

Matters 6 and 10.2 – Policy E1 Land at East Quay, Newhaven Port

As stated in our written representation (REP-022-001) and during our oral evidence given at the Examination Hearing on 12/4/19, the Sussex Wildlife Trust (SWT) objects to the allocation of E1. However, it has been agreed by all parties that if any development were to occur in any part of E1, mitigation to ensure net gains to biodiversity as per proposed policy DM24 and paragraph 170 of the NPPF (2019)¹ would be required. In particular, the loss of E1 would likely create further recreation pressure on the 'nature reserve' and would result in a loss of valuable habitat, particularly for migrating and nesting birds, for reptiles and for invertebrates.

In this light, the Inspector has asked SWT to put forward 'proposed alternative mitigation to the wildlife site'. SWT feel strongly that detailed mitigation cannot be suggested without the details of any planning proposal, up to date ecological surveys and consultation with stakeholders such as the Sussex Ornithological Society and Friends of Tide Mills. Additionally, there is no evidence to suggest that mitigation will result in net gains to biodiversity. However, SWT can suggest some high level principles that would need to be considered by NPP and LDC:

- There is no scope for further enhancements to the existing nature reserve. Any mitigation must include bringing a wider area of the LWS into positive management, including through habitat creation. For example, the south west section of the LWS could potentially be enhanced through the introduction of wet scrapes for the benefit of birds.
- There must be consideration of alternative recreation and in particular, dog walking routes on the least ecologically sensitive areas.
- There should be commitment to working with all relevant partners to improve the holistic management of the entire LWS including the Ouse Estuary Project.
- Any mitigation will need to be put in place before any development takes place on site E1 to allow new habitat to develop to a stage where it is of equivalent value to what is being lost.

This statement should be seen as initial guiding principles given the information available. It is likely that further impacts would become apparent should a development proposal come forward. The statement must not be taken to imply that SWT believes that the adverse impact of developing E1 can be mitigated/compensated for or that biodiversity net gains can be guaranteed.

23rd April 2019

¹ Whilst the local plan will be assessed for soundness against the 2012 version of the NPPF, any planning application for this site will be assessed against the 2019 version which requires net gain.