

## Consultation - Index by ID Number

ID	Respondent	Organisation	BehalfOf	Respondent Category	Participate
710	Mr N Burns	Natural England		Statutory Consultee	<input type="checkbox"/>

**710**

## Site Allocations DPD: Regulation 19 Consultation Response

**Code:** 1c

**ID:** 710

**Response Ref:** Reg19/710/16

**Respondent:** Mr N Burns

**Organisation:** Natural England

**On Behalf Of:**

**Category:** Statutory Consultee

**Appear at Examination?** x

Date: 28 September 2020  
Our ref: 324095



Planning Policy  
Mid Sussex District Council  
Oaklands  
Oaklands Road  
Haywards Heath  
West Sussex  
RH16 1SS

Customer Services  
Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

**BY EMAIL ONLY**

Dear Sir / Madam

**Planning consultation: Mid Sussex District Council Site Allocations DPD - Regulation 19 Consultation**

Thank you for your consultation on the above dated 03 August 2020 which was received by Natural England on the same day.

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.

Natural England welcomes the approach taken by your authority to consult with Natural England at various stages in the preparation of the Site Allocations Development Plan Document. We are pleased that our engagement has resulted in our comments/concerns being addressed in this version of the plan. In particular, we welcome the positive engagement by Mid Sussex District Council with both Natural England and the High Weald AONB Unit in the assessment of the Regulation 19 proposed site allocations within the High Weald Area of Outstanding Natural Beauty (AONB).

From this assessment, we recognise and welcome that a conclusion has been reached that none of the proposed site allocations (Policies SA7, SA8, SA25, SA26, SA27, SA28, SA29, SA32) constitutes major development within the AONB.

Our comments on your Regulation 19 Site Allocations Development Plan Document (DPD) Site allocations and development policies, followed by general comments are as follows.

**Comments on specific allocations**

**SA 7 - Cedars, Brighton Road, Pease Pottage**

We support the requirement of this allocation to undertake a Landscape and Visual Impact Assessment (LVIA) to consider potential impacts on the special qualities of the High Weald AONB.

**SA 8 - Pease Pottage Nurseries, Brighton Road, Pease Pottage**

We support the requirement of this allocation to undertake a Landscape and Visual Impact Assessment (LVIA) to consider potential impacts on the special qualities of the High Weald AONB.

We also support the requirements regarding nearby ancient woodland in line with Natural England's [standing advice](#).

**SA 18 - Former East Grinstead Police Station, College Lane, East Grinstead**

We recommend a requirement be included for this development to contribute to the existing strategic solution in accordance with District Plan Policy **DP17: Ashdown Forest SPA and SAC**.

**SA 19 – Land south of Crawley Down Road, Felbridge**

We recommend a requirement be included for this development to contribute to the existing strategic solution in accordance with District Plan Policy **DP17: Ashdown Forest SPA and SAC**.

We support the requirement of this allocation to provide suitable SuDS and greenspace to address potential impacts on the Hedgecourt Lake SSSI.

**SA 20 – Land south and west of Imberhorne Upper School, Imberhorne Lane, East Grinstead**

We support the requirements of this allocation to provide an appropriately managed strategic Suitable Alternative Natural Greenspace (SANG) to mitigate increased recreational disturbance on Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC); such a SANG proposal must be considered in accordance with District Plan Policy **DP17: Ashdown Forest SPA and SAC**.

We also support the requirement for potential impacts of development on Hedgecourt Lake SSSI to be understood and adequately mitigated.

We also support the requirements regarding nearby ancient woodland in line with Natural England's [standing advice](#).

**SA 22 – Land north of Burleigh Lane, Crawley Down**

We recommend a requirement be included for this development to contribute to the existing strategic solution in accordance with District Plan Policy **DP17: Ashdown Forest SPA and SAC**.

**SA 25 – Land west of Selsfield Road, Ardingly**

We recommend a requirement be included for this development to contribute to the existing strategic solution in accordance with District Plan Policy **DP17: Ashdown Forest SPA and SAC**.

We support the requirements of this allocation to undertake a LVIA to consider potential impacts on the special qualities of the High Weald AONB.

**SA 26 – Land south of Hammerwood Road, Ashurst Wood have**

We recommend a requirement be included for this development to contribute to the existing strategic solution in accordance with District Plan Policy **DP17: Ashdown Forest SPA and SAC**.

We support the requirements of this allocation to undertake a LVIA to consider potential impacts on the special qualities of the High Weald AONB.

**SA 27 – Land at St. Martin Close, Handcross**

We support the requirements of this allocation to undertake a LVIA to consider potential impacts on the special qualities of the High Weald AONB.

**SA 28 – Land South of The Old Police House, Birchgrove Road, Horsted Keynes**

We recommend a requirement be included for this development to contribute to existing strategic solution in accordance with District Plan Policy **DP17: Ashdown Forest SPA and SAC**.

We support the requirements of this allocation to undertake a LVIA to consider potential impacts on the special qualities of the High Weald AONB.

**SA 29 – Land south of St. Stephens Church, Hamsland, Horsted Keynes**

We recommend a requirement be included for this development to contribute to the existing strategic solution in accordance with District Plan Policy **DP17: Ashdown Forest SPA and SAC**.

We support the requirements of this allocation to undertake a LVIA to consider potential impacts on the special qualities of the High Weald AONB.

### **SA 32 – Withypitts Farm, Selsfield Road, Turners Hill**

We recommend a requirement be included for this development to contribute to the existing strategic solution in accordance with District Plan Policy **DP17: Ashdown Forest SPA and SAC**.

We support the requirements of this allocation to undertake a LVIA to consider potential impacts on the special qualities of the High Weald AONB.

## **Comments on Development Policies**

### **SA38: Air Quality**

Whilst we support the requirement of this policy for applicants to demonstrate there is not an unacceptable impact on air quality resulting from their proposals we recommend the following change in wording to strengthen the protection of designated sites.

*“Development proposals that are likely to have an impact on local air quality, including those in or within relevant proximity to existing or potential Air Quality Management Areas (AQMs) or **designated nature conservation areas sensitive to changes in air quality**, will need to demonstrate measures/ mitigation that are incorporated into the design to minimise any impacts associated with air quality.*

We recognise there is specific wording established for air quality impacts for Ashdown Forest and this suggestion is additional for any other relevant sites which could be potentially impacted by changes to air quality.

## **General comments**

### **Biodiversity net gain**

We strongly support the requirements of all allocations to ensure there is a net gain to biodiversity as well as the general principle for site allocations to: *“Conserve and enhance areas of wildlife value and ensure there is a net gain to biodiversity, using the most up-to-date version of the Biodiversity Metric. Avoid any loss of biodiversity through ecological protection and enhancement, and good design. Where it is not possible, mitigate and as a last resort compensate for any loss. Achieve a net gain in biodiversity (measured in accordance with Government guidance and legislation), for example, by incorporating new natural habitats, appropriate to the context of the site, into development and designing buildings with integral bat boxes and bird nesting opportunities, green/brown roofs and green walling, in appropriate circumstances in accordance with District Plan Policy”.*

We would still however recommend that your DPD should include requirements to monitor biodiversity net gain. This should include indicators to demonstrate the amount and type of gain provided through development. The indicators should be as specific as possible to help build an evidence base to take forward for future reviews of the plan, for example the total number and type of biodiversity units created, the number of developments achieving biodiversity net gains and a record of on-site and off-site contributions.

We recommend that Mid Sussex District Council works with local partners, including the Local Environmental Record Centre and Wildlife Trusts, to share data and consider requirements for long term habitat monitoring. Monitoring requirements should be clear on what is expected from landowners who may be delivering biodiversity net gains on behalf of developers. This will be particularly important for strategic housing allocations, and providing as much information on monitoring upfront as possible will help to streamline the project stage.

## **Water efficiency**

Your Authority contains areas of Serious Water Stress as designated by the Environment Agency. For developments in Southern Water Services drinking water supply area Natural England recommends water efficiency policies should be developed to support Southern Water's "Target 100".

This target, of 100 litres per person per day by 2040 has been identified by Southern Water to avoid the need for water supply options that are likely to damage biodiversity or/and effect protected landscapes. For development in other companies' supply areas Natural England supports the Environment Agency's recommendation of a maximum of 110 litres per person per day.

Water efficiency measures will help reduce the current impact of water resources on the natural environment and thereby contribute to more resilient landscapes and seas, one of the aims in Natural England's 'Building partnerships for nature's recovery: Action Plan 2020/21'<sup>1</sup>. Reducing the water we use will also contribute to the Government's 25 Year Environment Plan aspirations for clean and plentiful water and to restore sustainable abstraction.

### **Soil**

Soil is a finite resource, and fulfils many roles that are beneficial to society. As a component of the natural environment, it is important that soils are protected and used sustainably.

The DPD should recognise that development (soil sealing) has a major and usually irreversible adverse impact on soils. Mitigation should aim to minimise soil disturbance and to retain as many ecosystem services as possible through careful soil management during the construction process.

Soils of high environmental value (e.g. wetland and carbon stores such as peatland) should also be considered to contribute to ecological connectivity, as such these soils should be conserved and protected from negative impacts.

We recommend that allocation policies refer to the [Defra Code of practice for the sustainable use of soils on construction sites](#).

### **Comments on HRA**

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of this DPD in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the implementation of this DPD will not result in adverse effects on the integrity of any of European sites in question.

Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, chiefly changes in air quality and increased recreational disturbance, Natural England advises that we concur with the assessment conclusions, providing that all required mitigation measures are appropriately secured in any future planning permissions given.

### **Comments on SA**

We have no specific comments to make regarding our statutory remit and your sustainability appraisal.

If you have any queries relating to the advice in this letter please contact me on 07554226006 OR 02080266551.

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<sup>1</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/906289/natural-england-action-plan-2020-21.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/906289/natural-england-action-plan-2020-21.pdf)

Should the DPD change significantly, please consult us again.

Yours faithfully

Nathan Burns  
Area Team 14 - Kent and Sussex