

# Part B – Please use a separate sheet for each representation

Name or Organisation: **NATURAL ENGLAND**

3. To which part of the Local Plan does this representation relate?

Paragraph		Policy	<b>Delivery Policy</b> <b>ES3</b> <b>Maintaining</b> <b>quality of life</b> <b>within our</b> <b>environmental</b> <b>limits</b>	Policies Map	
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4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	✓	No	
4.(2) Sound	Yes	✓	No	
4.(3) Complies with the Duty to co-operate	Yes	✓	No	

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Natural England notes the policy's inclusion of the 'best and most and versatile' land theme at subsection:

*8. loss of healthy soils and in particular to the best and most versatile agricultural land and the economic and other benefits it offers.*

In the context of the plan's proposals for significant new settlements on green field land we would welcome the inclusion of suitable explanatory information about the soil resource including 'best and most versatile land' and the important steps and considerations that need to be incorporated into such development, consistent with para 174 (b) of the revised NPPF:

The plan should recognise that development (soil sealing) has a major and usually irreversible adverse impact on 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.

Soils of high environmental value (e.g. wetland and carbon stores such as peatland) should also be considered as part of ecological connectivity.

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.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We would welcome the inclusion of reference to suitable context information as set out above together with explicit reference to the Defra [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#).

(Continue on a separate sheet /expand box if necessary)

**Please note** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

**No**, I do not wish to participate in hearing session(s)

**Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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N/a

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

