



Matter 4 – Conserving and Enhancing the Natural Environment

Matter 4, Issue 2 – Whether the approach to the natural environment, biodiversity, landscape, coalescence, countryside, green and blue infrastructure and local green space is justified, effective, consistent with national policy and positively prepared?

Q1. Is Strategic Policy 13: The Natural Environment and Landscape Character sound?

b) Is “where practicable” in criterion 2 consistent with national policy?

The Sussex Wildlife Trust believes that ‘where practicable’ should be removed from criterion 2.

Paragraph 179 of the NPPF is clear that plans should both safeguard and restore and enhance ecological networks. There is no caveat of ‘where practicable’ in this. Additionally, the NPPG sets out that strategic policies can identify the location of existing and proposed green infrastructure networks and set out appropriate policies for their protection and enhancement (Reference ID: 8-007-20190721). In this context, we believe that ‘enhancement’ is equivalent to ‘addressing needs and deficiencies’. This is backed up by the NPPG (Reference ID: 8-010-20190721), which states that planning authorities should consider the opportunities that individual development proposals may contribute to habitat connectivity, including as part of the Nature Recovery Network.

The Sussex Wildlife Trust asked in our regulation 19 response for additional wording to criterion 4 to support opportunities to incorporate natural flood management and nature-based solutions into developments. We believe this is necessary to be consistent with NPPF paragraph 161c.

Q5. Is Strategic Policy 17: Green Infrastructure and Biodiversity sound?

a) Does “Green Infrastructure” mean “Green and Blue Infrastructure”? Are main modifications needed to address this?

The Sussex Wildlife Trust believes that ‘green infrastructure’ means ‘green and blue infrastructure’. This is set out in the glossary of the NPPF, which states that green infrastructure is ‘a network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity’.

It is further clarified in the NPPG (Reference ID: 8-004-20190721) which states that ‘green infrastructure can embrace a range of spaces and assets that provide environmental and wider benefits... including ‘blue infrastructure’ such as streams, ponds, canals and other water bodies’. The guidance goes on to state that ‘references to green infrastructure in this guidance also apply to different types of blue infrastructure where appropriate’.

Although we believe that green infrastructure does mean green and blue infrastructure, the Sussex Wildlife Trust would support a main modification that sets this out in the plan to achieve clarity for users who may be less familiar with the definition of green infrastructure.

b) Is the requirement for relevant development proposals to deliver at least a 12% biodiversity net gain justified and effective?

Although the minimum mandatory BNG delivery under the Environment Act 2021 is 10%, this is a minimum. The Sussex Wildlife Trust strongly believes that to be effective, BNG local plan policies must have a more ambitious target than this.

Wildlife and Countryside Link's BNG Progress Report (Feb 24)¹ demonstrates that a policy of 10% BNG will likely only result in no net loss, not the recovery that planning policy aims for. Additionally, Kent Nature Partnership have demonstrated that a policy of 20% BNG has little impact in terms of financial viability for developments due to economies of scale² and therefore is justified. This work is acknowledged in Table 4-1 of the Horsham Local Plan Viability Assessment [document reference H12]. This has been carried through to a number of adopted local plans, including Policy DM18 in the Worthing Local Plan and Policy LPRSP14 in the Maidstone Local Plan review, which both require a 20% BNG.

Therefore, we believe Strategic Policy 17 should require a 20% BNG. However, if this is not deemed a requirement by the Inspector, then 12% as a minimum should be adopted.

c) Is criterion 7 effective?

The NPPF is clear in paragraph 174 that planning policies and decisions should provide net gains for biodiversity. It is further clarified in paragraph 179 that gains should be measurable. This has been a requirement of the NPPF for many years, long before mandatory BNG was required through the Environment Act 2021. Many developments have attempted to deliver biodiversity net gains without use of the metric, and this should continue for those developments outside of the statutory metric requirements.

¹ https://www.wcl.org.uk/docs/Biodiversity_Net_Gain_progress_report_7_Feb_2024.pdf

² <https://kentnature.org.uk/wp-content/uploads/2022/07/Viability-Assessment-of-Biodiversity-Net-Gain-in-Kent-June-2022.pdf>