

Wealden
District Council

Strategic Environmental Assessment (SEA) and Habitats Regulation Screening Option (HRA)

Brownfield Land Register 2025

December 2025

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Contents

1 Introduction 2
2 Overview of the Brownfield Land Register 4
3 SEA Screening Assessment for the Draft Brownfield Land Register 5
Figure 1: Application of the SEA Directive to Plans and Programmes 7
Table 1: Establishing the Need for an SEA 8
Table 2: Determining the likely significance of effects 10
4 SEA Screening Assessment Conclusion 15
5 HRA Legislative Context 16
6 HRA Screening Assessment Methodology 18
7 Scope of the Screening Assessment 20
8 Air Pollution at Ashdown Forest SAC 20
9 Recreational Disturbance at the Ashdown Forest SPA 22
10 Water Quality and Hydrology at the Pevensey Levels SAC and Ramsar site 23
11 Screening the draft brownfield land register for likely significant effects, alone and in combination with other plans and projects 26
Table 3: Impact of draft brownfield land register on European protected sites .. 27
12 HRA Screening Assessment Conclusion 30
Appendix 1: Map showing European protected sites near Wealden District 31
Appendix 2: European and Ramsar Site Information 32
Appendix 3: Other Relevant Plans 58
Appendix 4: Sites excluded from HRA assessment and justification 74
Appendix 5: Statutory Consultee Responses 76

1 Introduction

1.1 This Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA) screening assessment has been undertaken by Wealden District Council in respect of the draft Brownfield Land Register 2025, which has been produced by Wealden District Council.

1.2 The aim of the SEA and HRA screening report is to determine whether the proposed draft Brownfield Land Register, requires the following to be undertaken:

I. Strategic Environmental Assessment in accordance with the European Directive 2001/42/EC[1] and associated Environmental Assessment of Plans and Programmes Regulations 2004[2].

II. Habitats Regulations Assessment (HRA) in accordance with article 6 of the EC Habitats Directive 1992, as interpreted by Regulations 63, 105 and 106 of The Conservation of Habitats and Species Regulations 2017[3] as amended.

1.3 A draft brownfield land register may require a Strategic Environmental Assessment (SEA) to comply with the SEA Directive where it is likely to have significant environmental effects. It is the Council's responsibility to determine whether the draft brownfield land register is likely to have significant environmental effects taking into account the criteria set out in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004, and in consultation with the Environment Agency, Natural England and Historic England.

1.4 In order to decide whether the proposed brownfield land register is likely to have significant effects on the environment it is 'screened' at an early draft stage. This screening report assesses the draft version of the Brownfield Land Register 2025.

1.5 If, after the screening assessment and consultation with statutory bodies, the responsible authority determines that the draft brownfield land register is likely to have significant environmental effects, then a full Environmental Assessment will be required. Conversely, if it is determined through screening and consultation with the statutory bodies that the draft brownfield land register is unlikely to have significant environmental effects,

[1] European Directive 2001/42/EC

[2] The Environmental Assessment of Plans and Programmes Regulations 2004.

[3] The Conservation of Habitats and Species Regulations 2017.

then the District Council will seek to publish the brownfield land register and will not concern itself with subsequent stages of the SEA process.

2 Overview of the Brownfield Land Register

2.1 The Town and Country Planning (Brownfield Land Register) Regulations 2017[4] requires all local planning authorities to prepare, maintain and publish a brownfield land register by the end of each calendar year. The register comprises a list of sites on Previously Developed Land (known as 'Brownfield' sites) that are considered suitable, available and achievable for residential development.

2.2 The term 'suitable' for residential development is defined under regulation 4 of the brownfield land register regulations as a site that:

a. *has been allocated in a local development plan document for residential development;*

b. *has planning permission for residential development;*

c. *has a grant of permission in principle for residential development; or*

d. *is, in the opinion of the local planning authority, appropriate for residential development, having regard to-*

I. *any adverse impact on-*

(aa) the natural environment;

(bb) the local built environment, including in particular on heritage assets;

II. *any adverse impact on the local amenity which such development might cause for intended occupiers of the development or for occupiers of neighbouring properties; and*

III. *any relevant representations received.*

2.3 The brownfield land register is split into two parts named 'Part 1' and 'Part 2' respectively. Part 1 of the brownfield land register comprises all brownfield sites that a local planning authority has assessed as appropriate for residential development and this will include sites with extant full planning permission, outline planning permission, permission in principle as well as sites without planning permission that are considered suitable by the local planning authority (i.e. normally allocated through a Local Plan or a Neighbourhood Development Plan). Part 2 of the brownfield land register is effectively a subset of Part 1 of the brownfield land register and includes those sites that are considered suitable for the granting of 'permission in principle (PiP)'. When sites are granted PiP, it must then be followed by an

[4] The Town and Country Planning (Brownfield Land Register) Regulations 2017.

application for ‘technical detail consent’ to agree the details of the scheme before obtaining full consent for the development.

2.4 Whilst Part 1 of the brownfield land register contains all sites that are considered suitable for residential development regardless of planning status, it does not provide a formal mechanism itself to deliver such residential development. This can only be delivered through Part 2 of the brownfield land register as described above. There is no obligation for Wealden District Council to grant ‘PiP’ for sites identified within Part 1 of the brownfield land register by entering them onto Part 2 of the brownfield land register. Wealden District Council is not intending to enter any sites onto Part 2 of the brownfield land register this year. It should be noted that the sites included in Part 1 of the brownfield land register have already obtained planning permission or an equivalent (such as through a ‘prior approval’ process).

2.5 Whilst there is no mandatory requirement to carry out either an SEA or HRA on Part 1 of the brownfield land register, the Planning Practice Guidance (PPG)[5] confirms that the preparation of a brownfield land register may require an SEA, if a register is considered to be a plan or programme which sets the framework for future development consent for development which is likely to have a significant effect on the environment. Where this is the case, the proposed register may fall within the scope of the Environmental Assessment of Plans and Programmes Regulations (known as the SEA Regulations).

2.6 Wealden District Council has therefore undertaken both an SEA Screening Assessment and HRA Screening Assessment for the draft brownfield land register 2025 to determine whether a full SEA and/or HRA is required.

3 SEA Screening Assessment for the Draft Brownfield Land Register

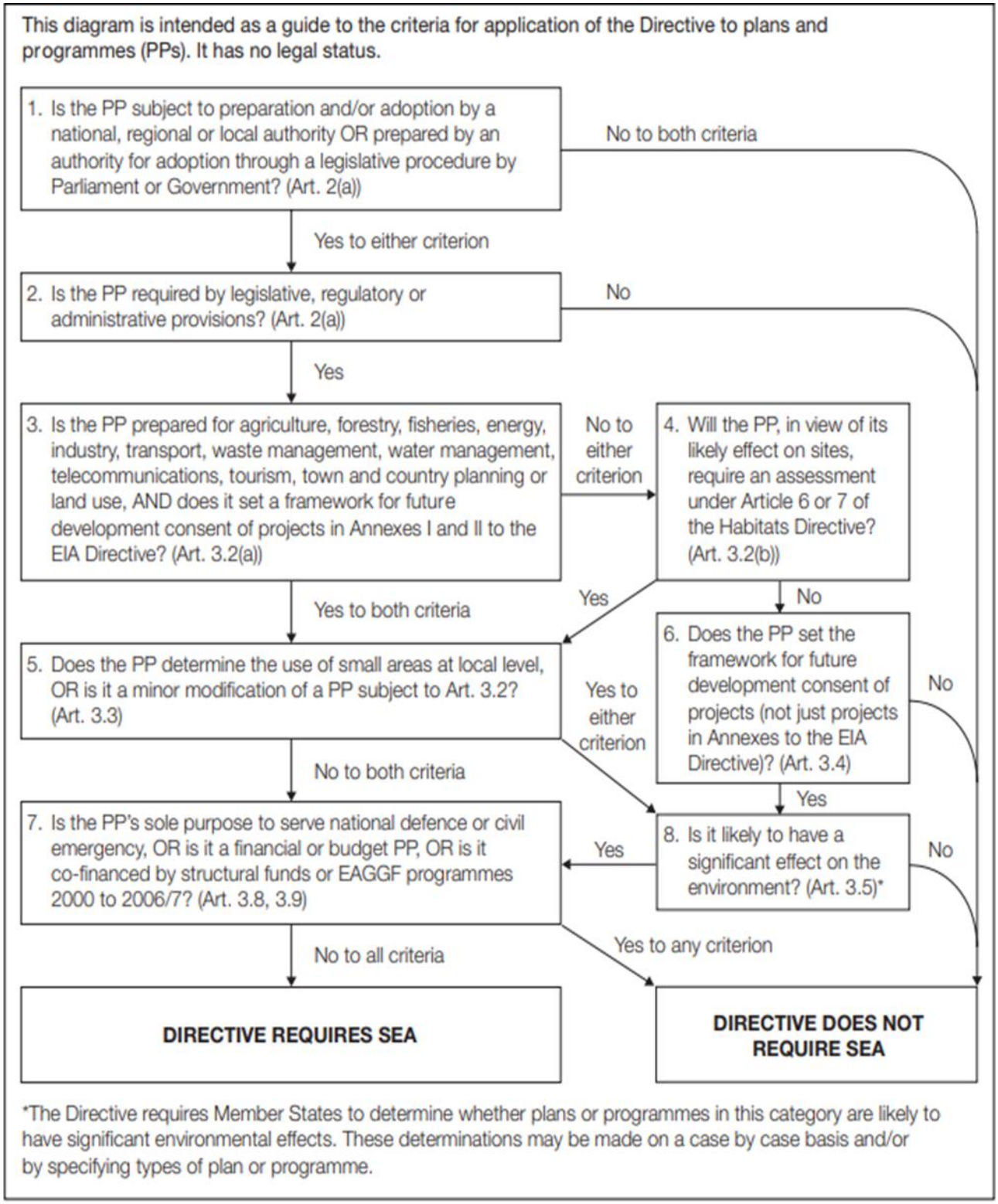
3.1 The screening assessment for the SEA is undertaken in two parts and will firstly assess whether the draft brownfield land register requires an SEA as per the detailed guidance contained within ‘A Practical Guide to the Strategic Environmental Assessment Directive’[6], that is shown below. The second element of the assessment will consider whether the draft brownfield land register is likely to have a significant effect on the environment, using the criteria drawn from Schedule 1 of the SEA

[5] The PPG at Paragraph: 022 Reference ID: 59-022-20170728

[6] See page 13 of ‘A Practical Guide to the Strategic Environmental Assessment Directive’ (2005) and Figure 2 – Application of the SEA Directive to plans and programmes for the original diagram.

Regulations. Figure 1 below is a guide as to how the criteria for the application of the Directive should be assessed.

Figure 1: Application of the SEA Directive to Plans and Programmes



3.2 The process shown above has been undertaken by Wealden District Council for draft brownfield land register 2025 and the findings can be viewed in Table 1 below.

Table 1: Establishing the Need for an SEA

Stage (from the flowchart above)	Answer	Wealden District Council Assessment
1. Is the brownfield land register subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament of Government (Article 2(a))	Yes	The draft brownfield land register is to be prepared and published by Wealden District Council. The outcome of the brownfield land register is unlikely at this stage to influence other plans or programmes. Go to Stage 2
2. Is the brownfield land register required by legislative, regulatory or administrative provisions? (Article 2(a))	Yes	The brownfield land register is required by government in accordance with the Town and Country Planning (Brownfield Land Register) Regulations 2017[7] to be published by the local planning authority each calendar year. Go to Stage 3
3. Is the brownfield land register prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I	No	The brownfield land register is being prepared by Wealden District Council both for town and country planning and land use purposes and therefore meets the first part of this question. However, the brownfield land register does not set a general framework for future development consent of projects in Annexes I and II to the EIA Directive. Go to Stage 4

[7] Regulation 3 of The Town and Country Planning (Brownfield Land Register) Regulations 2017.

Stage (from the flowchart above)	Answer	Wealden District Council Assessment
and II to the EIA Directive? (Art. 3.2(a))		
4. Will the brownfield land register, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Art. 3.2(b))	No	The screening statement for the HRA concludes that an assessment under Articles 6 and 7 of the Habitats Directive is not required. Please refer to Habitats Regulation Screening Assessment within this report. Go to Stage 6
5. Does the brownfield land register determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art 3.3)	Not applicable.	
6. Does the brownfield land register set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive? (Article 3.5)	Yes	The brownfield land register does set out a framework for future development consents of projects, although all of these projects have previously been granted permission through a separate formal planning application process, or equivalent process (such as the 'Prior Approval' process). Go to Stage 8
7. Is the brownfield land register sole purpose to serve national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes	Not applicable.	

Stage (from the flowchart above)	Answer	Wealden District Council Assessment
2000 to 2006/07? (Art. 3.8, 3.9)		
8. Is it likely to have a significant effect on the environment? (Article 3.5)	No	Please see 'Table 2' named 'determining the likely significance of effects' below.

3.3 Table 2 below sets out Wealden District Council's assessment on the likely environmental effects of its draft Brownfield Land Register 2025, with reference to the criteria specified in Schedule 1 of the SEA Regulations.

Table 2: Determining the likely significance of effects

SEA Directive Criteria	Wealden District Council Assessment	Likely Significant Environmental Effect
Characteristics of the brownfield land register, having regard to:		
(a) The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	The draft brownfield land register clarifies the availability of brownfield sites for housing within the district (over 5 dwellings), all of which benefit from existing planning permissions. The environmental impact of such proposals has therefore been considered through the planning application process. Part 1 of the draft brownfield land register does not seek to allocate sites for development, nor does it provide policies to help guide development by providing site criteria to establish	No

SEA Directive Criteria	Wealden District Council Assessment	Likely Significant Environmental Effect
	where such development may go.	
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	The draft brownfield land register will not greatly influence other plans and programmes. It does not allocate land for development and sits below the local development plan within the hierarchy.	No
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	The brownfield land register, on a national level, is intended to promote sustainable development by encouraging development on brownfield land over greenfield land. Nonetheless, at a localised level, the draft brownfield land register does not allocate sites for development.	No
(d) environmental problems relevant to the plan or programme.	It is noted that some of the sites included on the draft brownfield land register may suffer from contamination relating to their historical land use. However, these issues will have already been formally assessed and considered through the planning application process (or equivalent) with statutory consultees. It is also noted that the Wealden District Council area does contain Special Protection Areas (SPAs), Special Areas of Conservation (SAC), Ramsar	No

SEA Directive Criteria	Wealden District Council Assessment	Likely Significant Environmental Effect
	Sites, Sites of Special Scientific Interest (SSSIs), Local Nature Reserves (LNRs), the High Weald National Landscape and areas of Ancient Woodland. Nonetheless, sites that do impact such designations have been assessed through the planning application process (or equivalent) with statutory consultees.	
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	The draft brownfield land register will not affect the implementation of environmental legislation. The Habitats Regulations screening concludes that the draft brownfield land register will not result in a 'likely significant effect' on any SACs, SPAs or Ramsar sites.	No
Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:		
(a) the probability, duration, frequency and reversibility of the effects.	It is not considered that there will be significant environmental effects as a result of the adoption of the draft brownfield land register. The draft brownfield land register does not allocate sites for development or set policies to help shape or guide development over a specific time period.	No

SEA Directive Criteria	Wealden District Council Assessment	Likely Significant Environmental Effect
	The number of dwellings on the draft brownfield land register is relatively small, and each site was considered not to cause significant environmental impacts through the formal planning application process (or equivalent 'prior approval' process). Therefore, it is considered that the publication of the draft brownfield land register will not lead to significant environmental effects within Wealden District.	
(b) the cumulative nature of the effects of the plan or programme.	The cumulative nature of effects on the environment is considered to be limited other than on a localised site level. As discussed, each development site would have been considered through the planning application process (or equivalent 'prior approval' process).	No
(c) the trans-boundary nature of the effects.	The draft brownfield land register only contains sites within Wealden District and there is not expected to be any transboundary effects on neighbouring local authorities or on wider regional areas.	No
(d) the risks to human health or the environment (for example, due to accidents).	It is noted that some of the sites included on the brownfield land register may suffer from contamination relating to their historical land use. However, these issues will have already	No

SEA Directive Criteria	Wealden District Council Assessment	Likely Significant Environmental Effect
	been assessed and considered through the planning application process (or equivalent 'prior approval' process) with statutory consultees.	
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	The draft brownfield land register only contains localised sites within Wealden District. It will only relate to a small number of sites and therefore only very localised populations may be affected.	No
(f) the value and vulnerability of the area likely to be affected due to: • Special natural characteristics or cultural heritage; • Exceeded environmental quality standards or limit values; and • intensive land-use	The draft brownfield land register only contains sites that have already achieved planning permission. Therefore, the value and vulnerability of development sites have already been considered in the planning application process. The draft brownfield land register does not allocate sites for development. In addition, it does not contain criteria-based policies that seek to promote or guide development in the future. It is not expected that the publication of draft brownfield land register will lead to an exceedance of environmental quality standards or limit values. These issues have been considered in greater detail in the HRA screening process.	No

SEA Directive Criteria	Wealden District Council Assessment	Likely Significant Environmental Effect
(g) the effects on areas or landscapes which have a recognised national, community or international protection status.	The draft brownfield land register only contains housing sites that have already achieved planning permission (or equivalent). Therefore, the effects of the development of these sites on areas or landscapes which benefit from a recognised national, community or international protection status has already been considered as part of the planning application process.	No
Conclusion	**The Council's draft Brownfield Land Register is not likely to have a significant effect on the environment and as such, an SEA is not required.**	

4 SEA Screening Assessment Conclusion

4.1 As a result of the assessment above at section 3, it is considered by Wealden District Council that an SEA will not be required for the draft Brownfield Land Register 2025, given there will not be any significant environmental effects resulting from its adoption.

4.2 As the Council is only publishing Part 1 of the Brownfield Land Register 2025, every site which appears on the brownfield land register has already been granted planning permission (or an equivalent) through the planning application process. This demonstrates that any potential significant environmental effects emanating from such development have already been considered and assessed by the local planning authority working alongside statutory consultees.

4.3 This SEA screening assessment for the draft Brownfield Land Register 2025 was sent to the three relevant statutory consultees (namely Historic England, Natural England and the Environment Agency) for consultation. The main comments of the statutory consultees regarding the SEA

screening statement are set out below, with their full response is available at Appendix 5 of this screening opinion.

Statutory Body	Main Comments
Environment Agency	The Environment Agency concur with the conclusion that a Strategic Environmental Assessment (SEA) is not required given sites already benefit from extant planning permissions.
Historic England	In light of the Environmental Assessment of Plans and Programmes Regulations 2004, our view is that a SEA is not required in this instance for the reason set out in section 4 of Wealden District Councils Screening Statement.
Natural England	Natural England does not have any comments to make on specific sites proposed to be included in the register. Where sites have been considered suitable, sufficient information should be available to fully assess any environmental considerations and any mitigation measures can be delivered.

5 HRA Legislative Context

5.1 Under Article 6(3) of the Habitats Directive (92/43/EEC), an appropriate assessment is required, where a plan or project is likely to have a significant effect upon a European Site, either individually or 'in combination' with other projects. This requirement is set out in the Conservation of Habitats and Species Regulations 2017 (the "Habitats Regulations"), as amended.

5.2 The UK left the EU on 31 January 2020 under the terms set out in the European Union (Withdrawal Agreement) Act 2020 ("the Withdrawal Act"). The Withdrawal Act retains the body of existing EU-derived law within our domestic law. The most recent amendments to the Habitats Regulations – the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 – make it clear that the need for a HRA will continue after the end of the Transition Period.

5.3 The Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'), transposes the Habitats Directive into UK Law. Regulation 105, provides:

> *"(1) Where a land use plan –*
>
> *(a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and*
>
> *(b) is not directly connected with or necessary to the management of the site,*
>
> *the plan-making authority for that plan must, before the plan is given effect, make an appropriate assessment of the implications for the site in view of that site's conservation objectives'.*

5.4 This means that any proposed plan that may affect a European site (Special Area of Conservation or Special Protection Area) must first undergo an assessment to look at the potential impacts of applying the precautionary principle. This is to determine if the plan will adversely affect the integrity of the European site(s) concerned. This process is known as a Habitats Regulations Assessment, and the first stage considers any likely significant effects (the screening stage).

5.5 Following the 2018 *People over Wind*[8] ruling, mitigation measures cannot be applied at the screening stage in order to rule out likely significant effects and thus prevent the plan progressing to the second stage (appropriate assessment).

5.6 If the screening assessment concludes that a plan or project is likely to have a significant effect upon a European Site, either individually or 'in combination' with other projects, then Under Article 6(3) of the Habitats Directive (92/43/EEC), an appropriate assessment is required. This requirement is set out in the Conservation of Habitats and Species Regulations 2017 (the "Habitats Regulations"), as amended.

5.7 Where likely significant effects are identified at the screening stage, the second stage of the HRA process is triggered. The appropriate assessment looks at the implications of a plan for a European site in view of the site's conservation objectives. Furthermore, mitigation measures may be introduced at the appropriate assessment stage to avoid or reduce the effects of a plan on the European site(s). Before a plan may be given effect, the plan-making authority as competent authority must ascertain that it would not adversely affect the integrity of the European site(s).

[8] People over Wind ruling 2018

6 HRA Screening Assessment Methodology

6.1 This section of the reports sets out the methodology that was undertaken for the HRA Screening Assessment for the draft Brownfield Land Register 2025. There is no statutory method for undertaking a Habitats Regulation Assessment (HRA); however, the method used must be appropriate to its purpose under the Habitats Directive and Regulations.

6.2 Stage 1 of the HRA (i.e. the screening assessment) considers whether the plan is likely to result in a significant environmental effect on a European site. The following steps were undertaken during the screening stage:

1. Determining whether the plan/project is directly connected with or necessary to the management of European sites;
2. Identifying the European sites that should be considered within the HRA;
3. Gathering information in relation to the European Sites including:
    - Characteristics of European Sites;
    - Qualifying interests;
    - Conservation objectives;
    - Current site condition;
    - Threats to qualifying interests; and
    - Identification of relevant site management statements/plans.
4. Identification of all plans or projects that could, in combination, have the potential to result in a significant adverse effect on a European site;
5. Screening the plan for likely significant effects, alone and in combination with other plans and projects; and
6. Rescreening of the Plan where changes to the Plan are made.

6.3 The purpose of screening/stage 1 is to assess whether further steps in the HRA process are required. This involves:

- Identifying and eliminating the elements of the plan which will have no effect on a European site;
- Identifying elements of the plan which would not be likely to have a significant effect on a European site, either alone or in combination with other plans and projects;
- Identifying the elements of the plan where it cannot be ruled out to not result in a likely significant effect, either alone or in combination with other plans or projects; and

- Assessing the significance of any effects on the European site.

6.4 The following assessment took the steps identified in paragraph 6.2 above and consider these questions in assessing the Council's draft brownfield land register.

Stage 1. Is the brownfield land register connected with or necessary to the management of a European site for nature conservation?

6.5 The draft brownfield land register is not directly related with or necessary to the management of a European site/Ramsar site. As a consequence, the draft brownfield land register is therefore subject to a HRA screening process as required by the Habitat Regulations.

Stage 2. Identifying the European sites that should be considered within the HRA

6.6 The screening exercise first identified the following European sites for consideration in the HRA:

- Ashdown Forest Special Area of Conservation (SAC);
- Ashdown Forest Special Protection Area (SPA);
- Pevensey Levels SAC and Ramsar site;
- Lewes Downs SAC;
- Castle Hill SAC;
- Hastings Cliff SAC; and
- Dungeness, Romney Marsh and Rye Bay SPA and Ramsar site; and
- Dungeness SAC

Stage 3. Information gathered in relation to European sites / Pathways of Impacts

6.7 Appendix 2 provides a summary of the information as part of the screening process for European protected sites that were screened in. Appendix 4 provides further detail as to why the remaining European protected sites were excluded from further assessment.

Stage 4. Identification of all plans or projects that could, in combination, have the potential to result in a significant adverse effect on European protected sites

6.8 Plans with potential to create in combination effects include existing/emerging development plan documents in Wealden District and other neighbouring authority areas. This includes other existing and emerging neighbourhood plans. Windfall sites could also have an influence.

Appendix 3 provides a summary of the relevant development plans and the elements of those plans that could cause harm to European protected sites.

7 Scope of the Screening Assessment

7.1 The HRA screening exercise undertook an exercise to identify European/ international sites using an initial 20km radius around Wealden District with the aim of screening the plan to identify whether it could result in a likely significant effect. The following European/International sites were screened out of the assessment on the basis that the draft brownfield land register 2025 would not result in a likely significant effect on these sites.

- Lewes Downs SAC;
- Castle Hill SAC;
- Hastings Cliffs SAC;
- Dungeness, Romney Marsh and Rye Bay SPA and Ramsar; and
- Dungeness SAC

7.2 Appendix 4 provides further detail as to why these European protected sites were excluded from further assessment at this stage.

7.3 The following remaining European protected sites were deemed to lie in close proximity to sites on the draft brownfield land register 2025 and therefore required further assessment:

- Ashdown Forest SAC;
- Ashdown Forest SPA;
- Pevensey Levels SAC and Ramsar site.

8 Air Pollution at Ashdown Forest SAC

8.1 Air quality monitoring has taken place across Ashdown Forest SAC since 2014 and has identified that ambient concentrations measured at Ashdown Forest SAC for both Nitrogen Oxides (NOx) and Ammonia (NH3) are currently exceeding the critical level at some monitor locations close to the road on the A22, A26 and A275, which traverse across Ashdown Forest SAC.

8.2 In addition, dispersion modelling across the Ashdown Forest SAC has identified that currently, some areas of the SAC are exceeding their critical levels for NO_x, NH_3 and nitrogen deposition.

8.3 The qualifying features underpinning the Ashdown Forest SAC designation are the presence of European dry heath, North Atlantic wet heath and great crested newts. The conservation objectives for the SAC can be

summarised as ensuring the favourable conservation status of its qualifying features by, amongst other things, maintaining or restoring qualifying habitats.

8.4 Natural England's supplementary advice on conserving and restoring the SAC, linked to the Planning Practice Guidance (PPG), explains that the heathland habitat of the Ashdown Forest is sensitive to changes in air quality. Exceedance of 'critical values' for air pollutants may modify its chemical substrate, accelerating or damaging plant growth, altering its vegetation structure and composition and causing the loss of typical heathland species. Accordingly, development could result in an impact pathway to the SAC if it contributes to an exceedance in critical values.

8.5 The heathland habitat in the Ashdown Forest SAC is vulnerable to atmospheric pollution from several sources including vehicle emissions from motor vehicles. There is a potential impact pathway from increased traffic flows associated with new development on the roads which go through, or run adjacent to, the SAC. Many of the characteristic plants, mosses and lichens of heathland habitats are adapted to nutrient poor conditions and extra input of nitrogen can disadvantage these characteristic species in favour of others with a greater tolerance of higher nitrogen levels.

8.6 It is noteworthy that the Council proposed a new Local Plan to 2040[9], with a Regulation 18 Draft Wealden Local Plan setting out the Council's draft policies and growth strategy for 15,729 net new homes and 84,850 square metres of employment floorspace. This draft Wealden Local Plan has been subject to an HRA[10] in relation to the impact on the Ashdown Forest SAC, where it has been determined that the growth identified in the Local Plan would not adversely affect the integrity of the SAC. This advice regarding air quality is that this conclusion can be reached without mitigation measures being needed under the specific requirements of the Habitats Regulations. Following consultation on this Regulation 18 Draft Wealden Local Plan, the council summarised the representations made, and a report was presented to the Local Plan Sub-Committee on 5 March 2025. As a result of this consultation and changes to the National Planning Policy Framework, the council will be publishing a further Regulation 18 Local Plan in Quarter 3 of 2025/2026, in line with the Councils Local Development Scheme[11].

8.7 In formulating these development plans, Natural England has advised that where an existing national, regional or local initiative can be relied upon to

[9] Regulation 18 Draft Wealden Local Plan, March 2024

[10] Habitats Regulations Assessment of the Wealden Local Plan, Regulation 18, February 2024

[11] Local Development Scheme 2025

lead to the reduction in background levels of pollution at a site, the competent authority should assess the implications of a plan or project against an improving background trend. Ongoing air quality monitoring undertaken by the Council and its partners indicates that improvements in vehicle technology will come forward and this is a further consideration in assessing the effects on site integrity of the Ashdown Forest SAC arising from the draft brownfield land register 2025.

9 Recreational Disturbance at the Ashdown Forest SPA

9.1 Visitor surveys at Ashdown Forest and other greenspaces in the district indicate a significant use of Ashdown Forest by the local population. Based on these visitor surveys and in consultation with Natural England, plans and projects may result in a significant impact at Ashdown Forest SPA as a result of disturbance from an increase in visitor numbers from new residential development.

9.2 The Ashdown Forest SPA is home to approximately 2.1% and 1.1% of the UK's population of breeding Dartford warbler and nightjar, respectively. Both of these species are considered rare and vulnerable birds. Ashdown Forest is also one of the largest free public access open spaces in the south east, attracting over one million visitors each year.

9.3 Ashdown Forest is located relatively close to a number of large settlements including East Grinstead, Royal Tunbridge Wells, Haywards Heath, Crowborough and Uckfield. A number of smaller villages are also located in close proximity to the Forest. The attractive, extensive open nature of Ashdown Forest and its right of access across the site means that visitors are drawn to use the site for recreational purposes.

9.4 Studies and evidence resulting from research undertaken at the Ashdown Forest SPA and other SPAs in the country has identified that one of the principal threats to the European protected Dartford warbler and nightjar is the damaging effects of disturbance caused by recreation during their breeding period.

9.5 With the draw of Ashdown Forest as a recreational resource and from evidence, relating to other SPAs, as per advice from Natural England, it is likely that an increase in development near to the SPA would exacerbate recreational pressure. An increase in recreational pressure could have two outcomes; it could either result in those areas with a high level of visitors already becoming busier, or it will result in areas that are currently less intensely visited to become busier. There is also a possibility that should an area start becoming busier, than existing visitors will change their habits and visit alternative parts of the Forest, again resulting in an increase in recreational pressure at these alternative locations. Either way, additional

visits are likely to result in a change in recreational pressure that could, if unchecked, result in an increased level of recreational disturbance to the protected species identified in appendix 2.

9.6 Based on the work undertaken for the Council's previously submitted Local Plan[12] and following consultation with Natural England, a two-zone approach has been identified. This is as set out below and is the same approach proposed in the draft Regulation 18 Wealden Local Plan at Policy NE5: Ashdown Forest SPA, as shown below:

- A 400m zone where it is unlikely that additional residential development can take place due to the inability to avoid or mitigate disturbance or urbanisation impacts;
- A 400m - 7km zone where contributions to Suitable Alternative Natural Green Space (SANGS) and Strategic Access Management and Monitoring (SAMM) Strategy are required to mitigate the impacts of development.

10 Water Quality and Hydrology at the Pevensey Levels SAC and Ramsar site

10.1 Additional new development and increased populations located within the hydrological catchment area of the Pevensey Levels have the potential to impose additional pressure on the conservation status of the Pevensey Levels SAC and Ramsar site through:

- Deterioration of water quality; and
- Changes in hydrological conditions.

Water Quality

10.2 Water quality is governed not only by the quantity and type of contaminants but also the volume and velocity of the water conveying the contaminants. Changes to water quality in the Pevensey Levels has the potential to affect the Conservation Objectives of the Pevensey Levels, including maintaining the distribution of habitats and species, and moreover, maintaining the structure, function and supporting processes of those habitats supporting the species.

10.3 Surface water run-off has the potential to be a major source of water pollution. Pollutants reach wetland areas mainly through run-off whereby water flows over impervious surfaces picking up a number of pollutants generated by human activity. Such pollutants can include sediment from

[12] The withdrawn Wealden Local Plan (2019) provided for 14,228 dwellings to be delivered between 2013 and 2028.

construction sites, toxic metals and petroleum wastes from roadways and industrial or commercial areas, nutrients and bacteria from residential areas and nutrients and pesticides from agriculture and gardening activities.

10.4 The Cuckmere and Pevensey Levels catchment area is served by 18 Wastewater Treatment Works (WwTW). The three largest WwTW that serve the majority of the population within Wealden District are the Hailsham North WwTW, Hailsham South WwTW and Vines Cross WwTW. Hailsham North WwTW serves the northern part of Hailsham, Lower Horsebridge and several outlying villages including Chiddingly, Hellingly and Lower Dicker. Treated wastewater from the Hailsham North WwTW enters the Hurst Haven. Hailsham South WwTW currently serves the majority of Hailsham itself (to the south of the town), as well as Polegate and Willingdon. Treated wastewater from Hailsham South WwTW enters the Horse Eye Sewer and ultimately enters into the Hurst Haven also. Horam Parish is to the north of the Cuckmere and Pevensey Levels catchment area and is served by the Vines Cross WwTW that serves 12,000 people in Heathfield, Horam and surrounding villages. The treated wastewater enters into the Waldron Gill. These WwTWs discharge treated wastewater into the Pevensey Levels, in line with the Environmental Permits granted by the Environment Agency.

10.5 Both of the WwTWs at Hailsham treat wastewater to the highest standards available nationally before the effluent is discharged into the Pevensey Levels. However, in considering the current water quality status of receiving waters there is a risk that increased urbanisation could potentially cause further water quality deterioration.

Hydrology

10.6 Hydrology concerns the quantity, duration, rates, frequency and other properties of water flow. In relation to the Pevensey Levels, hydrology is central in maintaining specific designated species, including those species that are considered of European importance. The flora and fauna in the Pevensey Levels are not only dependent on the overall maintenance of water levels but also the velocity and volumes at which water is received into the watercourses, which is critical to the success of the ecosystems. The hydrology, and therefore the Conservation Objectives of the Pevensey Levels SAC and Ramsar site are potentially affected by a number of issues associated with new development.

10.7 Natural England has published a Site Improvement Plan for the Pevensey Levels (SIP171) that provides a high-level overview of the issues (both current and predicted) affecting the condition of the Natura 2000 features on the site(s) and outlines the priority measures required to improve the

condition of protected features. In terms of hydrology, it was identified for Pevensey Levels SAC feature (the Anisus vorticulus or little ramshorn whirpool snail) that one of the main threats would be inappropriate water levels. Specifically, maintaining adequate water levels (0.3cm below ditch neck) is critical to the feature and this is currently being delivered through a Water Level Management Plan to achieve appropriate water levels, which should be adequately monitored and maintained.

10.8 The development of land involving the covering over of natural geology with impermeable materials and structures can reduce the amount of water being received and stored by the underlying geology. As a result, and without mitigation, there would be an increase in the amount of overland flow, which means the amount of water being received in a shorter period of time creates greater volumes and velocities of water in the watercourses. In addition, the loss of vegetation in the catchment area of the Pevensey Levels would similarly exacerbate this effect. The impact of development through the loss of permeability is dependent on the type of underlying geology and the topography.

10.9 There are a number of WwTWs located within the hydrological catchment area of the Pevensey Levels, which directly discharges treated wastewater into the receiving waters. This water maintains the levels in the receiving watercourses, and any increase or reduction in the volume of discharge has the potential to affect the ecosystem of the Pevensey Levels. Compulsory water metering is likely to reduce the amount of water being used for each household and could therefore reduce the volume of wastewater discharged via WwTWs. Conversely, future development is likely to increase the amount of wastewater for discharge, though considering the requirement for water metering and water conservation measures in new development (these are subject to change), it is not clear how significant this will be and whether the effects of water metering will in fact balance the effects of new development.

10.10 The quantity and quality of waste discharge from all WwTWs are under a consenting regime. During the preparation of Wealden's Core Strategy Local Plan (adopted in February 2013), it was apparent that additional discharges into the Pevensey Levels might be constrained and so a commitment was made to limit growth until an acceptable solution for treating wastewater had been identified. Southern Water has since identified options and a preferred solution (the provision of high-rate secondary treatment process at both WwTWs in order to overcome the environmental constraint), which has come to fruition. Southern Water have also now produced a Drainage and Wastewater Management Plan

(DWMP) for the Cuckmere and Pevensey Levels River Basin Catchment[13]. This includes measures to help protect the Pevensey Levels SAC and Ramsar site.

11 Screening the draft brownfield land register for likely significant effects, alone and in combination with other plans and projects

11.1 The HRA screening assessment conducted in Table 3 below considers whether each of these European/International protected sites are likely to be impacted by the adoption and publication of the draft brownfield land register 2025. The assessment has been conducted by assessing the impacts of the draft brownfield land register with regards to each European Protected Site and its 'Site Improvement Plan'.

11.2 It should be noted that all sites contained within the draft brownfield land register already benefit from extant planning permissions (or an equivalent approval). Therefore, the draft brownfield land register will have no additional impacts beyond the existing sites that already benefit from planning permission. Indeed, such sites could still be developed for housing without the publication of the Brownfield Land Register.

11.3 Site Improvement Plans have been developed for each Natura 2000 site in England as part of the Improvement Programme for England's Natura 2000 sites (IPENS)[14]. Natura 2000 sites are the combined term for sites designated as Special Areas of Conservation (SAC) and Special Protected Areas (SPA).

[13] Southern Water Cuckmere and Pevensey Levels River Basin Catchment Area DWMP (October 2022)

[14] Please note that further information regarding IPENS is available via the following link: https://www.gov.uk/government/publications/improvement-programme-for-englands-natura-2000-sites-ipens/improvement-programme-for-englands-natura-2000-sites-ipens

Table 3: Impact of draft brownfield land register on European protected sites

Potential pathway for significant environmental effect from adoption and publication of the brownfield land register	Significant Effect? (Y/N)	Wealden District Council Commentary
Pevensey Levels SAC and Ramsar Site[15]		
Water Levels and Hydrology	No significant impacts	The draft brownfield land register will have no additional impacts beyond the existing sites that already benefit from extant planning permissions (or an equivalent). Those sites within the hydrological catchment of the Pevensey Levels would already have been assessed in relation to this issue as part of the planning application process and could still be developed without the publication of the Brownfield Land Register. There will be no further implications for the publishing of the draft brownfield land register in relation to this impact pathway.
Water Quality	No significant impacts	Whilst there are a number of sites within the draft brownfield land register that will utilise the existing WwTWs that flow into the catchment for the Pevensey Levels, these sites have already achieved planning permission. Therefore, the draft brownfield land register will have no additional impacts beyond the existing sites that already benefit from extant planning

[15] Please note that the Pevensey Levels SAC and Ramsar Site both benefit from the same Site Improvement Plan.

Potential pathway for significant environmental effect from adoption and publication of the brownfield land register	Significant Effect? (Y/N)	Wealden District Council Commentary
		permissions (or equivalent). Those sites within the hydrological catchment of the Pevensey Levels would already have been assessed in relation to this issue as part of the planning application process and could still be developed without the publication of the Brownfield Land Register. There will be no further implications for the publishing of the draft brownfield land register in relation to this impact pathway.
Ashdown Forest SAC[16]		
Air Pollution: impact of atmospheric nitrogen deposition	No significant impacts	Whilst there are a number of sites included within the draft brownfield land register located near to the Ashdown Forest SAC, these sites have already achieved planning permission (or an equivalent). Therefore, the draft brownfield land register will have no additional impacts beyond the existing sites that already benefit from extant planning permissions (or equivalent). As the sites within the brownfield land register already benefit from extant planning permissions, these sites could still be developed without the publication of the Brownfield Land Register.

[16] Please note that the Ashdown Forest SAC and SPA benefit from the same Site Improvement Plan.

Potential pathway for significant environmental effect from adoption and publication of the brownfield land register	Significant Effect? (Y/N)	Wealden District Council Commentary
		There will be no further implications for the publishing of the draft brownfield land register in relation to this impact pathway.
Ashdown Forest SPA		
Public Access, Disturbance and Urbanisation	No significant impacts	Whilst there are a number of development sites included within the draft brownfield land register within the Ashdown Forest SPA 7km zone, these sites have already achieved planning permission and are providing any necessary contributions to SANGS and SAMMS. Therefore, the draft brownfield land register will have no additional impacts beyond the existing sites that already benefit from extant planning permissions (or equivalent). Those sites within the zone of influence for the Ashdown Forest SPA would already have been assessed in relation to this issue as part of the planning application process and could still be developed without the publication of the Brownfield Land Register. There will be no further implications for the publishing of the draft brownfield land register in relation to this impact pathway.

12 HRA Screening Assessment Conclusion

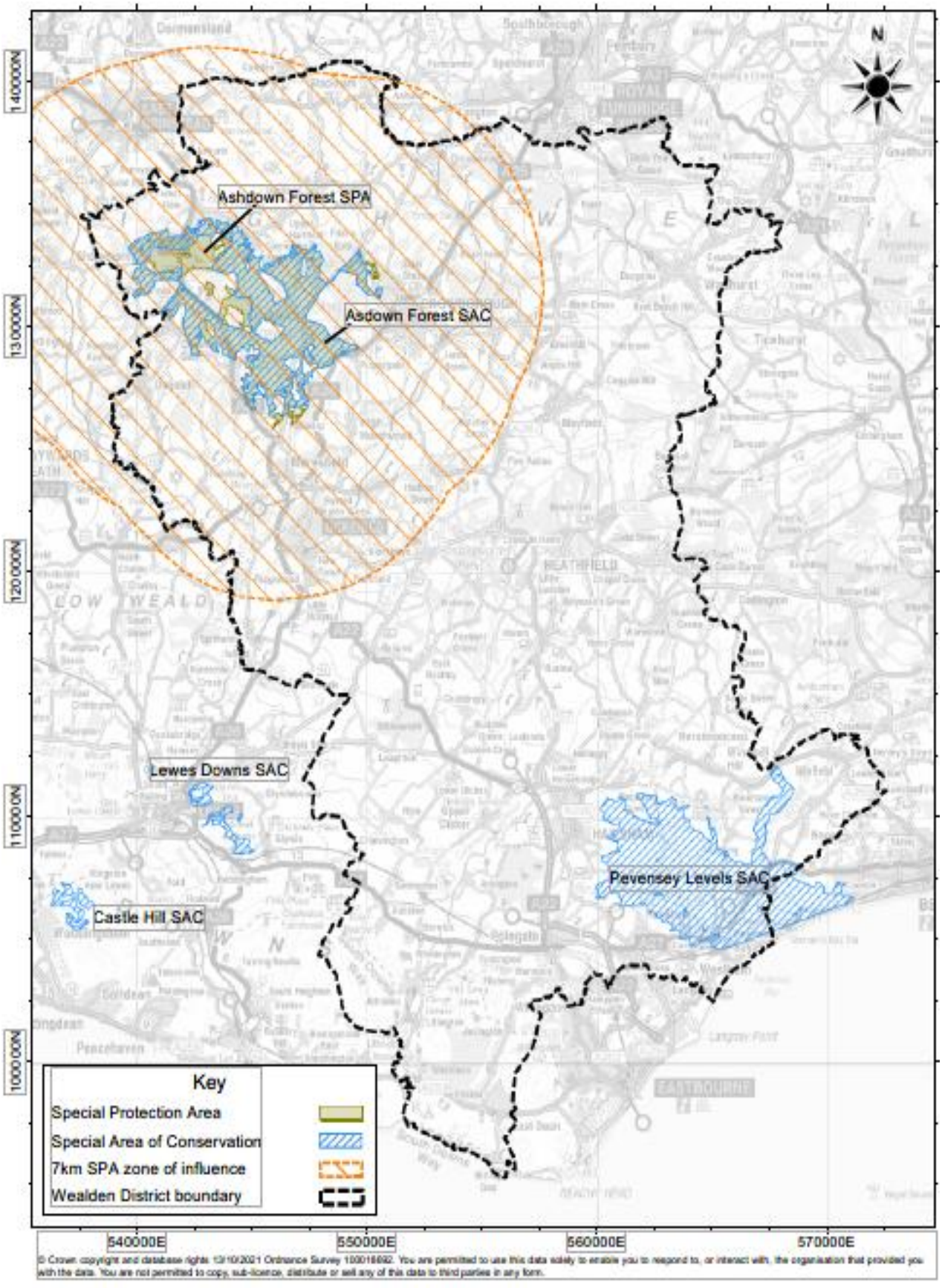
12.1 Following the assessment in Table 3 above, Wealden District Council concludes that the adoption of the draft brownfield land register will not result in a likely significant effect on a European protected site, particularly the Pevensey Levels SAC and Ramsar site and the Ashdown Forest SAC/SPA.

12.2 The key reasoning for this conclusion is that the draft brownfield land register will have no additional impacts beyond the existing sites that already benefit from extant planning permissions (or equivalent). Those sites within the hydrological catchment of the Pevensey Levels, or in the zone of influence for the Ashdown Forest SPA/SAC would already have been assessed in relation to those issues as part of a planning application process (or equivalent) and could still be developed without the publication of the Brownfield Land Register.

12.3 In conclusion, it is considered that no ‘’appropriate assessment’’ is required to be made under Article 6(3) of the Habitats Directive (92/43/EEC), as set out in the Conservation of Habitats and Species Regulations 2017 (the “Habitats Regulations”), as amended.

12.4 This HRA Screening Assessment for the draft brownfield land register was sent to the three statutory consultees: Historic England, Natural England, and the Environment Agency). The statutory bodies agreed with the conclusion of this HRA Screening Assessment.

Appendix 1: Map showing European protected sites near Wealden District



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Appendix 2: European and Ramsar Site Information

Site	Pevensey Levels SAC
Characteristics of European Site	**Habitat present** • NO6 – Inland water bodies (standing water, running water) (2.5% coverage). • N10 – Humid grassland, Mesophile grassland (97.5% coverage)[17]. **Other characteristics** 1. Terrestrial: Soil & Geology: nutrient-poor, clay, alluvium, peat, basic, shingle, sand, mud, sedimentary. 2. Terrestrial: Geomorphology and landscape: lowland, coastal, floodplain[18]. Pevensey Levels is one of the largest and least-fragmented lowland wet grassland systems in southeast England. The low-lying grazing meadows are intersected by a complex system of ditches which support a variety of important wetland communities, including nationally rare and scarce aquatic plants and invertebrates. The site also supports a notable assemblage of breeding and wintering wildfowl. A small area of shingle and intertidal muds and sands is included within the site[19].

[17] JNCC Website

[18] Standard Data Form for sites within the 'UK national site network of European sites'

[19] European Site Conservation Objectives: Supplementary advice on conserving and restoring site features.

Site	Pevensey Levels SAC
Qualifying Interests	**<u>Special Area of Conservation</u>** **<u>Annex I habitats that are a primary reason for selection of this site:</u>** Not applicable. **<u>Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site:</u>** Not applicable. **<u>Annex II species that are a primary reason for selection of this site:</u>** 4056 Ramshorn snail *Anisus vorticulus* *Anisus vorticulus* occurs across a range of sites in southern and eastern England. Pevensey Levels is a large and expansive grazing marsh that supports *Anisus vorticulus* in both a wide spatial distribution and in good population density classes[20]. **<u>Annex II species present as a qualifying feature, but not a primary reason for site selection:</u>** Not applicable.
Conservation Objectives	With regards to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change.

[20] JNCC Website

Site	Pevensey Levels SAC
	Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring: • The extent and distribution of the habitats of qualifying species; • The structure and function of the habitats of qualifying species; • The supporting processes on which the habitats of qualifying species rely; • The populations of qualifying species; and • The distribution of qualifying species within the site[21].
Current Site Condition	The SSSI is considered to be in 76.92% unfavourable recovering, 7.69% partially destroyed and 15.38% not recorded[22].
Threats to Qualifying Interests	Threats and Pressures <u>Negative</u> H02 - Pollution to groundwater (point sources and diffuse sources) (inside and outside site) • I01 - Invasive non-native species (inside and outside site)

[21] European Site Conservation Objectives for Pevensey Levels SAC

[22] Natural England SSSI Condition Summary for Pevensey Levels SAC as of September 2025.

Site	Pevensey Levels SAC
	• J02 - Human induced changes in hydraulic conditions (inside and outside site) <u>Positive</u> • B02 - Forest and Plantation management & use (inside site) • A02 - Modification of cultivation practices (inside site) • A06 - Annual and perennial non-timber crops (inside site) • A04 - Grazing (inside site) • D05 - Improved access to site (inside site)[23]
Factors that could adversely affect the site's ecological character including changes in land (including water) use and	• Introduction / invasion of non-native plant species (of particular relevance is floating pennywort); • Pollution – domestic sewage (sewage treatment works). *Anisus vorticulus* is a species of the upper water levels of ditches, frequently amidst botanically rich vascular plant assemblages in a mid to upper mid successional state. It favours alkaline waters although it appears tolerant of a relatively wide range of physio-chemical parameters. Appropriate ditch management is the key to the conservation of this species. Control of shade-inducing marginal vegetation is also important, as is maintaining access to the water's edge for livestock. It is also important to ensure good water quality by

[23] Standard Data Form for sites within the 'UK national site network of European Sites'

Site	Pevensey Levels SAC
development projects	instigating the appropriate safeguards. This is being implemented through good environmental management, Catchment Sensitive Farming, Environmental Stewardship and Environment Agency's review of existing discharge and abstraction consents. A Water Level Management Plan, devised and managed by Environment Agency, is in place to control ditch levels. Environmental Stewardship schemes continue to encourage sensitive management, particularly of the ditches to address problems brought about by neglect. The main threats to the species include land drainage, inappropriate habitat management and eutrophication.
Key Environmental Conditions to Maintain Site Integrity	The Lesser whirlpool ram's-horn snail *Anisus vorticulus* is a small aquatic snail with a flattened spiral shell rarely more than 5 mm in diameter. It occurs in unpolluted, calcareous waters in marsh drains with a dense aquatic flora, and favours ditches with a diverse flora but little emergent vegetation. It often floats on the surface amongst duckweed Lemna spp. Ditches that are either completely cleared of vegetation or are choked with weed and silt are unsuitable. Winter flooding may be important in enabling young snails to colonise new ditches[24].
Relevant Site Management Plans / Statements	**Improvement Programme for England's Natura 2000 Sites (IPENS): Site Improvement Plan Pevensey Levels SAC** The plan identifies a number of priorities, issues and actions in relation to:

[24] European Site Conservation Objectives: Supplementary advice on conserving and restoring site features

Site	Pevensey Levels SAC
	• Inappropriate water levels; • Invasive species; and • Water pollution[25].

[25] Site Improvement Plan Pevensey Levels

Site	Pevensey Levels Ramsar Site
Characteristics of European Site	Pevensey Levels is one of the largest and least-fragmented lowland wet grassland systems in southeast England, including a small area of shingle and intertidal muds and sands. The low-lying grazing meadows are intersected by a complex system of ditches that support a variety of important wetland communities, including nationally rare and scarce aquatic plants and invertebrates (freshwater molluscs and dragonflies *Odonata* spp). The site also supports a notable assemblage of breeding and wintering wildfowl[26].
Qualifying Interests	Ramsar Criterion 2a The site supports an outstanding assemblage of wetland plants and invertebrates including many British Red Data Book species. Ramsar Criterion 2b The site is of special value for maintaining the genetic and ecological diversity of the region. It is probably the best site in Britain for freshwater molluscs, one of five best sites for aquatic Coleoptera and supports an outstanding assemblage of dragonflies Odonata spp[27].
Ecological Features	Pevensey Levels supports a range of important communities of wetland flora and fauna. Various stages of succession are present in the ditches. Floating and submerged aquatic plants such as duckweeds (Lemna

[26] Ramsar Sites Information Service

[27] Ramsar Information Sheet

Site	Pevensey Levels Ramsar Site
	spp), pondweeds (Potamogeton spp), or water fern (Azolla spp), represent the pioneer stages. Larger floating or emergent plants such as frogbit (Hydrocharis morsusranae), bur-reed (Sparganium erectum) and arrow head (Sagittaria sagittifolia) follow these. Finally, common reed (Phragmites australis) or hawthorn (Crataegus monogyna) becomes dominant. Left undredged, the ditches lose their diversity and varied structure. A rich bankside flora is also present on site. An area of shingle and intertidal muds and sands is another important component of the site. Some flora associated with the shingle is present. For example, yellow horned-poppy (Glaucium flavum*)* and sea campion (Silene uniflora*).* The site supports outstanding invertebrate populations and is a top site for Mollusca and aquatic Coleoptera. Over 15 species of dragonfly (Odonata) have been recorded, including several scarce species. One of Britain's largest and rarest spiders, the fen raft spider (Dolomides plantarius) has its stronghold at Pevensey. The lowland wet grassland supports a variety of bird species. For example, wintering lapwing and snipe. Breeding bird species include sedge warblers, reed warblers that nest in the scrub and reeds in the ditches respectively[28]. <u>Noteworthy Flora</u> Nationally important species occurring on the site including higher plants: • Althaea officinalis

[28] Information Sheet on Ramsar Wetlands (RIS)

Site	Pevensey Levels Ramsar Site
	• Ceratophyllum submersum • Crambe maritima • Potamogeton acutifolius • Potamogeton friesii • Potamogeton trichoides • Sium latifolium • Stratiotes aloides <u>Noteworthy fauna</u> Nationally important species occurring on the site: Invertebrates • Segmentina nitida • Anisus vorticulus • Valvata macrostoma • Hydrophilus piceus • Gyrinus suffriani

Site	Pevensey Levels Ramsar Site
	• Elmatophilus brevicollis • Bagous puncticollis • Dolomedes plantarius • Atylotus rusticus • Odontomyia ornate • Pherbellia argyra • Psacadina zernyi • Limophalia pictipennis • Tipula marginata • Placobdella costata <u>Assemblage of International importance</u>

Site	Pevensey Levels Ramsar Site
	The site supports an appreciable assemblage of rare, vulnerable or endangered species or subspecies of plant or animal. Pevensey Levels is probably one of the best sites in Great Britain for freshwater molluscs, one of the very best sites for aquatic Coleoptera and supports an outstanding assemblage of Odonata[29].
Adverse Factors affecting the Ecological Character of the Site	• Vegetation succession; • Eutrophication; • Introduction of invasive / exotic species; • Pollution – domestic sewage; • Pollution – fertilisers; • Pollution – pesticides / agricultural runoff; and • General disturbance from human activities.
Key Environmental Conditions of Importance in	• Unpolluted water; • Low levels of nutrient enrichment (primarily from surface runoff and hydrological pathways, but also from atmospheric deposition);

[29] Information Sheet on Ramsar Wetlands

Site	**Pevensey Levels Ramsar Site**
Sustaining the Site Integrity	• Control of non-native species (e.g. pennywort and Crassula sp.); • Maintenance of appropriate hydrological regime; and • Control of recreational disturbance.
Current Site Condition	See above in relation to SAC.
Relevant Site Management Plans / Statements	**Improvement Programme for England's Natura 2000 Sites (IPENS): Site Improvement Plan Pevensey Levels Ramsar Site** This is the same as the IPENS for the SAC. Please see above.

Site	**Ashdown Forest SAC**
Characteristics of European Site	N08 – Heath, Scrub, Maquis and Garrigue, Phygrana 60% coverage N19 – Mixed woodland 40% coverage **<u>Other Characteristics</u>** 1. Terrestrial: Soil & Geology: sandstone, acidic, clay, nutrient-poor 2. Terrestrial: Geomorphology and landscape: lowland[30]
Qualifying Interests	**Special Area of Conservation (SAC)** **<u>Annex I habitats that are a primary reason for selection of this site:</u>** **4010 Northern Atlantic wet heaths with Erica tetralix for which this is considered to be one of the best areas in the United Kingdom.** Ashdown Forest contains one of the largest single continuous blocks of lowland heath in south-east England, with both 4030 European dry heaths and, in a larger proportion, wet heath. The M16 *Erica tetralix – Sphagnum compactum* wet heath element provides suitable conditions for several species of bog-mosses *Sphagnum spp*., bog asphodel *Narthecium ossifragum*, deergrass *Trichophorum cespitosum*, common

[30] Standard Data Form for sites within the 'UK national site network of European Sites'

Site	Ashdown Forest SAC
	cotton-grass *Eriophorum angustifolium*, marsh gentian *Gentiana pneumonanthe* and marsh clubmoss *Lycopodiella inundata*. The site supports important assemblages of beetles, dragonflies, damselflies and butterflies, including the nationally rare silver-studded blue *Plebejus argus*, and birds of European importance, such as European nightjar *Caprimulgus europaeus*, Dartford warbler *Sylvia undata* and Eurasian hobby *Falco subbuteo*. **4030 European dry heaths for which this is considered one of the best areas in the United Kingdom.** The dry heath in Ashdown Forest is an extensive example of the south-eastern H2 *Calluna vulgaris – Ulex minor* community. This vegetation type is dominated by heather Calluna vulgaris, bell heather Erica cinerea and dwarf gorse *Ulex minor*, with transitions to other habitats. It supports important lichen assemblages, including species such as Pycnothelia papillaria. This site supports the most inland remaining population of hairy greenweed Genista pilosa in Britain[31]. **Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site:** Not applicable **Annex II species that are a primary reason for selection of this site:** Not applicable

[31] JNCC website

Site	**Ashdown Forest SAC**
	<u>Annex II species present as a qualifying feature, but not a primary reason for site selection:</u> 1166 Great crested newt *Triturus cristatus* for which the area is considered to support a significant presence.
Conservation Objectives	Natural England last published the Conservation Objectives for Ashdown Forest SAC on 27 November 2018[32], updating the earlier version dated 30 June 2014, to reflect the consolidation of the Habitats Regulations in 2017. With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change; Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring; • The extent and distribution of qualifying natural habitats and habitats of qualifying species; • The structure and function (including typical species) of qualifying natural habitats; • The structure and function of the habitats of qualifying species; • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely;

[32] European Site Conservation Objectives for Ashdown Forest Special Area of Conservation.

Site	Ashdown Forest SAC
	• The populations of qualifying species; and • The distribution of qualifying species within the site.
Current Site Condition	Ashdown Forest SSSI is currently considered to be in 25% unfavourable recovering condition, 6.25% unfavourable declining condition and 68.75% not record condition[33].
Threats to Qualifying Interests	Negative • H04 - Air pollution, air-borne pollutants (inside and outside site) • J02 - Human induced changes in hydraulic conditions (inside and outside site) • A02 - Modification of cultivation practices (inside site) • G01 - Outdoor sports and leisure activities, recreational activities (inside site) Positive • A02 - Modification of cultivation practices (inside site)[34]
Ecological Requirements of	H4010 Northern Atlantic Wet Heaths Erica *tetralix* – Wet heath is a community that requires acid, nutrient poor soils that are at least seasonally waterlogged. Wet heath often occupies areas of impeded drainage on

[33] Natural England SSSI Condition Summary for Ashdown Forest SAC as of September 2025.

[34] Standard Data Form for sites within the 'UK national site network of European sites'

Site	Ashdown Forest SAC
Annex I Habitats and Annex II Species	lower valley sides and less-steeply sloping ground. Drainage is a key factor. Wet heath can occur naturally, due to abiotic factors such as soil acidity, low nutrient status and waterlogged soil conditions, which impedes succession to woodland. Wet heaths require relatively high rainfall and an even spread of rain throughout the year. Relative humidity is required to remain moderately high with winters not too cold and summers not too hot. Mild winter temperatures are important for many of the individual plant and animal species. H4030 European dry heaths – European dry heaths typically occur on freely-draining, dry acidic to calcareous soils with generally low nutrient content. Nearly all dry heath is semi-natural, being derived from woodland and developed through grazing and burning. Dry heaths vary in their flora and fauna according to climate, and are also influenced by altitude, aspect, soil conditions (especially base-status and drainage), maritime influence and grazing and burning intensity. Great crested newt - Great crested newts rely on waterbodies for breeding but otherwise they spend much of their lives on land. They live over winter on land, normally hibernating underground and emerge soon after the first frost-free days in January or February to begin the migration to breeding ponds. Movement on land occurs almost exclusively at night and their progress is dependent on factors such as evening temperatures and rainfall, favouring wet or damp conditions with temperatures above 5 Celsius. Great crested newts require quite specific pond conditions for breeding. Ponds ideally need to have neutral to alkaline water (pH 6 or above) with areas of open water and well vegetated margins. Breeding ponds tend to be nutrient rich, not too shaded, free of fish with not too many waterfowl present. They require suitable refuges to use in extreme

Site	Ashdown Forest SAC
	weather and during daytimes, such as large pieces of rotting deadwood, rubble piles or disused mammal burrows.
Relevant Site Management Plans / Statements	**Improvement Programme for England's Natura 2000 Sites (IPENS): Site Improvement Plan Ashdown Forest SAC** The plan[35] identifies a number of priorities, issues and actions in relation to: • Change in land management; • Air Pollution: impact of atmospheric nitrogen deposition; • Public Access/Disturbance; and • Hydrological changes.

[35] Site Improvement Plan: Ashdown Forest

Site	Ashdown Forest Special Protection Area (SPA)
Characteristics of European Site	**Special Protection Area** Ashdown Forest is located in the High Weald of East Sussex in south-east England, where valley mires, heath and damp woodland have developed on soils derived from Hastings Sands (Lower Cretaceous). Once a royal hunting forest, reduced grazing has resulted in the accelerated development of woodland and encroachment of bracken over former heath. Nevertheless, some fine examples of heathland habitats remain, with humid or wet heath predominating, dominated by Heather *Calluna vulgaris*, Bell Heather *Erica cinerea* and Cross-leaved Heath E*. tetralix* in the dampest conditions. Where drier heaths occur, they are dominated by heather in association with Gorse *Ulex europaeus* and Dwarf Gorse *U. minor*. Streamsides and mires add further variety, with *Sphagnum* mosses, Cottongrass *Eriophorum* sp., Bog Asphodel *Narthecium ossifragum* and Round-leaved Sundew *Drosera rotundifolia* all characteristic plants. The woodlands are also varied, with Birch *Betula* sp. typically establishing first over heath, followed by Oak *Quercus robur*, Willow *Salix* sp. and Pine *Pinus* sp. in places, eventually forming dense and shaded areas with sparse ground flora. Breeding birds of heath, scrub and woodland are associated with the varied mosaic of their respective habitats, distributed over the higher slopes and valleys of the High Weald. Together with the nearby Wealden Heaths SPA and Thames Basin Heath SPA, Ashdown Forest forms part of a complex heathlands in southern England that support breeding bird populations of European importance.
Qualifying Interests	**Special Protection Area**

Site	Ashdown Forest Special Protection Area (SPA)
	Ashdown Forest qualifies under Article 4.1 of the Birds Directive by regularly supporting nationally important breeding populations of two Annex 1 species[36] as it is used by 1% or more of the Great Britain population of species of European importance listed in Annex I of the Directive. **Annex I species/habitats that are a primary reason for selection of this site:** During the breeding season: • Dartford Warbler *Sylvia undata*, 20 pairs representing at least 1.3% of the breeding population in Great Britain (Count as at 1994). • Nightjar *Caprimulgus europaeus*, 35 pairs representing at least 1% of the breeding population in Great Britain (Two year mean, 1991 & 1992)[37]. The European Commission affords the Dartford warbler protection under Annex 1 of the Wild Birds Directive because the species is threatened by destruction, fragmentation and degradation of habitats throughout its range, as a result of agricultural intensification, forestry, urban development and fires[38]. **Annex I species/habitats present as a qualifying feature, but not a primary reason for selection of this site:**

[36] Ashdown Forest SPA Citation

[37] Ashdown Forest SPA Conservation Objectives Supplementary Advice

[38] European Commission: The Dartford Warbler

Site	Ashdown Forest Special Protection Area (SPA)
	Not applicable. **<u>Annex II species/habitats that are a primary reason for selection of this site:</u>** Not applicable. **<u>Annex II species/habitats present as a qualifying feature, but not a primary reason for site selection:</u>** Not applicable.
Conservation Objectives	Natural England published the conservation objective for Ashdown Forest SPA on 21 February 2019, updating the earlier version dated 30 June 2014[39]. With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (Qualifying features) and subject to natural change; Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring; • The extent and distribution of the habitats of the qualifying features; • The structure and function of the habitats of the qualifying features; • The supporting processes on which the habitats of the qualifying features rely; • The population of each of the qualifying features; and

[39] European Site Conservation Objectives for Ashdown Forest Special Protection Area.

Site	**Ashdown Forest Special Protection Area (SPA)**
	• The distribution of the qualifying features within the site.
Current Site Condition	Please see the SSSI data presented above for Ashdown Forest SAC. Dartford Warbler – Current Status at Ashdown Forest SPA Dartford warbler numbers within Ashdown Forest declined following the particularly harsh winters of 2008-09 and 2009-10. However, their population in Sussex is recovering, and a survey by the Sussex Ornithological Society in 2017 found a minimum of 15 territories on Ashdown Forest. Nightjar – Current Status at Ashdown Forest SPA The most recent national Nightjar survey in 2004 indicated 82 churring males were present within the SPA. A survey of selected SSSIs in 2010 found 83 churring males[40].
Threats to Qualifying Interests	Main threats to Dartford Warbler: • Climatic factors • Habitat fragmentation • Lack of or inadequate habitat management • Development pressures • Increased levels of disturbance and recreational use affecting breeding productivity.

[40] Ashdown Forest SPA Conservation Objectives Supplementary Advice

Site	Ashdown Forest Special Protection Area (SPA)
	• Urbanisation effects such as fly tipping, increased fires, dirt track biking, cat predation. Main threats to Nightjar: • Loss of nesting habitat – The area of heathland in the UK has undergone a dramatic reduction during the course of this century due to agricultural land claim, afforestation and built development. For example, it is estimated that 40% of England's lowland heathland has been lost since the 1950s. Threats continue from housing and infrastructure developments and where heathland lacks appropriate management, it will become unsuitable as nesting habitat due to invasion by bushes and trees. • Loss of feeding habitat – Nightjars require extensive areas of suitable feeding habitat, especially uncultivated land. Therefore, the loss of such habitats within a few kilometres of the nesting area may result in the decline in the number of birds. • Decline in food availability – It is possible that a decline in the availability of large insects caused by changes in agriculture (such as the indirect effects of pesticides) and/or climate change, may have affected nightjar populations. • Disturbance by humans and recreational activities – Nightjars are ground nesting birds and can be disturbed by humans and dogs that may range into heather dominated areas and may flush birds from their nest.
Key Environmental Conditions to	• Low levels of disturbance; • Maintain the extent, distribution and availability of suitable breeding habitat;

Site	Ashdown Forest Special Protection Area (SPA)
Maintain Site Integrity	• Low levels of air pollution; • Connectivity between different habitats; • Habitat management should retain the open, mosaic structure of lowland wet and dry heath, ensuring all life cycles of heather are present; • Maintain water quality and quantity; and • Maintain mix of vegetation[41].
Ecological Requirements of SPA Bird Species	The Dartford warbler requires an adequate provision of suitable habitat in relation to extent and distribution. Habitat should include the provision of gorse at a various age and structure amongst a mainly heathland habitat. Invasive scrub and bracken need to be controlled. Scattered European and/or Western gorse (Ulex europaeus and Ulex gallii) cover of 5% is optimal and should be of a range of ages to provide a continuum of suitable bushes, i.e. dense (6-12 years old) and up to 1.5 m high. Larger blocks of dense gorse have been shown to be especially important during periods of snow, when the birds retreat to them. It also requires an abundance of shrub layer insects. Nightjars feed on seasonally available suitable prey consisting of flying insects (such as moths, beetles and flies), being most active at dusk and dawn and in some circumstances well into the night. The nightjar will

[41] Ashdown Forest SPA Conservation Objectives Supplementary Advice

Site	Ashdown Forest Special Protection Area (SPA)
	travel from nest sites to feed on a range of habitats such as heathland, deciduous or mixed woodland, orchards, diverse plantations, riparian habitats, freshwater wetlands and gardens. The birds will travel an average of 3km from the nest site to locate suitable feeding areas, although they can range further. To achieve favourable conservation condition the nightjar requires: • an abundance of night flying insects; • open ground with predominantly low vegetation; • bare patches and sparse woodland/scrub cover; • reduction of displacement birds; and • extent and distribution of habitat area.
Relevant Site Management Plans / Statements	**Improvement Programme for England's Natura 2000 Sites (IPENS): Site Improvement Plan Ashdown Forest SPA[42]** The plan identifies a number of priorities, issues and actions in relation to: • Change in land management; • Air Pollution: impact of atmospheric nitrogen deposition; • Public Access/Disturbance; and • Hydrological changes.

[42] Site Improvement Plan Ashdown Forest

Appendix 3: Other Relevant Plans

Plan and Stage in Process	Aim of the Document	Elements of the Plan that could cause 'in-combination' effects
Wealden Core Strategy Local Plan[43] (adopted February 2013)	The Wealden Core Strategy is the main strategic planning policy document for the district that sets out how the places and communities within Wealden will change up until 2027. This includes strategic development areas for residential, employment and retail development, amongst other matters.	The Wealden Core Strategy planned to provide for 9,440 dwellings over the period 2006-2027. Provision will be made for some net additional 40,000 sq. metres net employment floorspace (B1[44]/B2/B8) to provide for 128,695 sq. metres net employment floorspace and 17,000 sq. metres net additional retail floorspace over the period 2006-2027.
Wealden Affordable Housing Delivery Local Plan[45] (adopted May 2016)	This document is the Affordable Housing Delivery Local Plan, which reviews the Wealden District (incorporating the SDNP) Core Strategy Local Plan Policy WSC8 concerning affordable housing. This Local Plan is limited to affordable housing provision and the adopted Core	This Plan only reviews affordable housing policy and does not look to allocate new land for development so will not cause any likely significant 'in-combination' effects.

[43] Wealden Core Strategy Local Plan (adopted February 2013)

[44] This is now Use Class E.

[45] Wealden Affordable Housing Delivery Local Plan (adopted May 2016)

Plan and Stage in Process	Aim of the Document	Elements of the Plan that could cause 'in-combination' effects
	Strategy Policy WCS8 concerning affordable housing and does not affect any other Core Strategy policy.	
Wealden (Regulation 18) Draft Local Plan March 2024	This Draft Wealden Local Plan is proposed as the main strategic planning policy document for Wealden District, with the view of replacing the current adopted development plans. The emerging Local Plan looks ahead to 2040 and will provide a vision for the district, a long-term spatial strategy for growth, including the locations where development will take place.	This emerging Plan would replace the adopted development plan documents above. The Plan is draft at this stage, having recently undergone consultation; the responses to which are being considered before the Plan is advanced further. Given the draft nature of the Plan, limited weight is attached to potential effects for the purposes of this SEA/HRA screening.
Rother Local Plan Core Strategy[46] (adopted September 2014)	The Rother Core Strategy sets out the Council's vision and objectives that will guide the future pattern and form of development within the	The Rother Core Strategy planned for at least 5,700 dwellings (net) and 100,000 sq. metres of gross additional business floorspace in the district over the period. It was

[46] Rother Local Plan Core Strategy (adopted September 2014).

Plan and Stage in Process	Aim of the Document	Elements of the Plan that could cause 'in-combination' effects
	district over the Plan period up until 2028.	envisaged that 3,100 dwellings and at least 60,000 sq. metres of business floorspace would be located in/around Bexhill.
Rother District Council Development and Site Allocations Local Plan[47] (adopted December 2019)	The Rother Development and Site Allocations Local Plan sets out the Council's development management policies and also incorporates site allocations to meet the identified need for new homes considered in the Rother Core Strategy Local Plan. This covers Bexhill and villages that are not covered by Neighbourhood Plans.	This Plan only seeks to allocate specific parcels of land to meet the targets for individual settlements and types of development within the district as published within the Rother District Core Strategy. As a consequence, this Plan does not seek to deliver more dwellings, retail floorspace or employment floorspace than is outlined within the Rother District Core Strategy, albeit those specific locations for such new development have now been established.
Tunbridge Wells Borough Core Strategy[48]	The Tunbridge Wells Borough Council Core Strategy is to guide new	The Tunbridge Wells Core Strategy planned for at least 6,000 dwellings to be

[47] Rother Development and Site Allocations Local Plan (adopted December 2019).

[48] Tunbridge Wells Borough Core Strategy (adopted June 2010).

Plan and Stage in Process	Aim of the Document	Elements of the Plan that could cause 'in-combination' effects
(adopted June 2010)	development and change in the district for the period up to 2026.	provided in the borough in the period 2006 to 2026. The Core Strategy also sought to deliver 26,500 sq. metres of comparison retail floorspace to the end of 2017.
Tunbridge Wells Borough Site Allocations Local Plan[49] (adopted July 2016)	The main purpose of the Tunbridge Wells Borough Site Allocations Local Plan is to allocate land for housing, employment, retail and other land uses to meet the identified needs of communities within Tunbridge Wells borough to 2026 and beyond. This follows the strategic objectives and sustainable development objectives set out within the Core Strategy.	This Plan only seeks to allocate specific parcels of land to meet the targets for individual settlements and types of development within the borough as published within the Tunbridge Wells Borough Core Strategy. As a consequence, this Plan does not seek to deliver more dwellings, retail floorspace or employment floorspace than is outlined within the Tunbridge Wells Borough Core Strategy, albeit those specific locations for such new development have now been established.
Tunbridge Wells Borough	At time of writing, the Tunbridge Wells Borough	The Tunbridge Wells Borough Submission Local

[49] Tunbridge Wells Borough Site Allocations Local Plan (adopted July 2016).

Plan and Stage in Process	Aim of the Document	Elements of the Plan that could cause 'in-combination' effects
Submission Local Plan 2021[50]	Submission Plan has recently undergone a consultation on proposed main modifications post an Examination in Public (EiP). If adopted, it will guide development in Tunbridge Wells to 2038 and include an early review necessary to meet unmet housing need at the end of the Plan period.	Plan 2021 now seeks to provide a minimum of 12,204 dwellings and 14 hectares of employment land over the plan period[51].
Mid Sussex District Plan 2014 -2031[52] (adopted March 2018)	The Plan sets out a vision for how Mid Sussex wants to evolve and a delivery strategy for how that will be achieved. As such, it sets out broad guidance on the distribution and quality of development in the form of 'higher level' strategic policies.	The Mid Sussex District Plan (adopted in March 2018) seeks to provide a minimum of 16,390 dwellings between 2014 and 2031 within the district. For employment, the Plan confirms that the total number of additional jobs required within the district over the plan period is estimated to be average of 543 jobs per year, with only a single allocation of 25 hectares of land as a high

[50] Tunbridge Wells Borough Submission Local Plan (October 2021)

[51] This based on the Schedule of Proposed Modifications for consultation published on 17 March 2025.

[52] Mid Sussex District Plan 2014-2031 (adopted March 2018).

Plan and Stage in Process	Aim of the Document	Elements of the Plan that could cause 'in-combination' effects
		quality business park at Burgess Hill.
Mid Sussex District Site Allocations Development Plan Document[53] (adopted June 2022)	The Mid Sussex District Site Allocations DPD provides a framework for the location of new jobs and homes to 2031 and aims to meet the housing and employment requirements established in the Mid Sussex District Plan.	The Site Allocations DPD allocates additional development sites to meet the residual need necessary to meet the agreed housing requirement as reflected in the District Plan 2014-2031. The Site Allocations DPD also allocates additional employment sites, including a Science and Technology Park to the west of Burgess Hill.
Eastbourne Core Strategy Local Plan[54] (adopted February 2013)	The Eastbourne Core Strategy Local Plan sets out the Council's spatial vision for Eastbourne up to 2027 and the primary land-use policies to deliver it. It is the key strategic Local Plan upon which other development plan documents are based.	The Eastbourne Core Strategy states that a minimum of at least 5,022 dwellings and 55,430 sq. metres of employment land will be delivered by 2027 within the built-up area boundary of Eastbourne.

[53] Mid-Sussex District Council Site Allocations Development Plan Document

[54] Eastbourne Core Strategy Local Plan (adopted February 2013).

Plan and Stage in Process	Aim of the Document	Elements of the Plan that could cause 'in-combination' effects
Eastbourne Town Centre Local Plan[55] (adopted November 2013)	The Eastbourne Town Centre Local Plan seeks to set out a strategy and proposals for the regeneration of the Town Centre and seeks to shape development within the town centre to 2027. The document was prepared in accordance with the Eastbourne Core Strategy Local Plan, which sets out the overarching policy direction for Eastbourne.	The Eastbourne Town Centre Local Plan confirms that the five Development Opportunity Sites will deliver a minimum of 450 net residential units and new Use Class B1(a) office space (now known as Use Class E), the quantum of which will be confirmed in the Employment Land Local Plan (as confirmed below, this was 3,750 sqm).
Eastbourne Employment Land Local Plan[56] (adopted November 2016)	The Eastbourne Employment Land Local Plan is a document that seeks to guide job growth and economic development in Eastbourne up to 2027 as well as identifying an appropriate supply of land for future employment development. This Plan specifically relates to land and buildings within	The Eastbourne Employment Land Local Plan has a new requirement for employment floorspace of 48,750 sqm to be delivered by 2027. The employment floorspace was to be distributed through the intensification of existing industrial estates (21,875 sqm), the town centre (3,750 sqm) and Sovereign Harbour (23,125 sqm).

[55] Eastbourne Town Centre Local Plan (adopted November 2013).

[56] Eastbourne Employment Land Local Plan (adopted November 2016).

Plan and Stage in Process	Aim of the Document	Elements of the Plan that could cause 'in-combination' effects
	Use Class B1 (now Use Class E), B2 and B8.	
Lewes District Local Plan Part 1[57] (adopted May 2016)	The Lewes District Local Plan Part 1 is the main strategic planning document for the area, which covers the whole of Lewes District (including the South Downs National Park) and has been prepared to guide new development and change in the district for the period up to 2030.	The Lewes District Local Plan (Part 1) states that a minimum of 6,900 net additional dwellings will be provided between 2010 and 2030 in the district. For employment, the Plan provides for 74,000 sq. metres of employment floorspace (B1 (now Use Class E), B2 and B8) in the district.
Lewes District Local Plan Part 2. Site allocations and Development Management Policies[58]. (adopted February 2020)	The Lewes District Local Plan Part 2 seeks to deliver the strategic objectives and spatial strategy of the Local Plan Part 1 by allocating additional sites to meet the development growth identified in the Local Plan Part 1 and setting out detailed (non-strategic) development management	The Plan only allocates additional sites to meet the development growth already identified in Local Plan Part 1 (outside of the National Park).

[57] Lewes District Local Plan Part 1 (adopted May 2016).

[58] Lewes District Local Plan Part 2 (adopted February 2020).

Plan and Stage in Process	Aim of the Document	Elements of the Plan that could cause 'in-combination' effects
	policies to guide development. The Plan only applies to the area of Lewes District covered by the Lewes District Planning Authority (i.e. excluding the area within the South Downs National Park)	
South Downs Local Plan[59] (adopted July 2019)	The South Downs Local Plan sets out the vision and policies for the South Downs National Park Area for the period from 2014 to 2033.	The South Downs Local Plan makes provision for approximately 4,750 net additional homes between 2014-2033. The Plan makes provision for approximately 5.3 hectares of office space, 1.8 hectares of industrial space and 3.2 hectares of small-scale warehousing between 2014-2033.
Tandridge District Core Strategy[60] (adopted October 2008)	The Tandridge District Core Strategy is the main strategic planning document for the area, which covers Tandridge	The Tandridge District Core Strategy states that a minimum net increase of at least 2,500 dwellings will be

[59] South Downs Local Plan (adopted July 2019).

[60] Tandridge District Core Strategy (adopted October 2008).

Plan and Stage in Process	Aim of the Document	Elements of the Plan that could cause 'in-combination' effects
	District and has been prepared to guide new development and change in the district for the period up to 2026.	built in the period 2006 to 2026.
Tandridge Local Plan Part 2: Detailed Policies[61] (adopted July 2014)	The Tandridge Local Plan Part 2: Detailed Policies supports the adopted Core Strategy and contains a set of detailed planning policies to be applied locally in the assessment and determination of planning applications over the plan period (2014 -2029).	The Tandridge Local Plan Part 2: Detailed Policies only seeks to review more detailed development management policies and does not contain strategic targets for the quantum of development in the district or seek to allocate sites for development so is not likely to cause significant 'in-combination' effects.
Brighton and Hove City Plan Part One[62] (adopted March 2016)	The purpose of the Brighton and Hove City Plan – Part One is to provide the overall strategic and spatial vision for the future of Brighton and Hove through to 2030. It will help shape the future of the city and plays important role	The Brighton and Hove City Plan - Part One states that the Council will make provision for at least 13,200 new homes to be built over the plan period (2010 – 2030). The Plan provides for between 100,500 to 105,500

[61] Tandridge Local Plan Part 2: Detailed Policies (adopted July 2014)

[62] Brighton and Hove City Plan Part One (adopted March 2016)

Plan and Stage in Process	Aim of the Document	Elements of the Plan that could cause 'in-combination' effects
	in ensuring that other citywide plans and strategies achieve their objectives.	sqm of new employment floorspace and 25,000sqm of new retail floorspace. There are a number of strategic allocations for both employment and retail within the adopted Plan.
Brighton and Hove City Plan Part Two[63] (adopted October 2022)	The aim of the Brighton and Hove City Plan - Part Two is to support the implementation and delivery of City Plan Part One, including allocating additional sites and setting out development management policies to guide new development to 2030.	The Plan states that it will make overall provision for a minimum of 3,600 dwellings and 522 student dwellings during the Plan period, alongside some allocations for employment and commercial floorspace.
Sevenoaks Core Strategy[64] (adopted February 2011)	The Sevenoaks Core Strategy sets out the vision and policies for the future development in the district over the period to 2026 as well as providing the policy context for other	The Sevenoaks Core Strategy plans to provide 3,300 additional dwellings over the Plan period from 2006 to 2026.

[63] Brighton and Hove City Plan Part Two (adopted October 2022)

[64] Sevenoaks Core Strategy (adopted February 2011).

Plan and Stage in Process	Aim of the Document	Elements of the Plan that could cause 'in-combination' effects
	Development Plan Documents.	
Sevenoaks Allocations and Development Management Plan[65] (adopted February 2015)	The Sevenoaks Allocations and Development Management Plan supports the adopted Core Strategy and contains a set of detailed planning policies to be applied locally in the assessment and determination of planning applications over the plan period (2006 -2026). The document also includes allocations for housing, mixed use development and employment development.	The Sevenoaks Allocations and Development Management Plan supports the Core Strategy and states that the Council can demonstrate a housing land supply of 4,282 dwellings for the plan period of 2006-2026 (this is higher than the Core Strategy). The Plan also seeks to allocate a grand total of 75.5 hectares of employment land largely within Sevenoaks, Swanley and Edenbridge.
Crawley Borough Local Plan 2024 – 2040 (adopted 16 October 2024)[66]	The Crawley Local Plan (2024-2040) set out the vision and policies for the future development in the borough over the Plan period, as well as providing allocations for both residential and employment land.	The Crawley Borough Local Plan (2024-2040) was adopted in October 2024. The Plan states that a minimum of 5,330 (net) dwellings will be built within the borough in the period between 2024 to 2040. This

[65] Sevenoaks Allocations and Development Management Plan (adopted February 2015).

[66] Crawley Borough Local Plan 2023 to 2040 (adopted October 2024)

Plan and Stage in Process	Aim of the Document	Elements of the Plan that could cause 'in-combination' effects
		includes several key housing sites. For employment, the Plan provides for approximately 26.2 hectares of new business land in the borough.
East Sussex, South Downs and Brighton and Hove Waste and Minerals Plan[67] (adopted February 2013)	The East Sussex, South Downs and Brighton and Hove Waste and Minerals Local Plan (2013) sets out the vision and strategic policy decisions for specific sites to cater for unmet waste needs within the County and the safeguarding of mineral resources up to 2030.	This Plan identifies a series of waste and mineral sites across East Sussex and Brighton and Hove, which are to be safeguarded, as well as allocations for new opportunities and expansion of existing sites. A number of sites are located within Wealden District.
East Sussex, South Downs and Brighton and Hove Waste and Minerals Sites Plan[68] (adopted February 2017)	The East Sussex, South Downs and Brighton and Hove Waste and Minerals Sites Plan (2017) provides the spatial details for the requirements contained within the Waste and Minerals Plan that was	The Plan identifies a series of waste and minerals sites across East Sussex and Brighton and Hove, which are to be allocated for waste management development that includes the land at Lower Dicker and Hailsham.

[67] East Sussex, South Downs and Brighton and Hove Waste and Minerals Plan (adopted February 2013).

[68] East Sussex, South Downs and Brighton and Hove Waste and Minerals Sites Plan (adopted February 2017).

Plan and Stage in Process	Aim of the Document	Elements of the Plan that could cause 'in-combination' effects
	adopted in 2013. The Sites Plan identifies potential locations for the future waste facilities and safeguards existing waste and minerals resource.	The Plan also safeguards land for mineral extraction, which includes land at Horam (Horam Brickworks) and Ninfield (Little Standard Hill Farm).
East Sussex, South Downs and Brighton and Hove Waste and Minerals Local Plan – Revised Policies[69] (Adopted ESCC and SDNPA July 2024. Adopted BHCC October 2024	The East Sussex, South Downs and Brighton and Hove Waste and Minerals Local Plan – Revised Policies document updates planning policy for the production of minerals safeguarding minerals facilities and minerals in East Sussex and Brighton & Hove.	Policy changes to the existing Waste and Minerals Local Plan and the Waste and Minerals Site Plan were incorporated on this Plan. There are two key changes: East Sussex and Brighton & Hove are to become more reliant on aggregates from the marine sources and other sources outside of the Plan Area and secondly, the revised policies will provide increased protection for minerals and minerals related infrastructure against inappropriate development being located nearby.

[69] East Sussex, South Downs and Brighton and Hove Waste and Minerals Local Plan – Revised Policies (Proposed Submission for Examination – May 2022)

Plan and Stage in Process	Aim of the Document	Elements of the Plan that could cause 'in-combination' effects
West Sussex Joint Minerals Local Plan[70] (Adopted July 2018 and Partial Review, March 2021)	The Minerals Local Plan covers the period to 2033 and sets out the vision and strategic objectives associated with minerals supply developments in West Sussex and within the South Downs National Park when located within West Sussex. It provides the basis for making consistent land-use planning decisions about planning applications for minerals production facilities including quarries.	The Minerals Local Plan allocates strategic minerals sites for clay, soft sand, chalk and stone in West Sussex amongst other matters. Following a Soft Sand Review of the plan, formal revisions were adopted in March 2021, which allocated four sites to help meet the need for soft sand and brick making clay.
West Sussex Waste Local Plan[71] (adopted April 2014)	West Sussex County Council and South Downs National Park Authority have worked in partnership on the preparation of the West Sussex Waste Local Plan. The Plan covers the period to 2031 and is the most up-to-date statement of the authorities' land-use policy for	This Plan identifies a series of waste sites across West Sussex which are to be safeguarded, as well as allocations for new opportunities and expansion of existing sites. There are five sites allocated for new built waste management facilities (including for inert

[70] West Sussex Joint Minerals Local Plan (adopted July 2018).

[71] West Sussex Waste Local Plan (adopted April 2014).

Plan and Stage in Process	Aim of the Document	Elements of the Plan that could cause 'in-combination' effects
	waste. There was a five-year review of the Plan in 2019, but this concluded that there was no requirement to update the Plan.	waste recycling) at Ford, Climping, Chichester, Horsham and Goddards Green.
Other Neighbourhood Development Plans (NDPs)	The aim of these documents is to provide specific planning policies for designated Neighbourhood Development Plan areas (usually Parishes) and should support the respective Local Plans of the districts and boroughs they are located in.	The Neighbourhood Development Plans, once 'made' should, comply with the respective Local Plans of the districts and boroughs mentioned above and therefore these documents should not cause 'in combination' effects over and above the district level plans.

Appendix 4: Sites excluded from HRA assessment and justification

Site	Impact Pathway	Assessment
Lewes Downs SAC	Air Pollution Disturbance	Lewes Downs SAC is located a significant distance from any of the sites that are included on the draft brownfield land register 2024. The SAC therefore falls outside of the area where it is considered that an increase in traffic (resulting from new development) could result in likely significant effects.
Castle Hill SAC	Air Pollution	Castle Hill SAC is located a significant distance from any of the sites that are included on the draft brownfield land register 2024. The nearest main road is the Falmer Road, which is located approximately 400m west of the SAC. The SAC therefore falls outside of the area where it is considered that an increase in traffic (derived from new development) could result in a likely significant effect.
Hastings Cliffs SAC	Air pollution Disturbance Hydrology	Hastings Cliffs SAC is located a significant distance from any of the sites that are included on the draft brownfield land register 2024. The SAC therefore falls outside of the area where it is considered that an increase in traffic (derived from any new development) could result in a likely significant effect. Additionally, it is unlikely that development arising from the draft brownfield land register, or within Wealden District overall, would have an effect on the water quality or hydrology of the SAC.

Site	Impact Pathway	Assessment
Dungeness, Romney Marsh and Rye Bay SPA and Ramsar site.	Disturbance Air Pollution Hydrology	Dungeness, Romney Marsh and Rye Bay SPA and Ramsar Site are located a significant distance from any of the sites that are included on the draft brownfield land register 2024. Given the distance, development arising from the brownfield land register will not result in adverse air pollution, water quality or hydrological impacts.
Dungeness SAC	Disturbance Air Pollution Hydrology	Dungeness SAC is located a significant distance from any of the sites that are included on the draft brownfield land register 2024. Given the distance, development arising from the brownfield land register will not result in adverse air pollution, water quality or hydrological impacts.

Appendix 5: Statutory Consultee Responses

[redacted]

From: [redacted]
Sent: 24 October 2025 16:38
To: Planning Policy
Cc: [redacted]
Subject: RE: Wealden District Council - Consultation on draft Brownfield Land Register 2025

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Planning Policy Team,

Thank you for consulting us on your draft Brownfield Land Register 2025, including maps and the draft SEA and HRA Screening Opinion.

We would agree with your conclusion that a Strategic Environmental Assessment (SEA) is not required. Given that all sites contained within the draft brownfield land register already benefit from extant planning permissions (or an equivalent approval) we agree that there would be will not be any significant environmental effects. Natural England may give further comment on the revised HRA screening opinion.

I hope the above is satisfactory. If you do have any questions please do not hesitate to contact me.

Kind regards

[redacted]

[redacted]
Planning Specialist, Sustainable Places Solent and South Downs
Environment Agency | Oving Road, Chichester, West Sussex, PO20 2AG

[redacted]

Please accept our thanks for your email in advance - each person sending one less 'thank you' email a day would save more than 16,400 tonnes of carbon a year!





To make this email more accessible for those with dyslexia, dyspraxia, dyscalculia and dysgraphia, I've changed my email font to Arial, 12pt with 0.5pt spacing.

From: Planning Policy [redacted]
Sent: 26 September 2025 12:30
To: PlanningSSD [redacted]-NE-Consultations (NE) [redacted]
Subject: Wealden District Council - Consultation on draft Brownfield Land Register 2025

You don't often get email from [redacted] Learn why this is important

Dear Statutory Consultee,

Please find the attached draft Brownfield Land Register for 2025, including maps and the draft SEA and HRA Screening Opinion for your consideration.

I can confirm that the standard five-week consultation period under regulation 12(5) and 12 (6) of the Environmental Assessment of Plans and Programmes Regulations 2004 applies, and we therefore require your comments by **Friday 31 October 2025** please.

Please note that we do have a requirement under regulation 17 of the Town and Country Planning (Brownfield Land Register) Regulations 2017 to publish this document by the end of the calendar year, so please do let us know if you have any issues with responding to us within the required timescales.

It would also be greatly appreciated if you could kindly confirm receipt of these documents.

I trust that the above is clear, but if you require any further information, then please do not hesitate to contact me.

Kind regards,

[redacted]

[redacted]
Planning Policy, Wealden District Council
[redacted]
Council Offices | Vicarage Lane | Hailsham | East Sussex | BN27 2AX

http://www.wealden.gov.uk
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Historic England

Planning Policy
Wealden District Council
Council Offices
Vicarage Lane, Hailsham
East Sussex BN27 2AX

[redacted]

Our ref: PL00800050
Your ref:

Telephone
Email [redacted]

Date 30 October 2025

Dear Sir or Madam

Wealden District Council draft Brownfield Land Register 2025: Strategic Environmental Appraisal Screening Opinion

Thank you for your email dated 26 September 2025 consulting Historic England on the draft Brownfield Land Register and your intention of carrying out a SEA for the Register.

Brownfield Register

Historic England understands that it is within the role and scope of the authority preparing the Brownfield Register to carry out the appropriate assessment of the likely effects of the potential development of sites on the historic environment. Regulation3 of the Town and Country Planning (Brownfield Land Register) Regulations 2017 requires the Register to include land that meets the criteria set out in paragraph (1) of Regulation 4. That paragraph requires each parcel of land to be, inter alia, "suitable for residential development".

"Suitable for residential development "is defined in paragraph (2) of Regulation 4 as meaning that the land is, inter alia, in the opinion of the local planning authority , "appropriate for residential development, *having regard to any adverse impact on the natural environment or the local built environment, including in particular on heritage assets*".

The Councils should therefore have considered the potential impacts of the development of the sites identified in Part 1 of its Brownfield Register on heritage assets (as also defined in paragraph (2)). Nevertheless, we set out below, in summary, our advice on selecting sites with regard to the potential impact on heritage assets.

Historic England has published advice on site allocations in local plans (http://www.historicengland.org.uk/images-books/publications/historic-environment-and-site-allocations-in-local-plans/). A detailed methodology for the assessment of the potential impact of brownfield sites on heritage asset should include the following factors:

- All heritage assets should be considered encompassing buildings, monuments, sites, places, areas or landscapes identified as having heritage interest (which may be archaeological, architectural, artistic or historic) and these sites identified. These include both designated and non-designated heritage assets.
- Implications of development (positive and negative) for the setting of a heritage asset and its significance should be considered.
  The potential archaeological interest of a site.
- The potential impact on the special interest, character and appearance of conservation areas, having regard to appropriate conservation area appraisals and other historic characterisation studies.

The assessment of sites for inclusion on the Register should therefore be informed by the identification of heritage assets that may be affected by the development of a brownfield site, either by the site containing those heritage assets or being within the setting of those assets (paragraphs 207 and 213 of the National Planning Policy Framework recognise that development within the setting of a heritage asset may harm the significance of the asset), and a proper understanding of the potential impacts on significance .

Information on designated heritage assets can be found on the National Heritage List for England (http://list.historicengland.org.uk) and on non-designated heritage assets from the County Historic Environment Record. Other potential sources of information include the local Historic Landscape Character Assessments and Conservation Area Character Appraisals. It would be helpful if scheduled monuments and registered parks and gardens, as well as listed buildings and conservation areas, are shown on any site identification and context maps.

However, it should be noted that there may be areas of archaeological interest beyond scheduled monuments, and historic landscape issues beyond registered historic parks & gardens. Wider archaeological and landscape/townscape impacts are important considerations and need to be factored into site assessment. The possible cumulative impact of a number of site allocations in one location could also cause considerable harm to the historic landscape/townscape.

Our advice on "Managing Significance in Decision-Taking in the Historic Environment" (https://historicengland.org.uk/images-books/publications/gpa2-managing-significance-in-decision-taking/) might be helpful here, as might our advice on the setting of heritage assets (https://www.historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/).

The National Planning Policy Framework also considers that heritage assets are an irreplaceable resource that should be conserved in a manner appropriate to their significance. Bearing in mind this overarching principle that harm to heritage assets should be avoided wherever possible, as a point of principle, we would expect sites that would have an unacceptable impact on the significance or special interest of heritage assets not to be identified in Part 1 of the Brownfield Register, and certainly not identified in Part 2.

Strategic Environmental Assessment

In light of the Environmental Assessment of Plans and Programmes Regulations 2004, our view is that a SEA is not required in this instance for the reason set out in section 4 of the Screening Statement (Wealden District Council, September 2025).

Finally, we should like to stress that this opinion is based on the information provided by the Council in its consultation. To avoid any doubt, this does not affect our obligation to provide further advice and, potentially, object to specific proposals, which may subsequently arise where we consider that these would have an adverse effect upon the historic environment. We hope that these comments are useful.

Yours sincerely

[redacted]

Historic Environment Planning Adviser

Date: 20th October 2025
Our ref: 528878
Your ref: Brownfield Land Register 2025

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BY EMAIL ONLY - [redacted]

Dear [redacted]

Planning consultation: draft Brownfield Land Register 2025

Thank you for your consultation on the above dated and received by Natural England on 26th September 2025.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. Natural England is a statutory consultee for consultations on Part 2 Brownfield Registers and applications for permission in principle for non-major development where proposed sites might impact on Sites of Special Scientific Interest or significant areas of Best and Most Versatile agricultural land.

NATURAL ENGLAND'S ADVICE

Natural England does not have any comments to make on specific sites proposed to be included on your Part 1 Brownfield Land Register.

Annex A sets out generic advice from Natural England to assist in the preparation of Brownfield Registers and permission in principle proposals and helps ensure that environmental protections in the National Planning Policy Framework are maintained and inappropriate development sites are not proposed for development.

Where sites are considered suitable for inclusion on brownfield land registers, you should ensure that you have sufficient information upfront to fully assess all relevant environmental considerations and be satisfied that avoidance or mitigation measures for any adverse impacts can be delivered.

Should you or a prospective applicant wish to discuss site specific advice on any potential sites for inclusion in the Part 1 Register we recommend use of our Discretionary Advice Service.

Yours sincerely
Consultations Team
Natural England

Annex A: Natural England advice for local planning authorities on the preparation of Brownfield Land Registers and Permission in Principle

What are Brownfield Land Registers and Permission in Principle?

Local planning authorities (LPAs) are required to compile and maintain a register of brownfield sites suitable for housing development under The Town and Country Planning (Brownfield Land Register (Regulations) 2017. LPAs can enter suitable sites in Part 2 Brownfield Registers which triggers a grant of Permission in Principle, subject to the requirements of The Town and Country Planning (Permission in Principle) Order 2017 (as amended).

In preparing brownfield registers, LPAs are also required to have regard to the National Planning Policy Framework (NPPF), the development plan, the national Planning Practice Guidance, any Secretary of State guidance, other statutory requirements and guidance, and any other national policies and advice.

Permission in principle for non-major development can be granted subject to the requirements of the Town and Country Planning (Permission in Principle) (Amendment) Order 2017.

Detailed guidance on the preparation of brownfield registers and on permission in principle can be found in the Planning Practice Guidance (PPG) using the links below:

- Brownfield land registers here
- Permission in principle here
- Associated data standards here

What role does Natural England have?

Natural England is a statutory consultee on sites proposed for permission in principle. Our role is to advise on impacts on the environment and the potential for mitigating any adverse impacts. Some brownfield sites may have high biodiversity or geological value or raise other environmental issues. In assessing the suitability of sites for inclusion on Brownfield Registers or for the grant of permission in principle , LPAs should have regard to NPPF policies on the protection and enhancement of the natural environment and consider the environmental impacts of all potential sites along with the scope to mitigate any such impacts.

This note summarises our advice on key environmental issues and signposts useful information on a range of environmental topics. It aims to help you assess site suitability for Part 1 registers and help you decide whether to grant permission in principle for certain sites. The note should also help to minimise the need to consult us.

When should you consult Natural England?

Part 1 Registers - There is no requirement to consult us on Part 1 of your register, unless Strategic Environmental Assessment is required- see the Planning Practice Guidance. You may also need to consult us in connection with 'habitats development' (see further information below). You may also wish to have an early conversation with us on the opportunities that some brownfield sites may present to secure a range of benefits through green infrastructure.

If you choose to consult us on your Part 1 register and require detailed or site-specific advice, including on enhancement measures, we will only be able to consider responding where we can recover our costs. Where costs cannot be recovered, Part 1 consultations are likely to receive standardised, non-site-specific responses. We will also need to recover our costs from landowners or developers if they ask us for detailed advice on brownfield sites proposed for inclusion on registers and on applications for permission in principle for non-major development and Technical Details Consent. Further information on our advice services can be found here - Natural England.

Part 2 Registers – Under Regulation 12 of the Brownfield Land Register Regulations, Natural England is a statutory consultee on Part 2 of your register - the sub-set of sites for which permission in principle is proposed to be granted. Consultation requirements are set out in Schedule 4 of the Development Management Procedure Order.

Consultation with Natural England is also required on applications for permission in principle for non –major development under Article 4 of the Town and Country Planning (Permission in Principle) (Amendment) Order 2017.

Technical Details Consent (TDC) - As set out in the Schedule to Article 8 of the Permission in Principle Order, you must consult us at TDC stage, where we have advised you to do so in writing at permission in principle stage.

A summary of when to consult us is set out here.

How should you consult us?

Consultation requirements are set out in Regulation 12 of the Brownfield Land Register Regulations. Requirements for consultation on non-major development are set out in Article 4 of the Town and Country Planning (Permission in Principle) (Amendment) Order 2017.

The Brownfield Land Registers Planning Practice Guidance states that where consultation is required, the LPA should provide the statutory body with any relevant information it holds about the site. It would be helpful if you could screen all permission in principle consultations in the same way as planning applications, to ensure we are only consulted on those sites which are likely to have significant adverse environmental impacts. It would also help us to provide you with clear and timely advice if you could:

- Indicate, for each site, why you have consulted us;
- Let us know in advance if you intend to consult us on a large number of sites on your part 2 registers;
- Set out as much information as possible on site suitability and how you intend to address any adverse impacts on the environment that you have identified.

Consultations should be sent to [redacted]

How will we respond to consultations on permission in principle?

For consultations on Part 2 registers and applications for permission in principle for non-major development, we will provide a detailed response where significant adverse impacts are likely. In other instances, we may provide a standardised response. When we have notified you that we wish to be consulted at TDC stage, you will normally receive a detailed response.

Our approach to consultations is set out in our Responding to Consultations on Development Standard.

In some cases, where sites are of particularly high environmental value or sensitivity, we may advise that the usual planning application process is a more appropriate route to obtaining planning permission. We may also advise against permission in principle if existing environmental information cannot provide sufficient certainty that development can be made acceptable and further detailed surveys or assessments are likely to be required.

Regulation 13 of the Brownfield Land Register Regulations sets out the time periods for consultation on Part 2 registers. When you review your register after first publication, you must not enter land on Part 2 until at least 21 days after the date you notify us of the consultation, unless we provide our advice or notify you that we don't intend to respond before that period has elapsed.

Time periods for consultations on permission in principle for non-major development are set out in Article 4 of the Town and Country Planning (Permission in Principle) (Amendment) Order 2017, which requires you to provide us at least 14 days for our response.

Time periods for Technical Details Consent consultations are set out in Article 18 of the Development

Management Procedure Order, which requires you to provide us with at least 21 days for our response. Article 22 also requires us to respond within 21 days unless we have agreed a longer period with you in writing. The 21 day period commences from the day we receive such information that will enable us to provide a substantive response.

What environmental information can you use to prepare brownfield registers?

Before entering any site on your register, we advise you to make full use of all sources of relevant, available environmental information to satisfy yourself that the site is suitable for residential development, having regard to any adverse impacts on the environment.

Table 1 below, signposts information sources for particular environmental topics, including the MAGIC online mapping tool, which sets out a range of environmental information. In addition, there may be useful local information held by local authorities, local environmental record centres and other sources such as landscape character assessments and data on local sites and protected species.

How should you take account of impacts on the natural environment?

Potential sites for inclusion on the register and for the grant of permission in principle must be assessed against the criteria set out in Regulation 4 of the Brownfield Land Register Regulations. . Applications for permission in principle for non-major development must meet the criteria set out in Article 4 of the Town and Country Planning (Permission in Principle) (Amendment) Order 2017. You must also have regard to relevant policies in the development plan, the NPPF, and the Planning Practice Guidance. Our advice is that environmentally sensitive sites should only be considered for inclusion on registers or the grant of permission in principle where relevant environmental policies in the NPPF and the development plan can be satisfied. When considering potential sites, you should take account of any adverse impacts on the environment and the scope for avoiding or mitigating these.

You must also comply with your other statutory environmental duties, including your duty to conserve biodiversity (Natural Environment and Rural Communities Act 2006) and to have regard to the statutory purposes of National Parks, the Broads and Areas of Outstanding Natural Beauty (National Parks and Access to the Countryside Act 1949 and the CROW Act 2000).

As set out in Regulation 14 of the Brownfield Land Register Regulations, you must not include Environmental Impact Assessment (EIA) development or habitats development on Part 2 registers. This also applies to the grant of permission for non-major development, as outlined in Article 5A of the Town and Country Planning (Permission in Principle) (Amendment) Order 2017.

In order to determine ‘habitats development’ you must carry out an appropriate assessment for any proposed development resulting in a likely significant effect on a European site (either alone or in

combination with other plans and/or projects) and must consult Natural England on the appropriate assessment. See relevant legislation here. We would normally wish to be consulted on the TDC in such cases to ensure the mitigation measures are secured in line with the appropriate assessment.

Planning Practice Guidance (see paragraph 005, Reference 58-005-20190315) provides further advice with regard to 'habitats development', outlining that the local planning authority should be satisfied , after taking account of mitigation measures in an appropriate assessment that the proposal will not result in adverse effects on the integrity of the protected site.

Our advice on particular environmental topics is set out in Table 1.

How can you mitigate for adverse environmental impacts?

The Planning Practice Guidance states that local planning authorities can provide information on the relevant entry on the brownfield land register or on the decision notice when permission in principle is granted on application about what they expect the detailed proposals to include at the technical details stage. The Data Standard states that this information can be entered in the optional 'Notes' column. Where you have identified adverse environmental impacts but consider they can be appropriately addressed at Technical Details Consent Stage, we advise you to clearly set out the measures needed in the optional 'Notes' column. This could include:

- Any additional supporting information or assessments that you expect to see provided with a TDC application such as landscape or ecological assessments; and
- Avoidance, mitigation or compensation measures that should be secured as part of the TDC such as biodiversity or soils mitigation plans.

'Habitats development' may only be granted permission in principle where an appropriate assessment has examined the development (including any proposed avoidance and mitigation measures) and has ascertained that it will not have an adverse effect on a European site(s). Mitigation measures should be demonstrated by the appropriate assessment to be effective and deliverable and a secure funding mechanism identified before granting permission in principle. For proposals where there is uncertainty or a need to gather more evidence at a later stage Natural England recommends using the planning application route instead of permission in principle.

Our advice is that opportunities for environmental enhancement and the provision of multi-functional green infrastructure should also be sought as part of the development. It would be helpful if your register informs applicants of your expectations at permission in principle stage, and seeks to secure such provision at TDC stage.

What other environmental consents may be needed?

Other permits or licences may also be needed before development can proceed. Our advice is that you should satisfy yourself that the requirements of any other relevant regulatory regimes are capable of being met, in order to avoid a situation where a permission in principle cannot be implemented. This may include seeking a Protected Species Licence from Natural England. Please refer to Natural England's guidance on protected species licences and our pre-submission screening service.

Table 1: Natural England advice on environmental considerations and information sources to inform decisions on the suitability of sites for grant of permission in principle. The information may also be helpful in considering sites for Part 1 Brownfield Registers.

Topic Area	NPPF and/or Planning Practice Guidance/legislation reference	Key issues to consider	Useful information sources
National Parks, The Broads, AONBs	NPPF para 172 applies. LPAs must comply with their duty to have regard to the statutory purposes of National Parks and Areas of Outstanding Natural Beauty. PPG on Landscape.	Sites within or impacting on National Parks and AONBs may require landscape character assessments and landscape and visual impact assessments to assess impacts and determine whether these can be addressed.	MAGIC for site boundaries. Natural England's National Character Areas Profiles - for 159 character areas in England may also be useful.
International sites of importance for biodiversity or 'habitats sites' (Special Areas of Conservation/Special Protection Areas/Ramsar sites)	'Habitats development' cannot be granted PiP. NPPF paras 174,176,177 apply.	Screening is needed for likely significant effects.	NE Impact Risk Zones on MAGIC can help you assess potential impacts.
Sites of Special Scientific Interest	NPPF para 175 applies. PPG on Biodiversity and Ecosystems.	Consider direct and indirect impacts. Detailed ecological surveys and assessments may be needed to determine whether adverse impacts can be addressed.	NE Impact Risk Zones on MAGIC can help you assess potential impacts.
Local wildlife and geological sites	NPPF paras 170, 171,174 apply. PPG on Biodiversity and Ecosystems.	Consider direct and indirect impacts. Detailed ecological surveys and assessments may be needed to determine whether adverse impacts can be addressed.	Local information sources.
Priority Habitats and species (listed under s41 of the Natural Environment and Rural Communities Act 2006). Further info here.	NPPF paras 117,174,175 apply. PPG on Biodiversity and Ecosystems and Brownfield Land.	Brownfield sites can support the priority habitat: Open Mosaic Habitat on Previously Developed Land. Sites with nature conservation	Open Mosaic Habitat (OMH) Inventory and any available local data to identify sites which are likely to support OMH and other priority habitat

		designations, those that have formed on post-industrial or contaminated substrates and sites supporting nationally significant populations of notable species are particularly valuable for biodiversity. Detailed ecological surveys and assessments may be needed to determine whether adverse impacts can be addressed.	and species.
Ancient woodlands, ancient and veteran trees (and other irreplaceable habitats)	NPPF para 175 applies. PPG on Biodiversity and Ecosystems.	Ancient woodland, ancient and veteran trees are irreplaceable habitats. Direct and indirect impacts should be considered.	Ancient Woodland Habitat Inventory and Ancient Tree Inventory. Natural England/ Forestry Commission standing advice.
Non-designated sites of high environmental value	NPPF paras 170,174,175 apply. PPG on Biodiversity and Ecosystems and Brownfield Land.	Not all sites of high environmental value are designated nature conservation sites Detailed ecological surveys and assessments may be needed to determine impacts and whether these can be addressed.	Open Mosaic Habitat (OMH) Inventory and available local data to identify sites which are likely to support priority habitat and species and protected species.
Protected Species	LPAs should satisfy themselves that legal requirements can be met.	A protected species mitigation licence may be needed from Natural England. Use existing information sources to ascertain whether there is a reasonable likelihood of species being present and if so whether appropriate avoidance or mitigation (or as a last resort compensation) measures can be put in place and/or a species mitigation licence is likely to be granted (if required). Further species surveys may be	Available local information sources. Natural England standing advice.

		needed to determine whether impacts can be addressed.	
Best and most versatile agricultural land	NPPF paras 170,171, footnote 53. PPG on Soils and Agricultural Land.	Impacts on best and most versatile agricultural land and soils should be considered. Detailed soils surveys and assessments may be required to determine impacts.	Agricultural Land Classification map and coverage of post 1988 MAFF ALC surveys on MAGIC and post 1988 MAFF ALC survey reports and maps at GOV.UK to assess impacts.