



7 JAN 2013

REP 683

MATTER 2

Lynette Duncan  
Programme Officer  
C/o Hastings Borough Council  
Aquila House  
Breeds Place  
Hastings East Sussex TN34 3UY.  
1/1/2013.

Reference: Statement for the attention of Inspector Richard Hollox BA (Hons). BSc (Econ).

Dear Lynette Duncan

Thank you for previous two Letters unfortunately I was not well for a period before Christmas and was unable to correspond but I was able to attend the rather small meeting in the Stade Hall on the 13<sup>th</sup> December 2012.\* A very small attendance for such an important event\*.

At Question time Inspector Hollox informed me that I must forward any concerns I had in the form of a statement addressed to the Programme Officer.

#### STATEMENT

1. At Question time on the 13 of December 2012, I asked the following question.

Could the Inspector give an assurance that the New Borough Plan would guarantee the Legal protection that Parliamentary Acts and wildlife legislation gave to protected Species of wildlife.

- On sites right across the Borough, it is a fact that covert schemes to eradicate whole populations of protected species of wildlife by starvation have taken place.
  
- The Inspector might ask Mr Davidson did 800 Common Lizards perish at Fairlight, the Lizards were translocated to alien territory (all wild animals are food specific to their home Territory)
  
- The Inspector might also be mindful and ask to see the annual Monitoring reports. (*Since that gross cruelty took place representations to Natural England persuaded Natural England to change, their guidance polices; now Native Reptiles and Amphibians must be accommodated on parts of the original habitat. ( Society Field Officers are unable to find any evidence that the above requirement is taking place)* *page one*

➤ The Section dealing with the Natural Environment and wildlife legislation in the 2004 Borough Plan is very clear, but totally ignored by the Councils Planning team and certain Developers resulting in the eradication of whole populations of protected species of wildlife. All decisions start and end at the Boroughs Planning Department.

➤ An approach to the Police goes as far as *“well they have got planning permission from the Council and will build all over that site so there’s nothing we can do sorry”*.

*Natural England tells us “They have got full Planning Consent so we are obliged to give them Licences to exclude Badgers”. On a number of occasions, it would be far kinder to put animals to sleep rather than have marauding clans of starving badgers continually Destroying Neighbouring Properties.!*

➤ To the best of my knowledge, I wrote clear detailed phraseology on 21 of the points raised by the Council in the original Questionnaire.

➤ Stephanie Roots Senior Planner – Planning Policy (a local Lady?) who knows the area and our problems? Kindly Retyped out my 21 genuine concerns where the Council Officers had not addressed the issues in a reasonable understandable manner in most cases not at all.

It is very difficult to understand how after raising twenty-one very serious issues as being unsound **“NOT FIT FOR PURPOSE”** would be a more correct phraseology to use. Hastings is a very old Unique Seaside town, Unique in every sense of the word. Built on seven water washed hills leading up to the ridge, the steep sided gylls and the Glens that expand and gently slope down to the sea are still traceable today. The unique problems such as extremely unstable areas where the Fairlight Clays are situated associated with other unstable material reaching down to the Purbeck Bedrock some 300ft in some areas has caused serious house building problems that are still on-going.

- I am at a loss to understand how I am included only in The Secession Tuesday 5<sup>th</sup> February at 2pm at the Town Hall.
- 1. It brings to mind who is it that decides why and what.
- 2. I am very concerned that the unique features of Hastings do not fit into any National Policy! Where else can you find a main arterial road running east to west the whole length of town dividing the seafront from the rest of the town?

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- 3. Hastings was a very successful Seaside resort, a marvellous place for visitors to enjoy a two weeks stay and enjoy the coastal walks, and then move on to Eastbourne for walks across the Downs. Because Hastings countryside is figuratively speaking publicly owned Countryside, Towns people from all over Kent came here for countryside relaxation. I used to meet hundreds of them in the Country Park at Fairlight for my walks on Sundays. Kent is very different mainly privately owned. The High Car parking fees and the attitude and actions of our present Planning Team is destroying the attractive features of our unique one sided town ( the sea takes up the other half)
- 4. I am happy to attend that single meeting LISTED as MATTER 2:
- I would expect to address the Inspector with my concerns. Please advise me if I have the situation wrong.
- **INFRASTRUCTURE and MONITORING.**  
Will this meeting essentially cover the cessation? Of our present Planning Team's noncompliance with Wildlife Laws and Legislation and formulate a plan guaranteeing the future welfare of wildlife both resident and on passage through the Borough.

**Present problems not taken into account: -**

- **A. The infrastructure across the Borough is mainly of Victorian design and materials. The Specialist outside Planning Team has shown no regard or respect of the situation at present or how the town will be affected in the future. Sewage leaks are becoming more serious as the months go by. It is possible for people to show the inspector affected areas. The greatest worry is the Pumping Station at Rock-Ore, when we have more liquids than the pipe leading to the Pebsham Sewage Treatment plant can accommodate the sewage is allowed to be poured into the sea, where has the Specialist Team allowed provision for the extra Housing planned in sewage and surface water treatment terms.**
- **Already we have very serious Infrastructure problems on the western areas of the Borough. The Combe Haven Stream/River serves a total area much larger than the whole Borough of Hastings, stretching from Ravensdale/South Pebsham (the old Gorringe stream) swing north to the new Housing Estates at Pebsham. Then the Powder Mill Stream from Battle runs through Crowhurst leading into the Combe Haven Stream. Streamlets come down from Baldslow/ Seven Acre Close. All the New Housing developments at Beauport any surface water problems flow down through the Ancient Woodland known as Church in the Wood/Robsack Wood into Wishing tree Reservoir and follows down into the Haven Stream. Holington Stream joins the Haven River at Bexhill Road. The Outfall Works at Bulverhythe were constructed in 1886 and have not been altered since that date. The Pebsham Tip considered being the sixth largest waste material dump in the Country, filled a very interesting large deep valley that until waste was deposited there, the valley formed an important containment area for rainwater as part of the Combe Valley Flood plain.**

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- **We are now advised that our properties be now in a flood plain. The problem is entirely man made. The size of the water containment area is now less than twenty-five per cent of the original Combe haven Flood plain. The present problems being entirely man made and not due to any natural causes. Any more Development sites will only increase the risks of flooding. Property owners and their insurance Companies will be in a position to sue Hastings Borough Council/ The Environment agency/ Southern Water for all types of damage to their Properties caused by surface rainwater flooding.**

- **To conclude the Statement:**

**I wish to point out that it has come to my attention that the Government has removed the Grants that Hastings Council has relied on, making Hastings the Poorest Local Authority in Sussex. I understand that redundancy notices will issued to serious numbers of staff shortly. This information will affect Hastings Council's Plans for the future.**

**Being a deprived area income must be spent more wisely.**

**As the Waste Tip closes down the income generated each year from this site will also vanish.**

**To date Planners have put in place Conditions and 106 Agreements, Developers, Councillors and Objectors to the original arrangements considered the Conditions and Agreements acceptable.**

**The developers follow their original schemes ignoring all The Conditions and 106 Agreements.**

**The Enforcement team and Planning Team take no actions; The Developers give a very loud thank you to the planning team, leaving the Objectors furious with their local Councillors. Leaving Wildlife both Flora and Fauna in deep decline, inducing' starvation, ending in gross cruel eradication. In many instances, the 2-hectare green space located within 300 meters of peoples from door has disappeared. Mr Crawford's remark is "sorry we missed that one".**

**All the above are factual remarks concerning Planning Application Sites across the Borough and can be proved as true concerns and comments.**

**Signed**

**Don Wise**

**Retired Qualified Farm and Estate Manager, President of Hastings Badger Protection Society.**



## **WITH COMPLIMENTS**

**“To live in Harmony with all our fellow creatures  
Should be our first priority”**

**Human Society's future is at stake.**

**Wildlife Conservation and welfare is crucial  
In helping to maintain Man's future existence.  
The built Environment is over expanding into the  
physical Environment at such a fast rate that food  
production and other natural resources in this country  
is rapidly diminishing, the escalating costs are totally  
unacceptable.**

**The Following is a brief summary of the important Legislation that we  
must all observe regarding Wildlife Conservation Issues: -**

**\*\*\* PPGS9 All Planning Polices and planning decisions should aim to  
maintain and enhance, \* restore \* or add to the Biodiversity and  
Geological Conservation Interests. With the express intention that HARM  
to these resources “must be prevented Hastings Council Signed and  
accepted The Animal Welfare Charter Agreement in 2002 but the Planners  
are totally ignoring many of the sections affecting Wildlife Conservation.  
(This is not a legal Option).\***

**All Employees/ salaried Staff and Councillors are obliged to observe and  
respect the Charter signed in 2002, as a whole not just choose.**

**The Hastings Borough Plan 2004 paying particular attention to species  
protection 8a Nature Conservation, Sections 8.32 8.33 and 8.34 Pages 119  
and 120. (Of special concern to councillors on the Planning Committee\*\*\***

**Continued....**

## Section 2.

**The 1992 Badger Protection Act.**

**Check on Current Natural England's various guidance literature now being updated more frequently for, Housing Projects, badger sett use. Receptor sites for Native reptiles and much more.**

**The 19981 Wildlife and Countryside Act.**

**The 1996 Animal Welfare Act.**

⌘ **The Animal Welfare Act 2006 ANY Wild animal becomes a protected animal when Man CONTROLS the movements of that animal whether on a temporary or permanent basis.**

⌘ **Bat Foraging and HABITAT now receives full protection.**

⌘ **The Bird Nesting Season starting each year at the beginning of March and ends in August of each year. (It is illegal to cut trees or hedges and such like areas, that would interfere with nesting birds) during the intervening months.**

**SINCE 2008 It is Mandatory to furnish a full in depth Wildlife/Ecological Survey “with all” Planning Applications!!**

### **Reference publications**

**The Planning for Biodiversity Good Practice Guide.  
Urban Environment and Wildlife Law.**



**Many other works are and not helpful. now out of date**

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**All Wildlife Laws and legislation also applies equally to the Police, Natural England, Developers and in particular owners of properties or Parcels of Land.**