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Lynette Duncan
Program Officer
PINS

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

T 0300 060 3900

BY EMAIL ONLY

Dear Ms Duncan

**Hastings Development Management Plan – Proposed Submission Version.
Response in respect of representations by Kember Loudon Williams regarding development
at Breadsell Lane (representations nos. 5365, 5366, 5367, 5368 and 5370)**

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.

We are aware of the representations that have been made by Kember Loudon Williams for Mr Colin Simmons objecting to the removal of Breadsell Lane from the site allocations. One of the representations states:

“We maintain our view that the removal of the site due to Natural England's objection has not been justified in evidence. Neither has a balancing exercise been undertaken to compare the undoubted benefits of a new residential development against the unknown risk facing the bryophyte population.”

Natural England has consistently opposed the development due to potential risks posed to water quality, quantity and the hydrological regime. In order for it to be shown that the development will not detrimentally affect the hydrological regime upon which the nearby Marline Valley Woods Site of Special Scientific Interest (SSSI) is dependent NE has requested monitoring to gather a baseline understanding of the site hydrology. Despite a number of years having passed since this information was requested, the necessary monitoring has not yet been undertaken.

The water management strategy previously submitted in 2012 by Monson Engineering Ltd on behalf of the landowner states that it is unreasonable for NE to object to the proposal solely on the basis of a lack of current hydrological and hydrogeological information. The strategy has then tried to set out how the use of SUDS will not change the current natural water environment. It is not possible to state with any level of certainty the full extent and impact of the hydrological changes which will result from the water management strategy without having a better understanding of the current hydrological regime. However it is possible to state that there will be significant changes and this will have the potential to impact the SSSI.

The Rigare report dated 2009 undertaken on behalf of the Council notes that the site hydrology is complex and more work is required to characterise the hydrology to a sufficient degree. It then goes on to set out detailed works which include monitoring surface water processes and water quality. Since then the size of the site has reduced and the extent and cost of this work would also be



reduced.

Whilst the proposed SUDS may have the potential to protect the SSSI from pollution the surface water strategy has singularly failed to understand the complex hydrology of the site. This failure has resulted in the proposed system failing to protect and mirror the natural environment. By properly studying and characterising the site, and then using this data to fully inform the strategy, it should be possible to produce a strategy which does not change the current hydrological and hydrogeological regime.

As previously emphasised in respect of the examination of the Planning Strategy, before it would be possible for Natural England to remove the objection to the development at least 3 years of monitoring will be required in order to develop a detailed hydrological understanding. This monitoring data will also provide a baseline against which future change can be assessed.

Due to the very close proximity of the proposed development to the SSSI, as well as existing pollution from the eastern development it is vital that the site hydrology is both understood and not significantly changed by the development. We believe this can only be done based on further monitoring work. Without this information, there is no certainty that inclusion of the Breadsell Lane site for future development would not damage or destroy the interest features of Marline Valley Woods SSSI or can be mitigated appropriately.

We would also require an assessment of the potential impacts from recreational pressure that would arise from any proposal of this significant scale and how these could be avoided or mitigated.

In his report to the Council following examination of the Strategy the Inspector dealt at great length with his consideration of and the difficulties surrounding development of land at this site. Indeed he commented widely and with some assertion upon its unsuitability at paragraphs 70 - 80 of that report. He attached considerable weight to the objection lodged at that time by Natural England and overall concluded that the important environmental role played by this "omission" site clearly outweighed any role that might be argued for it in respect of delivery of housing.

As referred to above nothing has changed our views and we are not aware of any substantive work, if any at all, that has been undertaken to alleviate our concerns. Indeed to argue for the inclusion of this large area as an omission site would be in direct conflict with the now adopted Strategy for the Borough which was itself found sound and to be fully compliant with the National Planning Policy Guidance (NPPF) following its recent examination .

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

Yours sincerely

Marian Ashdown
Senior Adviser
Sussex and Kent Team