

Date: 3rd July 2008
Our ref: LDF/Hastings/CS/Preferred
Approaches
Your ref:



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Dear Ms Jackson

**Hastings Borough Council
LDF Core Strategy, Preferred Approaches**

Thank you for your letter dated 12 May 2008 asking for Natural England's comments on the above document. We welcome the chance to comment on the Hastings Borough Local Development Framework. This letter and the attached document form Natural England's formal comments. We have set these out in accordance with the set of questions provided by you for consultation purposes and in order that they appear in the document.

We have given particular attention to the likely effects of the plans or programmes on biodiversity, flora, fauna and landscape. We have also considered the likely effects on soil and water in so far as these are necessary to support the biodiversity, flora and fauna.

For the avoidance of doubt, Natural England's opinions do not affect our obligation to advise on, and potentially object to any specific development proposal which may subsequently arise from this or later versions of the plan or programme which is the subject of this consultation.

We refer the Council to *Environmental Quality in Spatial Planning* a document produced jointly by the then statutory agencies, the Countryside Agency, English Nature, English Heritage and the Environment Agency in June 2005.

Thank you for the opportunity to comment on the LDF. We understand that comments made at this stage will not be taken forward as representations to be considered at the independent examination and therefore we would expect to be consulted again on the Core Strategy. We hope you have found our comments useful and we look forward to receiving the final Core Strategy Document.

Please do not hesitate to contact me if you require further information or clarification of any of the points raised.

Yours sincerely

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Comments on Hastings Core Strategy Preferred Approaches

Spatial Portrait for Hastings

Character of Hastings

2.5 The green space within and surrounding Hastings should be promoted as assets to the Borough rather than as constraints to development.

The Vision for Hastings:

4.3 We generally support the vision for Hastings but believe greater emphasis should be placed on the conservation and regeneration of the natural environment and the importance it plays in contributing to the quality of life of the Hastings community now and in the future.

PPS1 states; 'The condition of our surroundings has a direct impact on the quality of life and the conservation of the natural and built environment brings social and economic benefits for local communities'.

The vision should highlight the benefits and importance of green space, within and surrounding the Borough. Emphasis should be given to the conservation and enhancement of the natural environment so that it can be enjoyed by future generations.

Vision Statement:

4.7 We support the high importance placed on sustainable growth and accessibility and the use of sustainable construction methods and materials using local sources wherever possible. We encourage the use of sustainable drainage systems (SUDs), for example balancing ponds, reed beds, porous paving. We also support renewable energy where appropriate.

4.13 We support the importance placed on the provision of quality and **accessible** open spaces to promote the health and wellbeing of Hastings residents.

Strategic Objectives:

5.4 We will work with developers and partners to support planned employment and **quality** housing growth through the provision of infrastructure and services including the education facilities, healthcare provision and transport.

Planning authorities should seek to enhance the environment as an integral part of development proposals, building in biodiversity and ensuring a 'good fit' into its setting and the wider landscape based on landscape character assessment. New development should aim to avoid significant adverse effects on the environment where possible. This is in compliance with PPS1 Creating Sustainable Communities and PPS9 Nature Conservation.

Regeneration, housing and employment:

Objective 2: Additional residential provision should be of high quality with green infrastructure integral to design. Providing links for biodiversity and people to local neighbourhoods and out to the open countryside

To comply with the PPS 9 requirement to enhance wherever possible, Natural England recommends that a policy is put into place requiring **all development** within the District to incorporate measures to protect and enhance biodiversity. These measures should represent a significant benefit in terms of nature conservation. Some examples of this are:

- Green roofs
- Bat boxes and bricks in appropriate locations
- Bird boxes and appropriate hedgerow and tree planting where these are absent from a development area.
- Landscaping of local provenance in new developments
- Creation of ponds and small water bodies as long as they are not at the expense of existing wetlands
- Habitat creation in larger developments particularly to meet the requirements of Biodiversity Action Plan priority habitats and species of principal conservation interest (UK steering group 1994; ODPM 2005).

Enhancement should be additional to those measures required to mitigate for loss of biodiversity or mitigate for potential impacts upon designated sites of protected species which should be included in all relevant developments as a matter of course.

Objective 3: It would be useful to have an explanation of the findings of studies in support of the critical success factor for the provision of 60,500m² of modern, purpose built industrial and warehouse floorspace on land outside of the town.

Objective 4: Prioritise the use of previously developed land **unless the conservation and amenity value is of substantive local interest.**

The redevelopment of previously developed land makes a major contribution to sustainable development by reducing the amount of countryside and undeveloped land to be used. However these sites can be of high biodiversity value (PPS9, paragraph 13).

Disused allotments, cemeteries and other green spaces within built up environments often provide an important refuge for wildlife and can significantly add to quality of life. These sorts of urban green spaces should not be targeted for development without a prior survey of their biodiversity and recreational potential.

We are pleased to note that such open spaces will be identified on the Site Allocations Development Plan Document and that they are identified in *Preferred Approach 40: Open Spaces-Enhancement, Provision and Protection*, as areas which will be protected from development detrimental to their character or biodiversity interest.

Transport and accessibility:

Objective 7: Natural England has objected to The Bexhill to Hastings Link Road which is named as a critical success factor under this objective. We are working closely with East Sussex County Council to resolve outstanding issues with this proposal.

Objective 8: We support the promotion of sustainable alternatives to travelling by car including improved cycle and public transport routes.

Deficiencies in public rights of way networks should be identified and opportunities to develop routes for walking and cycling which link with public transport and access to the countryside maximised.

Quality of Life and Health:

Objective 9: We generally support this objective including the proposed cycleway.

Objective 10: Support the provision of sport leisure and cultural activities partly facilitated by the creation of Pebsham Country Park.

Objective 11: The establishment of multifunctional greenspace and cycle and pedestrian routes is to be commended (Please refer to our comments at point 6.44 *Greenspace and Leisure* and our comments to Approach 40: *Open Space*).

Accessible natural greenspace is an important component of the multifunctionality of recreational greenspace and has been proved to have a beneficial effect on people's health and well being.

We strongly support the establishment of a green network which promotes biodiversity. However we feel that this objective would sit better within the Environment and Sustainability theme as indicated below.

Environment and Sustainability

Objective 12: We are disappointed that this section fails to mention biodiversity, which should be at the heart of any objective relating to environment and sustainability.

Hastings has a good network of Local Nature Reserves (LNRs) and Sites of Nature Conservation Interest (SNCIs) which have the potential to provide essential stepping stones for the migration, dispersal, genetic exchange and daily movement of wild species. Maps should be provided to show the location and boundaries of these areas so that they can be protected and enhanced.

The Core Strategy Preferred Approaches gives much emphasis to regeneration. We support the delivery of high quality developments in sustainable locations which promote the use of renewable energy where appropriate. In order to be sustainable this cannot be at the expense of biodiversity and wildlife.

The location of renewable energy should work within the capacity of the landscape, natural habitats and culture of a site and its zone of influence. Wind energy should have regard to design, scale, visual impact, tranquillity issues and impacts on designated landscapes. Cumulative impacts on the environment including ancillary development e.g. power lines should be taken account of.

We are highly concerned that the Core Strategy contains no clear **objectives** relating to biodiversity and this needs to be urgently addressed.

Objective 13: We support the promotion and management of the town's unique cultural heritage, historic buildings and natural landscape.

Landscape and green infrastructure should be highlighted as important assets which contribute to quality of life and have an important role in attracting business to the area promoting social and economic benefits.

We are concerned that the critical success factor for this objective mentions improving opportunities for informal recreation at Hastings Country Park. Hastings Country Park is a SSSI and in part a Special Area of Conservation (SAC). It is currently suffering from footpath erosion partially due to visitor pressure. Existing numbers of visitors need to be addressed and access managed before aspirations to increase visitor numbers are considered.

More detailed maps illustrating cycle routes should be provided because of potential impacts on the SAC /SSSI.

We are highly concerned there is are no objectives for Climate Change included in this theme, especially given the coastal location. The establishment of a Multifunctional Greenspace Strategy would be a key consideration.

Summary Spatial Strategy

Maps need to be provided showing details of employment and housing land with respect to designated sites and landscapes. This should include International, national and locally important sites.

Land for Employment, Retail and Education

6.9 This area of Hastings encompasses Marline Valley Woods Site of Special Scientific which should be identified as a key consideration for any future proposals. The provision of 18,500 m² of business floor space along the site at Queensway would appear to conflict with aspirations for an enviro-economic corridor. This is due to the fact the land in question encompasses greenfield sites in sensitive locations adjacent to Marline Valley Woods SSSI.

Land for Housing

6.19 The proposed site for contingency housing appears to be north of land adjacent to Marline Valley Woods Site of Special Scientific Interest (SSSI). Natural England is minded to **object** to this site as an allocation for development. This is due to potential adverse impacts on the SSSI as detailed in our comments on section 7.14 *Preferred Approach 1: Location of New Housing*.

The map provided within the Core Strategy Preferred Approach Document appears to include part of the SSSI within the development area and is not consistent with the identification of the area shown within the summary leaflet.

Assessing impacts on a SSSI is a fundamental requirement when assessing such allocations and Natural England advises that boundaries of statutory protected sites are incorporated into such maps. PPS9 is clear that SSSIs should be given a high degree of protection under the planning system and planning authorities should seek to ensure that policies are in place to protect and enhance nationally important habitats into the future.

The site, as illustrated on the map, also appears to include areas of ancient woodland.

All woodlands, both protected and unprotected, should be identified by a Local Development Framework Proposal Map and related policies should protect them from development to ensure there is no loss of woodland habitat. This is in accordance with PPS 9 paragraph 10.

Natural England would advise a policy protecting ancient woodland should be included in the Core Strategy.

Managing and implementing Change Community Infrastructure

6.43 We support the inclusion of a Supplementary Planning Document (SPD) to support policy on developer contributions towards community and infrastructure. This could include provision for green infrastructure and building in beneficial biodiversity enhancements as part of good design.

Greenspace and Leisure

6.44 We highly commend the identification of a network of green spaces throughout the town. The proposed improved cycle and pedestrian networks linking these areas could provide opportunities to incorporate networks of natural habitats to provide additional routes for the migration, dispersal and genetic exchange of species in the wider environment.

We highly recommend that a Green Infrastructure Strategy should be produced to inform biodiversity networks as outlined in PPS9 paragraph 12.

We acknowledge that saved policy NC7 of the local plan provides protection for a green network from development, however this may need updating and the following statement provides strong guidance on what should be included.

Natural England - Support for Multifunctional Green Networks Policy

This statement confirms Natural England's strong support for the adoption of the Multifunctional Green Networks strategy within local planning policy. It is Natural England's view that the policy as outlined below presents a powerful strategic tool which also concurs with Natural England's strategic outcomes and specific objectives. Further to this the policy both accords with, and facilitates, the implementation of national planning policy and principles such as PPS9, PPS25 and Biodiversity Action Plans.

The policy has been produced by members of the Sussex Environment Partnership. The adoption of this policy by Local Planning Authorities would provide an innovative, considered approach which would achieve the following:

The sustainable development and management of land

The provision of inter-linking and clearly mapped natural greenspace as standard within planning design which feeds into the identified wider ecological network.

The Identification and securing of important functioning habitat networks into the future.

The provision of access to, and enjoyment of, natural green space.

The reversing of the effects of habitat fragmentation and isolation thus aiding the future adaptation of habitats and species to the effects of climate change.

The approach would therefore enable future individual planning applications to provide green infrastructure which enable landscape-scale nature conservation targets to be met. Natural England is of the opinion that such a policy is applicable to a suite of key issues which need to be addressed and actioned in Local Development Frameworks. We strongly advise that both the policy and ways in which it will be implemented, are included within core strategies of Local Development Frameworks.

The policy is as follows:

We aim to establish an ecological network/a multifunctional green network to conserve and enhance our priority natural areas and the connections between them.

The network will ensure that everyone has access to natural open space, and will maximise opportunity to conserve and enhance biodiversity, whilst delivering ecosystem services (e.g. sustainable drainage and flood storage), that contribute to sustainable development. New development will contribute to this network.

The establishment of an ecological network will be achieved through:

1) Mapping of areas that could contribute to the network e.g. natural green space, floodplains. Opportunities for future expansion and enhancement will then be identified in line with national guidance, e.g. UK BAP, PPS9, PPS25 etc.

2) Creation of a scheme for achieving this network through the life of the plan, by (either/or/both):

a. Multifunctional green space being provided within and around developments, with appropriate linkages to the existing/future network. Green space area and network additions to be proportionate to the size/cost of development.

b. A green network fund to be administered (by council/independent local body), with financial contributions to be proportionate to the size/cost of development.

3) *The expanding network will be mapped, monitored and protected from future development.*

Environmental Sustainability and Design

6.47 We welcome policies which promote environmental sustainability which should also take account of the guidance provided on Objective 2: *Regeneration, housing and employment*: to incorporate opportunities for biodiversity enhancement as part of building design. This should be fed through to Preferred Option 44: *Sustainability and Design*.

We look forward to seeing further details included on sustainable housing and climate change.

Chapter 1

Location, Scale and Type of Major Development

Preferred Approach 1: Location of New Housing

7.14 The possible allocation of a greenfield site at Breadsell Lane to accommodate 1000 new homes raises concern. This site is adjacent to Marline Valley SSSI and on the boundary of The High Weald Area of Outstanding Natural Beauty.

Full consideration should be given when assessing site suitability to the impacts on these highly valued designated sites; taking into consideration other potentially damaging plans or projects. (In this case this should include the proposals for the Hastings to Bexhill link road, the environmental corridor along Queensway and the proposal for development at Wilting).

Paragraph 8 of PPS 9 is clear, planning permission should not normally be granted on land within or outside of a SSSI if it is likely to have an adverse effect (either alone or in combination with other developments).

Natural England is highly concerned about the nature and location of this option and we would be minded to **object** to any future application to develop this area. The application site is directly adjacent to Marline Valley Woods SSSI. Any application for housing in this area has the potential to adversely effect the SSSI in the following ways;

1. Hydrological Impact – Impacts of the quality and quantity of water feeding into the gill streams within the woodland. These support nationally important bryophyte assemblages within the SSSI.
2. Increased visitor disturbance
3. Fragmentation of the SSSI – severing biodiversity links to the wider environment, isolating genetic reserves of flora and fauna.

Preferred Approach 2: The Re- Use of Previously Developed Land

7.19 We generally support the re-use of previously developed land to help regeneration within the town and preserve existing greenspaces. Please refer to our comments on Objective 4 above.

Preferred Approach 3: Employment Locations

Maps need to be provided to show the location of existing and planned industrial premises and employment sites as part of the Site Allocations Development Plan Document.

We would urge the authority to secure comprehensive measures to include green infrastructure and biodiversity enhancements in all new commercial development and redeveloped sites.

Preferred Approach 19: Wilting

You have asked for views on the concept of a development at Wilting, an option which may be taken forward by Rother District Council.

From the maps provided it appears to include part of Combe Haven SSSI, it is also adjacent to Marline Valley Woods SSSI. Natural England would **object** to the site allocation at this stage due to the lack of information provided. We require further information detailing the exact location with respect to the SSSI in order to provide more substantive comments.

Preferred Approach 30: Strategic Road and Rail Schemes

We are unable to comment further at this time on the proposed Bexhill to Hastings Link road as Natural England has recently raised an objection to the proposal.

Nature Conservation and Improvement of Biodiversity

20.2 We support the various strategies set out in Hastings Biodiversity Action Plan 2006 to protect and enhance the most important sites and habitats and the promotion of biodiversity within the Borough.

The Core Strategy Preferred Approach to Nature Conservation and Biodiversity Improvement policy should provide a clearer emphasis on the protection and enhancement of nationally and internationally designated sites, which can enable the aims of the BAP to be realised.

The Core Strategy should have policies relating to BAP habitats and species

We would urge the council to consult the Borough Ecologist Murray Davidson on these matters.

20.3 Development proposals should be tested against an approach that avoids harm to the environment wherever possible, if necessary by choosing an alternative location. Then unavoidable harm should be minimised by mitigation measures and any residual harm that cannot be mitigated for should be offset by compensation and then seeks new benefits.

A logical approach to the sequence of avoidance, mitigation and compensatory measures should be put in place to steer LDF policy.

PPS 1 states that 'planning should seek to maintain and improve the local environment and help to mitigate the effects of declining environmental quality through positive policies on issues such as design, conservation and the provision of public space. With a recognition of the limits of the environment to accept further development without irreversible damage.'

20.4 Hastings Borough Council are to be commended for the recognition they give to the outstanding natural environment of their borough.

It would be advisable to specifically name the three nationally important Sites of Special Scientific Interest sites and ensure that they are clearly mapped on future development plan documents including the site allocation document.

There is no acknowledgement here of the High Weald Area of Outstanding Natural Beauty which surrounds the Borough or how it will be protected.

The Countryside and Rights of Way Act 2000 confers a statutory purpose to conserve and enhance the natural beauty of all Areas of Outstanding Natural Beauty (AONBs). The protection of these special quality landscapes is becoming increasingly important as landscape diversity and local distinctiveness decrease. 'Natural beauty' includes plants and wildlife found in AONBs, together with characteristic rocks and landforms that give AONBs their scenic beauty and tranquillity. Human influences have often helped shape or create this natural beauty.

Sustainability Indicators

'Local Development Framework Monitoring: A Good Practice Guide' (ODPM 2005) states that the monitoring of LDFs should be "*consistent with national and regional monitoring: approaches should be consistent with those used to monitor spatial planning across England at national, regional and sub-regional levels. This suggests using the same information and methods of analysis, particularly those used to prepare regional spatial strategies (and any sub-regional components) and regional annual monitoring reports*".

In accordance with the guidance above Natural England considers that it is important that indicators chosen for monitoring the performance of LDFs reflect those used in planning at the regional scale. Therefore Natural England strongly recommends that indicators and targets are developed to reflect the following:

- Extent and condition of SSSIs
- The extent and condition of key relevant BAP habitats for which BAPs have been established.
- The extent and condition of ancient woodland
- Number of developments meeting Natural England's published Accessible Natural Green Space targets (ANGSt) standards (Section 1.7 above)
- Wild Bird populations – however, Natural England recognises that these are not readily available at Borough level. Information on national trends on populations of wild birds can be obtained from the British Trust for Ornithology.
- Designated wildlife sites – their area and condition – including internationally, nationally and locally important sites (such as LNRs and SNCIs).

Hastings Core Strategy Appropriate Assessment

Natural England is of the opinion that the appropriate assessment is lacking in detail. It is not clear from the information provided how the Council can reach with confidence certain decisions regarding any likely significant effect on the integrity of the various internationally protected sites contained within the appropriate assessment.

It is particularly unclear how you have considered in-combination effects of the plan with other plans. This of particular concern regarding Pevensy Levels and the potential for adverse effects borne from an increase in air pollution.

Natural England strongly advises that the appropriate assessment contains this level of information. This is required both for clarity and confidence of conclusions drawn from the assessment findings.

Below forms bulleted points of parts of the assessment which require more substantive comments.

Appendix A

- How will the preferred approach requiring 60% of development on previously developed land result in a clear strong positive for Hastings Cliffs SAC?
- Pevensy Levels should be included as a potential effect in screening Appendix A for new developments due to the potential for commuting traffic in and out of town along roads adjacent to Pevensy Levels.

- Further explanation is required regarding how Ore Valley Millenium Community will produce strong positive effects on Hastings Cliffs. The development of 800 homes in the vicinity of the international site.could increase recreational pressure in the SAC. How will this be mitigated?
- How will the development of Pebsham Countryside Park produce strong positive effects for Dungeness to Pett Level SPA and Dungess SAC?

Appendix B

Hastings Cliffs-Mitigation

Natural England has the following questions relating to this section.

- When is it anticipated that Pebsham Country Park will be completed?
- I refer you to Natural England's comments relating to The Core Strategy Preferred options policy regarding *Nature Conservation and and Improvement of Biodiversity*. This policy is currently inadequate and will not mitigate for potential adverse impacts on Hastings Cliffs SAC.
- How will car parking in the town centre mitigate for potential impacts on Hastings Cliffs SAC?
- Natural England requires additional information on how the provision of a park as part of the Ore Valley development will mitigate for the potential impacts of recreational pressure on Hastings Cliffs SAC. How will the park attract local residents in preference to the well-used tourist attraction of the Country Park?
- How will the implementation of the Hastings and Bexhill Link Road mitigate for potential adverse effects on Hastings Cliffs SAC?

Pevensey Levels Ramsar

Potential impacts

Natural England advises that the in-combination impact of Air Pollution on Pevensey Levels Ramsar is considered. This has not been included in the Possible Impacts Column and this needs to be addressed. The impact should be considered in-combination with respect to an increase in air pollution along roads adjacent to Pevensey Levels Ramsar. No mitigation has been suggested for this impact.

Mitigation

Again we reiterate our comments with respect to Hastings Cliffs SAC. Further explanation is required to ascertain how the mitigation proposed is fit for purpose. It is Natural England's opinion that the mitigation is not applicable to the potential impacts (water resources and air pollution) and therefore it cannot be concluded that there will be no residual effect on site integrity. We advise that additional information is provided and that mitigation must be fit for purpose. Furthermore we advise that Hastings Borough Council contacts Wealden District Council and Rother District Council to discuss in-combination effects.

To conclude, from the information provided it is Natural England's opinion that the conclusion of no impact on site integrity cannot be confidently reached. We advise that the information as detailed above is included in the assessment in order to more confidently conclude no likely significant impact.

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