Horsham District Council
Habitats Regulations Assessment (HRA) Screening Matrix and Appropriate Assessment

PLEASE NOTE: This screening relates only for potential impacts from water resources on the Arun Valley SAC/ SPA/Ramsar sites and does not consider impacts on any other designated habitat sites. A separate HRA screening will be required for development affecting other SPAs, SACs, or Ramsar sites.

It is the responsibility of the Competent Authority (in this case Horsham District Council) to prepare a HRA report and it is the responsibility of the applicant to provide information to support this process.

This HRA Appropriate Assessment template is for use where a planning application will result in additional demand for mains water being created in the Sussex North Water Supply Zone that is predicted to adversely impact the Arun Valley SAC/ SPA/Ramsar sites.

The purpose of this HRA screening record is to assess the need for appropriate assessment in relation to the project detailed below.

The Conservation of Habitats and Species Regulations 2017 (as amended) requires that a Habitats Regulations Assessment screening is carried out in relation to any plan or project which is likely to have a significant effect on Habitats (European) sites, either alone or in combination with other plans or projects. Habitats sites are Special Protection Areas and Special Areas of Conservation. Ramsar sites should also be given the same level of protection, as stated within the National Planning Policy Framework.

In line with the Court judgement (CJEU *People Over Wind v Coillte Teoranta* C-323/17), mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a development is likely to result in significant effects on a Habitats site.

Where an Appropriate Assessment is carried out a project may only be authorised after having ascertained that it will not adversely affect the integrity of the site(s) concerned.

Table 1: HRA Screening matrix for water neutrality

Stage 1 HRA screening	
Brief description of the development project	**Planning Application:** DC/25/1955 **Location:** Deer Fields Park , Emms Lane, Brooks Green, Horsham, RH13 0TR **Development Description:** Variation of Condition 1 and Removal of Condition 5 of previously approved application DC/23/1235 (Change of use of the land from agricultural to the use as a holiday caravan park for forty-seven static caravans for holiday use from 1st February to 5th January) relating to water neutrality. **Type of Application:** Ful (minor)

Details of the development project	**Proximity to Arun Valley SAC / SPA / Ramsar**: A) Is the application site within the Sussex North Water Supply Zone (WSZ)? **Yes** B) Is the Arun Valley SAC / SPA / Ramsar potentially impacted by the planning application? **Yes, there is credible evidence of a real risk that the proposal will, without mitigation measures, result in an increase in water demand.** C) Is the planning application directly connected with or necessary to the management of the Arun Valley SAC/SPA/Ramsar site? **No**
Brief description of the Habitats sites within scope of this assessment	The Arun Valley SAC, SPA and Ramsar site support rare and diverse plant, invertebrate and bird assemblages as qualifying features. It consists of low-lying grazing marsh, largely on alluvial soils, but with an area of peat derived from a relict raised bog. Variation in soils and water supply lead to a wide range of ecological conditions and hence a rich flora and fauna. Further details are provided in Appendix 1.
Key vulnerabilities / factors affecting site integrity	For applications where increased demand for water resources is the only pathway for impacts, Natural England's substantive advice (Position Statement Interim Approach, September 2021) is that such applications - without mitigation - will result in a likely significant effect on the Arun Valley SAC/SPA/Ramsar site either alone or in combination with other developments in the Sussex North WSZ. The Position Statement states that as it cannot be concluded that the existing abstraction within Sussex North Water Supply Zone is not having an impact on the Arun Valley sites, developments within this zone must not add to this impact. Therefore, such applications, even where mitigation is proposed, must progress to Appropriate Assessment (AA). Natural England's Position Statement (September 2021) is that the Sussex North Water Supply Zone includes supplies from a groundwater abstraction which cannot, with certainty, conclude no adverse effect on the integrity of: • Arun Valley Special Area Conservation (SAC) • Arun Valley Special Protection Area (SPA) • Arun Valley Ramsar Site On 31st October 2025, Natural England formally withdrew the Position Statement of September 2021, referring to a package of measures that have been agreed between Natural England, the Environment Agency, and Southern Water to ensure that adverse impacts on the Arun Valley SAC/SPA/Ramsar site, either alone or in combination with other developments in the Sussex North WSZ, will no longer occur. The measures are: 1. A voluntary reduction by Southern Water to their Hardham abstraction licence from 16.44Ml/day to 13 Ml/day (average) and 30 Ml/day to 27 Ml/day (peak). 2. On-site water level (sluice gate) management by the RSPB as site owners. 3. Ongoing monitoring of site features by Southern Water. 4. A package of on-site ecological resilience measures, such as re-profiling of existing ditches and invasive species management.

	Whilst this package of measures has been agreed between the above authorities Horsham District Council, as competent authority under the Habitats Regulations, must also be satisfied that the agreed mitigation package is sufficiently secured and will be effective in practice. At the time of writing this Appropriate Assessment, Horsham District Council has not had sight of the full details of the mitigation package, including when, how and by whom all of the mitigation will be delivered, whilst the Hardham abstraction licence has not yet been formally amended (Nb the Natural England statement of 31st October refers to this taking place 'by March 2026'. Until such time that these full details have been provided to the satisfaction of Horsham District Council, and the licence change has been formalised, the Council, as competent authority for the approval of individual plans and projects, is unable to ascertain with sufficient certainty that the issues identified within the September 2021 Position Statement have been resolved.
HRA Screening Assessment Criteria	
The individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on the Arun Valley SAC, SPA and Ramsar site	Based on the threat from water demand identified by Natural England's September 2021 Position Statement, all development proposals need assessment for hydrological changes to the Arun Valley SAC/ SPA/ Ramsar site. For applications, does the evidence show any likely significant effect on Arun Valley SAC/SPA/Ramsar site, without mitigation measures (either alone or in-combination with other plans or projects)? **YES** Test 1 the significance test below has been completed as the evidence shows a likely significant effect on Arun Valley SAC/SPA/Ramsar site, without mitigation measures (in-combination with other plans or projects).
Test 1 the significance test: – Can a judgement be made as to whether there could be any potential significant impacts of the development on the integrity of the Arun Valley SPA/ SAC/Ramsar.	Following the CJEU ruling People over Wind, it is no longer lawful to take into account any avoidance and mitigation measures as part of the application at this stage of HRA. For applications where increased demand for water resources is the only mechanism of impact, Natural England's advice in its September 2021 Position Statement is that such applications - **without mitigation** - will have a likely significant effect on the Arun Valley SAC/SPA/Ramsar site in combination with other developments in the Sussex North WSZ. Therefore, such applications, even where mitigation measures (minimise water use and water offsetting) are proposed, will progress directly to Stage 2 Appropriate Assessment to consider, with mitigation, the impacts of the development on mains water usage on the above designated sites, either alone or in combination with other plans and projects. **Explanation: All development likely to increase the demand for mains water usage, is predicted to result an identifiable impact on the Arun Valley SAC/SPA/Ramsar sites.** After mitigation has been embedded into the project design, Test 2 – the integrity test then needs to be applied.

Stage 2 Appropriate Assessment	
The above Stage 1 HRA screening has determined that a Likely Significant Effect is predicted at Arun Valley SAC/SPA/Ramsar site as a result of impacts on water quantity. This pathway has been screened in, and the potential for adverse effects on site integrity, either alone or in-combination will be assessed. Therefore, this section of the report to inform HRA Stage 2 only discusses the potential for impacts on water quantity as a result of development in Horsham District.	
Potential for Adverse Effects On the Integrity (AEOI) of a Habitats site from the development alone or in combination.	Supplementary advice on conserving and restoring site features for Arun Valley SAC/SPA sets a number of targets for the site under the supporting the Conservation Objectives in order that the integrity of the sites is maintained or restored as appropriate, and ensure that the sites contribute to achieving the Favourable Conservation Status of the Qualifying Features. The targets cover hydrology and flow, water quantity, area depth and water quality. The hydrology of the river Arun is the major factor affecting these targets and this is turn is affected by the abstraction at Hardham for the supply of drinking water. Continued or increased levels of groundwater abstraction at Hardham reduces water quantity in the Arun Valley sites and adversely affects water levels and flow within the sites (in combination with other plans and projects in the Sussex North WRZ). Without an alternative sustainable water supply or mitigation measures, the hydrology of the sites will be unable to maintain the types and extents of habitats requited to maintain the Qualifying Features.
Details of Water usage for the development	The proposed development relates to land to the north of Hilltop Country Park, Emms Lane, Brooks Green, Horsham, and comprises the change of use of agricultural land to form an extension to an existing holiday caravan park for the stationing of 47 static caravans for holiday use. The site is located within the Sussex North Water Supply Zone, where water abstraction has the potential to affect the Arun Valley Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar sites. A Water Neutrality Statement prepared by Water Design Engineers (reference ENV22004, Document Revision 03, dated October 2023) was approved in connection with planning permission DC/23/1235. Chapter 5 of the approved statement confirms that the development is based on 47 two-bedroom static caravans. The Water Neutrality Statement assumes an average occupancy rate of 1.88 occupants per caravan, resulting in a theoretical maximum population of 88.36 persons across the site. The caravan park is restricted to holiday use and is open for 11 months of the year (335 days), in accordance with the approved occupancy conditions. Taking this seasonal restriction into account, the annualised population equivalent is calculated as 81 persons. The assessment further applies an average occupancy rate of 70%, based on evidence provided by Avison Young (Appendix E of the Water Neutrality Statement). This results in an average daily occupancy of 56.70 persons across the site.

	Based on a standard water consumption allowance of 110 litres per person per day, the development would generate a baseline water demand of 6,237 litres per day. However, the approved Water Neutrality Statement confirms that through the implementation of water efficiency measures compliant with Part G2 (a or b) of Schedule 1 and Regulations 36 of the Building Regulations 2010 (as amended), internal water consumption would be reduced. The installation of specified water-saving fittings and appliances enables the development to achieve a reduced water consumption rate of 103.14 litres per person per day, as detailed within Appendix C of the approved Water Neutrality Statement. Applying this figure to the calculated average occupancy of 56.70 persons results in a total daily water demand of 5,848.04 litres per day. The approved Water Neutrality Statement concludes that, subject to the secured efficiency measures and associated offsetting strategy, the development would operate in a manner that does not result in an increase in water abstraction from the Sussex North Water Supply Zone.. To ensure this level of water consumption is achieved in practice, a planning condition is imposed requiring all dwellings to meet the optional Building Regulations Part G water efficiency standard. Compliance with this standard will be secured through the installation of water-efficient fixtures and fittings, such as low-flush WCs, flow-restricted taps and showers, and water-efficient appliances, and will be verified through the Building Control process. The condition further requires these measures to be retained thereafter. Natural England's standing advice dated 10 November 2025 confirms that the significant water savings achieved by Southern Water during the 2024/25 period, principally through leakage reduction, may be relied upon to support new development without increasing abstraction beyond the established baseline. These savings amount to approximately 3,240,000 litres per day and provide sufficient capacity to accommodate development permitted since 31 October 2025. Officers have considered the water demand arising from this development in combination with other development granted since that date and are satisfied that the cumulative increase in mains water consumption would not exceed the available water savings. The scale of water demand arising from this proposal is modest and would represent a negligible proportion of the available headroom. On this basis, it is concluded that the development, subject to the imposed water efficiency condition, would not result in an adverse effect on the integrity of the Arun Valley SAC, SPA or Ramsar site, either alone or in combination with other plans or projects. The competent authority is therefore satisfied that the requirements of Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017 (as amended) are met, and that the proposal complies with Policy 31 of the Horsham District Planning Framework (2015) and paragraph 193 of the National Planning Policy Framework (2024).

Proposed mitigation for the project to secure the mitigation as a condition of any consent e.g. alternative sustainable water supply, minimising water use in new development. Water offsetting for residual demand in existing buildings in the Sussex North WRZ. See Position Statement issued by Natural England (September 2021)	**Summary of mitigation package** Prior to Natural England withdrawing their September 2021 Position Statement, the affected local authorities within the Sussex North Water Supply Zone had been jointly producing a water offsetting scheme - the Sussex North Water Certification Scheme ("SNWCS"). The purpose of SNWCS was to utilise demand capacity generated by Southern Water efficiency savings, allied with other water saving projects identified by SNWCS, which applicants could then purchase to offset their water demand. The SNWCS was scheduled to launch in October 2025, however it has now been paused following Natural England withdrawing their September 2021 Position Statement. SNWCS was designed to launch using mains water 'capacity' generated by Southern Water from improved leakage reduction, plus household and non-household demand reduction, during 2024/25. This capacity was some 3.24 megalitres per day (3,240,000 litres per day), sufficient to ensure mains water to some 7,066 new homes (assuming construction at 110 litres per person per day with an occupancy rate of 2.5 and an allowance of 40% for non-household usage) could be provided without increasing water abstraction in the Arun Valley. 7,066 homes represents approximately 3.5 years housing supply in the wider WSZ. Irrespective of the package of mitigation agreed between Natural England, the Environment Agency, and Southern Water, this additional 'capacity' remains. Consequently, until such time that Horsham District Council agrees that the mitigation package will resolve the issues identified in the Arun Valley, it is proposed that this additional 'capacity' is used to enable all development granted from 1st November 2025 to come forward free of water neutrality restrictions. For the avoidance of doubt, this would include all retrospective development and all development previously granted subject to bespoke water mitigation measures, but where the applicant now wishes to remove those measures. At the time of writing, applications for some 2,087 homes and 53,891 m2 floorspace with a total mains water consumption of circa 578,204 litres per person per day have been granted planning permission since the 1st November 2025 (the day after Natural England withdrew its 2021 Position Statement). As such, there remains considerable capacity for the proposed development to be delivered without resulting in adverse impacts on the integrity of the Arun Valley sites This conclusion is subject to a condition requiring all residential dwellings within the development to meet the Building Regulations Optional Technical Standards for Water Efficiency in place at the point of decision.
Test 2 – the integrity test	**Conclusion:** Having considered the proposed avoidance and mitigation measures above to be provided in-perpetuity through the use of Southern Water's 2024/25 capacity savings, and subject to a condition requiring all residential dwellings within the development to meet the Building Regulations Optional Technical Standards for Water Efficiency in place at the point of decision, the proposed all development will not result in an adverse impact on the integrity of the Arun Valley sites. Horsham District Council concludes that, with mitigation, the project will not have an Adverse Effect on the Integrity of the Arun Valley SAC/ SPA /Ramsar site, either alone or in combination with other plan and projects.

	This development would therefore be in conflict with the conservation objectives for the Arun Valley SPA, SAC and Ramsar site which include 'maintaining or restoring the population of Qualifying Features'. See Appendix 1. As the mitigation has been considered after HRA screening, this HRA Appropriate Assessment is in line with the People over Wind CJEU Court ruling and, being beyond reasonable scientific doubt concerning the effects of the work envisaged on the site concerned, is also in line with the Holohan and Others v An Bord Pleanála court ruling. Having prepared this Appropriate Assessment of the implications of the project for the Arun Valley sites in view of their conservation objectives, subject to consultation with Natural England and fully considered any representation received where necessary, the authority can now agree to the project under regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Approving Planner: Daniel Holmes **Date:** 04/02/2025

DISCLAIMER: This information has been produced by Place Services's Ecology Team on behalf of Horsham District Council, at their request.

Appendix 1 – details of Arun Valley SAC/SPA/Ramsar site

Qualifying Features for SPA/SAC	**Arun Valley SPA** A037 Bewick's swan, *Cygnus columbianus bewickii* (non-breeding). During the time of site notification, the SPA supported 115 individuals representing at least 1.6% of the wintering population in Great Britain (5 year peak mean 1992/93 - 1996/97). During the non-breeding season, the SPA regularly supports an assemblage of waterfowl with the area regularly supporting 27,241 individual waterfowl (5 year peak mean for 1992/93 to 1996/97) including: Shoveler *Anas clypeata*, Teal *Anas crecca*, Wigeon *Anas penelope*, Bewick's Swan *Cygnus columbianus bewickii.* **Arun Valley SAC** 4056 Little Whirlpool Ramshorn snail *Anisus vorticulus* *Anisus vorticulus* occurs across a range of sites in southern and eastern England. The Arun valley is one of the three main population centres for this species in the UK. This proposed site includes two of its core sites in the wash lands of the Arun floodplain (Pulborough Brooks and Amberley Wild Brooks SSSIs).
Qualifying Features for Ramsar	**Arun Valley Ramsar** **Ramsar criterion 2** The site holds seven wetland invertebrate species listed in the British Red Data Book as threatened. One of these, *Pseudamnicola confusa*, is considered to be endangered. The site also supports four nationally rare and four nationally scarce plant species **Ramsar criterion 3** 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

	duckweed (*Lemna* species), all five water-cress (*Rorippa* species), and all three British water milfoils (*Myriophyllum* species), all but one of the seven British water dropworts (*Oenanthe* species), and two-thirds of the British pondweeds (*Potamogeton* species) can be found on site. **Ramsar criterion 5** Assemblages of international importance: Species with peak counts in winter: 13774 waterfowl (5 year peak mean 1998/99-2002/2003)
Conservation Status of the relevant Qualifying Features	**Arun Valley SAC, SPA and Ramsar** In line with the national trend, the number of Bewick's swans wintering in the Arun Valley has declined since the time of designation and is now typically fewer than 50 birds. This may reflect an overall decline in the population of the species and/or be due to the effects of a milder climate in which more are able to winter in continental Europe (The Birds of Sussex, 2014). The waterfowl assemblage numbers fluctuate depending upon conditions in the valley but over the past five years have averaged 40,311, an increase from the five year mean of 27,241 at the time of designation. The Arun Valley is one of the remaining strongholds for the Little Whirlpool Ramshorn Snail.
Conservation Objectives (Only Relevant for SPA/SAC)	**Arun Valley SAC & SPA** 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; • The extent and distribution of the habitats of the qualifying features • The structure and function of the habitats of the qualifying features • The supporting processes on which the habitats of the qualifying features rely • The population of each of the qualifying features, and, • The distribution of the qualifying features within the site.