



Statement of Common Ground

between

HAMPSHIRE COUNTY COUNCIL, NEW FOREST NATIONAL PARK AUTHORITY, PORTSMOUTH CITY COUNCIL, SOUTH DOWNS NATIONAL PARK AUTHORITY & SOUTHAMPTON CITY COUNCIL

And

Natural England

On

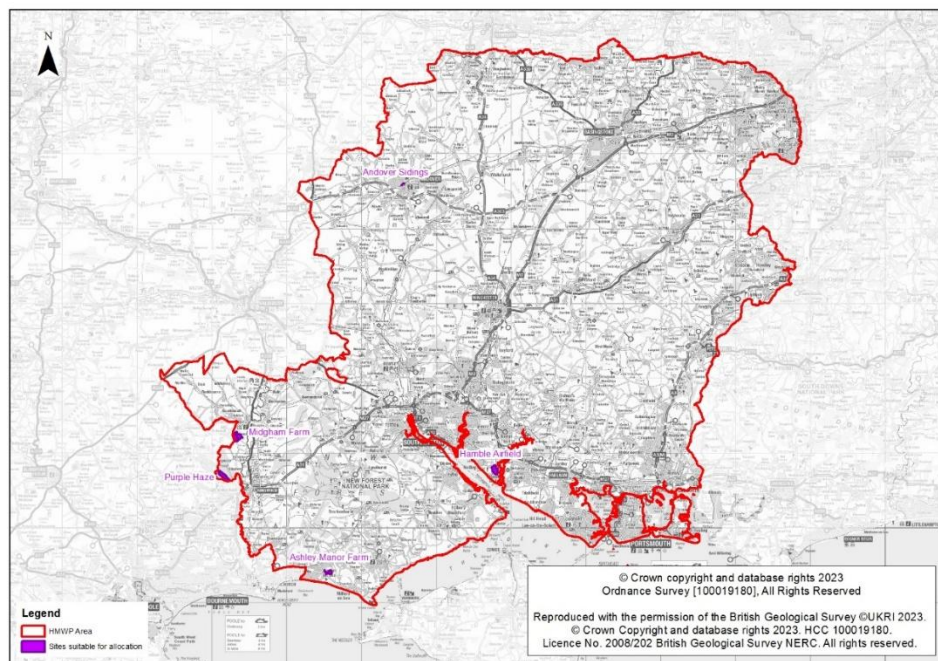
Minerals & Waste Issues

28 August 2025

1. Introduction

- 1.1 This Statement of Common Ground (SoCG) is made between Hampshire County Council, New Forest National Park Authority, Portsmouth City Council, Southampton City Council and South Downs National Park Authority (collectively referred to as ‘Hampshire Authorities’) and Natural England that have common interests in ensuring minerals and waste proposals do not have a significant adverse impact on habitats and species.
- 1.2 This Statement provides an update to the SoCG: Position Statement¹ that was prepared to support the initial hearing sessions as part of the Examination of the Plan in February 2025.
- 1.3 The SoCG is being prepared in line with plan-making guidance², in order to comply with the requirements of the National Planning Policy Framework (NPPF)³.
- 1.4 The SoCG includes the administrative boundaries for the Hampshire Authorities and proposed site allocations in the Plan area are shown in Figure 1.

Figure 1: Administrative boundary of the Hampshire Authorities within the Plan area and the proposed site allocations



¹ Statement of Common Ground: Position Statement between the Hampshire Authorities and Natural England on Minerals and Waste Matters (November 2024) - [Microsoft Word - Natural England SoCG Position Statement FINAL 28.11.2024](#)

² Planning Practice Guidance, Guidance on Plan-making, 13 September 2018, Ministry of Housing, Communities & Local Government (MHCLG) - <https://www.gov.uk/guidance/plan-making>

³ NPPF, para 27 (DLUHC, 2023) - https://assets.publishing.service.gov.uk/media/65a11af7e8f5ec000f1f8c46/NPPF_December_2023.pdf

- 1.5 The parties are entering into this SoCG to address minerals and waste issues associated with the Hampshire Minerals & Waste Plan – Partial Update including the Plan’s Vision, policies, Habitats Regulation Assessment (HRA) Screening and HRA Appropriate Assessment, and proposed allocations in the Hampshire Minerals & Waste Plan: Partial Update for which Natural England have raised objection or concern.
- 1.6 This SoCG is provided without prejudice to other matters of detail that the parties may wish to raise in the ongoing requirement to engage constructively and actively in plan preparation through the Duty to Cooperate, or in subsequent participation in the plan making process.

2. Background

- 2.1 The Hampshire Minerals & Waste Plan⁴ (HMWP) was adopted in October 2013. It provides guidance on plan making through to 2030 and was produced in partnership with Portsmouth City Council, Southampton City Council, The New Forest National Park Authority and The South Downs National Park Authority (the ‘Hampshire Authorities’).
- 2.2 The National Planning Policy Framework (NPPF) dictates local plans should be reviewed to assess whether they require updating at least once every five years⁵. An initial review of the HMWP was undertaken in 2018 and concluded that the Plan’s policies were deemed to be effective in enabling development and implementation of the Vision. A commitment was made to undertake a further Review in 2020.
- 2.3 The 2020 Review of the HMWP⁶ concluded that, although the HMWP has been performing and working to support minerals and waste planning, a partial update is needed to ensure full compliance with the NPPF and the National Planning Policy for Waste⁷ (NPPW). The HMWP: Partial Update – Draft Plan (Regulation 18) was consulted on between November 2022 and January 2023 and following an update to the evidence base and data, a Proposed Submission Plan (Regulation 19) was consulted on between 9 January and 5 March 2024.
- 2.4 A response was received from Natural England to the Draft Plan consultation on 31 January 2023 (see Appendix A).
- 2.5 In response to this comment, the Habitats Regulation Assessment (HRA) was updated to support the Proposed Submission Plan which included the update of the Screening Report and preparation of the Appropriate Assessment.

⁴ Hampshire Minerals & Waste Plan (2013) -

<https://documents.hants.gov.uk/mineralsandwaste/HampshireMineralsWastePlanADOPTED.pdf>

⁵ NPPF (Para. 33).

⁶ 2020 Review of the HMWP - <https://documents.hants.gov.uk/mineralsandwaste/HMWP-2020Review.pdf>

⁷ NPPW -

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/364759/141015_National_Planning_Policy_for_Waste.pdf

- 2.6 A response was received from Natural England to the Proposed Submission Plan consultation on 5 March 2024 (see Appendix B).
- 2.7 The response outlined a number of points including a request for additional work to be undertaken on air quality assessment, an objection to the proposed allocation at Purple Haze and concerns raised regarding the proposed allocation at Midgham Farm. This Statement of Common Ground will address those points in turn (see Common Ground).
- 2.8 A meeting was held on 22 April 2024 between Hampshire County Council (on behalf of the Hampshire Authorities) and Natural England to discuss its response.
- 2.9 Subsequently, an Addendum to the support the HRA process was prepared to provide further assessment on air quality, a revised Appropriate Assessment and a draft Statement of Common Ground which outlined how the matters regarding the site allocations would be addressed.
- 2.10 A further meeting was held on 12 June 2024 to discuss the air quality assessment work. The Hampshire Authorities set out the additional work that had been undertaken and a brief discussion was held regarding the Statement of Common Ground. It was suggested a Position Statement may be a useful way of communicating progress.
- 2.11 A revised Addendum and draft Position Statement was submitted to Natural England on 19 June 2024. An email was received from Natural England on 24 June 2024 stating *"We welcome the latest air quality addendum which is very much improved. Although some of the data is less relevant for designated sites impacts, based on the information provided and knowledge of the sites in question we can now **agree with your overall conclusions that air quality impacts can be avoided for the Minerals and Waste Plan.**"* It went on to state that the officers had *"been in internal discussion regarding the specifics of the Purple Haze and Midgham Farm allocations, hoping to address many concerns"* and that they *"will send the Position Statement to you as soon as possible once we've had the relevant input."*
- 2.12 A further email was received from Natural England on 1 July 2024 which outlined the following:

"We have made significant progress since the Reg 19 consultation and I'm really pleased that many areas of concern have now been addressed for the Plan. The only remaining area of concern for us is the hydrology at Purple Haze, as this factor still has potential to affect the deliverability of the site. As this is our only outstanding area of concern, we wouldn't usually question the soundness of the Plan at this stage, but would be satisfied with the Inspector determining whether the Plan gives sufficient certainty in effective delivery overall"

- 2.13 A copy of the completed Position Statement is set out in Appendix C which was provided as part of the Examination Library (see EX17⁸).
- 2.14 The Hearings for the Plan were held for six days between 4 and 13 February 2025. The Inspector requested that a Statement of Common Ground was put in place with Natural England and confirmed that it was not its role to determine the deliverability of a proposed allocation.
- 2.15 An updated draft SoCG was sent to Natural England in April 2025 and comments were received. Natural England outlined its remaining area of disagreement as follows:

“Natural England view that there remains significant uncertainty as to whether the Purple Haze site allocation could come forward without having adverse impacts on designated sites. Although there are many potential impacts on the environment from this allocation, the key current uncertainty lies in whether any mitigation would be capable of avoiding the potential hydrological impacts on designated site features. In Natural England’s view this brings into question whether this allocated site is deliverable.

- 2.16 In order to progress the planning application and to inform the discussion on the site allocation, Hampshire County Council commissioned specialist hydrological advice. The advice concluded the following in relation to the site allocation⁹:

“A development that would reduce its extent to the southern part of the site and would keep the same “dry” working conditions (i.e. excavation to not reach the groundwater table), would remove all impacts, because no activities would interact with the hydrological and hydrogeological pathways to Ebblake Bog. The exact boundary delineation between the northern and southern part will depend on outcome of the additional investigations (i.e. understanding generated on “surface water runoff zones” and additional ground investigations), but would approximately correlates with the upper most limit of the southern mire feeding into Ebblake Bog...”

- 2.17 A meeting was held between Hampshire County Council (on behalf of the Hampshire Authorities) and Natural England on 20 August 2025 to discuss the specialist hydrological advice, and the Hampshire Authorities proposed response which included further amendments to the Development Considerations and additional Development Considerations. These amendments are outlined in Para. 3.11 and were agreed by Natural England at the meeting as being suitable additions to address its remaining concerns on hydrology.
- 2.18 This Statement of Common Ground addresses the issues raised by Natural England, the Hampshire Authorities response and the agreed Common Ground.

⁸ Position Statement between the Hampshire Authorities and Natural England (EX17) - [Microsoft Word - Natural England SoCG Position Statement FINAL 28.11.2024](#)

⁹ EX38 Technical Memo on hydrology at Purple Haze – [EX38-Specialist-advice-on-PurpleHazehydrology-030725.pdf](#)

3. Common Ground

Air Quality

3.1 Natural England outlined the following concerns in relation to air quality:

'Natural England disagree that a complete list of impact pathways has been appropriately assessed for Likely Significant Effects under the Habitats Regulations Assessment Screening report. We advise that the potential for air quality impacts under this Plan should be screened in for further assessment on several designated sites.'

We advise that air quality impacts should be considered for the allocated sites. Please find below our advice and guidance to assist you in addressing atmospheric pollution and air quality through your HRA.

We would expect the plan to address the impacts of air quality on the natural environment. In particular, it should address the traffic impacts associated with new development, particularly where this impacts on European sites and SSSIs. The environmental assessment of the plan (SA and HRA) should also consider any detrimental impacts on the natural environment and suggest appropriate avoidance or mitigation measures where applicable.

Natural England advises that one of the main issues which should be considered in the plan and the SA/HRA are proposals which are likely to generate additional nitrogen emissions as a result of increased traffic generation, which can be damaging to the natural environment.

The effects on local roads in the vicinity of any proposed development on nearby designated nature conservation sites (including increased traffic, construction of new roads, and upgrading of existing roads), and the impacts on vulnerable sites from air quality effects on the wider road network in the area (a greater distance away from the development) can be assessed using traffic projections and the 200m distance criterion followed by local Air Quality modelling where required. We consider that the designated sites at risk from local impacts are those within 200m of a road with increased traffic¹, which feature habitats that are vulnerable to nitrogen deposition/acidification. APIS provides a searchable database and information on pollutants and their impacts on habitats and species.

It is advised that assessment, alone and in combination with other plans and projects, should be carried out in line with Natural England guidance that provides a simple step by step approach to assessing road traffic emissions under the Habitats Regulations. All designated sites that may be impacted by the affected road network within a reasonable buffer zone should be screened in for consideration under the Local Plan appropriate assessment.

Please note that ammonia (NH₃) from traffic emissions should also be assessed as the impact from this source on designated sites is currently unclear. It is advised air quality impacts on interest features of nationally and locally designated sites is also carried out as part of an assessment of impacts on SSSIs and wider biodiversity.'

- 3.2 The Hampshire Authorities recognise that air quality is a potential issue associated with minerals and waste development as outlined in the 'Air Pollution' section of the HRA Screening Report (December 2023). However, the further clarification of approach from Natural England is welcomed and a more detailed assessment has been undertaken (see *HRA Air Quality Addendum (July 2024)*) to provide reassurance and was submitted as an Addendum¹⁰ to the HRA Screening Report (see SD08).

Purple Haze

- 3.3 Natural England also raised an objection in relation to the site allocation at Purple Haze:

'Natural England disagree with the current conclusions of the Appropriate Assessment that adverse effects from the Purple Haze allocation on the site integrity of the Dorset Heaths Special Area of Conservation (SAC), and Dorset Heathlands Special Protection Area (SPA) and Ramsar sites are suitably avoided or mitigated. We raise particular concern with reference to the following impact pathways:

- *Changes in surface/ groundwater hydrology*
- *Removal of supporting habitat (functionally linked land)*
- *Air quality*

This advice is subject to the current information, documents, and studies submitted alongside the ongoing application for the Purple Haze site. This extensive supporting information has enabled Natural England to conduct a detailed and specialist assessment and consideration of the environmental implications of the development. Further comments are provided below, in line with our previous advice on the Regulation 18 consultation stage.

Since the adoption of the original Plan, a planning application has come forward for works at Purple Haze, with supporting information that enabled further consideration of the environmental implications of the development. Based on this information, Natural England objected to the application. The reasons for this objection still stand and remain pertinent to our advice for the proposed site allocation within the current Plan partial update, at Regulation 19. Please also refer to our most recent objection letter issued for this planning application, dated 11 December 2023. The outstanding reasons for our objection are discussed below.'

- 3.4 The Hampshire Authorities acknowledge that a planning application has been submitted at Purple Haze (planning application 21/10459) and that this is currently

¹⁰ HRA Air Quality Addendum (SD08) - <https://documents.hants.gov.uk/mineralsandwaste/HMWP-PartialUpdate-HRAAirQualityAddendum-July2024.pdf>

awaiting determination. Whilst the planning application has provided further details on how the site could be worked, it should be noted that comments relating to the planning application do not necessarily mean that they apply to the Plan as they will relate to a specific scheme proposed by an operator at that time. The current application is being determined against the adopted 2013 Hampshire Minerals & Waste Plan. The Development Considerations outlined in the Proposed Submission Plan would need to be able to be applied to any future application, should the current planning application be refused or withdrawn.

- 3.5 Natural England note that while any planning application will be assessed separately to the Plan, HRAs must be based on the best available evidence so where new evidence is available this should be fully considered.
- 3.6 The points of objection from Natural England are discussed below.

Hydrological impacts

'Natural England retain serious concerns that the proposal will have adverse effects on the natural hydrological regime of Ebblake Bog which forms part of the Dorset Heaths Special Area of Conservation (SAC) and Dorset Heathlands SPA and Ramsar, also designated as SSSI.

Ebblake Bog is an acid mire in the upper valley of the Moors River. It has developed on a section of the river valley that has a poor hydraulic gradient and permitted the accumulation of relatively deep peat. Valley mires are rare habitats in lowland England, being confined mainly to the New Forest and the Poole Basin, with a few outlying sites elsewhere. The habitat is now internationally scarce, and the few relatively undamaged mires, of which Ebblake Bog is one, thus assume special nature conservation importance.

The HRA Screening Report rightly screens this policy into the appropriate assessment, where the full significance of the impact on the site's integrity, alone or in combination with other plans/projects, should be further tested in view of the site's conservation objectives. The appropriate assessment fails to provide suitable further evidence to show whether an adverse effect on the integrity of the site from the proposal can be ruled out or not. Hydrogeological evidence assessed to date, in support of the current planning application, has not been accepted by Natural England as demonstrating no adverse effects. The lack of any further information or hydrological assessment through this Plan's Appropriate Assessment has maintained Natural England's advice with our standing objection.'

- 3.7 The concerns raised regarding hydrological impacts are acknowledged by the Hampshire Authorities. Natural England have provided advice to the current applicant for the site and the Council through statutory consultations for a number of years. In June 2021 further hydrological information was requested to demonstrate whether the site could be delivered without adverse impacts to the nearby designated sites. To date this information has not been provided.

- 3.8 Environment Agency, following a request and receipt for further information raise no objection on hydrological matters.
- 3.9 The Hampshire Minerals & Waste Plan: Proposed Submission Plan includes a specific Development Consideration that requires '*A Hydrological/hydrogeological assessment is required to consider whether proposed works will affect nearby National Site Network sites, Ramsars and SSSIs, including the issue of nutrient enrichment, and including the protection of the water quality and recharge of the underlying aquifer, groundwater and surface water and safeguard the ecohydrological regimes of Ebblake Bog and Moors River Sites of Special Scientific Interest**'. This was included as a direct response to the identification of the hydrological connection at the site and is a more detailed Development Consideration from that included in the adopted 2013 Hampshire Minerals & Waste Plan.
- 3.10 In response to the Position Statement, Natural England stated: "*NE have some remaining concerns that this development allocation may affect designated site features through hydrological impacts which may not be possible to mitigate. Groundwater inputs are particularly significant for sustaining valley mire systems and their distinctive and characteristic hydrotopographical and ecohydrological zonation. Hydrochemical and ecohydrological assessments are also likely to be necessary to support future delivery of this site.*"
- 3.11 In response to the comments received by Natural England it is proposed that the Development Considerations also make specific reference to the need for a hydrochemical and ecohydrological assessment. Following receipt of the specialist advice on hydrology, it is proposed that Development Considerations reflect the advice.

Proposed Modification(s):

- ~~A Hydrological/hydrogeological assessment~~, **hydrochemical and ecohydrological assessments are** ~~is required to consider~~ **determine the risk and appropriate protection of** ~~whether proposed works will affect nearby National Site Network sites, Ramsars and SSSIs,~~ **This** ~~includes~~ **ing** the issue of nutrient enrichment, ~~and including~~ the protection of the water quality, ~~and~~ recharge of the underlying aquifer, groundwater and surface water, and ~~safeguarding~~ the **hydrological**/ecohydrological regimes of Ebblake Bog and Moors River Sites of Special Scientific Interest **potentially through the limiting or exclusion of extraction in the north of the site***.
- **Construction and Operational Surface Water Management Plans are required.**
- **On-site water use should be sourced from boreholes in the south of the site or from a mains water supply.**

Natural England support these modifications, and is in agreement that limiting or excluding extraction in the north of the site to avoid adverse impacts could prevent uncertainty around the requirement and effectiveness of any mitigation measures.

- 3.12 It may be helpful to raise that in response to the Environment Agency's consultation response, it is proposed to clarify the restoration proposals associated with Purple Haze which now requires that only site-won material is used and that the site will be restored to a lower level.

Proposed Modification(s):

Restoration: Restoration to agriculture at ~~the existing~~ **a lower levels using site-won material only** imported inert materials, including nature conservation and increased permissive access.

Natural England support the use of only site-won material.

Functionally linked land to Habitats sites

'Natural England advise that the proposal is likely to adversely affect a significant area of Ringwood Forest which support breeding and foraging Annex 1 birds that are the basis of the Dorset Heathland SPA designation. The area has been identified by RSPB as an Important Bird Area, supporting a population of nightjar which is significant on a national scale which is contiguous with several sites within the SPA. Significant loss of habitat used by nightjar close to the SPA may have effects on the overall SPA population. The functional linkage for SPA birds will therefore require consideration.

Additionally, further functional linkages are possible between the application site and the Dorset Heaths SAC concerning typical species of the SAC (see NE supplementary advice to the conservation objectives) such as rare reptiles and invertebrates. It is acknowledged that this has now been screened in for further assessment, however this has not been achieved through the Appropriate Assessment.

The Appropriate Assessment fails to provide information on any compensation or mitigation measures necessary to secure under this Plan to conclude no adverse effects on SPA and SAC site integrity, for this impact pathway.'

- 3.13 The Appropriate Assessment provides a number of examples for potential mitigation relevant to each proposed allocation. Further examples can be provided but it does not necessarily secure that specific mitigation to any future planning application of an unknown extent and scope. Therefore, the Appropriate Assessment has been updated with additional potential mitigation measures in relation to functionally linked habitats (see Table 4.4 of the *HRA Appropriate Assessment (July 2024)*).
- 3.14 During the Hearings, it was determined that the Development Considerations should be clearer on the requirements of the Habitats Regulation Assessment. As such, the following amendment to the Development Considerations in relation to the impacts on the SPA is proposed:

Proposed Modification(s):

~~Protection of~~ **Ensure no significant adverse impact on the integrity of** the Dorset Heaths SAC, Dorset Heathlands SPA and Ramsar, Avon Valley SPA and Ramsar, and

the River Avon SAC (and the New Forest SAC/SPA/Ramsar in relation to recreational displacement)*.

Air quality

'We advise that this allocation has the potential to adversely affect European designated sites from air quality impacts. Natural England recommend that your Plan must demonstrate its air quality modelling to robustly support any conclusions of no adverse effect on designated site integrity. Without this information, Natural England cannot agree with the Plan's Appropriate Assessment conclusions.'

- 3.15 As noted above, further detail has been provided on air quality as an Addendum to the HRA and Avon Valley SPA/Ramsar and River Avon SAC, Dorset Heathlands SPA/Ramsar and Dorset Heathlands SAC, New Forest SPA/Ramsar and New Forest SAC have been screened in for air quality issues (see *HRA Air Quality Addendum (July 2024)*).

Irreplaceable habitats

'We consider the wet heath and wet/heath mire transitions within the application site should be viewed as irreplaceable habitat (NPPF definition; 'Habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity'). Drier heathland within the application site could also come into the same category because of the species diversity that it supports. Policy in the NPPF (paragraph 186 c.) is that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists. We have not viewed a compensation strategy to date.'

- 3.16 It is acknowledged that whilst the Development Considerations refer to the requirement that *'Restoration must include habitats to expand those within the designated sites and relate to the wider landscape and enhance ecological networks**', this does not clearly specify the need for a Compensation Strategy. Therefore, it is proposed that the Development Consideration is modified to clarify this requirement and that this would need to be prepared in support of any planning application to the approval of Natural England.

Proposed Modification(s):

- **Mitigate** the impact on Ringwood Forest and Home Wood Site of Importance for Nature Conservation, **ensuring that temporary and long-term impacts to habitats and habitat connectivity are compensated, if required.**
- Restoration must include habitats to **compensate for habitats lost from within the development footprint.** expand those within the designated sites and relate to the wider landscape and enhance ecological networks **including those set out in the Forest Design Plan***.

Natural England support these modifications.

In conclusion

- 3.17 In response to the concerns raised regarding Purple Haze, further information was provided on air quality, examples of additional potential mitigation measures in relation to irreplaceable habitats and functionally linked habitats, and a clarification in the Development Considerations relating to a need for further assessments and the possible limiting or exclusion of extraction in the north of the site. It is agreed that Natural England is supportive of the amended Development Considerations and associated requirement for further assessments, and the ability to limit or exclude the northern portion of the site from extraction, subject to the findings of the assessments at the planning application stage, and as such removes its current concerns for the allocation of the site in the Submission Plan.

Midgham Farm

- 3.18 Natural England also raised concerns in relation to the site allocation at Midgham Farm:

‘Based on the Appropriate Assessment provided Natural England have some concerns that this site may adversely affect the integrity of designated sites, particularly including the River Avon SAC and Avon Valley SPA and Ramsar.

Natural England have insufficient information to assess whether avoidance and mitigation measures are suitable or achievable for the site at Midgham Farm to be able to conclude no adverse effects on site integrity, in reference to all of the impact pathways screened in for assessment. Most notably from our point of concern, are as follows:

- *Changes in surface/ groundwater hydrology*
- *Removal of supporting habitat and/or functionally linked land*
- *Air quality*
- *Water pollution*

The lack of supporting information through this Plan has meant that Natural England cannot fully assess this allocation for its potential impacts to designated sites and therefore any potential adverse effects cannot be concluded to be avoided or mitigated beyond reasonable scientific doubt. Natural England’s further advice on potential impact pathways from this allocation are summarised below.’

- 3.19 The points of concern from Natural England are discussed below.

Hydrological impacts

‘Natural England advise that the proposal may have adverse effects on the natural hydrological regime of the River Avon SAC, including River Avon System SSSI and Bickton to Christchurch SSSI. It is our advice that robust hydrological assessments should be demonstrated before any conclusions can be made on the suitability of this

site allocation, or its potential hydrological effects on designated sites. The HRA Screening Report appropriately screens this policy into the appropriate assessment, where the full significance of the impact on the site's integrity, alone or in combination with other plans/projects, should be further tested in view of the site's conservation objectives. The appropriate assessment fails to provide suitable further evidence or a conclusive test to show whether an adverse effect on the integrity of the sites from the proposal can be ruled out or not.'

3.20 It is acknowledged that the hydrological regime is such that development on this site may have the potential for impact. As such, a specific Development Consideration has been applied in the Proposed Submission Plan which states '*A Hydrological assessment is required to consider whether proposed works will affect nearby National Site Network sites, Ramsars and SSSIs, including the issue of nutrient enrichment*.*' As the concern relates to the Appropriate Assessment, this will be updated with additional potential mitigation measures in relation to hydrological impacts (see Table 4.5 of the *HRA Appropriate Assessment (July 2024)*).

3.21 During the Hearings, it was determined that the Development Considerations should be clearer on the requirements of the Habitats Regulation Assessment. As such, a further amendment to the Development Considerations in relation to the impacts on the SPA is proposed.

Proposed Modification(s):

- ~~Protection of~~ **Ensure no significant adverse impact on the integrity of** the Avon Valley SPA/Ramsar, River Avon SAC, Dorset Heaths SAC and the Dorset Heathlands SPA/Ramsar*.
- A-Hydrological/**hydrogeological** assessments ~~s are~~ required to **determine the risk and appropriate protection of** ~~consider whether proposed works will affect~~ nearby National Site Network sites, Ramsars and SSSIs, including the issue of nutrient enrichment*.

Natural England support these proposed modifications.

Water pollution

'Natural England advise that the proposed allocation has the potential to adversely impact, in combination with other plans or projects, the nearby River Avon SAC through potential eutrophication. We recognise that this potential impact to the River Avon SAC, through increased water pollution via eutrophication, has the potential to impact further downstream on the Christchurch Harbour SSSI which functionally links to European designated coastal SPA sites.

Natural England advise that further information and assessment of the allocation's potential impacts on water quality and pollution should be undertaken, in order to be able to conclude no adverse effects on integrity.'

3.22 The Hampshire Authorities acknowledge that whilst the Development Considerations address potential impact on the River Avon, this could be further clarified to include the

potential for downstream impacts on Christchurch Harbour SSSI. As such, it is proposed that the Development Consideration which states '*Protection of water quality and quantity of the River Avon*'* is modified to clarify the need to protect Christchurch Harbour SSSI.

Proposed Modification(s):

- Protection of **Ensure no significant adverse impact on** water quality and quantity of the River Avon **and Christchurch Harbour SSSI***.

Natural England support this modification.

Functionally linked land to Habitats sites

'Natural England advise that the proposal has the potential to adversely affect the Avon Valley SPA and Dorset Heathland SPA indirectly through removing land that could be functionally linked to these habitats' sites and their designated bird species.

Any significant loss of habitat used by designated SPA bird species may have negative effects on the overall SPA bird population. The functional linkage for SPA birds will therefore require consideration through appropriate surveying and assessment, with suitable avoidance and compensation measures detailed to be secured where necessary.'

3.23 The Hampshire Authorities acknowledge this potential impact. As such, a specific Development Consideration has been applied in the Proposed Submission Plan which states '*The impact on the offsite roosting, foraging and breeding areas of the qualifying bird species of nearby SPAs/Ramsars, and on their functional linkage*'* (see amendment proposed below). Therefore, the Appropriate Assessment will be updated with additional potential mitigation measures in relation to off-site use by SPA birds (see Table 4.5 of the *HRA Appropriate Assessment (July 2024)*). Furthermore, it is proposed that the Development Consideration regarding restoration will be modified to clarify the need to consider compensation. It should be noted that a request for impacts has been requested as part of the current planning application and the overwintering bird surveys have not found anything to imply the site is important for offsite functional linkage to the nearby SPAs.

3.24 During the Hearings, it was determined that the Development Considerations should be clearer on the requirements of the Habitats Regulation Assessment. As such, a further amendment to the Development Considerations in relation to the impacts on the SPA is proposed.

Proposed Modification(s):

- ~~The impact~~ **Ensure no significant adverse impact** on the offsite roosting, foraging and breeding areas of the qualifying bird species of nearby SPAs/Ramsars, and on their functional linkage*.
- Restoration proposals will need to **compensate for habitats and habitat connectivity lost from within the development footprint**, relate to the wider

landscape and enhance ecological networks including provision of deciduous woodland along the boundaries of the site*.

Natural England supports these modifications.

Air quality

'We advise that this allocation has the potential to adversely affect European designated sites from air quality impacts. Natural England recommend that your Plan must demonstrate its air quality modelling to robustly support any conclusions of no adverse effect on designated site integrity. Without this information, Natural England cannot agree with the Plan's Appropriate Assessment conclusions.'

- 3.25 As noted above, further detail has been provided on air quality as an Addendum to the HRA and Avon Valley SPA/Ramsar and River Avon SAC, Dorset Heathlands SPA/Ramsar and Dorset Heathlands SAC, New Forest SPA/Ramsar and New Forest SAC have been screened in for air quality issues (see *HRA Air Quality Addendum (July 2024)*).

Ancient woodland, ancient and veteran trees

'It is understood that the Midgham Farm allocation sits directly adjacent to areas classified as Ancient Replanted Woodland and Ancient & Semi-Natural Woodland.

The local planning authority should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 186 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. Please refer to our standard advice and further guidance.'

- 3.26 The Hampshire Authorities acknowledge that whilst the Development Considerations address potential impact on the adjacent woodland, this could be further clarified to include the presence of Ancient Replanted Woodland and Ancient & Semi-Natural Woodland. As such, it is proposed that the Development Consideration which states '*Buffering of the offsite woodland are required**.' A modification will be proposed to clarify reference to Ancient Replanted Woodland and Ancient & Semi-Natural Woodland.

Proposed Modification(s):

- **Sufficient mitigation such as Buffering to ensure no significant adverse impact** of the offsite woodland **with particular focus on those areas of Ancient Replanted Woodland and Ancient & Semi-Natural Woodland** are required*.

Natural England support these modifications.

3.27 In conclusion to the concerns raised regarding Midgham Farm it is agreed that, subject to further information provided on air quality, examples of additional potential mitigation measures in relation to hydrological impacts and functionally linked habitats and a clarification in the Development Considerations relating to Christchurch Harbour SSSI and Ancient Woodland, Natural England can remove its current concerns on this site for the Proposed Submission Plan. This is confirmed by the Position Statement (see Appendix C).

3.28 Natural England also provide comment on the policies within the Proposed Submission Plan:

“Natural England would refer you back to our previous advice submitted within our Regulation 18 response, referenced 412302, and dated 31 January 2023. Our current advice on the Plan Vision, Policy 2, Policy 8, Policy 9 and Policy 10 is consistent with those previous comments submitted by Natural England at the Regulation 18 stage.”

3.29 The comments from Natural England are discussed below.

Plan Vision

“Natural England advise that greater emphasis through the Plan Vision and objectives should be made to facilitating wider ecological connectivity through the Local Nature Recovery Strategy (LNRS). Consideration should be given to how this can improve the Plan’s visibility of its ecological network through enhanced mapping.

The Plan should have a clear aim to significantly and demonstrably improve the natural environment to ensure the needs of minerals and waste development are met sustainably.’

3.30 The Vision is an overarching capture of the key aims of the Plan as set by the Hampshire Authorities. The Plan Objectives set out in Paragraph 2.6 of the Plan provide the detail on how this will be achieved. The 4th Plan objective refers to the need for a strategic approach that ‘*protects and enhances natural and historic environments*’. The 9th Plan objective then outlines the requirement for Biodiversity Net Gain. These objectives are subsequently set out in more detail in the Spatial Strategy (see Paragraph 2.30) and the relevant policies which refer to Local Nature Recovery Strategies (most notably *Policy 3: Protection of habitats and species* which refers to Nature Recovery Networks) and are used for monitoring purposes (see Appendix C).

Policy 3: Protection of habitats and species

“Natural England welcome this policy.

Natural England welcome that Biodiversity Net Gain (BNG), whereby development must show how a measurable BNG of at least 10% will be delivered in line with the requirements under the Environment Act 2021, under this overarching policy. We

would welcome investigating more ambitious BNG targets that could go beyond existing requirements.

For biodiversity net gain, the statutory metric can be used to measure gains and losses to biodiversity resulting from development. Please see further detailed advice on biodiversity net gain within Annex 1.

It is our advice that the Plan should make clear that site allocations and their proposals should demonstrate how they have considered the ecological network across the Hampshire Plan area (as shown on Figures 5.1-5 of the HRA Screening report and separate Policies Map) and are required to align with the Local Nature Recovery Strategy (LNRS).

Detailed within paragraph 4.18 of the Draft Plan, it is appropriately incorporated that where adverse effects on integrity of Habitats sites (SPAs or SACs) cannot be ruled out, development can only proceed where it can be demonstrated that all 3 legal tests for a derogation under the Habitats Regulations have been satisfied (with regard to compensatory measures, these would have to be implemented and functioning prior to any habitat loss or damage as a result of a proposal).'

- 3.31 The support for Policy 3 is noted. At least 10% is the legal requirement and Policy 3: Protection of habitats and species is compliant. There is no evidence to justify a higher figure and therefore, pre-application discussion is encouraged to determine what level can be achieved (see Paragraph 4.30 of the Plan). The Metric is referred to in Paragraph 4.30. Further guidance is expected on the application of BNG, particularly in relation to the use of the metric on mineral proposals.
- 3.32 The site allocations will be required to address Policy 3 (part f) and *Policy 10 (Restoration of minerals and waste developments)* in relation to consideration of ecological networks. It is expected that the role of the allocations in the delivery of the LNRS will become clearer as the Strategy emerges and more guidance is provided on how Local Plans should have regard.

Policy 4: Nationally protected landscapes

'Natural England welcome the inclusion of this policy.

The plan area includes the New Forest and South Downs National Park, alongside neighbouring National Landscape/ AONBs. We advise on the importance of acknowledging the relevant Management Plan for each of the nationally protected landscape areas, and to align with these where possible. Proposals brought forward through the Plan should avoid significant impacts on protected landscapes, including those outside the plan's area and early consideration should be given to the major development tests set out in paragraph 183 of the National Planning Policy Framework (NPPF).

Please make note of Annex 2 of this letter whereby Section 245 (Protected Landscapes) of the Levelling Up and Regeneration Act 2023 places a duty on relevant authorities in exercising or performing any functions in relation to, or so as to affect,

land in a National Park, the Broads or an Area of Outstanding Natural Beauty (“National Landscape”) in England, to seek to further the statutory purposes of the area.’

- 3.33 The support for the policy is noted. The statutory purposes are set out in Paragraph 4.36, and these will be upheld when considering minerals and waste developments (see Paragraph 4.39).

Policy 8: Water management

‘Natural England recognise our recommendations to amend the Policy title to cover both water resource quantity and water quality has been acknowledged, and we welcome this amendment to water management.’

Minerals and waste development may disturb and mobilise nutrients locked within the soil or add to nutrient levels through construction and operational processes. Therefore, the Plan should ensure that impacts of nutrients on the designated sites are assessed and avoided/mitigated where appropriate.’

- 3.34 The need for minerals and waste development proposals to consider nutrient neutrality in relevant river catchments it addressed in Paragraph 4.88. However, it agreed that additional wording regarding what this should include would be beneficial and a modification will be proposed to clarify this point.

Proposed Modification(s):

Proposals within the Bedhampton Springs to Havant Karstic Zone, as defined by the Source Protection Zone 1 and 1C, will need to undertake specific assessment in relation to water quality and infiltration due to the risks associated with karstic features. This should be undertaken in consultation with Portsmouth Water and the Environment Agency. Consideration will also need to be given to achieving nutrient neutrality where relevant minerals and waste development proposals are located within catchments identified by Natural England **as these may disturb and mobilise nutrients locked within the soil or add to nutrient levels through construction and operational processes. Therefore, development should ensure that impacts of nutrients on designated sites are assessed and avoided/mitigated where appropriate** (see Policy 3 (Protecting habitats and species) and section ‘Liquid waste and waste-water management’).

Natural England supports these modifications.

Policy 9: Protection of soils

‘Natural England welcome that the protection of best and most versatile (BMV) agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification (ALC)) and for soils as a resource for the future is reflected in this policy. It is recognised that this is a key consideration for all of the site allocations proposed through this Plan. Please

see further advice relating to soils under the Soil, Agricultural Land Quality and Reclamation section within Annex 1.'

- 3.35 As a statutory consultee for planning applications, it is expected that further advice would be provided by Natural England to applicants, where required.

Policy 10: Restoration of minerals and waste development

'Natural England welcome that our advice has been incorporated to better reflect biodiversity priorities of the Plan through this Policy, in particular including a link to environmental net gain and Policy 3. The after-use of sites should be designed and implemented specifically for public benefit. Natural England welcome the reference to the Local Nature Recovery Strategy as an opportunity for restoration schemes to align with when addressing site recovery.'

- 3.36 The support for Policy 10 is noted.

4. Agreement by the Parties

- 4.1 Following various iterations of this Statement of Common Ground the following areas are agreed by the Parties:

- i. The Hampshire Authorities have provided the agreed additional data on air quality in the format of an Addendum to the HRA [*This was agreed by Natural England on 24 June 2024*].
- ii. The Hampshire Authorities have provided further examples of mitigation in relation to hydrological impacts and links to functional habitats in the submission version (July 2024) Appropriate Assessment¹¹ [*This was agreed by Natural England on 28 November 2024*].
- iii. Natural England agree that clarification of the Development Considerations is required in relation to Christchurch Harbour SSSI and Ancient Woodland for Midgham Farm [*This was agreed by Natural England on 5th December 2024*].
- iv. Natural England agree that clarification in relation to River Catchments for Policy 8 (Water management) would be beneficial [*This was agreed by Natural England on 5 December 2024*].
- v. Natural England agree that clarification of the Development Considerations is required in relation to compensation for onsite habitats, the SINC designation and linking to the Forest Design Plan for Purple Haze [*This was agreed by Natural England on 5 December 2024*].
- vi. Natural England agree that further clarification of the Development Considerations is required for hydrochemical and ecohydrological assessment, surface water management plans, on-site water supply and the potential limitation or exclusion of extraction in the north of the site to avoid potential hydrological impacts on Ebblake Bog [*This was agreed by Natural England on 20 August 2025*].

¹¹ SD07 Habitats Regulation Assessment – Appropriate Assessment (July 2024) - [HMWP Partial Update HRA Appropriate Assessment \(Submission\) July 2024 FINAL](#)

- vii. Natural England agree that they support the amended Development Considerations and associated requirement for further assessments, and the ability to limit or exclude the northern portion of the site from extraction, subject to the findings of the assessments at the planning application stage, and as such removes its current concerns for the allocation of the site in the Submission Plan [*This was agreed by Natural England on 28 August 2025*].

4.2 This Statement is agreed by the Parties, as represented by the following signatories:

Laura McCulloch, Head of Spatial Planning – Hampshire County Council (on behalf of Portsmouth City Council, Southampton City Council, New Forest National Park Authority and South Downs National Park Authority).



Bella Jack, Principal Manager (Sustainable Development), Thames Solent Area Team, Natural England.



Appendix A: Natural England response to Draft Plan consultation (Reg 18)

Date: 31 January 2023
Our ref: 412302
Your ref: N/A



HCC Minerals and Waste Policy Team
Minerals and Waste Planning Policy
hmwp.consult@hants.gov.uk

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

BY EMAIL ONLY

T 0300 060 3900

Dear Policy Team,

Hampshire Minerals and Waste Plan Partial Update - Draft Plan Consultation 8 November 2022 to 31 January 2023

Thank you for your consultation on the above dated 08 November 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.

Below we set out our specific comments on the Plan's Vision, policies, site allocations and HRA Screening report.

Please note our objections to the Bramshill Quarry Extension and Purple Haze site allocations, covered further below.

Further detailed advice can be found within Annex 1 of this letter relating to several aspects of the Plan, including designated sites, biodiversity net gain, landscape, agri-environment schemes and soils.

Plan Vision

The Plan seeks to balance the needs of three main priorities including protection of the environment, maintenance of communities and supporting the County's economy. Natural England welcome the emphasis the Vision places on carbon-neutral minerals and waste development, to meet the Government target for net zero by 2050.

However we would encourage the Plan Vision to go beyond just the protection of the natural environment, to restoring and enhancing it. It should be stronger in its acknowledgement of the climate and ecological emergencies currently underway and recognise the important role of the natural environment to deliver measures that reduce the effects of climate change and enable nature recovery. The plan should take a strategic approach to the protection and enhancement of the natural environment, including providing a net gain for biodiversity, considering opportunities to enhance and improve connectivity. Where relevant there should be linkages with the Biodiversity Action Plan, Local Nature Partnership, National Park/Area of Outstanding Natural Beauty Management Plans, Rights of Way Improvement Plans, Green Infrastructure Strategies, and the Nature Recovery Network.

The Plan should have a clear aim to significantly and demonstrably improve the natural environment to ensure the needs of minerals and waste development are met sustainably.

With regard to the mapping in Figure 3 and Figure 7, we recommend that Special Areas of Conservation (SACs), Ramsar sites and Sites of Special Scientific Interest (SSSIs) are added, or that a separate map is provided showing environmental designations clearly.

Policies

Policy 2: Climate change – mitigation and adaptation

Climate change is already impacting on nature and society in England. The projected scale and rate of climate change, coupled with existing environmental pressures, has serious implications for the natural environment and the services it provides to society. In response, many local authorities across England are formally declaring a climate change emergency and are now looking for practical steps to address it. The faster that greenhouse gas emissions can be reduced, the more the overall pressure on the natural environment will be reduced.

The Plan should consider climate change adaptation and recognise the role of the natural environment to deliver measures to reduce the effects of climate change, for example tree planting to moderate heat island effects. In addition factors which may lead to exacerbate climate change (through more greenhouse gases) should be avoided (e.g. pollution, habitat fragmentation, loss of biodiversity) and the natural environment's resilience to change should be protected. Green Infrastructure and resilient ecological networks play an important role in aiding climate change adaptation.

Natural England welcome this policy that supports minerals and waste proposals that contribute towards climate change mitigation and adaptation. It sets out several opportunities that can be utilised, including reductions in greenhouse gases and sustainable use of resources. However we strongly recommend the Policy also incorporates 'Nature-based solutions' as an essential tool in tackling climate change and its effects. These involve the restoration of ecosystems for the long-term benefit of people and nature. Examples include:

- Expansion of tree and woodland cover - to strengthen woodland habitat networks, protect soils, provide shade whilst capturing additional carbon from the atmosphere.
- Restoration and creation of [priority habitats](#) such as lowland meadows, lowland fens and rush pastures. This improves places where people live and recreate, protecting carbon stores and strengthening the nature recovery network.
- Natural floodplain management, through the use of tree planting, habitat creation and restoration, to alleviate flooding further downstream.
- Retrofitting of green and blue infrastructure such as trees and sustainable urban drainage systems (SUDS) in urban localities to address flood risk and heat island effects

We recommend the Plan ensures the following:

1. Identify, protect and plan to restore areas of peatland (shallow and deep peats, where present). Wherever possible this should include consideration and management of the catchment areas that support the peatland.
2. Identify opportunities to increase tree and woodland cover consistent with the UK target. Wherever possible, this should provide multi-functional benefits. Planting on peatlands and other open priority habitats must be avoided.
3. Identify areas where nature-based solutions can provide benefits to people whilst reducing climate change vulnerability in the natural environment.

4. Identify habitats and protected sites that are particularly vulnerable to the impacts of climate change and consider how the Plan can reduce these vulnerabilities.

Natural England has published a range of resources to help with the recommended actions; please see links listed under Annex 2 of this letter. Natural England would be happy to advise further on this aspect of the Plan update as it progresses.

Policy 3: Protection of habitats and species

Natural England welcome this policy.

With regard to paragraph 4.28 of the Draft Plan, it should be made clear that where adverse effects on integrity of Habitats sites (SPAs or SACs) cannot be ruled out, development can only proceed where it can be demonstrated that all 3 legal tests for a [derogation under the Habitats Regulations](#) have been satisfied i.e. no alternative solutions, imperative reasons of overriding public interest and necessary compensatory measures have been secured (with regard to compensatory measures, these would have to be implemented and functioning prior to any habitat loss or damage as a result of a proposal). This process is discussed in more detail further below.

Please see further detailed advice on biodiversity net gain within Annex 1.

Policy 8: Water resources

It is recommended the Policy title refers to water quality as well as resource.

The Policy rightly outlines that nitrogen and phosphorus in Hampshire's water environment are current significant challenges. The Policy should recognise that the River Avon and the River Itchen within Hampshire are both designated SACs that are currently suffering from nutrient enrichment and require nutrient neutrality from new development. Additionally, much of Hampshire also lies within the catchment for the Solent coastal marine sites including Solent and Southampton Water SPA, Portsmouth Harbour SPA, Chichester and Langstone Harbours SPAS and Solent Maritime SAC. The River Test SSSI and other water bodies across the County may also be sensitive to the impacts of nutrient enrichment.

Minerals and waste development may disturb and mobilise nutrients locked within the soil or add to nutrient levels through construction and operational processes. Therefore the Plan should ensure that impacts of nutrients on the designated sites are assessed and avoided/mitigated where appropriate.

Policy 9: Protection of Soils

We welcome that the protection of best and most versatile (BMV) agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification (ALC)) and for soils as a resource for the future is reflected in this policy. Policy 9 should also include specific reference to mitigation measures for the protection of soils in the Defra [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#) and the Institute of Quarrying [Good Practice Guide for Handling Soils](#). Mitigation should aim to minimise soil disturbance and to retain as many ecosystem services as possible through careful soil management during the construction process and appropriate soil re-use.

Please see further advice relating to soils under the Soil, Agricultural Land Quality and Reclamation section within Annex 1.

Policy 10: Restoration of minerals and waste developments

We advise that the Policy itself better reflects biodiversity priorities of the Plan, in particular including a link to environmental net gain and Policy 3. The after-use of sites should be designed and implemented specifically for **public** benefit.

With regard to soils, Policy 10 should reflect the need to restore BMV agricultural land back to its original land quality as an important consideration. The Policy should safeguard the long term capability of BMV agricultural land by providing for development on lower quality agricultural land wherever possible. Appropriate aftercare should also be included under this policy. Please see further advice under the Soils section within Annex 1.

Site allocations

Ashley Manor farm

The proposed development in this location could have potential significant effects on the Solent and Southampton Water Special Protection Area (SPA) in relation to potential SPA bird use of the site at high tide for foraging/roosting. We recognise that the allocation site lies outside of the current mapped [Solent Wader and Brent Goose network](#), which aims to identify, maintain and protect a network of sites within the Solent area that are regularly used by the designated overwintering birds of the Solent Special Protection Areas (SPAs). However, given the development size, its proximity to the to the Solent coastline and the mobile nature of the designated species, we would recommend that evidence is gathered at this site to determine any usage by overwintering bird species. Mitigation may need to be provided in line with the SW&BGS mitigation [guidance](#).

The allocation site also comprises best and most versatile (BMV) agricultural land (specifically Grades 2 and 3a in the Agricultural Land Classification (ALC)). Please refer to our advice on Soil, Agricultural Land Quality and Reclamation within Annex I regarding soil handling and management.

Bramshill Quarry extension - OBJECTION

Natural England **objects** to this site allocation. We advise that the proposal is likely to adversely affect a significant area of the Thames Basin Heaths SPA, designated for supporting breeding European nightjar, Dartford warbler and Woodlark. Within this SPA the principal habitats supporting these qualifying species are lowland heathland and rotationally managed coniferous plantation woodland. We note that the HRA screening report classes this proposal as within category C2 (indirect effects) when clearly the proposed allocation would steer development directly onto an international site, the definition of category C1, which brings into question the soundness of this screening process and its relationship to the partial update of the Plan.

The proposed allocation also forms the majority of Unit 6 and part of Unit 13 of the Castle Bottom to Yateley and Hawley Site of Special Scientific Interest (SSSI) and the proposals are likely to harm features of the SSSI including breeding bird assemblages of the species listed above, lowland heathland and invertebrate assemblages. Unit 6 of the SSSI was last assessed in 2021 as 'Unfavourable recovering' for lowland heath and invertebrate assemblage features. The area was clear-felled around 12 years ago and these capital works were followed by ongoing restoration work for open heathland habitat under Higher Level Stewardship, enabling a 'vast improvement in site condition since...2013'. All three SPA birds have been recorded using the area. In particular, the blocks of gorse are at a height and density valuable to breeding and over wintering Dartford warbler.

Various impact pathways on the designated site are identified and explored below.

- Direct habitat loss

The policy outlines a requirement to exclude and buffer the Hartford Bridge Flats management area. The extent of this area is not defined, but if it is the area outside the Forest England holding – Unit 6 of the SSSI as described above – then it comprises over half of the proposed allocation area, which begs the question why this area is included within the allocation boundary. Notwithstanding this, the impacts of works will still lead to extensive habitat loss within the SPA. The timeframes for such losses is not detailed within the policy or supporting information, although the Plan covers the time period up to 2040. However, past experience shows us that mineral extraction proposals of this type and size can span decades, often being extended beyond their original intended lifetime.

We consider the timeframe and scale of losses would be significant, in particular through destruction of supporting habitat, disturbing and displacement of SPA birds, with potential consequences for the breeding success of the populations, across the site over the lifetime of the project. No information currently appears to support the Policy with regard to how direct and indirect impacts will be appropriately avoided or mitigated.

We note the Policy requirement to 'ensure no net loss of foraging and breeding areas used by the SPA birds'. No detail is provided as to how this approach will be implemented to ensure adverse effects can be avoided. It is Natural England's advice that any proposal to create new habitat (including habitat translocation, habitat conversion and/or habitat banking) within a Habitat Site's boundary specifically to 'mitigate' for a predicted loss of SAC or SPA habitat (with regard to HRA) would be a compensatory measure, rather than mitigation. Thus we would question the soundness of a policy that allowed mineral development within an SPA based on no net loss.

The Forestry England [Forest Design Plan](#) for the area shows that much of the plantation within the southern part of the allocation site appears to be outlined for clear fell across different periods between 2017 to beyond 2046. Some of the land also is shown to fall under a Section 106 with long term plans for open habitat, suggesting this area may have been secured as mitigation land, presumably related to the existing adjacent quarry. If this is the case, then this land clearly should be safeguarded. With regard to plans for restoration of heathland habitat on minerals sites, it is important to note that its success is not guaranteed. Past experience of similar scenarios elsewhere shows us that removal of the habitat and its underlying geology means it is unlikely the habitat can be replaced like for like. Restored habitats are usually more prone to scrub and tree invasion; the structure and function of such habitats usually differ to the original. This introduces uncertainty about the future value of restored habitats to SPA birds and condition of heathland communities particularly over the long term.

In light of this, we consider the works would be contrary to the [conservation objectives](#) for the Thames Basin Heaths SPA, in particular to maintaining or restoring the structure and function of supporting habitats to SPA features, and the supporting processes on which those habitats rely, which are intrinsically linked to the supporting geology.

- Recreational disturbance

The proposed works may cause displacement of existing recreational use at the site into more sensitive areas across the protected sites, with potential harmful consequences to breeding SPA birds. This aspect will require further work to ascertain the current level of use, potential impact from its displacement, and any corresponding scope for mitigation.

- Changes in hydrology

Detailed consideration will be required of the potential significant implications the works may have on qualifying features and supporting habitat either onsite or within the surrounding designated site(s) by affecting the surface and/or groundwater hydrology/geohydrology regime.

- Pollution events and biosecurity threats

Further consideration will be required of noise, visual, vibrational, water and air pollution impacts from construction and operational activities. The proposal also poses potential biosecurity threats through spread of invasive non-native species or disease.

Assessment under the Habitats Regulations

Likely significant effect

The Plan is supported by an HRA Screening report that identifies this site allocation would appear to require the direct partial loss of Thames Basin Heaths SPA and therefore likely significant effects

cannot be excluded. Unless it is removed at this early stage, we advise that the allocation is taken forward for consideration within an appropriate assessment under the Habitats Regulations, where the full significance of the impact on the site's integrity, alone or in combination with other plans/projects, should be further tested in view of the [site's conservation objectives](#).

Appropriate Assessment

Appropriate assessments cannot have lacunae and must contain complete, precise and definitive findings and conclusions capable of removing all reasonable scientific doubt as to the effects of the works proposed on the protected site concerned. Complete information is required to ensure that the plan or proposal will not affect the integrity of the international sites.

Further guidance is available to competent authorities at Habitats regulations assessments: protecting a European site - GOV.UK (www.gov.uk) and to planning authorities at <https://www.gov.uk/guidance/appropriate-assessment>.

Natural England is a statutory consultee on the Appropriate Assessment stage of the HRA process, and a competent authority should have regard for Natural England's advice.

Implications for the Hampshire Minerals and Waste Plan partial update

Natural England consider the Bramshill Quarry Extension site allocation is contrary to the Habitats Regulations objective to protect Habitats Sites, due the extent and magnitude of the direct habitat losses as a result of the development. We find it hard to see how an appropriate assessment could come to any other conclusion than that the proposal would result in a significant adverse effect on the integrity of the Thames Basin Heaths SPA.

Where adverse effects on integrity of an SPA cannot be ruled out, a plan or project can only proceed where it can be demonstrated that all 3 legal tests for a [derogation under the Habitats Regulations](#) have been passed.

The site allocation would also damage or destroy the interest features for which Castle Bottom to Yateley and Hawley Commons SSSI has been notified.

It is considered the policy would not meet several requirements of the revised National Planning Policy Framework (July 2021), in particular the following paragraphs:

174. Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
- b) 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;*
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;*
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil,*

air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; ...

175. 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; 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.

179. To protect and enhance biodiversity and geodiversity, plans should:

b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

As you are aware, the Plan and its allocation sites must be both legally compliant and sound. The NPPF sets out four tests of soundness including:

a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs²¹; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

Overall it is Natural England’s view that it would be very difficult for the Plan to demonstrate it is **Justified** and **Consistent with national policy** where this allocation policy is taken forward for progression.

Natural England objects to the Bramshill Quarry Extension site allocation. We strongly recommend that alternative options are sought to meet mineral needs within the County that are less environmentally damaging and more sustainable.

Purple Haze - OBJECTION

Since the adoption of the original Plan, a planning application has come forward for works at Purple Haze, with supporting information that enabled further consideration of the environmental implications of the development. Based on this information, Natural England objected to the application. The reasons for this objection still stand and remain pertinent to our advice for the proposed site allocation within the current Plan partial update, discussed below.

- Hydrological impacts

Natural England retain serious concerns that the proposal may have adverse effects on the natural hydrological regime of Ebblake Bog which forms part of the Dorset Heaths Special Area of Conservation (SAC) and Dorset Heathlands SPA and Ramsar, also designated as SSSI.

Ebblake Bog is an acid mire in the upper valley of the Moors River. It has developed on a section of the river valley that has a poor hydraulic gradient and permitted the accumulation of relatively deep peat. Valley mires are rare habitats in lowland England, being confined mainly to the New Forest and the Poole Basin, with a few outlying sites elsewhere. The habitat is now internationally scarce, and the few relatively undamaged mires, of which Ebblake Bog is one, thus assume special nature conservation importance.

The HRA Screening Report rightly screens this policy into the forthcoming appropriate assessment, where the full significance of the impact on the site's integrity, alone or in combination with other plans/projects, should be further tested in view of the site's conservation objectives. The appropriate assessment must show whether an adverse effect on the integrity of the site from the proposal can be ruled out or not. Robust hydrogeological evidence will be required to inform the assessment.

- Functionally linked land to Habitats sites

Natural England advise that the proposal is likely to adversely affect a significant area of Ringwood Forest which support breeding and foraging Annex 1 birds that are the basis of the Dorset Heathland SPA designation. The area has been identified by RSPB as an Important Bird Area, supporting a population of nightjar which is significant on a national scale which is contiguous with several sites within the SPA. Significant loss of habitat used by nightjar close to the SPA may have effects on the overall SPA population. The functional linkage for SPA birds will therefore require consideration.

Additionally, further functional linkages are possible between the application site and the Dorset Heaths SAC concerning typical species of the SAC (see NE supplementary advice to the [conservation objectives](#)) such as rare reptiles and invertebrates. These will need to be assessed.

- Recreational disturbance

The proposed works may cause displacement of existing recreational use at the site into surrounding protected sites that support features sensitive to recreational disturbance. This aspect will require further work to ascertain the current level of use, potential impact on sites from its displacement, and any corresponding scope for mitigation.

The development considerations for this policy include the protection of the Dorset Heathland SAC, SPA and Ramsar site, the Avon Valley SPA and Ramsar site and the River Avon SAC. We advise that the **New Forest SAC, SPA and Ramsar is also included** with respect to potential displacement of recreation into those sites.

- Protected species

Natural England understands that the site is considered to be of national importance for rare reptiles (sand lizard and smooth snake). In these circumstances the loss of this site should be given a high degree of weight in its own right as well as contributing to the overall ecological interest of the application site. The implementation of the proposal would be dependent on the receipt of a license from Natural England in order to prevent the contravention of statutory protections of these reptiles and their habitats under the Habitat Regulations. In order to grant the requisite licenses Natural England would need to be satisfied, amongst other criteria, that favourable conservation status for each species was maintained.

- Irreplaceable habitats

We consider the wet heath and wet/heath mire transitions within the application site should be viewed as irreplaceable habitat (NPPF definition; 'Habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity'). Drier heathland within the application site could also come into the same category because of the species diversity that it supports. Policy in the

NPPF (180 c.) is that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.

The Triangle

Page 86 of the [JCEB Minerals Proposal Study June 2018 FINAL \(hants.gov.uk\)](#) states only the Provisional ALC Grade. Post 1988 data is however available for this site at [Agricultural Land Classification detailed Post 1988 ALC survey, Romsey, The Triangle Ridge \(Hants Minerals Site 8\) - ALCR21293 \(naturalengland.org.uk\)](#).

Please refer to further advice on soils and BMV land under Annex 1.

Yeatton Farm

As with Ashley Manor Farm above, the proposed development in this location could have potential significant effects on the Solent and Southampton Water Special Protection Area (SPA) in relation to potential SPA bird use of the site at high tide for foraging/roosting. Again, we would recommend that evidence is gathered at this site to determine any usage by the designated overwintering bird species. Mitigation may need to be provided in line with the SW&BGS mitigation guidance.

The allocation site also comprises Grades 2 and 3a BMV agricultural land. Please refer to our advice on Soil, Agricultural Land Quality and Reclamation within Annex I regarding soil handling and management.

Additionally, our systems show the site supports good quality semi-improved grassland priority habitat. The Policy should ensure impacts on priority habitats are appropriately addressed in line with your duties and obligations under relevant legislation and national policy (see advice on priority habitats and biodiversity net gain under Annex I).

Habitats Regulations Assessment screening report

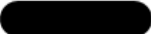
Natural England concur with the impact pathways listed and discussed within the screening report. Please see our advice on aspects such as water quality and resources, air quality under Annex I. We look forward to receiving the draft Appropriate Assessment of the Plan.

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

Should you wish to discuss the issues described within this letter 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


Senior Advisor Sustainable Development
Thames Solent Area Team
Natural England

Annex 1

Designated sites

The Local Plan should set criteria based policies to ensure the protection of designated biodiversity and geological sites. Such policies should clearly distinguish between international, national and local sites¹. Natural England advises that all relevant Sites of Special Scientific Interest (SSSIs), European sites (Special Areas of Conservation and Special Protect Areas) and Ramsar sites² should be included on the proposals map for the area so they can be clearly identified in the context of proposed development allocations and policies for development. Designated sites should be protected and, where possible, enhanced.

The Plan partial update should be screened under Regulation 105 of the Conservation of Habitats and Species Regulations 2017 (as amended) at an early stage so that outcomes of the assessment can inform key decision making on strategic options and development sites. It may be necessary to outline avoidance and/or mitigation measures at the plan level, which will usually need to be considered as part of an Appropriate Assessment, including a clear direction for project level HRA work to ensure no adverse effect on the integrity of internationally designated sites. It may also be necessary for plans to provide policies for strategic or cross boundary approaches, particularly in areas where designated sites cover more than one Local Planning Authority boundary.

Natural England would welcome early discussion on the Habitats Regulations Assessment (HRA) of the plan and can offer further advice as policy options are progressed.

Biodiversity and Geodiversity

The Plan should set out a strategic approach, planning positively for the creation, protection, enhancement and management of networks of biodiversity. There should be consideration of geodiversity conservation in terms of any geological sites and features in the wider environment.

A strategic approach for networks of biodiversity should support a similar approach for green infrastructure (outlined below). Planning policies and decisions should contribute and enhance the natural and local environment, as outlined in para 170 of the NPPF. Plans should set out the approach to delivering net gains for biodiversity.

Priority habitats, ecological networks and priority and/or legally protected species populations

The Plan should be underpinned by up to date environmental evidence. This should include an assessment of existing and potential components of local ecological networks. This assessment should inform the Sustainability Appraisal, ensure that land of least environment value is chosen for development, and that the mitigation hierarchy is followed and inform opportunities for enhancement as well as development requirements for particular sites.

Priority habitats and species are those listed under Section 41 of the Natural Environment and Rural Communities Act, 2006 and UK Biodiversity Action Plan (UK BAP). Further information is available here: [Habitats and species of principal importance in England](#). Local Biodiversity Action Plans (LBAPs) identify the local action needed to deliver UK targets for habitats and species. They also identify targets for other habitats and species of local importance and can provide a useful blueprint for biodiversity enhancement in any particular area.

Protected species are those species protected under domestic or European law. Further information can be found here [Standing advice for protected species](#). Sites containing watercourses, old buildings,

¹ International sites include: Special Protection Areas (SPAs); Special Areas of Conservation (SACs) and Ramsar sites¹. National sites include Sites of Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs) Local sites include wildlife Sites or geological sites (a variety of terms are in use for local sites).

² The following wildlife sites should also be given the same protection as European sites: potential SPAs, possible SACs, listed or proposed Ramsar sites and sites identified, or required, as compensatory measures for adverse effects on European sites

significant hedgerows and substantial trees are possible habitats for protected species.

Ecological networks are coherent systems of natural habitats organised across whole landscapes so as to maintain ecological functions. A key principle is to maintain connectivity - to enable free movement and dispersal of wildlife e.g. badger routes, river corridors for the migration of fish and staging posts for migratory birds. Local ecological networks will form a key part of the wider Nature Recovery Network proposed in the 25 Year Environment Plan. Where development is proposed, opportunities should be explored to contribute to the enhancement of ecological networks.

Planning positively for ecological networks will also contribute towards a strategic approach for the creation, protection, enhancement and management of green infrastructure, as identified in paragraph 171 of the NPPF.

Where a plan area contains irreplaceable habitats, such as ancient woodland, ancient and veteran trees, there should be appropriate policies to ensure their protection. Natural England and the Forestry Commission have produced [standing advice](#) on ancient woodland, ancient and veteran trees.

We advise consultation with the Hampshire Biodiversity Information Centre (HBIC) for information and advice about Local Sites of geodiversity and biodiversity interest, e.g. SINC's.

Biodiversity net gain

The Environment Act 2021 requires Biodiversity Net Gain (BNG) as a mandatory condition of planning permission from November 2023. A Biodiversity Gain Plan will need to be submitted by developers to set out the strategy for achievement of BNG for development proposals, including metric calculations as well as information not captured in the metric e.g., species factors; habitat management plans; how biodiversity net gains will be managed and maintained. The key requirements of mandatory BNG are set out below:

- A minimum of 10% BNG
- Developers must use the statutory metric to be produced and published by the Secretary of State (SoS) for Defra to calculate gains and/or losses of habitat
- BNG can be delivered on-site or off-site as units, or as a last resort via the statutory credits system, currently under development.
- Land delivering off-site BNG will be required to be formally registered on the national Biodiversity Gain Site register, currently under development.
- Land delivering habitats for BNG will have to be legally secured and maintained for a minimum of 30 years.

Further guidance on mandatory BNG and how it will be implemented will soon be available via the Government response to the recent BNG Regulations and Implementation consultation, the SoS Metric consultation response and draft Statutory Instruments, due early 2023.

We welcome the requirement within Policy EN2 for development to achieve 10% net gain for biodiversity, in accordance with the Environment Act 2021 and national guidance. BNG will form a key tool in delivering nature's recovery and is also fundamental to health and wellbeing, as well as creating attractive and sustainable places to live and work in.

We recommend a separate standalone policy for BNG is developed that aligns as closely as possible with the requirements of the Environment Act and anticipated framework for mandatory net gain, and that it is updated as necessary with the forthcoming guidance.

The Plan's approach to BNG should be compliant with the mitigation hierarchy, as outlined in paragraph 180 of the National Planning Policy Framework (NPPF). Policies and decisions should first consider options to avoid adverse impacts on biodiversity from occurring. When avoidance is not possible, impacts should be mitigated and finally, if there is no alternative, compensation should be provided for any remaining impacts. BNG 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.

The policy should ensure that BNG is not applied to irreplaceable habitats and should also make clear that any mitigation and/or compensation requirements for designated sites should be dealt with separately to BNG provision.

Natural England will be happy to support Hampshire County Council on this aspect of the Plan as it progresses.

- Wider environmental gains

Your authority should consider the requirements of the NPPF (paragraph 8, 73, 104, 120, 174, 175 and 180) and seek opportunities for wider environmental net gain wherever possible. This can be achieved by considering how policies and proposed allocations can contribute to wider environment enhancement, help adapt to the impacts of climate change and/or take forward elements of existing green infrastructure, open space or biodiversity strategies. Opportunities for environmental gains, including nature-based solutions to help adapt to climate change, might include:

- Identifying opportunities for new multi-functional green and blue infrastructure
- Managing existing and new public spaces to be more wildlife friendly (e.g., by sowing wildflower strips) and climate resilient. O'Sullivan et. al (2017) provide a useful example of cost-effective, low-maintenance management for species-rich grassland on road verges and the value they can contribute to biodiversity and ecosystem services
- Planting trees, including street trees, characteristic to the local area to make a positive contribution to the local landscape
- Improving access and links to existing greenspace, identifying improvements to the existing public right of way network, or extending the network to create missing footpath or cycleway links
- Restoring neglected environmental features (e.g., a hedgerow or stone wall or clearing away an eyesore)

Any habitat creation and/or enhancement as a result of the above may also deliver measurable BNG.

Green Infrastructure

Green infrastructure refers to the living network of green spaces, water and other environmental features in both urban and rural areas. It is often used in an urban context to provide multiple benefits including space for recreation, access to nature, flood storage and urban cooling to support climate change mitigation, food production, wildlife habitats and health & well-being improvements provided by trees, rights of way, parks, gardens, road verges, allotments, cemeteries, woodlands, rivers and wetlands.

Green infrastructure is also relevant in a rural context, where it might additionally refer to the use of farmland, woodland, wetlands or other natural features to provide services such as flood protection, carbon storage or water purification.

A strategic approach for green infrastructure is required to ensure its protection and enhancement, as outlined in para 171 of the NPPF. Green Infrastructure should be incorporated into the plan as a strategic policy area, supported by appropriate detailed policies and proposals to ensure effective provision and delivery. Evidence of a strategic approach can be underpinned by Green Infrastructure Strategy. We encourage the provision of green infrastructure to be included as a specific policy in the Plan or alternatively integrated into relevant other policies, for example biodiversity, green space, flood risk, climate change, reflecting the multifunctional benefits of green infrastructure.

Soil, Agricultural Land Quality and Reclamation

The Minerals and Waste Plan should give appropriate weight to the roles performed by the area's

soils. These should be valued as a finite multi-functional resource which underpins our well-being and prosperity. Decisions about minerals development and restoration should take full account of the impact on soils, their intrinsic character and the sustainability of the many ecosystem services they deliver.

1. The [25 Year Environment Plan](#) (25YEP) sets out government action to help the natural world regain and retain good health, including highlighting the need to:
 - protect the best agricultural land
 - put a value on natural capital, including healthy soil
 - ensure all soils are managed sustainably by 2030
 - restore and protect peatland
2. 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.
3. The conservation and sustainable management of soils is reflected in the [National Planning Policy Framework](#) (NPPF), particularly in paragraphs 174, 175 and 210. When planning authorities are considering land use change, the permanency of the impact on soils is an important consideration. Particular care over planned changes to the most potentially productive soil is needed, for the ecosystem services it supports including its role in agriculture and food production. Plan policies should therefore take account of the impact on agricultural land and soil resources and the wide range of vital functions (ecosystem services) they provide and conform to NPPF and Planning Practice Guidance (Natural Environment and Minerals).
4. Where minerals underlie BMV agricultural land, **it is particularly important that restoration and aftercare preserve the long-term potential of the land as a national, high quality resource.** Where alternative afteruses (such as forestry and some forms of amenity, including nature conservation) are proposed on BMV agricultural land, the methods used in restoration and aftercare should enable the land to retain its longer-term agricultural capability, thus remaining a high quality resource for the future.
5. The soils and ALC baseline, as presented in [HMWP Partial Update SA Revised Baseline Report September 2021 FINAL \(hants.gov.uk\)](#), utilises the 'Provisional ALC data' as opposed to 'pre-1988 ALC data', as is stated in the report. The Provisional ALC maps were only intended as a strategic guide to land quality, primarily to support strategic regional and county level planning. The Provisional Mapping predates the subdivision of Grade 3 land and the subsequent revised 1988 assessment methodology. The maps are not suitable for use in evaluating individual sites where development is proposed. In the [JCEB Minerals Proposal Study](#), the Provisional ALC grades, as presented in Figure 7.2 ([HMWP Partial Update SA Revised Baseline Report September 2021](#)) are referred to as 'pre-1988' ALC data. This is, however, incorrect terminology, as 'pre-1988' ALC refers to Pre 1988 ALC Site survey data, which are available for selected locations at a scale of either 1:25,000 or 1:10,000. These surveys were based on superseded MAFF Technical Guidance.
6. All of the allocated sites contain BMV agricultural land. In line with the the [Planning Practice Guidance](#) (PPG) to support the NPPF; we welcome that the allocated sites are all accompanied by a detailed ALC Survey (Post-1988) (with the exception of The Triangle site allocation, see above), available on the [magic](#) website.

To support plan allocations (and subsequent planning applications), sites over 5ha agricultural land should have a site-specific Soils Management Plan informed by a detailed ALC and soil resource survey, in line with best practice guidance: [Construction Code of Practice for the](#)

[Sustainable Use of Soils on Construction Sites](#) to inform any subsequent soil handling and site restoration plans. Further information can be found in the PPG Minerals Guidance [restoration and aftercare of minerals sites](#) section, the Defra [Guidance for Successful Reclamation of Mineral and Waste sites](#) and the Institute of Quarrying [Good Practice Guide for Handling Soils](#).

The assessment of soil properties to inform appropriate soil management, restoration and drainage, where required, and demonstrate the ability to deliver high quality development that protects and maximises opportunities to enhance the natural environment.

7. Reclamation to non-agricultural uses does not mean that there can be any reduced commitment to high standards in the reclamation. Such reclamations require equal commitment by mineral operators, mineral planning authorities and any other parties involved to achieve high standards of implementation.
8. Sustainable soil management should aim to minimise risks to the ecosystem services which soils provide, through provision of suitable soil handling and management advice. The planning authority should ensure that sufficient site-specific soil survey data is available to inform decision making. To include, for example, assessment of soil properties to inform appropriate soil management, restoration and drainage, where required.

Air Pollution

We would expect the plan to address the impacts of air quality on the natural environment. In particular, it should address the traffic impacts associated with new development, particularly where this impacts on European sites and SSSIs. The environmental assessment of the plan (SA and HRA) should also consider any detrimental impacts on the natural environment, and suggest appropriate avoidance or mitigation measures where applicable.

Natural England advises that one of the main issues which should be considered in the plan and the SA/HRA are proposals which are likely to generate additional nitrogen emissions as a result of increased traffic generation, which can be damaging to the natural environment.

The effects on local roads in the vicinity of any proposed development on nearby designated nature conservation sites (including increased traffic, construction of new roads, and upgrading of existing roads), and the impacts on vulnerable sites from air quality effects on the wider road network in the area (a greater distance away from the development) can be assessed using traffic projections and the 200m distance criterion followed by local Air Quality modelling where required. We consider that the designated sites at risk from local impacts are those within 200m of a road with increased traffic³, which feature habitats that are vulnerable to nitrogen deposition/acidification. [APIS](#) provides a searchable database and information on pollutants and their impacts on habitats and species.

It is advised that assessment, alone and in combination with other plans and projects, should be carried out in line with Natural England [guidance](#) that provides a simple step by step approach to assessing road traffic emissions under the Habitats Regulations. All designated sites that may be impacted by the affected road network within a reasonable buffer zone should be screened in for consideration under the Local Plan appropriate assessment. Please note that the method for assessing in combination effects has changed in the past few years due to a number of high profile appeal decisions. They include the following: The Wealden Judgement; The People Over Wind Case; and CJEU Ruling In The Netherlands Nitrogen And Agriculture Cases C-293/17 and C-294/17. As such we would be looking for a more detailed in-combination assessment with other plans/projects in the area and with Local Plans.

Please note that ammonia (NH₃) from traffic emissions should also be assessed as the impact from this source on designated sites is currently unclear.

³ The ecological effects of diffuse air pollution (2004) English Nature Research Report 580 Design Manual for Roads and Bridges Volume 11, Section 3 Part 1 (2007), Highways Agency

It is advised air quality impacts on interest features of nationally and locally designated sites is also carried out as part of an assessment of impacts on SSSIs and wider biodiversity.

Water Quality and Resources and Flood Risk Management

Natural England expects the Plan to consider the strategic impacts on water quality and resources as outlined in paragraph 170 of the NPPF. We would also expect the plan to address flood risk management in line with the paragraphs 155-165 of the NPPF.

The Local Plan should be based on an up to date evidence base on the water environment and as such the relevant River Basin Management Plans should inform the development proposed in the Local Plan. These Plans (available [here](#)) implement the EU Water Framework Directive and outline the main issues for the water environment and the actions needed to tackle them. Local Planning Authorities must in exercising their functions, have regard to these plans.

The Local Plan should contain policies which protect habitats from water related impacts and where appropriate seek enhancement. Priority for enhancements should be focussed on European sites, SSSIs and local sites which contribute to a wider ecological network.

Plans should positively contribute to reducing flood risk by working with natural processes and where possible use Green Infrastructure policies and the provision of SUDs to achieve this.

Landscape

Natural England expects the Plan to include strategic policies to protect and enhance valued landscapes, as well criteria based policies to guide development.

The plan area includes several Areas of Outstanding Natural Beauty and two National Parks. We advise the LPA to take into account the relevant Management Plan for the area. For Areas of Outstanding Natural Beauty, the LPA should seek the views of the AONB Partnership. Development proposals brought forward through the plan should avoid significant impacts on protected landscapes, including those outside the plan's area and early consideration should be given to the major development tests set out in paragraph 172 of the National Planning Policy Framework (NPPF).

Policy should also reflect requirements of the NPPF (paragraph 172) in relation to Coastal Change Management Areas, Heritage Coasts and the England Coast Path.

Tranquillity

The Local Plan should identify relevant areas of tranquillity and provide appropriate policy protection to such areas as identified in paragraph 100 and 180 of the NPPF.

Tranquillity is an important landscape attribute in certain areas e.g. within National Parks/AONBs, particularly where this is identified as a special quality. The CPRE have mapped areas of tranquillity which are available [here](#) and are a helpful source of evidence for the Local Plan and SEA/SA.

Agri-environment schemes

Minerals sites may be under existing Higher Level Stewardship agreements before minerals are extracted and may be returned to agricultural use following landfilling. We advise early contact by agreement holders with the Rural Payments Agency to discuss individual cases so that any payments can be amended accordingly.

Access and Rights of Way

Natural England advises that the Plan should include policies to ensure protection and enhancement of public rights of way and National Trails, as outlined in paragraph 98 of the NPPF. Recognition

should be given to the value of rights of way and access to the natural environment in relation to health and wellbeing and links to the wider green infrastructure network. The plan should seek to link existing rights of way where possible, and provides for new access opportunities. The plan should avoid building on open space of public value as outlined in paragraph 97 of the NPPF.

Annex 2

Climate change – further resources

Please see below links to further resources that may be useful in developing local policy to address climate change within the local authority area.

- The [Climate Change Adaptation Manual](#) - provides extensive information on climate change adaptation for the natural environment. It considers the potential impacts of climate change on individual priority habitats and outlines possible adaptation responses. It includes the Landscape Scale Adaptation Assessment Method to assist those wanting to undertake a climate change vulnerability assessment for an area larger than an individual site or specific environmental feature, focussing on identifying vulnerabilities to climate change.
- The [National Biodiversity Climate Change Vulnerability Model](#) is a mapping tool that helps identify areas likely to be more vulnerable to the impacts of climate change.
- [Carbon Storage and Sequestration by Habitat 2021 \(NERR094\)](#) – a recently updated report that reviews and summarises the carbon storage and sequestration rates of different semi-natural habitats that can inform the design of nature-based solutions to achieve climate mitigation and adaptation.
- The [Nature Networks Evidence Handbook](#) – aims to help the designers of nature net
- .works by identifying the principles of network design and describing the evidence that underpins the desirable features of nature networks. It builds on the Making Space for Nature report of Lawton et al. 2010), outlining some of the practical aspects of implementing a nature network plan, as well as describing the tools that are available to help in decision making.
- [Natural England Climate Change webinars](#) - a range of introductory climate change webinars available on YouTube.

Appendix B: Natural England response to Proposed Submission Plan consultation (Reg 19)

Date: 05 March 2024
Our ref: 463095
Your ref: N/A



Customer Services
Hombeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ
T 0300 060 3900

HCC Minerals and Waste Policy Team
Minerals and Waste Planning Policy
hmwp.consult@hants.gov.uk

BY EMAIL ONLY

Dear Policy Team,

Hampshire Minerals and Waste Plan (HMWP) Partial Update - Regulation 19 Proposed Submission Plan Consultation 9th January 2024 to 5th March 2024.

Thank you for your consultation on the above dated 9th January 2024 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.

Natural England have concerns at this stage that insufficient evidence has been provided in support of the Local Plan partial update, particularly regarding the allocated sites appropriate assessment under the Conservation of Habitats and Species Regulations, 2017 (as amended). The sites may not be deliverable over the plan period, calling in to question the effectiveness of this Plan.

The submitted Appropriate Assessment leaves much of the assessment of impacts to 'development considerations'. As the Minerals and Waste Planning Authority have not assessed these impacts themselves, or evidenced whether there is scope for appropriate avoidance & mitigation measures to be effectively secured, we currently have concerns that the sites may not be deliverable. We note that assessments should be based on the latest available scientific evidence, which may differ from that relied upon for the previously adopted Local Plan.

Below we set out our specific comments on the Plan's Vision, policies, site allocations and the Habitats Regulations Assessment (HRA) Screening and HRA Appropriate Assessment reports.

Please note our [objection](#) to the Purple Haze site allocation, covered further below.

Comments on the Habitats Regulations Assessment

Air Quality

Natural England disagree that a complete list of impact pathways has been appropriately assessed for Likely Significant Effects under the Habitats Regulations Assessment Screening report. We advise that the potential for air quality impacts under this Plan should be screened in for further assessment on several designated sites.

We advise that air quality impacts should be considered for the allocated sites. Please find below our advice and guidance to assist you in addressing atmospheric pollution and air quality through your HRA.

We would expect the plan to address the impacts of air quality on the natural environment. In particular, it should address the traffic impacts associated with new development, particularly where this impacts on European sites and SSSIs. The environmental assessment of the plan (SA and HRA) should also consider any detrimental impacts on the natural environment and suggest appropriate avoidance or mitigation measures where applicable.

Natural England advises that one of the main issues which should be considered in the plan and the SA/HRA are proposals which are likely to generate additional nitrogen emissions as a result of increased traffic generation, which can be damaging to the natural environment.

The effects on local roads in the vicinity of any proposed development on nearby designated nature conservation sites (including increased traffic, construction of new roads, and upgrading of existing roads), and the impacts on vulnerable sites from air quality effects on the wider road network in the area (a greater distance away from the development) can be assessed using traffic projections and the 200m distance criterion followed by local Air Quality modelling where required. We consider that the designated sites at risk from local impacts are those within 200m of a road with increased traffic¹, which feature habitats that are vulnerable to nitrogen deposition/acidification. [APIS](#) provides a searchable database and information on pollutants and their impacts on habitats and species.

It is advised that assessment, alone and in combination with other plans and projects, should be carried out in line with Natural England [guidance](#) that provides a simple step by step approach to assessing road traffic emissions under the Habitats Regulations. All designated sites that may be impacted by the affected road network within a reasonable buffer zone should be screened in for consideration under the Local Plan appropriate assessment.

Please note that ammonia (NH₃) from traffic emissions should also be assessed as the impact from this source on designated sites is currently unclear. It is advised air quality impacts on interest features of nationally and locally designated sites is also carried out as part of an assessment of impacts on SSSIs and wider biodiversity.

Appropriate Assessment and Site Allocations

➤ Purple Haze

Natural England disagree with the current conclusions of the Appropriate Assessment that adverse effects from the Purple Haze allocation on the site integrity of the Dorset Heaths Special Area of Conservation (SAC), and Dorset Heathlands Special Protection Area (SPA) and Ramsar sites are suitably avoided or mitigated. We raise particular concern with reference to the following impact pathways:

- Changes in surface/ groundwater hydrology
- Removal of supporting habitat (functionally linked land)
- Air quality

This advice is subject to the current information, documents, and studies submitted alongside the ongoing application for the Purple Haze site. This extensive supporting information has enabled Natural England to conduct a detailed and specialist assessment and consideration of the environmental implications of the development.

Further comments are provided below, in line with our previous advice on the Regulation 18 consultation stage.

Since the adoption of the original Plan, a planning application has come forward for works at Purple

¹ The ecological effects of diffuse air pollution (2004) English Nature Research Report 580
Design Manual for Roads and Bridges Volume 11, Section 3 Part 1 (2007), Highways Agency

Haze, with supporting information that enabled further consideration of the environmental implications of the development. Based on this information, Natural England objected to the application. The reasons for this objection still stand and remain pertinent to our advice for the proposed site allocation within the current Plan partial update, at Regulation 19. Please also refer to our most recent objection letter issued for this planning application, dated 11 December 2023. The outstanding reasons for our objection are discussed below.

- *Hydrological impacts*

Natural England retain serious concerns that the proposal will have adverse effects on the natural hydrological regime of Ebblake Bog which forms part of the Dorset Heaths Special Area of Conservation (SAC) and Dorset Heathlands SPA and Ramsar, also designated as SSSI.

Ebblake Bog is an acid mire in the upper valley of the Moors River. It has developed on a section of the river valley that has a poor hydraulic gradient and permitted the accumulation of relatively deep peat. Valley mires are rare habitats in lowland England, being confined mainly to the New Forest and the Poole Basin, with a few outlying sites elsewhere. The habitat is now internationally scarce, and the few relatively undamaged mires, of which Ebblake Bog is one, thus assume special nature conservation importance.

The HRA Screening Report rightly screens this policy into the appropriate assessment, where the full significance of the impact on the site's integrity, alone or in combination with other plans/projects, should be further tested in view of the site's conservation objectives. The appropriate assessment fails to provide suitable further evidence to show whether an adverse effect on the integrity of the site from the proposal can be ruled out or not. Hydrogeological evidence assessed to date, in support of the current planning application, has not been accepted by Natural England as demonstrating no adverse effects. The lack of any further information or hydrological assessment through this Plan's Appropriate Assessment has maintained Natural England's advice with our standing objection.

- *Functionally linked land to Habitats sites*

Natural England advise that the proposal is likely to adversely affect a significant area of Ringwood Forest which support breeding and foraging Annex 1 birds that are the basis of the Dorset Heathland SPA designation. The area has been identified by RSPB as an Important Bird Area, supporting a population of nightjar which is significant on a national scale which is contiguous with several sites within the SPA. Significant loss of habitat used by nightjar close to the SPA may have effects on the overall SPA population. The functional linkage for SPA birds will therefore require consideration.

Additionally, further functional linkages are possible between the application site and the Dorset Heaths SAC concerning typical species of the SAC (see NE supplementary advice to the [conservation objectives](#)) such as rare reptiles and invertebrates. It is acknowledged that this has now been screened in for further assessment, however this has not been achieved through the Appropriate Assessment.

The Appropriate Assessment fails to provide information on any compensation or mitigation measures necessary to secure under this Plan to conclude no adverse effects on SPA and SAC site integrity, for this impact pathway.

- *Air quality*

We advise that this allocation has the potential to adversely affect European designated sites from air quality impacts. Natural England recommend that your Plan must demonstrate its air quality modelling to robustly support any conclusions of no adverse effect on designated site integrity. Without this information, Natural England cannot agree with the Plan's Appropriate Assessment conclusions.

- *Irreplaceable habitats*

We consider the wet heath and wet/heath mire transitions within the application site should be viewed as irreplaceable habitat (NPPF definition; 'Habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity'). Drier heathland within the application site could also come into the same category because of the species diversity that it supports. Policy in the NPPF (paragraph 186 c.) is that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists. We have not viewed a compensation strategy to date.

Unless evidence can be provided to demonstrate that this site can be delivered without adverse impacts on the integrity of European sites, we advise that this site may compromise the ability of this Plan to be effective, justified and consistent with national policy.

- **Midgham Farm**

Based on the Appropriate Assessment provided Natural England have some concerns that this site may adversely affect the integrity of designated sites, particularly including the River Avon SAC and Avon Valley SPA and Ramsar.

Natural England have insufficient information to assess whether avoidance and mitigation measures are suitable or achievable for the site at Midgham Farm to be able to conclude no adverse effects on site integrity, in reference to all of the impact pathways screened in for assessment. Most notably from our point of concern, are as follows:

- Changes in surface/ groundwater hydrology
- Removal of supporting habitat and/or functionally linked land
- Air quality
- Water pollution

The lack of supporting information through this Plan has meant that Natural England cannot fully assess this allocation for its potential impacts to designated sites and therefore any potential adverse effects cannot be concluded to be avoided or mitigated beyond reasonable scientific doubt. Natural England's further advice on potential impact pathways from this allocation are summarised below.

- *Hydrological impacts*

Natural England advise that the proposal may have adverse effects on the natural hydrological regime of the River Avon SAC, including River Avon System SSSI and Bickton to Christchurch SSSI. It is our advice that robust hydrological assessments should be demonstrated before any conclusions can be made on the suitability of this site allocation, or its potential hydrological effects on designated sites.

The HRA Screening Report appropriately screens this policy into the appropriate assessment, where the full significance of the impact on the site's integrity, alone or in combination with other plans/projects, should be further tested in view of the site's conservation objectives. The appropriate assessment fails to provide suitable further evidence or a conclusive test to show whether an adverse effect on the integrity of the sites from the proposal can be ruled out or not.

- *Water pollution*

Natural England advise that the proposed allocation has the potential to adversely impact, in combination with other plans or projects, the nearby River Avon SAC through potential eutrophication. We recognise that this potential impact to the River Avon SAC, through increased water pollution via eutrophication, has the potential to impact further downstream on the Christchurch Harbour SSSI which functionally links to European designated coastal SPA sites.

Natural England advise that further information and assessment of the allocation's potential impacts on water quality and pollution should be undertaken, in order to be able to conclude no adverse effects on integrity.

- *Functionally linked land to Habitats sites*

Natural England advise that the proposal has the potential to adversely affect the Avon Valley SPA and Dorset Heathland SPA indirectly through removing land that could be functionally linked to these habitats' sites and their designated bird species.

Any significant loss of habitat used by designated SPA bird species may have negative effects on the overall SPA bird population. The functional linkage for SPA birds will therefore require consideration through appropriate surveying and assessment, with suitable avoidance and compensation measures detailed to be secured where necessary.

- *Air quality*

We advise that this allocation has the potential to adversely affect European designated sites from air quality impacts. Natural England recommend that your Plan must demonstrate its air quality modelling to robustly support any conclusions of no adverse effect on designated site integrity. Without this information, Natural England cannot agree with the Plan's Appropriate Assessment conclusions.

- *Ancient woodland, ancient and veteran trees*

It is understood that the Midgham Farm allocation sits directly adjacent to areas classified as Ancient Replanted Woodland and Ancient & Semi-Natural Woodland.

The local planning authority should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 186 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. Please refer to our standard advice and further guidance.

Comments on the Hampshire Minerals and Waste Plan – Partial Update

Natural England would refer you back to our previous advice submitted within our Regulation 18 response, referenced 412302, and dated 31 January 2023. Our current advice on the *Plan Vision*, *Policy 2*, *Policy 8*, *Policy 9* and *Policy 10* is consistent with those previous comments submitted by Natural England at the Regulation 18 stage.

Plan Vision

Natural England advise that greater emphasis through the Plan Vision and objectives should be made to facilitating wider ecological connectivity through the Local Nature Recovery Strategy (LNRS). Consideration should be given to how this can improve the Plan's visibility of its ecological network through enhanced mapping.

The Plan should have a clear aim to significantly and demonstrably improve the natural environment to ensure the needs of minerals and waste development are met sustainably.

Plan Policies

- **Policy 3: Protection of habitats and species**

Natural England welcome this policy.

Natural England welcome that Biodiversity Net Gain (BNG), whereby development must show how a measurable BNG of at least 10% will be delivered in line with the requirements under the Environment Act 2021, under this overarching policy. We would welcome investigating more ambitious BNG targets that could go beyond existing requirements.

For biodiversity net gain, the [statutory metric](#) can be used to measure gains and losses to biodiversity resulting from development. Please see further detailed advice on biodiversity net gain within Annex 1.

It is our advice that the Plan should make clear that site allocations and their proposals should demonstrate how they have considered the ecological network across the Hampshire Plan area (as shown on Figures 5.1-5 of the HRA Screening report and separate Policies Map) and are required to align with the Local Nature Recovery Strategy (LNRS).

Detailed within *paragraph 4.18* of the Draft Plan, it is appropriately incorporated that where adverse effects on integrity of Habitats sites (SPAs or SACs) cannot be ruled out, development can only proceed where it can be demonstrated that all 3 legal tests for a [derogation under the Habitats Regulations](#) have been satisfied (with regard to compensatory measures, these would have to be implemented and functioning prior to any habitat loss or damage as a result of a proposal).

- **Policy 4: Nationally protected landscapes**

Natural England welcome the inclusion of this policy.

The plan area includes the New Forest and South Downs National Park, alongside neighbouring National Landscape/ AONBs. We advise on the importance of acknowledging the relevant Management Plan for each of the nationally protected landscape areas, and to align with these where possible. Proposals brought forward through the Plan should avoid significant impacts on protected landscapes, including those outside the plan's area and early consideration should be given to the major development tests set out in paragraph 183 of the National Planning Policy Framework (NPPF).

Please make note of Annex 2 of this letter whereby [Section 245](#) (Protected Landscapes) of the Levelling Up and Regeneration Act 2023 places a duty on relevant authorities in exercising or performing any functions in relation to, or so as to affect, land in a National Park, the Broads or an Area of Outstanding Natural Beauty ("National Landscape") in England, **to seek to further the statutory purposes of the area.**

- **Policy 8: Water management**

Natural England recognise our recommendations to amend the Policy title to cover both water resource quantity and water quality has been acknowledged, and we welcome this amendment to water management.

Minerals and waste development may disturb and mobilise nutrients locked within the soil or add to nutrient levels through construction and operational processes. Therefore, the Plan should ensure that impacts of nutrients on the designated sites are assessed and avoided/mitigated where appropriate.

- **Policy 9: Protection of soils**

Natural England welcome that the protection of best and most versatile (BMV) agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification (ALC)) and for soils as a resource for the future is reflected in this policy. It is recognised that this is a key consideration for all of the site allocations proposed through this Plan.

Please see further advice relating to soils under the Soil, Agricultural Land Quality and Reclamation section within Annex 1.

- **Policy 10: Restoration of minerals and waste development**

Natural England welcome that our advice has been incorporated to better reflect biodiversity priorities of the Plan through this Policy, in particular including a link to environmental net gain and Policy 3. The after-use of sites should be designed and implemented specifically for public benefit.

Natural England welcome the reference to the Local Nature Recovery Strategy as an opportunity for restoration schemes to align with when addressing site recovery.

Please see our further advice on aspects such as water quality and resources, soils, agricultural land quality and reclamation, and air pollution, alongside other natural environment issues provided at Annex 1 and 2 of this letter.

If you have any queries relating to the advice in this letter, please contact on

[Redacted contact information]

Yours faithfully

[Redacted signature]

**Thames Solent Team
Natural England**

Annex 1 - Natural England's standard advice

Biodiversity and Geodiversity

The Plan should set out a strategic approach, planning positively for the creation, protection, enhancement and management of networks of biodiversity. There should be consideration of geodiversity conservation in terms of any geological sites and features in the wider environment.

A strategic approach for networks of biodiversity should support a similar approach for green infrastructure (outlined below). Planning policies and decisions should contribute and enhance the natural and local environment, as outlined in para 180 of the NPPF. Plans should set out the approach to delivering net gains for biodiversity. Net gain for biodiversity should be considered for all aspects of the plan and development types, including transport proposals, housing and community infrastructure.

Priority habitats, ecological networks and priority and/or legally protected species populations

The Local Plan should be underpinned by up-to-date environmental evidence. This should include an assessment of existing and potential components of local ecological networks. This assessment should inform the Sustainability Appraisal, ensure that land of least environment value is chosen for development, and that the mitigation hierarchy is followed and inform opportunities for enhancement as well as development requirements for particular sites.

Priority habitats and species are those listed under Section 41 of the Natural Environment and Rural Communities Act, 2006 and UK Biodiversity Action Plan (UK BAP). Further information is available here: [Habitats and species of principal importance in England](#). Local Biodiversity Action Plans (LBAPs) identify the local action needed to deliver UK targets for habitats and species. They also identify targets for other habitats and species of local importance and can provide a useful blueprint for biodiversity enhancement in any particular area.

Protected species are those species protected under domestic or European law. Further information can be found here [Standing advice for protected species](#). Sites containing watercourses, old buildings, significant hedgerows and substantial trees are possible habitats for protected species.

Ecological networks are coherent systems of natural habitats organised across whole landscapes so as to maintain ecological functions. A key principle is to maintain connectivity - to enable free movement and dispersal of wildlife e.g., badger routes, river corridors for the migration of fish and staging posts for migratory birds. Local ecological networks will form a key part of the wider Nature Recovery Network proposed in the 25 Year Environment Plan. Where development is proposed, opportunities should be explored to contribute to the enhancement of ecological networks.

Planning positively for ecological networks will also contribute towards a strategic approach for the creation, protection, enhancement and management of green infrastructure, as identified in paragraph 181 of the NPPF.

Soil, Agricultural Land Quality and Reclamation

The Minerals and Waste Plan should give appropriate weight to the roles performed by the area's soils. These should be valued as a finite multi-functional resource which underpins our wellbeing and prosperity. Decisions about development should take full account of the impact on soils, their intrinsic character and the sustainability of the many ecosystem services they deliver for example:

1. Soil is a finite resource that fulfils many important functions and services (ecosystem services) for society, for instance as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution. It is therefore important that the soil resources are protected and used sustainably. The [Natural Environment White Paper](#) (NEWP) 'The Natural Choice: securing the value of nature' (Defra, June 2011), emphasises the importance of natural resource protection, including the conservation and sustainable management of soils, for example:

- A Vision for Nature: 'We must protect the essentials of life: our air, biodiversity, soils and water, so that they can continue to provide us with the services on which we rely' (paragraph 2.5).
 - Safeguarding our Soils: 'Soil is essential for achieving a range of important ecosystem services and functions, including food production, carbon storage and climate regulation, water filtration, flood management and support for biodiversity and wildlife' (paragraph 2.60).
 - 'Protect 'best and most versatile' agricultural land' (paragraph 2.35).
2. The conservation and sustainable management of soils also is reflected in the [National Planning Policy Framework](#) (NPPF), particularly in paragraph 180. When planning authorities are considering land use change, the permanency of the impact on soils is an important consideration. Particular care over planned changes to the most potentially productive soil is needed, for the ecosystem services it supports including its role in agriculture and food production. Plan policies should therefore take account of the impact on land and soil resources and the wide range of vital functions (ecosystem services) they provide in line with paragraph 180 of the NPPF, for example to:
- Safeguard the long-term capability of best and most versatile agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future.
 - To avoid development that would disturb or damage other soils of high environmental value (e.g., wetland and other specific soils contributing to ecological connectivity, carbon stores such as peatlands etc) and, where development is proposed.
 - Ensure soil resources are conserved and managed in a sustainable way.
3. To assist in understanding agricultural land quality within the plan area and to safeguard 'best and most versatile' agricultural land in line with paragraph 180 of the National Planning Policy Framework, strategic scale Agricultural Land Classification (ALC) Maps are available. Natural England also has an archive of more detailed ALC surveys for selected locations. Both these types of data can be supplied digitally free of charge by contacting Natural England. Some of this data is also available on the www.magic.gov.uk website. The planning authority should ensure that sufficient site specific ALC survey data is available to inform decision making. For example, where no reliable information was available, it would be reasonable to expect that developers should commission a new ALC survey, for any sites they wished to put forward for consideration in the Local Plan.

General mapped information on soil types is available as 'Soilscapes' on the www.magic.gov.uk and also from the LandIS website <http://www.landis.org.uk/index.cfm> which contains more information about obtaining soil data.

Further guidance for protecting soils (irrespective of their ALC grading) both during and following development is available in Defra's [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#), to assist the construction sector in the better protection of the soil resources with which they work, and in doing so minimise the risk of environmental harm such as excessive run-off and flooding. The aim is to achieve positive outcomes such as cost savings, successful landscaping and enhanced amenity whilst maintaining a healthy natural environment, and we would advise that the Code be referred to where relevant in the development plan.

All of the allocated sites contain BMV agricultural land. In line with the Planning Practice Guidance (PPG) to support the NPPF; we welcome that the allocated sites are all accompanied by a detailed ALC Survey (Post-1988), available on the [magic](#) website. Where minerals underlie BMV agricultural land, it is particularly important that restoration and aftercare preserve the long-term potential of the land as a national, high-quality resource. Where alternative after-uses (such as forestry and some forms of amenity, including nature conservation) are proposed on BMV agricultural land, the methods used in restoration and aftercare should enable the land to retain its longer-term agricultural capability, thus remaining a high-quality resource for the future.

Reclamation to non-agricultural uses does not mean that there can be any reduced commitment to high standards in the reclamation. Such reclamations require equal commitment by mineral operators, mineral planning authorities and any other parties involved to achieve high standards of implementation.

Sustainable soil management should aim to minimise risks to the ecosystem services which soils provide, through provision of suitable soil handling and management advice. The planning authority should ensure that sufficient site-specific soil survey data is available to inform decision making. To include, for example, assessment of soil properties to inform appropriate soil management, restoration and drainage, where required.

The [25 Year Environment Plan](#) (25YEP) sets out government action to help the natural world regain and retain good health, including highlighting the need to:

- protect the best agricultural land.
- put a value on [natural capital](#), including healthy soil.
- ensure all soils are managed sustainably by 2030.
- restore and protect peatland.

Air pollution

We would expect the plan to address the impacts of air quality on the natural environment. In particular, it should address the traffic impacts associated with new development, particularly where this impacts on European sites and SSSIs. The environmental assessment of the plan (SA and HRA) should also consider any detrimental impacts on the natural environment and suggest appropriate avoidance or mitigation measures where applicable.

Natural England advises that one of the main issues which should be considered in the plan and the SA/HRA are proposals which are likely to generate additional nitrogen emissions as a result of increased traffic generation, which can be damaging to the natural environment.

The effects on local roads in the vicinity of any proposed development on nearby designated nature conservation sites (including increased traffic, construction of new roads, and upgrading of existing roads), and the impacts on vulnerable sites from air quality effects on the wider road network in the area (a greater distance away from the development) can be assessed using traffic projections and the 200m distance criterion followed by local Air Quality modelling where required. We consider that the designated sites at risk from local impacts are those within 200m of a road with increased traffic, which feature habitats that are vulnerable to nitrogen deposition/acidification. APIS provides a searchable database and information on pollutants and their impacts on habitats and species: <http://www.apis.ac.uk/>

It is advised that [Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations](#) is followed when assessing impacts on protected sites.

Please note that ammonia (NH₃) from traffic emissions should also be assessed as the impact from this source on designated sites is currently unclear.

It is advised air quality impacts on interest features of nationally and locally designated sites is also carried out as part of an assessment of impacts on SSSIs and wider biodiversity.

Biodiversity Net Gain

Embedding biodiversity net gain

It is highly recommended that the Local Plan Update incorporates a policy for biodiversity net gain. Biodiversity net gain is a key tool to help nature's recovery and is also fundamental to health and wellbeing as well as creating attractive and sustainable places to live and work in. The NPPF highlights the role of policies and decision making to minimise impacts and provide net gains for

biodiversity (para 180).

Planning Practice Guidance describes net gain as an 'approach to development that leaves the natural environment in a measurably better state than it was beforehand' and applies to both biodiversity net gain and wider environmental net gains. For biodiversity net gain, Natural England's [statutory metric](#), can be used to measure gains and losses to biodiversity resulting from development. We advise you to use this metric to implement development plan policies on biodiversity net gain. Any action, as a result of development, that creates or enhances habitat features can be measured using the metric and as a result count towards biodiversity net gain.

The Chartered Institute of Ecology and Environmental Management, along with partners, has developed '[good practice principles](#)' for biodiversity net gain, which can assist plan-making authorities in gathering evidence and developing policy.

The following may also be useful considerations in developing plan policies:

- Use of a map within the plan. Mapping biodiversity assets and opportunity areas ensures compliance with national planning policy and helps to clearly demonstrate the relationship between development sites and opportunities for biodiversity net gain.
- Use of a biodiversity net gain target. Any target should be achievable, and evidence based and may be best placed in lower tier documents or a Supplementary Planning Document, or similar, to allow for regular updates in line with policy and legislation.
- Consideration should be given to thresholds for different development types, locations or scales of development proposals and the justification for this. Setting out the scope and scale of expected biodiversity net gains within Infrastructure Delivery Plans can help net gain to be factored into viability appraisals and land values. Natural England considers that all development, even small-scale proposals, can make a contribution to biodiversity. Your authority may wish to refer to Technical Note 2 of the [CIEEM guide](#) which provide useful advice on how to incorporate biodiversity net gain into small scale developments.
- Policy should set out how biodiversity net gain will be delivered and managed and the priorities for habitat creation or enhancement in different parts of the plan area. The plan policy should set out the approach to onsite and offsite delivery. Natural England advises that on-site provision should be preferred as it helps to provide gains close to where a loss may have taken place. Off-site contributions may, however, be required due to limitations on-site or where this best meets wider biodiversity objectives set in the development plan. Further detail could be set out in a supplementary planning document.
- The policy could also usefully link to any complementary strategies or objectives in the plan, such as green infrastructure and Local Nature Recovery Strategies.

Wider environmental gains

Natural England focusses our advice on embedding biodiversity net gain in development plans, since the approach is better developed than for wider environmental gains. However, your authority should consider the requirements of the NPPF (paragraph 180, 185 and 186) and seek opportunities for wider environmental net gain wherever possible. This can be achieved by considering how policies and proposed allocations can contribute to wider environment enhancement, help adapt to the impacts of climate change and/or take forward elements of existing green infrastructure, open space or biodiversity strategies. Opportunities for environmental gains, including nature-based solutions to help adapt to climate change, might include:

- Identifying opportunities for new multi-functional green and blue infrastructure.
- Managing existing and new public spaces to be more wildlife friendly (e.g., by sowing wild flower strips, changing cutting regime of open spaces and road verges*) and climate resilient
- Planting trees, including street trees, characteristic to the local area to make a positive

- contribution to the local landscape.
- Improving access and links to existing greenspace, identifying improvements to the existing public right of way network or extending the network to create missing footpath or cycleway links.
- Restoring neglected environmental features (e.g., a hedgerow or stone wall or clearing away an eyesore).
- Designing a scheme to encourage wildlife, for example by ensuring lighting does not pollute areas of open space or existing habitats

*Please see this [paper](#) regarding cost-effective and low-maintenance management for species-rich grassland on road verges and the value it can contribute to biodiversity and ecosystem services

Any habitat creation and/or enhancement as a result of the above may also deliver a measurable biodiversity net gain.

Evidence gathering

Existing environmental evidence can be gathered from various sources including online data sources like [MAGIC](#), the [Hampshire Biodiversity Information Centre](#) (HBIC), and strategies for green infrastructure, open space provision, landscape character, climate and ecosystem services and biodiversity opportunity mapping. We advise that reference is made to the **Hampshire Ecological Network Mapping** dataset – this comprises the Local Ecological Network mapping for Hampshire, prepared by HBIC. The network comprises statutory designations, non-statutory designated sites, ancient woodlands, and other non-designated priority habitat, and other ecological features such as undesignated water bodies. Usefully, the Hampshire network mapping also identifies areas where there is the greatest potential to enhance the network, referred to as the network opportunities layer, based on habitat suitability indices. This can be useful where deciding where to create or enhance habitat.

Biodiversity data can also be obtained from developments that were subject to Environmental Impact Assessment (EIA) Monitoring, the discharge of conditions or monitoring information from legal agreements with a biodiversity element. This can help establish a baseline to understand what assets exist and how they may relate to wider objectives in the plan area. Cross boundary environmental opportunities can also be considered by working with neighbouring authorities, local nature partnership and/or the local enterprise partnership. The relationship between environmental assets and key strategic growth areas may help to highlight potential opportunities that development could bring for the natural environment. The following may also be useful when considering biodiversity priorities in your plan area:

- What biodiversity currently exists, what is vulnerable or declining?
- How are existing assets connected, are there opportunities to fill gaps and improve connectivity?
- How does the above relate to neighbouring authority areas, can you work collaboratively to improve links between assets or take strategic approaches to address issues or opportunities?

Applying the mitigation hierarchy

The plan's approach to biodiversity net gain should be compliant with the mitigation hierarchy, as outlined in paragraph 185 of the NPPF. The policy should ensure that biodiversity net gain is not applied to irreplaceable habitats and should also make clear that any mitigation and/or compensation requirements for European sites should be dealt with **separately** from biodiversity net gain provision.

Policies and decisions should first consider options to avoid adverse impacts on biodiversity from occurring. When avoidance is not possible impacts should be mitigated and finally, if there is no alternative, compensation provided for any remaining impacts. 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.

The policy for net gain, or its supporting text, should highlight how losses and gains will be measured. The [statutory metric](#) can be used for this purpose as a fully tested metric that will ensure consistency across the plan-area, and we would encourage its use. Alternatively, your authority may choose to develop a bespoke metric, provided this is evidenced based.

The following may also be useful considerations in developing plan policies:

- Use of a map within the plan. Mapping biodiversity assets and opportunity areas ensures compliance with national planning policy and also helps to clearly demonstrate the relationship between development sites and opportunities for biodiversity net gain.
- ***NB: The Hampshire Ecological Network Mapping dataset would be ideally placed to provide this evidence base.***
- Use of a biodiversity net gain target. Any target should be achievable, and evidence based and may be best placed in lower tier documents or a Supplementary Planning Document, to allow for regular updates in line with policy and legislation.
- Consideration should be given to thresholds for different development types, locations or scales of development proposals and the justification for this. Setting out the scope and scale of expected biodiversity net gains within Infrastructure Delivery Plans can help net gain to be factored into viability appraisals and land values. Natural England considers that all development, even small-scale proposals, can make a contribution to biodiversity. Your authority may wish to refer to Technical Note 2 of the CIEEM guide which provide useful advice on how to incorporate biodiversity net gain into small scale developments.
- Policy should set out how biodiversity net gain will be delivered and managed and the priorities for habitat creation or enhancement in different parts of the plan area. The plan policy should set out the approach to onsite and offsite delivery. Natural England advises that on-site provision should be preferred as it helps to provide gains close to where a loss may have taken place. Off-site contributions may, however, be required due to limitations on-site or where this best meets wider biodiversity objectives set in the development plan. Further detail could be set out in a supplementary planning document.
- The policy could also usefully link to any complementary strategies or objectives in the plan, such as green infrastructure.

Monitoring

Your plan should include requirements to monitor biodiversity net gain. This should include indicators to demonstrate the amount and type of gain provided through development. The indicators should be as specific as possible to help build an evidence base to take forward for future reviews of the plan, for example the total number and type of biodiversity units created, the number of developments achieving biodiversity net gains and a record of on-site and off-site contributions.

LPA's should work with local partners, including the Local Environmental Record Centre and wildlife trusts, to share data and consider requirements for long term habitat monitoring. Monitoring requirements should be clear on what is expected from landowners who may be delivering biodiversity net gains on behalf of developers. This will be particularly important for strategic housing allocations and providing as much up-front information on monitoring will help to streamline the project stage.

Water Quality and Resources and Flood Risk Management

Natural England expects the Plan to consider the strategic impacts on water quality and resources as outlined in paragraph 180 of the NPPF. We would also expect the plan to address flood risk management in line with the paragraphs 166 and 167 of the NPPF.

The Plan should be based on an up-to-date evidence base on the water environment and as such the relevant River Basin Management Plans should inform the development proposed in the Plan.

These Plans implement the EU Water Framework Directive and outline the main issues for the water environment and the actions needed to tackle them. Competent Authorities must in exercising their functions, have regard to these plans.

The Local Plan should contain policies which protect habitats from water related impacts and where appropriate seek enhancement. Priority for enhancements should be focussed on European sites, SSSIs and local sites which contribute to a wider ecological network.

Plans should positively contribute to reducing flood risk by working with natural processes and where possible use Green Infrastructure policies and the provision of SUDs to achieve this.

Tranquillity

The Local Plan should identify relevant areas of tranquillity and provide appropriate policy protection to such areas as identified in paragraph 106 and 191 of the NPPF.

Tranquillity is an important landscape attribute in certain areas e.g. within National Parks/ AONBs/National Landscapes, particularly where this is identified as a special quality. The CPRE have mapped areas of tranquillity which are available [here](#) and are a helpful source of evidence for the Local Plan and SEA/SA.

Agri-environment schemes

Minerals sites may be under existing Higher Level Stewardship agreements before minerals are extracted and may be returned to agricultural use following landfilling. We advise early contact by agreement holders with the Rural Payments Agency to discuss individual cases so that any payments can be amended accordingly.

Annex 2 - Section 245 (Protected Landscapes) of the Levelling Up and Regeneration Act 2023

Section 245 (Protected Landscapes) of the Levelling Up and Regeneration Act 2023 places a duty on relevant authorities in exercising or performing any functions in relation to, or so as to affect, land in a National Park, the Broads or an Area of Outstanding Natural Beauty ("National Landscape") in England, to seek to further the statutory purposes of the area. The duty applies to local planning authorities and other decision makers in making planning decisions on development and infrastructure proposals, as well as to other public bodies and statutory undertakers.

It is anticipated that the government will provide guidance on how the duty should be applied in due course.

In the meantime, and without prejudicing that guidance, Natural England advises that:

- the duty to 'seek to further' is an active duty, not a passive one. Any relevant authority must take all reasonable steps to explore how the statutory purposes of the protected landscape (A National Park, the Broads, or an AONB) can be furthered.
- The new duty underlines the importance of avoiding harm to the statutory purposes of protected landscapes but also to seek to further the conservation and enhancement of a protected landscape. That goes beyond mitigation and like for like measures and replacement. A relevant authority must be able to demonstrate with reasoned evidence what measures can be taken to further the statutory purpose.
- The proposed measures to further the statutory purposes of a protected landscape, should explore what is possible in addition to avoiding and mitigating the effects of the development, and should be appropriate, proportionate to the type and scale of the development and its implications for the area and effectively secured. Natural England's view is that the proposed measures should align with and help to deliver the aims and objectives of the designated landscape's statutory management plan. The relevant protected landscape team/body should be consulted.

Appendix C: Position Statement (dated 28.11.2024)

Issue		Hampshire Authorities approach (summary)	Natural England Position
Air Quality Screening		Preparation of an Addendum addressing air quality impacts of vehicles. Submitted 18.06.2024 (see SD08 Microsoft Word - HMWP Partial Update HRA Air Quality Addendum July 2024 FINAL).	<i>Addendum addresses NE concerns.</i>
Purple Haze: Objection	Changes in hydrology	<p>A formal response has not yet been received from Natural England regarding the proposed hydrological approach outlined by the operator as part of the current planning application. Further information in support of this approach has been provided by the operator. The Environment Agency have not raised concerns with the approach proposed.</p> <p>The Development Considerations in the Plan require that a hydrological and hydrogeological assessment is carried out including impacts on designated sites.</p> <p>A proposed modification is proposed to the Plan to clarify that no importation of material will be used in the restoration of the site (see Proposed MM20 – Version 1 HMWP PU Main Mods Draft 28.11.2024).</p>	<i>NE have some remaining concerns that this development allocation may affect designated site features through hydrological impacts which may not be possible to mitigate. Groundwater inputs are particularly significant for sustaining valley mire systems and their distinctive and characteristic hydrotopographical and ecohydrological zonation. Hydrochemical and ecohydrological assessments are also likely to be necessary to support future delivery of this site.</i>
	Removal of Habitats/Functionally linked land	The Appropriate Assessment will be updated with additional potential mitigation measures in relation to functionally linked habitats (see SD07 HMWP Partial Update HRA Appropriate Assessment (Submission) July 2024 FINAL). Furthermore, it is proposed that the Development Considerations will be modified to clarify the need to consider compensation see Proposed MM20 – Version 1 HMWP PU Main Mods Draft 28.11.2024).	<i>Proposals now address NE concerns.</i>
	Air Quality	As noted above, further detail is being provided on air quality as an Addendum to the HRA and further designated sites have been screened in for air quality	<i>Proposals now address NE concerns.</i>

		issues (see SD08 Microsoft Word - HMWP Partial Update HRA Air Quality Addendum July 2024 FINAL).	
	Irreplaceable habitats	The data that has been provided in support of the application makes it clear that the wet heath habitats within the site are not those that are considered irreplaceable and therefore, Hampshire County Council's Ecologist disagrees with Natural England on this specific point. Similar habitats to those found on site are able to be created with more certainty. However, it is acknowledged that the Development Considerations do not clearly specify the need for a Compensation Strategy. Therefore, it is proposed that the Development Consideration is modified to clarify this requirement (see Proposed MM20 – Version 1 HMWP PU Main Mods Draft 28.11.2024).	<i>Modified Development Considerations would address NE concerns.</i>
Midgham Farm: Concerns	Changes in hydrology	The Appropriate Assessment, this will be updated with additional potential mitigation measures in relation to hydrological impacts (see SD07 HMWP Partial Update HRA Appropriate Assessment (Submission) July 2024 FINAL).	<i>Appropriate Assessment changes address NE concerns.</i>
	Removal of Habitats/Functionally linked land	The Appropriate Assessment will be updated with additional potential mitigation measures in relation to off-site use by SPA birds (see SD07 HMWP Partial Update HRA Appropriate Assessment (Submission) July 2024 FINAL). Furthermore, it is proposed that the Development Consideration regarding restoration will be modified to clarify the need to consider compensation (see Proposed MM19 – Version 1 HMWP PU Main Mods Draft 28.11.2024).	<i>Appropriate Assessment changes address NE concerns.</i>
	Air Quality	As noted above, further detail is being provided on air quality as an Addendum to the HRA and further designated sites have been screened in for air quality issues (see SD08 Microsoft Word - HMWP Partial Update HRA Air Quality Addendum July 2024 FINAL).	<i>Addendum addresses NE concerns.</i>

	Water pollution	It is proposed that the Development Consideration will be modified to include reference to Christchurch Harbour SSSI (see Proposed MM19 – Version 1 HMWP PU Main Mods Draft 28.11.2024).	<i>Development Considerations address NE concerns.</i>
	Ancient woodland/veteran trees	It is proposed that the Development Consideration is modified to clarify reference to Ancient Replanted Woodland and Ancient & Semi-Natural Woodland (see Proposed MM19 – Version 1 HMWP PU Main Mods Draft 28.11.2024).	<i>Development Considerations address NE concerns.</i>
Plan Vision:	Facilitating wider ecological connectivity through the Local Nature Recovery Strategy (LNRS). The Plan aim to improve the natural environment.	The Vision is an overarching capture of the key aims of the Plan as set by the Hampshire Authorities. The Plan Objectives set out in Paragraph 2.6 of the Plan provide the detail on how this will be achieved. The 4 th Plan objective refers to the need for a strategic approach that ‘ <i>protects and enhances natural and historic environments</i> ’. The 9 th Plan objective then outlines the requirement for Biodiversity Net Gain. These objectives are subsequently set out in more detail in the Spatial Strategy (see Paragraph 2.30) and the relevant policies which refer to Local Nature Recovery Strategies (most notably <i>Policy 3: Protection of habitats and species</i> which refers to Nature Recovery Networks) and are used for monitoring purposes (see Appendix C). No changes proposed.	<i>No further comments.</i>
Policy 3: Protection of habitats and species	Natural England welcome this policy. Biodiversity Net Gain (BNG) and ambitious targets that could go beyond existing requirements.	The support for Policy 3 is noted. At least 10% is the legal requirement and Policy 3: Protection of habitats and species is compliant. There is no evidence to justify a higher figure and therefore, pre-application discussion is encouraged to determine what level can be achieved (see Paragraph 4.30 of the Plan). The Metric is referred to in Paragraph 4.30. Further guidance is expected on the	<i>No further comments.</i>

	Alignment of allocation proposals with the Local Nature Recovery Strategy (LNRS).	application of BNG, particularly in relation to the use of the metric on mineral proposals.	
	Adverse effects on integrity of Habitats sites (SPAs or SACs).	The site allocations will be required to address Policy 3 (part f) in relation to consideration of ecological networks. It is expected that the role of the allocations in the delivery of the LNRS will become clearer as the Strategy emerges and more guidance is provided on how Local Plans should have regard. No changes proposed.	
Policy 4: Nationally protected landscapes	Natural England welcome the inclusion of this policy.	The support for the policy is noted. The statutory purposes are set out in Paragraph 4.36, and these will be upheld when considering minerals and waste developments (see Paragraph 4.39).	<i>No further comments.</i>
	New Forest and South Downs National Park, alongside neighbouring National Landscape/ AONBs Management Plans.	No changes proposed.	
	Section 245 (Protected Landscapes) of the Levelling Up and Regeneration Act 2023		
Policy 8: Water management	Policy title	The need for minerals and waste development proposals to consider nutrient neutrality in relevant river catchments it addressed in Paragraph 4.88. However, it agreed that additional wording regarding what this should include would be beneficial and an amendment will be proposed to clarify this point (see Proposed MM4 – Version 1 HMWP PU Main Mods Draft 28.11.2024).	<i>NE would be pleased to review any further wording. No further comments at this stage.</i>
	Nutrient levels.		

Policy 9: Protection of soils	Best and most versatile (BMV) agricultural land and for soils.	As a statutory consultee for planning applications, it is expected that further advice would be provided by Natural England to applicants, where required. No changes proposed.	<i>No further comments.</i>
Policy 10: Restoration of minerals and waste development	Biodiversity priorities.	The support for Policy 10 is noted. No changes proposed.	<i>No further comments.</i>