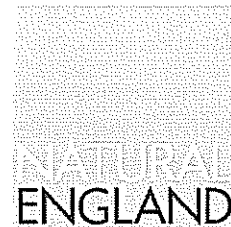


Date: 17 September 2008
Our ref: HW/MAR/ADV/07-08/1
Your ref: RR/2474/CC (EIA)



Peter Earl
Development Control
East Sussex County Council
County Hall
St Anne's Crescent
Lewes
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Phoenix House
33 North Street
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Dear Mr Earl

Proposal: Construction of a new road including environmental treatment with earthworks, planting, flood and noise attenuation, wildlife compensation and facilities for non-motorised users.

Location: A259 Belle Hill, Bexhill on Sea to B2092 Queensway, St Leonards on Sea

Thank you for your letter dated 15 August 2008 and the further information received on 20 August and 10 September, consulting Natural England on the above application.

Despite issues being raised in our previous responses and also minuted in meetings, Natural England feels that the addendum still fails to address many of our concerns as follows:

- Inadequate mitigation for the loss of small areas of woodland ground flora, loss of connectivity and nitrogen deposition on Marline Valley Woods
- Air quality effects both Marline Valley and Combe Haven SSSI sites
- Incomplete bat surveys and inappropriate mitigation including for loss of maternity roosts
- Incomplete information on dormice

For the above listed reasons Natural England maintains its **objection** to the proposals at this time. If we are able to reach agreement on mitigation for impacts on the SSSIs and the information requested is provided Natural England will review its position. Our concerns are presented in more detail in the following sections.

Marline Valley Woods SSSI

Natural England considers that the proposed mitigation is inadequate to compensate for the loss of connectivity at the southern tip of Marline Valley Woods and for nitrogen deposition to on the edge of the woodland. Though background levels of Nitrogen deposition are high, the increased traffic on the existing Queensway road as a result of the new road will increase the exceedence of the critical load and reduce any future potential to restore this section of the SSSI. The proposed areas of mitigation woodland planting are highly fragmented and within the zone of influence of the proposed link road and therefore will be subject to reduced air quality. In addition the proposals to cut the hay meadow within the SSSI as mitigation are not detailed or secured. The new road, combined with existing and on going development effectively cuts Marline Valley off from the wider environment on three sides, removing potential for linking it and reducing its fragmentation on all but one side. Fragmentation and isolation are significant contributory factors in the decline of biodiversity in woodland and of many woodland species. Fragmentation and loss of ecological connectivity was raised at our meeting of the 22nd July 2008 and in previous responses of Natural England.

In order for the mitigation to be suitable, we would seek compensatory native local provenance planting and/or areas of natural woodland regeneration of broadleaved woodland that is continuous with an uninfluenced section of the Marline Valley Woods SSSI as part of the mitigation package. The compensatory habitat should include a strip of native, broadleaved woodland large enough to improve

the adaptability of the SSSI to air quality and climate change influences and provide an opportunity for the bryophytes to spread away from the zone of influence of the road should suitable microclimatic conditions develop within the new mitigation woodland. In addition we seek details and security of provision of mitigation for the grassland areas of the SSSI. Natural England would be happy to meet with the applicants (and other relevant parties) in order to discuss these proposed mitigation measures and other areas of concern.

Air Impacts

Acid deposition has not been assessed as it is considered by the applicants to be a long range rather than a local issue. This is only the case for wet deposition in remote areas. Local (dry) deposition of Nitrogen and Ammonia from the road is considered to contribute to local acid deposition so Natural England would expect the effects of this to be assessed for both SSSIs.

Protected Species

Reptiles

We are satisfied that details have now been forwarded regarding suitability and siting of receptor sites.

Bats

The Ecological Survey Progress Update (September 2008) has now been received but we note that "The Kennels" has still not been mentioned and mitigation has still not been proposed for the loss of the long eared bat maternity roost.

These issues were raised in our previous response dated 23 June and discussed during the meeting on 22 July with an assurance that they would be included in the update document. It is not sufficient to say that the "*compensation package for loss of roost sites will be dictated by the nature of the roost site, species and number of bats*"; we would expect a site specific mitigation proposal for the loss of roosts.

It was also discussed at the meeting that there would be a further survey of the "school" in London Road; the update document refers to a "nursery" in London Road but we are not aware if this is the same building. The report notes that evidence of bats has been found but does not detail the species concerned or the status of the roost.

We would like to note that the updated bat survey information would be more useful if it provided detail of the expected impact to each roost from the proposed link road (i.e. is the roost to be lost). We note from this document that there was no access for Lower Wilting Farm or Glover's Farm but as we are unaware of the predicted impact on these properties, we have insufficient information to make a judgement as to whether it is critical that these properties are surveyed for bats.

Dormice

The update document did not include any detail on the further dormouse surveys. As previously raised, we have been expecting some information as to whether the proposal would result in small isolated population of dormice and whether the mitigation would be suitable to ensure survival of such populations.

We would be happy to comment further should the need arise but if in the meantime you have any queries, please do not hesitate to contact Marian Ashdown at the above address, or by email to marian.ashdown@naturalengland.org.uk

Yours sincerely



On behalf of Claudia Chambers
Government Team Leader