

219 – Sussex Wildlife Trust

Matter 7 Housing site allocations in the urban fringe (H2)

Whether the proposed housing allocations in the urban fringe are soundly based

Issue 1 Land at Oakdene Southwick Hill/Land West of Mile Oak Road

Issue 4 Benfield Valley

Issue 5 Land at and adjoining Horsedean Recreation Ground, Patcham

Issue 8 Land north of Valley Halls, Coldean Lane

Issue 9 Land at and adjoining Brighton Racecourse

Issue 11 Land north of Warren Road (Ingleside Stables)

1. How did the Urban Fringe Assessment (2014,2015 and 2021) take account of environmental constraints, such as the South Downs National Park, Registered Parks and Gardens, local designations such as LWS and Local Nature Reserves (LNR), ecology, biodiversity (including biodiversity net gain) more generally, climate change, and infrastructure, including local transport infrastructure requirements? Would the development plan's policy framework along with proposed site specific measures, together, appropriately avoid, minimise and mitigate adverse development impacts?
2. Would those site allocations impacting LWS and LNR accord with the NPPF paragraph 174, which seeks to protect and enhance valued landscapes, sites of biodiversity or geological value and provide net gains for biodiversity?

In response to both questions 1 and 2 for the Issues listed above, Sussex Wildlife Trust (SWT) refers the Inspector to our Regulation 19 response and our arguments that locally designated sites should not be allocated for development under Matters 1, 2 and 6 above.

In particular, SWT has not seen any robust evidence to demonstrate that adverse impacts of development on the six locally designated sites listed above can be effectively mitigated or that net gains can actually be provided, including in the updated UFA 2021 [ED24]. Whilst all these locally designated sites would benefit from ongoing management, allowing development of part of them is not an essential or reasonable way to achieve that. Particularly, for those sites that already have active community groups working to enhance them e.g. Benfield Valley Project and Friends of Whitehawk Hill.

These sites are a finite resource, being core areas within the ecological network and the allocations simply make the valuable areas of habitat smaller. This is not a sustainable approach and does not align with the council's need to protect and enhance the City's ecological network and safeguard locally designated sites as set out in the NPPF. Once built on, these core sites are gone forever.

Table 4 of the Housing Provision Topic Paper [TP06] shows that following the proposed Modifications, there is the potential to deliver 1,886 dwellings above the CPP1 requirement. Removing the housing allocations in policy H1 and H2 that are in Local Wildlife Sites or Local Nature Reserves and do not currently have any planning permission would reduce this delivery number by 212. This would still leave a surplus of supply of 1,684 dwellings, meeting the requirements of CPP1 and paragraph 179 of the NPPF.

- **Land at and adjoining Brighton Racecourse:** Given that this site includes a LWS and LNR, and taking into account the Urban Fringe Assessment 2021 Update and site specific requirements, would the proposed allocation be soundly based? Given that there is Rights of Way across this land and previous development proposals have raised traffic and access concerns, would the site be deliverable?

As set out in our Regulation 19 response, SWT has particular concern over Land at and adjoining Brighton Racecourse. This LNR is an exceptional site for wildlife and an extremely valuable community resource. SWT does not believe this allocation is soundly based as we do not believe it is consistent with national policy, justified or deliverable.

The council's response to the numerous objections to this site as set out in SD09ai Appendix 9, is that the site is deliverable because only a small proportion of the total LNR will be lost and the allocation does not include habitats or features for which the LNR was designated. However, neither SD09ai or the updated UFA 2021 [ED24] appear to respond to the specific ecological information submitted by the Friends of Whitehawk Hill (FoWH), which demonstrates that the allocation site contains valuable features in their own right such as ancient gorse scrub and breeding linnet.

Whilst the council have now updated their ecological information through ED24, SWT does not believe this information overcomes the comprehensive and detailed evidence submitted by the FoWH. Not least because the updated UFA ecological survey was carried out in January, which is sub optimal, in particular in relation to consideration of protected and/or notable species, such a breeding birds.

The UFA 2021 [ED24] again emphasises the importance of mitigation as part of the development, which highlights that harm will occur. However, no further evidence is provided to demonstrate that mitigation can be successfully achieved. The allocation impinges on ancient gorse habitat which has only ever been found at this location within the site, likely due to soil and other conditions. Additionally, the dense scrub forms an important part of the wider mosaic of habitats. The UFA 2021 (4.78) states that provision of enhancements could be within the wider LNR to ensure the Biodiversity Net Gain is deliverable, but fails to appreciate that enhancements are already being delivered on site through the work of the FoWH and City Park Rangers.

Planning Practice Guidance (ID: 8-009-20190721) explains that public bodies should be seeking to make a significant contribution to the achievement of the commitments made by government in its 25 Year Environment Plan and therefore the creation of a Nature Recovery Network, based on the Lawton Principles that ecological networks need to be 'bigger, better, more and joined up'. It is clear that encroachment into the LNR at its narrowest point, in the centre of the site will result in fragmentation and adverse 'edge effects' on the remainder of the LNR. Whitehawk Hill LNR is a linear 'finger' coming down from the South Downs National Park and into the city. The level of development around the LNR already makes it vulnerable to urbanising impacts, indeed as a core area, this site needs further buffering, not impingement at the narrowest point.

This site could be removed and still leave the council delivering a surplus of homes against the requirement in the CPP1. We acknowledge that the housing targets committed to in the CPP1 does not meet the OAN of the city which is astronomically higher at 2,331 dwellings per year (standard method plus urban uplift). The council state that allocating on a LNR would not set a precedent for further development as the council would be under no obligation to permit

development on other urban fringe sites/locally designated sites [SD09ai]. However, the council will imminently be reviewing the CPP1 with a huge OAN figure which could never be conceivably accommodated within the City. Even with radical planning changes, the city will always be constrained by geography (the sea and the SDNP) and therefore the pressure to develop on every patch within the city boundary will continue to grow.

This is further demonstrated by paragraphs 2.9 and 2.10 of the Housing Provision Topic Paper [TP06] which show that majority of sites in the SHLAA have been allocated. Where they were not, it was mainly because they are in current active use e.g. as commercial premises and therefore uncertain if or when they may come forward for housing, or they are sites for under 10 houses.

These 30 proposed dwellings makes no real contribution to the housing shortfall. Allowing development on the LNR, an LNR that is working, that is valued by the local community and has a positive future, will set a precedent which will open this site up for discussion every time the plan is reviewed. It will undermine the positive work being done by the community and irreversibly threaten the future of the whole LNR.