

Proposed Further Amendments to Policies

Further to discussions with Members, the following additional amendments have been agreed for the Scrutiny Committee to consider.

Page numbers relating to the main PDF pack are included for reference.

- **DPN1: Biodiversity, Geodiversity and Nature Recovery (P.94-97)**
- **DPT4: Parking and Electric Vehicle Charging Infrastructure (P.142-144)**

The additions to be considered are **highlighted in yellow.**

DPN1: Biodiversity, Geodiversity and Nature Recovery

Policy:	Strategic
Strategic Objectives:	3 – Protect Valued Landscapes 5 – Create and Maintain Green Infrastructure

Biodiversity and geodiversity are important natural capital assets and provide benefits [to people and wider society](#) as part of ecosystem services. Nature recovery is important for delivering improvements to nature, ecological networks and green [and blue](#) infrastructure. [All development can contribute to biodiversity improvements and nature recovery and it is expected that development incorporates biodiversity features; restores, enhances and creates ecological networks; and delivers green and blue infrastructure.](#)

[It is well documented that access to nature is important for health and wellbeing. People access and connect to nature in many ways, for example, by visiting nature reserves, parks or the countryside, or by seeing nature on their doorstep including in residential gardens.](#)

The District has a number of [valued landscapes, important](#) habitats and species that need to be protected and enhanced. These [include](#) are:

- 13 Sites of Special Scientific Interest (SSSI)
- 50 Local Wildlife Sites (LWS)
- 6 Local Nature Reserves (LNR)
- Over 1,400 areas of ancient woodland covering over 5,200Ha.
- [Priority habitats found in Mid Sussex including ancient woodland, coastal & floodplain grazing marsh, deciduous woodland, ghyll woodland, lowland calcareous grassland, lowland fen, lowland heathland, lowland meadow, reedbed, traditional orchard, and wood-pasture & parkland.](#)
- [Irreplaceable habitats including ancient woodland, ancient and veteran trees and lowland fen.](#)

Whilst designated nature conservation sites and Priority habitats are of significant value, the overall ecological network of habitats and species is important for biodiversity and nature recovery. The fragmentation of habitats and deterioration of the wider ecological network is a threat to biodiversity and nature recovery particularly in the context of climate change.

Geodiversity is the variety of rocks, minerals, fossils, landforms, sediments and soils, and the natural processes that form and alter them. Geodiversity is important to the delivery of ecosystem services and for biodiversity, and as such conserving geodiversity is important to protect biodiversity. It is also part of our cultural heritage as local stone has traditionally been used as building materials and results in a local distinctive character. Mid Sussex District has a number of locally important sites for geodiversity; some SSSIs have been designated for their geological interest. Sandstone outcrops are visible in places and there is a history of quarrying, particularly for the brick-making industry.

Soil is a valuable natural resource and is under threat from loss and degradation. The structure and health of soil is important for food production, biodiversity and carbon storage. Development should protect and enhance soils.

To protect and enhance the natural and ecological function of watercourses and the riparian environment, and to maintain good water quality, undeveloped buffer zones free from built development and artificial lighting will need to be retained, re-instated or provided as part of new development proposals. Drainage features such as pipes and headwalls can be included within the buffer zone but the main objective is for an undeveloped buffer zone. Main rivers and ordinary watercourses should have a buffer zone of a minimum 10 metres on each side measured from the top of the bank. This buffer zone provides an area of natural flood management or for flood compensation measures, acts as a wildlife corridor that connects to other habitats and provides space for recreation and leisure.

River restoration is an opportunity for natural flood management and it has multiple benefits including slowing flood flows, increasing biodiversity, aiding natural cooling and by providing a natural capital asset for the local community. River restoration measures could include removing culverts and other capacity restrictions, re-introducing meanders, and naturalising river beds and banks.

All development can play its part in protecting biodiversity and geodiversity, however, the opportunities and measures available may vary depending on the type of development. Even if some provision of biodiversity features appears to be small at an individual scale, taken together, individual actions can cumulatively be effective and lead to positive changes for biodiversity, health and wellbeing, nature recovery, and climate change mitigation.

Biodiversity features could include bird boxes and roosts, bat boxes, swift bricks, bee bricks, insect or bug hotels, hedgehog highways, native wildflower planting with nectar- and pollen-rich flowers, rain gardens, or adding water features including a pond where possible. As outlined in the National Planning Practice Guidance, these relatively small features can achieve important benefits for wildlife. Applicants will be expected to provide details of such features as part of planning applications.

All development can contribute to biodiversity improvements and nature recovery and it is expected that development incorporates biodiversity features; restores, enhances and creates ecological networks; and delivers green infrastructure. Development should will be expected to align with the objectives and priorities of the Local Nature Recovery Strategy and other relevant local strategies. Development will be expected to take opportunities to deliver and contribute to the objectives and priorities of a local nature recovery network.

Applicants will need to consider biodiversity, geodiversity and nature recovery at the earliest stage to ensure effective incorporation of existing features and new assets. The results of site surveys and assessments should be provided to the Sussex Biodiversity Record Centre.

DPN1: Biodiversity, Geodiversity and Nature Recovery

Biodiversity and geodiversity will be protected because they are important natural capital assets and provide benefits as part of ecosystem services. Nature recovery will be supported and encouraged because it is important for delivering improvements to nature, ecological networks and green and blue infrastructure.

Proposed development likely to affect designated nature conservation sites, protected species, Priority habitats and Priority species must carry out habitat and species surveys at the earliest opportunity in order to inform the design and conserve important ecological assets as listed below from negative direct and indirect effects. These assessments will need to be submitted in an ecological impact assessment report.

Protecting Biodiversity

All development must ensure the protection, conservation and enhancement of biodiversity.

Direct and indirect damage and harm to existing important ecological assets will need to be avoided, including from recreational use. Such assets include:

- Internationally designated Special Protection Areas, Special Areas of Conservation and Ramsar sites, and any formally proposed for designation;
- Nationally designated Sites of Special Scientific Interest;
- Locally designated Local Wildlife Sites and Local Nature Reserves;
- Protected landscapes including Areas of Outstanding Natural Beauty and National Parks;
- Irreplaceable habitats such as ancient woodland, ancient or veteran trees and lowland fen;
- Priority habitats and species; and
- Other areas identified as being of nature conservation or geological interest, including wildlife corridors, areas identified for nature recovery, Biodiversity Opportunity Areas, and Nature Improvement Areas.

Biodiversity in New Developments

Development will need to demonstrate that the mitigation hierarchy set out in national policy has been applied. If significant harm to biodiversity cannot be avoided (by locating development on an alternative site with less harmful impacts or through design), then such harm will need to be mitigated. Where harm cannot adequately be mitigated, then as a last resort, such harm must be compensated for.

Biodiversity will be protected and enhanced by ensuring development:

- Protects existing biodiversity by retaining features of interest, including connecting routes as part of wider ecological networks, and ensuring the appropriate long-term management of those features; and
- Takes appropriate measures to avoid and reduce disturbance to sensitive habitats and species and to support the recovery of Priority species populations in accordance with the mitigation hierarchy set out in national policy. Unavoidable damage to biodiversity must be offset through ecological enhancements and mitigation measures (or compensation measures in exceptional circumstances and as a last resort); and
- Contributes and takes opportunities to improve, enhance, manage and restore biodiversity and green and blue infrastructure, so that there is a net gain in biodiversity, including through creating new designated sites and locally relevant

~~habitats to support nature recovery, and incorporating biodiversity features within developments;~~

- ~~• Minimises habitat and species fragmentation and maximises opportunities to enhance and restore ecological corridors to connect natural habitats and increase coherence and resilience;~~
- ~~• Promotes the restoration, management and expansion of priority habitats in the District; and~~
- ~~• Avoids damage to, protects and enhances the special characteristics of internationally designated Special Protection Areas, Special Areas of Conservation; nationally designated Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty; and locally designated Local Wildlife Sites, Local Nature Reserves and irreplaceable habitats such as Ancient Woodland or to other areas identified as being of nature conservation or geological interest, including priority habitats, wildlife corridors, ancient, aged or veteran trees, Biodiversity Opportunity Areas, areas identified for nature recovery, and Nature Improvement Areas.~~

~~Designated sites will be given protection and appropriate weight according to their importance and the contribution they make to wider ecological networks and nature recovery.~~

~~Development must incorporate biodiversity features¹ and such biodiversity features must include appropriate long-term management arrangements where relevant. The Council will provide further guidance on recommended standards for biodiversity features within developments.~~

Soil

~~Due to the importance of soils are important for biodiversity and carbon storage, soils will be protected and enhanced, including the best and most versatile agricultural land, by development avoiding the best and most versatile agricultural land or other valued soils, soil disturbance, compaction and erosion. Development should must not result in soil pollution or contamination.~~

Geodiversity

Geodiversity will be protected by ensuring development prevents harm to geological conservation interests, and where possible, enhances such interests. Geological conservation interests include Regionally Important Geological and Geomorphological Sites and Local Geological Sites.

Water

New development with a main river or ordinary watercourse within its boundaries or new development proposed adjacent to or near to a main river or ordinary watercourse, will need to retain, re-instate or provide an undeveloped buffer zone on both sides of the watercourse. This buffer zone should be a minimum of 10 metres on both sides measured from the top of the bank.

¹ Examples include but are not limited to: bird boxes and roosts, bat boxes, swift bricks, bee bricks, insect or bug hotels, hedgehog highways, native wildflower planting with nectar- and pollen-rich flowers, rain gardens, or adding water features including a pond where possible. When introducing measures involving nesting and roosting, developers should have regard to the habits of swifts and bats which nest and roost in colonies.

Development should take opportunities for river restoration as part of natural flood management and in particular proposed development with watercourses within or adjacent to the site boundary should seek such opportunities.

Nature Recovery

Development will need to demonstrate that it minimises habitat and species fragmentation and maximises opportunities to enhance and restore ecological corridors to connect natural habitats and increase coherence and resilience of biodiversity and nature.

Development will need to demonstrate that it promotes the restoration, management and expansion of Priority habitats and irreplaceable habitats in the District.

Development ~~should seek to~~ will be expected to meet the objectives of the Local Nature Recovery Strategy and any local nature recovery network or strategy, taking opportunities to deliver ecological networks and green and blue infrastructure.

Areas identified as opportunities and priorities for nature recovery will be safeguarded from inappropriate development. Development will need to demonstrate that it will not harm or adversely affect an area or areas identified as opportunities and priorities for nature recovery.

DPT4: Parking and Electric Vehicle Charging Infrastructure

Policy: Non-Strategic

Strategic Objectives: 6 – Infrastructure to Support Sustainable Communities

Paragraph 107 of the NPPF identifies that if setting local parking standards, policies should take account of accessibility, type, mix and use of the development, public transport provision, car ownership and the need to ensure adequate provision of spaces charging plug-in and other ultra-low emission vehicles.

Guidance on parking standards ~~is~~ set out in the West Sussex County Council (WSCC) Guidance on Parking at New Developments (2020) and some Neighbourhood Plans and account will be ~~given to~~ taken of the factors set out in paragraph 107 of the NPPF when considering parking levels in a development. Where guidance and policy requirements differ, more weight will be given to the most up to date reference, taking account of paragraph 107 of the NPPF and the specifics of the proposed development.

Guidance on Electric Vehicle charging can be found in the WSCC Electric Vehicle Strategy 2019-2030 (and subsequent iterations) which acknowledges that for certain activities and individuals, cars and vans remain an appropriate mode of transport over sustainable modes. It is crucial therefore that moving these vehicles from petrol and diesel to ultra-low emission vehicles is critical to reduce the impact of those journey and help achieve climate change and air quality ambitions. The Strategy will be reviewed regularly to ensure it adapts to changes in this developing area of technology.

The West Sussex Transport Plan and the Council's Sustainable Economic Strategy (SES) 2022 support increased use of electric vehicles and reduced use of fossil-fuels and provision of the infrastructure to support their use. The Council fully supports recent changes to Building Regulations Schedule 1 Part S which requires all new residential buildings with associated parking to have access to electric vehicle charging points and will seek to ensure developments are designed to be able to accommodate the relevant requirements for residential development. Where feasible, higher standards for non-residential development will apply in line with Policy DPT4 below, unless or until higher standards are required nationally.

DPT4: Parking and Electric Vehicle (EV) Charging Infrastructure

Development will be required to ~~must~~ provide:

- i. ~~Provide a~~ adequate and well-integrated car parking, taking account of the guidance in the Mid Sussex Design Guide SPD and the WSCC Guidance on Parking at New Developments² (2020 and subsequent iterations) along with the accessibility of the site to services and sustainable travel infrastructure, and the type, mix and use of development.
- ii. Parking associated with all new residential development ~~shall be laid out to~~ ensure the relevant requirements of Schedule 1 Part S of the Building Regulations regarding Electric Vehicle Charging are met.

² **West Sussex Guidance on Parking in New Developments:** referenced in respect of the number and type of parking spaces required to support a development and not to Electric Vehicle Charging standards (2019-2030) on the basis policy DPT4 requirements currently exceed those of the WSCC Guidance.

- iii. a minimum of 25% of all associated parking spaces for non-residential buildings, with Fast' (minimum 7kW) or faster, Electric Vehicle Charging points; cable routes shall be provided for 100% of the remaining total number of spaces.
- iv. All new non-residential buildings with more than 10 associated parking spaces within the site boundary, shall provide a minimum of 2 'Fast' (7kW) or faster, Electric Vehicle Charging points; cable routes shall be provided for 50% of the remaining total number of spaces.

The Council will support the provision of car clubs, including the provision of accessible car club parking spaces and/ or contributions towards the provision of car clubs in the vicinity of a development. Car Club vehicles must be powered by non-fossil fuels.

Development for Rapid and Ultra Fast EV Charging facilities must:

- i. Be delivered in accordance with the most up to date WSCC EV Charging Strategy;
- ii. Demonstrate the site is appropriately located to meet an identifiable need and/ or / locational gap in provision;

Outside the defined built up area boundary, - in addition to criteria i and ii above, sites that are part of existing development / ~~locations with existing development and facilities will be viewed more favourably over undeveloped greenfield sites;~~

- Any necessary ancillary uses for customers must be small scale to serve a functional need;

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