Sussex Wildlife Trust

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Dear Sir/Madam

Bexhill Hastings Link Road Planning Application RR/2474/CC (EIA)

Sussex Wildlife Trust *objects* to the above planning application related to the proposed Bexhill Hastings Link Road. We do not consider the scheme to represent sustainable development. The level of environmental damage that will result is unacceptable, and will alter the ecological functioning of the Combe Haven valley.

The following comments are made on behalf of Sussex Wildlife Trust and are based on additional information to the Environmental Statement (ES) which accompanied the planning application in May 2007. No field work has been undertaken, although as an organisation we have good knowledge of this area, particularly Filsham Reedbed and Marline Woods, both within Sites of Special Scientific Interest (SSSI). These sites are managed by Sussex Wildlife Trust and will be adversely affected by this scheme.

A 21 day consultation period over the busiest holiday season and including a bank holiday weekend has not allowed sufficient time for us to adequately study the lengthy documents, or for members of the public to get involved. We complained about the short consultation period with the 2007 planning application, yet this has clearly not been considered.

Sussex Wildlife Trust is the county's leading conservation organisation with in excess of 30,000 members in Sussex. Many of our members take a keen interest in local development and its impacts on biodiversity.

In our response to last year's planning application, time constraints forced us to concentrate on Chapter 12 of the Environmental Statement, Nature Conservation and Biodiversity and we will address the related section of the addendum this time.

Aside from the extremely damaging nature of this proposal to the biodiversity of the valley, we still do not accept the justification for the scheme, i.e. predicted economic benefits against environmental damage.

Taking Care of Sussex

We voiced concern over the inadequacies of the mitigation strategy submitted in 2007. The addendum does not imply a good understanding of ecological functioning. As stated last year, we do not believe it is possible to adequately mitigate the effects of the proposed scheme on the natural functioning of this landscape.

Fragmentation and isolation can be devastating to biodiversity. Roads represent a particularly damaging barrier to species movement, which is becoming increasingly important in the light of climate change. The ecological network approach is widely accepted and promoted throughout conservation organisations and Government bodies, recognising that isolated designated nature sites will not halt the decline in biodiversity. This scheme will impact negatively on the local ecological network by reducing connectivity of habitats in the area.

As stated in our 2007 response (attached), we believe that the cumulative effects associated with development resulting from this scheme should be assessed as part of this planning application. The environmental damage resulting from the enabled development will be substantial and will further impact on the Combe Haven valley and its biodiversity.

Combe Haven SSSI
Section 12.5.4 states that part of the road scheme would be immediately adjacent to the SSSI boundary. This is described as The Greenway but will entail construction work as it is to be hard surfaced. The SSSI should be buffered against development and we would expect to see the buffer outside the SSSI boundary in all cases to minimise damage to the site and its associated species.

Section 12.5.5 describes the vegetation in the area that will be immediately adjacent to the scheme as being 'species poor' and therefore relatively resistant to indirect impacts such as run-off and chemical deposition. Being species poor is not an indicator of poor habitat as this seems to imply. Different habitat types typically support different degrees of species richness. For example reedbed is very species poor, being dominated by one species.

This section also makes it clear that the SSSI will be subjected to potentially damaging indirect impacts, a fact which is played down within the documentation.

The SSSI is not designated for its vegetation, but for the species that this supports. As Combe Haven SSSI supports significant bird interest, the long term disturbance to flight lines and negative impact on vegetation and water bodies will affect feeding and breeding success. The effects of disturbance was mentioned in the Environmental Statement but is not further expanded on in this document. The addendum does not reduce this threat.

Sections 12.5.7 and 12.5.8 again describes some of the potentially negative impacts on the biodiversity of the SSSI, in this case the wet habitats and the species they support. We are not confident that the mitigation measures will remove this threat and careful monitoring and an agreed contingency plan would be needed throughout all phases of this scheme as part of a long term management strategy. A contingency plan should state what action will be taken should an activity be identified as damaging.

Section 12.5.16 states that the Combe Haven SSSI would not be fragmented by the construction of the scheme, it then goes on to describe its isolation from presently connected habitats as a result of the scheme, i.e. fragmentation. It does not offer solutions to prevent the fragmentation described.

The valley is known to be used by migratory species, particularly in a north-south aspect. The proposed road will cut across east-west, thereby disrupting important flight lines. This in itself will be damaging to biodiversity dependent on this valley as well as those resident species.

Marline Woods SSSI
Section 12.5.9 describes an area of scrub, implying that this is of little importance as it is not designated ancient woodland. The scrub in this area forms part of a matrix of habitats and provides buffering for the woodland as part of the woodland edge habitat. Woodland does not stop in a clean line of trees and edge habitats are important. This area is also within the SSSI as part of the complex of habitats and species that are considered important enough to require protection through designation.

The following section (12.5.10) goes on to describe this area as woodland and scrub and suggests that this would not be damaged by having a concrete structure built over it. It calculates that approximately 30m^2 of SSSI woodland would be located beneath the proposed structure with concrete walls extending 50m along the boundary. This is again inconsistent with the claim that the scheme is not adjacent to Marline Woods SSSI. We consider this to constitute a loss of SSSI habitat.

Section 12.5.11 carries further inconsistencies claiming firstly that there will be not be any direct impacts on the woodland, and secondly that the structures will impact on tree root zones. It also suggests a buffer strip to protect the SSSI. With the scheme and particularly these structures being adjacent to and indeed on top of the SSSI there is no physical space to put a buffer strip. Buffers are located outside areas of importance to protect them.

This section also describes the impact of dust on the SSSI as moderate adverse, but does not suggest how this risk could be reduced or removed. Noise pollution is also described, particularly with respect to over wintering and breeding birds. Dust, noise and other pollutants from the scheme will exist throughout the lifetime of the road and so represent a long term adverse impact on a site that is designated for its biodiversity importance. This site is irreplaceable and should be protected and enhanced. It is worth noting that the site is managed as a nature reserve for both people and wildlife.

Appendix 1.4 reports on a survey of lower plants of the southern part of Marline Woods by Simon Davey. He notes the total absence of the lichen *Xanthoria parietina*, and any other members of the genus *Xanthoria* as an indicator that there is little or no eutrophication from intensive farming in the area, or ammonia from car exhausts.

Sections 12.5.113 to 12.5.121 detail the impact of shading and changes in the microclimate, which will also impact on the SSSI and its component species, again in the southern tip of the reserve.

Section 12.5.14 lists existing barriers to species movement and therefore connectivity of habitats in the vicinity. This is suggested as a reason that further fragmentation is not an issue, when it actually highlights how important it is to maintain current connectivity.

There is also a suggestion that planting trees and shrubs alongside the carriageway will reduce the fragmentation. It is the carriageway and the traffic using it that forms the barrier to species movement.

The proposal to plant trees alongside the bridge structure, presumably close to the railway line may not be acceptable to the bodies that are responsible for the railway line's management.

Fragmentation
The significance of the impact of fragmentation is not altered from minor adverse. We suggest that it will have a greater impact on the long term functioning of these sites and the wider biodiversity supported by this area. Species do not stay within designated sites, but rely on being able to use the surrounding countryside. Overall, this section does not address summary point four.

Nitrogen deposition
Sections 12.5.45 to 12.5.49 discuss the potential ecological impacts of the predicted increases in nitrogen deposition as a result of the scheme on the SSSIs. Although this is not considered to be of significance as the area is already predicted to exceed thresholds, surely an increase to a system already over loaded should be considered even more damaging.

In general, this section along with discussions about acid deposition, leachate, runoff, pollution and salt spray serves as a reminder that there will be significant cumulative impacts on biodiversity as a result of this scheme. Each is predicted to have an impact, which individually may not be considered significant but when assessed collectively, along with fragmentation and isolation of habitats and species, noise pollution and so on, we maintain our objection to this damaging scheme.

Protected species
Information regarding the use of the area by bats should be informed by surveys, which are not yet complete. In general, we consider that the road will impact on bat behaviour and that desire lines and hazards should be factored in when assessing the permeability of the landscape to these species. Foraging routes are linked to food sources and it has been previously stated that mitigation planting will take approximately ten years to mature in many instances and maybe longer with tree and hedgerow species. This may mean short term impacts are likely to be significant, even where artificial roosts are provided. Should this impact on populations their potential for recovery over time should be estimated.

Compensation habitats
Sections 12.5.25 to 12.5.30 do not provide further information on the short to medium term impacts of the scheme. It should also be recognised that the habitats discussed will be artificially created in the vicinity of a busy road. We are still not clear how the existing habitats relate to those proposed, i.e. will there be further loss of habitat to create alternatives and how is this decided?

Section 12.6.7 does not offer any further clarity as to the current biodiversity value of land identified for habitat compensation. It does highlight that this mitigation work may create the need further mitigation work, should the land be assessed to be of importance to protected species. This example compounds our concerns about the mitigation strategy and the ability to implement the 'two for one' approach to habitat compensation.

Management strategy
Section 12.6.9 indicates a management commitment of seven years. Previously the document refers to compensation habitats that will not be of value to biodiversity for ten years or more. A proposed management plan should detail a long term commitment to management and monitoring. Monitoring must inform and influence habitat management decisions. The transitional stages and dynamic nature of habitats will need to be considered in the management strategy if a mosaic of habitats is to be achieved allowing species movement and genetic viability in the long term. The conclusion mentions a 20 year strategy and we are unclear as to what is actually proposed with respect to management and funding of habitats.

Consultation
Sussex Wildlife Trust was invited to one meeting in 2005 regarding this scheme. This was at the request of English Nature (Natural England) and we have not been involved in any other meetings.

We were informed about the planning application and the current consultation but on both occasions given the bare minimum consultation period in which to respond.

Government approved national funding for the scheme in 2004 conditional on planning approval and that the gross and net costs of the scheme should not exceed £47 million. ESCC now estimate the cost at closer to £100 million - more than double the approved funding. We were told in 2007 that cost increases related to flood amelioration, compensation land and mitigating environmental impacts amongst other things. As previously stated, these costs should have been included in the original bid as previous proposals for a by-pass along this route had identified these requirements.

It is widely acknowledged that the greatest threat to biodiversity is currently climate change and whilst Government and ESCC have pledged to take action to reduce greenhouse gas emissions, this scheme will result in a conservatively estimated increase in carbon dioxide emissions of nearly 6,000 tonnes per annum by 2025. This issue has been acknowledged but not adequately addressed in the addendum.

We have not identified evidence in the addendum to show how the scheme will comply with the Water Framework Directive. We trust the Environment Agency is advising on this matter.

We remain disappointed that ecoducts have been discounted despite their success in Europe, particularly The Netherlands where road schemes have caused fragmentation.

We still believe that this scheme will impact on Filsham Reedbed, part of the SSSI and dependent on the Combe Haven watercourses. Species (e.g. bird species) using this site also use habitats in the rest of the valley. This has not been addressed in the addendum.

We would like to see research on migratory species using the valley and the impact of a busy road cutting across it.

In most cases survey work has still not been completed on protected species. It is not possible to make an informed decision on the effect of this scheme on biodiversity without this information and the associated proposed mitigation. Our previous comments related to bats have not been adequately addressed on at this stage.

The same is true for bird species. Survey information must inform decision making and comments made have not been addressed in detail to our knowledge.

Conclusion
The conclusion to chapter 12 briefly outlines mitigation in response to some negative impacts, but does not state the overall negative impact of this scheme on biodiversity. We believe this to be significant, particularly with regard to landscape ecology and connectivity of habitats. Fragmentation of this valley through the construction of a barrier to wildlife is of significance now and may be greater in the future as species and habitats need to migrate in response to predicted changes to our climate. This is further compounded by the nature of the scheme and resulting increases in traffic and therefore damaging emissions such as greenhouse gases and pollutants.

Our conclusion remains the same as in our 2007 response to the planning application. The information that has come forward at this stage has not convinced us that this scheme represents sustainable development or that the residual environmental damage after mitigation is acceptable. We do not accept that the works are imperative for reasons of overriding public interest, including those of a social or economic nature.

Sussex Wildlife Trust <u>strongly objects</u> to the proposed Bexhill Hastings Link Road.

The proposals do not represent sustainable development.

Justification for the scheme is flawed and transport management alternatives to the road have not been adequately investigated.

The scheme will result in unacceptable environmental damage. It is not possible to adequately mitigate against the resultant environmental damage.

Surveys have been undertaken to ascertain the biodiversity resource of the valley but its functioning and the viability of populations has not been adequately addressed.

The proposed ecological mitigation is inadequate and is not supported by sufficient evidence to guarantee a successful outcome.

The ecological functioning of the valley and its contribution to the wider ecological network has not been investigated and is not addressed through mitigation.

The proximity of the scheme to Marline Woods SSSI and Combe Haven SSSI is such that the scheme will have a negative effect on these two sites and associated species, including protected and migratory species. The scheme will also negatively impact on a matrix of Sites of Nature Conservation Importance.

The effects on protected bat species have not been assessed due to lack of survey data and mitigation does not relate to individual species present or the future conditions in the valley.

The scheme fails to deliver biodiversity benefits as required by PPS9, indeed will result in biodiversity loss.

Yours sincerely

Janyis Watson
Head of Conservation