

Date: 07 April 2025
Our ref: 507383
Your ref: DC/23/0189



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BY EMAIL ONLY

Dear Amanda Wilkes,

Planning consultation: Outline application for erection of a continuing care retirement community of up to 72 units of accommodation (Use Class C2) and up to 10 supported living homes (Use Class C2) with associated community facilities including medical centre and on-site laundry and catering facilities, with access, infrastructure, open space, landscaping and associated works (all matters reserved except for access).

Location: Sandgate Nursery, West End Lane, Henfield, West Sussex

Thank you for your consultation on the above dated 24 March 2025 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

Natural England considers that without appropriate mitigation the application would:

- have an adverse effect on the integrity of Arun Valley Special Area of Conservation, Special Protection Area and Ramsar site <https://designatedsites.naturalengland.org.uk/>.
- damage or destroy the interest features for which Amberley Wild Brooks and Pulborough Brooks Site of Special Scientific Interest has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- The delivery, management and maintenance of any measures identified and considered within your appropriate assessment.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered and relevant local bodies are consulted.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

Habitats Regulations Assessment

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

Further Advice on Mitigation

The proposed development falls within the [Sussex North Water Supply Zone](#) (SNWSZ). As set out in Natural England's [Advice Note](#) regarding planning applications within the SNWSZ, the existing water supply in the zone cannot be ruled out as contributing to the declines in wildlife within the internationally protected Arun Valley SPA, SAC and Ramsar sites. Ensuring that there is no net increase in water consumption is recognised as a suitable method to rule out potential adverse effects on the integrity of these sites arising from development.

Natural England previously responded to this planning application (our ref: 492580, dated 02 December 2024 and our ref: 489615, dated 21 October 2024) in which we advised that further information was required to determine impacts on designated sites. Natural England has reviewed the Flood Risk Assessment, Drainage Strategy and Water Neutrality Report (revision: P07, dated February 2025) that has since been submitted and provides the following advice.

The applicant has undertaken a water neutrality assessment which demonstrates that the proposal will be water neutral and will therefore not result in an adverse effect on the integrity of the Arun Valley designated sites. The submitted documents state that the existing water use is 0 litres per day and the proposed water use will be 16,802 litres per day following the implementation of water efficient fixtures and fittings. The remaining water demand will be supplied by a private groundwater abstraction borehole.

While we concur with the conclusions of the water neutrality assessment that the proposal achieves neutrality, we have the following comments to make on certain aspects of the assessment.

Proposed Business/Industry Water Use

Natural England previously advised (our ref: 492580, dated 02 December 2024) that further evidence of the water use of the proposed business facilities was required to demonstrate that the values selected are an appropriate estimation of the proposed water use. We support the use of industry standard rates to calculate business water use and are satisfied that the applicant has clarified that the values selected include employee water use. As competent authority, Natural England advise that you should be satisfied that the proposed water usage values for the commercial elements are accurate and based upon reasonable and well evidenced assumptions.

Water Efficiency Measures

We note that the applicant intends to install more water efficient fixtures and fittings into the proposed development to reduce the proposed residential water use to 75.8 l/p/d. Natural England advise that any water efficiency measures required to achieve the proposed water usage of 75.8 l/p/d will need to be appropriately secured with the competent authority, in perpetuity.

Rainwater Harvesting

Natural England previously advised (our ref: 492580, dated 02 December 2024) that robust rainwater harvesting calculations, including drought contingency, were required to support the water savings proposed to be delivered by rainwater harvesting or, if this cannot be provided, water savings from rainwater harvesting should be removed from the water budget. We are satisfied that the applicant is no longer proposing to use rainwater harvesting and the water budget has been amended to reflect this.

Proposed Borehole

We note that the applicant is intending to supply water to the proposed development using a private borehole, which will supply 16,802.26 litres of water per day. Natural England previously advised (our ref: 492580, dated 02 December 2024) that the actual predicted demand – taking into account any other sources of water, such as rainwater harvesting – should be accurately calculated in order to understand how much water needs to be abstracted on a daily basis. As detailed above, Natural England is satisfied that the water demand calculation has been amended to more accurately calculate the proposed water use and therefore the volume of water that needs to be abstracted.

As the proposed borehole will abstract less than 20m³ per day, there was no requirement for the applicant to engage with the Environment Agency (EA) regarding an abstraction licence. They have however undertaken a hydrogeological assessment and produced a report which contains sufficient information to demonstrate to the satisfaction of your authority that the abstraction can be delivered and secured in perpetuity. This report also demonstrates that the abstraction will not have a significant impact upon other nearby designated sites.

The submitted information confirms that the proposed borehole is not hydrogeologically connected to the Wealden Greensand Semi-Confined aquifer, or impacted features of the Arun Valley designated sites. We are therefore satisfied that an adverse effect on the integrity of the Arun Valley sites can be ruled out. We do however advise that the monitoring, management and maintenance of the proposed borehole is secured in perpetuity and should a mains connection be required at any time, water neutrality should be considered appropriately.

We note that the applicant intends to provide a private water treatment plant. We advise that your authority should be satisfied that any water intended for potable use can be treated in accordance with Private Water Supplies (England) Regulations 2016, as amended. As competent authority, it is your responsibility to ensure that you are satisfied that the water supplied by the borehole can be treated appropriately in order to avoid a reliance upon the mains water supply. We would advise that your authority will need to secure the management, maintenance and monitoring of the private water supply, in perpetuity.

Final Comments

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Further general advice on consideration of protected species and other natural environment issues is provided at Annex A.

If you have any queries relating to the advice in this letter please contact me at Eleanor.Curran@naturalengland.org.uk.

We would not expect to provide further advice on the discharge of planning conditions or obligations attached to any planning permission.

Should the proposal change, please consult us again.

Yours sincerely,

Eleanor Curran
Sustainable Development Officer
Sussex and Kent