



Crawley 2035

Ref No:

Office use only

Crawley Submission draft Local Plan Representation

Please return your completed representation form to Crawley Borough Council
by 5pm on 2 March 2020.

Representations can be made via this form and emailed to forward.planning@crawley.gov.uk or sent via post to: Local Plan Consultation, Strategic Planning, Crawley Borough Council, Town Hall, The Boulevard, Crawley, RH10 1UZ. Alternatively, representations can be made online using the [eform](#) which allows attachments of documents.

This form has two parts:

PART A – Personal details

By law, representations cannot be made anonymously. All representations will be published alongside your name, company name (if applicable), and your client's name/company (if applicable). The Council will use the information you submit to assist with formulating planning policy.

Further information about Data Protection Rights in line with the provisions of the General Data Protection Regulations and Data Protection Act 2018, for example, how to contact the Data Protection Officer, how long information is held or how we process your personal information can be found at www.crawley.gov.uk/privacy. Specific reference to the Local Plan and planning policy related public consultation can be found on: www.crawley.gov.uk/pw/web/PUB351893

PART B – Your representation

Please fill in a separate sheet for each representation you wish to make. You may submit multiple "PART B" sections with a single "PART A" completed.

PART A – Personal details

Please ensure that you complete all fields in 1. If a planning agent is appointed, please enter the Title, Name and Organisation in 1, and complete the full contact details of the agent in 2.

	1. Personal details	2. Agent's details
Title:	<input type="text"/>	<input type="text"/>
First name:	<input type="text"/>	<input type="text"/>
Surname:	<input type="text"/>	<input type="text"/>
Organisation:	Sussex Ornithological Society (SOS)	<input type="text"/>

Address line 1:	<input type="text"/>	<input type="text"/>
Address line 2:	<input type="text"/>	<input type="text"/>
Town/city:	<input type="text"/>	<input type="text"/>
Postcode:	<input type="text"/>	<input type="text"/>
Telephone:	<input type="text"/>	<input type="text"/>
Email:	<input type="text"/>	<input type="text"/>

PART B – Your representation

3. Please tick the document that you would like to make a representation on:

- Crawley submission Local Plan
- Crawley submission Local Plan Map
- Crawley submission Sustainability Appraisal
- Habitats Regulation Assessment Screening Report

4. Which part of the Local Plan does this representation relate to?

Paragraph: Policy: Other:

5. Do you consider the Local Plan to be: *(Please tick)*

- | | | |
|---|---|--|
| 5.1. Legally compliant? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 5.2. Sound? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 5.3. Compliant with the duty to co-operate? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

6. Please give details explaining your response to 5.1, 5.2, or 5.3 below. Please be as clear as possible.

Our response to this Regulation 19 consultation covers the areas where we believe changes are needed to the Local Plan.

If required, please continue your response on an additional piece of paper and securely attach it to this response

- 7. Please set out what modification(s) you consider necessary to resolve the issues you have identified above. You need to state why this modification will make the Local Plan legally compliant or sound. It would be helpful if you are able to suggest how the wording of any policy or text should be revised. Please be as clear as possible. Any non-compliance with the duty to co-operate is incapable of modification at examination.**

See our detailed response

If required, please continue your response on an additional piece of paper and securely attach it to this response

Your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations. After this stage, further submissions will only be at the request of the Inspector, based on the matters and issues s/he identifies for examination.

- 8. If your representation is seeking a modification, do you consider it necessary to participate in the public examination hearings? (Please tick)**

No, I do not wish to participate in the examination hearings

Yes, I wish to participate in the examination hearings

- 9. If you wish to participate in the public examination hearings, please outline why you consider this to be necessary:**

We represent birders in Sussex and the SOS has a membership of over 1900 members across East and West Sussex. We wish to participate in the Examination hearings to represent the bird-watching community and ensure that the points we have raised in our response are properly considered.

The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the public examination.

If you would like to make a representation on another policy or part of the Local Plan then please complete a separate PART B section of the form or securely attach an additional piece of paper. Copies of the representation form can also be downloaded from the council's website at: www.crawley.gov.uk/crawley2035

Signature

[Redacted Signature]

Date

2 March 2020



SUSSEX ORNITHOLOGICAL SOCIETY

Registered charity 256936

www.sos.org.uk



2 March 2020

By email only

forward.plans@ Crawley.gov.uk

For the attention of Strategic Planning
Crawley Borough Council

Dear Sirs,

The Sussex Ornithological Society (SOS) is the county bird club. We promote the recording, study, conservation and enjoyment of birds in Sussex. We have over 1900 members and a database of 5 million bird records in Sussex. We publish the annual *Sussex Bird Report* and in 2014 wrote *The Birds of Sussex*, a 614 page avifauna which was published by the British Trust for Ornithology and was judged the BB/BTO Best Local Bird Atlas 2007-17. More information about us can be found on our website www.sos.org.uk

We welcome this opportunity to participate in the Regulation 19 consultation on the draft Crawley Local Plan 2020-2035.

Comments 1 to 25 below are on the Proposed Local Plan 2020-2035, comments 26 to 33 are on the Sustainability Appraisal / Strategic Environmental Draft Report and comment 34 is on The Habitat Requirements Assessment.

Proposed Local Plan 2020-2035

Background to the SOS Comments

1. The SOS recognises that England needs new houses and we are not challenging the assumptions behind the numbers needed, as that is not our expertise.
2. However, we do feel well qualified to speak out when we can see that proposals are being put forward that would result in houses being built in areas that are of particular importance to birds of conservation importance, as that would harm them.
3. In this respect our issue with the Crawley Local Plan 2020-2035 is not where it is intended to build 5355 houses within the Crawley Borough Council boundary in the plan period (although we do have concerns about one of these proposals, see 20(b) below) but the assumptions that lead to the conclusion that 5925 houses cannot be built in Crawley, but will have to be built by neighbouring Local Authorities under the Duty to Cooperate obligations – and Crawley's assumptions that these dwellings must be built as an urban extension adjacent to Crawley's boundaries.
4. Why is there a fundamental assumption that Crawley will not fulfil their housing supply target by building new homes at a high enough density so as to enable all 11,280 to be built within

their boundary? Put simply if the average new home in this Local Plan is going to be two and a half stories high so that only 47 % of them can be built in Crawley, then if they were five stories high all 11,280 dwellings could be built in Crawley instead. And the taller you build some dwellings the lower the residual dwellings would need to be.

5. No attempt appears to have been made to consider building at sufficiently high densities to achieve this – **instead the assumption appears to be that it is essential that the current character of Crawley is maintained without considering what the implications of that assumption on the proposed overflow areas are.** In other words the impact on the characteristics of adjoining local authorities does not appear to have been considered.

6. We strongly object to the assumptions that most of the 5925 overflow dwellings must be built as an urban extension of Crawley Borough – i.e. on land adjacent to Crawley - as that assumption will have a very serious impact on scarce birds of conservation concern, as well as wider adverse biodiversity impacts if any of this overflow is built on the High Weald AONB

7. The inference of the 5925 overflow is that Crawley is full and that there will never be space within its boundaries to ever again build any more dwellings. It would follow from this that future Local Plans will require that all Crawley's future needs for new dwellings will have to be met by adjoining Local Authorities.

8. We simply do not believe that that is a valid scenario. On that basis there would never again be any new development of dwellings in many boroughs and cities across England, yet huge numbers of new dwellings are being built in many boroughs and cities across the UK where the density of population is already far higher than in Crawley.

9. Instead what Crawley appear to envisage is that there will be an ever-increasing expansion of its urban area beyond its current boundaries, absorbing more and more of the West Sussex countryside in Horsham DC, and more and more of the High Weald AONB in Mid Sussex DC.

10. We believe that Crawley must face up now to the need to build new dwellings at a sufficiently high density that it can deliver its future housing needs within its Borough Boundaries, and that it should fundamentally change its planning principles to achieve this. In particular we believe that none of its overflow should be built in the High Weald AONB.

11. The High Weald AONB along the east side of the M23/A23, immediately adjacent to the boundary of Crawley Borough, is one of the very best areas for woodland birds in all of Sussex, with significant numbers of Section 41, Schedule 1 and red-listed species of high conservation concern recorded using this area in the last 10 years. For this reason SOS objects to any proposals by Crawley to destroy parts of the AONB by insisting that overflow dwellings are built on it, and that urban Crawley extends into it. Appendix 1 gives details of bird species of conservation concern that are found in this area.

12. Crawley's proposals for urban extensions into Mid Sussex DC suggest that it is acceptable for the character of part of the High Weald AONB to be substantially destroyed in order to accommodate Crawley's overflow. We do not accept that part of the High Weald AONB should be destroyed just because Crawley do not wish to consider building homes at a higher density. What is the justification for this?

13. Moreover the planning system provides high levels of protection from development to Areas of Outstanding Natural Beauty, alongside National Parks. As the High Weald AONB Management Plan 2019 states (P20, Planning and AONB's)

The National Planning Policy Framework (NPPF), Paragraph 172, requires that:

“Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major developments other than in exceptional circumstances.....”

14. The southern part of Crawley, south of the A264, lies within the High Weald AONB. Crawley's Local Plan has not allocated any of this area for development (other than to allocate a reserve site for 10 Gypsy and Traveller pitches, if needed) and (commendably) Crawley appear to be paying particular attention to protecting the part of the AONB that lies within their boundary. Yet they assume it will be OK to plan for a substantial urban extension of circa 1000 dwellings in the Mid Sussex portion of the AONB. The logic of this is not apparent!

15. Moreover, since there is no recognition of the need to change planning principles the implication is that more and more of Crawley will extend into the AONB in future Local Plans.

16. Against this background we would make the following specific comments about the Crawley Local Plan 2020-2035.

17. Section 4: Character, Landscape and Development Form

We feel that the whole of this section fails to demonstrate any recognition by Crawley that policies need to significantly change so that a much greater percentage than 47% of its required new dwellings can be delivered within the boundary of Crawley Borough. New thinking about all the content in this section is needed now so that future Local Plans come forward showing that the substantial majority of Crawley's future dwellings can be delivered within its own boundary.

18. Section 5: Design and Development Requirements

The comments made under 17 above apply equally to this section.

19 Housing Policy H1: Housing Provision

a) We do not accept the housing numbers shown in this Policy. They need to be higher for the reasons laid out in points 3 to 15 above.

b) We also disagree with the inclusion of the statement

“,,whilst ensuring against detrimental town-cramming or unacceptable impacts on the planned character of the existing neighbourhoods or on residential amenity.”

Understandable though this wish is, some significant densification of Crawley is needed if the High Weald AONB and the birds in it are not to be significantly harmed through Crawley extending across the M23/A23 into the AONB. Therefore these words should be deleted.

c) We also would like to see the last sentence of this policy modified as follows

*This will include continued assessment of potential urban extensions to Crawley **outside of the AONB.***

20. Strategic Housing Policy H2: Key Housing Sites

a) We do not accept the housing numbers shown in this Policy. They need to be higher for the reasons laid out in points 3 to 15 above.

b) The proposal to build the small number of 15 dwellings on land east of Balcombe Road/Street Hill, Pound Hill, would destroy one third of an LWS, as well as impact heritage and conservation zone areas. No justification is put forward for so much damage being caused to a range of significant assets in order to build a mere 15 dwellings. SOS opposes any Local Wildlife Site's being built upon – instead LWS's should be cherished and managed well so that they can deliver their full potential. The Sustainability Assessment notes that there will be a significant negative impact on biodiversity if this site were to be developed.

Deletion of this scheme would have no discernible impact on the delivery of Crawley's overall housing targets.

c) We welcome the inclusion in the policy wording of the requirement that “detailed and up-to-date ecological assessments” must be carried out.

21. Strategic Policy H3g: Urban Extensions

Section (v) should be deleted for the reasons spelt out in 3 to 15 above. Crawley cannot continue to maintain these policies and continue to offload all their overflow for ever more onto neighbouring local authorities.

Instead two new sections should be inserted as follows:

(-) Recognising the unique and irreplaceable importance of the High Weald AONB urban extensions into it will not be considered.

(-) A full Habitat Assessment, which includes the use of up-to-date records from the Sussex Biodiversity Records Centre, shall be carried out for any proposed urban extension to identify what the ecological impact of that extension would be. Any development proposals will be required to include proposals to fully mitigate for the loss of any significant habitat that supports species of high conservation concern, such as Section 41 species or Red Listed Bird Species.

22. Strategic Policy G11: Green Infrastructure.

We welcome the changes made to this Policy since the regulation 18 consultation.

b) We understand that Crawley have mapped their Green Infrastructure. However, we would now like to see Crawley starting to address what planning steps will be taken to improve linkages, but we cannot find within the Local Plan any proposals to do this. It is a well-known fact that the wildlife in isolated Green Assets that are not linked to other Green Assets are much more vulnerable to degradation, and that such isolated Green Assets cannot thrive long term as biodiversity hotspots unless they are very large in area and biodiversity.

23. Strategic Policy G12 (Biodiversity and net gain)

a) We would like to see the following sentence added to the start of the first paragraph of this policy so that it reads:

“All development proposals will be supported by ecological information to ensure that the current biodiversity value of the site is calculated. Development proposals that do not do this will not be considered. All development proposals will be expected to incorporate features to encourage biodiversity.....”

b) In the second paragraph of the policy it is stated that the offsite provision of net gain can be through financial contributions. In order for this approach to have any success, we would suggest that CBC ensure that they have a strategic plan in place for the delivery of net gain – which includes the identification of off-site locations where already planned improvements to provide biodiversity gain are defined. Unless sites identified for improvement to deliver biodiversity gains are in place there can be no confidence that financial contributions will deliver any real biodiversity benefit. We would like to see this incorporated within this policy through the following sentence being added at the end of the second paragraph:

“.....equivalent financial contributions, be agreed. This off site financial provision will be delivered via an identified strategic mechanism for net gain within the Borough”.

24. Strategic Policy G13: Biodiversity Sites

We welcome the changes made to this Policy since the regulation 18 consultation.

25. Strategic Policy ST4 (Safeguarding of a search corridor for Crawley Western Relief Road).

We share Crawley's frustration that no firm proposals for a Western Link Road have yet come forward, although they have long been mooted.

We are concerned about this policy, which has very little explanation of the level of need, the potential impacts, or explanation of alternative options. The safeguarded area on the small scale map is far from precise, but it appears it could threaten areas of known biodiversity value including a local wildlife site and ancient woodland. Our concern is that whilst development goes ahead in this part of Crawley, and if the large Kilnwood development goes ahead adjacent

to it, options for any route will reduce and there will be more risk of Local Wildlife Sites and Ancient Woodland, and the biodiversity they support, being affected by such a road development.

Sustainability Appraisal/ Strategic Environmental Assessment **(Draft Report)**

Topic area E – Natural Environment.

26. SOS thanks the Council for their responses, documented in Appendix B, to the comments we made on this topic when we responded to the Regulation 18 Sustainability document. However, we remained concerned that not enough is being contemplated to offset the negative impacts on the Natural Environment of the Crawley Local Plan 2020-35.

27. Crawley has a particularly rich amount of protected and open green spaces, including 12 LWS's (8 owned by the Council), 6 Local Nature Reserves, ancient woodland, parks and recreation areas and a Green Infrastructure network. Much of this is owned/ controlled directly by the Borough Council. Tilgate Park is a particularly large area.

It is therefore disappointing to see that as part of the Local Plan/ Sustainability Appraisal there appears to be no stock take of the current biodiversity quality of these areas and no plans to actively manage them in a way that will increase their biodiversity value so as to try and offset some of the negative pressures on their biodiversity that will inevitably come from the densification and growing population (of humans and of pets) in Crawley over the Plan period. It is hard to see how Crawley can hope to deliver a real net gain in biodiversity without such an initiative being put in place. This appears to be a major omission.

28. Table 4.3 suggests a worthwhile objective under item 6, namely to “*Conserve and enhance the biodiversity habitats, key landscape features, fauna and flora within the borough*”. We welcome the fact that the number of indicators have increased to three but we still think these are inadequate.

a) One of three quantifiable measures proposed is “*Amount of trees with tree preservation orders lost annually*”

Data on page 80 of the Sustainability document shows that there had been a net loss of trees with TPO's over the three years reported, so this is currently going the wrong way.

b) the two new measures are

- Number of trees and soft landscaping secured on site or through S106 contributions. This is worthwhile measurement but only if the number of trees lost to development is also measured, so that the net impact can be measured. Moreover mature trees need to be “valued” at a considerably higher rate than newly planted trees.

- Hectares/percentage of land in Crawley identified as Local Wildlife Sites. We think this is a worthwhile measure, particularly given the pressure some of these sites are under from developers.

We would also suggest that another meaningful measure might be to assess the condition of LWS's every 5 to 10 years, including recording their species inventory, to see how it changes over time.

29. We disagree with the impact assessments in Table 5.1 that the policies in the Local Plan will have no significant negative impact (red coloured) on Sustainability Issue 6 (to conserve and enhance the biodiversity habitats, key landscape features, fauna and flora within the borough). We believe that fauna (including birds) and flora will be significantly affected as open spaces come under pressure, become more crowded and reduce in size. And as outlined in 3 to 15 above, and Appendix 1, the proposal that Mid Sussex should permit development in the AONB bordering Crawley to deal with part of Crawley's overflow will create a very negative impact on birds (and trees). This needs to be factored into Crawley's biodiversity “arithmetic” as it would be a direct consequence of this Plan.

30. We believe that more work needs to be done on the environment and biodiversity elements of the Sustainability Appraisal, with a particular focus on actively trying to improve the quality of biodiversity in Crawley's numerous LWS's, LNR's and green spaces so as to make this a major contribution to delivering a net gain in biodiversity. It is hard to see how the Crawley Local Plan can hope to offer any real net gain in biodiversity without these spaces contributing towards this. There are very many losses of biodiversity that are going to occur because of the development plans that are being put forward in the Local Plan, and these need to be more than offset by getting the most out of the unusually high number of sites of conservation importance in the Borough, many of which are managed by the Council.

31. Therefore, positive plans to improve biodiversity in Crawley's green spaces need to be developed, measured and reported on, and monitoring needs to be more comprehensive than proposed in this document. As a minimum we would hope to see an inventory of the current biodiversity quality of the eight Borough-owned LWS's, listing key species including Section 41 Species and species of conservation concern. These need to be supported by Management Plans with clear and measurable goals that will deliver net gains in biodiversity.

32. Unfortunately time does not permit us to comment on the detailed assessments of the impact on biodiversity, flora and fauna of the policies and housing proposals that are listed in Appendices E and F, but we applaud the detailed assessments that have been made both of the rejected developments as well as the proposed developments..

33. However, as noted in 29 above we believe them to be too optimistic. What does not appear to be being taken into account is the impact of the growth in population in Crawley over the plan period, resulting in greater use of the different types of open areas (both by humans and their pets) with consequence greater disturbance to both flora and fauna. This can be a significant negative influence, especially if the amount of open space is contracting as that will mean even more increases in usage of the residual areas.

Habitat Regulations Assessment Screening Report


34. We note that a further investigation is being carried out to assess the "in Combination" affects on European designated sites outside the Borough Boundaries, to reflect increased levels of development and resulting increased levels of traffic. We have no other comments to make on the HRA Screening Report.

We recognise that Crawley have many factors and opinions to consider in the preparation of this Local Plan. We are very happy to work with you in any way that we can to help.

We would also like to attend the Public Examination of this Plan so as to be able to put our views forward in person.

If you have any queries please do get in touch.

Yours sincerely,


(SOS Conservation Officer – conservation@sos.org.uk)

Appendix 1

SOS concerns about potential housing overflow into The High Weald AONB

The Sussex Ornithological Society is very concerned to note that Crawley are proposing that there should be “urban extensions” in Mid Sussex in order to deliver part of the 5925 overflow of dwellings that they do not propose be built within the Borough Boundaries. This appears to open up the possibility of further development in or close to the woodland and farmland from Bensonhill and Highbeeches Forest in the west to Worthlodge Forest in the east in order to accommodate housing which Crawley Borough has to build, but which they feel cannot be constructed within the Borough boundaries.

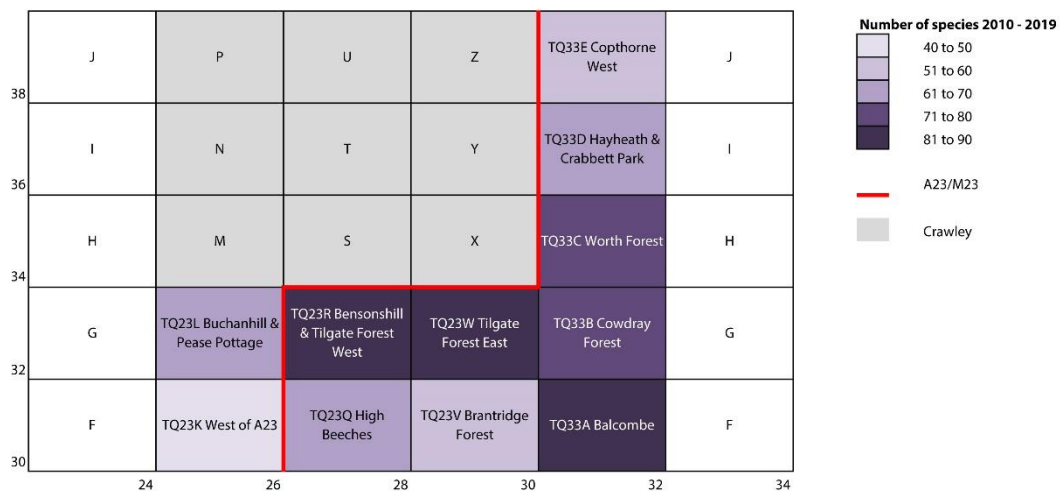
This area lies within the High Weald Area of Outstanding Natural Beauty (AONB). Although it is protected both by policies LC5 and LC6 of the Crawley Local Plan and by policy DP16 of the Mid-Sussex District Plan 2014-2031, development has already been allowed in this part of the AONB at Parish Lane, Pease Pottage.

The SOS is of the view that in order to maintain already depleted levels of bio-diversity, any further development of land in the area in this area of the AONB, lying within the arc bounded to the north by the minor road running from Turners Hill to Crawley via Compasses Corner, and to the west and north-west by the M23 and A23, should not be contemplated.

Although much of the woodland is private and bird survey work has been constrained, fieldwork from public rights of way and through permission to enter private land has demonstrated that the mixed deciduous and coniferous woodlands in the area are home to an unusually rich variety of birds, comparable in diversity and value to Ashdown Forest and other protected landscapes. The diagrammatic map in Figure 1 below shows the number of species recorded by 2km squares (tetrads) using the Ordnance Survey grid reference system. It will be seen that in five of these tetrads 70 to 90 bird species have been recorded in the last ten years.

Sussex Ornithological Society - Figure 1

CRAWLEY OVERSPILL AREA - NUMBER SPECIES RECORDED



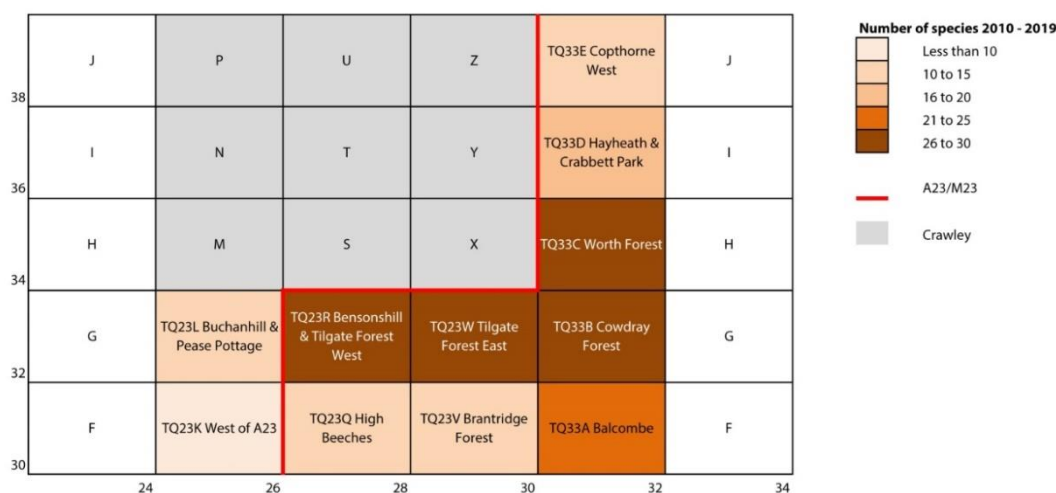
Anthony Holden September 2019

(In figures 1 and 2 the M23/A23 is diagrammatically shown as a red line as its route is close to the grid references shown)

Figure 2 shows how many of the species in Fig 1 are Red-listed, Schedule 1 or Section 41 species, and again the same five tetrads contain a high proportion of these uncommon or vulnerable species (see notes below for an explanation of these conservation designations).

To give some detail: these forests contain three or more breeding pairs of Goshawk *Accipiter gentilis* and two of Honey-buzzard *Pernis apivoru*, which are both very scarce and local breeding species in Sussex, Goshawk with an estimated 18 breeding pairs in 2019 and Honey-buzzard with seven breeding pairs in 2019. Both are Schedule 1 species and Honey-buzzard is also an amber-listed species. These birds are susceptible to disturbance and require large areas of mixed forest and farmland in which to breed.

CRAWLEY OVERSPILL AREA - NUMBER OF RED LISTED/SCHEDULE 1/SCHEDULE 41 SPECIES RECORDED



Anthony Holden Updated 4 September 2019

Also of particular concern is the presence in these forests of Lesser Spotted Woodpecker *Dryobates minor* (Schedule 41 and red-listed). This species has declined very severely in recent decades, and locally might be in danger of extinction in Sussex.

Other breeding species of concern include Woodcock *Scolopax rusticola* (a severely declining red-listed species), Common Redstart *Phoenicurus phoenicurus* (amber-listed and here at the highest densities in Sussex outside Ashdown Forest), Spotted Flycatcher *Muscicapa striata* (Section 41 and red-listed), Hobby *Falco Subbuteo* (Schedule 1), Common Crossbill *Loxia curvirostra* (Schedule 1) and Yellowhammer *Emberiza citrinella* (Section 41 and red-listed). The red-listed Grey Wagtail *Motacilla cinerea* breeds along woodland streams and the severely declining Cuckoo *Cuculus canorus* and Marsh Tit *Poecile palustris* (both Section 41 and red-listed) also breed. Woodlark *Lullula arborea* (Schedule 1 and Section 41) sometimes breeds, depending on the stage of management of plantations. Tree Pipit *Anthus trivialis* (Section 41 and red-listed) has occurred and may breed. The adjacent farmland is of value to both breeding and migrant birds, including breeding Skylarks *Alauda arvensis* (Section 41 and red-listed). In winter the forests are an important feeding and/or roosting area for finches, and can hold three figure flocks of Brambling *Fringilla montifringilla*, Chaffinch *Fringilla coelebs* and the red-listed Lesser Redpoll *Acanthis cabaret*.

Notes on conservation designations

1. The UK's leading bird conservation organisations have worked together to review the status of birds in the UK, Channel Islands and Isle of Man and the latest results are published in Birds of Conservation Concern 4. The bird species that breed or overwinter were assessed against a set of objective criteria to be placed on the Green, Amber or Red list. Green-listed species are of least conservation concern, amber-listed species are of medium conservation concern and red-listed species are of high conservation concern.

2. Schedule 1 of The Wildlife and Countryside Act 1981 contains a list of 83 species of birds which enjoy extra protection. It is an offence to intentionally or recklessly disturb Schedule 1 bird species at, on or near an 'active nest'.

3. Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 lists 949 species of all taxa (including 49 species of bird) whose conservation is of principal importance for the well-being of biodiversity in England. Section 41 species are the only ones considered under the criteria for designating SSSI's and there must also be evidence of the presence of some Section 41 species when designating Sussex LWS's.