

Sussex Wildlife Trust

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East Sussex, South Downs and Brighton and Hove waste and minerals local plan - Waste and Minerals Sites plan, Consultation Draft July 2014: Comments from Sussex Wildlife Trust

The Sussex Wildlife Trust would like to submit the following comments. Having viewed the plan, we are concerned that the allocations do not offer sufficient detail on the potential operations at an individual site level, making it very difficult to assess the suitability of sites.

The Sussex Wildlife Trust feels strongly that the need to recognise, protect and enhance the natural capital of the county should be at the forefront of sustainable development. Any development plan that leads to the degradation of natural capital can never be sustainable and therefore fails to adhere to National Policy. As the plan currently stands, the allocation maps indicate that for the waste sites:

Allocations

- 1 allocation is adjacent to 2 Local Wildlife Sites
- 3 allocations are in Biodiversity Opportunity Area
- 3 allocations are adjacent to Biodiversity Opportunity Areas
- 2 allocations are adjacent to the South Downs National Park

Areas of opportunity

- 1 area of opportunity is adjacent to Local Wildlife Sites
- 1 area of opportunity is partially in a SSSI
- 1 area of opportunity is adjacent to Ancient Woodland
- 1 area of opportunity is adjacent to other Priority Habitat (Lowland Meadow)
- 1 area of opportunity is adjacent to a Local Nature Reserve
- 5 of the areas of opportunity are adjacent or close to Biodiversity Opportunity Areas.

Areas of Search

- 1 area of search is on a Local Wildlife Site
- 2 areas of search are adjacent to Local Wildlife Sites
- 3 areas of search are on Ancient Woodland
- 4 areas of search are adjacent to Ancient Woodland
- 4 areas of search in Biodiversity Opportunity Areas

The above, combined with the lack of ecological information about the individual sites, causes us to question whether allocation of sites which are adjacent to and on existing sites designated for their biodiversity value, sits in line with National Planning Policy Framework (NPPF) section 109:

Taking Care of Sussex

President: David Streeter MBE
Chairman: Chris Warne
Chief Executive: Tony Whitbread

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'The planning system should contribute to and enhance the natural and local environment by: Minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures'.

We note that section 2.5 of the Waste and Mineral Site Plan (WMSP) acknowledges that a '*significant number of sites were eliminated from consideration*', but we are unclear about the evidence base used for the criteria to eliminate sites. Therefore we are unable to assess if these would have had a great impact on sites designated for biodiversity.

For example, we see that Queensway, Hastings (Policy WMSP3) is suggested as an area of opportunity. The Sussex Wildlife Trust has already expressed to Hastings Borough Council our concern about the allocation of these sites in their Local Plan. We feel this there is a continual squeeze in this area of inappropriate development so close to this sensitive Ghyll woodland and nationally designated site.

The WMSP also includes a number of safe guarded sites:

Of the site that are safe guarded for waste in the WMSP

2 are on Local Wildlife Sites
7 are adjacent to Local Wildlife Sites
4 are on Ancient Woodland, which is priority habitat
8 are adjacent to priority habitats, which included Ancient Woodland and Grazing Marsh
13 are in Biodiversity Opportunity Areas
7 are near or adjacent to Biodiversity Opportunity Areas.
3 are in SSSIs

Of the sites that are safe guarded for minerals in the WMSP

3 are on or partially on Local Wildlife Sites
3 are adjacent to Local Wildlife Sites
5 are on Ancient woodland, which is a priority habitat
7 are adjacent to Priority Habitats of Ancient Woodland and Vegetated Shingle
3 are in Biodiversity Opportunity Areas.
2 are on SSSIs
1 is in close proximity to a Special Area of Conservation (SAC)

As the plan relies on using safeguarded sites, we seek clarification as to whether these have met the criteria used to make the new site selections, and whether any further conditions and mitigation are needed. The outcome of this will also highlight any need to consider the impacts from current operations on sites designated for their biodiversity. The Sussex Wildlife Trust would suggest that this needs to be considered in combination with the future proposals, to ensure that the natural capital of East Sussex is not compromised in the formulation of this plan.

Section 1.2 of the waste and minerals sites plan states that it is designed to provide communities and waste and minerals operatives with greater certainty about where waste and minerals development can take place. This is inline with the NPPF which states in paragraph 154 that "*local plans should set out opportunities for development of clear policies on what will or will not be permitted and where*". With this in mind, the Sussex Wildlife Trust seeks clarification on whether the sites plan will guide the location of hydrocarbon extraction sites along with aggregate extraction sites beyond those identified within the plan?

The Waste and Minerals Plan adopted in Feb 2013 states that no areas of search will be identified within the plan as future developments may result in technologies that make developments acceptable where development using existing technologies would be unacceptable. We do not think that this is adequate. It is vital that better acknowledgement of the potential impacts of hydrocarbon extraction is included in the WMSP to help to ensure that the suitability and impact of such development is assessed as robustly as any other type of mineral development in East Sussex.

We remind the plan makers of their responsibilities as public bodies, under section 40 of the NERC Act 2006, *'in exercising [their] functions, (to) have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'*

The Trust strongly urges the local authority to look at the all of the plan's suggested site allocations and their impact on the delivery of natural capital. We are keen to see that the WMSP is looked at in its entirety it does not compromise an ecological coherent network, but delivers towards it and recognises the benefits of ecosystem services as per section 109 of the NPPF:

'The planning system should contribute to and enhance the natural and local environment by: recognising the wider benefits of ecosystem services.'

Please do contact me if you would like to discuss any of the above points.

Yours sincerely

Laura Brook
Conservation Officer