S, E and N boundaries), there is potential for it to be significantly impacted through dust deposition and surface run-off/drainage. Therefore, there will be a **likely significant negative impact at a national level**. In addition, the EIA section 7.2.1 states the development will result in a **likely significant adverse impact upon habitat of value at the local level**. Having identified these risks the applicant fails to address all of these matters in the EIA and fails to provide mitigation to offset these impacts. As such, this development application contravenes EBC's Policy DM11 entitled Nature Conservation and as such the development should be rejected.

May 23: The wording in the EIA in section 7.2.1 has changed from the development will have a **'likely significant negative impact at a national level'** to the development will have a **'likely neutral impact at a national level'**. We assume this is due to the addition of a 15-20m buffer zone plus the introduction of a drainage plan based on SuDs, attenuation basins and green roofs to reduce the adverse impacts of site drainage onto the SSSI. The EIA in section 8.12 refers to significant Biodiversity Net Gains (BNG) of 36% in the new site layout. While the revised Defra Metric calculation 4.0 is listed in the applicant's covering letter, it is not included on the planning portal and as such is not available for public review and consideration. There is still no reference to the need for a Site Management Plan to monitor these activities during the operational phase of the project.

May 23: There is no change to the wording in section 7.2.2 of the EIA, therefore the applicant's Ecologist believes the development will result in a **'likely significant adverse impact upon habitat of value at local level.'**

Objection 01: Incomplete Habitat and Species Surveys.

October 22: The Executive Summary of the Environment Impact Assessment (EIA) states that the adverse effects of this development can only be fully determined following the completion of recommended additional survey work. This lack of survey work and the associated habitat assessments contravenes the acceptance criteria of EBC's Policy DM11, Nature Conservation, item 8, entitled Surveys and as such the application must be rejected.

May 23: There is no change in the wording of the EIA Executive Summary regarding the need for additional survey work. The applicant's ecologist has restated that the adverse effects of this development can only be fully determined following the completion of recommended additional survey work. The applicant has had 8 months to complete these additional surveys but has failed to do so. This lack of survey work and the associated habitat assessments contravenes the acceptance criteria of EBC's Policy DM11, Nature Conservation, item 8, entitled Surveys and as such the application must be rejected.

Objection 02: Impacts on Moorgreen Meadows SSSI.

October 22: This development has the potential to impact on Moorgreen Meadows SSSI, particularly unit 3 which is classified by Natural England on their website as in an unfavourable condition and is under a high level of threat. The citation warns of further damage due to changes in drainage, erection of buildings and engineering works. The EIA does not provide a current assessment of the SSSI, nor does it address the management advice provided by Natural England. This omission contravenes the acceptance criteria of EBC's Policy DM11, Nature Conservation, item 4 entitled National and Local Designations and as such the application must be rejected.

May 23: The 2nd application does not address the unfavourable condition of the SSSI on land owned by the applicant. As such my previous objection stands. This omission contravenes the acceptance criteria of EBC's Policy DM11, Nature Conservation, item 4 entitled National and Local Designations and as such the application must be rejected.

Objection 03: Incomplete Habitat and Species Surveys.

October 22: The sward in Moorgreen Meadows SSSI is of scientific importance for its populations of marsh orchids, including examples such as northern marsh orchid, *Dactylorhiza purpurella*, along with other species of *Dactylorhiza*. On this site can be found hybrids between many species of marsh orchid, making it a centre of micro-evolution. The field surveys and subsequent habitat assessments detailed in section 3.2 of the EIA fail to address these features as such this contravenes the acceptance criteria of EBC's Policy DM11, Nature Conservation, item 8, entitled Surveys and as such the application must be rejected.

May 23: The 2nd application does not address the importance of the flowering plants in the SSSI. As such my previous objection stands. The field surveys and subsequent habitat assessments detailed in section 3.2 of the EIA fail to address these features as such this contravenes the acceptance criteria of EBC's Policy DM11, Nature Conservation, item 8, entitled Surveys and as such the application must be rejected.

Objection 04: Protected Species - Grass Snakes.

October 22: Table 6 (now table 7) of the EIA confirms the site holds good numbers of Grass Snakes; therefore, we must assume the site holds good numbers of amphibians, particularly frogs. The watercourse along the eastern boundary of the site and Pond 4 are considered high value biodiversity areas with high potential for reptiles, amphibians, and invertebrates however the applicant has failed to complete comprehensive surveys in these areas. Pond 4 assessment is based only on a desk top HIS study. The aim of the protected species surveys is to confirm the presence/likely absence of species to aid the assessment of the ecological value of the site and potential ecological effects (or lack of) of a proposed development. The results of the survey work also provide evidence to support associated mitigation and compensation. This lack of surveys contravene the acceptance criteria of EBC's Policy DM11, Nature Conservation, item 5, Priority habitats, protected and priority species and the local ecological network and as such the application must be rejected.

May 23: The 2nd application does not address the importance of the protected species surveys. As such my previous objection stands. This lack of surveys contravenes the acceptance criteria of EBC's Policy DM11, Nature Conservation, item 5, Priority habitats, protected and priority species and the local ecological network and as such the application must be rejected.

Objection 05: Water Pollution during construction phase.

October 22: The EIA in section 6.1 states that all protected species and habitats within the development footprint and the boundary have the potential to be disturbed by the earthworks and earth stripping associated with the phased construction but these adverse impacts are not considered in the assessment of water pollution risks particularly to the watercourse and SSSI along the eastern boundary of the site. Considerable damage to the local biodiversity could be done during the construction phase yet these matters are not considered. The one sentence reference to the production of a CEMP in 8.9 is wholly inadequate mitigation to the significant impacts to the local biodiversity during the construction phase of this development. This failure to address the adverse impacts of construction and the lack of mitigation contravene the acceptance criteria of EBC's Policy DM11, Nature Conservation, item 5, Priority habitats, protected and priority species and the local ecological network and as such the application must be rejected.

May 23: The 2nd application does not include a Construction Environmental Management Plan to offset the damage detailed in section 6.1 of the EIA. As such my previous objection stands. This failure to address the adverse impacts of construction and the lack of mitigation contravene the acceptance criteria of EBC's Policy DM11, Nature Conservation, item 5, Priority habitats, protected and priority species and the local ecological network and as such the application must be rejected.

Objection 06: Water Pollution during the Operational Phase.

October 22: The EIA addresses the human activity and disturbance impacts of the development during the operational phase on the local biodiversity but fails to consider the impacts of water pollution, particularly to the adjacent watercourse and SSSI. The Flood Risk Assessment report section 7.4 states that 50% of water runoff will be discharged directly into the local watercourses. Considering that this development will include light industrial facilities including storage areas serviced by heavy duty vehicles, there is considered risk of water pollution into this watercourse which feeds into the Hamble River. None of these issues are considered in sections 6, Zone of Influence, section 7 Likely Ecological Impacts, nor section 8, Mitigation. As such the EIA completely fails to address the impacts of water pollution during the operational phase of this development. This failure to address the adverse impacts of water pollution during the operational phase contravene the acceptance criteria of EBC's Policy DM11, Nature Conservation, item 5, Priority habitats, protected and priority species and the local ecological network and as such the application must be rejected.

May 23: SDS document 1.8: The revised Sustainable Drainage Strategy dated May 2023 contains a highly complex drainage design to control water pollution during the operational phase however the strategy as stated will seek to convey surface water to the Moorgreen Stream along the site's eastern boundary. There is no reference to the need for a Site Management Plan to ensure the water control measures provide the necessary protection to the SSSI during the operational phase. The revised EIA does not address these issues.

Objection 07: Inadequate Buffer Zones.

October 22: The applicant has failed to provide sufficient buffer zones between the development and Moorgreen Meadows to provide protection from noise, light, and air pollution disturbance to the breeding birds and mammals that use this area, particularly along the eastern boundary. This failure contravenes the acceptance criteria of EBC's Policy DM11, Nature Conservation, item 7, entitled Buffers and as such the application must be rejected.

May 23: The revised Site Layout – Landscape Mitigation and Enhancement includes new ecology buffer zones of between 15-20m from the SSSI boundary, native woodland blocks, an orchard plus other hedgerow and boundary enhancements. The EIA in section 8.12 refers to significant Biodiversity Net Gains (BNG) of 36% in the new site layout the revised Defra Metric calculation 4.0 while listed in the applicant's covering letter, is not included on the planning portal and as such is not available for public review and consideration.

Objection 08: Landscape and Ecology Management Plan.

October 22: The EIA in section 8.3.5 recognises the need for funding and a management plan covering the habitat monitoring and subsequent management of the receptor site to ensure the mitigation measures are effective on a long-term basis. The scope of this management plan should be extended to cover the monitoring of all mitigation measures implemented to offset the adverse impacts of this development. The applicant has not submitted a management plan as part of the application. This omission contravenes the acceptance criteria of EBC's Policy DM11, Nature Conservation, item 4 and the principles detailed in item 5.77. As such the application must be rejected.

May 23: The 2nd application does not include a Landscape and Ecology Management Plan covering the habitat monitoring and the management of the mitigation activities. As such my previous objection stands. This omission contravenes the acceptance criteria of EBC's Policy DM11, Nature Conservation, item 4 and the principles detailed in item 5.77. As such the application must be rejected.

George Baker.
25 October 2022.
29 May 2023.