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	**Application**: DC/24/1974 **Description**: Non Material Amendment to previously approved application DC/21/2180 (Outline application for the erection of up to 73 new dwellings (up to 100% affordable housing) and retention of existing farmhouse building, associated public open space, landscaping, drainage and highway infrastructure works, including vehicular access from Shipley Road, with all matters reserved except for access.) Amendments to Water Neutrality. **Planning Application**: Non-material amendment **Location**: Woodfords, Shipley Road, Southwater, West Sussex
Details of the development project	**Proximity to Arun Valley SAC / SPA / Ramsar**: Is the application site: A) Within the Sussex North Water Supply Zone (WSZ) **Yes**

	B) 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 measures to minimise water use and water offsetting, 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	Arun Valley SAC, SPA and Ramsar site supports 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. 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
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 Position Statement, the 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 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. **Yes.** 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 the proposed development.	
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 site proposals include the construction of 73 dwellings, comprising a mix of 1-bed, 2-bed, 3-bed and 4-bed homes, including three blocks of flats. The existing house on the site is to remain. However, the existing swimming pool, out-buildings, menage and stables will be removed. Using a precautionary principle any existing use has not been carried forward in the calculations for water usage and the baseline has been taken as zero. Using census data, the population of the proposed development is estimated to be 163.62. Using Building Regulations water consumption figure of 125 litres per person per day and population size of 163.62 it is estimated that the total water usage per day for the proposed development would be 20,452.50 litres per day (125x163.62). Therefore, following the construction of the proposed development and deducting the pre-development water usage of 226 litres per day, there will be an increase in water demand of 20,226.50 litres per day. To minimise the water use of the development, water efficient fixtures and fittings will be incorporated. A water calculation in accordance with Building Regulations Part G has been carried out and confirms that the proposed development will achieve a water consumption rate of 76.33 litres per person per day, which includes an allowance of 5 litres per person per day for external water usage. A copy of the Part G calculation can be found in Appendix E of the submitted Water Neutrality Statement. Using the Part G water consumption figure of 76.33 litres per person per day and a population size of 163.62 it is estimated that the total water usage per day for the proposed development would be reduced to 13,817.71 litres per day (163.62x76.33). Therefore, following incorporation of water efficient fixtures and fittings the water demand will be 12,489.12 litres per day.
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** To offset the water use from the development at Woodsomes Farm and the Brickworks, Lynwick Street, Rudgwick, Horsham, RH12 3DL. These sites are located within the SNWSZ. Woodsomes Farm and the Brickworks are to swap their current Southern Water connection point to a new Thames Water connection point to supply all onsite water. This will then give an allowance of mains water from within the SNWSZ that can be sold as part of an offsetting scheme. <u>Offsetting Scheme Summary</u> The offsetting scheme sites are currently on a Southern Water metered mains supply, as proven by water bills included within the appendices to their water statement. *Farm Demand* According to the DEFRA Report WU0132 sustainable Water for Livestock, the estimate water use of dairy cows and calves. During the year the diary cows will be lactating for 300 days and dry for 35 days. The average stock number at the from 2008 to 2023 is 375 per year. Overall stock numbers have remained relatively constant over the past 16 years. Using precautionary approach, the average number of animals have been used in the calculations and Bulls have not been included in the calculation. This equates to a daily water consumption of 24,155.73 litres per day.

A new water meter has been installed at the farm as the original failed so there has been no ability to undertake readings over last two years. The most recent water bill from Southern Water shows the farm is currently connected to the Southern Water network and used 15,733 litres per day across a 15 day period 20 May-4 June (based on 2x actual meter readings, rather than estimates).

Using the farm's own onsite meter readings (photographic and tabulated meter readings have been provided for the period September 2024 to December 2024 within the appendices), this shows that the farm had an average water consumption of 21,432 litres per day. This can be seen to be a realistic figure for this farm when compared to the Defra Report WU0132 Sustainable Water for Livestock, which predicts a slightly higher usage at 24,155.73 litres per day.

Total Existing Demand

In total the mains water demand from both the Farm and Brickworks is stated to 27,652.82 litres per day, which will be supplied by Thames Water (Woodsomes Farm – 20,254 and the Brickworks – 7,398.82). A meter will be installed for the new Thames Water supply. Appendix M to the water statement includes a quote from Thames Water confirming that the installation of a water connection to the site from their network is achievable. Subject to conditions/obligations requiring evidence of the new Thames Water connection once made, and the disconnection of the current Southern Water supply, there would be sufficient evidence to demonstrate that Woodsomes Farm and the Brickworks will no longer draw mains water from the SNWSZ.

It should be noted that credits at Woodsomes Farm are also being used for a scheme at Thakeham (ref: DC/20/2577). The use of these credits has been considered in the below table:

Developer	Planning Reference (if available)	Credits
Starting water use/credits	N/A	27,652
Reside Developments - Thakeham	DC/20/2577	4,340
Reside Developments - Southwater		12,490
	Total Currently Allocated	16,830
	Remaining Credits (Surplus)	10,822

This shows that there is more than enough credits for the scheme at Thakeham and the proposal at Woodfords in Southwater.

Conclusion on Mitigation Package

The Water Neutrality Report confirms:

- The Southern Water supply is to be disconnected from the Woodsomes Farm and the Brickworks network (there will be an air break in the pipe connecting to the Southern Water meter and network to ensure no water can enter the Woodsomes Farm's and the Brickwork's water network, but also ensure no cross-contamination between Southern Water and Thames Water).

- Monitoring of the remaining unused Southern Water meters and the new Thames Water meter will ensure it is clear no water from the SNWSZ is being used. Meter readings, including of the remaining Southern Water meters, will be collected every six months for the first two years, and thereafter annually.

	• The required water neutrality scheme including the above detailed monitoring will be the subject of a s106 legal agreement. Importantly this will prevent occupation of the development until the Water Offsetting Measures are fully operational. It is therefore the view of the Competent Authority that these measures have been evidenced with sufficient precautionary certainty and therefore considered to be sufficient to avoid adverse effects on the integrity of the interest features of the Arun Valley SPA, SAC & Ramsar site from the development either alone or in combination with other plans and projects.
3	**Conclusion:** Having considered the proposed avoidance and mitigation measures above to be provided in-perpetuity through: • The on-site water efficiency measures • An offsetting scheme to swap a current Southern Water connection point to an existing Thames Water connection point to supply all onsite water at Woodsomes Farm close to the edge of the SNWSZ. This will then give an allowance of mains water from within the SNWSZ that can be used to mitigate the proposed development, with any surplus capable of being used as part of a wider offsetting credit scheme. Subject to further information to support the water usage at the Brickworks site, the credit scheme may expand accordingly. 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 not 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: Matthew Porter **Date: 21.01.2024**

Final AA signed off by Horsham DC **Date:** 21.01.2024

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.