



Date: 8 May 24

This response was submitted online through the Wealden Consultation Portal

Question 1

a) Do you agree with our overall vision for the district?

Yes, SWT supports the overall vision. We are pleased to see that the importance of restoring the natural environment and enjoying the benefits of green and blue infrastructure has been recognised.

b) Do you agree with our 'mini' visions for the district?

Yes

c) Do you agree with the objectives for the district?

Yes

Question 3

a) Do you agree with draft Policy SS2 Provision of Homes?

SWT supports the progression of a 'capacity based' housing figure and support the council's view that they are unable to deliver their 'objectively assessed need' sustainably. However, we are unclear that the figure set out in SS2 truly reflects the capacity for the district's natural capital to absorb this level of development. We have concerns about some of the strategic sites (please see our response to question 85 on policy SA1). More generally we are concerned that allocations have been made with an incomplete evidence base. In particular, the lack of any ecological information or the Green Infrastructure Framework.

SWT would like to see a strong ecological evidence base informing the local plan and particularly site allocations. In particular, an assessment of the likely spatial impact of policies and allocations. An estimation of the number of offsite BNG units that are likely to be required over the plan period would be useful. We would also like to see preliminary ecological appraisals of strategic sites as was done by Worthing Borough Council for the most recent Local Plan.

Question 4

a) Do you have any comments at this stage in relation to the site at Land at West of Uckfield – Owlsbury?

It is difficult to comment in detail on this potential site when no ecological information is provided. We note that the potential allocation includes Ancient Woodland and portions of the River Uck. Much of the site appears to be grassland although no information is provided on the condition or type of grassland habitat. This information should be fundamental to the consideration of the suitability of the site for development, not least in terms of informing an assessment of BNG potential.

Overall, SWT is very concerned about the prospect of large-scale development occurring to the west of the A22. As once this "red line" is breached, it will inevitably lead to further development sprawling out into the west. The River Uck is an important wildlife corridor that should be enhanced and buffered as part of the local nature recovery network. We understand that there are recent records for breeding nightingale in that area and as such we are concerned about any proposals for a SANG there. If this site is to be considered further, the council should require a preliminary ecological appraisal to inform any decisions.

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Question 9

a) Do you have any comments at this stage in relation to the site at Ashdown Business Park, Maresfield?

SWT has concerns about the impact of a development of this size on the district's natural capital. Any allocation would need a robust policy to ensure that the water courses surrounding the site, which sit within the Western Ouse Streams and Ashdown Forest BOA, are protected and enhanced with significant buffers. Additionally, impacts on the Ashdown Forest SPA and SAC must be adequately addressed.

Question 11

a) Do you agree with draft Policy SS8 Responding to Climate Change?

Yes

b) Do you feel the strategic policy covers the key issues we need to address in our approach to climate change adaptation and mitigation?

Yes, SWT strongly supports this policy.

c) Should we change anything? if so, what should we change and why?

SWT recommends that part 2 q) and part 3 f) also include blue infrastructure given that wetlands are also able to absorb carbon emissions and deliver multiple benefits for people.

d) Have we missed anything? If so, what have we missed and how should it be included?

Whilst there are multiple references to the need to restore nature to help adapt and mitigate to climate change, SWT would like to see specific reference to encouraging and favouring nature-based solutions to climate change issues. This would then be further explained by policy CC4 carbon sequestration.

Question 13

a) Do you agree with the Council's draft Policy SS10 for Green Infrastructure?

SWT strongly supports the inclusion of this policy.

d) Have we missed anything? If so, what have we missed and how should it be included?

We are pleased to note that WDC intend to update their GI evidence to provide a clear strategy for GI provision and enhancements. However, it is frustrating that this has not been done in time for this consultation. SWT would appreciate the opportunity to comment on the council's GI strategy as it emerges. A public consultation would allow local residents the opportunity to provide local knowledge on the location of smaller and/or less well-known greenspace in the district that still make a valuable contribution to the network.

Question 14

a) Do you agree with draft Policy CC1 Net Zero Development Standards – New Build?

Yes

Question 15

a) Do you agree with draft Policy CC2 Reducing Energy Consumption in Existing Buildings?

Yes

Question 16

a) Do you agree with draft Policy CC3 Sustainable design and construction?

SWT supports this policy and particularly parts 1 d, e, f and g.

Question 17

a) Do you agree with draft Policy CC4 Carbon Sequestration?

Yes

Question 19

a) Do you agree with draft Policy CC6: Water Efficiency?

Yes

b) Should we change anything? if so, what should we change and why?

We support the inclusion of this policy and the use of the higher standard. However, we believe that the standard should be set as a minimum in part 3 of the policy to allow for even larger water efficiency savings if deemed possible by the applicants. SWT believe that further efficiencies will be possible within the lifetime of this plan.

Question 20

a) Do you agree with draft Policy CC7: Managing Flood Risk ?

SWT particularly supports the inclusion of parts 6, 7 and 8 of this policy.

Question 21

a) Do you agree with draft Policy CC8: Sustainable Drainage?

SWT supports the inclusion of this policy and particularly the inclusion of criterion 3d.

Question 22

a) Do you agree with draft policy NE1 Biodiversity, Geodiversity and Nature Recovery?

SWT strongly supports NE1. We particularly support the requirement to apply the mitigation hierarchy, the requirement for up to date ecological evidence and the reference to Local Wildlife Sites. We would like all elements of the policy to be continued into the next version of the plan.

Question 23

a) Do you agree with draft Policy NE2 Biodiversity Net Gain?

Yes, SWT supports this policy.

b) Is the policy correct to require a blanket minimum 20% BNG requirement across the district or should distinctions be made i.e. higher % requirement when sites are within BOAs or other designated sites? Or should the Council have a lower or higher than 20% BNG target? Please explain your answer.

SWT supports the blanket minimum of 20%. The draft local plan states that evidence suggests that the difference between 10% and 20% in terms of viability is minimal. We also know that the UK is one of the most nature depleted countries in the world and that ambitious application of BNG is needed to contribute to nature's recovery. Other local plans have been adopted with policies that require more than 10% and we encourage Wealden District Council to do what they can to evidence the need for it in the district.

d) have we missed anything? If so, what have we missed and how should it be included?

Given the likely requirement for additional SANGS in the district, we feel it would be prudent for WDC to set out clear guidance on the role of SANGs in contributing to BNG. The Guidelines for Creation of SANG (August 2021) does set out that BNG can only be considered on a SANG when habitat creation/enhancement has measurable additionality over and above the minimum requirements of the SANG. I.e. the habitat type and condition of the completed SANG becomes the baseline for any BNG calculation. In our experience, BNG calculations often confuse this issue and do not clearly set out the habitat creation and enhancement on the SANG as separate to any BNG provisions. Additionally, the intense recreational use of SANGs will often prevent a significant increase in habitat condition, contrary to the expectations set out in BNG calculations. We feel this is something WDC should be alert to and try to prevent through clear policy wording.

Question 24

a) Do you agree with draft Policy NE3 Woodland, Trees and Hedgerows?

Yes, SWT supports this policy

Question 25

a) Do you agree with draft Policy NE4 Ancient Woodland and veteran Trees?

Yes, SWT supports this policy

b) Should the policy set a minimum buffer zone to protect ancient woodland? Please explain your answer.
SWT supports the requirement for a minimum buffer zone of 25m.

c) Do you agree our approach should expect deeper buffers on sloping sites, land with ghyll streams or where woodland is a remaining fragment from a long removed historic block of ancient woodland? Please explain your answer.

Yes, we believe deeper buffers should be expected in these cases as this offers more protection from runoff and will give space for woodland expansion.

f) Have we missed anything? If so, what have we missed and how should it be included?

SWT would like to see specific mention of the need to consider the hydrological impacts of development on ancient woodland.

Question 26

a) Do you agree with draft Policy NE5 Protecting Ashdown Forest SPA?

We support the inclusion of a policy on protecting the Ashdown Forest SPA

b) Should we change anything? if so, what should we change and why?

We feel that for completeness, the policy title should also reference the SAC.

Additionally, given the recent appeal decisions for Land at Bird in Eye Farm (APP/C1435/W/22/3307820) and Land at Downlands Farm (APP/C1435/W/23/3321978), SWT would support policy wording preventing SANGS being delivered within ancient woodland. It is now clear that in planning terms this is not considered acceptable due to the likelihood of impacts on the irreplaceable habitat and therefore it seems prudent to make this clear to applicants at the outset. This requirement could be included in part 4 of the policy.

c) Have we missed anything? If so, what have we missed and how should it be included?

We would like WDC to consider whether Pevensy Levels SAC is sufficiently protected in the draft plan. We note that planning requirements for the SAC are included in various policies, particularly NE1, CC7 and CC8, however we wonder whether the site warrants its own policy in line with NE5 for the Ashdown Forest SPA and SAC.

Question 27

a) Do you agree with draft Policy NE10 Light Pollution and Dark Skies policy?

We support the inclusion of this policy and particularly the requirements in part 2.

Question 65

a) Do you agree with draft Policy INF5 - Safeguarding of Infrastructure?

No.

b) Should we change anything? if so, what should we change and why?

SWT strongly objects to the inclusion of part 3 of policy INF5. The draft local plan is clear in paragraphs 9.30 and 9.31 that the wider policy agenda for transport now looks beyond the traditional approach of 'predict and provide' and that there is now an expectation that WDC plans for a decarbonised, sustainable transport system focused on delivering inclusive and sustainable travel modes. Planning for a new offline dual carriageway directly contradicts this position and will only exacerbate the high level of car ownership and car travel in the district counteracting any positive action to mitigate and adapt to climate change. Part 3 of the policy should be deleted.

c) Have we missed anything? If so, what have we missed and how should it be included?

WDC should provide further justification for the need for an offline dual carriageway and make clear the exact area that is safeguarded. It is also not clear how safeguarding for the A27 interacts with safeguarding for an extension to Arlington Reservoir. Previous suggestions for the route of a new road have run very close to the existing reservoir.

Question 85

a) Do you agree with draft Policy SA1 Housing and Mixed-use Site Allocations?

No

b) Do you agree with the site allocations listed within the policy and if not, what are the reasons for this? Please explain your answer.

SWT strongly objects to the inclusion of sites **FR1 - Land at Benhall Mill Road, Tunbridge Wells** and **NIN1 - Land adjacent to Ninfield Reservoir, High Street, Ninfield**. Both these allocations site entirely within Local Wildlife Sites (LWS) and will therefore likely lead to the destruction of a significant proportion of the designated sites. This is contrary to paragraph 185 of the NPPF which is clear that local plans should 'identify, map and safeguard components of local wildlife rich habitats and wider ecological networks, including... locally designated sites'.

Further to this, Planning Practice Guidance (Ref ID: 8-013-20190721) makes clear that 'National planning policy expects plans to identify and map these sites, and to include policies that not only secure their protection from harm or loss but also help to enhance them and their connection to wider ecological networks.' Whilst draft policy NE1 appears to attempt to secure the protection of LWS from harm or loss in line with national guidance, policy SA1 directly contradicts this.

SWT has looked at the Site Selection Methodology and Conclusions and the Initial Sustainability Appraisal and it is unclear what, if any, ecological information has been provided to inform site allocations FR1 and NIN1. We understand that the presence of a LWS has not been considered an 'absolute constraint' to development, however the site selection conclusions make clear that the development of these sites would have a detrimental ecological impact.

Appendix 4 (page 194) of the SHEELA states that through potential development of part of site FR1 there is an opportunity to protect enhance and manage the areas of the LWS which have the greatest potential in biodiversity terms. No information is provided to evidence this statement. Additionally, the Initial Sustainability Appraisal (SA) only lists the impact of this site as 'minor negative' on SO9 Biodiversity, with the explanation 'Due to the potential harm from development on the existing biodiversity of the site and wider area, but acknowledging the potential for some degree of mitigation, minor negative effects are expected on this SA Objective.'

However, the Mitigation Measures section of the SA states, no mitigation measures are proposed at present as there are no detailed plans for the site. It appears that the conclusion of a minor negative impact is reliant on an unevidenced assumption of possible mitigation that will outweigh the significant loss of LWS. We do not believe that an impact of 'minor negative' is sufficient, the impact of this allocation on SO9 should be listed as Major Negative.

The SHEELA (Appendix 4, page 512) also states that although site NIN1 is wholly within a larger LWS, the part of the LWS allocated is 'believed to be of relatively low ecological value owing to the existing reservoir'. Again, no ecological evidence is presented to support this position and the SHEELA concludes that further ecological surveys would be required to clarify the specific site's ecological value. This assessment is carried through into the SA. However, the summary for NIN1 states that 'development could adversely impact on the objectives of the Local Wildlife Site it is not clear whether this could be accommodated on site or mitigate for the harm likely to be caused to the Local Wildlife Site'.

SWT objects to the allocation of both these Local Wildlife Sites for development when no information is provided to demonstrate that the ecological impacts can be mitigated for. Allocations FRA1 and NIN1 should be deleted from the plan.

SWT is also concerned about the proximity of site **WES7 – Land at Peelings Lane, Westham** to Pevensey Level SAC. The allocated site appears to be hydrologically linked to the levels via ditches and no information is provided of the ecological value of the site in itself. We note that the Initial SA assesses the allocation as having Major Positive effects on SO8 and SO9 due to the promoter for the site indicating a significant range of measures to provide and enhance green and blue infrastructure within the site and provide 20% BNG onsite. However, it appears these proposals are based on a development of 400 net dwellings. The council believe that the site can only accommodate 150 net dwellings and therefore we question whether the required mitigation is still viable under this proposal. SWT feels that further information should be provided on the existing ecological value of the site along with the viability of any BNG and green/blue infrastructure proposals before this site is allocated.

SWT is also concerned about the potential impacts of **HOR6 – Coxlow Farm, Horam Road, Horam** on biodiversity and the wider ecological network. Although no ecological information is provided, the size of the allocation in such a rural area means impacts are more likely. The Initial SA states there are no detailed plans for the site or mitigation measures proposed. However, the 'selected/rejected for allocation' section makes clear that the southern part of the site contains a number of constraints that require bespoke assessment and mitigation, including the presence of Ancient Woodland.

This potential allocation is much bigger than any of the other sites listed in policy SA1 and as such, we feel the allocation should be discussed in more detail in the plan with specific bespoke policy requirements set out. These must be informed by up to date ecological information that set out the likely impacts of a proposal of this size.

A number of other site allocations do lie adjacent to ancient woodland or Local Wildlife Sites, however we would hope that the strong Natural Environment policies in the plan would ensure there are no adverse impacts and that development will lead to enhancements. Again we would prefer that preliminary ecological appraisals are provided to demonstrate that development can occur without negative impacts.

d) Should we change anything? if so, what should we change and why?
Yes, allocations FR1 and NIN1 should be deleted from the policy.
Further consideration should be given to allocations WES7 and HOR6