



SUSSEX ORNITHOLOGICAL SOCIETY

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10th July 2024

By e-mail only to
draftlocalplan@rother.gov.uk.

Dear Sir or Madam,

Rother District Local Plan Regulation 18 consultation

I am writing on behalf of the Sussex Ornithological Society (SOS) in response to the consultation on the Regulation 18 version of the Rother District Council Local Plan.

The SOS is the county bird society, with around 1,900 members. Our aims are to record and study wild birds in the county, to assist in the conservation of birds and to engage, inspire and educate people to enjoy, appreciate and understand birds and their habitats. We have a large database of bird records, which are shared with the Sussex Biodiversity Record Centre (SxBRC) and with other interested bodies.

Rother District is of at least regional importance for birds, being largely rural in character and, as noted in the draft Plan, significant parts of the District lie within the High Weald National Landscape. Rother also contains part of Bewl Water reservoir, which is of national importance as a gull roost, particularly in winter (see below).

There is much in the draft plan that we endorse and support. It recognises the immediacy and impact of the climate and biodiversity emergencies and acknowledges the vital necessity of maintaining the healthy environment needed to sustain aspirations for growth and development.

However, we would like to make a number of comments regarding the Plan, as follows:

1. Ancient Woodland

Ancient Woodlands are important in containing very high levels of biodiversity, and these woods support good numbers of bird species. However, unless steps are taken to prevent deterioration, the ecological value of such woodland risks becoming very much diminished should there be a high level of disturbance arising from recreational use, dog walking and other issues following nearby development.

We are concerned that a number of major or potential housing allocations contain, or border on, designated Ancient Woodland as well as other Priority Habitats – **particularly BEX0163, BEX0164 and BAT0014.**

2. Biodiversity Net Gain (BNG)

While we strongly endorse the 20% target for BNG proposed within the draft Plan, we have concerns about the capacity of Rother and other District Councils to oversee the BNG system to make sure that

it is implemented, monitored and enforced properly, so that biodiversity gains are actually realised and sustained over the long term. While the issue is noted in Policy GTC8, we feel that somewhat stronger wording is called for to ensure the on-going realisation of net gain on new developments. We suggest the following –

Qualifying development proposals must be supported by a Biodiversity Net Gain Plan and supporting information to demonstrate how biodiversity net gain will be achieved. This should also include information on habitat management and monitoring for retained, enhanced or newly created habitats. When granting permission for any proposals that include Biodiversity Net Gain, the Council will impose conditions or seek planning obligations that secure appropriate management and monitoring regimes to deliver biodiversity net gain for at least 30 years after the completion of works.

3. Bewl Water

Bewl Water is one of the most important gull roosts in England and meets the criteria for SPA, Ramsar and SSSI designation. Natural England has acknowledged to our organisation that there are no SSSI/SPA/Ramsar sites in England that protect wintering Common Gulls, an Amber listed species, and that the 2023/24 wintering gulls survey, organised by the British Trust for Ornithology, may provide further evidence that will support Bewl Water being included in the next SSSI designation round.

The further evidence from this survey is likely, in our opinion to support SPA and Ramsar designation also and we have been advised by Natural England that the intention is that this survey “provides the evidence for SSSI/SPA/Ramsar designation to fill the gap in the suite for wintering gulls.” Thus, whilst the formal position is that Bewl Water is not in the current SSSI designation round, the reality is that it may well be on course to be given statutory protection.

These are material considerations that we expect Rother District Council to take fully into account in considering current and any other planning applications adjacent to Bewl Water.

4. Encouraging Swifts, House Martins and other wildlife

A number of bird species, such as House Sparrows, Swifts and House Martins are showing rapid declines, due, in part, to the unavailability of nest sites on modern buildings. While we very much support clause (iii) of Policy ENV5, we would like to suggest a strengthening of the wording to make specific reference to such species –

(iii) Include a scheme for the provision of integrated bird and bat boxes, such as universal bricks that can be used by Swifts and other Red-listed⁽¹⁾ bird species including House Sparrows; sympathetic design of the apexes of new build eaves to enable House Martins to attach nests; and bee bricks and hedgehog highways tailored to habitat conditions existing on or being created on and/or adjoining the site.

5. Visitor accommodation (Tourism – Policies ECO5 and ECO6)

We are concerned that these policies may not be robust enough to support refusals of permission for camping and/or “glamping” sites on, or close to, protected or sensitive wildlife areas, including Ancient Woodland and areas of water, such as reservoirs. Such facilities can cause serious disturbance to birds, and result in deterioration of bird habitat through increased public use. We feel that stronger wording is called for. In addition we feel that explicit wording against plans for permanent holiday lodge developments on, or near, such sites should be included in these policies.

We trust that these comments will receive your due consideration.

Yours sincerely

Anthony Holden
For Conservation Team
Sussex Ornithological Society

⁽¹⁾ “Red listed” refers to the Birds of Conservation Concern (BOCC) list compiled by a coalition of the UK’s leading bird conservation and monitoring organisations and which reviews the status of all regularly occurring birds in the UK. The red list contains those species about which there is serious concern because of declining numbers caused by loss of habitat or by climate change, while the amber listed species are of lesser concern, but which are still at risk of major decline. Declining numbers of bird species are a major driver in biodiversity loss.