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Subject: FW: Amberley Neighbourhood Plan
Date: 11 August 2016 at 12:45
To: maureen chaffe processmatters2@gmail.com

VS

Natural England response to Reg 14

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Date: Thu, 28 Apr 2016 10:58:16 +0100
Subject: Fwd: Amberley Neighbourhood Plan
From: amberleyneighbourhoodplan@gmail.com
To: vhspiers@hotmail.com

----- Forwarded message -----

From: **Tonge, Catherine (NE)** <Catherine.Tonge@naturalengland.org.uk>
Date: Wed, Apr 27, 2016 at 3:32 PM
Subject: Amberley Neighbourhood Plan
To: "amberleyneighbourhoodplan@gmail.com" <amberleyneighbourhoodplan@gmail.com>

Thank you for giving Natural England the opportunity to comment on Amberley's Neighbourhood Plan. My brief comments are as follows:

Generally, we agree that the housing development allocation in the Plan is unlikely to require a Habitats Regulations Assessment (HRA) as it stands. However, we note the aspiration to create new rights of way in Policy GA1, Footpath and Cycle Path Network (p36-37) with specific mention of "A new route linking Number 2 Bostal with the Wey South Path" (I am afraid that I do not know precisely where this is and there does not seem to be a policy map describing it). It is important to note that any significant alteration or extension to existing footpaths with potential to impact on the Amberley Wildbrooks Ramsar/SPA/SAC/SSSI would need to undergo appropriate HRA screening.

We support the measures laid out in Policy EN1, Ecological Sites (p23). However, this should also reference the need to protect the Amberley Wildbrooks Ramsar/Spa/SSSI site. Policy needs to reflect the NPPF which confirms that any proposal that adversely effects a European site, or causes significant harm to a SSSI, will not normally be granted permission. In terms of European designation this will involve the precautionary principle as outlined in the Habitats Regulations. In addition, the plan should include criteria based policies for protected biodiversity sites, distinguishing between international, national and local sites so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks (*NPPF, Para 113*). This should also be reflected in Policy HD6, Windfall sites (p34).

Policy FI 5, Surface Water Management should also stress the need to ensure water treatment provision is adequate and that surface water run-off is managed so that it does not threaten water quality status on the Amberley Wildbrooks site.

We note Policy HD1, The Presumption in Favour of Development. Note that the presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined – i.e. any proposal with potential to result in significant negative impact upon the Ramsar/SAC/SPA site (*NPPF, Para 119*).

There is currently significant pressure from consultations on land-use proposals and appeals, the completion of local plans, the review of existing plans and work on neighbourhood plans (there are over 500 parishes in Kent and Sussex). This makes it difficult to devote the time that consultations deserve. If there are issues I have not covered, please let me know and I will respond as quickly as possible.

If you wish to comment on the service provided by Natural England please use the appended form.

Kind regards

Catherine

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<https://www.gov.uk/government/organisations/natural-england>

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's landscapes are safeguarded for future generations.

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing

Teleconference details – 0800 073 0694 access code 739 489 6800

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