



West Sussex County Council
Planning Services
County Hall
Chichester
PO19 1RH

27th August 2021

Dear Chris Bartlett,

Application: WSCC/030/21

Proposal: 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 habitats | Pallinghurst Woods, Loxwood Road, Loxwood, West Sussex RH14 0RW

Objection – detrimental impact to ancient woodland

As the UK's leading woodland conservation charity, the Woodland Trust aims to protect native woods, trees and their wildlife for the future. We own over 1,000 sites across the UK, covering around 29,000 hectares (71,000 acres) and we have over 500,000 members and supporters.

Ancient Woodland

Natural England¹ and the Forestry Commission defines ancient woodland “*as an irreplaceable habitat [which] is important for its: wildlife (which include rare and threatened species); soils; recreational value; cultural, historical and landscape value [which] has been wooded continuously since at least 1600AD.*”

It includes: “*Ancient semi-natural woodland [ASNW] mainly made up of trees and shrubs native to the site, usually arising from natural regeneration*”

Plantations on ancient woodland sites – [PAWS] replanted with conifer or broadleaved trees that retain ancient woodland features, such as undisturbed soil, ground flora and fungi”

The Trust **objects** to planning application WSCC/030/21 on the basis of damage and direct loss of woodland designated on Natural England’s Ancient Woodland Inventory (AWI). We hold concerns for the following woodlands in relation to varying aspects of this proposal:

- Unnamed PAWS at grid reference: TQ0494132957
- Hurst Wood PAWS (grid reference: TQ0539832027)
- Pephurst Wood ASNW/PAWS (grid reference: TQ0562831937)

¹ <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

Further to the above, we note that survey results undertaken to accompany this application (Results of Surveys for Flora and Fauna) outline a significant number of ancient woodland indicator species in non-ancient woodland areas. A proportion of Songhurst Furze appears on maps dated in the 1870s and is therefore of historical and ecological importance. On this basis, the woodland is potentially unmapped ancient woodland and therefore Natural England should be consulted for their opinion on the application and the antiquity of the site.

Planning Policy

The National Planning Policy Framework, paragraph 180 states: *“When determining planning applications, local planning authorities should apply the following principles:*

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁶³ and a suitable compensation strategy exists;”

Footnote 63, defines exceptional reasons as follows: *“For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.”* There is **no wholly exceptional reason** for the development in this location and as such this development should be refused on the grounds it does not comply with national planning policy.

Further to this, paragraph 174 of the NPPF states the following: *“Planning policies and decisions should contribute to and enhance the natural and local environment by: minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”*. Where an application involves the loss of irreplaceable habitats, such as ancient woodland, net gains for biodiversity cannot possibly be achieved. The development should be evaluated as meeting the wholly exceptional test before the compensation strategy is considered for the loss of irreplaceable habitats.

The council should also have regard for **Policy M17 (Biodiversity and Geodiversity)** of the **West Sussex Joint Minerals Local Plan (2021)** with respect to the protection of ancient woodland.

Impacts to Ancient Woodland

This application is for the construction of a clay quarry and construction materials recycling facility (CMRF) within close proximity to an area of ancient woodland. Natural England has identified the impacts of development on ancient woodland or veteran trees within their standing advice. This guidance should be considered as Natural England’s position with regards to development impacting ancient woodland: *“Direct impacts of development on ancient woodland or ancient and veteran trees include:*

- *damaging or destroying all or part of them (including their soils, ground flora, or fungi)*
- *damaging roots and understorey (all the vegetation under the taller trees)*
- *damaging or compacting soil around the tree roots*
- *polluting the ground around them*
- *changing the water table or drainage of woodland or individual trees*
- *damaging archaeological features or heritage assets”*

Furthermore, *“Nearby development can also have an indirect impact on ancient woodland or veteran trees and the species they support. These can include:*

- *breaking up or destroying connections between woodlands and veteran trees*
- *reducing the amount of semi-natural habitats next to ancient woodland and other habitats*
- *increasing the amount of pollution, including dust*
- *increasing disturbance to wildlife from additional traffic and visitors*
- *increasing light pollution*
- *increasing damaging activities like fly-tipping and the impact of domestic pets*
- *changing the landscape character of the area”*

When land use is intensified such as in this situation, plant and animal populations are exposed to environmental impacts from the outside of a woodland. In particular, the habitats become more vulnerable to the outside influences, or edge effects, that result from the adjacent land’s change of use. These can impact cumulatively on ancient woodland - this is much more damaging than individual effects.

Related to the quarrying works, the Woodland Trust’s concerns focus on:

- Pollution occurring from by-products of the quarrying activity e.g. stone dust, airborne soil particles from the movement, storage and stripping of soils, transport emissions, and chemical impacts from works. These can alter the composition of plant communities through differentially stimulating or changing competitive interactions that determine relative species abundance and diversity.
- Disturbance by noise (blasting), floodlighting, vibration, trampling and other activities from the development during both construction and operational phases.
- Hydrological changes altering ground water and surface water quality and quantity. Run off, drainage issues and dust loaded rainwater drift from the development will result in changes to the characteristics and quality of adjacent woodland’s water sources from pollution, contamination etc.

Other matters

In addition to the proposed quarrying works, further development of a passing place and a car park is proposed within separate ancient woodland areas. We note within the application documents that the proposed car park is to be sited within an extant concrete area, but we cannot find detailed mapping to assess this element further.

With respect to the passing place, the applicant states that the proposals will be cited within the area of conifers and that the proposed works would not have adverse impact. This is contrary to the National Planning Policy Framework as both ASNW and PAWS woodland are given equal protection regardless of the woodland’s condition, size or features.

Furthermore, we note reference to veteran trees within the Environmental Statement (page 26) but these trees have not been identified within the Tree Survey Schedule or Arboricultural Impact Assessment. We would appreciate confirmation that no ancient or veteran trees are to be affected by this proposal.

Mitigation

Detrimental edge effects have been shown to penetrate woodland causing changes in ancient woodland characteristics that extend up to three times the canopy height in from the forest edges. As such, it is necessary for mitigation to be considered to alleviate such impacts.

Natural England's standing advice for ancient woodland, states: "*Mitigation measures will depend on the development but could include:*

- *improving the condition of the woodland*
- *putting up screening barriers to protect woodland or ancient and veteran trees from dust and pollution*
- *noise or light reduction measures*
- *protecting ancient and veteran trees by designing open space around them*
- *identifying and protecting trees that could become ancient and veteran trees in the future*
- *rerouting footpaths*
- *removing invasive species*
- ***buffer zones***"

Additional mitigation approaches are also outlined in our Planners' Manual²; these measures would help ensure that the development meets policy requirement and guidance and include:

- Measures to control noise, dust and other forms of water and airborne pollution
- Sympathetic design and use of appropriate lighting to avoid light pollution.
- Implementation of an appropriate monitoring plan to ensure that proposed measures are effective over the long term and accompanied by contingencies should any conservation objectives not be met.

Buffering

With regards to the proposed quarrying works, we acknowledge that the applicants have afforded the adjacent ancient woodland with a buffer zone area of approximately 75 metres. However with the potential impacts posed, the Woodland Trust adopts a precautionary principle and would advise a buffer zone of **100 metres**.

Further to this, the construction materials recycling facility should allow for a buffer zone of at least **30 metres** to allow for the potentially significant impacts of dust pollution generated from the development.

The council should ensure that the width of the proposed buffers are adequate to protect the adjacent ancient woodland. HERAS fencing fitted with acoustic and dust screening measures should also be put in place during construction to ensure that the buffer zones do not suffer from encroachment of construction vehicles/stockpiles, and to limit the effects of other indirect impacts.

This is backed up by Natural England's standing advice which states that "*you should have a buffer zone of at least 15 metres to avoid root damage. Where assessment shows other impacts are likely to extend beyond this distance, **you're likely to need a larger buffer zone.** For example, the effect of air pollution from development that results in a significant increase in traffic.*"

Conclusion

The Woodland Trust **objects** to this planning application unless the applicant is able to provide the following additional mitigation or information:

- Suitable buffer zones to the adjacent ancient woodland to ensure appropriate protection from the impacts of the developments proposed on site.

² <https://www.woodlandtrust.org.uk/media/3731/planners-manual-for-ancient-woodland.pdf>

- Re-location of the passing place to outside of the ancient woodland area.
- Further assessment of the potential ancient woodland status of Songhurst Furze.
- Further information on the proposed car park within Pephurst Wood and any potential impacts to veteran trees.

If you would like clarification of any of the points raised, please contact us via

campaigning@woodlandtrust.org.uk

Yours sincerely,

Nicole Hillier

Campaigner – Woods under Threat