

Matter 5: Other policies

Issue: Are the individual policies clear, justified and consistent with national policy and will they be effective?

Policy NE4 Strategic Wildlife Corridors

Q.117 Is the extent of protection proposed to be afforded to Strategic Wildlife Corridors consistent with national policy as set out in the NPPF?

Policy NE4 is consistent with national policy, particularly Paragraphs 153, 175 and 179(a) of the NPPF (Sept 2023) and NPPG Paragraph 012 Reference ID 8-012-20190721: *Local ecological networks can make a significant contribution to developing the Nature Recovery Network. Local ecological networks can be identified and mapped as a part of the plan-making process, with policies identifying appropriate levels of protection and opportunities to create, restore or enhance habitats or improve connectivity.*

The Strategic Wildlife Corridors have been designed for key indicator species including bats, which have specific requirements in relation to artificial lighting at night (ALAN); particularly Barbastelle Bat, which is considered highly light-adverse. Bats modify their behaviour in lit areas and ALAN has been shown to be particularly harmful near woodland edges and hedgerows. It is therefore important that these specific species requirements are protected by strong policy so that the Strategic Wildlife Corridors function effectively as intended.

Q.120 Are the boundaries of the proposed Strategic Wildlife Corridors justified?

Sussex Wildlife Trust supports the majority of the boundaries of the proposed Strategic Wildlife Corridors, which are based on a strong ecological evidence base. However, we question the narrowing of the Pagham to Westhampnett Strategic Wildlife Corridor around the location of the proposed allocation A8, Land East of Chichester.

We remain concerned over this reduction in width due to the importance of Policy NE4 to climate adaptation and connectivity for a range of species, including Barbastelle bats.

We recognise there is mention of this in the Strategic Wildlife Corridors Background Paper June 2024 [BP13], suggesting that the amendment has been made based on bat data from further survey work in 2022 and 2023 (Appendix 7). However, having read Paragraph 5.29 (p.26) we are not confident that this justification has been clearly demonstrated.

In addition, Paragraph 4.19 of the Strategic Wildlife Corridors Background Paper June 2024 [BP13] states: *In the evolution of both the proposed allocation A8 and the Westhampnett-Pagham Harbour Strategic Wildlife Corridor, officers have sought to use the evidence available to balance the conflicting interests of providing necessary housing with the requirement protect and conserve ecology.*

We query how the evidence has been used, and how a balance has been struck. It is not clear what aspect of the further bat survey work undertaken in 2022 and 2023 (Appendix 7) made CDC confident to remove that section of the Westhampnett-Pagham Harbour Strategic Wildlife Corridor, or whether CDC has quantified and understood how that area of removed woodland is functionally linked to Barbastelle commuting routes. We also query whether impacts on species other than bats have been considered when proposing to narrow this section of the corridor.

There is also a proposed change to the wording in Policy A8 (Main Modification CM306) which now refers to an ‘appropriate’ buffer. In our view ‘appropriate’ is too ambiguous and open to interpretation, especially given the specific requirements of target species such as Barbastelle, and this ambiguity may result in an ecologically ineffective buffer zone. We also query whether the buffer will be applied to the entirety of the narrowed section of the Westhampnett-Pagham Harbour Strategic Wildlife Corridor; whether development will be permitted within the buffer zone; and whether the buffer will be wide enough, especially when considered against the overall loss of corridor width.

Along with the potential impact on bats, we are also concerned about the impact of narrowing the corridor on the lake adjacent to proposed allocation A8. As highlighted by the Sussex Ornithological Society in their Regulation 19 response, Marsh Harrier have bred on the lake in recent years, and this location is their only known breeding site in the district. Marsh Harrier is a Schedule 1 species, scarce nationally and monitored by the Rare Breeding Birds Panel. It is vulnerable to disturbance and we are concerned that the narrowing of the corridor will exacerbate this.

Q.121 Are the suggested MMs necessary for soundness?

Sussex Wildlife Trust supports the change in wording proposed by CM064 if it is deemed to be more effective in achieving the Policy’s desired aim. Since the evidence base is species-focused, as specified in the Strategic Wildlife Corridors Background Paper June 2024 [BP13], we propose the following **addition**:

Development proposals within, or in close proximity to, strategic wildlife corridors, as shown on the Policies Map, will only be permitted where they can demonstrate they #would not lead to an adverse effectimpact upon the ecological value, function, integrity and connectivity of the strategic wildlife corridors, and protects and enhances its features and habitats and species.

We also believe that a distance should be defined to determine what would be considered ‘in close proximity’ and that this distance should relate to the size of the proposed buffer.

Despite our support for this change in wording, we remain concerned about the proposed reduction in the width of the Westhampnett-Pagham Harbour Strategic Wildlife Corridor.

Policy NE5 Biodiversity and Biodiversity Net Gain

Q.123 Are the suggested MMs necessary for soundness?

The Sussex Wildlife Trust strongly supports proposed modifications CM068 and CM69. These modifications are necessary for the policy to be consistent with NPPG Paragraph: 016 Reference ID: 8-016-20190721 and the need for protected and priority species to be considered in planning. Along with the requirement in NPPF paragraph 179 and NPPG paragraph 010 Reference ID: 8-010-20190721 to safeguard wider ecological networks.

The Sussex Wildlife Trust also supports proposed modification CM077 and believe it is necessary to be consistent with the 2023 NPPF which was updated to remove caveats such as ‘where possible’ in relation to conserving and enhancing the natural environment.

Sussex Wildlife Trust believe that this policy will not be effective unless there is a more ambitious target for Biodiversity Net Gain. We note that the mandatory target is for at least 10% gain, as a minimum, and the Trust has seen larger targets adopted elsewhere in Sussex. For

example, policy DM18 in the Worthing Local Plan which requires 20% BNG on major development sites. Wildlife and Countryside Link's BNG Progress Report (Feb 24)¹ demonstrates that a policy of 10% BNG will likely only result in no net loss, not the recovery that planning policy aims for. Additionally, Kent Nature Partnership have demonstrated that a policy of 20% BNG has little impact in terms of financial viability for developments due to economies of scale². We recommend that CDC is more ambitious in the BNG target for NE5.

Policy NE8 Trees, Hedgerows and Woodlands

Q.128 Are the suggested MMs necessary for soundness?

The Sussex Wildlife Trust strongly supports proposed modifications CM090 and CM091. These modifications are necessary for the plan to be consistent with national policy, specifically paragraph: 033 Reference ID: 8-033-20190721 of National Planning Policy Guidance and in line with Natural England and Forestry Commission statutory guidance.

Policy NE10 Development in the Countryside

Q.131 Are the suggested MMs necessary for soundness?

The Sussex Wildlife Trust supports proposed modification CM098. It is necessary for the plan to be consistent with paragraph 179 of the NPPF and the need to safeguard wider ecological networks. We also support proposed modification CM097 and believe it is necessary for the policy to be consistent with NPPF paragraph 92.

Policy NE12 Development around the Coast

Q.134 Are the suggested MMs necessary for soundness?

Sussex Wildlife Trust strongly supports proposed modifications CM118 and CM120. These are necessary for the policy to be consistent with NPPF paragraph 153, 171, 175 and 179. In particular, setting back development is considered an effective method of adapting to climate change as per NPPG paragraphs 003 Reference ID: 6-003-20140612 and 005 Reference ID: 6-005-20140306.

Policy NE16 Water Management and Water Quality

Q.142 Are the suggested MMs necessary for soundness?

The Sussex Wildlife Trust supports proposed modification CM142. It is necessary for the policy to be consistent with NPPG Paragraph: 019 Reference ID: 34-019-201

Policy P14 Green Infrastructure

Q.167 Are the suggested MMs necessary for soundness?

The Sussex Wildlife Trust supports proposed modification CM215 and believe it is necessary for the policy to be consistent with NPPF paragraph 179, specifically the need to safeguard wider ecological networks and to promote their restoration and enhancement.

¹ https://www.wcl.org.uk/docs/Biodiversity_Net_Gain_progress_report_7_Feb_2024.pdf

² <https://kentnature.org.uk/wp-content/uploads/2022/07/Viability-Assessment-of-Biodiversity-Net-Gain-in-Kent-June-2022.pdf>