

Date: 18 April 2013  
Our ref: 83674  
Your ref: PLAN/KS/WR193



Katherine Snell,  
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## BY EMAIL ONLY

Dear K Snell,

**Location:** Barfield Close, Bar End Industrial Estate, Winchester

**Proposal:** The construction and operation of a waste transfer station to handle construction and demolition/skip waste (10,000tpa) and continued use of the site for recycling metal, paper, cardboard and plastic (15,000tpa)

Thank you for your consultation on the above dated 10 April 2013 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.

This reply comprises our statutory consultation response under provisions of Article 20 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 Regulation 61 (3) of the *Conservation of Habitats and Species Regulations 2010 (as amended)* and Section 28(1) of the *Wildlife and Countryside Act 1981 (as amended)*.

The application site is within 65m of the River Itchen Site of Special Scientific Interest (SSSI). This SSSI is part of the River Itchen Special Area of Conservation (SAC) which lies approximately 150m to the west of the proposal site.

### **Natura 2000 site – No objection**

Natural England notes the information provided by the applicant aimed at assisting your authority to undertake the Appropriate Assessment required under Regulation 61 of the *Conservation of Habitats and Species Regulations 2010 (as amended)*. On the basis of this information, Natural England advises that your authority can conclude that the project is not likely to adversely affect the integrity of the River Itchen SAC.

In particular we observe that the construction waste will be processed within a building and therefore is considered to be within a 'closed system'. Furthermore we note that the proposal will connect to the existing drainage system, the main sewer will be used for foul sewerage, and that surface water will also go into the mains sewer.

Subject therefore to the proposals being carried out in strict accordance with the details submitted (including any conditions or legal agreements), we advise you, as Competent Authority, that it can be ascertained that **this application will not adversely affect the integrity of this SAC**. You do

not therefore need to undertake further stages in the appropriate assessment process.<sup>1</sup>

### **SSSI - No objection**

This application is in close proximity to the River Itchen SSSI. Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(l) of the *Wildlife and Countryside Act 1981* (as amended), requiring your authority to re-consult Natural England.

As stated above, in particular we observe that the construction waste will be processed within a building and therefore is considered to be within a 'closed system'. Furthermore we note that the proposal will connect to the existing drainage system, the main sewer will be used for foul sewerage, and that surface water will also go into the mains sewer.

### **Protected species**

We note that an ecological assessment has not been submitted with this application, although we note that basic references to ecology have been made within the Planning Supporting Statement (SLR, March 2013). If the LPA is aware of, or representations from other parties highlight the possible presence of a protected or Biodiversity Action Plan (BAP) species on the site, the authority should request survey information from the applicant before determining the application. The Government has provided advice<sup>2</sup> on BAP and protected species and their consideration in the planning system.

[Natural England Standing Advice for Protected Species](#) is available on our website to help local planning authorities better understand the impact of development on protected or BAP species should they be identified as an issue at particular developments. This also sets out when, following receipt of survey information, the authority should undertake further consultation with Natural England.

### **Designated Landscapes – South Downs National Park**

Natural England notes that the proposal is within approximately 65m of the South Downs National Park designated landscape to the west, approximately 650m of the National Park to the south, and 950m to the east. The proposal can therefore be considered firmly within the 'setting' of the National Park.

Any development taking place within a nationally designated landscape or within its setting is expected to be of the highest quality, which should conserve and enhance local landscape character or distinctiveness. Section 85 of the Countryside and Rights of Way (CRoW) Act 2000 places a duty on local authorities to "*have regard to*" the purpose of conserving and enhancing the natural beauty of protected landscapes when making planning decisions that are likely to affect such landscapes.

Natural England welcomes the Landscape and Visual Impact Assessment (LVIA) submitted with this proposal. We can confirm that the LVIA has been undertaken using the most recent and best practice guidelines available.

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<sup>1</sup> This reply comprises our statutory consultation response under provisions of Article 20 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, Regulation 61 (3) of the *Conservation of Habitats and Species Regulations 2010* (as amended), (The Habitat Regulations) and Section 28(l) of the *Wildlife and Countryside Act 1981* (as amended).

<sup>2</sup> Paragraph 98 and 99 of ODPM Circular 06/2005

A study area radius of c.1.5km radius surrounding the application was adopted for the assessment. We also note that pre-application advice was sought from Hampshire County Council. A range of viewpoints have been considered which represent a range of sensitive areas and receptors (such as St Catherine's Hill to the south), including public roads, footpaths, views from designated areas, and residential properties (refer to section 4.9). We assume that the photographic Figures presented within the LVIA have been obtained using a 50.0 mm lens with an 8.0 mm aperture, however this is not stated on the Figures.

We would like to draw your attention to the results of the LVIA, as summarised in Table LVIS-11. Viewpoints B, F and G which are all *within* the National Park are assessed as all likely to experience negligible / slight visual impacts during the construction and operational phases. The LVIA however takes the view that the proposal would be difficult to 'distinguish' at these three locations within the South Downs due to the small footprint of the proposal and the proximity to the proposal site itself. We do however note that the proposal is of a greater height than the development that is currently operating on site.

Natural England also notes that this development is proposed within an already built-up and to some extent industrial landscape. In addition, the LVIA observes that the existing pale grey industrial units within the industrial estate contrast with darker green woodland backdrop when viewed from a number of locations. Green cladding is therefore proposed for this development which is viewed as likely to assimilate better with the adjacent landscape.

In addition to the comments above, we would recommend that if it has not already been done that the National Park Authority are consulted with regard to this proposal to ensure that the proposal is in line with the objectives of the designation. In addition, the National Park Authority may wish to comment on the impacts of the development which may have impacts on the setting of the National Park (e.g. views to and from).

#### **Other advice**

We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:

- local sites (biodiversity and geodiversity)
- local landscape character
- local or national biodiversity priority habitats and species.

Natural England does not hold locally specific information relating to the above. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the appropriate bodies (which may include the local records centre, your local wildlife trust or other recording society and a local landscape characterisation document), in order to ensure the LPA has sufficient information to fully understand the impact of the proposal before it determines the application. A more comprehensive list of local groups can be found at [Wildlife and Countryside link](#).

#### **Biodiversity enhancements**

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the NPPF. 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) of the same Act also states that '*conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat*'.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Mary Tomlinson on the contact details below. For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely,

A handwritten signature in blue ink that reads "M. Tomlinson".

**Mary Tomlinson**

Land Use Operations Lead Advisor - Winchester Team

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