

Date: 12 October 2021  
Our ref: 369344  
Your ref: 21/01600/OUT



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**BY EMAIL ONLY**

Dear Mark Patterson

**Planning consultation:** Outline, all matters reserved except for access/scale for new Category B prison of up to 82,555sqm within a secure perimeter fence, access, parking, landscaping etc  
**Location:** Land Adj HM Prison Welland Avenue Gartree Lubenham Leicestershire

Thank you for your consultation on the above dated 22 September 2021 which was received by Natural England on 22 September 2021.

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.

**Insufficient information provided**

There is insufficient information to enable Natural England to provide a substantive response to this consultation as required under the Town and Country Planning (Development Management Procedure) (England) Order 2015. Please provide the information listed below and re-consult Natural England. Please note that you are required to provide a further 21 day consultation period, once this information is received by Natural England, for us to respond.

**Best and Most Versatile Agricultural Land**

No assessment has been provided of the potential impacts that the proposal will have on best and most versatile agricultural land.

Soil is a finite resource that fulfils many important functions and services (ecosystem services) for society, for example 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. Best and Most Versatile agricultural land includes that which is ALC grade 3a or above.

We note the reference, within the Geo-Environmental Assessment, to Natural England's provisional ALC mapping, which suggests that the site lies on Grade 3 land. This information does not distinguish between Grade 3a and 3b, thus we have good reason to believe that a significant area of BMV land could be affected.

We advise you to obtain the following information in order to assess potential impacts of the proposal:

- *A detailed Agricultural Land Classification (ALC) survey in accordance with [‘Agricultural Land Classification of England and Wales’ \(MAFF, 1988\)](#). Further information is also contained in [Natural England Technical Information Note 049: Agricultural Land Classification: protecting the best and most versatile agricultural land](#). The ALC survey should include a map of the grades and numbered sampling locations, and a report of the findings, including a detailed description of auger borings and soil pits.*

An ALC survey should normally be at a detailed level, e.g. one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, i.e. 1.2 metres.

Details should be provided of how any adverse impacts on soils can be minimised. Further guidance is contained in the [Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites](#).

## **Other Advice**

Please note that we are not seeking further information on other aspects of the natural environment, although we have made comments on other aspects of the application, below.

## **Biodiversity Net Gain**

Natural England welcome the implementation of Biodiversity Net Gain for this development. Additionally, we welcome the use of the Natural England’s Biodiversity Metric 3.0, which shows a significant gain in biodiversity as a result of the development.

## **Surface Water Drainage**

We also welcome the use of the CIRIA SuDS Manual (C753) in the design of the SuDS on the site; the implementation of ponds, as well as a community pond within the grounds, is well received and will offer both biodiversity and amenity value. We would like to see more of the components described as ‘suitable’ for the site, within table 3.4 of the Proposed SuDS Strategy Report, incorporated within the development. Further incorporation of green SuDS, as opposed to engineered solutions, has multiple benefits and could even be integrated with areas being used to create net gains in biodiversity.

For example, the use of swales to convey surface water, as opposed to pipework, offers not only the movement of surface water, but also a level of treatment to improve water quality and a suitable area of habitat on site. In Addition, rainwater harvesting has potential to be used for WC flushing, as described, but also for crop/plant irrigation within the horticultural area on the site.

We appreciate the added complexities added by the use of the site, hence we have no objection to the SuDS proposed, and only suggest that this element of the design could be further improved in terms of multi-functional benefits and biodiversity.

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On receipt of the information requested, we will aim to provide a full response within 21 days of receipt. Please be aware that if the information requested is not supplied, Natural England may need to consider objecting to the proposal on the basis of potential harm to best and most versatile land.

Should the developer wish to explore options for avoiding or mitigating effects on the natural environment with Natural England, we recommend that they use our [Discretionary Advice Service](#).

Please send further correspondence, marked for my attention, to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk) quoting our reference 369344.

Yours sincerely

Robbie Clarey  
Lead Adviser – East midlands Area Delivery