

Sussex Wildlife Trust

Woods Mill, Henfield, West Sussex BN5 9SD
Telephone: 01273 492630 Facsimile: 01273 494500
Email: enquiries@sussexwt.org.uk
Website: www.sussexwt.org.uk



Development Control Team
Development, Minerals and Waste Group
Transport & Environment
East Sussex County Council
County Hall
St Anne's Crescent
LEWES
BN7 1UE

5 July 2007

Dear Sir/Madam

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

Sussex Wildlife Trust *objects* to the above planning application related to the proposed Bexhill Hastings Link Road. We do not consider the scheme to represent sustainable development in any sense nor value for money. The level of environmental damage that will result is unacceptable, and will alter the ecological functioning of the Combe Haven valley.

The following comments are made on behalf of Sussex Wildlife Trust and are based on the Environmental Statement (ES) accompanying the planning application. No field work has been undertaken, although as an organisation we have good knowledge of this area, particularly Filsham Reedbed and Marline Woods, both within Sites of Special Scientific Interest (SSSI) and managed by Sussex Wildlife Trust.

The short consultation period and difficulty in obtaining or accessing documentation has limited our capacity to respond. Hence we have concentrated efforts on Chapter 12 of the ES, Nature Conservation and Biodiversity. However, we do not accept the justification for the scheme and believe it will result in significant environmental damage beyond the impact on biodiversity. We are particularly disappointed that East Sussex County Council (ESCC) did not make key documents available via the Internet nor not see fit to extend the consultation period beyond the minimum 42 day period, despite the magnitude and complexity of the planning application.

The Bexhill Hastings Link Road is being promoted to facilitate business and residential development and associated infrastructure on greenfield sites within Rother District and Hastings Borough. As this development will directly result from the road scheme, we believe the cumulative impacts of the associated development should be assessed as part of this planning application. The environmental damage resulting from the enabled development will be substantial and will further impact on the Combe Haven valley.

Taking Care of Sussex

Sussex Wildlife Trust is a company limited by guarantee under the Companies Act.
Registered in England, Company No. 698851.
Registered Charity No. 207005.
VAT Registration No. 191 305969.
Registered Office: Woods Mill, Henfield, West Sussex BN5 9SD.
Telephone 01273 492 630

Printed on Recycled paper

Justification

We do not accept that the social and economic case for this scheme outweighs the enormous environmental damage that will result.

Government approved £47 million of national funding for the scheme in 2004 under condition that planning approval was granted and that the gross and net costs of the scheme remain unchanged. ESCC has recently re-estimated the costs at £89.3 million - almost double the approved costs. We understand that cost increases relate to issues including flood amelioration, compensatory land and environmental impacts but there is no reason why these were not factored into the original bid. The valley has previously been recognised and documented by ESCC as a floodplain of great biodiversity value; indeed previous schemes to build roads across this valley were refused because of the environmental damage they would cause. The Environment Agency raised issues regarding flood storage during the 1994-5 inquiry into the proposed Hastings By-passes, so this cost should have been factored in prior to applying to Government for funding. This would have affected the cost benefit ratio of the proposed scheme and we believe this needs further investigation prior to a planning decision.

Public consultation regarding the route chosen was flawed as alternatives to a road scheme were not explored. This scheme will not address current transport problems and will not contribute to a reduction in traffic in the Hastings and Bexhill area. The increase in traffic resulting from additional development will fill the proposed road to capacity and also result in additional vehicles on already congested local roads (estimated at a 14% increase).

Alternative methods of transport management have not been adequately investigated and it would be interesting to assess what non car-based alternatives could be delivered for £89.3 million. We do not consider that the proposal to build a road that will directly lead to an increase in vehicle movements (estimated at 30,000 per day in an area currently free from traffic) to represent sustainable development. There is conflict with numerous national, regional and local policies to reduce greenhouse gases (e.g. Draft South East Plan Policies CC1 & CC2). It is widely acknowledged that the greatest threat to biodiversity is currently climate change and whilst Government and ESCC have pledged to take action to reduce greenhouse gas emissions, this scheme will result in a conservatively estimated increase in carbon dioxide emissions of nearly 6,000 tonnes per annum by 2025.

Ecological Networks

Despite undertaking extensive ecological surveys, the mitigation strategy for wildlife fails to recognise the ecological functioning of the valley as a whole and the damage that fragmentation and disturbance will result in. We do not believe it is possible to adequately mitigate the effects of the proposed scheme on the natural functioning of this landscape.

Sussex Wildlife Trust is promoting the establishment of an ecological network for Sussex – The Sussex Econet (see enclosed documents, including national, regional and local information). The approach of an ecological network has been taken up by a number of regions in England following the European model and recognises that isolated designated nature sites will not halt the decline in biodiversity. This approach has gained support across sectors and within national, regional and local policies.

When assessing potential sites for development the local authority should be mindful of the connectivity of existing habitats in the area. Of particular importance are natural linear

features such as water courses and hedgerows that can provide for wildlife movement, as well as areas of ancient woodland and shaws and other semi-natural habitats that could provide 'stepping stone' sites for species movement. This scheme will result in severance of habitats and loss of these key network features.

Planning Policy Statement 9 (PPS9) Paragraph 12 states that: *'Local authorities should aim to maintain networks by avoiding or repairing the fragmentation and isolation of natural habitats through policies in plans. Such networks should be protected from development, and, where possible, strengthened by or integrated within it.'*

The draft South East Plan further supports this in policy NRM4 (Conservation and Improvement of Biodiversity) which states: *'In the development and implementation of policies, plans and strategies, local authorities and other bodies shall seek to avoid net loss of biodiversity, and actively pursue opportunities to achieve net gain across the region by:*

iv) identifying areas of opportunity for biodiversity improvement targets reflecting those in figure NRM2 and pursuing opportunities for biodiversity improvement in particular large-scale habitat restoration, enhancement and recreation in the areas of strategic opportunity for biodiversity improvement.

Article 10 of the Habitats Directive requires that Member States encourage the management of features of the landscape that are of major importance for wild flora and fauna. These features are those that, because of their linear and continuous structure or their function as stepping-stones, are essential for mitigation, dispersal and genetic exchange. The Directive includes examples of watercourses, water bodies, hedgerows and small woods.

This scheme will lead to fragmentation and habitat loss that will disrupt the ecological functioning of this area as part of the wider ecological network. We believe this will impact on movement of species, including that of protected species.

The waterways, ditches and floodplain which are vital to the functioning of the valley will be altered forever as will the biodiversity resource. The mitigation strategy for the biodiversity of the area is in part described as aspirational for ESCC and offers little evidence that it will be successful. Even if fully implemented, the scheme will fail to deliver net biodiversity gains required by PPS9.

National Policy

Local authorities have many and varied responsibilities and duties on biodiversity matters, including the conservation of protected species and habitats. Under section 40(1) of the Natural Environment & Rural Communities Act 2006 *"Every public authority must, in the exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity"*.

Further, the potential impact of development on certain species and habitats of principal importance is addressed in detail under regulation 3(4) of The Conservation (Natural Habitats &c.) Regulations 1994 and section 74 of the Countryside & Rights of Way Act 2000.

This scheme will have a negative effect on the conservation of biodiversity in this valley.

PPS9 and PPS1: Delivering Sustainable Development (ODPM 2005) state the need for the planning system in England to promote sustainable development in the context of biodiversity. The key feature of PPS9 is a change from 'no net loss of biodiversity' to 'net gain' via enhancements delivered through the planning system. The associated good practice guidance also cites examples of the provision of biodiversity and the associated multiple benefits that can be achieved through planning gains.

The Biodiversity Convention 1994 led to the production of the UK Biodiversity Action Plan (BAP) to conserve and enhance biodiversity in the UK. This in turn has been translated to a local level in *From Rio to Sussex, Action for Biodiversity*. New BAP targets can be found at www.biodiversitysussex.org. Hastings Borough Council has also produced a BAP, yet there is little direct reference to how this scheme will contribute to BAP targets.

There is already a statutory duty for Government to 'have regard' to the conservation of BAP priority species and habitats under Section 74 of the CROW Act. PPS9 and its associated Government Circular state clearly and specifically what this means in practice. There is now a stated requirement that key national, regional and local BAP objectives and targets should also be incorporated into RSSs and LDFs. In terms of assessing an individual planning application PPS9 Para 14 states:

'Development proposals provide many opportunities for building-in beneficial biodiversity and geological features as part of good design. When considering proposals, local planning authorities should maximise such opportunities in and around developments, using planning obligations where appropriate'

In relation to Para 14, the associated circular states:

'In PPS9, the Government has indicated that local authorities should take steps to further the conservation of habitats and species of principal importance through their planning function. The lists of the habitat types and species subject to this duty were published by DEFRA in 2000 and comprise the list of species and habitats identified as priorities under the UK Biodiversity Action Plan'

Taking these sections together Planning Authorities are now required to actively seek in development proposals, measures that aim to promote appropriate habitats and species listed in the UK BAP and in accordance with CROW (Section 74), and treat these as 'material considerations' We do not consider this is adequately addressed in this proposal.

Mitigation and Compensation Strategy

Section 12.4, Mitigation and Compensation Strategy outlines habitats to be lost and plans for creation of habitats. The mitigation strategy focuses on individual issues and sites but fails to address landscape ecology and the functional aspects of the ecological network in this area. The species focus of this report fails to highlight the importance of intra-specific and inter-specific interactions and those between organisms and habitats, i.e. biodiversity. This approach will not recreate the matrix of habitats that currently constitute a functioning ecosystem within this valley.

Section 12.4.5 identifies that the scheme will;

- "Create a barrier between habitats, possibly isolating smaller areas of habitat to the extent that they would be unable to support viable populations of some species of biodiversity significance;
- Sever habitat links, particularly the network of hedges, copses and ditches shown on Figure 12.4 and specific links for badgers, bats and common dormice; and,
- Create noise and visual disturbance arising from vehicles and users of the Greenway."

There is also mention of pollution, which will impact on wetland and terrestrial habitats and species.

A key issue of the scheme is that the road requires culverting and embanking across four main rivers (at right angles) and major alterations to the morphology of the rivers, the function of the floodplain (including reduction in flood capacity), the flows of the rivers, fish migration routes (including some rare and protected species - eels, brown trout and lamprey) and the associated biodiversity of all the watercourses and connected ditches. Results also indicate a high sensitivity to pollution amongst the genera present and that each water course has a high biological quality. The proposed scheme will undoubtedly have an adverse effect during both construction and operational phases on this important biodiversity resource.

Powdermill Stream is a trout lamprey nursery and Decoy Pond Stream is a brown trout nursery, both of which are protected under legislation. Streams support unexpectedly high numbers of species given their size, a further indication of the value of this area for biodiversity and in particular the importance of the hydrology of the valley.

Invertebrate surveys have shown that the streams and ditches had high BWMP scores, particularly Powdermill Stream which was ranked as an unpolluted, high value water course. We do not believe the scheme will enhance this status and could impact negatively through culverting, severance from ditches and long term pollution and disturbance.

As well as stating that 'EA has a presumption against the further embankment etc of main watercourses' section 8A.2.26 states "It is inevitable that a busy road crossing small streams will damage the flora and fauna of the streams."

Three areas of concern are identified;

"1 - the use of salt in winter

2 - the flow of pollutants from the surface of the road into the streams and

3. - the dumping of rubbish, garden waste etc."

In addition to this we consider that associated terrestrial habitats and species will also suffer damage and opportunities to enhance the Combe Haven Valley through naturalisation and restoration of rivers and wetlands will not be realised.

This inevitable damage to water bodies is not realistically reflected in Table 9.16, which suggests structures etc 'may' affect the water courses. We are in no doubt that they will have significant impacts. The table shows potential effects of run off and pollution events i.e. for invertebrates, but there is no mention of the indirect effects of this on fish, birds, mammals etc.

It is likely that the Water Framework Directive (WFD) will designate the rivers in this valley as 'heavily modified waterbodies'. This means that they only have to achieve 'good ecological

potential' and not 'good ecological status'. Nevertheless, the WFD calls for no net decline in any watercourse. Sussex Wildlife Trust considers that these proposals will result in major declines on the four watercourses traversed by the scheme. Section 12.6.30 describes these crossings as creating "a barrier to invertebrates" but considers that flooding in the valley every five to ten years sufficient for species to disperse. Altering the hydrology and raising water levels in the valley, as recommended in the scheme may mean that flooding is closely monitored and controlled in the future (see following paragraph re: section 9.5.31). This may affect the dispersal of invertebrates and therefore viability of populations, with indirect effects throughout food chains.

Hydrological issues are far more complex than suggested. Section 9.5.31 indicates that the road building will decrease flooding of fields. Throughout this chapter flooding is portrayed as a negative. There is little or no consideration given to the fact that this valley regularly floods, benefiting local biodiversity and providing flood storage. It is possible that individual landowners would like to see a decrease in flooding on their land, however it is now Natural England policy (under Higher Level Stewardship) to encourage landowners to enhance flood storage and biodiversity on their land. Combe Haven represents a prime location for doing this. Sussex Wildlife Trust has concerns regarding water levels at Filsham Reedbed and we believe that proposals will impact on this.

In section 9.5.30, it is suggested that it would not be appropriate to realign the channel. What feasibility studies and modelling have been undertaken to support this theory? The report also claims that work will not affect water levels upstream of the works, but fails to predict the effects downstream of works, which could be considerable.

Section 12.4.12 describes intentions to encourage landowners to instate higher ditch water levels. We see raised water levels in the valley as potentially positive, but this is described as an aspiration of ESCC and so it does not form part of the mitigation. Has any discussion with landowners taken place to ascertain their willingness to accept this change on their land? This paragraph states that there is uncertainty over whether proposed measures would fully compensate or mitigate the impact on the actual and potential diversity of the floodplain. This sums up the uncertainty over the mitigation strategy regarding biodiversity and the impact assessments.

Section 12.4.10 claims that; 'Severance on the Powdermill Valley is unlikely to be an issue since a new wetland area is being created'. The wetland area will be receiving polluted run off from the road and will not replace the habitat found in a stream. This will impact on flora and fauna and this section also states that "there is no reliable information on whether the areas involved would be sufficiently large to retain significant biodiversity in the long term".

Despite claims, we consider there will undoubtedly be an impact on the water quality of ditches, which will impact on flora and fauna (particularly invertebrates and hence food chains). It is planned that 3970m of ditch will be created to replace the 2600m being destroyed, but the value of new ditches is questionable, particularly if they are not well linked or are close to the road and so affected by pollution and disturbance.

The Combe Haven SSSI citation sheet states "the whole site, but particularly the reedbed, is valuable for breeding, wintering and passage birds". A busy road passing so close to the SSSI boundary and severing the site from the rest of the valley will have a negative effect on the bird interest. The proposed route may physically avoid the SSSI but will have a significant impact on its associated species.

We do not consider habitat enhancement within the SSSI to be mitigation. It is being suggested because "there is some uncertainty over whether the measures proposed would fully compensate or mitigate the impact on the actual and potential biodiversity of the floodplain" and that there are "potential adverse impacts on the SSSI from increased noise levels and visual disturbance" (section 12.4.12).

With reference to the habitats of Combe Haven Valley, section 12.4.23 states that due to practical difficulties in implementing proposals "at present they represent only an aspiration by ESCC and have therefore not been included in the assessment as incorporated mitigation". This reduces confidence in the strategy further and therefore the overall impacts. Discussing aspirations in the mitigation documentation leads to confusion.

Section 12.4.24 describes some of the neutral grassland which will be lost and identifies the need to replicate the conditions under which it has developed, but does not suggest how this can be done. The loss of grassland at G6 and G13 is to be mitigated by habitat creation elsewhere and despite section 12.6.33 acknowledging that "it would be difficult to establish the right ground conditions and sustainable management" this plan is assessed to have a minor positive impact. We are concerned about the degree of uncertainty over each aspect of proposed mitigation.

When considering long term management of the individual habitats to be created many issues need to be addressed. Apart from deciding a management strategy to deliver required outcomes, who will undertake management and monitoring, how will this be funded and for how long? How is it proposed to maintain habitats, given their dynamic nature, succession and so forth? Habitats such as scrub often develop as a result of not managing other habitats (e.g. reedbeds, grassland). It is proposed that 22ha of scrub and rough grass will be created (section 12.4.25), will this be maintained, or will it eventually become woodland? This dilemma exists for each habitat discussed but is not discussed.

We see the whole network of hedgerows as important in structural terms, i.e. providing nesting, shelter and passage for species as well as in terms of species composition. Hedgerows considered in the report to be significant for biodiversity are listed in section 12.4.33. There is an acknowledgement that the scheme will sever habitat and have an impact on bat and dormouse populations. Green bridges have been dismissed as an option, despite well documented success where they have been installed across Europe. There is a claim that because there are strong populations either side of the road, severance can be mitigated by enhancing hedges and shaws. This represents further depletion and fragmentation of the habitat for protected species. The report also states that this is not a problem as there will be no loss within the SSSI, yet isolation and the impacts on genetic diversity will affect the long term viability of local populations, including those within the SSSI. Section 12.6.35 predicts that it will take up to 20 years for new hedges "to reach a state where they would compensate for the habitats lost". This will undoubtedly impact on associated species and we do not agree with the overall assessment for hedgerow mitigation of minor positive.

Section 12.4.34 identifies plans to catch run off from the road in wetlands created as part of the mitigation strategy. The proximity to a busy road and pollutants in run off mean that this habitat is unlikely to hold water of good biological quality and so the value of the created wetland habitats should be questioned. This also poses a risk to existing habitats, including those within the SSSI boundary when the valley floods and the water from these new areas flows through the valley. The link between water quality and hence aquatic flora and fauna (invertebrates, mammals, birds etc) does not seem to have been addressed here.

Section 12.4.35 cites recent research showing "that breeding densities of some bird species can be significantly reduced adjacent to roads" as a result of increased noise levels. An example of a particularly sensitive species is given in section 12.4.90. Hawfinches breed in Park Wood (within Marline SSSI) because it is the quietest undisturbed part of the reserve. The proposed road will be very close to this and hawfinches are known to be susceptible to disturbance. There is no mitigation to address this, nor the affect of noise on other bird and animal species. The issue of carrying capacity of adjacent sites is also mentioned and it is acknowledged that "the area's potential is obviously reduced". Lack of research into the impact of noise is given as the reason that "it is not feasible to take into account potential impacts with any degree of accuracy". We suggest that this is yet another reason of adopting a precautionary approach and doubting the effectiveness of mitigation proposals.

The wider impacts of the scheme on the biodiversity of the valley are touched on when discussing visual disturbance. As "there is a potential impact up to about 1km from the road, which would affect a substantial proportion of the SSSI" (section 12.4.37), we consider this will have a significant impact on the designated site.

The impact from vehicle headlights is dismissed due to lack of research (section 12.4.38) yet impact on bat species and birds such as barn owls is well documented. Barn owls hunt over wide areas and are known to be affected by roads, indeed section 12.4.82 states " it has long been established that road casualties are the single most significant cause of death, being responsible for 75% of mortalities amongst young birds". Minimising grass verges and altering management to deter barn owls is in conflict with measures proposed to encourage kestrels (12.4.79). The suggestion that kestrels do well hunting on road verges should be compared to success on more natural, less disturbed and relatively unpolluted habitats to be meaningful.

We do not believe that habitat creation proposed will address the impact on Combe Haven SSSI discussed in section 12.4.40:

- "Where the Scheme crosses the Watermill and Powdermill valleys, the route would sever the SSSI from floodplain grassland and fen". "This could fragment populations and affect size and sustainability of species using these habitats within the SSSI".

This severance will affect ecosystem function and therefore associated species. Habitat creation includes areas which will receive run off from the road. This change in the composition of water will undoubtedly alter the current situation. The mitigation planting is not expected to mature for two to five years and there is an additional "potential severance effect on the area north of the road in the Watermill Valley" (section 12.6.26). This severance is described as having an impact on the invertebrate populations outside the SSSI, but is to be compensated by the habitat creation planned alongside the SSSI. We do not know what the long term management plan is for the severed areas of grassland and fen.

- "The Scheme would be roughly parallel to the SSSI boundary for about 1.2km, so that a pollution incident could affect a substantial area of the SSSI and road run off could affect water quality".

Merely suggesting ways to reduce risk does not eliminate the potential effects of pollution incidents. Even if a long term monitoring strategy is put in place, the damage may already be done before it is detected.

- "Noise and visual disturbance could inhibit the return of species like breeding Redshank and the Scheme could have an impact on migratory species".

It follows that these effects will impact on biodiversity in general and presents another reason for concern over time lags between habitat destruction and creation/maturity of compensation areas. We do not consider it possible to adequately mitigate against the cumulative impacts of severance, disturbance and pollution on the valley as a whole.

We question why zone 13, managed by Sussex Wildlife Trust, is not discussed, when we consider that the proposed scheme will impact on this site, particularly with respect to hydrology and water quality (section 12.4.13). Section 12.4.43 states that "The road will be too far away from Filsham Reedbed to have an impact on the birds there". This ecology of this valley is closely dependent on its hydrology and as it floods regularly, water flowing down the valley also ends up in the reedbed. It follows that any deterioration in water quality can have a knock on effect on birds and indeed other biodiversity associated with the SSSI. The reedbed is utilised by migrating birds, which also rely on the upper parts of the valley, which will be severed by the road.

This section of the report also discusses the effects on breeding lapwing, redshank and snipe and how planting for landscape mitigation will restrict the open grazing marsh on which these species depend. No mitigation is proposed to address current declines in these species, thought to result from issues related to the Pebsham Landfill site.

Section 12.4.44 identifies passage migration within the Combe Haven SSSI to be of regional significance, however suggests that the proposed route will have no effect on this and so no mitigation is proposed. Previous sections discuss the impact on birds within the SSSI so it is extraordinary that a busy road cutting through the valley and the associated development and activity is not considered to affect passage of migratory species. The surveys appear to focus on a zone within 200m of the centreline of the road, but the effect will be much larger than that as birds move around a lot and use different areas at different times of year.

Sussex Wildlife Trust manages Marline Woods SSSI and we are extremely concerned at the proximity of the scheme to its sensitive habitats. The area marked as G20 is a good mix of grassland, scrub and woodland which acts as an excellent buffer to the SSSI. Rather than further protecting the SSSI by increasing buffers, this will be partially removed (sections 12.4.45 & 12.6.15). The report highlights the importance of ancient woodland and that it is an irreplaceable habitat (as stated in PPS9), but then describes a net gain in woodland as a result of mitigation planting. Given that ancient woodland is irreplaceable and that new woodland areas will be in presently non-wooded areas in a valley that is about to have its hydrology and ecological functioning altered at a time of changing climatic conditions, we question the strength of the mitigation strategy. It is also stated that 'ancient woodland would

be brought into active management'. What outcomes are expected from 'active management' and who is to undertake this, over what time frame and how much funding is being proposed for this undertaking?

Potential effects on the ghyll stream at Marline are dismissed; "lower plants are 200m away from the scheme so there won't be any significant air pollution" (12.6.16). We are not sure that this actually relates to the ghyll. Any runoff could be problematic in the ghyll. This section also mentions that acidification could also be an issue for the woodland habitat, but no mitigation is suggested.

We also consider the severance of Marline Woods SSSI from adjacent farmland during construction has the potential to have a greater impact on the ecology of the site than suggested and question how the impacts of construction are to be monitored.

In terms of the Sites of Nature Conservation Importance (SNCIs) in the local area, section 12.4.48 dismisses impacts on all but three sites. We consider that these contribute to the ecological network of this area and so should be discussed in terms on species movement and genetic diversity. Impacts on bats, dormice, badgers and hawfinches are discussed in terms of habitat removal, severance and disturbance. Mitigation is not thought to be effective for at least ten years and newly created habitat is likely to be affected by noise and pollution from the road. This is an example of how inadequate mitigation measures are within such an environmentally damaging scheme.

Sections 12-D.1.72 and 12-D.1.73 summarise some of the adverse impacts that this scheme will have on bats. We do not consider the mitigation being proposed sufficient to address the long term implications on these protected species. Mitigation proposals to prevent road casualties allude to those designed for horseshoe bats, a species not found in Sussex.

A Defra licence for work affecting bats can only be issued if there is no satisfactory alternative. We believe there are alternatives to this scheme which have not been adequately explored.

The licence should not be issued if a development is detrimental to the maintenance of the populations concerned at a favourable conservation status in their natural range. We consider that the proposed development will indeed compromise populations in their current range.

The development must also be imperative for reasons of overriding public interest including those of a social or economic nature. Again we do not accept the justification for the scheme and do not believe that sustainable alternatives have been adequately investigated. We do not accept that this scheme offers value for money.

The faster flying species of bat tend to be attracted to light as a rich source of food (flying invertebrate species). This can give certain species a competitive advantage over others and lead to changes in community composition. Lighting can also disrupt flight lines (e.g. in *Myotis* species) and represent an impenetrable barrier to some species.

The area is described as having sufficient derelict buildings for relocation of bat roosts. We are not aware of this apparent resource and would question its future protection. There is an assumption that providing bat boxes will replace roost sites, but the viability of a roost is dependent on a complex range of factors. The fragmentation and loss of habitats (roosts and foraging sites), severance of flight lines and disturbance will have a significant effect on populations. Section 12-D.1.74 makes it clear that insufficient data has been gathered and so devising a comprehensive mitigation plan for bat species is not feasible at this stage.

Section 12.4.70 describes how proposed mitigation to develop new floodplain grassland and woodland, pond and lake requirements will "result in a considerable net loss of actual or potential skylark habitat" and that breeding may be further affected by road noise, yet "no specific mitigation measures are proposed". This also applies to meadow pipits (section 12.4.85).

Similarly no mitigation is suggested with respect to "noise and visual disturbance from the road and users of the Greenway" that may affect song thrushes. This potential impact reduces the value of the net increase in song thrush habitat proposed (section 12.4.71).

Other examples of the lower value of artificially created habitats are given in section 12.4.87 regarding the dunnoek population and section 12.4.86; a net increase in habitat for stonechats will be of lower value as "the most suitable areas would be vulnerable to disturbance by users of the Greenway and the effects of road noise are unknown".

As each bird species is discussed, the wider implications of this scheme on the movement of birds throughout the valley are not addressed. We also predict the construction impacts described in section 12.5.8 to have a greater impact on bird species than suggested.

The initial impacts of habitat loss on amphibians are mitigated by translocation and creation of habitat. It should not be assumed that translocation will be successful and newly created wetland habitats may not be physically connected by traversable habitat and may be affected by pollution and disturbance and risk of predation. Isolation of populations through fragmentation of habitats and introduced barriers may also affect viability.

Much of the mitigation involves planting and we are concerned that plans will be based on conditions in the valley now, rather than the altered state after construction and this could compromise success. It is also important to factor in climatic conditions, which are widely reported to be rapidly changing globally and locally. The introduction of a busy road into this tranquil valley will undoubtedly affect its micro climate. An example is the plan to plant black poplars even though there are very few trees on the floodplain at present and conditions for their long term viability are not discussed.

Time lags of up to 20 years are predicted in Chapter 12 of the ES between the destruction and creation of habitats and severance and re-connection of habitats - this is likely to be longer for woodland sites. We believe that this will affect colonisation and therefore the long term value of proposed habitat creation. There is a suggestion that uncommon invertebrate species lost with G6 and G13 will be replaced by species colonising new habitat from meadows within Marline Woods SSSI. We are not convinced that connectivity will allow this movement and again there is no certainty of outcome.

In conclusion, the fundamental change in the landscape and functioning of the valley will not be adequately mitigated by habitat creation and management. Natural systems will be compromised and a man-made matrix of habitats bisected by a busy main road will not function in the same way so will not necessarily support the same suite of species; i.e. biodiversity will be adversely affected.

Sussex Wildlife Trust strongly objects to the proposed Bexhill Hastings Link Road Scheme.

The proposals do not represent sustainable development.

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

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

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

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

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

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

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

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

Yours sincerely

Janyis Watson
Senior Conservation Officer