



**Sussex**  
Wildlife Trust

Contact: Jess Price  
E-mail: [swtconservation@sussexwt.org.uk](mailto:swtconservation@sussexwt.org.uk)  
Date: 26 August 21

**By email only**

FAO: Chris Bartlett  
[planning.applications@westsussex.gov.uk](mailto:planning.applications@westsussex.gov.uk)

Dear Mr Bartlett

Planning Application Reference: WSCC/030/21

Description: An application for planning permission for a clay quarry and construction materials recycling facility (CMRF) for CD&E wastes including the use of an existing access from Loxwood Road, the extraction and exportation of clay and restoration using suitable recovered materials from the CMRF to nature conservation interest including woodland, waterbodies and wetland habitat

Location: Pallinghurst Woods, Loxwood Road, Loxwood, West Sussex, RH14 0RW

---

The Sussex Wildlife Trust (SWT) has recently become aware of this application which partially sits within the 6.5km buffer zone for The Mens SAC, significant proportions of which we own and manage. SWT **objects** to this proposal due to the impacts on biodiversity and particularly priority lowland deciduous woodland habitat.

Thorough ecological surveys have been carried out that demonstrate that the main application site contains high quality lowland deciduous woodland priority habitat with clear ancient woodland characteristics. Indeed, section 3.3.21 of Appendix ES U – Results of Surveys for Flora and Fauna states that it was not possible to identify clear floristic or structural differences between areas of ancient woodland within the wider site and other areas of woodland. In particular, DW1 which will be completely destroyed by the development is of high value.

The Ancient Woodland Inventory is provisional and not definitive, therefore we question whether areas of priority habitat woodland within the application site would meet the definition of Ancient, and therefore constitute irreplaceable habitat. Even if this is not proven, the site has clearly been wooded for a significant period of time and includes rich floral and soil diversity. SWT does not believe that this can be recreated within the lifetime of the development. This is clearly demonstrated by the conclusions of the Net Gain Biodiversity Assessment, which demonstrates an unacceptable overall net loss of -36.59%.

Although we support the rest of the woodland being brought into positive management for wildlife, this cannot outweigh the loss of the physical extent of priority habitat which constitutes a core area within the Nature Recovery Network. As such, this proposal is contrary to the requirements of the NPPF 2021 (paragraphs 174 and 180), Policy M17 of the Joint Minerals Local Plan or Policy W14 of the Waste Local Plan.

SWT is also concerned that indirect impacts on areas of recognised ancient woodland have not been assessed contrary to Natural England Standing Advice. Particularly along the track, the passing places to be created and the parking area in Pephurst Wood. Appendix B of the Ecological Impact Assessment states that the easterly passing place is located within ancient woodland, yet there is no discussion of this. SWT is

Woods Mill, Henfield, West Sussex, BN5 9SD  
01273 492 630 | [enquiries@sussexwt.org.uk](mailto:enquiries@sussexwt.org.uk) | [sussexwildlifetrust.org.uk](http://sussexwildlifetrust.org.uk)

particularly concerned about the impacts of HGVs in terms of soil compaction, pollution and encroachment further into the ancient woodland.

The NPPF is clear that development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland, should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists. We do not believe this test has been met.

SWT is also concerned that the impacts on the Mens SAC in terms of functionally linked habitat have not been thoroughly considered. The Draft Sussex Bat SAC Protocol states that Barbastelle bats can forage 10-15km from the roosting site. Barbastelle bats were recorded using the area within the redline boundary where woodland resource will be cleared. Natural England should be consulted to consider whether the findings of the ES are sufficient to satisfy the requirements of the Habitat Regulations.

This woodland is clearly very ecologically diverse, qualifying as a Key Reptile Site and containing severely declining species such as Nightingale and Wood White. Overall, we cannot see how this development is meeting the requirement of the planning system to improve biodiversity (NPPF paragraph 8c) and believe it will cause significant harm.

Yours sincerely

Jess Price  
Conservation Officer  
Sussex Wildlife Trust