COMMONS ACT 2006: SECTION 38

PROPOSED WORKS ON IPING AND TROTTON COMMONS, WEST SUSSEX

APPLICATION REFERENCE: COM 749

PROOF OF EVIDENCE OF

JANE WILLMOTT

FOR SUSSEX WILDLIFE TRUST

SUMMARY

A. I have a Bachelor of Science (Honours) degree in Applied Biology from Nottingham Trent University, specialising in Ecology and Conservation and I have spent my entire career in Countryside Management. I am Living Landscapes Officer for Sussex Wildlife Trust, responsible for managing a Iping, Trotton and Stedham commons as well a number of other important conservation sites. Before joining Sussex Wildlife Trust I was a Team Manager in the Countryside & Rights of Way Team for East Sussex County Council and before that I was Countryside Manager for eleven years at Brighton & Hove Council, Senior Ranger for one year and Countryside Ranger for two years at Brighton Borough Council.

B. My evidence describes Sussex Wildlife Trust’s fencing and associated proposals in detail and explains the need for all relevant features. The proposals are shown on a map that I will refer to as the Public Inquiry Map [SWT document no. 1] and its Inset [SWT document no. 2], showing the eastern part of the site at a larger scale.

C. The reason for the proposed fence is to allow Iping and Trotton Commons to be grazed, at low density, to conserve them as an important nature reserve and Site of Special Scientific Interest. I would be grateful for the opportunity to describe to the public inquiry the design of the fencing proposal in some detail, because I believe that it is important to understand the ways in which the proposed fence-line has been designed for maximum effectiveness and minimum intrusiveness. I would also like to explain the reasons for the selection of each of the gates that are proposed, both their location and their design.

D. I should also like to explain the detail of two proposed fencing Options, relating to the eastern part of Iping Common, and a small correction to the original application.
E. The original proposed fence-line is **Option 1**. On the Inset to the Public Inquiry Map it is shown between points: A, B, C, D and E. The eastern part of Iping Common that is cut off by this line is mostly owned by the Leconfield Estate and not by Sussex Wildlife Trust.

F. A small correction to this line is needed to accurately reflect the exact boundary of Sussex Wildlife Trust’s land ownership, which is correctly shown between points C and F (and not between points C, D and E, as once thought).

G. Sussex Wildlife Trust’s **Option 2** is actually preferred, since it would allow the largest possible area to be properly managed with grazing and it would allow the whole fence-line to hug the edge of the commons. On the Inset map Option 2 is shown by the points A, G, F, E. This Option is dependent upon the Leconfield Estate allowing this fencing on its property. The Estate is strictly neutral about this at the moment, so if the result of this inquiry is that Option 2 is favoured, Option 1 will also need consent, in case of difficulty in carrying out Option 2.

H. Sussex Wildlife Trust has taken great care to ensure that this proposal will not impede any use of the commons that currently exists and will not impede any class of user. Design suggestions made by local people and bodies such as the British Horse Society have been fully accepted and incorporated into our proposal.

I. There are various British Standards applicable to gates and fences, and I refer to them in the main body of my evidence. In all cases we propose to follow those standards.

J. Four different kinds of gate are proposed, each suitable for different situations. They are:

- Bridle gates, suitable for use from horseback and to be placed wherever the proposed fence would cross a bridleway or route that is thought to be safely used by riders. The British Horse Society’s views on bridle gates have been taken into account.

- Kissing gates, suitable for use on all other paths that are not bridleways or are not safe for riders to use. The gates are able to accommodate pushchairs, wheelchairs and medium motorized wheelchairs (but not motorbikes).

- A pedestrian gate, for access to the quarry at the south of Iping Common.

- Field gates, for vehicular access for management works and to allow the commoner access to Trotton Common.

- In addition, we propose a new safety feature – a corral to assist horse riders crossing the A272 to and from the common.

K. Before we made this application we carried out two thorough rounds of local consultation about the management of these commons and our grazing proposals. The first phase was in the summer of 2013 and it included local advertising, site notices, posters and emails. A background paper was produced and there were two drop-in days, two guided walks and a questionnaire.
about site use and management. The majority of those who completed the relevant parts of the questionnaire favoured a perimeter fence and grazing with cattle.

L. Following the first phase of consultation Sussex Wildlife Trust produced its current management plan for the site, which includes grazing and embarked on a second round of consultation about grazing and fencing. The second consultation ran initially from late October until 9 December 2013. As well as information sent to those who had commented on the first consultation, the consultation was advertised in all the same locations as the first phase. There was also a ‘drop-in’ session at Stedham Village Hall and a guided walk on the Common, specifically to discuss the fencing proposals. This consultation was then extended for a further two months, until end February 2014. News of this extension was circulated to all previous consultees and respondents, sent to every household in the three neighbouring parishes, advertised on posters at the previous sites, in parish magazines, and with an article in the local press. Again this was accompanied by two drop-in sessions and a site visit on the Common specifically for horse riders. Visitor surveys have also been carried out in 2013 and 2014.

M. As a result of the information gained from these consultations and from other inputs from members of the public I can confirm that:

- Any requests for changes to the location of gates or the fence have been incorporated when drafting the application.

- The proposals allow access along the bridleway on the south-west side of the site outside the grazed area for riders who wish to avoid grazing animals.

- The proposed fencing line has been pulled back from the roads to screen the fence among the trees and scrub on the road side; and placed around old pits and quarries near the south-west corner to reduce impact and exclude potentially dangerous features.

- On the north side of the Common, against the A272 road, the fence line and bridleway gates will be set back from the road and at one point a post and rail corral constructed, to improve safety for riders and to provide space for horses to manoeuvre.

N. Stedham Common, just to the east, is also owned and managed by Sussex Wildlife Trust. However, there we are able to graze, because we were given consent to fence this common following a public inquiry in 1998. As a result of this, Stedham Common is considered to be in favourable conservation condition, while Iping and Trotton are not. The ability to graze at Stedham Common does not mean that other management does not need to be carried out and a programme of works guided by the management plan has been implemented. Management by the Trust has included, large scale removal of conifer plantation and scraping, removal of rhododendron, birch and pine scrub, gorse coppicing and control, bracken and rhododendron spraying, mowing of fire breaks and heather and wet scrapes.
O. We have considered various alternative means of trying to graze Iping and Trotton Commons, including “invisible” fencing, perimeter electric fencing, temporary enclosures, tethering and shepherding. We do not consider any of these techniques suitable at this site.

P. Sussex Wildlife Trust has 16 sites fenced for grazing by cattle, sheep and/or ponies and the design of the fences has proved to be suitable for the purpose, with a number of sites being grazed for at least 25 years with only minor issues.

Q. The reason that fencing is needed – to allow Iping and Trotton Commons to be properly managed for their biodiversity – is not going to go away. Human management of lowland heathland, primarily by grazing, has for centuries maintained the open heath, and when grazing has stopped, invariably the heathlands have started to scrub up and revert to tree cover. We therefore expect the need for grazing management to continue indefinitely and we ask for consent for permanent fencing.
EVIDENCE

Personal background

1. Jane Willmott holds a Bachelor of Science (Honours) degree in Applied Biology from Nottingham Trent University, specialising in Ecology and Conservation. She has spent her entire career in Countryside Management.

2. Currently, she is Living Landscapes Officer for Sussex Wildlife Trust, responsible for managing a number of Nature Reserves including Iping & Stedham Commons Local Nature Reserve. Her responsibilities involve: writing the management plan, liaising with the local community and wildlife specialists, ensuring that the plan is implemented through working on site herself, working with local volunteers and employing and supervising contractors as well as liaising with colleagues to ensure the appropriate grazing is carried out on Stedham Common.

3. The other sites she manages for the Sussex Wildlife Trust are Graffham Common Nature Reserve, where she has been restoring plantation woodland back to heathland including getting Commons consent for grazing, part of Burton and Chingford Ponds SSSI, Waltham Brooks SSSI and liaising with the RSPB over Amberley Wildbrooks SSSI management. She has worked in this role since April 2011.

4. Prior to this she was a Team Manager in Countryside & Rights of Way Team for East Sussex County Council. She was responsible for securing sustainable grazing on Chailey Common as well as being responsible for several other sites and rights of way Rangers in East Sussex. She worked in this role for three years and the responsibilities included managing wildlife, public access, community engagement and education on sites owned or managed by East Sussex County Council in the Western Area.

5. Before this Jane was Countryside Manager for eleven years at Brighton & Hove Council, Senior Ranger for one year and Countryside Ranger for two years at Brighton Borough Council. During this time Jane was responsible for the designation and management of a number of Local Nature Reserves and the re-introduction of sheep and cattle grazing onto several urban fringe LNRs with open public access as well as working with local tenant farmers to improve their farms for wildlife and public access. For two and a half years prior to this Jane was a Countryside Ranger on a lowland heathland SSSI in Buckinghamshire.

Introduction

6. My evidence describes Sussex Wildlife Trust’s (SWT) fencing and associated proposals in detail, with explanations for the need for all relevant features. The proposals are shown on a map that I will refer to as the Public Inquiry Map [SWT document no. 1] and its Inset [SWT document no. 2], showing the eastern part of the site at a larger scale. This map and Inset show the following features:
6.1. Common land bounded by a green line. The boundary between Iping and Trotton commons (which is not visible on the ground) is represented by the green line running roughly north-south from near the garage on the A272;

6.2. The original proposed fence line as per the application, shown as a solid red line. I call this “Option 1”. At the eastern part of the site Option 1 follows points: A, B, C, D and E.

6.3. A corrected version of a small section of the application fence line shown as a dashed red line between points C and F. I call this “the Correction”.

6.4. The original incorrect line is marked between points C, D and E as a dashed blue line.

6.5. An alternative (preferred) section of the proposed fence line, shown with a crossed red line (I call this “Option 2”). Option 2 follows the points: A, G, F, E.

7. SWT owns all of the relevant land within Iping and Trotton Commons, except for that to the east of points A, B, C and F, which is owned by the Leconfield Estate, leased to West Sussex County Council and sub-leased to SWT. This piece of land was not included in the Option 1 proposal because of uncertainty about the Leconfield Estate’s attitude to the proposal.

8. The need for the Correction came about when, on preparing documents for the Public Inquiry, I discovered that SWT’s landholding is in fact slightly larger than had been realised. I have therefore produced the Public Inquiry Map showing the actual boundary of SWT’s land between points C and F (shown with the dashed red line), and not as had been thought, between points C, D and E (shown with a dashed blue line).

9. SWT believes that this proposal will deliver maximum benefit to Iping Common if Option 2 is given consent, and if the Leconfield Estate then goes on to give its own consent to the erection of fencing on its land. However, Option 1 (with the Correction) will allow grazing management of a large area of the common and is believed to be a good next-best choice.

10. The proposal includes a number of gates, of various kinds, all of which I describe below. Consent is only required for gates to the extent that they “prevent or impede access” to the common. In practice, the effect of the proposed gates is to mitigate the effect of fencing. All gates etc will comply with relevant British Standards.

11. The sole and entire rationale for the fencing and other works is the containment of grazing stock to ensure the long term, sustainable, management of Iping & Trotton Commons by grazing, for the benefit of the public and the intrinsic scientific interest of the site. Various options have been considered for the exact location of the fencing and the options set out in Sussex Wildlife Trust’s proposals, detailed below seek to:

- minimise inconvenience to members of the public in accessing and using the common;
- minimise inconvenience to neighbouring residents who have access across the common;
- minimise visual impact of fences and gates, insofar as is possible and safe.
12. The fencing proposals affect two registered Commons: Iping Common, registered as CL100, 167 acres (67.61 ha) and Trotton Common, registered as CL101, 76 acres (30.77 ha). By proposing a single fence around the perimeter of the two Commons, the Sussex Wildlife Trust is seeking to reduce the impact of the proposed fence. These two commons, plus Stedham Common immediately to the east, make up Iping Common Site of Special Scientific Interest.

13. The proposal as set out in the original application (Option 1) would enclose 78.2 ha of the two commons (corrected to 78.95 ha following the discovery of the error described above). 20.53 ha (corrected to 19.78 ha) would be outside of the scheme. From now on, I will describe the corrected version of the fence line. It includes 4,370 m of livestock fencing, a safety corral, 7 Kissing gates, 1 pedestrian gate, 17 bridle gates and 11x 4m and 1x 2.5m field gates.

14. Option 2 would enclose 87.4 ha of the Common; include 4,305m of livestock fencing, 8 kissing gates, 1 pedestrian gate, 14 bridle gates and 8x 4m and 1x 2.5m field gates.

15. The areas outside the proposed fence lines are either not in the ownership of the Sussex Wildlife Trust, on the other side of the busy A272 road or a narrow area around the edge to screen the fence from view or for safer access. The other landowners of the Commons were approached to see if they would be interested in having their land fenced and grazed, while not objecting to the scheme chose not to be part of it. Those areas of common excluded by fencing from the main grazed areas are described in Attachment 4 to the original application, where the current and proposed management of these areas is also discussed.

16. Wherever it is proposed that new fencing crosses a point of access to or across the common (public or private) appropriate gates will be provided. In each case, the design of those structures seeks to minimise hindrance or visual intrusion, insofar as is consistent with safety.

**Detailed description of the proposal**

17. I describe the proposed fence line as if walking around the area in a clockwise direction from a convenient starting point, the car park on the eastern edge of Iping Common. All measurements given are approximate (within 5m for long stretches and 1 or 2 metres for shorter ones). The numbers shown on the Public Inquiry and Inset maps are referred to below, in square brackets, when identifying gates etc.

**Option 1**

18. Option 1 is shown between points A, B, C and F on the Public Inquiry Map and Inset.

19. There are no physical features on the ground to help identify the boundary of Leconfield-owned land. I have therefore installed wooden posts with the tips sprayed blue as well as located red and white tape in trees at strategic locations to help define where the proposed fence line would go.
20. To reach the Option 1 boundary, leave the car park from the northern track until it crosses a wide track known as the gas pipeline (due to the fact that a gas pipeline runs underneath the track). Turn left (west) and walk for 80m to where there is a wooden post next to the track, at which point the fence would start. A bridle gate [1] and field gate [1] would be installed across the track.

21. The fence would then run in a south westerly direction along the edge of a wooded area for 25m where a kissing gate [1] would be installed across a small path marked with a wooden post. The fence would then continue in the same direction through birch trees for another 25m where it crosses another track marked with a wooden post. A briddle gate [2] and field gate [2] would be erected across this track.

22. The fence would then follow in the same direction firstly across a grassy area with gorse growing and then through birch woodland for 125m until it crosses a path where a bridle gate [3] would be installed. It is marked with a post and is 6m from where the path forks in two. The fence would carry on for 30m until it crosses the second fork of the path 40m from the fork and marked with a post. This track is a bridleway where a bridle gate [4] and field gate [3] would be installed.

23. The fence would run through more sparse birch and bramble for 65m where it crosses a small path through the grass, where a bridle gate [5] would be installed, marked with a post. A further 40m on where the line meets some woodland, the fence would turn roughly south east. This corner is shown as point B on the Public Inquiry Map, is marked with a post in the ground and is next to a large birch tree.

24. After 30m, at point C on the Public Inquiry Map and marked with a post in the ground, the fence line would turn again east south east for 70m where it crosses a small path to a pond. Kissing gate [2] would be installed here. The fence would continue for 130m on the same line roughly at the boundary of the heather and Molinia grass within scattered scrub until 4m from the roadside. This is directly opposite the fence line that bounds Stedham Common and marked F on the Public Inquiry Map and marked by a post.

Option 2

25. Option 2 is shown between points A, G and F on the Public Inquiry Map and Inset.

26. The fence would be located around the outside of the car park, starting on the north side, 10m back from the roadside and 1m behind the existing low post and rail fence (to protect it from damage by vehicles). It would run for 30m until the gap in the post and rail fence where kissing gate [8] would be installed on the existing path. The fence would then run for a further 15m until the end of the car park where it would turn south for 6m and cross another path where kissing gate [9] would be installed. There would be a 10m run of fence until the main track/bridleway from the car park where field gate [14] and bridle gate [19] would be installed adjacent to each other. From the south east corner of the car park the fence would run for 45m following the post and rail towards and up to 5m back from the roadside.
27. The proposed fence would then turn roughly south and run 5-10m back from the roadside behind a small bank and line of oak trees. The vegetation and ground conditions change gradually along this route, necessitating some flexibility in the line of the fence, however the fence would be consistently concealed within birch, bramble and or bracken. At a point opposite a field and bridle gate, 240m away, kissing gate [10] would be installed at the request of a respondent to the consultation.

28. The fence would continue on through birch and bracken for 50m until it would meet the option 1 fence line as described above opposite the Stedham southern boundary fence. This is marked as point F on the Public Inquiry Map.

29. From the land ownership boundary (point F), the fence would need to run between the pond and the road 4m back. The fence would then continue parallel to the road, set back 10m within the birch and bracken and latterly rhododendron until a track enters the common. A field gate [4] and a bridle gate [6] would be installed here, to allow access to the common from the bridleway opposite. There is dense rhododendron growing along the roadside here and it is proposed to clear this back by 2m to allow pedestrians from the bus stop 45m away to enter the common via the bridle gate.

30. The fence would then continue set back 10m from the road through thick rhododendron through which a line would need to be cleared for 85m until the pond, at which point the fence would need to come in to 5m from the road. Shortly after this the fence line crosses the line of the old Roman Road where an archaeological watching brief would be required to ensure that no damage would be done to below ground features not yet discovered.

31. 250m on from the pond the proposed fence would cross a bridleway where a bridle gate [7] would be installed set back 10m from the road, still within thick rhododendron. As the rhododendron peters out, the fence would be set back behind a line of oaks within scrub until the informal parking area is reached 200m west.

32. The fence would then turn north around this are to meet the bridle track. A field gate [5] and bridle gate [8] would be installed across it. There is an old bank running up the western side of the track. The fence would cross this where there is a slight dip adjacent to the gates and continue south west 2-3m behind the bank. Approximately 15m from the gates, there is a dip in the bank where dog walkers cross it to walk on the common. A kissing gate [3] would be installed across this small pathway.

33. The fence would continue along behind the bank for 55m until it turns again to run parallel to the road set 10m back behind a line of oak trees for 30m. Here the fence would split into two to fence around the old quarry pit, which is a potential safety hazard and does not need grazing management.
34. Firstly, the roadside section: the fence would run just below the lip of the quarry behind the existing crash barrier at least 3m back from the road for 130m. It would then turn to run parallel with the bridleway track, on the right behind a bank for 90m until the point where it meets the fence running round the other side of the quarry. This section of fence would also help to prevent fly-tipping into the quarry, which is a problem.

35. Secondly, the section running north-east of quarry: although the quarry would be fenced out as it would be dangerous for livestock, a pedestrian gate would be installed to allow access for the public and site managers. The fence line would not precisely follow the top edge of the quarry because this would lead to a pinch point where livestock could be too easily cornered. The fence would run from the road northwest within small birch scrub for 35m towards a large oak tree before then turning west for 25m where pedestrian gate [1] would be installed. There is a line of 4 large scots pine trees and the fence would run north of these for 20m towards the bridleway and meet the fence running the other way around the quarry.

36. The bridleway track that runs up the western side of the Common is not owned by Sussex Wildlife Trust and although the first 280m or so is currently fenced for sheep and horse paddocks adjacent, in consultation with the landowner, the British Horse Society and a local horse rider, it was decided to leave this track outside of the grazed area. This would allow riders to cross the west of the common without needing to enter the grazed area if they did not wish to.

37. The fence would continue for 80m behind the bank (5m back from the top) mostly concealed within the scrub. At this point there is a small path through the birch that a kissing gate [4] would be installed on. Only a few metres on from the path there is a pond. The fence line would go between the pond and the track behind a scots pine tree on the southern corner. Although there is some erosion, the ground is hard and the fence could fit in without encroaching on the track. On the northern corner there is a willow that would need cutting back, to allow the fence to continue along behind the bank and a line of trees.

38. The fence would run in a straight line for 70m gradually getting further away from the bank until the bend in the track where it would be 12m away (to stay within Sussex Wildlife Trust land). The fence would then turn north through trees for 20m until it meets a path going east where a bridle gate [9] would be installed 6m back from the bridle track.

39. It would then carry on behind the bank for 75m through dense scrub until another track leading south west. Here a field gate [6] and bridle gate [10] would be installed set back 15m from the main bridle track to allow space for both.

40. From the bridle gate, the fence would continue on up the hill towards an old sand quarry, still 15m back from the bridle track. Locating the fence within the quarry would help reduce any visual impact and a kissing gate [5] would be installed in the quarry 50m from the previous gate so access would be maintained. After the kissing gate, the fence would follow up the left of a small path to the bridleway that goes southwest. Because the bridleway is quite steeply eroded, a bridle gate [11] would be installed 25m from the junction of the two bridleways where a rider could safely open it.
41. In the next section the ground goes quite steeply up through dense gorse. Initially, the fence would run northwest approximately parallel with the bridleway and at least 10m from the nearby Scheduled Monument (a Bronze Age barrow). The fence runs for 70m within vegetation 10m from the track until it crosses the track used for the Serpent Trail. The used route for this is about 10m from the mapped route, so a bridle gate [12] would be located on the used route along with a field gate [7] and they are set back 10m from the serpent trail junction with the western bridleway track.

42. The fence line would continue to follow the western bridle track as it goes northwest set back 5m from the top of a bank within scrubby vegetation. After 195m and opposite a track from neighbouring woods, a kissing gate [6] is proposed where walkers occasionally cross Trotton common here. The fence would carry on along a similar line mostly within birch scrub and bracken for 210m until it meets a fairly wide track going east. A bridle gate [13] and field gate [8] would be installed here 8m back from the bridleway so that it is off the brow of the hill.

43. After consultation with the neighbours, it was thought best for the fence to run behind some birch trees for 45m until it meets another bridleway going approximately north. There is an existing post and rail fence with a wooden gate on the other side of the bridle path. A bridle gate [14] would be installed across the bridleway to meet up with the waymarker post. The fence would then run along the western boundary of the bridleway on the edge of Sussex Wildlife Trust land. This would exclude approx. 1.6ha of Trotton Common not owned by Sussex Wildlife Trust. None of the owners, including the only registered commoner have objected to this fencing.

44. The fence would run in this direction for 105m until it crosses a public footpath where a small 2.5m field gate [9] is proposed that would allow both pedestrian access and vehicle access for the commoner. This is a change from the original application, which showed a kissing gate, made at the commoners request. The fence would then continue alongside the bridleway until 40m from the A272 where it would cross the bridleway. After consultation with the British Horse Society and a local rider, the bridle gate [15] would be set back this far for safety away from the busy main road and the narrow wet gully allowing room for a rider to manoeuvre to open the gate.

45. The fence would then run down the east side of the bridleway back 5m within the trees until 5m from the road where it would turn east and run behind a bank then ditch. The fence would then meet another bridle path running north/south. The bridle gate [16] and field gate [10] across this route would be set back 25m from the road where there is sufficient space for riders to manoeuvre to open the gate. There would be 3m straight of fence on the other side of the bridle gate to the field gate before the fence would fan back down towards the road. This would allow riders to open the gate left or right-handed from either side.

46. A permissive bridleway is planned between these two bridleways so that riders would not have to go out onto the main road to carry on around the common.
47. The fence would continue parallel with the road set back behind the bank and ditch until a kissing gate [7] would be installed opposite a telegraph pole 65m from the bridleway at the request of one of the consultees. This would allow residents opposite to continue to enter the Common on their current route.

48. The topography of the land changes along the A272, from the road being above the Common to the Common being higher than the road. In all cases the fence could be within existing vegetation usually behind a ditch and bank system. From the kissing gate the fence would run 10m back from the highway for 80m until Black Pond, where the fence would need to be 5m from the road to go around the pond. A further 250 m on from the pond the fence would run along the top of the steep embankment, outside the small ditch within vegetation 25m from the road.

49. 150m further on a bridleway enters the Common and following consultation a safety corral is proposed here set 10 back, the design of which is described below. This would allow riders to come off the road and enter a wooden post and rail corral where they could safely open a bridle gate. Field gates are included in the structure of the corral to allow mowing of the area and prevent it from getting overgrown.

50. The fence would continue 10m back from the road for 200m until it reaches another pond. This pond is set quite a few metres below the road and the fence would run between the road and the pond on the bank. Shortly after the pond there is a West Sussex County Council depot where road building materials are stored. The fence would run around this in an approximate rectangle to avoid any “cattle traps” and be 5m away at the nearest points. A bridleway goes through the depot and a bridle gate 17 and field gate 11 would be installed where the fence crosses it.

51. A recently created fire break has created a new permissive route between the two bridleways allowing riders safe access without the need to go out onto the main road.

52. From the field gate, the fence would continue around the depot until 10m back from the road where it would continue parallel to the road hidden within vegetation for 275m where the boundary with Leconfield Estate land is reached. This is marked with blue spray paint on a tree by the roadside and with a wooden post at the top of the bank within the fence line and is 80 m from the Elsted Road. The corner of the fence is shown as point A on the Public Inquiry Map and Inset. At this point Options 1 and 2 diverge, with SWT’s preference being for Option 2.

**Option 1**

53. From point A, the fence would run roughly south west through the trees for 40m where a field gate [12] is proposed to allow access for mowing a fire break across the common. This is marked by a post. The fence would continue from the gate for 160m across a mixture of open ground and scattered birch and pine scrub back to bridle gate [1] where the description started. This part of the route is not currently visible from any paths and scrub would be allowed to grow up to screen the fence in any case.
**Option 2**

54. From point A, the fence would continue along the top of the bank within vegetation for 70m to point G before turning south along the Elsted Road. It would run along within the pine trees and other vegetation 10m back from the road for 170m until it crosses a track known as the gas pipeline which is opposite a bridle gate and field gate on Stedham Common. Here a bridle gate [18] and field gate [13] would be installed 10m back from the road. The existing metal vehicle barrier closer to the road would be removed. The fence would then continue for another 35m until the car park where the description started.

**Description and design of proposed fence and gates**

55. Sussex Wildlife Trust has taken great care to ensure that this proposal will not impede any use of the commons that currently exists and will not impede any class of user. These considerations have been at the forefront of the design of this proposal, in relation to the number, location and design of gates. During consultation before this application was made the only request relating to ease of access was by Stedham with Iping Parish Council. As a result of this, the proposed handles have been changed to trombone handles to comply with this request.

56. British Standards exist for many aspects of the structure selection, design and/or the materials used in the construction of gates and fences.

57. BS5709:2006 is relevant for the designs of gaps, gates and stiles (including pedestrian gates, bridle gates, kissing gates,). It states that: *The selection of a gap, gate or stile, which permits people to use a path crossing a field boundary such as a hedge fence or stone wall, shall result in as little restriction as possible for potential users, while meeting the actual agricultural needs of the landowners (principle of least restrictive option).* Sussex Wildlife Trust is proposing gates that comply with this standard by choosing bridle gates for all public bridleways and access paths onto the common, except on minor little-used paths within wet ground or very close to a proposed bridle gate.

58. Both the netting and plain wire for fences are covered by BS4102 and galvanised to BS443. Softwood fencing posts will be pressure treated to BS4072 or winter cut peeled sweet chestnut.

**Stock fencing**

59. It is envisaged that grazing will be undertaken by cattle. If in the future it became apparent that there was on over-riding ecological need to graze ponies for the benefit of the SSSI, this would only be considered with careful consultation with horse riders. It has been decided that no barbed wire will be used on the fencing and that additional straining of the fence may be required to guard against cattle rubbing against the fencing/posts.

60. Sussex Wildlife Trust has 16 sites fenced for grazing by cattle, sheep and/or ponies and the design of the fences has proved to be suitable for the purpose, with a number of sites being grazed for at least 25 years with only minor issues.
61. In particular the design of the fencing and the gates will be the same as that used for Stedham Common, the adjacent Common and part of the same SSSI and Local Nature Reserve. The only exception to this is that it is proposed to change the straight bridle gate handles for trombone handles, which are easier to use for those in wheelchairs whilst still being easy to use by horse riders. The fencing on Stedham Common has been in place for 15 years and has been proven to be suitable for this purpose.

62. The following considerations are for guidance only and the practicalities of installing the fence lines will need to be discussed with contractors on the ground, especially in areas that may have difficult access or where certain specific requirements are needed.

63. **Clearance of fence lines.** As far as reasonably practical, fence lines will be as straight as possible avoiding narrow dead ends and acute angles. Ideally the line will fit within a 2-3 metre swath previously cleared of obstructions.

64. **Finishing off.** It is essential that when the fence is finished that the whole line is checked to ensure that the contractor has enclosed any gaps and any hollows under the fence where it is not practical to run the wire close to the ground.

65. **Ongoing maintenance and wire tightening.** A schedule of maintenance will be drawn up to check the condition of the fences.

66. **Design of fence, choice of materials.** All fencing timber will be pressure treated softwood (to BS4072), peeled or machined as appropriate or winter-cut peeled sweet chestnut. The source of the timber will be questioned – cheaper imported timber may be of a lesser quality than UK produced supplies.

67. **Straining posts.** Straining posts will be 2.3m long, round, minimum 150mm through the butts and spaced as required. End of lines to have box section strainers with 2 straining posts and horizontal strut except for lines without post driver access which will have single straining posts dug in and footed.

68. **Intermediate posts.** Intermediate posts will be min 1.8m long, full round minimum of 75-100mm diameter and spaced no more than 4.6m apart.

69. **Struts.** Struts will be at least 2.1m long, 125-150mm round. They will be mortised into the straining posts and lie parallel with the fence. Anchor plates for the struts will be 0.6m long.

70. **Wire mesh.** Two top wires of 3.15mm galvanised plain high tensile wire will be used connected to high tensile galvanised stock-netting with boundary clips. Wire will be fixed with 40mm x 3.35mm galvanised staples which will not be driven in fully home to allow for future adjustment.

**Access points – in general.**
71. All gates will be of a wooden design and those that will be used by members of the public will be fitted with self closing mechanisms to reduce any risk of gates being left open and stock escaping. The gate furniture will also be of an adjustable design to allow for regular maintenance to ensure that the gates hang and close properly and stock-proof handles will be used (only) where necessary.

- Note: self-closing mechanisms come recommended with off-set hinges. They are virtually maintenance free and ensure the gate closes every time. When the gates are correctly installed they will close even from 2” away.

- Note: stockproof handles on bridle gates are more difficult to use than Trombone handles for mobility vehicles users but provide greater security against stock.

- Note: gates will be set back at least 10 metres from the edge of the (usually metalled) carriageways whereas 4m would be the minimum to comply with British Standards.

72. The gate designs have been chosen from the catalogue of Centrewire (a company specialising in making of these items in kit form: www.centrewire.com). Full installation instructions are supplied with all of these products and conform (where appropriate) to British Standards. The final gate designs may be supplied from a different supplier but would be of the same specification.

73. Bridle gates. Bridle gates are designed to be negotiable from horseback. The “Henley Bridle Gate”, with one-way opening design, will be used. The Trust has chosen one-way opening design rather than two-way because of the greater risk of cattle escaping onto the busy A272 with the two-way design. The Trombone handle provides easier access for all including horse riders - the handle can be set at a height preference to allow horse riders to open the gate without dismounting. Height is 1.2m, width post-to-post 1.9m, gate 1.6m (gap approx. 1.5m). They would open into the enclosure only as this is more secure for livestock. Bridle gates would also be suitable for pedestrians, mobility vehicles and pushchairs.

74. Consideration has been given to ‘waiting’ areas for horse riders where they have to cross roads on entering or leaving the sites. Potentially there could be 4 or 5 horses waiting to cross at any one time and these areas would be large enough to accommodate them. All bridle gates at crossing points over the roads will therefore be designed with an off-road waiting area. The fence line is proposed to be set back 10m to allow the horse riders to pass through the gate to wait outside of the fence, but off the road, until it is clear to cross, or to allow them to get off the road whilst opening the gate to get on to the sites. On routes where the landform is particularly difficult, the gates have been set back even further (as specified above).

75. Responses were mixed about whether it would be best to leave gates open when cattle are not present, however on the basis of the views of the British Horse Society, it has been decided to lock gates open when livestock are not present accept those on the A272 that will help act as a safety feature to prevent bolting horses or loose dogs from running onto the main road.
76. **Kissing gates.** The “Oxford Kissing Gate” (for medium mobility vehicles) is designed to allow access for pushchairs, wheelchairs and medium motorised wheelchairs and the specification has the advantage of deterring motorbike usage. This has a 45° self-closing gate system. Height 1m-1.2m, length in fenceline 2.75m, width 1.6m.

77. **Pedestrian gates.** These are “ordinary” gates, but not wide enough for a tractor. The Aston timber gate would only be used for access to the quarry pit. It is designed for mobility vehicles and pedestrians. This has a 180° self closing gate mechanism. Height is 1.2m, width 1.7 and gate 1.2m wide. These would open into the enclosure only.

78. **Field gates.** These are “ordinary” gates that are (with one exception) wide enough for a tractor to use. Standard wooden 5 bar field gates will be used in areas where site-only access is required or adjacent to other access gates in situations where they would not generally be used for public access. They would be 4m wide and hung between 2.4 x 1.75mm x 175mm wooden posts by adjustable hinges with self-locking gate catch and striker. They would be padlocked to prevent unauthorised vehicle access.

79. One of the proposed field gates ([9]) across a footpath at the north west of Trotton Common would be smaller than a standard field gate, at 2.4m, to allow the commoner vehicle access onto Trotton Common. This would not be locked as it is on a Public Footpath. Other details would be the same as for the 4m gates above.

80. **Horse Safety Area.** At the point marked with a star on the Public Inquiry Map a safety corral is proposed as per the design below. This has been amended to incorporate the BHS’ view that the gap should be 5m, rather than 4m, for safety of horses.
81. Other factors that have been taken into account for horse rider use:

- On considering the location of access points where horses enter/leave the sites, lines of sight must be as clear as possible so an amount of roadside scrub would be removed to improve visibility.

- Horse mounting blocks to help riders mount/dismount their horse were discussed with a local rider and BHS and it was suggested that informal structures such as existing banks or stumps would be preferable in the setting.

82. Stock handling facility. A mobile stock handling facility will be used, so does not require permanent fencing.

Consultation before the application

83. Sussex Wildlife Trust has always been keen to consult with the public about its proposals and has been guided by the document “A Common Purpose – A guide to Community Engagement for those contemplating management on Common Land” [SWT document no. 13]. Prior to putting forward this application, SWT with the help of Ecological Consultants, Footprint Ecology, carried out a series of surveys and consultations to gain a better understanding of the users of Iping and Trotton commons and to establish their views on management prior to updating the Management Plan.
84. The first consultation took place from the beginning of July until 19 August 2013. This was advertised in the local Parish Magazines in July and August (Stedham, Trotton and Rogate); on the gates on site (12 posters), at local village halls (Stedham and Elsted), Stedham School, 3 Parish notice Boards, Trotton Church, Aylings Garden Centre, Elsted pub, Rogate shop, Midhurst Grange, Information Centre and library (another 13 posters). Emails or letters were also sent to 35 local and National organisations including the Parish Councils as well as to local volunteers, neighbouring landowners, commoners and people who had been to local walks and talks and expressed an interest (another 90 individuals). Details were posted on the Sussex Wildlife Trust Website and circulated through the Trust’s Enewsletter.

85. A background paper explaining the need for management and the potential techniques available was made available, while 2 ‘drop-in’ days (afternoon and evening of 9th and 22nd July) and 2 guided walks (Saturday 21 July and Sunday 11 August) were programmed to facilitate discussion. 43 people attended these sessions (although a few people attended more than one). The full report of the public consultation and an analysis of the results are given in “Iping & Stedham Commons consultation (first phase)” Underhill Day J. & White J. (2013) [SWT document no. 14]. A large number of people took advantage of the on-line and paper version questionnaire. In all, 86 questionnaires were submitted although not all respondents answered all questions. Five emails and letters were also sent in directly to the Trust, one of which was signed by 12 local residents.

86. There was a series of questions about the purpose for visiting the site, frequency of visiting, method of transport and origin of start point. I describe later the results of the visitor use of the site in paragraph 104 onwards.

87. There were also questions inviting comment about problem issues. Respondents were asked about their membership of conservation or amenity organisations and about other sites regularly visited. Participants were also asked about the present and future management of the nature reserve for both people and wildlife, with the opportunity to suggest improvements.

88. In response to that part of the questionnaire which dealt with management by grazing and fencing, grazing was the favoured management technique (73%) followed by mowing (50%) and with controlled burning (44%) and turf stripping (47%) slightly less least popular choices. The greatest uncertainties were about mowing, burning and turf stripping with least uncertainty about grazing. If grazing were to be adopted the choice of livestock was most in favour of cattle (74%) or a combination (71%), with rather fewer favouring ponies (64%) and sheep (60%).

89. For containment of any grazing livestock there was a clear preference for a perimeter fence with all access points maintained (73%), followed by shepherding for sheep (57%). Fenced enclosures within the Common were less favoured – 30% for small enclosures and 27% for large enclosures.

90. Based on the report on the first phase of the consultation a set of recommendations was made to Sussex Wildlife Trust for management of the Commons. SWT responded accepting the recommendations and these have been incorporated into the “Iping and Stedham Commons Local Nature Reserve Management Plan, Iping and Stedham Commons Scientific Committee 2014” [SWT document no. 16]. The Trust also embarked on a second round of consultation in
particular focusing on one of the proposals – to re-establish grazing at Iping and Trotton Commons. Such a management technique, though traditional for heathland commons, would in the modern-day context require the need for containment of livestock by fencing and this formed the main subject of the second consultation. For a report on the second consultation see “Iping & Stedham Commons consultation Underhill Day J. & White J. (2014)” [SWT document no. 15].

91. The alignment of a proposed fence line was shown on a map of Iping and Trotton Commons, together with the suggested location for gates and type of gates (pedestrian, equestrian, management vehicles).

92. The second consultation ran initially from late October until 9 December 2013. As well as information sent to those who had commented on the first consultation, the consultation was advertised in all the same locations as the first phase. In all, 25 notices were posted. There was also a ‘drop-in’ session at Stedham Village Hall during the late afternoon/evening of 18 November and a guided walk on the Common, specifically to discuss the fencing proposals, on 16 November 2013. I also attended the South Downs Local Access Forum and presented information on the first consultation and the proposed grazing scheme for consultation.

93. During the consultation, which elicited equal numbers in support and in opposition to the fencing and grazing proposal, there were complaints from some objectors that information about the consultation had not been adequately publicised. Sussex Wildlife Trust decided therefore to extend the consultation period for a further two months, until end February 2014. News of this extension was circulated to all previous consultees and respondents, sent to every household in the three neighbouring parishes (666 in total), advertised on posters at the previous sites, in parish magazines, and with an article in the local press. Again this was accompanied by two drop-in sessions (at Elstead on 8 February and Stedham on 10 February 2014) and a site visit on the Common specifically for horse riders. SWT also produced an information sheet with frequently asked questions and answers, in an attempt to correct some misconceptions about the proposal.

94. In all there were posters advertising the three phases of consultation on site and locally for a total period of 5 months. I checked these posters were checked periodically and remained in situ.

95. The drop-in sessions were attended by SWT staff and consultants and altogether 56 people called in to see and discuss the proposals. The walks/site meetings were led by SWT staff and 37 attended (although some people came to more than one session). Many left brief written comments and some had suggestions for amendments such as additional gate positions and design which have been incorporated into the proposals.

96. The original period of consultation on the fencing/grazing proposal produced 25 responses in support or with no objection and 24 responses from objectors. The supporting responses were mostly from individuals but included two from organisations – RSPB and South Downs National Park Authority. Stedham with Iping Parish Council and the Open Spaces Society wrote to say they
did not object. The objections came from individuals but included four from members of the same family and also one with the names of 140+ who had signed a petition against the proposal.

97. The nature of the petition and the information on which it was based were not made known to SWT at the time, and only emerged through representations received by the Planning Inspectorate. It appears that the petitioner had been given the false impression that the proposal meant that dogs would at all times have to be kept on leads.

98. The extension period elicited 26 letters of support and 11 of objection. Four of the supporters and one of the objectors had also responded during the initial period of second round consultation. These were all from individuals except for one in support from the South Downs Local Access Forum that has representatives from landowners, user groups eg the Ramblers and BHS and wildlife organisations. The total of respondents to the consultation was 80 with 41% in objection.

99. Several of those in support of the perimeter fencing and grazing proposal were happy with the idea of cattle grazing but had reservations about the possible use of ponies for grazing, mainly because of the unpredictability of ponies and the risk that they would pester horse riders. Several of those in support were also horse riders but saw no problem with the proposed gates or cattle grazing.

100. The main reasons for objection were the sense of enclosure that perimeter fencing might bring; the potential inconvenience and difficulty of negotiating gates, especially for riders; fear of cattle; and the continued misconception that grazing would require dogs to be kept on leads. Several also cited discontent with existing heathland management such as the removal of trees and the use of tracks for timber extraction by the neighbouring estate that had made some paths badly rutted.

101. A meeting was held on site with horse riders on 8th February 2014. At this meeting concerns specific to horse riders were expressed. These were that: there were no other options in the area for those who did not like to ride in sites with cattle or had difficulty with gates; grazing by ponies was seen as unacceptable; it would be impossible to ride and at the same time lead ponies through gates; children would not be able to open the gates. One attendee who rides on Blackdown and Stedham Common said she had had no problems with cattle or gates.

102. Various other concerns were raised about the consultation and the management of the Common but all those present said they had already written to the Trust, raising their concerns. Unfortunately riders were not willing to discuss their views on potential improvements to the scheme or gates specifically. This instead has been discussed with the British Horse Society and a local rider.

103. The Parish Councils have been kept updated with the progress of the Trust’s proposal for grazing the Commons. I have attended Parish Council meetings for each Parish at least once a year over the last four years. I took a display showing the proposed fence line to the “trade fair”
before and after the Stedham with Iping Parish Council AGM on 9 April 2014. Local residents were able to come over and chat about the proposals and no-one spoke to me of any concerns.

Visitor Surveys

104. There have been two relatively recent surveys of visitors to Iping, Trotton and Stedham Commons. The first in 2013 was part of the consultation on the management of Iping & Stedham Commons as described above. This one was only completed by respondents to the consultation through the online or paper questionnaire. The second, in 2014, was part of a wider visitor survey of Greensand Heaths within the South Downs National Park carried out to inform a successful Heritage Lottery bid, named Heathlands Re-united. The report is attached as “Lake, Liley South Downs National Park Visitor Survey 2014” [SWT document no. 17].

105. The methodology differed between the two surveys. The second visitor survey was undertaken by professional visitor surveyors and local staff/volunteers at a selection of access points within the National Park. Surveys included counts of parked cars, counts of people entering/leaving access points and interviews with a random sample of people. Iping car park and a kissing gate entrance to Stedham (named Iping (north) in the report) were included in the survey.

106. The overall results for the 9 locations surveyed are detailed in the report. I have summarised the relevant information for Iping Common Car Park with the results of the consultation survey in the table below:

Table showing a comparison of the results of the two visitor surveys of Iping Common

<table>
<thead>
<tr>
<th></th>
<th>Online/paper questionnaire</th>
<th>On site survey (Iping car park)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Distance travelled</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Within 1km</td>
<td>3.9%</td>
<td>7.5%</td>
</tr>
<tr>
<td>1-10km</td>
<td>39.9%</td>
<td>70%</td>
</tr>
<tr>
<td>10-20km</td>
<td>45.5%</td>
<td>15%</td>
</tr>
<tr>
<td>More than 20km</td>
<td>11.7%</td>
<td>7.5%</td>
</tr>
<tr>
<td><strong>Purpose of visit</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nature Study</td>
<td>28 %</td>
<td>5%</td>
</tr>
<tr>
<td>Walking</td>
<td>23%</td>
<td>14%</td>
</tr>
<tr>
<td>Dog walking</td>
<td>12 %</td>
<td>74%</td>
</tr>
<tr>
<td><strong>Frequency of visit</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Daily</td>
<td>19%</td>
<td>38%</td>
</tr>
<tr>
<td>Weekly</td>
<td>16%</td>
<td>35%</td>
</tr>
<tr>
<td>Monthly</td>
<td>10%</td>
<td>6%</td>
</tr>
<tr>
<td>Less often</td>
<td>55%</td>
<td>10%</td>
</tr>
<tr>
<td><strong>Mode of transport</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Car</td>
<td>59%</td>
<td>86%</td>
</tr>
<tr>
<td>Foot</td>
<td>27%</td>
<td>9%</td>
</tr>
<tr>
<td>Mode</td>
<td>Horse</td>
<td>Bike</td>
</tr>
<tr>
<td>-----------------</td>
<td>-------</td>
<td>------</td>
</tr>
<tr>
<td>Percentage</td>
<td>4%</td>
<td>%</td>
</tr>
<tr>
<td>Percentage</td>
<td>7%</td>
<td></td>
</tr>
<tr>
<td>Percentage</td>
<td>0%</td>
<td></td>
</tr>
</tbody>
</table>

107. Some objectors have suggested that the Sussex Wildlife Trust did not properly consult the local users of Iping & Trotton Common, saying that many of the respondents were not local (as detailed in the report of the first consultation). The visitor surveys results differ slightly in terms of distance travelled and frequency of visit, however the consultation was widely publicised, so the local users who wished to had plenty of opportunity to respond. This consultation also included statutory consultees many of whom are organisations that are either national or regional.

108. The results of the visitor surveys showed that there was a higher percentage of visitors going to the Commons to study nature in the consultation survey (28%) compared to the National Park survey (5%). I assume this is because people who were more interested in wildlife were more interested in the consultation on management of the nature reserve than those who visited for other reasons. For example, only 12% of the respondees to the consultation survey gave dog walking as their purpose of visit whereas 74% of those surveyed for the National Park gave dog walking as their purpose of visit. The fact that the National Park survey was carried out at the car park seemed to increase the percentage of the visitors who arrived by car and no horse riders were interviewed.

109. It appears to SWT that Iping and Stedham Commons receive regular visits from people living not just in the immediate parishes, but from further afield, at least as far as Midhurst.

110. As a result of the information gained from the consultations described above and from other inputs from members of the public I can confirm that:

- Any requests for changes to the location of gates or the fence have been incorporated when drafting the application.

- The proposals allow access along the bridleway on the south-west side of the site outside the grazed area for riders who wish to avoid grazing animals.

- The fencing line has been pulled back from the roads to screen the fence among the trees and scrub on the road side; and placed around old pits and quarries near the south-west corner to reduce impact and exclude potentially dangerous features.

- On the north side of the Common, against the A272 road, the fence line and bridleway gates will be set back from the road and at one point a post and rail corral constructed, to improve safety for riders and to provide space for horses to manoeuvre.

111. Grazing on land facilitated by this fencing will contribute considerably towards its management. It will help to maintain its character by reducing domination by grasses, weeds and scrub and enhance its biodiversity, including plants, birds and invertebrates, so benefitting
wildlife and improving the experience of visitors to the nature reserve. In conjunction with grazing, the continued gradual removal of trees and the use of other heathland management techniques will restore and maintain the open character of the area and improve public access within the Common. An improvement to the open character of the common will open up the views and improve the opportunities for appreciating this ancient landscape.

The Management of Iping & Stedham Commons Nature Reserve

112. All Sussex Wildlife Trust Nature Reserves have a 10 year management plan. As described above, the views of the consultees have been taken into account when drafting the most recent management plan for Iping & Stedham Commons Nature Reserve [SWT document no. 16]. This management plan is the sixth revision of the original plan and has been agreed by all the members of the Iping and Stedham Scientific Committee. This group included Barry Larkom (bird surveyor), Bruce Middleton (SDNP Area Manager), Dan Cornell (SDNP Heathland Ranger), Graeme Lyons (SWT Senior Ecologist), Jane Willmott (SWT Living Landscapes Officer), Mike Edwards (Entomologist), and Robin Crane (previous Silver-studded Blue Butterfly and bird surveyor). It is the first plan where SWT is manager of the whole nature reserve.

113. The management plan was also discussed by the Iping & Stedham Common Local Nature Reserve Management Advisory Group. This group includes a representative from both of the Parish Councils, Leconfield Estate, Natural England, West Sussex County Council, Robin Crane and staff from the South Downs National Park and SWT.

114. All SWT management plans have to be approved by the Council of the Sussex Wildlife Trust, a decision that is delegated to the Trust’s Conservation Committee. The Committee is made up of national and local wildlife experts, ecologists, university lecturers, conservation professionals and a Natural England representative, a total of 11 people. Natural England also has given Site of Special Scientific (SSSI) consent for the management plan.

115. The management plan describes the importance of Iping and Stedham Commons both nationally and locally and sets out the Trust’s vision for the future. It describes the past and present uses and management of the reserve while detailing its special features. There are detailed prescriptions with maps and a timetable for implementing these actions. The management plan also includes the prescription to seek permission for full permanent perimeter fencing of Iping and Trotton Commons.

116. The management plan describes how commoners historically used heathlands for their own use and survival, grazing livestock, cutting birch, heather, bracken and gorse for bedding, burning and fodder, cutting of turfs for burning and building as well as digging for sand. The only commoner who registered their rights was Mrs Kathleen Lourie of Steps, Trotton to cut and take tree loppings, furze, gorse bushes or underwood. The new Commoner at this address plans to continue to exercise these rights. Mike Edward’s evidence gives more detail on the historic use by commoners and use for grazing.
117. In the recent past Iping, and Trotton (on the one hand) and Stedham Common (on the other) have had to be managed differently. When SWT purchased Stedham Common in 1985 the site had been managed as a timber plantation and wood yard probably since the 1950s. Once the Trust was able to purchase the timber rights in 1988 a gradual programme of heathland restoration was embarked upon. In 2000, following an application and Public Inquiry under the Law of Property Act 1925 Section 194, [SWT document no. 3] this common was fenced and has been grazed ever since. The fence and gates are inspected regularly and maintained as necessary.

118. The ability to graze at Stedham Common does not mean that other management does not need to be carried out and a programme of works guided by the management plan has been implemented. Management by the Trust has included, large scale removal of conifer plantation and scraping, removal of rhododendron, birch and pine scrub, gorse coppicing and control, bracken and rhododendron spraying, mowing of fire breaks and heather and wet scrapes. Generally there has been less focus on small scrapes on Stedham because of the large areas done when the conifer plantation was cleared. However as the heather has matured and funding became available to create suitable habitat for Heath Tiger beetles, several small scrapes have been done. It has not been practical to carry out a controlled burn on Stedham due to lack of suitable weather but we hope to be successful in the next couple of years.

119. In contrast, SWT has only been directly managing Iping & Trotton Commons since April 2011, but had gradually been securing land ownership/tenure since 2005. West Sussex County Council has been managing these commons since they were declared a Local Nature Reserve in 1978, a role that was passed on to the Sussex Downs Conservation Board when it was established in the early 1990s and only ceased when the South Downs National Park was set up in 2011. Stedham Common was added to the Local Nature Reserve in 1986, after SWT purchased it and a management agreement was put in place.

120. A large summer fire in 1976 burnt over almost the entire area of Iping and Trotton Commons, burning most of the dry heath and causing damage to the lichen communities. This was followed by smaller fires in 1984, 1985 and 1989 and although the heather has regenerated well, these areas have tended to be invaded by birch and bracken.

121. Management over the intervening years has included, removal of rhododendron, birch and pine scrub, gorse coppicing and control, bracken and rhododendron spraying, mowing of fire breaks and heather, wet and dry scrapes and a few controlled burns of mature heather. In Bridgelands plantation, a large scale project funded by Environmental Stewardship was carried out to remove the pine plantation and scrape the leaf litter to restore the area to heathland. A small area (9ha) trial grazing project was carried out in 2012 and 13, but aside from this Iping and Trotton have not been grazed since shortly after the Second World War.

122. For all the commons volunteers have been an essential part of achieving management on site particularly control of invading scrub. The Trust has its own Volunteer “Hit squad”, South Downs Volunteer Rangers and ad hoc groups also help out frequently. Contractors have tended to be used for large tree removal, scraping, bracken and rhododendron spraying. Funding of
projects has come through the Environmental Stewardship Scheme since 2007 and other grants eg from Landfill Tax credits and the Sussex Ornithological Society.

123. Despite using all the available non-grazing management techniques available to us on Iping Common, Natural England still regard the site condition at Iping and Trotton as less favourable than Stedham.

124. If permission were given for the fencing scheme, it is estimated that it would cost in the region of £60k. The Trust would apply for funding through the new Countryside Stewardship Scheme. Natural England Officers have indicated that due to the importance of the site, it is likely that we would be successful. This would not cover 100% of the costs for fencing and gates. Sussex Wildlife Trust is also a key partner in a successful Heritage lottery project named Heathland Reunited. Funds for the remainder of the fencing and gates would be available through this project and other grants.

Alternatives to fencing

125. Sussex Wildlife Trust has considered various alternatives to its proposals for extensive grazing facilitated by fencing.

126. Full perimeter “invisible” fencing. A type of fencing entailing installing an electric underground cable and fitting cattle with collars so that if attempting to cross the cable the livestock would receive a deterrent shock. This would have the advantage of making no visible change to the common and no requirement for gates to be opened/closed on entering the common.

127. I have investigated this option thoroughly. I have visited sites that are already using this type of fence and spoken with the managers of several others. This equipment is still in early days of development and although being used on a few sites already, it does have major drawbacks. The cattle have to be trained to know where the cable is, which can be very time-consuming particularly if the same livestock are not used regularly or the site is large and a small number of cattle are dispersed across it. Both the collars and the electric cable can fail leaving the cattle with access to the busy A272, which would be very dangerous.

128. If frightened or chased by dogs, it would be very unlikely that the cattle would stop at the cable and could run out into the main road. Once outside the cable the cattle would be reluctant to re-enter the Common unless the cable was turned off as they would receive a deterrent shock from the cable if they tried to do so or an attempt was made to drive them back onto the common across the cable. The common is heavily used by dog walkers and not all dogs are under close control. There are also still limitations on the length of cable that can be used to maintain the necessary voltage.

129. Although this type of fencing will be excellent in some circumstances, for example in quiet areas, within already traditionally fenced areas or where cattle grids exist across the roads such
as at Ashdown Forest, I do not believe this will be a suitable option for Iping Common due to the potential danger of the A272.

130. **Full perimeter electric fencing.** Electric fencing around the boundary of the Common has been considered. Because such fencing is far less robust than permanent fencing and abuts onto an A-road, it would need checking daily which would be impractical and expensive. For a perimeter electric fence vegetation would need to be cleared regularly to prevent shorting so it would of necessity remain highly conspicuous. There would need to be intrusive health and safety notices at regular intervals, special arrangements for access would need to be made at each entrance and path, particularly for horses. By its very nature, electric fencing, though easily repairable, is temporary and would be likely to have only a short life. It also could easily be damaged, turned off, broken or stolen. The conclusion is that electric fencing around the Commons would be more intrusive than permanent fencing and more labour intensive, could cause health and safety problems for people and animals and would have no advantages over more permanent fencing.

131. **Temporary electric fencing enclosures.** The authorisation under the Works on Common Land (Exemptions) (England) Order 2007 to enclose up to 10% of each common unit or 10 ha, whichever is the less, is not appropriate to this proposal as only a small part of both common units could be grazed at any time, requiring temporary electric fencing that would need to be moved frequently. This would entail crossing rights of way, with the need for extra gates, and with all the limitations of electric fencing cited above. The temporary fence lines would need to be mown to prevent shorting prior to fence erection. When fences were up they would constitute an intrusive presence on the open common and once removed, would leave behind grazed and mown areas in contrast to the surrounding ungrazed heath. This type of fencing was not favoured by the consultees.

132. **Shepherding.** I am not aware of any examples of a successful shepherding scheme for cattle in the UK. Shepherding systems used on lowland heaths in Holland and Germany and currently at Ashdown Forest in Sussex and on a fenced common in Nottinghamshire have all been operated with sheep. It is not considered that sheep are suitable as grazers for the Iping Common scheme, as they would not adequately control the growth of coarse grasses such as purple moor-grass or effectively trample bracken; and established grazing of other nearby sites has shown cattle to be effective. Given these welfare concerns, the extremely onerous requirements in terms of manpower and time and the difficulties of obtaining a balanced grazing regime rather than intensively grazed circles, it is not considered to be a practical option here.

133. **Tethering.** Tethering involves attaching an animal, usually with a head halter, to a 6m rope which is tied to a peg driven into the ground. Each animal so tethered must have enough food, water and shelter and be within sight and sound of other animals. Animals must be inspected at least twice a day, and more frequently during cold, windy or hot weather. They should be brought in when the weather is very bad. They need to be moved regularly to access fresh forage – frequently on an unproductive site such as this. Tethering is not suitable on wet ground or for young cattle (under 6 months). These conditions are recommended in a number of codes of
practice, and tethering is not normally recommended for conservation grazing by the Grazing Advice Partnership (GAP) on welfare grounds. I therefore do not believe this will be suitable.

Duration

134. The reason this application is for permanent fencing is that human management of lowland heathland, primarily by grazing, has for centuries maintained the open heath, and when grazing has stopped, invariably the heathlands have started to scrub up and revert to tree cover. Such heathlands have been prevented from succeeding to their natural condition as climax woodland only by human intervention in the past and that situation is expected to continue for the foreseeable future. Since the middle of the last century heathlands have been seriously affected by atmospheric nitrogen deposition from industry, transport etc. and this has resulted in the encouragement of grasses at the expense of heather on most heaths. These effects are likely to continue well into the present century and grazing is the only means by which this change can be mitigated as grazing animals favour grass over heather and reduce the competitive abilities of the former and thus encourage the latter. We would therefore expect grazing management to continue indefinitely as well as the need for livestock containment by fencing.

135. However, should it be decided that such circumstances would not be sufficient to obviate the necessity for a review in the future and that a temporary permission is therefore appropriate, we would ask that such permission is for 25 years as this is the expected life of the fencing (if properly maintained), and as the initial cost is likely to be considerable, we would wish to obtain the greatest benefit from this for as long as reasonably possible.

Signed

Dated 29th February 2016