By email only
Submitted via the online portal

Contact: Conservation Team
E-mail: swtconservation@sussexwt.org.uk
Date: 24 November 26

Rother Local Plan 2025-2042 Regulation 19 (pre-submission) version October 2026

The Sussex Wildlife Trust (SWT) recognises the importance of a plan-led system and supports Rother District Council's (RDC) desire to produce a cohesive Local Plan that responds to the Council's declared Climate Emergency. We also appreciate that conserving and enhancing the natural environment, including delivering net gains as key strategic issues for the plan.

SWT hopes that these comments are used constructively to make certain that this submission plan properly plans for the natural capital needed to support the district and ensures that any development is truly sustainable and supports nature recovery as per paragraphs 187 and 188 of the December 2024 NPPF and plan making policy CC1 of the current NPPF.

Overall, SWT appreciates that the plan contains a large number of environmental policies. We support the requirements for nature-based solutions and blue and green infrastructure delivery. SWT also supports the references to the importance of the East Sussex and Brighton and Hove Local Nature Recovery Strategy (LNRS). However, we are concerned about the level of development being proposed within the Pevensey Levels catchment and question whether this can truly be considered sustainable as required by national policy.

Part 1 – Strategic and Development Management Policies

Chapter 2: Vision, Priorities, Objectives & the Spatial Strategy

SWT strongly supports the Vision for Rother and particularly the recognition that bold solutions are needed to successfully address the climate and biodiversity emergencies, and the housing crisis. We also support the desire for the district to contribute to the UK's carbon sequestration and nature recovery goals. This is in line with the requirements of chapter 16 of the December 2024 NPPF and national plan making policies CC1 and N1.

SWT also supports the reflection of this vision into the overall priorities and Strategic Spatial Objectives for the plan.

Sussex Wildlife Trust is a company limited by guarantee under the Companies Act. Registered in England, Company No 00698851.
Registered Charity No. 207005. VAT Registration No. 191 305969. Registered Office: First Floor, The Keep, Woollards Way, Brighton, BN1 9BP

Policy SS1: Spatial Strategy for Rother
SWT supports the requirement in section 5 for growth and new development in Rother to be landscape-led with an overall pattern of development that reinforces and strengthens the natural beauty of the HWNL, protects and enhances the network of blue and green infrastructure, and responds positively to the district's network of existing settlements.

However, the significant concentration of development around Bexhill, Battle and Hastings appears to impact a lot of Areas that Could become of particular Importance to Biodiversity (ACIB). We encourage all Local Planning Authorities to identify at the earliest stages of local plan making the cumulative ecological impacts of site allocations and their potential to contribute to nature recovery. This is to ensure the plan is in line with NPPF paragraphs 159, 171 and 198, and supports the ambitions of the Environment Act to deliver the 30x30 target.

Policy SS3: Strategic Green Gaps
SWT supports the inclusion of this policy, it is necessary to ensure space for nature is maintained within the areas required to absorb the highest levels of development. It should be recognised that large proportions of all five strategic green gaps are designated as Areas that Could become of particular Importance to Biodiversity (ACIB) in the East Sussex and Brighton & Hove Local Nature Recovery Strategy (LNRS) and therefore play an important role in the district's ecological network.

ACIB identify land suited to linking fragmented habitats, creating wildlife corridors, or expanding existing priority habitats and beyond biodiversity, actions in these areas often support flood management, water quality, carbon storage, and climate resilience.

Further to this, much of the Bexhill and Hastings/St Leonards Strategic Green Gap is designated as the Combe Haven Countryside Park. As paragraph 8.14 of the Rother Green and Blue Infrastructure Study (GBI Study) states, the Combe Haven valley represents one of the most important ecological landscapes within eastern East Sussex. The valley contains a network of designated habitats including the Combe Haven Site of Special Scientific Interest (SSSI), extensive areas of grazing marsh, woodland, wetland and river habitats, and forms a key ecological corridor between the High Weald and the coast.

Chapter 5: Green to the Core

Policy GTC4: Water Efficiency
SWT strongly supports this policy. It is necessary given the water resource challenges we are experiencing in the South East and Rother District sitting in an area of serious water stress. This policy is consistent with paragraph 161 of the NPPF and the need for the planning system to take full account of all climate impacts including water scarcity.

Chapter 6: Live Well Locally

Policy DEV2: Comprehensive Development & Masterplanning
SWT supports this policy and particularly the recognition that a coordinated approach is required to the planning and delivery of green and blue infrastructure, including BNG and SuDS. This is necessary to ensure that development truly delivers for nature in line with NPPF paragraphs 187 and 188.

Policy LWL3: Active Travel, Public Transport Connections & Services Outside the Site
SWT supports the inclusion of this policy, but it should be more explicit developments must use a vision-led approach to identifying transport solutions as per NPPF paragraph 109.

Section 3 of the policy should be amended to include additional wording:

All residential development proposals of 10 or more dwellings must **use a vision-led approach to providing, or where necessary contributing** proportionately to, direct, safe, comfortable, attractive and inclusive active travel routes from the site boundary to:

Policy LWL5: Well-designed and Distinctive Places
SWT supports the inclusion of this policy and in particular the recognition that a site's constraints and opportunities may change in response to climate change and that future climate resilience should not be prejudiced. We strongly support the inclusion of criteria 5, 9 and 11. These are required to ensure development delivers for the environment in line with NPPF paragraphs 162, 187 and 188.

Policy LWL7: Streets and Public Realm for All
SWT supports the inclusion of this policy and particularly sections 7 and 8 which will help create developments that are resilient to climate change in line with NPPF paragraph 162.

Chapter 7: Natural & Historic Environment

Policy LAN1: Landscape Character & Stewardship
SWT support the inclusion of this policy and the recognition of The Romney Marshes, Pevensey Levels and undeveloped coast as distinctive landscape features. We also support criteria 4g, h and i being identified as important.

Policy LAN2: High Weald National Landscape
SWT strongly supports the inclusion of this policy. It is vital given the large proportion of the district which sits in the High Weald.

Policy LAN3: Trees, Woodlands and Hedgerows
SWT strongly supports the inclusion of this policy and particularly criteria 1.f and the need for a minimum 15m buffer. We also strongly support section 3 and the recognition that developments should link to existing green infrastructure networks and provide ecological enhancements in line with the LNRS. This will help the plan to deliver the requirements of NPPF paragraphs 188 and 192.

Deadwood is an extremely important ecological resource and we are concerned that this is not recognised in criteria 1.c.i. We believe this criteria should have the 'dead or dying' elements removed as this should not automatically mean that it is acceptable to remove a tree. The core test should only be whether the tree poses an unacceptable risk to public safety.

We ask that the criteria simply says:

c. Development which will result in damage to or loss of trees of amenity, historic, or high ecological value will be strongly resisted, unless:

i. The tree is demonstrated to pose an unacceptable risk to public safety; or

Policy LAN4: Light Pollution & Dark Skies
SWT strongly supports this policy and particularly sections 2 and 5c. This is in line with NPPF paragraph 192.

Policy ENV1: Flood Risk Management
SWT supports this policy, particularly section 1c, which requires the use of natural flood management and working with natural processes where feasible, and section 1f. This policy is in line with NPPF paragraph 172.

Policy ENV2: Protection of Water Quality & the Water Environment
SWT strongly supports this policy and particularly the reference to the East Sussex and Brighton & Hove LNRS and section 1e, which encourages proposals to take opportunities to naturalise watercourses and improve biodiversity and ecological connections of watercourses.

Policy ENV3: Sustainable Surface Water Drainage
SWT strongly supports the inclusion of this policy and the strong requirements for well designed SuDS to be integral to development of proposals. We strongly support the protections for Pevensey Levels found in sections c and g. This is necessary to ensure no adverse effects on the SAC/Ramsar.

Policy ENV4: Foul Water Drainage
SWT supports the inclusion of this policy, however we are concerned that it appears to put the use of Package Treatment Works on a level with the other criteria in the policy. Section 2c. should be strengthened to make clear that use of PTW should be a last resort and will not be supported in general. Additionally we are concerned that section 3b only refers to water quality impacts when changes in water quantity could also have potential impacts.

The policy should be amended as follows:

2c. Ensure that any development proposing to discharge to a package treatment plant is compliant with the Environment Agency's General Binding Rules **and demonstrate why connection to the public foul sewer network is not proposed.**

3b. That the development can be delivered without a negative water quality **or quantity** effect on the Habitats Sites in accordance with the Habitats Regulations. Details of the means by which any necessary protection measures will be secured for the lifetime of the development will be required as part of any application.

Policy ENV6: Rother Coastal Change Management Area
SWT supports the inclusion of this policy as a necessary step towards adaptation to climate change as per NPPF paragraph 162. However, the policy should be clearer in section 2c that development will not result in harm to coastal and intertidal habitats. This is included within the CCMA policy in the submission Hasting Local Plan and would bring the two policies into alignment. This is beneficial given that the CCMA is one continuous area along the coastline of Rother and Hasting.

Section 2c should be amended as follows:

The works are consistent with the relevant Shoreline Management Plan (SMP) and that there will be no adverse impact on the local environment, **coastal and intertidal habitats**, natural coastal processes or accelerate the rate of coastal change elsewhere;

Policy ENV7: Biodiversity
SWT supports the inclusion of this policy and particularly the references to the LNRS in sections d and f. We strongly support sections c and e and the need to conserve and enhance designated sites, habitats and species and restore and enhance green and blue infrastructure.

SWT objects to the inclusion of 'wherever possible' in the first part of the policy. This caveat is not in line with either the December 2024 or current NPPF which both expect local plans and planning decision to protect and enhance biodiversity. In particular, 'where possible' no longer appears anywhere within chapter 15 of the December 2024 NPPF (Conserving and enhancing the natural environment) and as such 'wherever possible' should be deleted from section 1 of the policy.

Delete 'Wherever possible' section 1 of the policy.

Policy ENV8: Habitats & Species
SWT supports the inclusion of this policy and particularly the recognition of the mitigation hierarchy and the need to support the delivery of the LNRS. This is in line with the requirements of chapter 15 of the NPPF.

Policy ENV9: Local Nature Recovery Strategy
SWT strongly support the inclusion of this policy. The delivery of the LNRS is a clear demonstration of the requirements in paragraphs 188 and 192 NPPF to 'take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries' and to 'promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species'.

This policy is also in line with RDC's commitment in the council's Climate Strategy that 'decision-making relating to the LNRS will be strengthened in the Local Plan'.

Policy ENV10: Biodiversity Net Gain
SWT strongly supports the inclusion of this policy and particularly the requirement for 20% BNG. Please see the attached Topic Paper (Appendix 1) which further sets out our rationale for the need for more than 10% BNG in Sussex.

Within the evidence presented by DEFRA consulting on the introduction of BNG into the planning system it was made clear that an increase of 10% would be the absolute minimum necessary to ensure confidence that a net loss in biodiversity would be avoided. The statutory minimum only takes us to a place of ensuring no net loss, which is why many local planning authorities have adopted policies requiring higher levels of BNG e.g. Worthing Borough Council, Guildford Borough Council and Lichfield District Council. This policy is also in line with the commitments in the council's adopted Climate Strategy.

National decision-making policy N2 is a barrier to the delivery of this policy and therefore, SWT encourages RDC to look at the need to include a requirement for a minimum 20% BNG in each of the eligible site allocations in the submission plan. This would be in line with the Wealden submission Local Plan which is likely to be examined at a similar time to the Rother plan.

Policy ENV11: Sustainable Access & Recreation Management Strategy
SWT supports the inclusion of this policy. It is necessary to ensure no adverse effect to the Dungeness Complex of Habitats Sites.

Policy ENV12: Bewl Water
SWT supports the inclusion of this policy, but it should refer specifically to the Local Wildlife Site designation. This plan has a large number or policies and lengthy supporting text. To be effective the most important elements of the issue need to be included in the policy rather than just in the supporting text at 7.112. NPPF paragraph 192 is clear that locally designated sites should be identified, mapped and safeguarded in local plans.

Further to this, Planning Practice Guidance (Ref ID: 8-013-20190721) makes clear that 'National planning policy expects plans to identify and map these sites, and to include policies that not only secure their protection from harm or loss, but also help to enhance them and their connection to wider ecological networks.'

LWS complement the statutory designation system, which is representative rather than comprehensive. As such, some LWS can be of equal or even higher nature conservation value than SSSIs, despite being only locally designated. In the case of Bewl Water, the very large numbers of small gulls overwintering on the site are of national and international importance, and as a result the site meets the criteria for both SSSI and Ramsar designation.

The LWS designation should be included in the policy wording, along with reference to plan policy ENV8 which is the policy which relates to sites designated for their biodiversity value. This is in line with many of the site allocation policies in part 2 of the plan which are adjacent to LWS and include reference to this within the policy wording.

Criteria 1b should include the following:

Conserve and enhance its significant biodiversity and ecological value**, particularly its designation as a Local Wildlife Site in line with Policy ENV7 (Biodiversity) and ENV8 (Habitats and Species).**

Policy ENV13: Green & Blue Infrastructure
SWT supports the inclusion of this policy, particularly section e which should ensure that development contributes to creating and safeguarding ecological networks that help create resilience to climate change in line with NPPF paragraphs 164, 188 and 192.

We question section h which appears to only limit harm to blue infrastructure. This is in contrast with many of the other policies in the plan such as ENV2 which actively promotes restoration and enhancement of blue infrastructure and its biodiversity. To be consistent with paragraphs 192 of the NPPF and with the other policies in the plan, this section should be amended to include enhancement.

Amend section h as follows:

Development on sites containing or adjacent to a water course or water body (Blue Infrastructure) must demonstrate there is no unacceptable adverse impact on biodiversity, the environment and local amenity in accordance with other Local Plan policies. **Blue infrastructure should be protected and enhanced in line with policy ENV2.**

Policy ENV16: Combe Valley Countryside Park
SWT support the inclusion of this policy, however it should be strengthened to recognise the ecological importance of this area. Paragraph 8.14 of the Rother Green and Blue Infrastructure Study (GBI Study) sets out that 'the Combe Haven valley represents one of the most important ecological landscapes within eastern East Sussex. The valley contains a network of designated habitats including the Combe Haven Site of Special Scientific Interest (SSSI), extensive areas of grazing marsh, woodland, wetland and river habitats, and forms a key ecological corridor between the High Weald and the coast'. This ecological value is further recognised in the East Sussex and Brighton & Hove LNRS with the site designated as APIB and ACIB.

The NPPF is clear that plans should take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure and identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks (paragraphs 188 and 192). This policy should be strengthened to recognise the importance of this site as part of the wider ecological network.

Part 2a and 2c of the policy should be amended as follows:

2. Within the CVCP, development proposals will only be supported where they:

    a. Are of a scale, form and design that preserves the landscape character **and preserves and enhance the ecological value** of the Park and demonstrably align with the objectives set out in the published Strategy for the Combe Valley Countryside Park; and comply with Policy SS3 (Strategic Green Gaps).
    b. Support and enhance the usage of the Park as a key open space for Bexhill and Hastings and their wider catchment; and
    c. Provide for the conservation, **enhancement and**, where appropriate, management of the land-based and marine designations within it

Part 2 – Site Allocations

The volume of sites allocated in this plan has meant we have had to focus our comments on those with the greatest potential impact on wildlife. We encourage all Local Planning Authorities to identify at the earliest stages of local plan making the cumulative ecological impacts of site allocations and their potential to contribute to nature recovery. This is to ensure the plan is in line with NPPF paragraphs 159, 171 and 198, and supports the ambitions of the Environment Act to deliver the 30x30 target.

SWT is concerned that there appears to be no overarching consideration of the cumulative impact of the numerous development proposals around the Pevensey Levels. It is not clear how the area's natural capital can absorb this level of development and we urge Rother District Council to work with Wealden District Council to assess the cumulative impacts of development around the designated sites.

Policy BX36: Land west of Ninfield Road
This site is adjacent to High Peartree, Smiths & High Woods Local Wildlife Site but this is not recognised in the policy or supporting text and must be amended. NPPF paragraph 192 is clear that locally designated sites should be identified, mapped and safeguarded in local plans.

Further to this, Planning Practice Guidance (Ref ID: 8-013-20190721) makes clear that 'National planning policy expects plans to identify and map these sites, and to include policies that not only secure their protection from harm or loss, but also help to enhance them and their connection to wider ecological networks.'

Any application for this site will be decided against national decision-making policy N6 which states that to support the conservation of important habitats, species and sites of geodiversity value, development proposals affecting a LWS should only be supported if there would not be a significant adverse effect on the integrity of the site or the benefits of the development in the location clearly outweigh the likely impact on the features which make the site valuable for nature conservation. In order for this test to be considered there must be acknowledgement of the presence of the LWS and guidance on its importance.

The LWS designation should be included in the policy wording, along with reference to plan policy ENV8 which is the policy which relates to sites designated for their biodiversity value. This is in line with many of the site allocation policies in part 2 of the plan which are adjacent to LWS and include reference to this within the policy wording e.g. BX45.

Criteria xii should be amended as follows:

xiii. Retain a minimum 15 metres wide undeveloped buffer area to all designated ancient woodland **and Local Wildlife Site within and adjacent to the site and ensure the LWS is safeguarded from harm in line with policy ENV8 (Habitats and Species)**

Policy BT2: Land at Breadsell, Battle
SWT strongly objects to the inclusion of this policy. SWT leases and manages Marline Valley Nature Reserve on behalf of Hastings Borough Council. Over the last 20 years there has been significant encroachment from development around the SSSI within Hastings Borough. This is hemming in the site, putting it under further pressure and preventing the site acting as a core

component of the areas ecological network, contrary to paragraphs 187, 188 and 192 of the NPPF.

BT2 lies within a defined Area that Could become of particular Importance for Biodiversity (ACIB) of the East Sussex and Brighton and Hove Local Nature Recovery Strategy (LNRS). As page 4 of the LNRS states, nature is in crisis and therefore we need to make our natural environment healthier, more plentiful and more resilient. That means creating more of the habitats which in turn support our species, and making these habitats bigger, better and better connected to each other. Yet this proposal creates less space for nature and more barriers to its movement, hindering the objectives of the LNRS.

This is further recognised in the Hastings GBI Strategy which includes policy recommendations such as 'safeguard existing designated sites and species' and 'do not support developments that have an adverse impact on the integrity of statutory or non-statutory designated sites'. BT2, along with D1 from the submission Hastings Local Plan, are a core component of the GBI network and as such should be protected, restored and enhanced as per the Strategy.

Paragraph 12.25 sets out that BT2 is not ideally suited for development due to it being too small for a strategic development and being in a relatively unsustainable location. It is also in a sensitive landscape adjacent to the High Weald National Landscape and within the Strategic Gap between Crowhurst, Battle and Hastings, allocated in order to maintain the separate identities of the settlements.

There is only potential for BT2 to be deliverable if the portion of land within Hastings is deemed to be developable. The acceptability of the principle of development on this ecologically sensitive greenfield site has not been established, and it is not appropriate to identify the site within the Local Plan in the absence of a robust ecological and hydrological evidence base to determine its suitability or otherwise.

SWTs full objection to the allocation in the submission Hastings plan can be found in Appendix 2.

Whilst we strongly object to the allocation of BT2 and believe it should be deleted from the plan, if the policy moves forward, it must be strengthened.

There is already significant recreational pressure and antisocial behaviour issues on Marline Valley Woods SSSI. This is acknowledged in paragraph 5.16 of the Hastings submission local plan. Evidence shows that the closer residential development occurs to nature reserves, the more negative impacts occur, with particularly significant effects when development is less then 100m away (Human Impacts on Nature Reserves – The Influence of Nearby Settlements, Yorkshire Wildlife Trust, 2017). The policy should be amended to include criteria around these wider issues.

As stated in our comments on policy ENV10, the requirement for delivery of 20% BNG should be included in the site allocation policies in the plan to futureproof them against national decision-making policy N2.

We recommend additional requirements in criteria vii and an additional criterion viii on BNG:

The site is allocated for residential development comprising some 145 dwellings.

Development on this site must:

vii. **Be supported by an Ecological Impact Assessment (EcIA) and Ecological Constraints and Opportunities Plan (ECOP), and incorporate appropriate conservation and mitigation measures as recommended by the ECOP:**
   a. **The ECOP must make specific reference to the presence of onsite and nearby Sites of Special Scientific Interest (SSSI), Ancient Woodland, Impact Risk Zones for all potentially affected SSSI, the results of site surveys of BT2 itself, and to other nearby areas of wildlife sensitivity.**
   b. **The EcIA include provision for the retention and future management of a buffer zone of semi-natural habitat, at least 100 metres wide (which does not include residential gardens), on the southern boundary, between the edge of development and the SSSI/Ancient Woodland.**
   c. **Minimise any additional impacts associated with development such as increased recreational pressure, light pollution, garden escapes and invasive non-native species, and increased predation by domestic pets.**
   d. **The ECOP and EcIA must ensure the proposal contributes to the delivery of the mapped measures for the site set out within the LNRS;**

viii. **Deliver at least a 20% Biodiversity Net Gain as assessed by the most recent metric.**

SWT has submitted this response in sections via the online portal. We would like the option to attend the hearings and speak directly to the Inspector about our concerns.

Yours sincerely

Jess Price
Conservation Officer
Sussex Wildlife Trust

Appendix 1
Local Plan Review Topic Paper: Delivering 20% Biodiversity Net Gain

Summary and recommendations

The 23% uplift in annual housebuilding targets for Sussex, introduced in 2024, puts increased pressure on the county's natural environment and biodiversity. A higher than 10% Biodiversity Net Gain (BNG) local plan policy is justified for local authority areas in Sussex to address the exceptional pressures on biodiversity and failing condition of 50% of the county's nationally designated wildlife sites, by ensuring future growth and development deliver significant gains for biodiversity and contribute to strategic nature recovery.

Many local planning authorities in England have adopted or emerging policies requiring 20% BNG, including Worthing Borough Council, South Downs National Park Authority, Guildford Borough Council, Lichfield District Council, Great Yarmouth Borough Council, The Broads Authority, and Greater Cambridge. However, changes to national planning policy mean new local plans submitted after 31st December 2026 may need to adopt higher than 10% BNG requirements at both a policy level and on a site-by-site basis.

In Sussex, two Local Nature Recovery Strategies (LNRS)[1] provide further statutory basis for site-specific BNG policy requirements above 10% for eligible development proposed on land identified as having the potential to become important for biodiversity and which would result in the permanent loss of opportunities to create or enhance habitats for nature recovery in line with the LNRS.

We urge Sussex local authorities to adopt overall policies for BNG above 10% (aiming for a minimum of 20%) and for all allocated sites and for eligible development in LNRS-mapped nature recovery areas (Areas that Could become Important for Biodiversity, or 'ACIB') to meet their duties to conserve and enhance biodiversity under the Environment Act 2021 and play their part in implementing the Convention on Biological Diversity (CBD) by translating global biodiversity goals into local and regional action.

Recommendations for local authorities reviewing Local Plans in Sussex:

1. Undertake to adopt a plan wide policy requiring a minimum 20% BNG for all eligible sites.

2. Undertake to adopt site-specific policies requiring a minimum 20% BNG for all allocated sites, subject to site-level viability assessments.

3. Carry out site-level desktop BNG baseline and viability assessments for all sites being considered for allocation, to demonstrate the deliverability of 20% BNG.

4. Explore the potential for a higher BNG policy requirement (20% minimum increasing to 30% for allocated sites) for eligible development proposed on land prioritised for strategic nature recovery in the LNRS (identified in the LNRS Local Habitats Map as ACIB).

[1] https://www.sussexnaturerecovery.org.uk/publications

Detailed Information and Rationale
In the following sections of this topic paper, we discuss the justification for, and deliverability of, higher than 10% BNG requirements for development in Sussex.

What is Biodiversity Net Gain?
Biodiversity Net Gain (BNG) is an approach that sets out to ensure development leaves biodiversity in a measurably better state. Where development impacts on wildlife habitats it must create or enhance the condition of suitable habitats to increase net biodiversity value.[2]

In February 2024, BNG became mandatory for development in England under the Town and Country Planning Act 1990 (as amended by the Environment Act 2021)[3], marking a step change in how planning and development deliver biodiversity outcomes.

BNG is in addition to, not instead of, protections for designated wildlife sites and irreplaceable habitats and the requirement for proposals to follow the mitigation hierarchy. BNG is only concerned with impacts to habitats; existing protections and consideration for species such as bats and nesting birds remain in place.[4]

Current regulations require at least a 10% gain in biodiversity value (110% of the baseline value) to be secured as part of planning permission for all development subject to the BNG requirement, with the "value" calculated using a nationally applied biodiversity metric.

Why is Biodiversity Net Gain required at all?
Nature is remarkable and is essential to our lives. It is the source of the air we breathe, the water we drink, the soil we live on (and off) and the food we eat. It provides us with clothes to wear, materials to build with and medicines to cure. It gives us places for leisure, recreation and reflection, as well as great joy and interest; as such it is important for our mental health and wellbeing as well as our physical sustenance.

Despite its importance to our very existence, nature is facing a crisis. The Living Planet Report[5] shows that wildlife populations have declined by more than half in less than 50 years and that the variety of life on earth is disappearing fast. The Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) has reported that globally one million animal and plant species are now threatened with extinction[6]. The 2023 State of Nature Report[7] found that one in six species in England is under threat of extinction, with wildlife on average declining by 19% since monitoring began in 1970.

The planning system is a critical place where the natural world regularly meets with the actions of government. With the need to build more homes for growing populations, BNG offers a framework to promote sustainable growth. However, to be successful, BNG must be applied ambitiously, with care, and be effectively monitored and enforced. The Wildlife Trusts have a

[2] Government Guidance: Understanding BNG: https://www.gov.uk/guidance/understanding-biodiversity-net-gain
[3] Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021): https://www.legislation.gov.uk/ukpga/2021/30/schedule/14/enacted
[4] Planning practice guidance on biodiversity net gain: https://www.gov.uk/guidance/biodiversity-net-gain
[5] WWF Living Planet Report (2018): https://www.wwf.org.uk/sites/default/files/2018-10/wwfintl_livingplanet_full.pdf
[6] IPBES press release: Nature's Dangerous Decline 'Unprecedented' Species Extinction Rates 'Accelerating' https://www.ipbes.net/news/Media-Release-Global-Assessment#_By_the_Numbers
[7] 2023 State of Nature Report: https://stateofnature.org.uk

policy position, shared by many eNGOs, that in the context of the ecological crisis, developments should be required to go beyond 10% BNG and strive to deliver at least 20% BNG to protect and enhance nature and support its recovery[8].

Why do we need >20% BNG in Sussex?

With more than 58% of Sussex included within a protected landscape designation, it could be expected that Sussex biodiversity is flourishing, but a landscape designation does not automatically indicate a thriving environment. The South Downs National Park Authority estimates that we have lost 80% of the country's chalk grassland, with this habitat now covering only 4% of the National Park Area[9]. Chichester Harbour has lost 58% of this biodiversity-rich habitat since 1946[10].

When it comes to sites specifically designated for biodiversity, there is also concern. Nature needs to thrive outside these areas to recover, but worryingly, current pressures mean that nature is struggling to thrive even on designated sites. For SSSIs, Sussex is below the national average for sites in favourable or recovering condition (approximately 62%) with about 49% of SSSIs in East Sussex and Brighton & Hove meeting these criteria, and about 51% of SSSIs in West Sussex[11].

The condition of Local Wildlife Sites in Sussex is less certain but available data suggests just 41% of East Sussex and Brighton & Hove LWS and 55% of West Sussex LWS are being managed positively for biodiversity[12].

We also know which habitats in Sussex have been most severely impacted by past actions. In 2019, the Sussex Nature Partnership identified Sussex's 'natural capital at risk', habitats that are:

- Not adequately protected under existing mechanisms
- Fragile or vulnerable and/or already highly fragmented
- Of particular significance in a Sussex context
- Irreplaceable or not easily re-created if destroyed (either on-site or elsewhere)

The habitat types identified are lowland heathland, mudflats and saltmarsh, coastal vegetated shingle, reedbed, fen and grazing marsh, floodplain woodlands and species-rich grassland[13]. For

example, virtually the whole of the Crumbles – a 160ha shingle foreland at Eastbourne, and one of only six sites over 100ha in the UK – has been lost to development[14].

Sadly, there is a similar story for species. Corn Bunting has suffered an 82% decline since the 1960s and is considered lost in neighbouring Surrey[15]. Spiked Rampion, an endangered and

---

[8] The Wildlife Trusts (2024) Biodiversity Net Gain Briefing: https://www.wildlifetrusts.org/sites/default/files/2024 02/February_2024_Biodiversity_Net_Gain_Briefing.pdf
[9] https://www.southdowns.gov.uk/wildlife-habitats/habitats/chalk-grassland/
[10] https://www.conservancy.co.uk/the-state-of-nature-and-chichester-harbour/
[11] Sussex's two Local Nature Recovery Strategies set out this information: https://sussexnaturerecovery.org.uk/publications
[12] Sussex's two Local Nature Recovery Strategies set out this information: https://sussexnaturerecovery.org.uk/publications
[13] Sussex's two Local Nature Recovery Strategies set out this information: https://sussexnaturerecovery.org.uk/publications
[14] https://www.buglife.org.uk/resources/habitat-management/coastal-vegetated-shingle/
[15] https://www.birdguides.com/news/sussex-ornithological-society-launches-corn-bunting-survey/

legally protected plant, is only found at eight sites in the UK, all of which are in East Sussex, and 85% of its population is found on a single site[16]. Greater Mouse-eared Bat was declared extinct in the UK in 1992 when the last known maternity roost was lost. Since then, just two separate individuals have been found hibernating in West Sussex[17].

In Sussex, space for development is one of the biggest demands on land-use and therefore one of the biggest pressures on nature. We acknowledge that new housing is needed to accommodate a growing population, with the population of East Sussex projected to increase around 8% in the next 15 years, from 560,900 in 2024 to 609,300 in 2039[18].

However, under the revised methodology for calculating local housebuilding targets, mandatory housebuilding targets across Sussex local authorities have increased on average by 23% from 11,539 new homes a year to 14,232. This average hides great variability, with some local planning authorities having their targets increased by 58% (Chichester) or even 168% (Worthing)[19]. Alongside the need for new homes comes the requirement for new infrastructure needed to support growth including transport, education, health and social care, utilities and community facilities. This all requires space (land) and resources, putting increased pressure on habitats and species, including some of the most iconic wildlife in Sussex: Turtle Dove, Swift, Water Vole, Hedgehog and Adder. This is in addition to the pressures they are already facing due to climate change, sea-level rise, coastal erosion, drought, water scarcity, habitat fragmentation, and pollution.

The continuous growth in development and urbanisation means Sussex now has a highly fragmented landscape, particularly in the low weald, the 'unprotected landscape' where most development is focused. The Lawton Report *Making Space for Nature*[20] has emphasised the importance of networks and connectivity for biodiversity; fragmentation impairs species movement and migration, meaning these isolated populations are less able to survive or adapt to changing landscapes and are put at further risk.

With these exceptional pressures facing nature in Sussex and the scale of biodiversity losses already occurring, >20% Biodiversity Net Gain policies are desperately needed to ensure that future growth and development contribute positively to nature recovery and that councils are meeting their Biodiversity Duty[21].

A 10% minimum gain has been set by the Environment Act, as this is the lowest level that Defra consider would deliver genuine biodiversity gains. Defra's 2018 BNG Impact Assessment report[22] states (our emphasis):

---

[16] https://www.speciesrecoverytrust.org.uk/spiked-rampion

[17] https://www.bats.org.uk/news/2023/01/greater-mouse-eared-bat-population-doubles-to-2-this-is-a-hugely-important-discovery

[18] https://www.eastsussexinfigures.org.uk/new-population-projections-briefing-2/

[19] https://www.cpresussex.org.uk/wp-content/uploads/sites/16/2024/08/New-Standard-Method-New-Assessed-Housing-Needs-for-Sussex-Local-Planning-Authorities.pdf

[20] Lawton *et al*. (2010) Making Space for Nature: A review of England's Wildlife Sites and Ecological Network. Report to DEFRA

[21] Guidance for public authorities on complying with the biodiversity duty: https://www.gov.uk/guidance/complying-with-the-biodiversity-duty

[22] Defra (2018) Biodiversity Net Gain Consultation Impact Assessment https://consult.defra.gov.uk/land-use/net gain/supporting_documents/181121%20%20Biodiversity%20Net%20Gain%20Consultation%20IA%20FINAL%20for%20p u blication.pdf

"... in simple terms, [10%] is the lowest level of net gain that [Defra] could confidently expect to deliver genuine net gain, or at least no net loss, of biodiversity and thereby meet its policy objectives."

We consider the mounting pressures facing the county's biodiversity, including those resulting from significantly increased mandatory annual housebuilding targets, justify a greater ambition of >20% BNG to provide confidence that development will deliver meaningful biodiversity gains.

How will Biodiversity Net Gain affect development and is >20% achievable?
There is sometimes a misconception that increasing BNG from 10% to 20% is doubling the required delivery. This is not the case. The increase is from 110% to 120% of pre-development biodiversity levels. Most of the cost of BNG is incurred in getting to 100% of pre-development levels, or 'no-net-loss'. A 20% gain can be achieved at a small extra cost compared with a 10% gain, while doubling the biodiversity uplift and increasing development's contribution to nature recovery.

Several studies have considered the impacts of BNG on the economics and viability of development and concluded that a 20% BNG requirement would not affect the financial viability of housing developments.

One widely cited study by Natural England (Vivid Economics, June 2018)[23] found that for biodiversity net gain scenarios up to 20%:

- With careful design and early consideration, on site biodiversity net gain can be delivered at no or little cost
- If it can be delivered on site, biodiversity net gain is usually cost-neutral – biodiversity onsite can attract customers, speed up sales and even increase values
- If biodiversity net gain costs are significant, it is the landowner that will bear them rather than the developer through reduced land prices; however, according to the study, most developers considered it unlikely to have a significant impact on land values
- After a transition period, incidence of a biodiversity net gain requirement on developers was expected to be minimal or positive.
- Biodiversity net gain is not expected to reduce the number of affordable housing units
- An increase in the biodiversity net gain requirement does not need to impact the number of dwellings, as some of net gain can be delivered off-site
- Where there are higher costs associated with off-site delivery, these will be passed through to the landowner but represent less than a 1.5% uplift

[23] Reported in Kent Local Nature Partnership's 2020 publication: Justification for a Biodiversity Net Gain target of 20% in Kent https://kentnature.org.uk/wp-content/uploads/2022/07/Justification-for-biodiversity-net-gain-in-Kent-Sept 2020.pdf

The Defra BNG Impact Assessment[24] similarly concluded that the additional costs are likely to be passed on to landowner through the prices paid for development land. Their assessment states that when mandatory requirements that are transparent and clearly defined are imposed across all developers, developable land prices should fall to absorb the policy cost as developers 'pass through' the cost.

We are encouraged by evidence from other local authorities in England that 20% is a realistic and deliverable policy goal. Six local authorities have adopted area-wide 20% BNG policies, and 23 others have emerging BNG policies at 20% or higher[25]. Worthing Borough Council's adopted local plan includes a 20% BNG requirement for developments on previously developed land and strongly encourages a 20% net gain wherever achievable. The emerging South Downs Local Plan proposes a minimum 20% net gain, rising to 33% BNG on Strategic Greenfield Sites.

The impact of changes to national planning policy

The new National Planning Policy Framework (NPPF) published in August 2026 introduces changes that prevent local authorities from adopting area-wide BNG policies above 10% for new local plans submitted after 31st December 2026. It is still possible, however, for local plans to include higher than 10% BNG requirements for sites allocated for development in the local plan on a site-by-site basis, as laid out in Plan-making Policy N1 of the NPPF[26]:

"Development plans should only set local standards for biodiversity net gain which are in excess of the statutory net gain requirement where this is for specific site allocations, and is fully justified and deliverable."

A Pre Action Protocol letter was submitted by Lifescape to the Government in response to this change in national policy due to the impact it could have on BNG provision[27]. In response to this letter the Secretary of State clarified that:

"*If in future an LPA submits for examination local plan policies setting local standards that are contrary to the national policy, the inspector will consider whether the LPA's evidence base and local circumstances justify the LPA's proposed local standards. If they conclude that the standards are justified and the local plan policy is adopted, then more weight may be given to it than to the new national policy in subsequent decisions on planning applications" (PAR, §35d).*

We have set out the justification for a higher than 10% BNG requirement for new development in Sussex. The deliverability of this policy for specific site allocations can be determined by site-level BNG baseline and viability assessments like those carried out by Great Yarmouth Borough Council in the development of their adopted 20% BNG policy[28].

---

[24] Defra (2018) Biodiversity Net Gain Consultation Impact Assessment https://consult.defra.gov.uk/land-use/net gain/supporting_documents/181121%20%20Biodiversity%20Net%20Gain%20Consultation%20IA%20FINAL%20for%20p u blication.pdf

[25] Reported by The Lifescape Project in their pre-action protocol letter to Government on NPPF changes limiting local authorities' ability to adopt policies for BNG above 10%, 15 September 2026, Annex 1: https://lifescapeproject.org/uploads/lifescape-pre-action-letter-nppf.pdf

[26] National Planning Policy Framework 2026, Policy N1: https://assets.publishing.service.gov.uk/media/6aabe97844ec1aa417346c0b/National_Planning_Policy_Framework.pdf

[27] https://lifescapeproject.org/lifescape-challenges-government/

[28] Great Yarmouth Biodiversity Net Gain Topic Paper (December 2024) Local Plan evidence base Document B31& GYBC Local Plan Viability Assessment (December 2023) Local Plan evidence base Document B15. Available in the GYBC Local Plan Examination library: https://localplan.great-yarmouth.gov.uk/examination-library

Example wording of a 20% policy is provided below, taken from the Uttlesford Local Plan[29]:

"With the exception of development which is exempt from statutory Biodiversity Net Gain requirements, all development proposals will be required to demonstrate a minimum of 20% Biodiversity Net Gain calculated using the most recent Statutory Metric, unless it can be clearly demonstrated that provision in excess of the statutory minimum 10% would make development unviable."

Changes to this wording would be necessary for a policy specific to a given allocated site. For example:

"Development proposals within this allocation will be required to demonstrate a minimum of 20% Biodiversity Net Gain calculated using the most recent Statutory Metric, unless it can be clearly demonstrated that provision in excess of the statutory minimum 10% would make development unviable."

The Local Plan (Regulation 19 draft) for the Broads includes within a Biodiversity Net Gain policy a minimum of 20% net gain[30], and considers how this policy interacts with the new NPPF within a Topic Paper[31] which states that the Authority Members propose to retain the 20% requirement.

Acknowledgements
This paper builds upon work originated by colleagues at Suffolk Wildlife Trust.

Sussex Wildlife Trust
November 2026

[29] Uttlesford Local Plan 2021-2041https://www.uttlesford.gov.uk/article/10132/Local-Plan-2021-2041
[30] https://www.broads-authority.gov.uk/__data/assets/pdf_file/0027/236763/Regulation-19-Local-Plan-FINAL November-2025-with-para-numbers.pdf
[31] Local Plan for the Broads Examination (2026) Topic paper relating to the New 2026 NPPF and potential emerging Local Plan issues https://www.broads-authority.gov.uk/__data/assets/pdf_file/0028/239833/New-NPPF-and Potential-emerging-Local-Plan-issues-formatted.pdf

Appendix 2
SWT objection to policy D1 in the submission Hastings Local Plan (submitted 10.11.26)

Development Potential Area Policy 1 (D1): Land at Breadsell

SWT strongly objects to the inclusion of this policy. SWT leases and manages Marline Valley Nature Reserve on behalf of Hastings Borough Council. Over the last 20 years there has been significant encroachment from development around the SSSI, particularly through the creation of the Combe Valley Way and development at Queensway South (ES10) and Queensway North (ES1). This is hemming in the site, putting it under further pressure and preventing the site acting as a core component of the Borough's ecological network, contrary to paragraphs 187, 188 and 192 of the NPPF.

D1 lies within a defined Area that Could become of particular Importance for Biodiversity (ACIB) of the East Sussex and Brighton and Hove Local Nature Recovery Strategy (LNRS). As page 4 of the LNRS states, nature is in crisis and therefore we need to make our natural environment healthier, more plentiful and more resilient. That means creating more of the habitats which in turn support our species, and making these habitats bigger, better and better connected to each other. Yet this proposal creates less space for nature and more barriers to its movement, hindering the objectives of the LNRS.

This is further recognised in the GBI Strategy which includes policy recommendations such as 'safeguard existing designated sites and species' and 'do not support developments that have an adverse impact on the integrity of statutory or non-statutory designated sites'. D1 is a core component of the GBI network and as such should be protected, restored and enhanced as per the Strategy.

The acceptability of the principle of development on this ecologically sensitive greenfield site has not been established, and it is not appropriate to identify the site within the Local Plan as a broad location for future growth in the absence of a robust ecological and hydrological evidence base to determine its suitability or otherwise.

The site-specific assessments from the SHELAA do not appear to be part of the public evidence base. However, the December 2025 version (now superseded) states that the site was not Suitable or Achievable, with the following narrative:

The site is a large greenfield site located to the north of the borough. The site has several environmental constraints including being adjacent to a SSSI and proximity to ancient woodland. There are specific concerns as to how any development at the site could impact hydrology on the adjacent SSSI. Further work including hydrological monitoring is required to understand whether the site is suitable for development. We will continue to monitor the potential for this site to come forward over the evolution of the plan's development.

The current September 2026 SHELAA now lists the site as suitable, but still not achievable and the narrative simply states: *The landowner is actively planning to bring the site forward*.

It is not clear why HBC now considers the site suitable, and we can find no information as part of the consultation that evidences this change in status. SWT is therefore concerned that this decision has been made prior to the required monitoring of the SSSI taking place. This is fundamental to developing the robust evidence needed to decide whether development at this location is feasible, acceptable and desirable. It cannot be assumed that any impacts identified by future monitoring work can be sufficiently avoided or mitigated.

SWT understands the need for HBC to allocate as much land as possible to meet the objectively assessed need. However, NPPF paragraph 16 states that plans should be prepared positively in a way that is aspirational but deliverable. SWT does not believe this site is deliverable without significant harm to the SSSI and wider ecological network.

Whilst SWT strongly objects to this proposal, if the policy progresses, a number of amendments are required to ensure it is effective and consistent with paragraphs 187, 188 and 192 of the December 2024 NPPF.

Hydrological Monitoring

Marline Valley Woods SSSI is extremely sensitive to hydrological changes. Section 5.12 acknowledges the 2009 Rigare Study and that the report sets out that significant work is required to understand how development would impact the SSSI. However, the supporting text goes on to only state that 'a period of ecohydrological and geohydrological monitoring' will be required. It does not set any clearer guidance.

Section 4.2 of the 2009 Rigare Study states:

'*A basic understanding of the hydrological functioning of the site could be developed from the results of one full year of monitoring, but* ***at least three years monitoring*** *will be required in order to develop a sufficiently refined understanding to enable detailed design of the hydrological aspects of a development*.'

It has always been Natural England's position that at least 3 years monitoring, covering the detailed list in the Rigare Study, is required to ascertain whether development could occur at this site without significant adverse impacts on the SSSI. The need for multiple years of data is especially apparent given the extremely low rainfall and subsequent drought experienced in Sussex in 2026.

Whilst both paragraph 193 of the December 2024 NPPF and decision-making policy N6 may allow for development that has an adverse impact on a SSSI, this is only where the benefits of the development in the location proposed clearly outweigh both the likely impact on the features of special scientific interest, and any broader impact on the national network of SSSIs. It is clear that the likely impacts on the SSSI and their severity must be set out before this test can be applied. Setting out the likely hydrological impacts of a development on this site is fundamental to the question of suitability and at least 3 years of monitoring is required to do this.

Additionally, whilst the supporting text sets out the requirement for ecohydrological and geohydrological monitoring, this is not followed through to the policy wording. This is unacceptable.

SWT supports the requirement for a monitoring programme to be agreed with HBC and NE that includes ecohydrological and geohydrological monitoring, but to be effective, this must be for at least three years as per the 2009 Rigare Study and must be a requirement of policy D1 to be consistent with NPPF paragraphs 188 and 192 and national decision-making policies N2 and N6 (see policy amendments below).

Wider impacts

There is already significant recreational pressure and antisocial behaviour issues on the SSSI. This is acknowledged in paragraph 5.16 of the submission plan, but it is not carried through to

the policy wording. Evidence shows that the closer residential development occurs to nature reserves, the more negative impacts occur, with particularly significant effects when development is less then 100m away (Human Impacts on Nature Reserves – The Influence of Nearby Settlements, Yorkshire Wildlife Trust, 2017). The policy should be amended to include criteria around these wider issues (see policy amendments below).

Local Nature Recovery Strategy

Paragraph 5.16 of the submission plan acknowledges that the D1 area lies entirely within a defined ACIB of the East Sussex and Brighton and Hove LNRS. It recommends that the site therefore contributes towards the mapped measures set out in the LNRS. However, this detail is not sufficiently followed through to the policy, which only states that 'opportunities for enhancement should have regard to the LNRS'.

NPPF paragraph 192 states that to protect and enhance biodiversity, plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including… areas identified by national and local partnerships for habitat management, enhancement, restoration or creation. Additionally, part b states that plans should promote the conservation, restoration and enhancement of priority habitats and ecological networks and secure measurable net gains for biodiversity.

To be consistent with national policy, this requirement should be much more explicit in the policy wording (see policy amendments below).

Biodiversity Net Gain

The December 2024 NPPF is clear that development must result in measurable net gains to biodiversity. This is further supported by the legal requirement under the Environment Act 2021 for eligible developments to deliver at least a 10% Biodiversity Net Gain (BNG).

The Green and Blue Infrastructure and Biodiversity Net Gain Strategy sets out that a 20% BNG policy is desirable within the borough. Paragraph 6.7.32 states that 'Given the severity of the climate change and biodiversity emergency, the capacity for delivering biodiversity units across the GBI network, and limited financial impact of delivering 20% versus 10% biodiversity net gain, it is highly advised the Council requests developments deliver a 20% biodiversity net gain within the GBI network.'

Further to this, within the evidence presented by DEFRA consulting on the introduction of BNG into the planning system, it was made clear that an increase of 10% would be the absolute minimum necessary to ensure confidence that a net loss in biodiversity would be avoided. The statutory minimum only takes us to a place of ensuring no net loss, which is why many local planning authorities have adopted policies requiring higher levels of BNG e.g. Worthing Borough Council, Guildford Borough Council and Lichfield District Council.

Given the submission plan's vision for Hastings to be a town which is taking responsibility for tackling the climate and nature crises and the plan objective to expand green infrastructure, it is not clear why a more ambitious target for BNG has not been set for this allocation. D1 is the largest greenfield site potentially allocated in the plan. Given its location adjacent to Marline Valley SSSI and its designation as an ACIB, there is great potential for a development to lead to significant adverse impacts to biodiversity.

SWT believes that should this site be found suitable for allocation after significant and robust monitoring, a requirement for 20% BNG should be set. [Please see the attached Topic Paper (Appendix 1) which further sets out our rationale for 20% BNG in Sussex].

Necessary Policy Amendments

In order to establish the acceptability of the principle of development on this site, it will be necessary to undertake an assessment of the **potential** ecological impact of any proposed development on the adjacent Marline Valley Woods SSSI. This must include:

- **the results of a programme of at least 3 years of ecohydrological and geohydrological monitoring, that has been agreed with by Natural England and Hastings Borough Council**
- the results of an agreed monitoring programme of the adjacent SSSI which sets out the requirements of the species and habitats contained within. The results of the programme must identify mitigations to replicate the current conditions within SSSI to avoid any undue harm to the protected site.

Should the principle of development be established, prior to the submission of a proposal for the development of the site, a Masterplan should be agreed with the Local Planning Authorities. The Masterplan should be informed by relevant technical evidence and take into account the advice within the High Weald AONB Housing Design Guide, with regard to the policy requirements set out below.

Proposals for development on this site should:

1. Take a SuDS-led and landscape-led approach to design and layout, which should maximise greenspace and take into account the results of any hydrological and groundwater monitoring to ensure negative impacts on the Marline Valley Woods SSSI will be avoided and/ or mitigated. This must be guided by:
    a. The results of hydrological and groundwater monitoring which must be informed by trial pits and/or boreholes;
    b. The need to avoid breaching the underlying sandstone layer during the preparation, construction and occupation phases (save for the purposes of (a) above);
    c. The results of a comprehensive Landscape Visual Impact assessment (LVIA) which must assess the impact of the proposal on the nearby National Landscape and incorporate mitigation measures where required.

2. Provide affordable housing in line with Policy SP2;

3. Be supported by an Ecological Impact Assessment (EcIA) and Ecological Constraints and Opportunities Plan (ECOP), and incorporate appropriate conservation and mitigation measures as recommended by the ECOP.

    a. The ECOP must make specific reference to the presence of onsite and nearby Sites of Special Scientific Interest (SSSI), Ancient Woodland, Impact Risk Zones for all potentially affected SSSI, the results of site surveys of D1 itself, and to other nearby areas of wildlife sensitivity.
    b. The EcIA should recommend **significant** buffers for areas of ecological sensitivity **with at least 100m between the SSSI and any residential development and;**
    c. Minimise any additional impacts associated with development such as increased recreational pressure, light pollution, garden escapes and invasive non-native species, and increased predation by domestic pets.

d. **The ECOP and EcIA must ensure the proposal contributes to the delivery of the mapped measures for the site set out within the LNRS**;

4. **Deliver at least a 20% Biodiversity Net Gain as assessed by the most recent metric.**

5. Ensure scheme and construction access is via A2100 subject to agreement with relevant bodies;

6. Maintain and enhance the existing hedgerows within site excluding where access is required which should be reprovided elsewhere on the development site;

7. Provide a lighting plan for both the construction and occupation phases of the proposed development, with regard to the High Weald National Landscape Dark Skies TAN to minimise adverse impacts on the National Landscape and nearby areas of wildlife sensitivity, including the SSSI. The plan should include measures to prevent overspill from internal lighting. The lighting plan must be agreed before permission is granted.

8. Provide publicly accessible open space and natural, unfenced multifunctional play space. Open space and play will be secured in perpetuity by legal agreement;

9. Include a maintenance and management plan for areas of publicly accessible open space and play;

10. Create a layout which incorporates a landscape buffer zone **of at least 100m** along the boundary of the site, the tree and hedgerow belt in the southern fields, adjacent to the Marline Valley Woods SSSI and areas of Ancient Woodland.

11. Consult relevant historic environment records and assess heritage assets using appropriate expertise including, where necessary, a field evaluation.

12. Provide a connection to the sewerage system at the nearest point of adequate capacity, as advised by Southern Water and ensure future access to the existing sewerage and water supply infrastructure for maintenance and upsizing purposes.

13. Ensure that any necessary reinforcement of the water and/or wastewater network is in place to accommodate the quantum and type of proposed development prior to connection, and that such reinforcement is agreed with Southern Water. This will be secured by condition. Early engagement with Southern Water is also recommended.

14. Ensure vehicle access meets acceptable highways standards; a. Be supported by a Transport Assessment and Travel Plan. The Transport Assessment must take account of the site's proximity to The Ridge. Proposals must also indicate how the conclusions and recommendations of the Assessment have been incorporated within the proposal;

15. Include walking and cycling links to ensure local connectivity, including to local community infrastructure, green spaces and public transport provision, taking into account site topography.