

HAMPSHIRE COUNTY COUNCIL**Decision Report**

Decision Maker:	Regulatory Committee
Date:	19 November 2014
Title:	Application for the formation of an earth bund for ecological and environmental reasons, in order to increase biodiversity in the area and enhance the environment, it is also so the farm can comply with EU Regulations on farming, at The Barn Workshop, Stapeley Down Farm, Long Lane, Odiham, Hook, RG29 1JF. (Application No. 14/02156/CMA) (Site Ref: HR101)
Reference:	6284
Report From:	Head of County Planning

Contact name: Rob Storey

Tel: 01962 847981

Email: rob.storey@hants.gov.uk

1. Executive Summary

- 1.1. Planning permission is sought for the formation of an earth bund for ecological and environmental reasons, in order to increase biodiversity in the area and enhance the environment, it is also so the farm can comply with EU Regulations on farming, at The Barn Workshop, Stapeley Down Farm, Long Lane, Odiham, Hook.
- 1.2. Objection was raised by Hart District Council on the grounds that the development shall have a detrimental impact on the landscape character of the area. Two letters of objection were received from members of the public which raised concerns regarding the need and justification for the proposal and potential highway safety risks.
- 1.3. The main considerations arising from the application are therefore; whether the proposal would be in accordance with the development plan, the need for, sustainability and ecological value of the proposal and impact on the landscape character of the area.
- 1.4. It is considered that the development is not in accordance with the principles of sustainable development, is not related to countryside activities and would result in a detrimental impact on the landscape character of the area and would therefore be contrary to Policy 1, 5 and 13 of the Hampshire Minerals & Waste Plan (2013) and as such it is recommended that permission be refused.

2. Site

- 2.1. The site comprises approximately 0.82 hectares of agricultural land within an arable field located 2.6km south of the village of Odiham. The site is adjacent to and south of Odiham Airfield, and lies to the west of Long Lane and north of Wood Hill Lane. Stapeley Down Farm and cottages lie 90 metres south-east of the proposal at its closest point. An existing hedgerow lies immediately to the north of the site beyond which is the airfield security fence. The land falls gradually from west to east across the application site and is designated as Grade 3 agricultural land lying within the countryside.

3. Proposal

- 3.1. The proposal is the formation of a bund in order to facilitate the creation of a more ecologically diverse area of land within the farm holding.
- 3.2. From 2015, changes to the European Union's (EU) Common Agricultural Policy (CAP) will result in a new 'greening' payment which shall be worth 30% of the total payment available to farmers under the new Basic Payment Scheme (BPS). 'Greening' refers to agricultural practices that help the climate and environment and may be achieved through three pathways: crop diversification, permanent grassland and Ecological Focus Areas (EFAs). The new rules require that farmers with more than 15 hectares of arable land must have EFAs, and these areas must be equivalent to at least 5% of their total arable land. The applicant asserts that the bund, once formed, would constitute an EFA under the new 'greening' rules and as such is necessary to ensure that the farm is eligible for receipt of funding under the EFA requirements.
- 3.3. The applicant also states that the bund will benefit nearby residential properties by reducing noise generated by activities on the adjacent airfield. A Noise Assessment has not been submitted in order to quantify the level of attenuation that might be achieved by such a measure.
- 3.4. The proposed bund shall measure approximately 330 metres in length, 13 metres in width at base and 5 metres in height. The structure is proposed to be formed primarily from imported subsoil, with the base being formed from a 400 millimetre layer of crushed concrete sub-base to provide stability. The applicant asserts that the bund will require the importation of approximately 5,600 cubic metres of subsoils and this is estimated to equate to approximately 467 deliveries of material.
- 3.5. The applicant estimates that the bund would be constructed over a period of five years depending on the availability of materials. This would result in an average of approximately 8 deliveries to the site per month. Access to the site would be from an existing field entrance on Long Lane and a temporary turning area would be formed from crushed concrete inside the site entrance.
- 3.6. The imported subsoil will be topped with available onsite topsoil and imported topsoil where necessary to a depth of approximately 1 metre. The applicant

states that the crushed concrete required for the sub-base shall be imported to the site by tractor and trailer through agricultural fields and therefore will not result in any additional movements on the highway network.

- 3.7. The applicant intends that the bund be a mixture of grass seeded, sown with flower species, areas of shrub and mature wildflower landscape turf and managed so as to maximise biodiversity.
- 3.8. A Phase 1 Habitat Survey submitted with the proposal concludes that there would be no detrimental impact on existing ecology at the site.

4. **Development Plan**

- 4.1. Hampshire, Portsmouth, Southampton, New Forest National Park & South Downs National Park Minerals & Waste Plan (HMWP) (2013) policies: Policy 1 (Sustainable minerals and waste development), Policy 3 (Protection of habitats and species), Policy 5 (Protection of the countryside), Policy 8 (Protection of soils), Policy 10 (Protecting public health, safety and amenity), Policy 13 (High-quality design of minerals and waste development) & Policy 32 (Non-hazardous waste landfill).
- 4.2. Hart District Local Plan (Replacement) 1996-2006: Saved Policy RUR2.
- 4.3. National Planning Policy Framework (NPPF): Paragraphs 17, 109 & 118.

5. **Consultations**

- 5.1. **Hart District Council** comment that the application site is located within the open countryside and is visible from Long Lane, in particular as the land rises to the north and skirts around RAF Odiham. As the Hampshire County Integrated Character Assessment 2012 describes, this part of Long Sutton/Crondall is the epitome of the countryside with its rolling down land and long distance views. It is understandable that the proposal would be a biodiversity opportunity but concerns arise as to the overall visual impact of the bund on the landscape character of the area and to its real purpose. It is therefore considered that the bund would have a detrimental impact on the character and setting of the countryside due to its size and prominence in the landscape along the northern boundary to Stapeley Down Farm. This would be contrary to Hart District Local Plan (Replacement) 1996-2006 Saved Policy RUR2. It is recognised that the length and height of the bund has been reduced since the original submission, and that an attempt has been made to reduce the impact of the bund by constructing it in areas of the site that currently benefit from a greater level of screening. However the bund would remain visible within its surroundings and vantage points in the surrounding area and would have a detrimental impact on the setting of the open countryside. The Council therefore raises an objection to the proposal.
- 5.2. **Odiham Parish Council** was consulted but did not comment on the application.

5.3. Long Sutton and Well Parish Council object to the planning application.

The Parish Council considers that it would have a detrimental impact on the landscape character and setting of the countryside due to its size and prominence. The safety of road users would be at risk from the increase in regular HGV traffic over a five year period associated with the construction of the bund. Long Lane, which would be used for accessing the site, is a minor rural road with narrow carriageway widths, a derestricted speed limit and no centre markings for much of its length. Villagers have already informed the Parish Council that a number of Wilson lorries have been observed driving through the narrow, single track roads of the village. The narrow carriageways in Long Sutton are unsuitable for such vehicles and there is a risk of conflict with other road users. There is also a risk that the lorries will damage the verges and footpaths. The Parish Council is also sceptical about the claim that a bund would deflect noise from the adjacent field away from Long Sutton and considers that the pattern of its noise impact could not be predicted without a proper noise survey.

5.4. County Councillor Glen was consulted.

5.5. Hart District Council Environment Health officer was consulted but did not comment on the application.

5.6. Environment Agency raise no objection.

5.7. Natural England raise no objection.

5.8. Highway Authority are satisfied that the proposal will not have a significant impact on the safety or operation of the highway and therefore raise no objection to the application subject to a condition controlling mud on the road during the construction period.

6. Representations

6.1. Two representations were received from members of the public, these raised the following issues:

- There is no need for the bund, it otherwise constitutes waste disposal;
- Access to the development is by way of narrow and unsuitable routes. HGV movements shall therefore pose a danger to other road users.

7. Commentary

7.1. The proposal is the formation of a bund in order to facilitate the creation of an Ecological Focus Area (EFA) within the farm holding.

Need & sustainability

- 7.2. The applicant asserts that the bund is necessary in order to create a habitat suitable to be considered as an EFA.
- 7.3. Features identified as contributing to EFA requirements include: buffer strips, nitrogen-fixing crops, hedges, fallow land, catch crops and cover crops. The formation of a bund is not identified as a measure necessary to achieving the provision of such features. As there is no specific requirement for the provision of a bund in order to meet EFA requirements it is considered that there is an absence of justification for the proposal.
- 7.4. Though recognising that the proposal may provide some noise attenuation to nearby properties, the degree of mitigation which might be achieved has not been demonstrated by the applicant. Therefore it is not possible to conclusively determine the effect of the scheme in this regard and the significance or insignificance of any mitigation which might be afforded.
- 7.5. The proposal would require a substantial quantity of material in order to create the landform. This would comprise imported crushed concrete and excavated subsoils. This material would usually be defined as waste and be required to be either disposed of in a suitable manner or recovered or reused through engineering operations. Such material can cease to be 'waste' if it is reused for such a purpose. As it is considered that there is no overriding justification for the creation of the bund it is questionable in the circumstances, whether the reuse of the material could be considered to constitute waste recovery, rather it might more correctly be considered to be more synonymous with waste disposal. Policy 32 (Non-hazardous waste landfill) of the HMWP (2013) states that land raising is not supported in Hampshire due to the landscape issues created by it (Para 6.245).
- 7.6. Paragraph 6.235 of Policy 32 of the HMWP (2013) states that landfill is considered to be disposal except if the waste is inert and has a significant beneficial use. Such beneficial uses are identified as restoration of mineral workings or civil engineering developments. The applicant proposes that the construction of the bund would take approximately 5 years to complete, progressing as and when construction materials become available, this raises uncertainty with regard to the urgency of the delivery of the project.
- 7.7. In light of the above it is considered that the importation of a substantial amount of waste material to a rural location, over an extended period of time for the primary purpose of forming an ecological feature of which the same value could be achieved by alternative means, is not development that is considered consistent with the principles of sustainable development and is therefore contrary to Policy 1 (Sustainable minerals and waste development) of the HMWP (2013).

Landscape & countryside

- 7.8. The Hampshire County Integrated Character Assessment (2012) identifies the site as lying within the North-east Hampshire Open Downs landscape character area. This landscape character area is identified by its large scale

open rolling landscapes, with dry valleys often but not exclusively in elevated areas and typically with low hedges few woodlands resulting in commanding long distance views and a perception of big skies.

- 7.9. No Landscape Impact Assessment was submitted with the application. Though parts of the bund shall be screened by existing vegetation it is considered that given the substantial scale of the proposal and its location within the Open Downs landscape character area the bund will be visible within its surroundings creating a detrimental impact within the open countryside.
- 7.10. Policy 13 (High quality design of minerals and waste development) of the HMWP (2013) states that minerals and waste development should not cause an unacceptable adverse visual impact and should maintain and enhance the distinctive character of the landscape and townscape. The proposal therefore is considered not to comply with Policy 13 of the HMWP (2013).
- 7.11. Policy RUR2 (Development in the open countryside) of the Hart District Council Local Plan (Replacement) 1996-2006 states that development in the open countryside, outside the defined settlement boundaries, will not be permitted unless the Local Planning Authority is satisfied that it is specifically provided for by other policies in the Local Plan, and that it does not have a significant detrimental effect on the character and setting of the countryside by virtue of its siting, size and prominence in the landscape. Hart District Council raise objection to the application in relation to this policy. In light of the landscape impacts identified above it is considered that the proposal is also not in accordance with Policy RUR2.
- 7.12. Further to the above, Paragraph 17 of the NPPF states that the planning system should recognise the intrinsic character and beauty of the countryside and paragraph 109 states that the planning system should contribute to, and enhance the natural and local environment by protecting and enhancing valued landscapes. It is considered that the merits of the proposal are not in accordance with these principles.
- 7.13. Policy 5 (Protection of the countryside) of the HMWP (2013) states that waste development in the open countryside will not be permitted unless the nature of the development is related to countryside activities, meets local needs or requires a countryside or isolated location. The formation of a bund is not an activity which is considered to be specifically related to countryside activities, will meet local needs, or specifically requires a countryside or isolated location, as such it is considered that the proposal fails to meet these requirements and is therefore contrary to Policy 5.

Ecology

- 7.14. Paragraph 118 of the NPPF states that development proposals where the primary objective is to conserve or enhance biodiversity should be permitted and it is recognised that the proposal has ecological merit, in that it would introduce diversity in aspects, increase the existing diversity through

wildflowers and provide habitats for reptiles and nectar source for invertebrates. In doing so the proposal would accord with Policy 3 (Protection of habitats and species). However, similar ecological improvements could be met by either a much smaller, more natural looking bund, or even by a more standard wildflower margin. Furthermore the proposal may result in a detrimental impact on the existing adjacent hedgerow to the north which may be impacted upon by root compaction and shading as a result of the new landform.

Highways

7.15. Concern has been raised regarding the risk to highway users as a consequence of HGVs accessing the site via narrow unsuitable roads. However, no objection was raised by the Highway Authority in relation to the proposal subject to a condition controlling the offsite deposition of mud on the road. The applicant proposes only 16 vehicle movements per month (8 in and 8 out) to the site in connection with the construction of the bund and it is not considered that this will result in a significant adverse impact on the highway network. As such the development is considered to comply with Policy 12 (Managing traffic) of the HMWP (2013).

Summary

7.16. In conclusion and on balance of the issues detailed above it is considered that though the development may result in an increase in biodiversity and ecological value at the site and will not likely have a significant adverse impact on the highway network, similar ecological improvements could be achieved through other more appropriate means not involving the importation of large quantities of waste material to the countryside which shall result in a detrimental impact on the local landscape character of the area. It is considered that the proposal would be contrary to Policy 1, 5 and 13 of the HMWP (2013) and therefore it is recommended that the application be refused for the reason outlined below.

8. Recommendation

8.1. That planning permission for the formation of an earth bund for ecological and environmental reasons in order to increase biodiversity in the area and enhance the environment, it is also so the farm can comply with EU Regulations on farming at The Barn Workshop, Stapeley Down Farm, Long Lane, Odiham, Hook, RG29 1JF (Application No. 14/02156/CMA) be refused for the following reason:

1. The development is not in accordance with the principles of sustainable development, is not related to countryside activities and would result in a detrimental impact on the landscape character of the area and is therefore contrary to Policy 1, 5 and 13 of the Hampshire Minerals & Waste Plan (2013).

RefRpt/ref/RS

Advice Note

In determining this planning application, the Waste Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant. However, in this case the proposal is contrary to policy and the impacts were regarded as unacceptable and could not be overcome. This approach has been taken positively and proactively in accordance with the requirement in the NPPF, as set out in the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012.

CORPORATE OR LEGAL INFORMATION:**Links to the Corporate Strategy**

Hampshire safer and more secure for all:	No
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	No
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	No
Corporate Improvement plan link number (if appropriate):	
OR	
This proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because:	
The proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because the proposal is an application for planning permission and requires determination by the County Council in its statutory role as the minerals and waste planning authority.	

NB: If the 'Other significant links' section below is not applicable, please delete it.

Other Significant Links

Links to previous Member decisions:		
<u>Title</u>	<u>Reference</u>	<u>Date</u>
Direct links to specific legislation or Government Directives		
<u>Title</u>	<u>Date</u>	

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

DocumentLocation

Application for the formation of an earth bund for ecological and environmental reasons, in order to increase biodiversity in the area and enhance the environment, it is also so the farm can comply with EU Regulations on farming, at The Barn Workshop, Stapeley Down Farm, Long Lane, Odiham, Hook, RG29 1JF.
(Application No. 14/02156/CMA) (Site Ref: HR101)

Strategic Planning
ETE Department
E II Court West
The Castle
Winchester

*Annexe to Reasons for Conditions/Refusal
(as required by Article 31 of the Town and Country Planning
(Development Management Procedure) (England) Order
2010)*

Hampshire, Portsmouth, Southampton, New Forest National Park & South Downs National Park Minerals & Waste Plan (2013)

Policy 3 (Protection of habitats and species)

Minerals and waste development should not have a significant adverse effect on, and where possible, should enhance, restore or create designated or important habitats and species.

The following sites, habitats and species will be protected in accordance with the level of their relative importance:

- a. internationally designated sites including Special Protection Areas, Special Areas of Conservation, Ramsar sites, any sites identified to counteract adverse effects on internationally designated sites, and European Protected Species;
- b. nationally designated sites including Sites of Special Scientific Interest and National Nature Reserves, nationally protected species and Ancient Woodland;
- c. local interest sites including Sites of Importance for Nature Conservation, and Local Nature Reserves;
- d. habitats and species of principal importance in England;
- e. habitats and species identified in the UK Biodiversity Action Plan or Hampshire Authorities' Biodiversity Action Plans.

Development which is likely to have a significant adverse impact upon such sites, habitats and species will only be permitted where it is judged, in proportion to their relative importance, that the merits of the development outweigh any likely environmental damage. Appropriate mitigation and compensation measures will be required where development would cause harm to biodiversity interests.

Policy 5 (Protection of the countryside)

Minerals and waste development in the open countryside, outside the National Parks and Areas of Outstanding Natural Beauty, will not be permitted unless:

- a. it is a time-limited mineral extraction or related development; or
- b. the nature of the development is related to countryside activities, meets local needs or requires a countryside or isolated location; or
- c. the development provides a suitable reuse of previously developed land, including redundant farm or forestry buildings and their curtilages or hard standings.

Where appropriate and applicable, development in the countryside will be expected to meet highest standards of design, operation and restoration. Minerals and waste development in the open countryside should be subject to a requirement that it is restored in the event it is no longer required for minerals and waste use.

Policy 8 (Protection of soils)

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, when appropriate, recover and enhance soil resources.

Policy 10 (Protecting public health, safety and amenity)

Minerals and waste development should not cause adverse public health and safety impacts, and unacceptable adverse amenity impacts. Minerals and waste development should not:

- a. release emissions to the atmosphere, land or water (above appropriate standards);
- b. have an unacceptable impact on human health;
- c. cause unacceptable noise, dust, lighting, vibration or odour;
- d. have an unacceptable visual impact;
- e. potentially endanger aircraft from bird strike and structures;
- f. cause an unacceptable impact on public safety safeguarding zones;
- g. cause an unacceptable impact on:
 - i. tip and quarry slope stability; or
 - ii. differential settlement of quarry backfill and landfill; or
 - iii. subsidence and migration of contaminants;
- h. cause an unacceptable impact on coastal, surface or groundwaters;
- i. cause an unacceptable impact on public strategic infrastructure;
- j. cause an unacceptable cumulative impact arising from the interactions between minerals and waste developments, and between mineral, waste and other forms of development.

The potential cumulative impacts of minerals and waste development and the way they relate to existing developments must be addressed to an acceptable standard.

Policy 13 (High-quality design of minerals and waste development)

Minerals and waste development should have a safe and suitable access to the highway network and where possible minimise the impact of its generated traffic through the use of alternative methods of transportation such as sea, rail, inland waterways, conveyors, pipelines and the use of reverse logistics. Furthermore, highway improvements will be required to mitigate any significant adverse effects on:

- a. highway safety;
- b. pedestrian safety;
- c. highway capacity; and
- d. environment and amenity.

Policy 32 (Non-hazardous waste landfill)

Minerals and waste development should not cause an unacceptable adverse visual impact and should maintain and enhance the distinctive character of the landscape and townscape.

The design of appropriate built facilities for minerals and waste development should be of a high-quality and contribute to achieving sustainable development.

Hart District Local Plan (Replacement) 1996-2006

Saved Policy RUR2 - Development in the open countryside – general

RUR2 development in the open countryside, outside the defined settlement boundaries, will not be permitted unless the local planning authority is satisfied that it is specifically provided for by other policies in the local plan, and that it does not have a significant detrimental effect on the character and setting of the countryside by virtue of its siting, size and prominence in the landscape.

National Planning Policy Framework

Paragraph 17 - Core planning principles

Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should:

- be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;
- not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;

- support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);
- contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework;
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);
- conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and
- take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

Paragraph 109

The planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, geological conservation interests and soils;
- recognising the wider benefits of ecosystem services;
- minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Paragraph 118

When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site's notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest;
- development proposals where the primary objective is to conserve or enhance biodiversity should be permitted;
- opportunities to incorporate biodiversity in and around developments should be encouraged;
- planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss; and
- the following wildlife sites should be given the same protection as European sites:
 - potential Special Protection Areas and possible Special Areas of Conservation;
 - listed or proposed Ramsar sites;²⁶ and
 - sites identified, or required, as compensatory measures for adverse effects on European sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.