

Coldwaltham Meadow Conservation Group

Position statement: PEA/NVC Survey of Land South of London Road, Coldwaltham, West Sussex, conducted by Wildlife Splash Ltd.

Summary

We refute the conclusion of this report, which is spurious, superficial and overtly biased in favour of development:

- The Desktop Study is cursory, and selectively represents the data obtained;
- The Phase 1 habitat survey missed 18 plant species recorded by other botanists;
- The methodology for the Phase 2 NVC survey is questionable, as is the extrapolation of quadrat data to the whole meadow;
- Assertions are often unwarranted, simplistic and illogical. They often lack objectivity and coherence;
- The report concludes that *“this development would not impact on the nearby Waltham Brooks/Arun Valley site”*, yet the negative impacts of increased urbanisation and recreational pressure on the integrity of the adjacent Natura 2000 site were not considered;
- There are no references to the Habitats Regulation in this report.

Desktop Biodiversity Study

1.1 This was solely based on a data search of records held by the Sussex Biodiversity Records Centre (SxBRC). We also accessed this data, based on a 1km radius/buffer of the centre of the meadow. (Ref: SxBRC/17/198). Few records specific to the meadow are held by SxBRC because the meadow is not publicly accessible. This does not indicate an absence of species.

Amphibians

1.2 The report states that *“no records were returned within the relevant area.”* This is selective representation. SxBRC/17/198 indicates records for Common Toad, Smooth Newt and Common Frog within a 1 km radius of the centre of the meadow. These amphibians commonly occur in gardens on the Brookview and Brookview South Estates. These gardens back on to the meadow and it is highly likely that these species also occur there.

Reptiles

1.3 The report states that *“Records were not returned for any reptile species”* yet SxBRC/17/198 reveals records of Slow-worm, Grass Snake and Common Lizard. These records are corroborated by:

- A reference in the Consultant’s report to a slow-worm being found under a *“reptile mat from a previous survey”* in the meadow *“...showing that reptiles are in the vicinity and likely using the site”*;
- A sloughed Grass Snake skin was found in the meadow during June 2017. A juvenile Grass Snake was seen in our garden during the same year;
- A Common Lizard was seen in our garden in 2016.

Bats

1.4 The report states that records were found for only two bat species. SxBRC/17/198 shows eight species within a 1k radius, indicating that the meadow and surrounding area is potentially rich in bat species. Common Pipistrelle, Soprano Pipistrelle and Daubenton’s were all recorded foraging in the meadow on 12.10.2017 (*source: bat detector sonograms, G. Trew*).

1.41 SxBRC/17/198 states that there were “five occurrences of foraging and commuting [Barbastelles] recorded in this 1km grid square”. The meadow lies within the 6.5km Key Conservation Area Impact Zone of the MENS SAC and as such, all impacts must be assessed (source: *Natural England Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol*). The meadow is recognised as supporting habitat for the Barbastelles of The Mens SAC and is ‘functionally linked’ to the SAC. To further quote the Protocol: “Where impacts to such functionally linked land could result in significant effects to the bat populations associated with the SAC, full consideration needs to be undertaken under the Habitats Regulations (in the same way as habitat in the SAC)”. The Consultant failed to refer to this, and to the Barbastelle records held by SxBRC.

Other UK BAP Species

1.5 SxBRC does not reveal data about badgers and no other data search for them was made by the consultant. We have however watched a badger commuting through our garden and can confirm that other residents report them visiting the meadow.

Field Survey Method

2. Only the “2 ha development footprint” was surveyed using quadrats; the rest of the field was surveyed by “walking over the survey area”.

2.1 The meadow does not comprise “homogeneous vegetation throughout”, as asserted in the report. Photographs on p. 11, 20 & 30 clearly show a variety of vegetation and a large patch of bare ground. A more appropriate methodology would have been to use additional quadrats, randomly located across the whole meadow.

Comparisons

2.2 53 plant species were recorded by the consultant on 23.5.18. Two botanists from the Sussex Botanical Recording Group (SBRG) also conducted a walk-through survey of the meadow at our request on 17.6.17 (list available). Although one year apart, the surveys were conducted at a similar time of year. A quadrat survey would be expected to be the most comprehensive, yet the SBRG botanists found an additional 18 species. This brings the total number of species recorded in the meadow to 71, a 34% increase in the number of species found by the consultant. Two species, found by the SBRG botanists, *Centaurea nigra*, and *Lotus cornicularus*, are MG5 grassland indicators. The consultant failed to find *Centaurea nigra* and *Lotus corniculatus* is described as “rare within the sward” (p.29). We found both species in the meadow in 2017, with *Lotus corniculatus* occurring in large patches. We question the thoroughness of the consultant’s survey.

Invertebrates

3. The consultant asserts, on p.7, that “The habitat... .. is likely to support only a limited number of invertebrates, most of which are likely to be the more widespread and common species. Further surveys were not considered necessary.” This is overly dismissive; Consultant Entomologist Mike Edwards looked at the site on 16/6/17, and commented “I have had a very good look from the edges and agree that it is not a common feature in the modern farmed countryside and would be well worth exploring for some sort of conservation status.” (species list available).

Birds

4. The consultant “walked in a zig-zag manner ... to ascertain whether any skylarks were breeding and none were disturbed” and stated “the field provides adequate foraging for birds although none were seen within the grassland during the survey” (3.48). Birds are susceptible to disturbance and may have dispersed as soon as the surveyor entered the site. This illustrates the effect on wildlife of increased recreational use within the meadow; disturbance from recreational activity, together with increased predation of wildlife by additional dogs and cats, will have enduring, long-term negative

impacts on wildlife populations both within the meadow and the adjacent designated sites. This is in addition to the negative impacts caused by a c35% loss of habitat. Disturbance will be the inevitable outcome of any development within the meadow, yet it is not referred to in the consultant's report.

4.1 The Consultant asserts, in 4.17, "*There will be a loss of a relatively small area of foraging habitat... and potentially the loss of a small area of nesting habitat...*". 2 ha represents a 25% habitat loss and an additional c10% of the meadow will be lost to new hedgerow planting (*based on the Design Principles diagram, Coldwaltham Development Brief*). This cannot be considered a small area. In addition to 'garden species', the meadow provides valuable forage for wintering thrushes, finches and corvids, particularly rooks from the nearby rookery at Lodge Hill. 13 of the 19 Farmland Bird Indicators (Defra) have been seen in the meadow and in addition to skylarks, five other UK BAP bird species also occur: lapwing; cuckoo; yellowhammer; house sparrow; reed bunting. This is a clear indication of the conservation importance of the site. The meadow also serves as a refuge for wildlife when the valley is in flood.

Bats

5. The report states that roosts were not searched for because "*there will be no impact on roosting bats*" (3.50). This is unjustified. Bat roosts are susceptible to noise, lights and vibration associated with development and will be susceptible to increased light levels and predation from additional numbers of cats once houses have been built (*Source: SDNPA/NE Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol*).

5.1 The report asserts, in 3.51, that "*foraging opportunities for bats are limited, when compared to the rich foraging opportunities in the greater area of the grazing marsh.*" This simplistic statement lacks coherence with 4.12: "*The meadow as a whole provides foraging habitat for bats...*". When in flower, the meadow is an abundant source of insects and is attractive to foraging bats, as evidenced by the sonograms referred to earlier. Bat surveys are clearly required and should have been undertaken before the site was included in the Local Plan.

Grassland Type

6. The NVC results reflect the management of the meadow, which for the past ten years has been aided by the organic 'HLS: Target Habitat Grassland' scheme, devised to enhance and protect its floral quality. The meadow is improving and would continue to move towards MG5 grassland over time through this scheme.

6.1 However, the assertion, in 4.2, that there is a "*strong correlation with MG6b*" grassland is overstating the case. There is hardly any difference in magnitude between the Coefficients of Similarity featured on p.21; a more accurate interpretation would be that the NVC results 'best fit' with the MG6b classification. The correlation with MG5 grassland types is almost as strong, and might have been stronger if the whole meadow had been subject to a quadrat survey, particularly as *Centaurea nigra* and large patches of *Lotus corniculatus* were missed by the consultant.

6.2 Extrapolations from the 2 ha NVC quadrat survey should not be made for the whole 8 ha meadow, which as we have already stated, is not homogeneous in structure or plant diversity. The meadow is likely to have patches of more diverse plant communities within it, which may have been missed by the consultant's survey. On this basis, the assertion in 4.6 that "*Coldwaltham Meadow cannot be considered as a Habitat of Principal Importance*" is also simplistic. It would be more objective to state that the meadow is under a management scheme that is well on the way to delivering the two Sussex lowland meadow HAP objectives referred to in 5.5. Indeed, the whole 8 ha meadow represents 20% of the 41 ha target referred to in the report.

6.3 In any event, flower-rich hay meadows, even if semi-improved, are now rare in the UK landscape, and particularly so in the National Park. To quote the SBRG botanists Nicholas and Elizabeth Sturt, *“What was not very long ago fairly ordinary has now become really quite unusual.”* This exemplifies the statistic, quoted by Plantlife and the SDNPA SA, that 97% of our flower-rich hay meadows have disappeared from the UK since the 1930s.

6.4 The two unimproved grasslands referred to in 5.4 are not comparable to the proposed allocation site because they are not hay meadows. We agree that *“if restored to lowland meadow, [the allocation site] would contribute as a stepping stone to this grassland resource”*, but consider that the site already serves this function. We do not agree that enhanced management is a justification for destroying over a quarter of it. *“Stepping stones”* are all the better if they are *“bigger, better and more joined up.”* (sources: *Making Space for Nature: A Review of England’s Wildlife Sites and Ecological Network*. Lawton, John 2010; SDNPA Management Plan, General Policies 2.3.4). Pursuant to its First Purpose, the National Park has a duty to conserve and enhance the meadow, rather than destroy over a quarter of it, particularly as there is more suitable land for development available elsewhere in the village. Attempting to upgrade the rest of the meadow to a Habitat of Principal Importance will not compensate for this huge loss.

Hedgerows

7. The report states *“it is understood that boundary features will not be impacted by the proposed development”* (4.9). A considerable portion of the hedgerow fronting the A29 will be removed to create enlarged access and visibility splays. An additional length of hedgerow will also have to be removed, or drastically reduced in height, if the proposed shop is also intended to be visible from the A29. The existing hedgerows are referred to in various SDNPA documents as being of mediaeval origin.

Scrub

8. The unjustified assertion that bramble scrub is *“of no conservation importance”* (4.10), contradicts advice given in 5.21 & 5.22: *“...in order to maximise the biodiversity potential for all groups... vegetation...should be left allowing a margin [of] Bramble... to develop.”*

Impact on adjacent site

9. The report asserts, in 6.2, that the loss of 25% of the meadow to development will have *“no impact on the adjacent valuable wildlife site”*, on the basis that the meadow *“is a very different habitat from the adjacent grazing marsh of Waltham Brooks and the Arun Valley... the meadow fails to provide an extension of habitat for which the Arun Valley and Waltham Brooks are notified.”* This assertion is incorrect and the basis given is irrelevant. No-one has ever claimed that the meadow was a grazing marsh and patches of vegetation within the meadow are very similar to the adjacent acid grassland of Waltham Brooks SSSI.

9.1 The report does not mention any potential disturbance impacts arising from the development. There is already a history of vandalism on the SSSI; the boundary fence is routinely cut by dog walkers wishing to gain informal access from the meadow, and *“Take the Lead”* advisory notices are removed almost as soon as they are pinned to the information board and gate posts. Enriched nutrient levels arising from dog fouling are detrimental for important acid grassland communities on the SSSI, and this is already an issue.

9.2 In this context, the suggested mitigation measures for the development outlined in the Local Plan (Minor Edits Schedule Para Policy Ref 9.48, p239) have already been shown to be ineffective and are clearly inadequate. The proposed ten-year monitoring programme of dog numbers visiting the SSSI cannot possibly provide any mitigation; by the time the survey is over the damage will have

been done. Creation of a monitoring programme after development has occurred is against the Precautionary Principle and does not comply with the mitigation hierarchy set out in national policy (and in 4.3.4, p.71 of the April 2018 version of the SDNPA Sustainability Appraisal).

9.3 Urbanisation impacts outlined in 9.1 will be exacerbated by the 'Open Space' status that will be conferred on the undeveloped remainder of the meadow. The Development Brief proposes links from the development to the south and west of the SSSI, which means residents will only have to walk 130 m (not 160 m, as stated in the report) from their properties to enter the reserve. This substantial increase in access and connectivity will be compounded by the proposed new pedestrian route for the general public that will link the A29 to the SSSI.

9.4 Given the International and European importance of the Arun Valley, it is astonishing that the report does not consider any of these negative impacts upon the designated sites, although it claims that *"this development would not impact on the nearby Waltham Brooks/Arun Valley site"* and that *"the proposed enhancements will greatly outweigh the negative impact of losing a relatively small area of semi-improved grassland ...[they] will result in significant gains in biodiversity."* The report does not justify this. No other area within the National Park has all three SAC/SPA/Ramsar designations; on this basis, it is the most important wildlife site in the National Park, and in law has the strongest possible protection from damaging development. There is no need for development in such close proximity to this precious area as alternative sites within Coldwaltham village/parish have been offered that are more suitable. There is no evidence of any imperative reasons of overriding public interest why the proposal should nonetheless proceed.

9.5 In addition to the negative impacts on a functionally linked habitat for the Barbastelles of The Mens SAC, the proposed development of the meadow will also have a negative impact upon the large "waterfowl assemblage" for which the Arun Valley SPA/Ramsar site is designated; this appears to have been ignored by SDNPA. Although relatively small in area, Waltham Brooks SSSI is a vital refuge for wildfowl within the SPA, especially when wildfowling on neighbouring Amberley Wildbrooks drives large numbers of birds onto Waltham Brooks. These birds are then subject to further disturbance from walkers and their dogs, who often visit the Waltham Brooks SSSI on a daily basis, all year round. The level of recreational disturbance for wintering wildfowl will inevitably increase if development is allowed.

Consultant's Conclusion

10. Our response is as follows:

- Although the meadow is semi-improved, it is an important buffer from urbanisation and recreation threats to adjacent designated sites. Any new housing located within a 5km distance from a SPA is considered to be in "close proximity" (HRA 8.1.4). 28-30 dwellings, i.e., 61-65% of all the proposed housing to be built within 5km of this SPA/SAC/Ramsar site, will be located within 130m of Waltham Brooks. This is much larger and closer than any of the other proposed developments (of c.6 dwellings each); it must therefore have significant potential for damaging effects.
- The meadow is a wildlife corridor in its own right, linking with the adjacent acid grassland of the adjacent Waltham Brooks SSSI;
- Connectivity with wildlife habitat on the other side of the A29 will be impeded by such a large area of development;
- c35% of the meadow's functionally-linked foraging habitat for the Barbastelles of The Mens SAC will be lost and artificial lighting will further damage the functional linkage of what remains. (*sources: NE Sussex Bat SAC Protocol; Barbastelle Bats in the South Downs National Park, Whitby & Shereston 2016*)

- The meadow is already benefitting from an enhancement programme; further enhancement cannot compensate for or justify the c35% of habitat that will be lost;
- Despite claims to the contrary, the report does not demonstrate that the development would not impact on the nearby designated sites;
- The meadow is of ecological importance precisely because it is a different habitat from the floodplain. It is an unusual and integral part of the habitat mosaic of habitats within the Arun Valley and should be protected from development.

12.10.2018