



West of Ifield, Crawley Stage 1 Habitats Regulations Assessment

WOI-HPA-DOC-HRA1-01
Version 1 - Planning submission

July 2025



Intended for

Turner and Townsend Project Management Ltd

Document type

Report

Date

June 2025

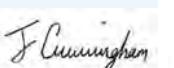
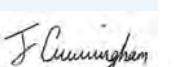
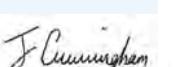
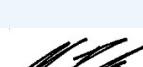
Project No.

1620007949-003

WEST OF IFIELD SCREENING HABITATS REGULATIONS ASSESSMENT

WEST OF IFIELD
SCREENING HABITATS REGULATIONS
ASSESSMENT

Project name **West of Ifield**
 Project no. **1620007949-003**
 Recipient **Turner and Townsend Project Management Ltd**
 Document type **Report**
 Version **5**
 Date **30/06/25**
 Prepared by **James Cunningham**
 Checked by **Laura Sanderson / Zoe Woodland**
 Approved by **Matt Neale / Matt Royall / Malcolm Robertson**
 Description **Habitats Regulations Screening Assessment**
 Document no. **162007949-RAM-ZZ-XX-RP-ES-00005-P05**

Revision	Date	Prepared by	Checked by	Approved by	Description
1	12/05/23				First draft
2	13/06/24				Second Draft following design freeze
3	27/03/25				Third issue following project update
4	06/06/25				Fourth issue following minor project update
5	30/06/25				Fifth issue following Client comments

This report is produced by Ramboll at the request of the client for the purposes detailed herein. This report and accompanying documents are intended solely for the use and benefit of the client for this purpose only and may not be used by or disclosed to, in whole or in part, any other person without the express written consent of Ramboll. Ramboll neither owes nor accepts any duty to any third party and shall not be liable for any loss, damage or expense of whatsoever nature which is caused by their reliance on the information contained in this report.

Ramboll UK Limited
 Registered in England & Wales
 Company No: 03659970
 Registered office:
 240 Blackfriars Road
 London
 SE1 8NW

CONTENTS

Executive Summary	2	
1	INTRODUCTION	3
1.1	Background	3
1.2	Site and Location	3
1.3	Proposed Development	3
1.4	Aim of the Report	4
1.5	Legislation	5
1.6	Natural England Consultation	5
1.7	Limitations	6
2	ASSESSMENT METHODOLOGY	7
2.1	Stage 1 – Screening	7
2.2	Stage 2 – Appropriate Assessment	7
2.3	Stage 3 Onwards	7
3	NATIONAL SITE NETWORK AND RAMSAR SITES SCREENING ASSESSMENT	8
3.2	Mole Gap to Reigate Escarpment SAC	9
3.3	The Mens SAC	12
3.4	The Ebernoe Common SAC	15
3.5	Arun Valley SAC, SPA and Ramsar Site	19
4	CONCLUSIONS	25

APPENDICES

Appendix 1

Figures

Appendix 2

Natural England Correspondence

EXECUTIVE SUMMARY

Ramboll UK Limited have been appointed by Turner and Townsend Project Management Ltd on behalf of Homes England to prepare a screening Habitats Regulations Assessment report for the site at land west of Ifield (the 'Site'), in relation to the proposed mixed-use development (the 'Proposed Development').

This report has been prepared to provide information to Horsham District Council (HDC) (as the Local Planning Authority) on the potential implications of the Proposed Development on designated National Site Network sites. The implications of the Proposed Development on designated sites have been considered due to their proximity to the Site, the potential existence of effect pathways between them, and through consultation with Natural England. The effects of the Proposed Development have been discussed using available information and professional judgement.

Significant adverse effects on the Mole Gap to Reigate Escarpment Special Area of Conservation (SAC), The Mens SAC and Ebernoe Common SAC and their qualifying features as a result of the Proposed Development are not considered likely either alone or in combination with other schemes, due to their distance from the Site. Therefore, additional assessment or mitigation for these designated sites is not required, and there is no requirement for an Appropriate Assessment for these three designated sites.

Likely significant effects at Arun Valley SAC, Special Protection Area (SPA) and Ramsar site cannot be ruled out at the Screening assessment stage, and these designated should be carried forward to the Appropriate Assessment stage.

A report to inform an Appropriate Assessment considering the likely significant effects on Arun Valley SAC, SPA and Ramsar site has been prepared by WSP (ref: WOI-HPA-DOC-HRA2-01). This has been presented in a separate report, and accompanies the hybrid planning application.

1 INTRODUCTION

1.1 Background

1.1.1 Ramboll UK Limited (Ramboll) have been appointed by Turner and Townsend Project Management Ltd (the "Client") on behalf of Homes England (the "Applicant") to prepare a screening Habitats Regulations Assessment (HRA) report for the site at West of Ifield (the "Site" as illustrated in Figure 1, **Appendix 1**), in relation to the proposed mixed-use development (the "Proposed Development").

1.2 Site and Location

1.2.1 The Site consists of approximately 171 hectares (ha) of land centred approximately at National Grid Reference TQ 23679 36673. The Site falls primarily within the administrative area of Horsham District Council (HDC).

1.2.2 The Site is predominantly occupied by a mixture of arable and pastoral fields and includes the Ifield Golf Course and Country Club in the south. The River Mole is present across the northern part of the Site and flows from south-west to north-east.

1.2.3 Current access to the Site is via Charlwood Road in the north and Rusper Road to the south.

1.2.4 An area to the east of the Site is occupied by Ifield Brook Wood and Meadows, which adjoins a wooded area and extends into an area of ancient woodland. Ifield Brook Wood and Meadows is designated as a Local Wildlife Site (LWS) and a Site of Nature Conservation Importance (SNCI).

1.2.5 The Site topography is generally low-lying, with ridges to the south and west. The first of these ridges passes through the southern part of the Site in an approximate east-west alignment and this rises up from 76m above ordnance datum (AOD) in the south-west to approximately 85m AOD at Hyde Hill. The second ridge is located approximately 1km to the north-west at Russ Hill. It is orientated in an approximate south-west to north-east alignment which rises up from 68m AOD m on Site and extends up to 100m AOD at Russ Hill. The low-lying land between these two ridges lies at approximately 60-70m AOD and is dissected by the narrow watercourses of Ifield Brook and the River Mole.

1.3 Proposed Development

1.3.1 The Applicant intends to submit a hybrid planning application (part outline and part full planning application) for a phased, mixed-use development comprising:

A full element covering enabling infrastructure including the Crawley Western Multi-Modal Corridor (Phase 1, including access from Charlwood Road and crossing points) and access infrastructure to enable servicing and delivery of secondary school site and future development, including access to Rusper Road, supported by associated infrastructure, utilities and works, alongside

An outline element (with all matters reserved) including up to 3,000 residential homes (Class C2 and C3), commercial, business and service (Class E), general industrial (Class B2), storage or distribution (Class B8), hotel (Class C1), community and education facilities (Use Classes F1 and F2), gypsy and traveller pitches (sui generis), public open space with sports pitches, recreation, play and ancillary facilities, landscaping, water abstraction boreholes and associated infrastructure, utilities and works, including pedestrian and cycle routes and enabling demolition.

1.3.2 This hybrid planning application is for a phased development intended to be capable of coming forward in distinct and separable phases and/or plots in a severable way. This assessment forms part of the hybrid planning application.

1.3.3 Further details on the Proposed Development, the Description of Development and the proposed land uses are set out within the Development Specification and Parameter Plan Framework (WOI-HPA-DOC-DSPPF-01) and the Design and Access Statement (WOI-HPA-DOC-DAS-01).

1.3.4 The Proposed Development would be accessed via Charlwood Road in the north, Rusper Road in the south and a proposed new road off Rusper Road to the east of the Site.

1.3.5 Parameter Plan 1 (WOI-HPA-PLAN-PP01-01) in Figure 1.1 below represents the Landscape and Public Realm plan for the hybrid planning application.

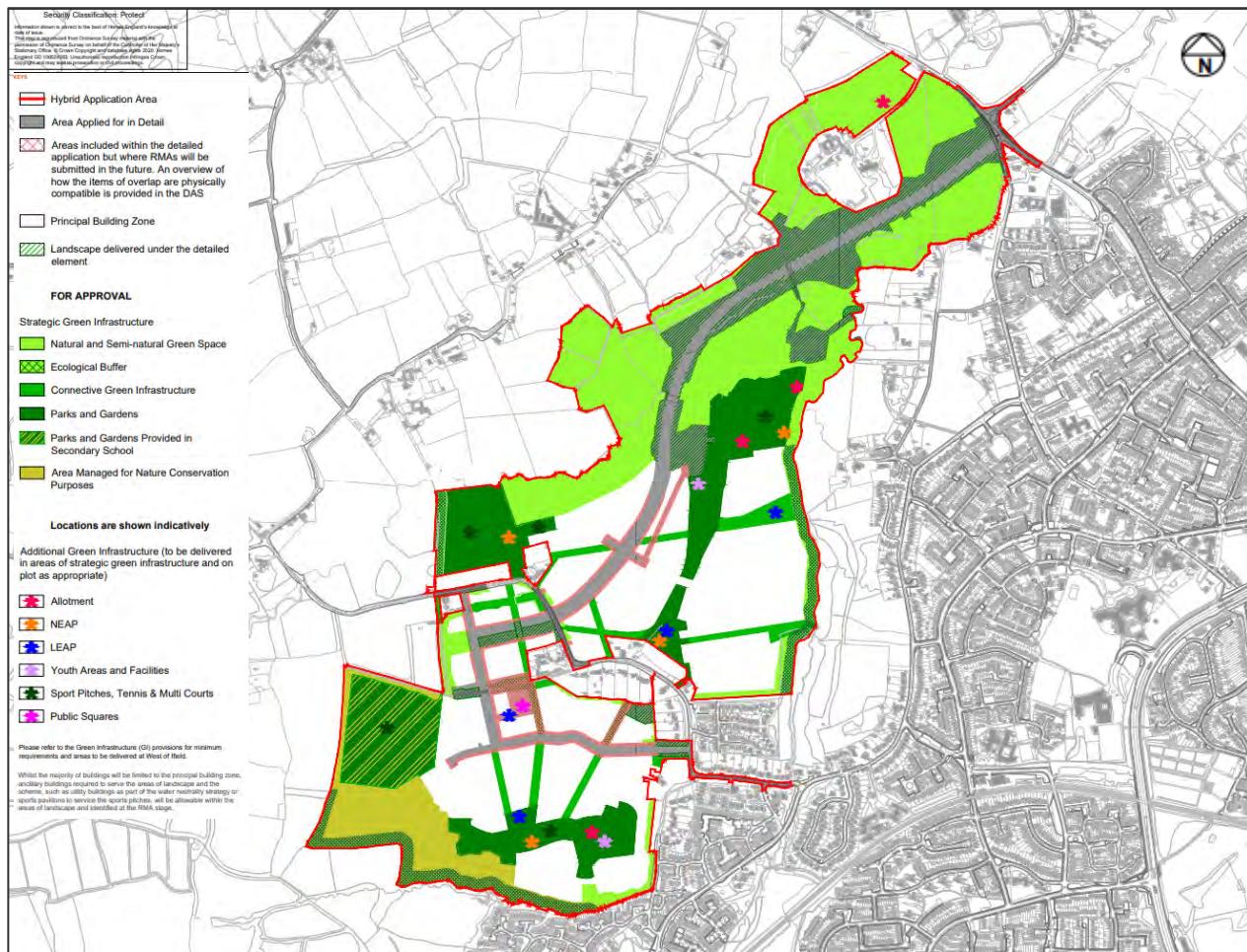


Figure 1.1: Landscape and Public Realm (WOI-HPA-PLAN-PP01-01)

1.4 Aim of the Report

1.4.1 A number of designated National Site Network sites (Special Areas of Conservation (SACs) and Special Protection Areas (SPAs)) and Ramsar sites are located within the Zone of Influence (ZoI) of the Proposed Development, as outlined in Section 1.4.2 below. This report has been prepared to provide information to HDC (as the Local Planning Authority (LPA)) on the potential implications of the Proposed Development on the following National Site Network and Ramsar sites:

- Mole Gap to Reigate Escarpment SAC;
- The Mens SAC;
- Ebernoe Common SAC;
- Arun Valley SAC;
- Arun Valley Ramsar site; and
- Arun Valley SPA.

1.4.2 The implications of the Proposed Development on these designated sites have been considered due to their proximity to the Site, the potential existence of effect pathways between them, and through consultation with Natural England. As agreed through consultation with Natural England, all National Site Network and Ramsar sites within 15 km of the Proposed Development have been considered (see Figure 2, Appendix 1) as well as all SACs within 30 km of the Proposed Development with bats given as a qualifying feature for designation (see Figure 3, Appendix 1).

1.4.3 This report also considers the following:

- The ecological interest of the sites listed above;
- The likely nature and scale of potential effects on these sites from the Proposed Development; and
- Consideration of the need for an Appropriate Assessment.

1.4.4 Where it is considered that an Appropriate Assessment is not likely to be required, the reasons and evidence to support that conclusion are presented.

1.5 Legislation

1.5.1 National Site Network sites include SACs and SPAs, which were designated or notified in accordance with domestic legislation (The Conservation of Habitats and Species Regulations 2017(the Habitats Regulations))¹ that transposed the provisions of European Council Directive 92/43/EEC² on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive) and Council Directive 79/409/EEC on the Conservation of Wild Birds (the Birds Directive)³ respectively. Such sites are also known as European sites.

1.5.2 The habitat types and species for which these sites are designated are those considered to be most in need of conservation at an international level. Ramsar sites are designated under the Convention on Wetlands of International Importance (Ramsar Convention 1971). Although Ramsar sites do not form part of the National Site Network, many overlap with SAC and SPA boundaries, and Ramsar sites are in effect protected in the same way as SACs and SPAs under the Habitats Regulations as a result of policy⁴.

1.5.3 The regulations impart a duty on local planning authorities (competent authorities) to carefully consider whether any proposals may have a significant effect on a National Site Network or Ramsar site, either alone or in combination with other plans or projects. In most circumstances, permission may only be given for a plan or project to proceed if it has been ascertained that it will not have an adverse effect on the integrity of any such designated sites.

1.6 Natural England Consultation

1.6.1 Prior to the writing of this Habitats Regulations Screening report, a technical note (document reference: Technical Note 1620007949_HRA-01 dated 27 April 2020) was issued to Natural England from Ramboll outlining the proposed methodology of the Habitats Regulations Assessment for the Proposed Development. A response was received from Natural England on 21 May 2020, the details of which are outlined in this section and the correspondence is included as Appendix 2.

1.6.2 Natural England highlighted in their response that emerging evidence suggests developments within Horsham District are leading to deleterious effects on the Arun Valley SAC, SPA and Ramsar site due to the Hardham groundwater abstraction which potentially feeds these areas. As such, future developments will need to ensure these impact pathways are included in the HRA screening process. Natural England explained that in order to meet the requirements of the Habitats Regulations, the Proposed Development will need to provide evidence of water usage. Water quality was also raised as a concern by Natural England in their response, which suggested that any development coming forward that uses wastewater treatment works within the catchment of the River Arun must provide robust mitigation, including strategic solutions such as water neutrality.

1.6.3 Further to this, in their response Natural England agreed with Ramboll's assessment that air quality impacts should be considered through the HRA screening process.

1.6.4 Additionally, with regard to SACs designated for bats within 30 km of the Proposed Development, Natural England noted in their response that potential impacts of habitat loss and fragmentation should be considered in the HRA screening process.

1.6.5 A water neutrality statement (produced by WSP in support of the Proposed Development, ref: WOI-HPA-DCO-WNS-01) forms part of the hybrid planning application submission. Whilst it has been considered in preparing this Screening Report, the measures proposed in it have not been taken into

¹

https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwiCw7jzpZuOAxVuVUEAHd_SLOwOFnoECBEOAQ&url=https%3A%2F%2Fwww.legislation.gov.uk%2Fuksi%2F2017%2F1012%2Fcontents&usq=AOvVaw3uxLJDpzGf5x2pQ1KhB0QG&opi=89978449

² JNCC, 1992, Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora. Available from:

<http://jncc.defra.gov.uk/page-1463>

³ European Commission, 2009. Council Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (codified version)

⁴ National Planning Policy Framework (Ministry of Housing, Communities and Local Government) 2021, Paragraph 181 available at

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf [March 2023]

account and instead form part of the next stage of HRA, the Appropriate Assessment, as discussed in subsequent sections.

1.7 Limitations

- 1.7.1 Ramboll has been commissioned to identify potential effects on National Site Network and Ramsar sites as a result of the Proposed Development. This report does not address any other potential environmental impacts that may result from the Proposed Development. These are addressed in the Environmental Statement and associated documents.
- 1.7.2 Ramboll does not accept any liability for the accuracy or otherwise of any information derived from secondary sources; however, reasonable endeavours have been made to verify information obtained in this way.
- 1.7.3 This report is based on the assessment of the Site, the boundaries of which are as shown in Figure 1, Appendix 1. If the Proposed Development is subsequently amended to extend to land additional to that shown on the drawing, or the proposals alter, the recommendations may need to be revised.
- 1.7.4 Ramboll undertook screening up to a certain point in 2024 and then WSP were appointed by the Applicant to prepare a report to inform an Appropriate Assessment (ref: WOI-HPA-DOC-HRA2-01). As such Ramboll's screening exercise ceased at that point. To ensure that the latest screening information was incorporated WSP undertook a further screening assessment which is detailed in the further HRA report (ref: WOI-HPA-DOC-HRA2-01).

2 ASSESSMENT METHODOLOGY

The procedure for assessment of projects that are not directly connected with, or necessary to, the management of the designation for conservation of a National Site Network site is an ordered process following a number of key stages, as set out within the Habitats Regulations at regulations 63 and 64 and in Defra guidance relating to Habitats Regulations assessments⁵.

2.1 Stage 1 – Screening

- 2.1.1 Under the first stage, it is necessary for the competent authority to examine if the proposals will result in any 'likely significant effect' on the internationally important features of the designated site, either alone or in combination with other plans or projects. Defra guidance recommends that key indicators should be used to determine the significance of effects.
- 2.1.2 If it can be objectively concluded that it is not likely that there would be significant effects on the National Site Network site, no further assessment is necessary, the outcome should be documented and agreed, and permission should not be refused under the assessment.
- 2.1.3 If a risk of any 'likely significant effects' is identified or where it is not possible to exclude the possibility of such a risk on the basis of objective information, the assessment procedure should follow on to Stage 2.
- 2.1.4 Contrary to previous case law, following the Court of Justice of the European Union (CJEU) ruling (People over Wind, Peter Sweetman v Coillte Teoranta, Case C323/17, dated 12 April 2018)⁶, measures intended to avoid or reduce the harmful effects of a plan or project on a National Site Network site should not be taken into account at this screening stage, and instead these must be considered as part of an Appropriate Assessment (Stage 2). Measures proposed as integral to or embedded in a project, whether in design or in the construction process, that are not included within the project for the purpose of avoiding or reducing impacts to features of a designated site can be considered.

2.2 Stage 2 – Appropriate Assessment

- 2.2.1 Should it be determined that (in the absence of mitigation/avoidance measures) a plan or project will result in 'likely significant effects' on a National Site Network site (or that such effects cannot be ruled out), the competent authority should proceed to the next stage, where further assessment is required.
- 2.2.2 Under the second stage, it is necessary for the competent authority to determine whether the proposals, either alone or in combination with other projects or plans, will result in any adverse effects on the integrity of the protected site as defined by the conservation objectives and status of the site. The precautionary principle should be applied, and the focus should be on objectively demonstrating, with supporting evidence, that there will be no adverse effects on the integrity of the National Site Network site. Where this is not the case, and where there is reasonable scientific doubt about the absence of significant adverse effects, adverse effects must be assumed. Mitigation for any effects on integrity can be applied at the Appropriate Assessment stage.
- 2.2.3 If it is considered by the competent authority that the proposal will not adversely affect the integrity of the site, permission can be granted. If this cannot be ascertained, or there is uncertainty, the assessment procedure should follow on to Stage 3.

2.3 Stage 3 Onwards

- 2.3.1 Under Stages 3 and 4, it is necessary for the competent authority to assess if there are alternative solutions and whether there are imperative reasons of overriding public interest. If these tests are passed, authorisation may be granted subject to compensation measures being secured.

⁵ Defra, 2021, Habitat regulations assessments: protecting a European site. Available at: <https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site>

⁶ 'People Over Wind and Peter Sweetman v Coillte Teoranta' (2018), Irish High Court, case no. C-323/17. EUR-Lex. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:62017CJ0323> (Accessed: March 2025).

3 NATIONAL SITE NETWORK AND RAMSAR SITES SCREENING ASSESSMENT

3.1.1 National Site Network sites within 15 km of the Site and SACs within 30 km of the Site with bats listed as a qualifying feature, together with other sites highlighted for consideration by Natural England in correspondence dated 21 May 2020 (Appendix 2), are outlined in Table 3.1. These designated sites are assessed further within this HRA Screening Assessment.

Table 3.1: Impact Pathway Screening for National Site Network and Ramsar Sites

National Site Network and Ramsar sites that could be affected by the Proposed Development	<ul style="list-style-type: none"> i. Mole Gap to Reigate Escarpment SAC (approximately 13.5 km north at the closest point); ii. The Mens SAC (approximately 22.1 km south-west at the closest point); iii. Ebernoe Common SAC (approximately 26.2 km south-west at the closest point); iv. Arun Valley SAC (25.3 km south-west at the closest point); v. Arun Valley Ramsar site (25.3 km south-west at the closest point); and vi. Arun Valley SPA (25.3 km south-west at the closest point).
--	---

3.1.2 The following tables outline the baseline information for each designation taken forward for assessment. The listed threats are those outlined in the SAC, SPA or Ramsar site citation or their underlying Special Site of Scientific Interest (SSSI) citations as available. Threats listed as **bold** are those considered relevant to the nature of the Proposed Development. Threats beyond these listed threats are also considered as appropriate, for example habitat loss and fragmentation is not a listed threat for the Mens SAC but is considered in this screening assessment. The screening assessment of potential significant effects, according to the relevant threats to ecological features, associated with the Proposed Development are presented.

3.1.3 This report presents the HRA carried out up to the point of Ramboll's screening exercise. A Habitats Regulations Assessment Appropriate Assessment report has been prepared to address the HRA Stage 2 assessment (ref: WOI-HPA-DOC-HRA2-01). That report accompanies the hybrid planning application and presents further screening information.

3.2 Mole Gap to Reigate Escarpment SAC

Table 3-2: Baseline Information for Mole Gap to Reigate Escarpment SAC

Baseline Information	Detail
Relationship between designated site and the Proposed Development	<p>Mole Gap to Reigate Escarpment SAC is located approximately 13.5 km north of the Proposed Development at the closest point.</p>
Designated site interest features ⁷	<p>Mole Gap to Reigate Escarpment SAC supports the following qualifying features:</p> <p>Annex I habitats that are a primary reason for selection of the site:</p> <ul style="list-style-type: none"> i. 5110 Stable xerothermophilous formations with <i>Buxus sempervirens</i> on rock slopes (Berberidion p.p.); ii. 6210 Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>) (important orchid sites); and iii. 91J0 <i>Taxus baccata</i> woods of the British Isles (priority feature). <p>Annex I habitats that are present as a qualifying feature, but not a primary reason for selection of the site:</p> <ul style="list-style-type: none"> i. 4030 European dry heaths; and ii. 9130 <i>Asperulo-Fagetum</i> beech forests. <p>Annex II species that are a primary reason for selection of this site:</p> <ul style="list-style-type: none"> i. Not applicable <p>Annex II species that are present as a qualifying feature, but not a primary reason for selection of the site:</p> <ul style="list-style-type: none"> i. 1166 Great crested newt <i>Triturus cristatus</i>; and ii. 1323 Bechstein's bat <i>Myotis bechsteinii</i>.
Conservation objectives of the designated site	<p><i>"Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:</i></p> <ul style="list-style-type: none"> i. <i>The extent and distribution of qualifying natural habitats and habitats of qualifying species</i> ii. <i>The structure and function (including typical species) of qualifying natural habitats</i> iii. <i>The structure and function of the habitats of qualifying species</i> iv. <i>The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</i> v. <i>The populations of qualifying species, and,</i> vi. <i>The distribution of qualifying species within the site."</i>⁸

⁷ Joint Nature Conservation Committee (2015) *Mole Gap to Reigate Escarpment*. Available at <https://jncc.gov.uk/jncc-assets/SAC-N2K/UK0012804.pdf>

⁸ Natural England (2018) *Mole Gap to Reigate Escarpment SAC Conservation Objectives*. Available at: <https://publications.naturalengland.org.uk/publication/4911739200077824?category=6528471664689152>

Baseline Information	Detail						
	<p>In addition to the broad targets quoted above, further detail on the conservation objectives and actions for each interest feature is given in the Mole Gap to Reigate Escarpment SAC Conservation Objectives Supplementary Advice document⁹. With regards to Barbastelle and Bechstein's bat, which are considered a qualifying feature of the site (but not primary for designation), this document lists the following targets:</p> <ul style="list-style-type: none"> i. <i>Maintain the abundance of the breeding population at a level which is above the baseline population-size known or estimated at or soon after the time of SAC designation, whilst avoiding deterioration from its current level as indicated by the latest mean peak count or equivalent.</i> ii. <i>Maintain the distribution and continuity of the feature and its supporting habitat, including where applicable its component vegetation types and associated transitional vegetation types, across the site.</i> iii. <i>Maintain the total extent of the habitat(s) which support the feature at the baseline level of 25 hectares.</i> iv. <i>Maintain the presence, structure and quality of any linear landscape features which function as habitually used routes along which bats navigate to foraging and swarming areas. Routes should remain unlit, functioning as dark corridors.</i> v. <i>Maintain the structural integrity and weatherproofing of the known hibernation sites, with no significant shading of the main roost area by trees/vegetation or man-made structures</i> vi. <i>Maintain appropriate light levels, humidity, temperature and ventilation in the known hibernation roost sites</i> vii. <i>Maintain the number of access points to the roost at an optimal size and in an unlit and unobstructed state, with surrounding vegetation providing sheltered flyways without obstructing access</i> viii. <i>Maintain the properties of the underlying soil types, including structure, bulk density, total carbon, pH, soil nutrient status and fungal: bacterial ratio, within typical values for the supporting habitat</i> ix. <i>Maintain the feature's ability, and that of its supporting habitat, to adapt or evolve to wider environmental change, either within or external to the site</i> x. <i>Maintain or, where necessary, restore concentrations and deposition of air pollutants to at or below the site-relevant Critical Load or Level values given for this feature of the site on the Air Pollution Information System (www.apis.co.uk)</i> xi. <i>Maintain the management measures (either within and/or outside the site boundary as appropriate) which are necessary to maintain the structure, functions and supporting processes associated with the feature and/or its supporting habitats.</i> xii. <i>Control and minimise human access to roost sites"</i> 						
Listed Threats	<p>The following are considered as threats to the integrity of the Mole Gap to Reigate Escarpment SAC, listed in order of scale (high, medium, low) and with reference to the origin location of threat (inside, outside or both, where applicable).</p> <table> <thead> <tr> <th>High</th> <th>Medium</th> </tr> </thead> <tbody> <tr> <td> <ul style="list-style-type: none"> i. Modification of cultivation practices (inside) ii. Biocenotic evolution, succession (inside) iii. Air pollution, air-borne pollutants (both) iv. Interspecific floral relations (inside) </td> <td> <ul style="list-style-type: none"> i. n/a </td> </tr> <tr> <td></td> <td> <ul style="list-style-type: none"> Low i. n/a </td> </tr> </tbody> </table>	High	Medium	<ul style="list-style-type: none"> i. Modification of cultivation practices (inside) ii. Biocenotic evolution, succession (inside) iii. Air pollution, air-borne pollutants (both) iv. Interspecific floral relations (inside) 	<ul style="list-style-type: none"> i. n/a 		<ul style="list-style-type: none"> Low i. n/a
High	Medium						
<ul style="list-style-type: none"> i. Modification of cultivation practices (inside) ii. Biocenotic evolution, succession (inside) iii. Air pollution, air-borne pollutants (both) iv. Interspecific floral relations (inside) 	<ul style="list-style-type: none"> i. n/a 						
	<ul style="list-style-type: none"> Low i. n/a 						

⁹ Natural England (2019) Mole Gap to Reigate Escarpment SAC Conservation Objectives Supplementary Advice. Available at:

<https://publications.naturalengland.org.uk/publication/4911739200077824?category=6528471664689152>

Table 3-3: Screening of Likely Significant Effects for Mole Gap to Reigate Escarpment SAC

Key Issues and Relevant Threats	Justification
Air pollution	Air pollution effects on habitats at Mole Gap to Reigate Escarpment SAC as a result of increased traffic from the Proposed Development are not considered likely to occur, due to the distance between the designated site and the Site. Roads within 200 m of the SAC would not be subject to an increase of 1000 vehicles per day as a result of the Proposed Development, which is the accepted distance and number of vehicles triggering further assessment ^{10,11} .
Fragmentation or loss of supporting habitat for Bechstein's bat	<p>Radio-tracking surveys of Bechstein's bats have shown that they prefer to forage within a short distance from their roosts, typically up to around 1.5 km maximum¹². As the Proposed Development is located approximately 13.5 km away from Mole Gap to Reigate Escarpment SAC at the closest point, it is considered highly unlikely the proposed changes to the Site would have a significant effect on the Bechstein's bat populations associated with the SAC or on their supporting habitat.</p> <p>Bechstein's bats have been recorded foraging on parts of the Site during extensive survey work and radio tracking has found a single male day roosting on Site and a night roost at the golf course area of the Site. No Bechstein's bat maternity roosts have been identified and the radio tracking data has not provided any results showing any link with Mole Gap to Reigate Escarpment SAC. Appropriate mitigation for the foraging and roosting Bechstein's bat populations using the Site are described in the Environmental Statement and associated documents. Whilst the nature of Proposed Development may cause changes to the nature of the Site for bats, the distance from the Mole Gap to Reigate Escarpment SAC and the lack of any evidence connecting the Bechstein's bat population on Site to the SAC makes these changes unlikely to affect habitat connectivity for Bechstein's bat associated with Mole Gap to Reigate Escarpment SAC.</p>

Table 3-4: Conclusions for Mole Gap to Reigate Escarpment SAC

Conclusion – is the Potential Scale or Magnitude of any Effect Likely to be Significant?	
Alone	No
In combination with other plans or projects	Other proposed schemes would be expected to have either no significant effects or no effect on the integrity of the Mole Gap to Reigate Escarpment SAC as a result of controls through their own consents and under the Habitat Regulations. It is assumed that, if required, appropriate mitigation measures would be devised for such schemes. It is considered that any significant effect on the Mole Gap to Reigate Escarpment SAC is unlikely as a result of the Proposed Development, therefore overall, it is unlikely that any significant effects would occur on the SAC in combination with other projects. No further assessment is required. This approach is in accordance with established case law ⁽¹³⁾ , in which the High Court concluded that there is no basis to carry out an assessment of in combination effects of a project when there are no likely significant effects of that project to take into account.
In the absence of mitigation, are the proposals likely to have a significant effect on the National Site Network or Ramsar site?	
No – an Appropriate Assessment is not required.	

¹⁰ Design Manual for Roads and Bridges, Volume 11, Section 3 Part 1 (HA207/07) and subsequent Interim Advice Notes.¹¹ Natural England (2018) Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations.¹² Pimley, E.R., Palmer, E., Sutton, G. and Downs, N.C. (2018) 'Ranging patterns and habitat preferences of Bechstein's bat (*Myotis bechsteinii*) in Worcestershire', *Mammal News*. Available at: https://www.researchgate.net/publication/333783654_Ranging_patterns_and_habitat_preferences_of_Bechstein%27s_bats_Myotis_bechsteinii_in_Worcestershire¹³ R (Foster and Langton) v Forest of Dean DC and Homes and Communities Agency [2015] EWHC 2648 (Admin) Cranston J. September 2015

3.3 The Mens SAC

Table 3-5: Baseline Information for The Mens SAC

Baseline Information	Detail
Relationship between designated site and the Proposed Development	<p>The Mens SAC is located approximately 21.9 km south-west of the Proposed Development at the closest point.</p>
Designated site interest features ¹⁴	<p>The Mens SAC supports the following qualifying features:</p> <p>Annex I habitats that are a primary reason for selection of the site:</p> <ol style="list-style-type: none"> 9120 Atlantic acidophilous beech forests with <i>Ilex</i> and sometimes also <i>Taxus</i> in the shrublayer (Quercion roburi-petraeae or Ilici-Fagenion). <p>Annex I habitats that are present as a qualifying feature, but not a primary reason for selection of the site:</p> <ol style="list-style-type: none"> Not applicable. <p>Annex II species that are a primary reason for selection of this site:</p> <ol style="list-style-type: none"> Not applicable. <p>Annex II species that are present as a qualifying feature, but not a primary reason for selection of the site:</p> <ol style="list-style-type: none"> 1308 Barbastelle <i>Barbastella barbastellus</i>.
Conservation objectives of the designated site	<p><i>"Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:</i></p> <ol style="list-style-type: none"> <i>The extent and distribution of qualifying natural habitats and habitats of qualifying species</i> <i>The structure and function (including typical species) of qualifying natural habitats</i> <i>The structure and function of the habitats of qualifying species</i> <i>The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</i> <i>The populations of qualifying species, and,</i> <i>The distribution of qualifying species within the site."</i>¹⁵ <p>In addition to the broad targets quoted above, further detail on the conservation objectives and actions for each interest feature is given in the Mens SAC Conservation Objectives Supplementary Advice document¹⁶. With regards to barbastelle, which are considered a qualifying feature of the site (but not primary for designation), this document lists the following targets:</p> <ol style="list-style-type: none"> <i>"Maintain a sustainable population, whilst accepting no deterioration from current levels which is above 80 breeding females, whilst avoiding deterioration from its current level as indicated by the latest mean peak count or equivalent.</i>

¹⁴ Joint Nature Conservation Committee (2015) *The Mens*. Available at: <https://jncc.gov.uk/jncc-assets/SAC-N2K/UK0012716.pdf>

¹⁵ Natural England (2018) *The Mens SAC Conservation Objectives*. Available at: <https://publications.naturalengland.org.uk/publication/5642356338458624?category=6528471664689152>

¹⁶ Natural England (2019) *The Mens SAC Conservation Objectives Supplementary Advice*. Available at: <https://publications.naturalengland.org.uk/publication/5642356338458624?category=6528471664689152>

Baseline Information	Detail
	<p>ii. <i>Restore the distribution and continuity of the feature and its supporting habitat, including where applicable its component vegetation types and associated transitional vegetation types, across the site</i></p> <p>iii. <i>Restore the total extent of the habitats which support the feature at 203.28 hectares</i></p> <p>iv. <i>Restore the presence, structure and quality of any linear landscape features which function as flightlines. Flightlines should remain unlit, functioning as dark corridors</i></p> <p>v. <i>Maintain the properties of the underlying soil types, including structure, bulk density, total carbon, pH, soil nutrient status and fungal: bacterial ratio, within typical values for the supporting habitat</i></p> <p>vi. <i>Restore any core areas of feeding habitat outside of the SAC boundary that are critical to Barbastelles during their breeding period</i></p> <p>vii. <i>Restore the extent and structural diversity of supporting woodland habitat used for feeding and foraging</i></p> <p>viii. <i>Restore the feature's ability, and that of its supporting habitat, to adapt or evolve to wider environmental change, either within or external to the site</i></p> <p>ix. <i>Restore concentrations and deposition of air pollutants to at or below the site-relevant Critical Load or Level values given for this feature of the site on the Air Pollution Information System (www.apis.ac.uk).</i></p> <p>x. <i>Restore the management measures (either within and/or outside the site boundary as appropriate) which are necessary to restore the structure, functions and supporting processes associated with the feature and/or its supporting habitats.</i></p> <p>xi. <i>Control and minimise human access to roost sites</i></p> <p>xii. <i>Where the feature or its supporting habitat is dependent on surface water and/or groundwater, maintain water quality and quantity to a standard which provides the necessary conditions to support the feature."</i></p> <p>Additionally, the South Downs Local Plan¹⁷ states that development proposals on sites which may support or be within close proximity with suitable commuting or foraging habitat for Barbastelle or Bechstein's bat within certain ranges (6.5 km = key conservation area, 12 km = wider conservation area) of the Local Plan Policies Map¹⁸ should have due regard to the possibility that bats will be using the site. The Proposed Development does not fall within the area highlighted in the Local Plan Policies Map for habitat regulations assessment and also falls outside of the key conservation area and wider conservation area for The Mens SAC.</p> <p>The Draft Sussex Bat SAC Planning and Landscape Scale Enhancement Protocol¹⁹ provides further detail on the above protections. The protocol reiterates that bats require functionally linked habitats outside of their immediate roosting area, particularly barbastelles which often forage 10-15 kilometres (and up to a maximum of 20 km²²) from their roosting sites.</p>
Listed Threats	<p>The following are considered as threats to the integrity of The Mens SAC, listed in order of scale (high, medium, low) and with reference to the origin location of threat (inside, outside or both, where applicable).</p> <p>High</p>

¹⁷ South Downs National Park Authority (2019) *South Downs Local Plan*. Available at: https://www.southdowns.gov.uk/wp-content/uploads/2019/07/SD_LocalPlan_2019_17Wb.pdf

¹⁸ South Downs National Park Authority (2019) *Local Plan Policies Map*. Available at: <https://sdnpa.maps.arcgis.com/apps/webappviewer/index.html?id=41bc8fd8adc34c2e8abd2c4fed013f68>

¹⁹ South Downs National Park Authority and Natural England (2019) *Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol*. Available at: <https://www.southdowns.gov.uk/wp-content/uploads/2018/04/TLL-15-Draft-Sussex-Bat-SAC-Protocol.pdf>

Baseline Information	Detail
	<ul style="list-style-type: none"> i. Forest and plantation management & use (inside) ii. Other ecosystem modifications (both) iii. Changes in biotic conditions (both) iv. Modification of cultivation practices (inside)
Medium	<ul style="list-style-type: none"> i. n/a
Low	<ul style="list-style-type: none"> i. n/a

Table 3-6: Screening of Likely Significant Effects for The Mens SAC

Key Issues and Relevant Threats	Justification
Air pollution	Air pollution effects on habitats at The Mens SAC as a result of increased traffic from the Proposed Development are not considered likely to occur, due to the distance between the designated site and the Site. Roads within 200 m of the SAC would not be subject to an increase of 1000 vehicles per day as a result of the Proposed Development ²⁰ .
Fragmentation or loss of supporting habitat for barbastelle	The Proposed Development falls entirely outside of the identified Habitat Regulations Assessment buffers identified in the Local Plan Policies Map for the South Downs Local Plan ²¹ , which considers effects on The Mens SAC. Barbastelles have a foraging range of up to 20 km from their roosts ²² ; the Proposed Development falls more than 21 km from The Mens SAC at its closest point. The Proposed Development also falls entirely outside of the 6.5 km 'key conservation area' and 12 km 'wider conservation area' buffers outlined in the South Downs Local Plan. Low numbers of barbastelle have been recorded on parts of the Site during extensive survey work, though no roosts were identified. Appropriate mitigation for the foraging Barbastelle populations using the Site are described in the Environmental Statement and associated documents. Radio tracking has not been undertaken for Barbastelles, though it is considered likely that these are different populations to those at The Mens SAC due to the distance between the Site and the SAC, though barbastelles do forage a considerable distance from their hibernation roosts. Whilst the Proposed Development may cause changes to the nature of the Site for bats, the low number of Barbastelles recorded on Site makes these changes highly unlikely to have a significant effect on the Barbastelle population associated with the Mens SAC.

²⁰ The threshold of 1000 vehicles per day is the lowest level above which traffic models can represent change in traffic conditions to a reasonable level of confidence, and designated sites within 200 m of the affected road network (ARM) are those taken forward for air quality assessments, in accordance with LA 105 Revision 0 of Design Manual for Roads and Bridges (DMRB) (2019)

<https://www.standardsforhighways.co.uk/tes/attachments/10191621-07df-44a3-892e-c1d5c7a28d90?inline=true>. This is also referenced in Natural England's (2018) Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations.

²¹ South Downs National Park Authority (unknown date) *Overview Map of all Local Plan Policies*. Available at: <https://www.southdowns.gov.uk/planning-policy/south-downs-local-plan/policies-map/overview-map-local-plan-policies/>

²² Zeale, M.R.K., Davidson-Watts, I. and Jones, G. (2012) 'Home range use and habitat selection by barbastelle bats (*Barbastella barbastellus*): implications for conservation', *Journal of Mammalogy*, 93(4), pp. 1110-1118. Available at: <https://academic.oup.com/jmammal/article/93/4/1110/959700>

Table 3-7: Conclusions for The Mens SAC

Conclusion – is the Potential Scale or Magnitude of any Effect Likely to be Significant?	
Alone	No
In combination with other plans or projects	Other proposed schemes would be expected to have either no significant effects or no effect on the integrity of The Mens SAC as a result of controls through their own consents and under the Habitat Regulations. It is assumed that, if required, appropriate mitigation measures would be devised for such schemes. It is considered that any significant effect on The Mens SAC is unlikely as a result of the Proposed Development, therefore overall, it is unlikely that any significant effects would occur on the SAC in combination with other projects. No further assessment is required.
In the absence of mitigation, are the proposals likely to have a significant effect on the National Site Network or Ramsar site?	
No – an Appropriate Assessment is not required.	

3.4 The Ebernoe Common SAC

Table 3-8: Baseline Information for Ebernoe Common SAC

Baseline Information	Detail
Relationship between designated site and the Proposed Development	The Ebernoe Common SAC is located approximately 26.1 km south-west of the Proposed Development at the closest point.
Designated site interest features ²³	<p>Ebernoe Common SAC supports the following qualifying features:</p> <p>Annex I habitats that are a primary reason for selection of the site:</p> <ul style="list-style-type: none"> i. 9120 Atlantic acidophilous beech forests with <i>Ilex</i> and sometimes also <i>Taxus</i> in the shrublayer (Quercion roburi-petraeae or Ilici-Fagenion). <p>Annex I habitats that are present as a qualifying feature, but not a primary reason for selection of the site:</p> <ul style="list-style-type: none"> i. Not applicable. <p>Annex II species that are a primary reason for selection of this site:</p> <ul style="list-style-type: none"> i. 1308 Barbastelle; and ii. 1323 Bechstein's bat. <p>Annex II species that are present as a qualifying feature, but not a primary reason for selection of the site:</p> <ul style="list-style-type: none"> i. Not applicable.
Conservation objectives of the designated site	<p><i>"Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</i></p> <ul style="list-style-type: none"> i. <i>The extent and distribution of qualifying natural habitats and habitats of qualifying species</i>

²³ Joint Nature Conservation Committee (2015) Ebernoe Common. Available at: <https://jncc.gov.uk/jncc-assets/SAC-N2K/UK0012715.pdf> <https://jncc.gov.uk/jncc-assets/SAC-N2K/UK0012716.pdf>

Baseline Information	Detail
	<ul style="list-style-type: none"> ii. <i>The structure and function (including typical species) of qualifying natural habitats</i> iii. <i>The structure and function of the habitats of qualifying species</i> iv. <i>The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</i> v. <i>The populations of qualifying species, and,</i> vi. <i>The distribution of qualifying species within the site.</i>²⁴ <p>In addition to the broad targets quoted above, further detail on the conservation objectives and actions for each interest feature is given in the Ebernoe Common SAC Conservation Objectives Supplementary Advice document²⁵. With regards to barbastelle and Bechstein's bat, both of which are considered as qualifying features of the site, this document lists the following targets:</p> <ul style="list-style-type: none"> i. <i>"Restore the abundance of the hibernating population, whilst avoiding deterioration from its current level as indicated by the latest mean peak count or equivalent.</i> ii. <i>Restore the abundance of the breeding population to a level which is above 100 adult females (for barbastelle) and above 152 adult females (for Bechstein's bat), whilst avoiding deterioration from its current level as indicated by the latest mean peak count or equivalent.</i> iii. <i>Maintain the distribution and continuity of the feature and its supporting habitat, including where applicable its component vegetation types and associated transitional vegetation types, across the site</i> iv. <i>Maintain the total extent of the habitats which support the feature (at 234.05 ha)</i> v. <i>Restore the presence, structure and quality of any linear landscape features which function as flightlines. Flightlines should remain unlit, functioning as dark corridors.</i> vi. <i>Restore any core areas of feeding habitat outside of the SAC boundary that are critical to Barbastelles or Bechstein's Bat during their hibernation and breeding period</i> vii. <i>Maintain the properties of the underlying soil types, including structure, bulk density, total carbon, pH, soil nutrient status and fungal: bacterial ratio, within typical values for the supporting habitat</i> viii. <i>Maintain the extent and structural diversity of supporting woodland habitat used for feeding and foraging</i> ix. <i>Restore the feature's ability, and that of its supporting habitat, to adapt or evolve to wider environmental change, either within or external to the site (for barbastelles)</i> x. <i>Maintain or, where necessary, restore concentrations and deposition of air pollutants to at or below the site-relevant Critical Load or Level values given for this feature of the site on the Air Pollution Information System (www.apis.ac.uk).</i> xi. <i>Restore and maintain the management measures (either within and/or outside the site boundary as appropriate) which are necessary to Restore and maintain the structure, functions and supporting processes associated with the feature and/or its supporting habitats.</i> xii. <i>Control and minimise human access to roost sites</i> xiii. <i>Where the feature or its supporting habitat is dependent on surface water and/or groundwater maintain water quality and quantity to a standard which provides the necessary conditions to support the feature."</i>

²⁴ Natural England (2018) Ebernoe Common SAC Conservation Objectives. Available at: <https://publications.naturalengland.org.uk/publication/625562916539596?category=6528471664689152>

²⁵ Natural England (2019) Ebernoe Common SAC Conservation Objectives Supplementary Advice. Available at: <https://publications.naturalengland.org.uk/publication/625562916539596?category=6528471664689152>

Baseline Information	Detail
	<p>As also outlined in the Conservation Objectives section for The Mens SAC, the South Downs Local Plan states that development proposals on sites which may support or be within close proximity with suitable commuting or foraging habitat for Barbastelle or Bechstein's bat within certain ranges (6.5 km = key conservation area, 12 km = wider conservation area) of the Local Plan Policies Map should have due regard to the possibility that bats will be using the site. The Proposed Development does not fall within the area highlighted in the Local Plan Policies Map for habitat regulations assessment and also falls outside of the key conservation area and wider conservation area for the Ebernoe Common SAC.</p> <p>As also outlined in the Conservation Objectives section for The Mens SAC, the Draft Sussex Bat SAC Planning and Landscape Scale Enhancement Protocol provides further detail on the above protections. The protocol reiterates that bats require functionally linked habitats outside of their immediate roosting area, particularly barbastelles which often forage 10-15 kilometres (and up to a maximum of 20 km²²) from their roosting sites. Bechstein's tend to forage in and amongst the woodland where they are roosting.</p>
Listed Threats	<p>The following are considered as threats to the integrity of Ebernoe Common SAC, listed in order of scale (high, medium, low) and with reference to the origin location of threat (inside, outside or both, where applicable).</p> <p>High</p> <ul style="list-style-type: none"> i. Human induced changes in hydraulic conditions (both) ii. Other ecosystem modifications (both) iii. Changes in biotic conditions (both) iv. Modification of cultivation practices (inside) v. Forest and plantation management & use (inside) <p>Medium</p> <ul style="list-style-type: none"> i. n/a <p>Low</p> <ul style="list-style-type: none"> i. n/a

Table 3-9: Screening of Likely Significant Effects for Ebernoe Common SAC

Key Issues and Relevant Threats	Justification
Air pollution	Air pollution effects on habitats at Ebernoe Common SAC as a result of increased traffic from the Proposed Development are not considered likely to occur, due to the distance between the designated site and the Site. Roads within 200 m of the SAC would not be subject to an increase of 1000 vehicles per day as a result of the Proposed Development ²⁶ .
Fragmentation or loss of supporting habitat for barbastelle or Bechstein's bat	Impacts on Ebernoe Common SAC for bats are similar to those highlighted for The Mens SAC. The Proposed Development falls entirely outside of the identified Habitat Regulations Assessment buffers identified in the Local Plan Policies Map for the South Downs Local Plan, which considers effects on Ebernoe Common SAC. Barbastelles have a foraging range of up to 20 km from their roosts; the Proposed Development falls more than 26 km from The Ebernoe Common SAC at its closest point. Bechstein's bats prefer to forage within habitats closer to their roosts. The Proposed Development also falls entirely outside of the 6.5 km 'key conservation area' and 12 km 'wider conservation area' buffers outlined in the South Downs Local Plan. Barbastelles and Bechstein's have been recorded foraging in low numbers on parts of the Site during extensive survey work, and a single day and single night (but not maternity) roost have been identified for Bechstein's bats. Appropriate mitigation for the foraging barbastelle and foraging and roosting Bechstein's bat populations using the Site are described in the Environmental Statement and associated documents, though it is considered likely that these are different populations to those at Ebernoe Common SAC, due to the distance between the Site and the SAC. Whilst the nature of Proposed Development may cause changes to the nature of the Site for bats, the distance from the Ebernoe Common SAC makes these changes unlikely to affect habitat connectivity for barbastelle or Bechstein's bat associated with Ebernoe Common SAC.

Table 3-10: Conclusions for Ebernoe Common SAC

Conclusion – is the Potential Scale or Magnitude of any Effect Likely to be Significant?	
Alone	No
In combination with other plans or projects	Other proposed schemes would be expected to have either no significant effects or no effect on the integrity of Ebernoe Common SAC as a result of controls through their own consents and under the Habitat Regulations. It is assumed that, if required, appropriate mitigation measures would be devised for such schemes. It is considered that any significant effect on Ebernoe Common SAC is unlikely as a result of the Proposed Development, therefore overall, it is unlikely that any significant effects will occur on the SAC in combination with other projects. No further assessment is required.
In the absence of mitigation, are the proposals likely to have a significant effect on the National Site Network or Ramsar site?	
No – an Appropriate Assessment is not required.	

²⁶ The threshold of 1000 vehicles per day is the lowest level above which traffic models can represent change in traffic conditions to a reasonable level of confidence, and designated sites within 200 m of the affected road network (ARN) are those taken forward for air quality assessments, in accordance with LA 105 Revision 0 of Design manual for Roads and Bridges (DMRB) (2019)

<https://www.standardsforhighways.co.uk/tses/attachments/10191621-07df-44a3-892e-c1d5c7a28d90?inline=true>

3.5 Arun Valley SAC, SPA and Ramsar Site

3.5.1 Baseline information is provided separately for the Arun Valley SAC, SPA and Ramsar sites, however the impacts on these sites are assessed together in Tables 3-14 and 3-15 as the potential threats from the Proposed Development are the same for each site.

Table 3-11: Baseline Information for Arun Valley SAC

Baseline Information	Detail
Relationship between designated site and the Proposed Development	<p>The Arun Valley SAC is located approximately 25.3 km south-west of the Proposed Development at the closest point.</p>
Designated site interest features ²⁷	<p>Arun Valley SAC supports the following qualifying features:</p> <p>Annex I habitats that are a primary reason for selection of the site:</p> <ol style="list-style-type: none"> Not applicable. <p>Annex I habitats that are present as a qualifying feature, but not a primary reason for selection of the site:</p> <ol style="list-style-type: none"> Not applicable. <p>Annex II species that are a primary reason for selection of this site:</p> <ol style="list-style-type: none"> 4056 Ramshorn snail <i>Anisus vorticulus</i> <p>Annex II species that are present as a qualifying feature, but not a primary reason for selection of the site:</p> <ol style="list-style-type: none"> Not applicable.
Conservation objectives of the designated site	<p><i>"Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:</i></p> <ol style="list-style-type: none"> <i>The extent and distribution of the habitats of qualifying species</i> <i>The structure and function of the habitats of qualifying species</i> <i>The supporting processes on which the habitats of qualifying species rely</i> <i>The populations of qualifying species, and,</i> <i>The distribution of qualifying species within the site."</i>²⁸ <p>In addition to the broad targets quoted above, further detail on the conservation objectives and actions for the interest feature is given in the Arun Valley SAC Conservation Objectives Supplementary Advice document²⁹.</p>

²⁷ Joint Nature Conservation Committee (2016) Arun Valley. Available at: <https://jncc.gov.uk/jncc-assets/SAC-N2K/UK0030366.pdf> <https://jncc.gov.uk/jncc-assets/SAC-N2K/UK0012715.pdf> <https://jncc.gov.uk/jncc-assets/SAC-N2K/UK0012716.pdf>

²⁸ Natural England (2018) Arun Valley SAC Conservation Objectives. Available at: <https://publications.naturalengland.org.uk/publication/4924283725807616?category=6528471664689152>

²⁹ Natural England (2019) Arun Valley SAC Conservation Objectives Supplementary Advice. Available at: <https://publications.naturalengland.org.uk/publication/4924283725807616?category=6528471664689152>

Baseline Information	Detail
	<p>This document lists the following targets:</p> <ul style="list-style-type: none"> i. <i>"Maintain the abundance of the population at a level within the known core population areas at Pulborough Brooks.</i> ii. <i>Restore the population within Amberley Wild Brooks.</i> iii. <i>Maintain the distribution and continuity of the feature and its supporting habitat, including where applicable its component vegetation types and associated transitional vegetation types, across the site</i> iv. <i>Maintain the total extent of the habitats which support the feature</i> v. <i>Maintain a physical structure dominated by unshaded, gently-shelving ditch margins with low levels of accumulated in-channel silt</i> vi. <i>Maintain a well-vegetated channel, with native vegetation in at least 10% of ditches with a ratio of 50:50 emergent to floating/submerged</i> vii. <i>Maintain open, lightly grazed ditch channel margins</i> viii. <i>Maintain the properties of the underlying soil types, including structure, bulk density, total carbon, pH, soil nutrient status and fungal: bacterial ratio, within typical values for the supporting habitat</i> ix. <i>Ensure invasive non-native species which pose a threat to the feature are either absent or being contained at a level which does not significantly affect the feature</i> x. <i>Restore the feature's ability, and that of its supporting habitat, to adapt or evolve to wider environmental change, either within or external to the site</i> xi. <i>Maintain the management measures (either within and/or outside the site boundary as appropriate) which are necessary to Maintain the structure, functions and supporting processes associated with the feature and/or its supporting habitats</i> xii. <i>Restore a total phosphorus level <0.1 mg L-1</i> xiii. <i>Maintain water quantity to a standard which provides the necessary conditions to support the feature</i> xiv. <i>Maintain salinity at a level which would not significantly affect <i>Anisus</i> populations."</i>
Listed Threats	<p>The following are considered as threats to the integrity of Arun Valley SAC, listed in order of scale (high, medium, low) and with reference to the origin location of threat (inside, outside or both, where applicable).</p> <p>High</p> <ul style="list-style-type: none"> i. Human induced changes in hydraulic conditions (both) <p>Medium</p> <ul style="list-style-type: none"> i. n/a <p>Low</p> <ul style="list-style-type: none"> i. n/a

Table 3-12: Baseline Information for Arun Valley SPA

Baseline Information	Detail
Relationship between designated site and the proposed Development	<p>The Arun Valley SPA is located approximately 25.3 km south-west of the Proposed Development at the closest point.</p>
Designated site interest features ³⁰	<p>Arun Valley SPA has been designated for supporting the following qualifying features:</p> <p>Internationally important populations of the following Annex 1 bird species:</p> <ul style="list-style-type: none"> i. Bewick's swan <i>cygnus columbianus bewickii</i> (1.6% of the Great Britain population) <p>The site is also regularly used by over 20,000 waterfowl (27,241 peak mean from 1992 to 1997).</p> <p>The site also supports nationally important populations of several bird species, which are not considered to be qualifying features:</p> <ul style="list-style-type: none"> i. Wigeon <i>Anas penelope</i> ii. Teal <i>Anas crecca</i> iii. Pintail <i>Anas acuta</i> iv. Shoveler <i>Anas clypeata</i> v. Ruff <i>Philomachus pugnax</i> (Annex 1 species) <p>The following Annex 1 species also appear on the SPA, though their populations are not considered nationally important and they are not considered to be qualifying features:</p> <ul style="list-style-type: none"> i. Golden plover <i>Pluvialis apricaria</i> ii. Kingfisher <i>Alcedo atthis</i>
Conservation objectives of the designated site	<p><i>"Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:</i></p> <ul style="list-style-type: none"> i. <i>The extent and distribution of the habitats of the qualifying features</i> ii. <i>The structure and function of the habitats of the qualifying features</i> iii. <i>The supporting processes on which the habitats of the qualifying features rely</i> iv. <i>The population of each of the qualifying features, and,</i> v. <i>The distribution of the qualifying features within the site."</i>³¹ <p>In addition to the broad targets quoted above, further detail on the conservation objectives and actions for each interest feature is given in the Arun Valley SPA Conservation Objectives Supplementary Advice document³².</p> <p>This document lists the following targets:</p>

³⁰Natural England (2016) Arun Valley SPA Citation. Available at: <https://publications.naturalengland.org.uk/publication/4567444756627456>

³¹ Natural England (2016) Arun Valley SPA Conservation Objectives. Available at: <https://publications.naturalengland.org.uk/publication/4567444756627456?category=6528471664689152>

³² Natural England (2019) Arun Valley SPA Conservation Objectives Supplementary Advice. Available at: <https://publications.naturalengland.org.uk/publication/4567444756627456?category=6528471664689152>

Baseline Information	Detail
	<p>i. "Restore the size of the non-breeding population at a level which is at or above 115 individuals (calculated at a 5 year peak mean at time of notification), whilst avoiding deterioration from its current level as indicated by the latest mean peak count or equivalent of 33 (5 year peak mean from 2012/13-2016/17).</p> <p>ii. Maintain cover/abundance of preferred food plants (e.g. <i>Potamogeton</i>, <i>Ceratophyllum</i>, <i>Zannichellia</i>, <i>Myriophyllum</i>, <i>Chara spp.</i>).</p> <p>iii. Maintain the extent and distribution of suitable habitat (either within or outside the site boundary) which supports the feature for all necessary stages of the non-breeding/wintering period (moulting, roosting, loafing, feeding)</p> <p>iv. Maintain the safe passage of birds moving between roosting and feeding areas</p> <p>v. Maintain the availability of cereal grains, rape, potatoes and sugar beet, where these sources are locally important to feeding flocks</p> <p>vi. Maintain cover/abundance of preferred food plants (e.g. <i>Lolium perenne</i>, <i>Glyceria fluitans</i>, <i>Phleum pratense</i>, <i>Rorippa amphibia</i>, <i>Alopecurus geniculatus</i>).</p> <p>vii. Maintain the hydrology of a waterbody used as a feeding site such that water levels continue to fluctuate by 5-15% each month.</p> <p>viii. Maintain the availability of standing water of <1 m deep, over at least 50% of the total standing water area.</p> <p>ix. Where the supporting habitats of the SPA feature are dependent on surface water ensure water quality and quantity is restored to a standard which provides the necessary conditions to support the feature</p> <p>x. Total phosphorus <0.1 mg L⁻¹</p> <p>xi. Maintain and where necessary restore management or other measures (whether within and/or outside the site boundary as appropriate) necessary to maintain and restore the structure, function and/or the supporting processes associated with the feature and its supporting habitats.</p> <p>xii. Maintain hydrological processes to ensure water availability in feeding sites, with visible areas of standing shallow water</p> <p>xiii. Maintain the number of large waterbodies of optimal size (typically >10 ha).</p> <p>xiv. Restrict the frequency, duration and/or intensity of disturbance within close proximity of affecting roosting, foraging, feeding, moulting and/or loafing birds so that the feature is not significantly disturbed</p> <p>xv. Maintain open and unobstructed terrain within and around roosting and feeding areas, with no overall decrease in field sizes</p> <p>xvi. Maintain The extent and distribution of predominantly short (<10 cm) grassland swards in areas used for feeding</p> <p>xvii. Restore the overall abundance of the non-breeding assemblage to a level which is above 27,241 individual waterfowl (based on a 5 year peak mean around time of notification - 1992/93 to 1996/97), whilst avoiding deterioration from its current level as indicated by the latest 5 year peak mean count or equivalent.</p> <p>xviii. Maintain the species diversity of the bird assemblage.</p> <p>xix. Maintain the extent and distribution of habitats which support the assemblage feature during all necessary stages (moulting, roosting, loafing, and feeding) of the non-breeding period of the full open water and land within SSSI/SPA areas of 530.42ha.</p> <p>xx. Where the supporting habitats of the SPA feature are dependent on surface water ensure water quality and quantity is maintained to a standard which provides the necessary conditions to support the feature</p> <p>xxi. Maintain and where necessary restore management or other measures (whether within and/or outside the site boundary as appropriate) necessary to maintain or the structure, function and/or the supporting processes associated with the feature and its supporting habitats.</p>

Baseline Information	Detail
	<p>xxii. <i>Restrict the frequency, duration and/or intensity of disturbance affecting moulting, loafing, feeding and/or roosting birds so that the assemblage feature is not significantly disturbed</i></p> <p>xxiii. <i>Maintain structure, function and availability of the following habitats which support the main component species of the assemblage feature for all stages (moulting, roosting, loafing, feeding) of the non-breeding period.</i></p> <p>The South Downs Local Plan states that development proposals within 5 km of the Arun Valley SPA on greenfield sites need to undertake an appraisal as to whether the land holds suitability for Bewick's swan. If found suitable, surveys would be undertaken to determine the site's importance for this species and appropriate alternative habitat may be required before development can proceed. The Proposed Development does not fall within 5 km of the Arun Valley SPA and so no appraisal or surveys are appropriate.</p>
Listed Threats	<p>The following are considered as threats to the integrity of Arun Valley SPA, listed in order of scale (high, medium, low) and with reference to the origin location of threat (inside, outside or both, where applicable).</p> <p>High</p> <p>i. Human induced changes in hydraulic conditions (both)</p> <p>Medium</p> <p>i. n/a</p> <p>Low</p> <p>i. n/a</p>

Table 3-13: Baseline Information for Arun Valley Ramsar Site

Baseline Information	Detail
Relationship between Designated Site and Site	<p>The Arun Valley Ramsar site is located approximately 25.3 km south-west of the Proposed Development at the closest point.</p>
Designated site interest features ³³	<p>The site is designated under Ramsar criteria 2, 3 and 5.</p> <p>Ramsar Criterion 2 – <i>"The site holds seven wetland invertebrate species listed in the British Red Data Book as threatened. One of these, <i>Pseudamnicola confusa</i>, is considered to be endangered. The site also supports four nationally rare and four nationally scarce plant species."</i></p> <p>Ramsar Criterion 3 – <i>"In addition to the Red Data Book invertebrate and plant species, the ditches intersecting the site have a particularly diverse and rich flora. All five British <i>Lemna</i> species, all five <i>Rorippa</i> species, and all three British milfoils (<i>Myriophyllum</i> species), all but one of the seven British water dropworts (<i>Oenanthe</i> species), and two-thirds of the British pondweeds (<i>Potamogeton</i> species) can be found on site."</i></p> <p>Ramsar Criterion 5 – <i>"Internationally important waterfowl assemblage (greater than 20,000 birds)."</i></p>

³³ Ramsar Sites Information Service (1999) Arun Valley Ramsar Information Sheet. Available at: <https://rsis.ramsar.org/RISapp/files/RISrep/GB1011RIS.pdf>

Baseline Information	Detail
Site vulnerability and management statement summary	<p>The site vulnerability and management statement within the Ramsar site information sheet is summarised below:</p> <ul style="list-style-type: none"> i. Sympathetic management of wet grassland and grazing marsh habitats is essential for achieving favourable condition ii. Summer grazing, ditch management and control of fertiliser usage within the valley are essential management measures iii. The hydrology of the area is also vital, and changes to the hydrology (including water abstraction from the Greensand aquifer) has led to the drying out of the site iv. Agricultural changes must be carefully managed

Table 3-14: Screening of Likely Significant Effects for Arun Valley SAC, SPA and Ramsar Site

Key Issues and Relevant Threats	Justification
Water quantity and quality	<p>Natural England raised concerns in their 21 May 2020 correspondence (see Appendix 2) regarding water usage resulting from the creation of new homes as part of the Proposed Development, and the additional strain this could place on the groundwater abstraction at Hardham and as such the Arun Valley SAC, SPA and Ramsar site. This is also outlined in a Natural England position statement on water abstractions within the Sussex North Water Supply Zone³⁴. A Water Neutrality Statement (WNS, ref: WOI-HPA-DCO-WNS-01) has been prepared by WSP in support of the Proposed Development and in response to the concerns of Natural England. In order to inform the WNS, WSP produced a Groundwater Initial Feasibility and Hydrogeological Risk Assessment for the Proposed Development, which is included as Appendix B in the May 2024 West of Ifield EIA Scoping Opinion Request Report.</p> <p>As the WNS and Groundwater Initial Feasibility and Hydrogeological Risk Assessment documents are concerned with measures to reduce or avoid adverse effects identified by the Natural England position statement on water abstraction they cannot be considered at the HRA Screening stage and so information on them is contained in the HRA Appropriate Assessment report submitted with the hybrid planning application (ref: WOI-HPA-DOC-HRA2-01). The Stage 2 assessment undertaken by WSP has been updated with the knowledge of data which has been collected from further drilling, installation and testing of production boreholes, the outcome of which is presented in the WSP report to inform Appropriate Assessment (ref: WOI-HPA-DOC-HRA2-01).</p>

Table 3-15: Conclusions for Arun Valley SAC, SPA and Ramsar Site

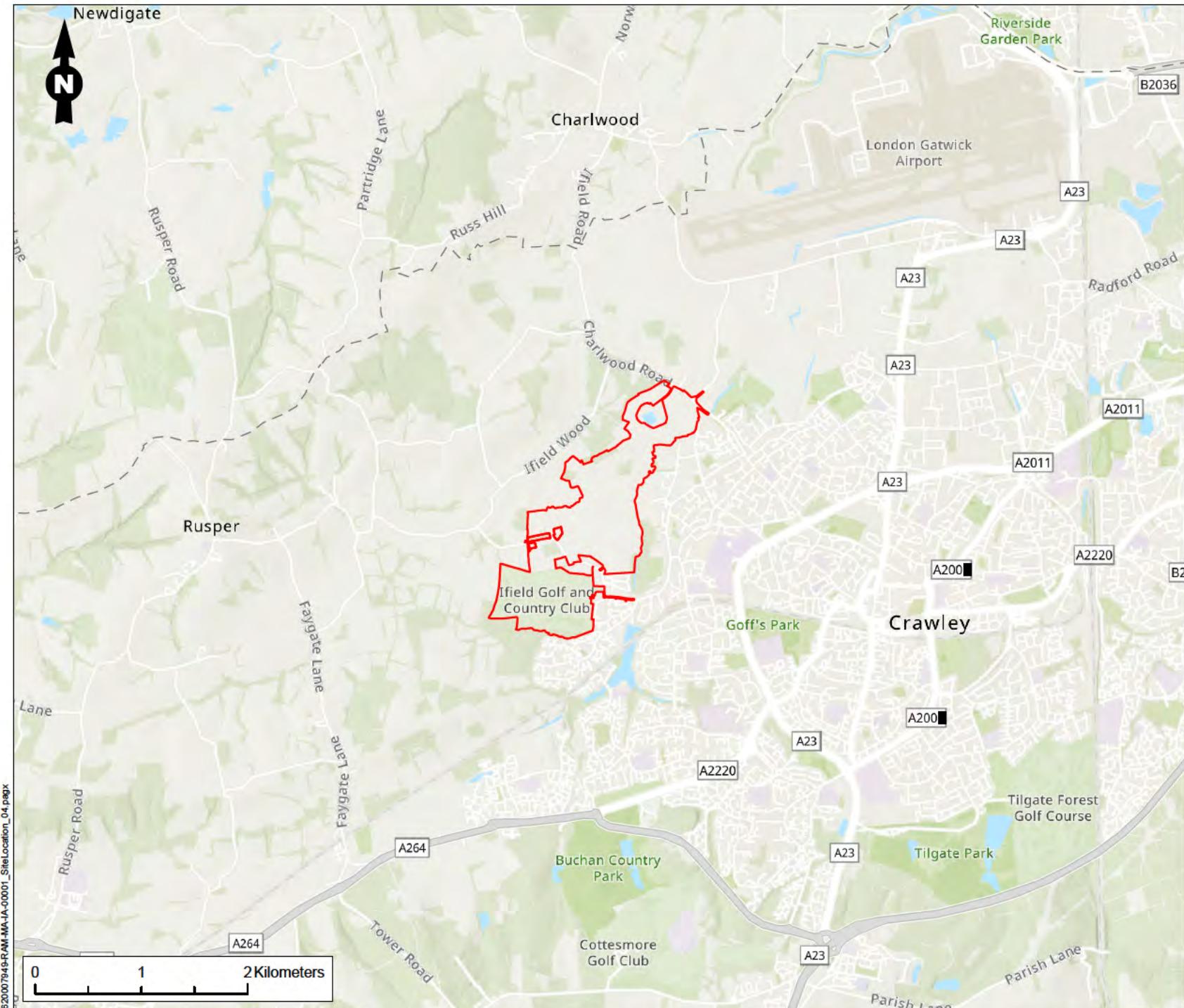
Conclusion – is the Potential Scale or Magnitude of any Effect Likely to be Significant?	
Alone	A likely significant effect on the Arun Valley SAC, SPA and Ramsar sites cannot be ruled out due to risks surrounding water neutrality during the completed development stage of the Proposed Development.
In combination with other projects	All developments within the Sussex North Water Supply Zone are subject to the Natural England groundwater abstraction restrictions, therefore, provided that other developments in the area follow sufficient water neutrality strategies, no in-combination effects are anticipated.
In the absence of mitigation, are the proposals likely to have a significant effect on the National Site Network or Ramsar site?	
Yes – an Appropriate Assessment is required.	

³⁴ Natural England (2021) *Natural England's Position Statement for Applications within the Sussex North Water Supply Zone*. Available at: https://www.southdowns.gov.uk/wp-content/uploads/2021/10/NE_Position_statement_Water_Neutrality_Sept.21-Final.pdf

4 CONCLUSIONS

- 4.1.1 This report has been prepared to provide information to the competent authority regarding the potential for the Proposed Development to have likely significant effects on designated sites, in accordance with the HRA process required under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.
- 4.1.2 The effects of the Proposed Development have been discussed using available information and professional judgement.
- 4.1.3 Significant adverse effects on the Mole Gap to Reigate Escarpment SAC, The Mens SAC and Ebernoe Common SAC and their qualifying features as a result of the Proposed Development are not considered likely either alone or in combination with other schemes, due to their distance from the Site. Therefore, additional assessment or mitigation for these designated sites is not required, and there is no requirement for an Appropriate Assessment for these three designated sites.
- 4.1.4 Likely significant effects at Arun Valley SAC, SPA and Ramsar site cannot be ruled out at the Screening assessment stage and should be carried forward to the Appropriate Assessment stage.
- 4.1.5 A report to inform an Appropriate Assessment considering the likely significant effects on Arun Valley SAC, SPA and Ramsar site has been prepared by WSP (ref: WOI-HPA-DCO-HRA2-01). This has been presented in a separate report, and accompanies the hybrid planning application.

APPENDIX 1
FIGURES



Legend

Site Boundary

Figure Title
Site Location

Project Name
West of Ifield

Project No.
1620007949-003

Date	May 2025	Figure No.	1	Revision	2.0
------	----------	------------	---	----------	-----

Prepared By	MB	Scale	1:50,000 @A4
-------------	----	-------	--------------

Client
Homes England

RAMBOLL

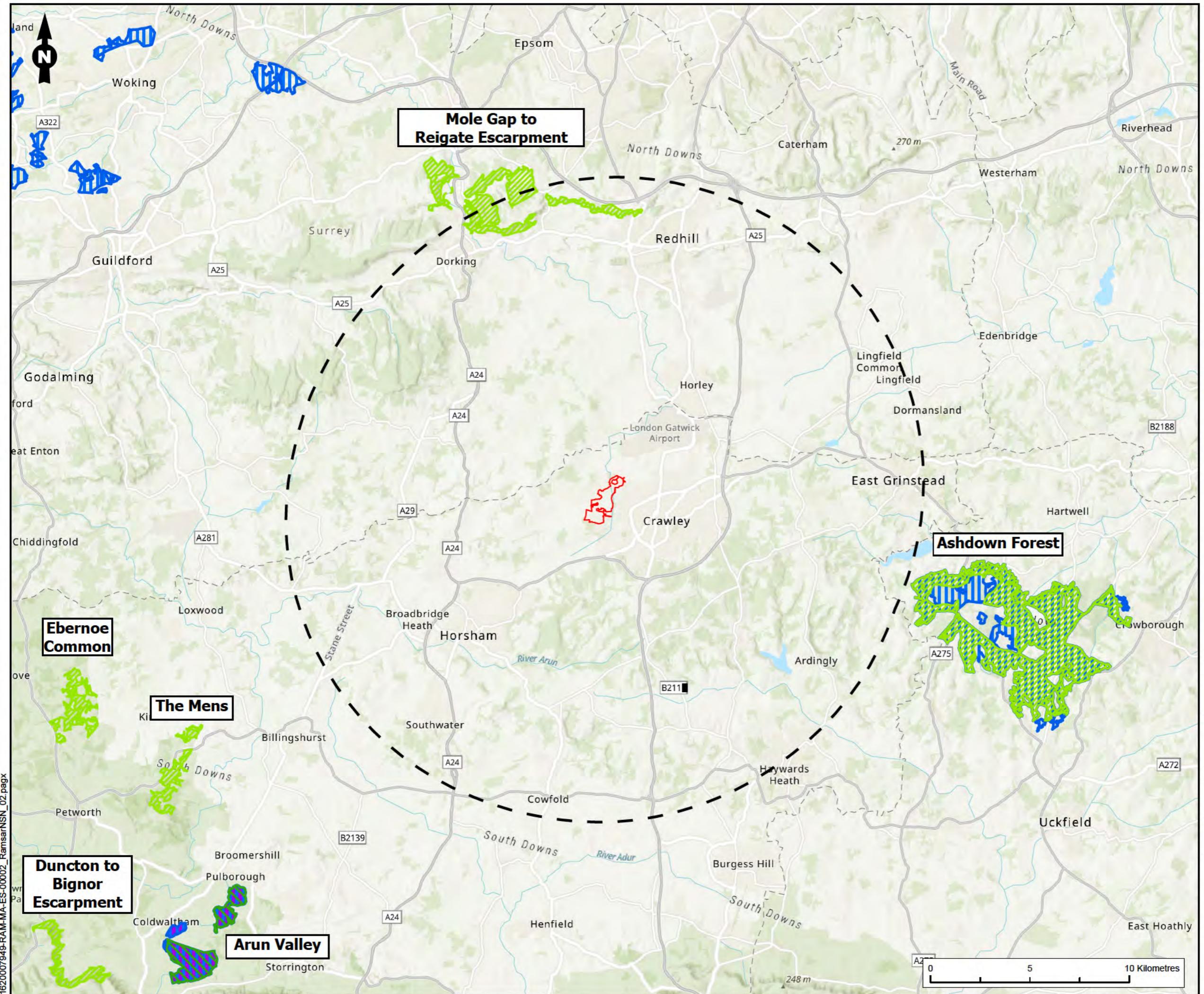
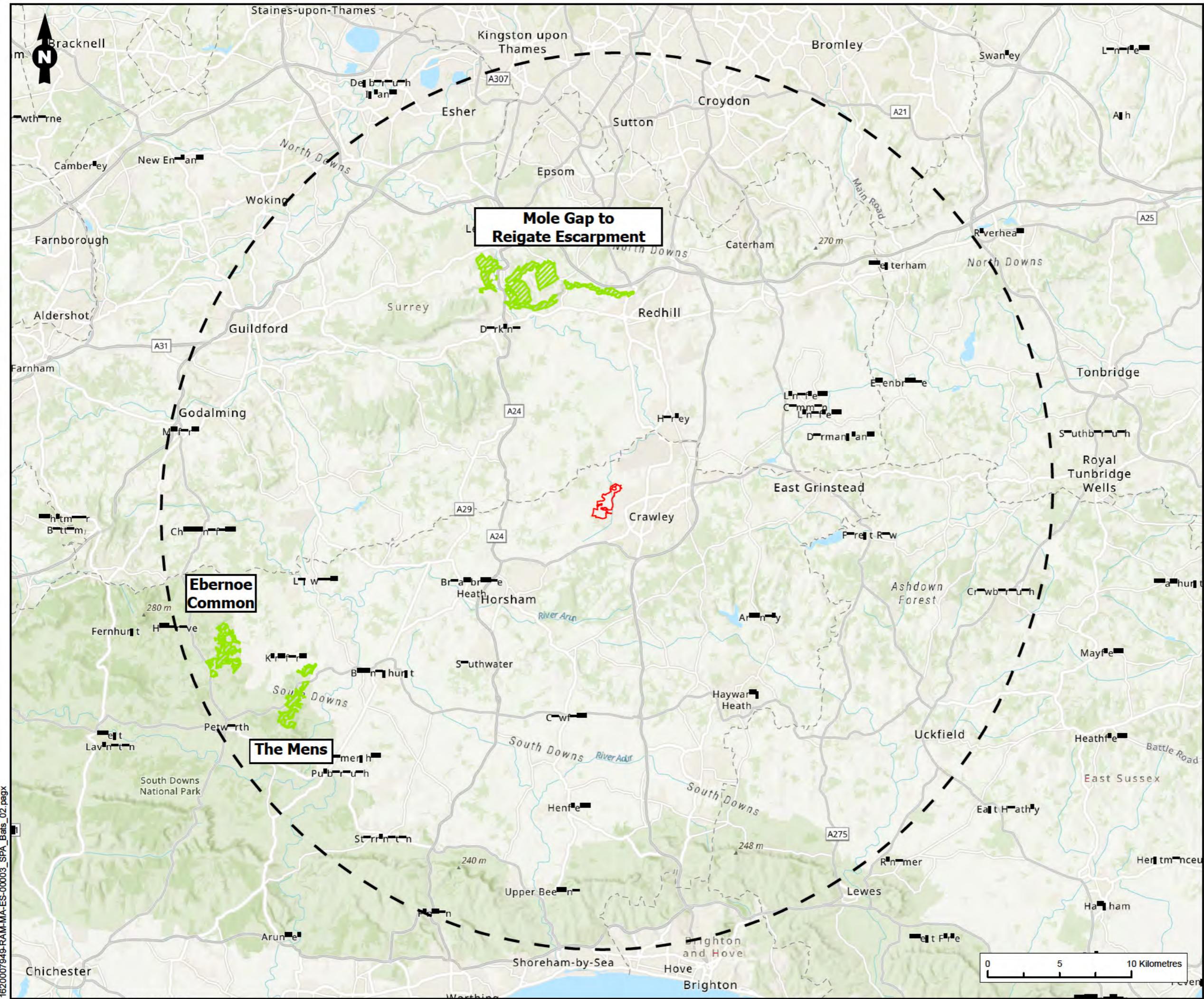


Figure Title		
National Site Network and Ramsar Sites		
Project Name		
West of Ifield		
Project No.	Figure No.	Revision
1620007949-003	2	2.0
Date	May 2025	
Prepared By	MB	Scale
1:180,000 @A3		
Client		
Homes England		
RAMBOLL		



Legend		
	Site Boundary	
	30 Km Study Area	
Special Area of Conservation		
	Candidate	
	Designated	
	RAMSAR	
Figure Title		
Special Areas of Conservation with Bats as a Qualifying Feature		
Project Name		
West of Ifield		
Project No.		
1620007949-003		
Date	May 2025	Figure No.
	3	Revision
Prepared By	MB	Scale
	1:250,000 @A3	
Client	Homes England	
		

APPENDIX 2
NATURAL ENGLAND CORRESPONDENCE



BY EMAIL ONLY

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

0300 060 3900

Dear Matthew

Discretionary Advice Service (Charged Advice)

Land West of Ifield - 307262

Development proposal and location:

Thank you for your consultation on the above dated 27 April 2020, which was received on the same day.

This advice is being provided as part of Natural England's Discretionary Advice Service. Mat Royal of UK Environ LTD has asked Natural England to provide advice upon:

- HRA Screening Technical Note
- District Level Licensing
- Ancient woodland buffers

This advice is provided in accordance with the Quotation and Agreement dated 30 April 2020.

The following advice is based upon the information within

1. The HRA Screening Technical Note
2. Email from Matthew Royal to Rebecca Pearson of 27 April 2020

Land West of Ifield Screening Methodology Technical Note

I note the comments of the Technical Note and have the following comments which I advise will be key considerations for investigating all potential impact pathways to International Wildlife Sites through the Land West of Ifield development.

Hydrological and Hydrogeological effects-Water Resources

I note that the information provided with respect to impacts to International wildlife Sites is a distance-based criteria and wish to advise that with respect to hydrological impact pathways the distance criteria should not be used in order to screen out potential impacts. Emerging evidence is indicating the deleterious effect that developments within Horsham District are having on features within the Arun Valley SPA, SAC and Ramsar sites. Developments coming forward will therefore need to ensure these impact pathways are screened in to HRA's. This is further explained below.

Water Quantity

Natural England has reviewed data regarding the abstraction license at Hardham with the EA and the Water Company. Our role is to provide advice on potential impacts of abstraction operations on statutory wildlife sites.

A summary of our advice is as follows:

Water Resources-Arun Valley SPA, SAC and Ramsar Site

In December 2019 Natural England wrote to Southern Water services to state that based on a recent evidence review of the Hardham groundwater abstraction, an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar features could not be excluded with certainty. This abstraction is a significant contributor during certain supply conditions to Southern Water's Sussex North supply area. This area supplies Horsham and has clear implications for plans and projects in this area. The Environment Agency and Natural England are working with Southern Water to try to identify a long term more sustainable water supply. In the meantime, whilst the adverse effect remains or is uncertain, development in Horsham must be certain not to add to this adverse effect. I therefore advise that water quantity is screened in for appropriate assessment in the HRA. I advise that you consult studies such as the Gatwick Sub Regional water cycle study regarding this issue. For example the study cites the requirement to demonstrate water neutrality in order for sufficient water to be available to the district.

With regard to the above I advise that in order to meet the requirements of the Habitats Regulations your project will need to provide evidence of water usage. Of further note is that Horsham District is within the Gatwick sub-region WCS –This strategy has concluded that water use within the distinct will need to demonstrate neutrality in order for sufficient water to be available to the district.

Water Quality

Natural England is currently assessing the potential effects of reduced water quality on Arun Valley SAC SAC/SPA and Ramsar. This is mainly via Waste Water Treatment Works.

The condition of the SSSIs that underpin the European sites in the Arun Valley is being reviewed. At a site level these condition assessments indicate the sites' contribution to the European site conservation status which is assessed nationally. As one of only four European sites for the SAC species *Anisus vorticulus*, the condition of the SSSIs that underpin the Arun Valley SAC is of particular importance. The supplementary advice for the European sites has water quality attributes and the condition assessment will assess whether these are currently met. A *prima facie* assessment of the condition data for the abstraction assessment described above, indicates that the condition of the sites is out-of-date and may fail the water quality targets when reassessed. Condition cannot be changed until an assessment compliant with the national guidance (common standards monitoring guidance, CSMG and favourable condition tables) is completed. If Natural England determines the site is at unfavourable condition and therefore contributing to unfavourable conservation status, as Natural England's *prima facie* view suggests it may be, then the development in Horsham must not add to unfavourable condition or hinder the ability to restore the sites' condition.

In summary should our assessment confirm that this site is failing its water quality objectives this will require Plans and Projects to be assessed in line with the Dutch Nitrogen ECJ (see below). With respect to your project this means that any development coming forward that uses WwTW which outfalls into the catchment of the river Arun, must provide robust mitigation including strategic solutions such as nutrient neutrality, to ensure the proposed growth has the potential to meet the legislative tests.

Natural England recommends evidence is required in order for your authority to undertake an HRA of development's contribution to the river water quality changes in the designated sites. Mitigation for water quality impacts would be required to demonstrate that proposed growth has the potential to meet the legislative tests.

We have yet to conclude this assessment and are therefore providing this information at this time in order to inform you of our work in this area.

Should subsequent evidence confirm that the International site is failing water quality objectives we will of course work closely with you on this matter.

Dutch Nitrogen Case

Caselaw¹ has tightened the interpretation of the application of these tests, in particular in relation to the certainty required to avoid adverse effects and issuing of permissions to European sites which already have existing adverse effects. This has particularly significant implications for assessments of plans or projects that can add to atmospheric pollution, water resource pressures or water quality impacts.

Traffic and Air Quality Impacts

We note and concur that air quality impacts considered in though the screening exercise.

Bats

We note that impacts to SACs designated for bats within the wider search radius will be considered in the screening exercise. This should include impacts of habitat loss and fragmentation (i.e. any impacts to functionally linked habitats outside of the SACs)

Natural England has produced a protocol for the Sussex Bat SACs which has been included in the South Downs National Park's Local Plan. The protocol is designed to guide development within a core conservation area of 6.5km and wider conservation area of 12km from the SACs. This includes much of Horsham District.

District Level Licensing (DLL)

I am checking with licensing colleagues regarding this matter and will respond in due course

Buffers to Ancient Woodland

Thank you for your question regarding buffers to ancient woodland. Ancient woodland is a habitat of exceptional importance. It is an irreplaceable habitat which, once lost cannot be re-created. I advise that you also consider whether the project will impact on any veteran trees, which are afforded policy protection through the NPPF. The value of irreplaceable habitats is reflected in the robust policy protection that they have been afforded through the NPPF. I advise that you consider any impacts on ancient woodland and ancient or veteran trees in line with paragraph 175 of the NPPF which states:

175 c) “development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused unless there are wholly exceptional reasons (footnote 58) and a suitable compensation strategy exists”.

I advise that this requires both direct protection of the habitat itself and the prevention of its deterioration. This means any indirect affects need to be carefully considered which include for example;

- Fragmentation and severance of interlinking habitats around the woodland,
- Changes in the existing hydrological regime (hydrological pathways water quality and quantity),
- Air quality,
- Recreational impacts (access to, disturbance and trampling of woodland)
- Lighting

I advise that the 15m buffer within the standing advice refers to a buffer of *at least* 15m and any project must consider indirect impact pathways when providing suitable buffers. Of key importance is maintaining the resilience of these habitats through assessing their functionality and that of any adjoining habitats, and ensuring that these are maintained through environmental masterplanning from the outset. I welcome your proposal to ensure these buffers are as wide as possible and I also

¹Case C-323/17 People over wind and Sweetman. Ruling of CJEU [Coöperative Mobilisation case](#) (often referred to as the Dutch Nitrogen cases).

advise that both distance and the impact of the development surrounding the buffer will be of key importance. For example, does a road sever hedgerows linking the woodland? If so, how can this be avoided? Therefore I again advise that environmental masterplanning will be key and should also include the provision of green infrastructure, avoiding key habitats, maintaining connectivity and providing biodiversity net gain. I will of course be happy to advise further on this matter.

The advice provided within the Discretionary Advice Service is the professional advice of the Natural England adviser named below. It is the best advice that can be given based on the information provided so far. Its quality and detail is dependent upon the quality and depth of the information which has been provided. It does not constitute a statutory response or decision, which will be made by Natural England acting corporately in its role as statutory consultee to the competent authority after an application has been submitted. The advice given is therefore not binding in any way and is provided without prejudice to the consideration of any statutory consultation response or decision which may be made by Natural England in due course. The final judgement on any proposals by Natural England is reserved until an application is made and will be made on the information then available, including any modifications to the proposal made after receipt of discretionary advice. All pre-application advice is subject to review and revision in the light of changes in relevant considerations, including changes in relation to the facts, scientific knowledge/evidence, policy, guidance or law. Natural England will not accept any liability for the accuracy, adequacy or completeness of, nor will any express or implied warranty be given for, the advice. This exclusion does not extend to any fraudulent misrepresentation made by or on behalf of Natural England.

Yours sincerely

[REDACTED]
Senior Adviser
Natural England
Sussex and Kent Team

Cc commercialservices@naturalengland.org.uk

Annex 1

European Protected Species

A licence is required in order to carry out any works that involve certain activities such as capturing the animals, disturbance, or damaging or destroying their resting or breeding places. Note that damage or destruction of a breeding site or resting place is an absolute offence and unless the offences can be avoided (e.g. by timing the works appropriately), it should be licensed. In the first instance it is for the developer to decide whether a species licence will be needed. The developer may need to engage specialist advice in making this decision. A licence may be needed to carry out mitigation work as well as for impacts directly connected with a development. Further information can be found in Natural England's '[How to get a licence](#)' publication.

If the application requires planning permission, it is for the local planning authority to consider whether the permission would offend against Article 12(1) of the Habitats Directive, and if so, whether the application would be likely to receive a licence. This should be based on the advice Natural England provides at formal consultation on the likely impacts on favourable conservation status and Natural England's [guidance](#) on how the three tests (no alternative solutions, imperative reasons of overriding public interest and maintenance of favourable conservation status) are applied when considering licence applications.

Natural England's pre-submission Screening Service can screen application drafts prior to formal submission, whether or not the relevant planning permission is already in place. Screening will help applicants by making an assessment of whether the draft application is likely to meet licensing requirements, and, if necessary, provide specific guidance on how to address any shortfalls. The advice should help developers and ecological consultants to better manage the risks or costs they may face in having to wait until the formal submission stage after planning permission is secured, or in responding to requests for further information following an initial formal application.

The service will be available for new applications, resubmissions or modifications – depending on customer requirements. More information can be found on [Natural England's website](#).

The Housing and Regeneration Agency

HABITATS REGULATIONS SCREENING ASSESSMENT

enquiries@homesengland.gov.uk
0300 1234 500
gov.uk/homes-england