

Sussex Wildlife Trust

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Response sent via email, no hard copy will follow.

swtconservation@sussexwt.org.uk

13/08/2013

Dear Ms Moseley

Planning Application No: WSCC/063/13/BA

Proposal: Amendment of Condition 3 of WSCC/027/10/BA to vary the type of flare used during the testing process

Location: Lower Stumble Hydrocarbon Exploration Site

Applicant: Cuadrilla Resources Limited

The following comments to the above planning application are made on behalf of the Sussex Wildlife Trust. They are based on information accompanying the proposal and our own knowledge of the ecology of the area. We have not undertaken a site visit.

As no ecological information has been submitted with this application we are unable to comment on the impact on biodiversity of the proposed change in the type of flare used on the site.

However we do remind West Sussex County Council (WSCC) that the NPPF clearly states *'that planning policies and decisions should be based on up-to-date information about the natural environment and other characteristics of the area....'* Para 165, and that *'when determining planning applications, local planning authorities should:... ensure, in granting planning permission for mineral development, that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety...'* Para 144.

The area surrounding the site is designated as ancient woodland and we take this opportunity to remind WSCC of Paragraph 118 of the NPPF

'Planning permission should be refused for developments resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland unless the need for, and benefits of, the development in that location clearly outweighs the loss.'

Further to this, Appendix J, the EIA Screening Opinion submitted as part of the 2010 application WSCC/027/10/BA highlights in its concluding paragraph that *'An ecological report will be required to accompany any planning application, which should address the potential impacts on ancient woodlands and bats.'*

Taking Care of Sussex

President: David Streeter MBE
Chairman: Chris Warne
Chief Executive: Tony Whitbread

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As no ecological report has been submitted we do not feel that these issues have been addressed or that the potential wider impact of this application on surrounding habitats can be evaluated.

WSCC has a duty as a public body under section 40 of the NERC Act 2006:

'Every public body, must , in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'.

Yours sincerely

Janyis Watson
Strategy Lead, Conservation Policy