

Date: 02 February 2023  
Our ref: 417286  
Your ref: F/22/93835



Ms Summer Sharpe  
Eastleigh Borough Council

**BY EMAIL ONLY**

Customer Services  
Hornbeam House  
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Dear Summer,

**Planning consultation:** \*AMENDMENT/Further info\*\* Demolition of all existing buildings and detailed planning approval for light industrial floorspace [Use Class E(g)(ii) & E(g)(iii)], warehouse floorspace [Use Class B8] and estate office (Use Class E(g)(i)).

**Location:** Moorlands Farm, Botley Road, West End, Southampton, SO30 3HD

Thank you for your consultation on the above dated 13 December 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**

##### **NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED**

We consider that without appropriate mitigation the application would:

- have an adverse effect on the integrity of Solent Maritime Special Area of Conservation (SAC), The Solent and Southampton Water Special Protection Area (SPA)/Ramsar and the Solent and Dorset Coast SPA
- damage or destroy the interest features for which Moorgreen Meadows Site of Special Scientific Interest has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- Submission of a **Construction Environmental Management Plan (CEMP)**
- A **maintenance and management plan** for Surface Water Drainage measures (SuDs)

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

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

## **Further Information on Mitigation**

### **Surface Water Drainage**

Best practice SuDS should be designed and installed in accordance with the requirements in the CIRIA SuDS Manual (C753).

Please note, the pollution hazard indices in the CIRIA SuDS Manual (C753) relate to 'protected waters' with regards to drinking water supply. Step 3 under Section 26.7.1 of the SuDS manual outlines that the requirement for extra treatment should be considered in relation to discharge to environmentally protected sites. It states that 'an additional treatment component (i.e. over and above that required for standard discharges), or other equivalent protection, is required that provides environmental protection in the event of an unexpected pollution event or poor system performance'.

The detailed design of a Sustainable Drainage System (SuDS), titled 'Sustainable Drainage Strategy Addendum No.1', completed by Fernbrook Consulting Engineers and dated 12 December 2022, has been submitted and agreed with Eastleigh Borough Council. This includes evidence to show that the proposed SuDS scheme will ensure there will be no deterioration in water quality [or changes in water quantity] in discharges from the site.

Information on the long-term management and maintenance (including funding) of the SuDS for the lifetime of the development should also be secured prior to the commencement of any works.

### **Construction Environmental Management Plan (CEMP)**

Without the submission and implementation of a full Construction Environmental Management Plan (CEMP), Natural England considers that this proposed development would be likely to have an adverse effect on the integrity of the SPA. Natural England advise that a full and detailed CEMP should be submitted to and approved in writing by the district ecologist/biodiversity officer that identifies the steps and procedures that will be implemented to avoid or mitigate constructional impacts on species and habitats. We note that the Ecological Impact Assessment, completed by Ecosupport and dated 13 December 2022, detailed some mitigation measures, however the CEMP should address all of the following impacts throughout construction:

- **Storage of construction materials/chemicals and equipment**
- **Dust suppression**
- **Chemical and/or fuel run-off from construction into nearby watercourse(s)**
- Noise/visual/vibrational impacts
- Visual screening (for SPA birds)
- **Measures to ensure no materials, machinery, vehicles or works will encroach on the designated site**
- Timing of works outside of bird breeding season

The Construction Environmental Management Plan should detail how certain activities will be limited in time, location or noise level to minimise the risk of disturbance to SPA birds. The approved CEMP should be secured via an appropriately worded condition attached to any planning consent and shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority. Additional consideration should be placed on what the landscape mitigation plan needs to include to mitigate impacts on the protected landscape

### **Biodiversity Net Gain (BNG)**

Government policy is progressing to reverse the trend of biodiversity decline, which has continued to occur despite planning policy aimed towards no residual loss in biodiversity. The first key objective of Defra's [25 Year Environmental Plan](#) is to embed an 'environmental net gain' principle for development including housing and infrastructure. The National Planning Policy Framework (NPPF) highlights the role of 'policies and decision making to minimise impacts and provide net gains for biodiversity' (para 170). The Environment Act 2021 introduces a mandatory requirement for developments to provide at least a 10% biodiversity net gain. This is due to commence in Autumn 2023.

Natural England therefore recommends the proposals set out how biodiversity net gain will be achieved, over and above residual losses which should be accounted for and addressed. With careful planning using ecological expertise, this should be achievable for this development given its scale and opportunity for blue/green estate.

We note the applicant makes use of the [Biodiversity Metric 3.1](#), which is a clear and methodical calculation for net gain in biodiversity for individual planning proposals. The metric has been updated to include a wider range of habitat types and incorporate wider benefits of GI.

The BNG report, dated 13 December 2022 and completed by Ecosupport demonstrates a 436.55% biodiversity net gain as a result of the proposed development.

Compensation for loss of priority habitat should be based on the enhancement and/or creation of UK priority habitats, listed as required under Section 41 of the NERC Act 2006. Biodiversity net gain should be additional to any habitat creation required to mitigate or compensate for impacts. It is also important to note that net gains can be delivered even if there are no losses through development.

We recommend that industry [good practice principles](#) for biodiversity net gain published by CIEEM, IEMA and CIRIA are used.

### **Sites of Special Scientific Interest**

The above impacts on Habitats sites (SAC/SPA) may also impact SSSIs. Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (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.

### **Protected Landscapes**

The proposed development is for a site within or close to a nationally designated landscape namely South Downs National Park. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below. Your decision should be guided by paragraph 176 and 177 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 177 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape. Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies. The landscape advisor/planner for the National Park will be best

placed to provide you with detailed advice about this development proposal. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the park's management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development. The statutory purposes of the National Park are to conserve and enhance the natural beauty, wildlife and cultural heritage of the park; and to promote opportunities for the understanding and enjoyment of the special qualities of the park by the public. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm those statutory purposes. Relevant to this is the duty on public bodies to 'have regard' for those statutory purposes in carrying out their functions (section 11 A(2) of the National Parks and Access to the Countryside Act 1949 (as amended)). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

### **Protected Species**

Natural England has produced [standing advice](#) to help planning authorities understand the impact of particular developments on protected species. We advise that the standing advice is interpreted for you by your district ecologist, or an equivalent independent party with the necessary expertise. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

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

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our [Discretionary Advice Service](#).

If you have any queries relating to the advice in this letter please contact me on 07436902849.

We would not expect to provide further advice on the discharge of planning conditions or obligations attached to any planning permission.

Should the proposal change, please consult us again.

Yours sincerely

**Rosie Carter**  
**Sustainable Development Advisor**  
**Natural England**  
[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

## ANNEX A

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 [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#), and we recommend its use in the design and construction of development, including any planning conditions. For mineral working and landfilling separate guidance on soil protection for site restoration and aftercare is available on [Gov.uk](#) website. Detailed guidance on soil handling for mineral sites is contained in the Institute of Quarrying [Good Practice Guide for Handling Soils in Mineral Workings](#).

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](#)<sup>1</sup> 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 are 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

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<sup>1</sup> <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found on [Gov.uk](#).

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 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:

- 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 3.1](#) 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 3.1](#) and is designed for use where certain criteria are met. It is available as a beta test version.

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 3.1](#) and is available as a beta test version.

### **Green Infrastructure**

Natural England's [Green Infrastructure Framework](#) provides evidence-based advice and tools on how to design, deliver and manage green infrastructure (GI). GI should create and maintain green liveable places that enable people to experience and connect with nature, and that offer everyone, wherever they live, access to good quality parks, greenspaces, recreational, walking and cycling routes that are inclusive, safe, welcoming, well-managed and accessible for all. GI provision should enhance ecological networks, support ecosystems services and connect as a living network at local, regional and national scales.

Development should be designed to meet the [15 Green Infrastructure Principles](#). The Green Infrastructure Standards can be used to inform the quality, quantity and type of green infrastructure to be provided. Major development should have a GI plan including a long-term delivery and management plan. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

GI mapping resources are available [here](#) and [here](#). These can be used to help assess deficiencies in greenspace provision and identify priority locations for new GI provision.

### **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 urban fringe areas should also be explored to strengthen access networks, reduce fragmentation, and promote wider green infrastructure.

### **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](http://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](#).