

Date: 15 April 2011
Our ref: SEG.61.03
Your ref: PLAN/JD/HR100 – 10/00811/CMA



Ms Julia Davey
Hampshire County Council

Land Use Operations

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15 Andover Road
Winchester
SO23 7BT

By email only, no hard copy to follow

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Dear Ms Davey,

CASTLE BOTTOM TO YATELEY AND HAWLEY COMMONS SITE OF SPECIAL SCIENTIFIC INTEREST (SSSI)
BLACKWATER VALLEY SITE OF SPECIAL SCIENTIFIC INTEREST (SSSI)
SANDHURST TO OWLMOOR BOGS & HEATHS SITE OF SPECIAL SCIENTIFIC INTEREST (SSSI)
THAMES BASIN HEATHS SPECIAL PROTECTION AREA (SPA)

Use of existing industrial building (Class B2) as a sustainable waste materials recycling facility (MRF) (Class B2) together with associated vehicle, plant and containers storage at Clarks Farm, Reading Road, Yateley, Hampshire GU17 0DP (application number 10/00811/CMA)

Thank you for your email dated 23 March 2011 consulting Natural England further on the above application. This reply comprises our statutory consultation response under the provisions of Article 10 of the Town and Country Planning (General Development Procedure) Order 1995, Section 28 of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010.

Having considered the information provided and the potential environmental impacts resulting from the proposal upon the above designated site(s) Natural England considers that this application is unlikely to have implications for the SSSI's or the Thames Basin Heath SPA under the terms of the Conservation of Habitats and Species Regulations 2010. Consequently, **Natural England does not object to this application** but provides the following additional comments relevant to this proposal.

Air Pollution

Natural England welcomes the additional details submitted related to the Transport Assessment. Whilst this only addresses the concerns of the highways department and provides no assessment of the potential impacts of increases in nitrogen oxides on the Thames Basin Heath SPA, it is Natural England's view, based on the proposed net increase of 34 daily HGV movements and the overall net decrease in traffic movement as detailed in the application, and having considered the site-based assessments on the Air Pollution Information System (APIS) website, that this development will not lead to a likely significant effect on the SPA

Natural England welcomes the submission of the Dust Action Plan (DAP), which includes a number of dust control measures, aimed to accord with the Minerals Policy Statement 2 (MPS 2) – 'Controlling and Mitigating the Environmental Effects of Minerals Extraction in England' published in March 2005 that confirms "*the emphasis in the regulation and control of dust should be the adoption and promotion of best practices on site*". Should this application be approved, Natural

England would expect the mitigation measures proposed in section three (Para's 3.3 to 3.13) of the plan to be secured as suitably worded conditions. Natural England further welcome the good practice proposed in para 3.14 and would encourage that this forms part of the overall secured management of the site.

Biodiversity Enhancement

Natural England would recommend that should the Council be minded to grant permission for this application, measures to enhance the biodiversity of the site are secured from the applicant. This is in accordance with Paragraph 14 of Planning Policy Statement 9. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that '*Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity*'. Section 40(3) also states that '*conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat*'.

Hydrology

Natural England would advise that all schemes and works related to hydrology, including surface water drainage and runoff, are conducted in accordance with Environment Agency advice, guidelines and best practice.

Local Wildlife Sites

As the proposal site is within close proximity to a number of Local Wildlife Sites the county ecologist and/or local Wildlife Trust should be contacted.

Conclusion

Subject to the proposal being carried out in strict accordance with the terms of the application and the submitted plans, **Natural England has no objections to this proposal at present**. Should there be any modification or amendment to the application, however, which may affect the SSSIs or European sites, Natural England must be consulted further.

If your authority decides to allow the development without applying the requirements / conditions set out above it must notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, it has taken our advice into account. It must then allow a further period of 21 days before the development can commence to allow us to consider any further action. For further details of these requirements, and a summary of the legislation protecting SSSI's and the duties which apply to planning authorities, please refer to Part II of Circular 06/2005¹.

Should you have any further queries regarding this response then please do not hesitate to contact me.

Yours sincerely,



Stewart Coles
Environmental Planning Adviser
Land Use Operations Team

¹ Government Circular: Biodiversity and Geological Conservation – Statutory obligations and their impact within the planning system ODPM Circular 06/2005/Defra Circular 01/2005
<http://www.communities.gov.uk/publications/planningandbuilding/circularbiodiversity>