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/24/1996 **Development Description: Variation of Conditions 1 (Approved Plans), 7 (underground services), 8 (foul and surface water drainage), 12 (finished ground floor slab levels), and 18 (schedule of materials and samples) of previously approved application DC/15/1702 (Erection of 300 dwellings, 2 x football pitches, MUGA and NEAP with associated access, parking and landscape works pursuant to outline planning permission DC/09/2138 (as amended by DC/11/2004) (Approval of Reserved Matters)), to allow the submission of water neutrality information to be secured under Condition 1 to demonstrate for Phases 8, 10, 11, 12 and 13 are water neutral, and Variation of Conditions 7, 8, 12, and 18 to enable details pertaining to those conditions to be secured associated to Phase 8.** **Location: Land East of A24 Worthing Road Horsham West Sussex**

	Type of application: Full
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 Applicant's Water Neutrality Strategy is detailed in the following document submissions:

S73 Water Neutrality Strategy Highwood Phases 8, 10, 11, 12 and 13 Version 2 Final Date 16.05.25 by Hodkinson Consultancy.

Existing baseline water consumption
The existing application site comprises the construction of 47 homes (ranging from one to five bed) within Highwood Village.

Proposed water consumption (excluding mitigation)

The average occupancy levels for each dwelling size have been based on local census data (agreed by Horsham District Council) and it is summarised below.
1-bedroom 1.32
2-bedroom 1.88
3-bedroom 2.47
4-bedroom 2.86
5-bedroom 3.09

Using the above census data, the population of the proposed development is estimated to be 108.22 occupants, broken down below:

Table 1: Site occupancy (residential)

Type	Number of units	Expected occupancy per unit	Total occupancy
1 bed unit	2	1.32	2.64
2 bed unit	18	1.88	33.84
3 bed unit	17	2.47	41.99
4 bed unit	5	2.86	14.30
5 bed unit	5	3.09	15.45
		Total	**108.22**

Using the Building Regulations water consumption figure of 125 litres per person per day and population size of 108.22 it is estimated that the total water usage per day for the proposed development would be 13,527.5 litres per day.

UPDATED AUGUST 2025

The applicant has undertaken a water neutrality assessment (included within the submitted Hodkinson Highwood Phase 8, 10, 11, 12 and 13 S73 Water Neutrality Strategy V.2 Final May 2025), which demonstrates that the existing water use is zero litres per day and the proposed water use will be 53,136 litres per day, following the implementation of water efficient fixtures and fittings, as tabled:

Phase	Total occupancy	Daily internal consumption (litres/person/day)	Daily total consumption (litres/person/day)	Total (litres/day)	Total (roundup)
Phase 8	108.22	85	90	9,739.8	9,740
Phase 10	117.7	85	90	10,593	10,593
Phase 11	129.51	85	90	11,655.9	11,656
Phase 12*	27.96	85	90	10,762.6	10,736
Phase 13	115.38	85	90	10,384.2	10,385
Total	598.77	-	-	**53,135.5**	**53,136**

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

On site Proposals

To minimise the water use of the development water efficient fixtures and fittings will be incorporated, which will reduce water consumption to less than is required by Building Regulations (limit of 125 litres per person per day (l/p/d)).

It is proposed the new dwellings will achieve a water efficiency of 85 l/p/d of water, which will be in accordance with the optional water efficiency target set out in Building Regulations Part G. This will be achieved using water efficient fixtures and fittings.

An additional 5 l/person/day has then been added to reflect external water use for houses, in line with the Part G water calculator methodology.

To ensure head room on total consumption, for the purposes of the water neutrality calculations, this figure is rounded up to 9, 740 l/d, summarised below:

Table 7: Phase 8 Total Consumption

House Type	Total occupancy	Daily internal consumption (litres/person/day)	Daily total consumption (litres/person/day)	Total (litres/day)	Total (roundup)
1 bed unit	2.64	85	90	224.40	225
2 bed unit	33.84	85	90	2,876.40	2,877
3 bed unit	41.99	85	90	3,569.15	3,570
4 bed unit	14.30	85	90	1,215.50	1,216
5 bed unit	15.45	85	90	1313.25	1,314
Total	108.22	-	-	**9,739.8**	**9,740**

The total occupancy figure is calculated using the 2011 Office of National Statistics Census Data for Horsham District.

Therefore, the scheme's total offsetting volume required would be 9,740 litres per day.

Offsite Off-Setting

It is proposed to offset using Sussex North Water Supply Zone have been jointly producing a water offsetting scheme- the Sussex North Offsetting Water Scheme ("SNOWS") – see below.

Is the mitigation sufficient?

On-site Proposals

Copy of the proposed fixtures and fittings to achieve the on-site proposed water consumption has been provided, as detailed in the Part G calculation.

The rainwater harvesting systems will be managed and maintained by a management company and this will be secured in the S106 agreement. A Management and Maintenance Plan is included.

UPDATED AUGUST 2025

For clarification, firstly for the avoidance of doubt due to the difficulties in quantifying occupier take up in the use of water butts, the additional of water butts have not been factored into the calculations of forecast water demand. A 5 litre/per person/per day allowance for external water use has thus been assigned to the offsetting calculation for houses.

Secondary, no rainwater harvesting is proposed. Early reference of this was in error.

The applicant has undertaken a water neutrality assessment (included within the submitted Hodkinson Highwood Phase 8, 10, 11, 12 and 13 S73 Water Neutrality Strategy V.2 Final May 2025), which demonstrates that the existing water use is zero litres per day and the proposed water use will be 53,136 litres per day, following the implementation of water efficient fixtures and fittings, as tabled:

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Total	598.77	-	-	**53,135.5**	**53,136**

Offsite Off-Setting

The affected local authorities within the Sussex North Water Supply Zone have been jointly producing a water offsetting scheme- the Sussex North Offsetting Water Scheme ("SNOWS"). The purpose of SNOWS is to utilise demand capacity generated by Southern Water efficiency savings, allied with other water saving

projects identified by SNOWS, to generate 'credits' for applicants to purchase to offset their water demand. Not all development will be eligible for access to SNOWS, as the purpose of SNOWS is to enable plan-led development to come forward only. As it currently stands access will be limited as follows:

'*Applicants will be able to access SNOWS for their development's water offsetting needs, unless it is:*

1. *Development where the principle is not in accordance with an adopted development plan, or in a post-submission local plan or neighbourhood plan. This includes housing development outside settlement boundaries on unallocated sites, employment development on unallocated sites and/or outside of existing employment sites (unless supported by economic planning policies), or development not otherwise accepted in-principle by way of specific development plan policies – such policies include: retirement and specialist care, gypsy and traveller sites, tourism, and some minerals and waste development; and/or*

2. *Development permitted by virtue of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or as subsequently amended) (GPDO)**

****** Excluding applications submitted to SNOWS for development by a local authority (as defined in Schedule 2, Part 12 of the GDPO)'*

Progress on implementing SNOWS is nearing its conclusion. Recent evidence derived from the Southern Water 2024 draft Water Resources Management Plan ("WRMP") indicates that Southern Water will be able to provide water capacity for new development within the next three years, the lifetime of any planning permission. This water capacity will form approximately 88% of the capacity of SNOWS.

The test for a Grampian-style condition is set out in the national Planning Practice Guidance. The key test in applying a Grampian-style condition is whether there is 'a prospect' of the required action being carried out within the lifetime of a development. 'A prospect' is a low bar.

In recent appeal decisions planning inspectors have determined that Grampian-style conditions can be applied to development proposals as, despite SNOWS not yet being operational, there is 'a prospect' of a development being able to purchase SNOWS credits within the lifetime of the planning permission (normally 3 years). These appeals can be found under appeal refs: 3308455, 3321658 and 3333968.

Given these appeal decisions, the progress of SNOWS, and the prospect of SNOWS having capacity to mitigate the impacts of new development over the next 3 years, it is proposed that the following Grampian-style condition (and any minor variations thereof) be applied to all development that is eligible for access to SNOWS:

*'**No development shall commence until either:***

i) Details have been submitted to and been approved in writing by the Local Planning Authority confirming that the necessary credits to achieve water neutrality have been secured via the Sussex North Offsetting Water Scheme;

or

ii) A site-specific water neutrality mitigation scheme has been submitted to and been approved in writing by the Local Planning

Authority. The site-specific water neutrality mitigation scheme shall include full details of the means of any and all onsite and offsite mitigation and any necessary agreements pursuant to S106 of the Town and Country Planning Act 1990 to deliver and secure the approved mitigation; and

iii) The development shall not be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority confirming that the approved site-specific water neutrality mitigation scheme has been fully implemented. The approved mitigation shall thereafter be retained, maintained and operated to the same or better water performance standard.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC/SPA and Ramsar sites in accordance with Policy XXX of the XXXX, Paragraph 193 of the National Planning Policy Framework (2024), and to enable the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).'

This condition will enable applications for Full planning permission, Outline planning permission, or Reserved Matters to be permitted as water neutral. The condition operates to ensure no water demand generating activity (such as housing occupations) can take place until either SNOWS credits have been purchased, or an alternative bespoke water neutrality solution has been submitted, passed through a separate successful Appropriate Assessment, and has been implemented. In this way development proposals can gain the certainty of obtaining planning permission with a suitable mechanism to avoid harm to the affected habitat sites.

Development proposals that are not eligible for access to SNOWS would not be subject to this condition, as the acceptability of the condition is predicated on the prospect of a development being able to access SNOWS credits. All non SNOWS eligible development would continue to need to demonstrate certainty of mitigation on a case-by-case basis before planning permission can be granted.

UPDATED AUGUST 2025

PROCEDURAL AND PROCESS CHANGES ARISING SINCE MAY 2025

The Sussex North Water Certification Scheme (SNWCS), formerly the Sussex North Offsetting Water Scheme or SNOWS, is a water certification initiative led by the Sussex North authorities (Horsham DC, Chichester DC, Crawley BC, Mid Sussex DC, South Downs National Park Authority & West Sussex CC) located in Southern Water's Sussex North Water Resource Zone (WRZ).

Applicants with eligible developments (see below) will be able to receive SNWCS certification covering the planned water use of their new developments, following taking steps to reduce the water use of their developments in line with relevant planning policies, and subject to the scheme having available capacity.

Development eligibility for SNWCS certification

Applicants will be able to request Sussex North Water Certification Scheme (SNWCS) certification for their development's water offsetting needs, unless it is:

1. Development where the principle is not in accordance with:

a) an adopted or a post-submission local plan; or

b) a made or post-examination neighbourhood plan;

	All of the documents/sites referred to in a) and b) have informed the preparation of Southern Water's Water Resources Management Plan 2024 calculations of water demand. the Council's position on the Grampian planning condition allowing to purchase SNOWS credits in the alternative, assuming the development is eligible for access to SNOWS credits, is unchanged from the May 2025 HRA AA. Summary These measures have been embedded within the development to be secured as part of any planning consent and are considered 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.
Test 2 – the integrity test	**Conclusion:** Having considered the proposed avoidance and mitigation measures above to be provided in-perpetuity through: • Installation of on-site water efficiency appliances in each unit, and on-site rainwater harvesting, and • use of the above Grampian condition (or minor amendments thereto) will ensure adverse harm to the integrity of the Arun Valley habitat sites will be avoided. 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: 04-08-2025**

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 (*Lemn*a 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.