



RTPI

mediation of space · making of place

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Email response sent to: Susan.Lenaghan@naturalengland.org.uk

Dear Susan

RESPONSE TO CONSULTATION PAPER: Natural England's Draft Position on Soil

Thank you for the opportunity to respond to the above consultation. The Royal Town Planning Institute (RTPI) is a membership organisation representing over 22,000 spatial planners. It exists to advance the science and art of town planning for the benefit of the public.

This response was drafted by the RTPI Rural Planning Network following an internal consultation. Thanks are due to members of the Network. General comments are set out below and more specific comments on the positions and context are attached.

General Comments

This draft position has emerged following the recently published 'Soil Strategy for England –Safeguarding our Soils' (Defra, September, 2009). The RTPI commented on the draft Soil Strategy for England and were pleased to see the inclusion of the planning system as an important mechanism for policy implementation in the final publication.

The Defra Soil Strategy explains that 'the level of protection afforded to soil is dependent on how planning policies are implemented and the relative weight given to it in a particular area' and goes on to say 'we need to ensure that those developing and implementing planning policy have the tools and skills to allow them to give appropriate consideration to soils'. Defra have committed to publishing a new toolkit for planners in 2010 to help them to take account of soil functions, including soil carbon storage, in the planning system' (Soil Strategy for England, para.23)

This Natural England consultation on soils is valuable and relevant to planners. The

Natural England position should make specific mention of the Government's proposed 2010 toolkit for planners set out in the Soil Strategy, as Natural England will have an important role to play in working with planners to help instruct and inform on the importance of soil in relation to this toolkit. Also of particular relevance is the Code of Practice for the Sustainable Use of Soils in Construction.

The low level of awareness and understanding of the issues that affect soils is a significant concern and will make delivery difficult especially in light of future economic restraints. Much needs to be done to raise this awareness, including amongst planners and the need for research in this area. A central resource would be useful for policy makers and researchers, focusing on existing policy documents, evidence bases and ongoing research etc.

There would also be merit in bringing together all interested parties in protecting and managing soils, to encourage interaction and better understanding, and the sharing of skills and knowledge. For example closer working between planning schools and those responsible for farming, forestry and biodiversity education might help. To aid this joint working, the purpose and potential target audiences of this document would benefit from being further clarified.

The document sets out a number of "positions" that read more like observations / aspirations than policies. It is unclear if this is the intention. Consideration should be given to re-wording them so that they provide a clear value statement, include a set of outcomes, and outline potential implementation mechanisms.

A helpful addition to the draft position would be an action plan for delivery covering the following:

- 1 The way in which this document/Natural England seeks to influence/raise awareness within specific areas such as land use planning, land management, academia, construction, infrastructure, transport, natural environment, sustainability, councillors etc.
- 2 How other bodies and stakeholders will be engaged in opportunities for co-operative working
- 3 Proposed research and timelines
- 4 Accompanying literature to support consideration in terms of climate change management or planning for the natural environment and green infrastructure
- 5 How Natural England intends to influence land use planning and land management regimes in order to promote soil conservation (e.g. including phrases such as 'Natural England will promote / object to').
- 6 How Natural England will engage with policy formation at central and local government levels.
- 7 How Natural England will engage in assessing planning applications that affect soil management.

The RTPI would like to work closely with Natural England and Defra in the future, in particular in developing the Toolkit for Planners, to raise greater awareness amongst the profession. In addition, the RTPI North West Region are holding an event on 'Biodiversity Planning Policy and Soil' on the 11th February 2010 in Wigan to explore and update our understanding of the importance of soil. This event is aimed at

planners. For more information contact northwest@rtpi.org.uk

To discuss this further, or if you require any further assistance, please contact Rhian Brimble, RTPI Network Manager on 01443 229852 or email rhian.brimble@rtpi.org.uk

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Matt Thomson', with a long horizontal flourish extending to the right.

Matt Thomson
Acting Director Policy and Partnerships

Enc.

Comments on the Context and Issues Sections

The reference to soils as a source of carbon storage at paragraph 2.11 is welcomed. However a balanced approach needs to be taken with regard to emissions of methane (a more potent greenhouse gas) particularly in relation to peat soils or to the biodegrading of organic matter in soils (as referred to in paragraph 6.6).

Equally a balance needs to be had with the addition of organic matter to soils particularly from bi-products of water treatment or anaerobic digestion as the use of these may have potential impacts on levels of contaminants (i.e. metals within soils).

Paragraph 2.13 recognises the potential of detrimental impacts of poor storage and management of soils on development sites and mineral working and this is welcomed by the RTPI. Reference could however be made to the benefit of soil remediation particularly on brownfield industrial sites and the positive benefits that this can provide for above and below ground biodiversity not purely on low grade agricultural land as suggested.

With regard to lowland erosion (paragraph 2.15) reference could be made to the impacts of sediment loading on riparian environments and the impact of run off onto grey infrastructure as well as natural impacts including impacts of undercutting, slumping or landslide as experienced in the floods of summer 2007 on the Severn Valley Railway, and more recently in Cumbria.

Comments on Positions

Position 1

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

The RTPI supports this position, with the suggested addition of 'be actively seen to' between the words 'should' and 'take'.

In relation to paragraph 4.3, it is understood that there needs to be a greater level of awareness for policy and decision makers at all levels. For those in planning, Planning Policy Statement 7 and policy for best and most versatile (BMV) is not sufficiently strong enough for planning authorities to prevent the loss of valuable soils to development. For example paragraph 28 of PPS7 states that "little weight in agricultural terms should be given to the loss of agricultural lands in grades 3b, 4 and 5". Whilst this might be a reflection of its relative agricultural value it does not recognise the potential eco systems value of these soils.

Natural England may find it useful to identify local planning policies that protect BMV in line with PPS7 and the weight this has been given in planning decisions or by the planning inspectorate.

Paragraph 4.3 could be reworded to read “There is the need for a greater planning policy input, including within PPS1/7/9, making clear that land use planning ‘should play a more significant role in protecting soil and its functions, not just the agricultural functions but also those associated with carbon storage, habitats, landscapes and the historic environment’.”

The need to improve the inclusion of soils in planning policy both centrally and locally is illustrated in PPS 1, paragraph 20 states that development plan policies should consider the conservation of soil quality, yet the RTPI question whether local planning authorities have the evidence base to support this.

it would be useful for Natural England to explain its interpretation of the links between soil protection and existing guidance more explicitly within this document.

There is a risk that widening the scope of protection for soil resources beyond that specified in planning policy could undermine the special protection afforded to best and most versatile soils and lead to confusion. A clearer distinction should be made in the draft document between best and most versatile soils and other soil types.

Position 2.

5. Soil is a key component of most landscapes and a significant component in understanding the links between landscape and the historic environment.

This position is supported and might usefully be incorporated in a planning practice note and/or planning policy guidance.

Existing Landscape Character Area guides could be modified to include soil details. This would provide a helpful framework and reference source that would also integrate other biodiversity and landscape issues.

Further links should be made between some of the issues raised within section 5 of the document and the soils toolkit for planners mentioned above.

Position 3.

6. The role of soil in maintaining carbon stores and regulating greenhouse gases needs to be better appreciated, understood and embedded in habitat and land management practices in order that its potential to mitigate against the effects of climate change is realised.

Land management practices have a key role in ensuring this position is implemented effectively. The document sets out the importance of schemes such as Environmental Stewardship in reducing greenhouse gases.

In relation to paragraph 6.6, the [supplement to PPS1](#) only refers to soil within the glossary in relation to a description of carbon sinks (page 5). It would therefore seem that Natural England along with other parties should be requiring a stronger emphasis on the importance and function of soils in spatial planning in the preparation of Planning Policy Statements (PPS). In particular in light of forthcoming

changes to the PPS on climate change and PPS22, as increased use of renewable energy and particularly biomass fuels may have far reaching consequences for soils. In addition the proposed PPS on green infrastructure should have a strong emphasis on soils.

It is also noted that the Overarching Energy National Policy Statement (EN1) includes a reference to “any loss of high quality soil and whether the proposal gives rise to any risk of soil contamination”(para 4.25.15). The RTPI supports this inclusion.

Position 4.

7. Links between soil biota and their ecology and the capacity of soil to deliver vital ecosystem services, including biodiversity, are critical; more research is needed to inform better ecological management of soil.

It is only by supporting effective research that the evidence base, on which planners will strongly depend, can be enhanced. It is important that we can determine how soils can best deliver ecosystem services, given that soil biodiversity may have a much wider and influential role than previously thought.

However we are concerned about the ambiguous use of the statement ‘more research is needed’ as this could introduce uncertainty. Further clarification on research is required.

Position 5

8. Good soil management is a critical component of more sustainable land management practices – not only in agriculture, but also in forestry, woodland and recreational management, in construction, mineral working and restoration, waste disposal, in habitat restoration and re-creation and in urban design, green infrastructure and the creation of other greenspace.

This policy is supported.

The physical characteristics of different soil types occurring in juxtaposition can differ widely. For instance, light, well drained soils derived from glacial sand and gravel can often be associated with heavier soils derived from boulder clay and peat. Farming regimes have historically tended to blur this distinction by intensively irrigating the well drained sandy soils and intensively draining the clayey and peaty soils. Using soil and geology characteristics instead as a template to inform the type of land management activity carried out could in some instances lead to more sustainable land management practices. This could be achieved for instance by:

- 1 placing a greater emphasis on growing less water-intensive crops such as potato on more droughty sandy soils
- 2 reversing drainage ‘improvements’ in more marginal agricultural areas in order to reinstate peat bog / ponds and slow the rate of agricultural run-off
- 3 identify soils suitable for planting trees to increase rates of water uptake in poorly drained marginal agricultural areas

In addition to the potential drainage and ecological benefits this approach might also facilitate an increase in local landscape distinctiveness.

An independent soil analysis test could be required to accompany planning applications and aid decision making, where relevant.

The emphasis of the supporting evidence base in relation to Position 5 appears to be on land management by farmers and landowners and little with regard to sustainable construction. Defra's Code of Practice for the Sustainable Use of Soils on Construction Sites will be a useful tool for the management of soils. This could be reinforced by guidance and research by Natural England especially with regard to reinforcing the functions of soils in relation to green infrastructure.

The cost of remediating contaminated land can serve as a significant disincentive to re-development. However, such areas may have the potential to become re-established as valuable ecological reserves and green networks, either permanently or in advance of built development. Natural England could advocate 'opportunity mapping' exercises in such areas in order to promote this objective.

National and EU waste policy is placing an increased emphasis on reclaiming soil from mixed construction and demolition waste. A number of private waste management facilities in Shropshire have the potential to reclaim soil and hardcore from such wastes, producing usable end products and reducing the need to landfill. Good quality soil suitable for parks and gardens use can be produced through screening and blending. The draft soil policy emphasises the importance of protecting existing soils, but should also be promoting the role of soil reclamation technologies.

In relation to paragraph 8.8, it might be useful for Natural England to identify how far the loss of urban and suburban gardens to hard surfaces actually does affect soil loss and condition, as well as the rates of rainfall run off and in particular what impact the current legislation (GDPO from 1st October, 2008) covering garden loss is having across local planning authorities in England.

Position 6.

9. When considering land use change we need to consider the permanency of the impact on soils and take particular care over planned changes to the most potentially productive soil (for the ecosystem services it supports and for its role in agriculture and food production) but we must also allow for necessary change, including for example the creation of habitats and coastal change in response to climate change.

The planning system has an important role in protecting BMV land to make a positive contribution to sustainable agriculture. It is a major concern that 60% of grade 1 agricultural land lies below 5 metres and is at risk of degradation from rising sea levels, as set out at 9.2.

The relationship between soil and drainage should be explained more clearly. Drainage 'improvements' to agricultural land can sometimes exacerbate flood risk to adjacent areas by increasing run-off to streams and rivers.

It is important that the planning system recognises the key role of the Foresight Land Use Project (www.foresight.gov.uk) in taking a long term view of land use to 2050 and beyond. This is expected to be published in January, 2010.