Horsham District Council
Habitats Regulations Assessment Record

Plan/project: DC/24/0350 | Continued use of previously approved 5 no. temporary pre-fabricated buildings for a further temporary period of 3 years (DC/21/0686 and DC/22/1200), and relocation of 1 of the temporary buildings to better facilitate the construction of the permanent buildings.| New Barn School Guildford Road Broadbridge Heath Horsham West Sussex RH12 3PQ

The purpose of this HRA record is to assess the need for appropriate assessment in relation to the plan/project detailed above.

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. European 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. HRA screening concluded that it is possible to rule out likely significant effects without mitigation in place.

Table 1: Screening matrix

Stage 1 HRA screening	
Brief description of the Plan/Project	**Application:** DC/24/0350 **Planning Application:** Continued use of previously approved 5 no. temporary pre-fabricated buildings for a further temporary period of 3 years (DC/21/0686 and DC/22/1200), and relocation of 1 of the temporary buildings to better facilitate the construction of the permanent buildings **Location:** New Barn School Guildford Road Broadbridge Heath Horsham West Sussex RH12 3PQ The proposals are for the continued use of previously approved 5 no. temporary pre-fabricated buildings for a further temporary period of 3 years (DC/21/0686 and DC/22/1200), and relocation of 1 of the temporary buildings to better facilitate the construction of the permanent buildings
Brief description of the Habitats sites within scope of this assessment	The Mens SAC (Sussex bat SAC), The Ebernoe Common SAC lie within West Sussex and the Impact Risk Zones identified by Natural England includes Horsham District. The Arun Valley SPA, SAC and Ramsar also lies within West Sussex and is within 20km of the development. The Mens Special Area of Conservation (SAC) is located 11.3km south west of the site and lists Barbastelle bats as a qualifying feature. A long and varied history of management has seen The Mens move from an open, wood pasture system with huge, spreading parkland trees and pollards to a high forest with closely spaced trees with narrow crowns. A lack of management in recent years has added to this silvicultural diversity. Ebernoe Common SAC is 15.5km to the west and lists Barbastelle and Bechstein's bats as qualifying features. Ebernoe Common is dominated by old wood pasture where Commoners would have turned out their cattle or pigs to graze and browse on young trees and scrub, beech mast and acorns, or on the grassy meadows in glades and clearings. Grazing stopped by the middle of the 20th century and the wood pasture became more and more overgrown. Great effort has been put into opening up glades and rides and restoring grazing to this SAC. Arun Valley SAC, SPA and Ramsar is approximately 15.8km to the southwest, and lists 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.
Qualifying Features for SPA/SAC	**The Mens SAC** Annex I habitats that are a primary reason for selection of the site: *9120 Atlantic acidophilous beech forests with Ilex and sometimes also Taxus i*n the shrub layer (*Quercion robori-petraeae* or *Ilici-Fagenion*) The Mens is an extensive area of mature Beech Fagus sylvatica woodland rich in lichens, bryophytes, fungi and saproxylic invertebrates, and is one of the largest tracts of Atlantic acidophilous beech forests in the south-eastern part of the habitat's UK range. It is developing a near-natural high forest structure, in response to only limited silvicultural intervention over the 20th century, combined with the effects of natural events such as the 1987 great storm. Annex II species present as a qualifying feature, but not a primary reason for site selection: 1308 Barbastelle *Barbastella barbastellus* **Ebernoe Common SAC** Annex I habitats that are a primary reason for selection of this site 9120 Atlantic acidophilous Beech forests with Ilex and sometimes also Taxus in the shrub layer (*Quercion robori-petraeae* or *Ilici-Fagenion*). Ebernoe Common has an extensive block of Beech high forest and former wood-pasture over dense Holly *Ilex aquifolium*, and has a very rich epiphytic lichen flora, including *Agonimia octospora* and *Catillaria atropurpurea.* It represents Atlantic acidophilous Beech forests in the south-eastern part of the habitat's UK range. The Beech woodland is associated with other woodland types, open glades and pools, which contribute to a high overall diversity. The woods are important for a number of bat species, in particular 1323 Bechstein's bat *Myotis bechsteinii* and 1308 Barbastelle. Annex II species that are a primary reason for selection of this site: 1308 Barbastelle *Barbastella barbastellus* A maternity colony of Barbastelles utilises a range of tree roosts in this area of 91A0 old sessile Oak woods with Ilex and *Blechnum* in the British Isles, which has a dense understorey of holly as well as open glades and open water. Maternity roost sites are usually in dead tree stumps, but the species appears to be present throughout the year, with individuals utilising a range of roost sites in tree holes and under bark. 1323 Bechstein`s bat *Myotis bechsteinii* A maternity colony of Bechstein's bat is associated with this area of 91A0 Old sessile Oak woods with *Ilex* and *Blechnum* in the British Isles. Roosts are mainly i*n old woodpecker holes in the stems of live mature oak* Quercus petraea trees. **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.* **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	**The Mens SAC** The Barbastelle is one of the UK's rarest mammals. Few maternity roost sites are known in the UK. While the SAC series makes a contribution to securing favourable conservation status for this Annex II species, wider measures are also necessary to support its conservation in the UK These are outlined in the Species Biodiversity Action Plan (DEFRA website). *It is likely that its low population density and slow population growth make it particularly vulnerable to:* • *further loss and fragmentation of ancient deciduous woodland habitat;* • *loss, destruction and disturbance of roosts in buildings, trees and underground sites;* • *a reduction in numbers of insect prey due to habitat simplification acting through factors such as fertiliser use and intensive grazing.* **Ebernoe Common SAC** Barbastelle as outlined for The Mens SAC. Bechstein's Bat Species Biodiversity Action Plan (DEFRA website): *The rarity of this species means that it is poorly understood, but according to the national species action plan, its low population density, exacting habitat requirements and low rates of reproduction make it particularly vulnerable to factors such as:* • *Further loss and fragmentation of open ancient deciduous woodland habitat.* • *Loss, destruction and disturbance of roosts or potential roosts (particularly in old trees).* **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)	**The Mens SAC** 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; • The extent and distribution of qualifying natural habitats and habitats of qualifying species • The structure and function • (including typical species) of qualifying natural habitats • The structure and function of the habitats of qualifying species • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely • The populations of qualifying species, and, • The distribution of qualifying species within the site. **Ebernoe Common SAC** 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; • The extent and distribution of qualifying natural habitats and habitats of qualifying species • The structure and function (including typical species) of qualifying natural habitats • The structure and function of the habitats of qualifying species • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely • The populations of qualifying species, and, • The distribution of qualifying species within the site. **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.
Key vulnerabilities / factors affecting site integrity	Issues listed in the relevant Site Improvement Plan (SIP) are: **The Mens SAC** • Forestry and woodland management; • Habitat connectivity for barbastelle bats; • Invasive species; • Changes in land management, with reference to foraging and commuting routes; • Air pollution, risk of atmospheric nitrogen deposition; • Public access / disturbance, with regards to light levels. The mechanism for addressing these issues within the SIP is investigation,

	research and monitoring; with the exception of appropriate management, and removal of, rhododendron, within The Mens SAC. **Ebernoe Common SAC** • Forestry and woodland management; • Off-site habitat availability / management; • Habitat fragmentation; • Change in land management, with reference to foraging and commuting routes for Barbastelles; • Hydrological changes; • Air pollution, risk of atmospheric nitrogen deposition; • Public access / disturbance, with regards to light levels. Again, the mechanism for addressing all of these issues within the SIP is investigation, research, monitoring at this stage. **Arun Valley SAC and SPA** • Inappropriate water levels • Water pollution • Inappropriate ditch management • Disturbance Again, the mechanism for addressing all of these issues within the SIP is investigation, research, monitoring at this stage.
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 Habitats site	A total of three species were recorded within 1km of the site throughout the survey period for the previous application (DC/21/0686); these were Common Pipistrelle, Brown Long-eared, and Soprano Pipistrelle. No rare or unusual species (such as Annex I species) were recorded at any time. Greenaway (2008) has radio tracked Barbastelle bats from both SACs and has identified Barbastelle bat flight lines and foraging kernels. In addition to the SACs containing their roosting sites, the bats also require access to habitats outside the boundary of the SACs. This habitat is integral to supporting bats associated with the SACs and is often referred to as functionally- linked habitat. Such functionally linked habitat includes the following: • Flightlines – these are key commuting routes from roosts to foraging (or feeding) areas used by the bats. The Barbastelle flightlines around Ebernoe Common and The Mens have been investigated through survey and are shown in the Sussex bat SAC landscape tool for planning. • Foraging areas – these are the areas of land where bats feed. Barbastelle bats can forage 10-15 kilometres from the roosting sites, and they prefer wet meadows and riparian habitats. Bechstein's tend to forage in and around the woodland where they roost with limited outward travel. The Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol provides advice for developers and local Councils when assessing applications which fall within an identified 12 km Impact Zone for The Men's SAC, Ebernoe Common SAC and Singleton and Cocking tunnels SAC. In line with this Protocol, this application is located within the Wider Conservation Area for the Mens SAC and significant impacts or severance to flightlines need to be considered. Based on the threats listed in the SIPs, the following potential impact pathways are considered with reference to the development proposals regarding the need for further assessment: **Direct land take** - The proposed development will not result in any direct land take from any designated sites. Direct land take does not therefore have

the potential to result in likely significant effects (LSE) and can be screened out and will not be considered further.

Forestry and woodland management - This threat / issue is of relevance to the habitats within the designated sites themselves. There is no pathway for woodland management at these locations to be affected by the proposals. There is no potential for forestry and woodland management to be impacted by the proposals, so they have been screened out and will not be considered further.

Habitat connectivity and availability for foraging and commuting Barbastelle bats (functionally linked land) – Barbastelle bats are qualifying features for both SACs, and threats and issues relating to this species in the wider area have been identified in the relevant SIPs as:

- Off-site habitat availability / management;
- Habitat fragmentation / Habitat connectivity for barbastelle bats;
- Changes in land management, with reference to foraging and commuting routes.

Based on the information for the previous application (DC/21/0686), Barbastelle bats have not been recorded on the development site, either roosting or foraging/commuting. All boundary vegetation will be retained and protected as part of the proposals. A sensitive lighting scheme designed in accordance with ILP Guidance Note 08/18 will be utilised across the site, with all lighting angled down and away from adjacent woodland, hedge and treelines. Lighting will be timed to ensure periods of complete darkness, ensuring the continued ecological functionality of the boundary vegetation. There is no suitable foraging and commuting habitat within the area proposed for the temporary classrooms. Therefore, there is no potential for habitat fragmentation or loss of functionally linked land for Barbastelle bats as part of the proposal and therefore they have been screened out for further assessment.

Bechstein's bats are a qualifying feature for Ebernoe Common SAC, but were not recorded on site and are considered most likely to remain within 1.5km of their roosts. As such, Bechstein's are considered likely to be absent, and as such, out screened out, and they will not be considered further.

Invasive species
This threat concerns invasive rhododendron within The Mens SAC, and, as such there is no pathway for impacts due to the proposals. There is no potential for invasive species in The Mens to be impacted by the proposals, so they have been screened out and will not be considered further.

Hydrological changes
This threat / issue is of no relevance to The Mens SAC and Ebernoe Common SAC. The development is not within the 5km Impact Risk Zone for the Arun Valley sites identified on MAGIC. There is no hydrological connectivity between New Barn School and the Arun Valley SPA, SAC and Ramsar. Therefore, there is no potential for Likely Significant Effects due to hydrological changes from continued use which has previously been assessed, so this can be screened out and will not be considered further**.**

Air pollution
The SACs and Arun Valley SPA, and Ramsar are currently above their critical load for nitrogen deposition as noted in the HRA Screening Statement for Petworth Neighbourhood Development Plan (South Downs National Park Authority, 2017). This application is non-residential but may involve an increase in the number of visitors to the site. However, Natural England Advice to Local Authorities when Considering Air Quality Impacts at HRA poses that air pollution impacts are predominately considered within 200m of a road. As the major roads to and from New Barn School are not within 200m of the aforementioned SACs, SPA and Ramsar, impacts from air quality can be screened out.

	Public access / disturbance, with regards to light levels. There will be a no increase in local residents as a result of the proposed development. The HRA Screening Statement for Petworth Neighbourhood Development Plan (South Downs National Park Authority, 2017) notes that most visits to the Mens and Ebernoe Common SACs take place during daylight, with low levels of recreation at night. As such, they conclude that significant adverse effects due to lighting are unlikely. Recreation itself (i.e. during daylight hours) is not listed as threat within the SIPs. Given this, the small scale nature of the proposals, as well as the distance from the designated sites, LSE on the Habitats Sites from this impact pathway can be screened out and will not be considered further **In combination effects** As there is no potential for LSE from direct land take, forestry and woodland management, invasive species, hydrological connections, air pollution or public access / disturbance with regards to light, there is no potential for the development proposals to contribute to any likely significant effects along these pathways, in combination with other plans and projects. Impacts on habitat connectivity for commuting and foraging Barbastelle bats, as qualifying feature of both The Mens SAC and Ebernoe Common SAC has already been screened out for further assessment from the development alone and there is no potential for any other impact pathways to result in likely significant effects, in combination with other plans and projects, as these are also screened out.
Test 1 the significance test:	As the development will not affect any of the sensitive features/threats to the aforementioned Habitats Sites and the associated Annex II bat species the LPA considers that, without mitigation, the development is not likely to result in a 'likely significant effect' (LSE) to The Mens SAC, Ebernoe Common SAC or Arun Valley SAC, SPA and Ramsar site. Therefore, this assessment does not need to proceed to HRA Stage 2: Appropriate Assessment. **Conclusion:** Having considered the proposal, Horsham District Council concludes that, the project will not have a Likely Significant Effect on the designated features of the Habitats sites listed in this assessment, either alone or in combination with other plan and projects. Having prepared this HRA screening of the implications of the plan or project for the sites in view of those sites' conservation objectives, the authority can agree to the project under regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Approving Ecologist: Genevieve Broad, Consultant Ecologist - Place Services
Date: 5th April 2024

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