

Habitats Regulations Assessment: West Chiltington Neighbourhood Plan

Single Issue Update: Water Neutrality

West Chiltington Parish Council

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Quality information

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Executive Summary for the Habitats Regulations Assessment of the West Chiltington Neighbourhood Plan

Introduction

AECOM was appointed by Horsham District Council (HDC) to undertake a Habitats Regulations Assessment (HRA) of the West Chiltington Neighbourhood Plan (WCNP), one of its constituent parishes. The WCNP, effectively the development vision for West Chiltington Parish, covers the period between 2021 and 2031, and includes an allocation for 29 mixed use units. It is important to note that the WCNP allocates development in addition to that detailed in the overarching Horsham Local Plan, thus requiring its own separate assessment.

The objective of this assessment is to identify any aspects of the WCNP that result in Likely Significant Effects (LSEs) and have the potential to cause adverse effects on the integrity of European sites (Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and, as a matter of Government policy, Ramsar sites), either in isolation or in combination with other plans and projects. Where such effects are identified, the HRA is to advise on appropriate policy mechanisms for delivering mitigation.

Legislative Context

The need for an assessment of impacts on European sites is set out within Article 6 of the Habitats Directive and transposed into English law by the Conservation of Habitats and Species Regulations 2017 (as amended). The purpose of the Habitats Directive is to “*maintain or restore, at favourable conservation status, natural habitats and species of wild fauna and flora of Community interest*” (Article 2(2)). To ascertain whether the integrity of any European sites might be affected, competent authorities, in this case Itchingfield Parish Council, must therefore undertake an HRA of the plan or project in question, including an Appropriate Assessment if necessary, before approving it.

HRA tasks

Following initial evidence gathering, the first stage of any Habitats Regulations Assessment is a screening for Likely Significant Effects (LSEs), essentially an assessment of the risks for European sites, associated with a development plan. If LSEs cannot be excluded, and a mechanism for an adverse interaction between a plan and a receptor site is present, the next stage of HRA, known as Appropriate Assessment, needs to be undertaken.

The Appropriate Assessment is a more detailed analysis of the impact pathways and European sites considered at the screening stage. One of the key elements of an Appropriate Assessment is the consideration of mitigation measures, which might protect a European site from potential harmful adverse effects¹. Furthermore, a recent ruling established that habitats or species outside a European site, which are essential for the functioning of the protected site, must be taken into account in the HRA process². For this HRA, both Task 1 (Screening for Likely Significant Effects; LSEs) and Task 2 (Appropriate Assessment) were carried out.

Scope

Given an initial assessment of the relevant European sites within 10km of the West Chiltington Parish boundary and the impact pathways likely to be present, this HRA addresses the following European sites:

- Arun Valley SPA / Ramsar / SAC;
- The Mens SAC;
- Ebernoe Common SAC; and,
- Duncton to Bignor Escarpment SAC.

¹ According to a decision by the European Court of Justice, these can no longer be taken into account at the screening stage of HRA. *People Over Wind and Sweetman v Coillte Teoranta* (C-323/17).

² The 2018 Holohan ruling. Case C-461/17.

LSEs Screening

The Test of Likley Significant Effects identified that the the following potential impacts pathways could not be screened out from resulting in a Likley Significant Effect. As Such Appropriate Assessment was undertaken of the following potentiall linking impact pathways:

- Loss of functionally linked habitat could not be excluded for The Mens SAC (designated for barbastelle bat) and Ebernoe Common SAC (designated for Barbastelle bat; and Bechstein's bat) which forage and commute beyond designated site boundaries
- Water quantity, level and flow issues in the Arun Valley SPA / Ramsar / SAC as a result of increased water abstraction volumes to meet the water demand in the parish

Findings and Recommendations from Appropriate Assessment

Regarding The Mens SAC and Ebernoe Common SAC, it was concluded that the WCNP has the potential to result in the loss of functionally linked commuter routes used by barbastelle bats and Bechstein's bat, given it lies within the Wider Conservation Area identified as integral supporting habitat for these bat species. To avoid adverse effects on site integrity, it is advised **that the policy wording for EH4, EH12, EE5, and EE6 be amended to include a caveat that support is contingent on planning application HRAs confirming no adverse effect on Habitats site integrity.**

Regarding water quality impacts in the Arun Valley SPA / Ramsar / SAC, adverse effects on site integrity could not be excluded without mitigation. it is recommended that:

- **An additional policy or supporting text is incorporated within the West Chiltoningon Neighbourhood Plan to demonstrate commitment to support the delivery of water neutrality in line with the emerging Horsham Local Plan in order to protect the Arun Valley SAC/ Ramsar.**
- **Neighbourhood policies H1 and H2 be amended to require all development that requires the use of water within the neighbourhood be compliant with the Horsham Strategic Policy 9: Water Neutrality within the Horsham District Regulation 19 Plan.**

Natural England were consulted on this report but replied on 26th April 2024 noting they did not wish to comment.

Glossary

Appropriate Assessment	The process of assessing the effects of plans or projects on the integrity of European sites
European site	The collective term given to Special Areas of Conservation, Special Protection Areas and Ramsar sites
Functionally-linked habitat	Land outside the boundary of a European site which is nonetheless integral to the ability of the European site to achieve its conservation objectives
Habitats Regulations Assessment	The overarching process encompassing both the assessment of Likely Significant Effects and the Appropriate Assessment
In combination	The legal requirement to consider the effects of a plan on European sites not in isolation, but cumulatively with the effects of other relevant plans and projects
Integrity	The coherence of the structure and function of a European site. More simply, the ability for the site to achieve its conservation objectives
Likely Significant Effect	The first stage in the Habitats Regulations Assessment process, involving a determination of whether the realistic possibility exists for negative effects on the interest features of a European site from a plan or project
Ramsar site	Wetland of International Importance designated under the Ramsar Convention
Special Area of Conservation	Site of international importance for habitats and non-avian species
Special Protection Area	Site of international importance for birds

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Figure 1: Four Stage Approach to Habitats Regulations Assessment. Source GOV.UK, 2019. 12

1. Introduction

Scope of project

- 1.1 AECOM was appointed by West Chiltington Parish Council to undertake a Habitats Regulations Assessment (HRA) for the West Chiltington Submission Neighbourhood Plan (WCSNP) 2021-2031. This is to inform the planning group and local council of the potential effects of Neighbourhood Plan (NP) development on Habitats sites and how they are being, or should be, addressed in the draft NP.
- 1.2 The WCSNP has been prepared to be in conformity with the current Horsham District Council Planning Framework (HDPF) and emerging Regulation 19 Draft Horsham District Local Plan (DHDLP) and sets out a vision and a range of policies for the Neighbourhood Plan area. These relate to a range of topics, including, but not limited to, housing, business and tourism, recreation, and accessibility.
- 1.3 The DHDLP is currently a Regulation 18 consultation document and it is possible that it will be adopted sometime in autumn 2022. This Local Plan has been subject to its own HRA and will replace the HDPF which was adopted in November 2015.
- 1.4 For the purpose of informing this NP HRA, policies contained within the DHDLP and the most up to date HRA have been referred to. The Local Plan HRA report including Appropriate Assessment recommended changes to policy wording in order to ensure no adverse effects on the integrity of Habitats sites.
- 1.5 The objective of this HRA is to identify if any particular site allocation and/or policies proposed in the WCSNP have the potential to cause an adverse effect on the integrity of European designated sites (Special Areas of Conservation, SACs, Special Protection Areas, SPAs, and Ramsar sites designated under the Ramsar convention), either in isolation or in combination with other plans and projects, and to determine whether site-specific or policy mitigation measures are required.

Update March 2024

- 1.6 Since the previous issue of this report, Natural England have expressed their concern that the water abstraction from Hardham (Pulborough) to serve the increased population in Horsham (and other authorities), could in fact be having a detrimental effect on the Arun Valley SAC/ Ramsar site. Historically this HRA had relied upon previous studies such as Water Resource Management Plans and other studies by Southern Water. However, Natural England do not accept the conclusion of these reports. This updated HRA discusses the issues relating to water neutrality in light of new evidence and updated Planning Policy from Horsham.

Legislation

- 1.7 The need for HRA is set out within the Conservation of Habitats & Species Regulations 2017 (as amended) and concerns the protection of Habitats sites. Habitats sites can be defined as actual or proposed/candidate Special Areas of Conservation (SAC) or Special Protection Areas (SPA). It is also Government policy for sites designated under the Convention on Wetlands of International Importance (Ramsar sites) to be treated as having equivalent status to Habitats sites.
- 1.8 The HRA process applies the precautionary principle to protected areas. Plans and projects can only be permitted having ascertained that there will be no adverse effect on the integrity of the site(s) in question. Plans and projects may still be permitted if there are no alternatives to them and there are Imperative Reasons of Overriding Public Interest (IROPI) as to why they should go ahead. In such cases, compensation would be necessary to ensure the overall integrity of the site network.

Conservation of Habitats and Species Regulations 2017 (as amended)

With specific reference to Neighbourhood Plans, Regulation 106(1) states that:

“A qualifying body which submits a proposal for a neighbourhood development plan must provide such information as the competent authority [the Local Planning Authority] may reasonably require for the purpose of the assessment under regulation 105... [which sets out the formal process for determination of ‘likely significant effects’ and the appropriate assessment].”

Box 1: The legislative basis for HRA

- 1.9 It is therefore important to note that this report has two purposes:
- To assist the Qualifying Body (West Chiltington Parish Council) in preparing their plan by recommending (where necessary) any adjustments required to protect Habitats sites, thus making it more likely their plan will be deemed compliant with the Conservation of Habitats and Species Regulations 2017 (as amended); and
 - On behalf of the Qualifying Body, to assist the Local Planning Authority (Horsham District Council) to discharge their duty under Regulation 105 (in their role as ‘plan-making authority’ within the meaning of that regulation) and Regulation 106 (in their role as ‘competent authority’).
- 1.10 As ‘competent authority’, the legal responsibility for ensuring that a decision of ‘likely significant effects’ is made, for ensuring an ‘appropriate assessment’ (where required) is undertaken, and for ensuring Natural England are consulted, falls on the local planning authority. However, they are entitled to request from the Qualifying Body the necessary information on which to base their judgment and that is a key purpose of this report.
- 1.11 Over the years, ‘Habitats Regulations Assessment’ (HRA) has come into wide currency to describe the overall process set out in the Habitats Regulations, from screening through to identification of IROPI. This has arisen in order to distinguish the overall process from the individual stage of “Appropriate Assessment”. Throughout this Report the term HRA is used for the overall process and restricts the use of Appropriate Assessment to the specific stage of that name.

2. Methodology

Introduction

- 2.1 Figure 1 below outlines the stages of HRA according to current Ministry of Housing, Communities and Local Government guidance. The stages are essentially iterative, being revisited as necessary in response to more detailed information, recommendations, and any relevant changes to the Plan until no significant adverse effects remain.



Figure 1: Four Stage Approach to Habitats Regulations Assessment. Source GOV.UK, 2019.

HRA Task 1 – Likely Significant Effects (LSE)

- 2.2 Following evidence gathering, the first stage of any Habitats Regulations Assessment is a Likely Significant Effect (LSE) test - essentially a risk assessment to decide whether the full subsequent stage known as Appropriate Assessment is required. The essential question is:

"Is the project, either alone or in combination with other relevant projects and plans, likely to result in a significant effect upon Habitats sites?"

- 2.3 The objective is to 'screen out' those plans and projects that can, without any detailed appraisal, be said to be unlikely to result in significant adverse effects upon Habitats sites, usually because there is no mechanism for an adverse interaction with Habitats sites. This stage is undertaken in Chapter 4 of this report.

HRA Task 2 – Appropriate Assessment (AA)

- 2.4 Where it is determined that a conclusion of ‘no likely significant effect’ cannot be drawn, the analysis has proceeded to the next stage of HRA known as Appropriate Assessment. Case law has clarified that ‘appropriate assessment’ is not a technical term. In other words, there are no particular technical analyses, or level of technical analysis, that are classified by law as belonging to appropriate assessment rather than determination of likely significant effects.
- 2.5 During July 2019 the Ministry of Housing, Communities and Local Government published guidance for Appropriate assessment³. Paragraph: 001 Reference ID: 65-001-20190722m explains: ‘*Where the potential for likely significant effects cannot be excluded, a competent authority must make an appropriate assessment of the implications of the plan or project for that site, in view of the site’s conservation objectives. The competent authority may agree to the plan or project only after having ruled out adverse effects on the integrity of the habitats site. Where an adverse effect on the site’s integrity cannot be ruled out, and where there are no alternative solutions, the plan or project can only proceed if there are imperative reasons of over-riding public interest and if the necessary compensatory measures can be secured*’.
- 2.6 As this analysis follows on from the screening process, there is a clear implication that the analysis will be more detailed than undertaken at the Screening stage and one of the key considerations during appropriate assessment is whether there is available mitigation that would entirely address the potential effect. In practice, the appropriate assessment takes any policies or allocations that could not be dismissed following the high-level screening analysis and analyses the potential for an effect in more detail, with a view to concluding whether there would be an adverse effect on integrity (in other words, disruption of the coherent structure and function of the Habitats site(s)).
- 2.7 A decision by the European Court of Justice⁴ concluded that measures intended to avoid or reduce the harmful effects of a proposed project on a Habitats site may no longer be taken into account by competent authorities at the Likely Significant Effects or ‘screening’ stage of HRA. The UK is no longer part of the European Union. However, as a precaution, it is assumed for the purposes of this HRA that EU case law regarding Habitat Regulations Assessment will still be considered informative jurisprudence by the UK courts. That ruling has therefore been considered in producing this HRA.
- 2.8 Also, in 2018 the Holohan ruling⁵ was handed down by the European Court of Justice. Among other provisions paragraph 39 of the ruling states that ‘*As regards other habitat types or species, which are present on the site, but for which that site has not been listed, and with respect to habitat types and species located outside that site, ... typical habitats or species must be included in the appropriate assessment, if they are necessary to the conservation of the habitat types and species listed for the protected area*’ [emphasis added]. This has been taken into account in the HRA process.

HRA Task 3 – Avoidance and Mitigation

- 2.9 Where necessary, measures are recommended for incorporation into the Plan in order to avoid or mitigate adverse effects on Habitats sites. There is considerable precedent concerning the level of detail that a Neighbourhood Plan document needs to contain regarding mitigation for recreational impacts on Habitats sites. The implication of this precedent is that it is not necessary for all measures that will be deployed to be fully developed prior to adoption of the Plan, but the Plan must provide an adequate policy framework within which these measures can be delivered.
- 2.10 In evaluating significance, AECOM has relied on professional judgement and the LP HRA regarding development impacts on the Habitats sites considered within this assessment.
- 2.11 When discussing ‘mitigation’ for a Neighbourhood Plan document, one is concerned primarily with the policy framework to enable the delivery of such mitigation rather than the details of the mitigation measures themselves since the Local Development Plan document is a high-level policy document. A Neighbourhood Plan is a lower level constituent of a Local Development Plan.

³<https://www.gov.uk/guidance/appropriate-assessment#what-are-the-implications-of-the-people-over-wind-judgment-for-habitats-regulations-assessments> [Accessed: 07/01/2020].

⁴ People Over Wind and Sweetman v Coillte Teoranta (C-323/17)

⁵ Case C-461/17

Confirming Other Plans and Projects That May Act 'In Combination'

- 2.12 It is a requirement of the Regulations that the impacts of any land use plan being assessed are not considered in isolation but in combination with other plans and projects that may also be affecting the Habitats site(s) in question.
- 2.13 In considering the potential for combined regional housing development to impact on Habitats sites the primary consideration is the impact of visitor numbers – i.e. recreational pressure and urbanisation.
- 2.14 When undertaking this part of the assessment it is essential to bear in mind the principal intention behind the legislation i.e. to ensure that those projects or plans (which in themselves may have minor impacts) are not simply dismissed on that basis but are evaluated for any cumulative contribution they may make to an overall significant effect. In practice, in-combination assessment is therefore of greatest relevance when the plan or policy would otherwise be screened out because its individual contribution is inconsequential.

3. Habitats sites

- 3.1 There are no standard criteria for determining the ultimate physical scope of an HRA. Rather, the source-pathway-receptor model should be used to determine whether there is any potential pathway connecting development to any Habitats sites. In the case of the WCSNP, it has been determined that the Habitats sites identified in **Table 1** require consideration.
- 3.2 The locations of the below Habitats sites in relation to the WCSNP boundary and allocated sites are illustrated in **Appendix A, Figure 1A**.

Table 1. Habitats sites for consideration and their location in relation to the West Chiltonton Submission Neighbourhood Plan

Habitats site	Location in relationship to WCSNP area boundary
Arun Valley SAC	605m west
Arun Valley SPA / Ramsar	605m west
The Mens SAC	4.1km west
Ebernoe Common SAC	9.4km north-west
Duncton to Bignor Escarpment	8.5km south-west

Source: <https://magic.defra.gov.uk/MagicMap.aspx>

- 3.3 The reason for designation, conservation objectives and environmental vulnerabilities of the Habitats sites are detailed below.

Arun Valley SAC

Introduction

- 3.4 The Arun Valley SAC, largely overlapping with the Arun Valley SPA / Ramsar, is a 487.48ha site comprising humid / mesophile grassland (95%), inland water bodies (2%) and bogs / marshes (2%). Given the overlap with the SPA / Ramsar (discussed in the previous section), the ecological characteristics are similar. However, the SAC is primarily designated for the ramshorn snail *Anisus vorticulus*. The snail occurs across a range of sites in southern and eastern England, with the Arun Valley being one of the three main population centres in the UK. Two of the core sites for the ramshorn snail lie in the wash lands of the Arun floodplain: the Pulborough Brooks and Amberley Wild Brooks SSSIs.

Reason for Designation⁶

- 3.5 Qualifying Annex II species:
- Ramshorn snail *Anisus vorticulus*

Conservation Objectives⁷

- 3.1 “With regard to the SAC and the natural habitats and/or species for which the site has been designated (the ‘Qualifying Features’ listed below), and subject to natural change;
- 3.2 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 the habitats of qualifying species
 - The structure and function of the habitats of qualifying species
 - The supporting processes on which the habitats of qualifying species rely

⁶ <https://sac.incc.gov.uk/site/UK0030366> [accessed 22/06/2021]

⁷ <http://publications.naturalengland.org.uk/publication/4924283725807616> [accessed 22/06/2021]

- *The populations of qualifying species, and*
- *The distribution of qualifying species within the site.”*

Current Pressures and Threats

3.3 The Site Improvement Plan⁸ identifies the following pressures and threats to the SAC:

- Inappropriate water levels;
- Water pollution; and
- Inappropriate ditch management.

3.4 Potential loss of functionally linked habitat has also been identified as a concern, although it is not mentioned in the Site Improvement Plan.

Arun Valley SPA/ Ramsar

Introduction

3.5 The Arun Valley SPA/ Ramsar comprises an area of wet meadows on the floodplain of the River Arun between Pulborough and Amberley. The grassland is neutral wet and subject to winter as well as occasional summer flooding. An extensive network of drainage ditches runs through the SPA, providing habitat for biodiverse aquatic flora and invertebrate communities. Additionally, the site is also classified as a Site of Community Importance (SCI) for little whirlpool ram's-horn snail.

3.6 The plant communities present in the fields are primarily determined by the management history and water levels present. For example, the drier fields are dominated by meadow grasses, such as crested dog's-tail *Cynosurus cristatus* and perennial rye-grass *Lolium perenne*. In wetter areas rushes, sedges and tufted hair-grass *Deschampsia cespitosa* are more frequent. The ungrazed fields have developed into fen, scrub and woodland. Fen areas comprise common reed *Phragmites australis* and greater tussock-sedge *Carex paniculate*. On drier ground there is alder *Alnus glutinosa*, willow *Salix* sp. and birch *Betula* sp.

3.7 Most notably the Arun Valley SPA supports important numbers of wintering waterfowl, such as Bewick's swan *Cygnus columbianus bewickii*, shoveler *Anas clypeata*, teal *Anas crecca* and wigeon *Anas Penelope*. These feed in the wetter, low-lying fields of the floodplain adjacent to drainage ditches.

Reasons for SPA Designation⁹

3.8 Qualifying individual species listed in Annex I of the Wild Birds Directive (Article 4.2) that are supported by the site are:

- Bewick's swan *Cygnus columbianus bewickii*

3.9 Qualifying assemblages of species (Article 4.2):

- 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, teal, wigeon, Bewick's swan.

Ramsar Qualifying Features¹⁰

3.10 The Arun Valley qualifies as a Ramsar site under the following Ramsar criteria:

- 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.

⁸ <http://publications.naturalengland.org.uk/publication/5353882309885952> [accessed 22/06/2021]

⁹ <http://publications.naturalengland.org.uk/publication/4567444756627456> [accessed 22/06/2021]

¹⁰ <https://jncc.gov.uk/jncc-assets/RIS/UK11004.pdf> [accessed 22/06/2021]

- 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.
- Criterion 5 - Assemblages of international importance
Species with peak counts in winter: 13,774 waterfowl (5 year peak mean 1998/99-2002/03)
Species / populations identified subsequent to designation for possible future consideration under criterion 6.
Species with peak counts in winter: Northern pintail, *Anas acuta*, NW Europe: 641 individuals, representing an average of 1% of the population (5-year peak mean 1998/99-2002/03)

Conservation Objectives¹¹

- 3.11 "With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the 'Qualifying Features' listed below), and subject to natural change;
- 3.12 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."

Current Pressures and Threats

- 3.13 The Site Improvement Plan¹² identifies the following pressures and threats to the SPA/ Ramsar:
- Inappropriate water levels;
 - Water pollution; and
 - Inappropriate ditch management.

The Mens SAC

Introduction

- 3.14 The Mens is one of the largest ancient woodlands in West Sussex and supports a significant population of barbastelle *Barbastella barbastellus*. Most of the SAC woodland lies on Weald Clay although in some places Paludina limestone outcrops at the surface. It is a varied site with a range of woodland communities and age structures which have developed due to differences in underlying soils and past management. The site also supports outstanding invertebrate, fungi, lichen and bryophyte assemblages.
- 3.15 The woodland is predominantly high forest of sessile oak *Quercus petraea* and pedunculate oak *Quercus robur*, beech *Fagus sylvatica*, holly *Ilex aquifolium* and locally, ash *Fraxinus excelsior*, birches *Betula* spp. and wild service tree *Sorbus torminalis*. Beech dominates the lighter soils over an understorey of holly and yew *Taxus baccata*. On the heavier clay soils oak-ash woodland occurs over a mixed shrub layer which includes hazel *Corylus avellana*, hawthorn *Crataegus monogyna*, crab apple *Malus sylvestris* and blackthorn *Prunus spinosa*. 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

¹¹ <http://publications.naturalengland.org.uk/publication/4567444756627456> [accessed 22/06/2021]

¹² <http://publications.naturalengland.org.uk/publication/5353882309885952> [accessed 22/06/2021]

great storm. Barbastelles roost within the woodland but tend to forage outside of the site, commuting along woodland corridors into the wider countryside¹³.

Reasons for Designation¹⁴

3.16 Qualifying Annex I habitats:

- Atlantic acidophilous beech forests with *Ilex* and sometimes also *Taxus* in the shrublayer (*Quercion robori-petraeae* or *Ilici-Fagenion*). (Beech forests on acid soils).

This Annex I type comprises beech *Fagus sylvatica* forests with holly, growing on acid soils, in a humid Atlantic climate. Sites of this habitat type often are, or were, managed as wood-pasture systems, in which pollarding of beech and oak *Quercus* spp. was common. This is known to prolong the life of these trees

3.17 Qualifying Annex II species:

- Barbastelle bat *Barbastella barbastellus*

The Mens SAC has been selected for classification as an example of a maternity colony of barbastelles which utilise a range of tree roost's in The Mens; usually in dead tree stumps. However, the species appears to be present throughout the year; but it is not clear how many bats hibernate at the site.

Conservation Objectives¹⁵

3.18 "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."

Current Pressures and Threats

3.13 The Site Improvement Plan¹⁶ identifies the following pressures and threats to the SAC:

- Forestry and woodland management;
- Habitat connectivity;
- Invasive species;
- Change in land management;
- Air pollution; and
- Public access and disturbance.

¹³ Natural England (2019). *Habitats site Conservation Objectives: Supplementary advice on conserving and restoring site features*. Available online from: <http://publications.naturalengland.org.uk/publication/5642356338458624> [accessed 22/06/2021].

¹⁴ <http://publications.naturalengland.org.uk/publication/5642356338458624> [accessed 22/06/2021]

¹⁵ Ibid

¹⁶ <http://publications.naturalengland.org.uk/publication/5548316158853120> [accessed 22/06/2021]

Ebernoe Common SAC

Introduction

3.19 Ebernoe Common is a 234.93ha site of international importance as an example of ancient woodland. It contains a wide range of structural and vegetation community types which have been influenced in their development by differences in the underlying soils and past management. The native trees, particularly those with old growth characteristics, support rich lichen and fungal communities, and a diverse woodland breeding bird assemblage. Nationally important maternity roosts for barbastelle bat and Bechstein's bat *Myotis bechsteinii* occur within the woodland.

Reasons for Designation¹⁷

3.20 Qualifying Annex I habitats:

- Atlantic acidophilous beech forests with *Ilex* and sometimes also *Taxus* in the shrublayer (*Quercion robori-petraeae* or *Ilici-Fagenion*)

3.21 Qualifying Annex II species:

- Barbastelle bat; and
- Bechstein's bat

Conservation Objectives¹⁸

3.22 "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."

Current Pressures and Threats

3.23 The Site Improvement Plan¹⁹ identifies the following pressures and threats to the SAC:

- Forestry and woodland management;
- Offsite habitat availability/ management;
- Habitat fragmentation;
- Change in land management;
- Hydrological changes;
- Air pollution: risk of atmospheric nitrogen deposition; and
- Public access/ disturbance.

¹⁷ <http://publications.naturalengland.org.uk/publication/6255629165395968> [accessed 22/06/2021]

¹⁸ <http://publications.naturalengland.org.uk/file/5942973099671552> [accessed 22/06/2021]

¹⁹ <http://publications.naturalengland.org.uk/publication/6364242571689984> [accessed 22/06/2021]

Duncton to Bignor Escarpment SAC

Introduction

3.24 Duncton to Bignor Escarpment covers 214.47ha. Within the SAC *Asperulo-Fagetum* beech forests occur on steep scarp slopes and on more gently-sloping hillsides in mosaic with ash *Fraxinus excelsior* woodland, scrub and grassland. Much of the beech woodland is high forest but with some old pollards. Rare plants present include the white helleborine *Cephalanthera damasonium*, yellow bird's nest *Monotropa hypopitys* and green hellebore *Helleborus viridis*. The woods also have a rich mollusc fauna.

Reason for Designation²⁰

3.25 Qualifying Annex I habitat:

- *Asperulo-Fagetum* beech forests. (Beech forests on neutral to rich soils)

Conservation Objectives²¹

3.26 “The Conservation Objectives are to 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;
- The structure and function (including typical species) of qualifying natural habitats, and
- The supporting processes on which the qualifying natural habitats rely.”

Current Pressures and Threats

3.27 The Site Improvement Plan²² does not identify any current issues affecting this SAC.

3.28 In the most recent Natural England condition assessment process, 92.33% of the component SSSI of the SAC was considered to be in favourable condition.

²⁰ <http://publications.naturalengland.org.uk/publication/6492790347268096> [accessed 22/06/2021]

²¹ Ibid

²² <http://publications.naturalengland.org.uk/publication/5623422855938048> [accessed 22/06/2021]

4. Test of Likely Significant Effects

Background to West Chiltington Parish

- 4.1 The Parish of West Chiltington lies in an area of the Sussex Weald, within the District of Horsham about 12 miles north of Worthing on the South Coast and about 10 miles to the south of Horsham itself, on the boundary of the South Downs National Park which includes a section of the River Chilt and a part of Monkmead Woods. There is also a Site of Special Scientific Interest (SSSI) and a Site of Nature Conservation Importance (SNCI) within the Parish.
- 4.2 West Chiltington Parish is long and narrow – six miles (9.65km) north to south and an average of a mile (1.6km) from east to west, giving a total area of 1732 ha. Since 1945 the population has burgeoned: figures show that there were 1,244 residents in 1921, rising to 1,718 in 1931, with the most recent known figure at 3,500 in 2013. The density at the 2011 census was 1.9 persons per hectare compared to 2.5 per hectare across the Horsham District
- 4.3 The Parish is roughly divided into three sections. North is open agricultural land then to the south there are two distinct settlements: the Old Village being one mile north of The Common. The third area, and by far the largest - though the most sparsely populated - is the predominantly northern agricultural section (The Agricultural/Horticultural Area) which occupies about three-quarters of the land.
- 4.4 West Chiltington Village is characterised by its narrow streets and conservation area. It has a number of Listed buildings and is accessed via old drovers' roads with sunken lanes, steep banks and overhanging trees. These roads are mainly single track with pinch points and passing places.
- 4.5 The Common has the majority of the built-up area and is treated as a separate settlement. It contains largely low-density dwellings with tree-lined lanes, some no more than single track.
- 4.6 To the west of the Parish is agricultural land that leads to Pulborough three miles away. The south-west corner consists of Monkmead Woods and the South Downs National Park.

Impact Pathways

- 4.7 Based upon Natural England Site Improvement Plans, there are several impact pathways that require consideration regarding increased development within the WCSNP area and said Habitats sites. Table 2 shows impact pathways considered further and those dismissed from further investigation with the justification.

Table 2. Habitats sites and potential impact pathways considered during Stage 1 Screening Assessment

Habitats site	Impact Pathways Considered	Impact Pathways Dismissed and Justification
Arun Valley SAC/ SPA/ Ramsar	<ul style="list-style-type: none"> • Inappropriate water levels, flow and quantity • Water pollution • Public access/ disturbance • Loss of functionally linked land 	<ul style="list-style-type: none"> • Inappropriate ditch management – relates the possible cessation or changes in the method and frequency of ditch management/ clearance. Implementation of the WCSNP will not influence land management practices.
The Mens SAC	<ul style="list-style-type: none"> • Habitat connectivity/ loss of functionally linked land • Air pollution: risk of atmospheric nitrogen deposition • Public access/ disturbance 	<ul style="list-style-type: none"> • Forestry and woodland management – relates to restoration of broadleaved woodland and potential impacts of woodland management. Implementation of the WCSNP will not influence forestry and woodland management practices. • Invasive species – relates to the clearance of invasive rhododendron. Implementation of the WCSNP will not influence removal of invasive species. • Change in land management – relates to foraging and bat commuting routes. Implementation of the WCSNP will not influence land management practices.

Habitats site	Impact Pathways Considered	Impact Pathways Dismissed and Justification
Ebernoe Common SAC	<ul style="list-style-type: none"> • Offsite habitat availability/ management • Habitat fragmentation/ loss of functionally linked land • Air pollution: risk of atmospheric nitrogen deposition • Public access/ disturbance 	<ul style="list-style-type: none"> • Forestry and woodland management – relates to potential impacts of woodland management. Implementation of the WCSNP will not influence forestry and woodland management practices. • Change in land management – relates to foraging and bat commuting routes. Implementation of the WCSNP will not influence land management practices. • Hydrological changes – relates to improving overall hydrological management and mitigating potential impacts from development. Ebernoe Common is 9.1km north-west of the WCSNP boundary and is considered sufficient distance away that implementation of the NP will not result in hydrological changes to the SAC.
Duncton to Bignor Escarpment SAC	<ul style="list-style-type: none"> • Recreational pressure 	<ul style="list-style-type: none"> • The Site Improvement Plan does not recognise any current pressures and threats.

Source: *Site Improvement Plans. Natural England.*

4.8 Table 4 describes those environmental impact pathways considered further. The consideration of Neighbourhood Plan policies (the Test of Likely Significant Effects) is then documented in Table 5.

Table 3. Description of potential impact pathways from increased development to Habitats sites.

Impact pathway	Discussion
Inappropriate water levels	<p>Excessive changes to the hydrological integrity, such as through effects on water flow and volume, of Habitats sites are most likely to be the consequence of increased water abstraction for the public water supply and surface water run-off from impermeable urban surfaces.</p> <p>The Arun Valley SAC is designated for its population of ram’s-horn snails and Natural England’s Site Improvement Plan highlights that a maintenance of adequate water levels (0.3cm below ditch neck) is critical to the survival and migration of this species. Furthermore, the Ramsar is designated for its outstanding assemblage of wetland plants and invertebrates, all of which depend on appropriate water levels throughout at least parts of their life cycle. The SAC has a relatively narrow hydrological catchment and its water level is primarily maintained by a few key rivers that traverse the plain.</p> <p>During the Regulation 18 consultation of the Horsham Local Plan, Natural England expressed their concern to Horsham Council that the Southern Water abstraction at Hardham (Pulborough), is in fact damaging the interest features of the Arun Valley SAC/ Ramsar site. The Hardham (Pulborough) abstraction is a key part of the Southern Water supply strategy for Horsham during certain conditions. As such, an increase in abstraction from Hradham as a result of development identified within a development plan document (including this Neighbourhood Plan) could be having an adverse effect on the integrity of the Arun Valley’s designated features.</p> <p>Natural England provided interim advice to Southern Water (December 2020) that identified that the existing abstraction near Pulborough could lead to likely significant effects of the Amberley Wild Brooks SSSI part of the Arun Valley internationally designated site. In addition, Natural England could not conclude no adverse effects on the integrity with regards to the Pulborough Brooks SSSI part of the internationally designated site. Interim advice identified that the SAC feature (little whirlpool ram’s-horn snail) was no longer present at Amberley Wild Brooks SSSI and despite conservation efforts was declining at Pulborough Brooks SSSI. A decline in the extent of aquatic plant populations in the North and South (but not Middle) Brooks was also noted.</p>
Water pollution	<p>Natural England’s Site Improvement Plan for the Arun Valley SAC and SPA identifies that features for designation are known to be vulnerable to changes in water quality from siltation and nutrient inputs. The Water Framework Directive (WFD)²³ for the Arun and Stor (a tributary to the Arun) have identified that they are failing on phosphate levels. The failure on phosphate levels is directly linked to point source pollution from a sewage treatment works (STW) upstream of the site. Siltation on the other hand is primarily due to agricultural runoff rather than point sources. The main source of phosphate is from Marehill STW but other smaller STWs may make a small contribution.</p> <p>This issue (the potential for an effect from increased volume of treated sewage effluent) was considered in the HRA of the Southern Water WRMP, which stated that: <i>‘Detailed water quality assessment previously undertaken identified that the River Rother had the best water quality of the major tributaries entering the tidal Arun, with the River Stor having relatively poorer water quality; treated effluent from Horsham WwTW also results in lower water quality entering from the Upper Arun.’</i></p> <p>The residential site allocations have the potential to link the WCSNP to the Arun Valley designated sites via water quality because wastewater produced is likely to discharge to a Wastewater Treatment Works that ultimately drain into the Arun catchment. Two sites have been allocated for housing development within the WCSNP area and whilst these individual site allocations would not result in likely significant effects in isolation, in combination with other projects and plans they have the potential to result in adverse effects on the integrity of the SAC/ SPA/ Ramsar. The Environment Agency undertook a Review of Consent Process (RoC) that examined whether consents needed to be tightened to protect the Habitats sites and, where necessary, required the water company to make improvements (called sustainability reductions). Several of the Wastewater Treatment</p>

²³ <https://environment.data.gov.uk/catchment-planning/WaterBody/GB107041012100> [accessed 23/06/2021]

Impact pathway

Discussion

Works (WwTW) that provide wastewater treatment for Horsham District that ultimately discharge to the Arun were identified to have their phosphorous permits tightened to address the issue of elevated phosphate in the Arun. These were Horsham WTW (permit to be tightened from 1mg/l to 0.25mg/l annual average), Warnham WTW (permit to be tightened from 1mg/l to 0.5mg/l annual average), Rudgwick WTW (permit to be introduced at 0.4mg/l annual average), and Storrington WTW (permit to be introduced at 0.5mg/l annual average) . **Since the wastewater treatment standards of the relevant Sewage Treatment Works are already being tightened to protect the Arun Valley international sites from excessive phosphate loading the WCSNP is screened out at this time.**

Loss of functionally linked land

The Arun Valley SPA / Ramsar is designated for several mobile waterfowl and wader species, which are known to depend on habitats beyond the designated site boundary (known as functionally linked land). This particularly applies to Bewick's swans *Cygnus columbianus bewickii*, which routinely forage in agricultural land parcels up to 5km from their core wetlands and can do so up to 10km from Habitats sites. Natural England's Supplementary Conservation Advice Note specifies that maintaining the extent and distribution of supporting habitat for the non-breeding season does also *'apply to supporting habitat which also lies outside the site boundary'*.

The Mens SAC is owned and managed by Sussex Wildlife Trust. The Mens SAC is important for its barbastelle populations and radio-tracking studies have been undertaken to identify core foraging areas. These reports have identified that the barbastelles of The Mens SAC forage to the east of the SAC, principally on the floodplain of the River Arun from close to Horsham in the north to Parham in the south. They also cross to the Adur floodplain. In some cases, the bats travelled up to 12.2km to visit foraging areas²⁴. The currently available radio-tracking evidence indicates that 75% of the bat population forage within 9km of the SAC although it is conceivable for barbastelle bats of the SAC to use a wider area for activities such as migrating between hibernation roosts and summer roosts.

Public access/ disturbance

The component parts of the Arun Valley SAC/ SPA /Ramsar site are Pulborough Brooks SSSI, Waltham Brooks SSSI and Amberley Wild Brooks SSSI. All of these are within the South Downs National Park. However, West Chiltoningon is just over 1km to the east of the Pulborough Brooks SSSI. Pulborough Brooks SSSI is open to the public but access is well-managed with a network of hides and prohibitions on dogs in the most sensitive areas. It is likely that the majority of visitors will access the site from the RSPB car park visitor centre as access is publicly advertised and managed from this location. With the exception of RSPB members, a per visit charge is in place and the limited parking provision will also limit the number of casual walkers.

Moreover, there are ample areas of alternative attractive natural greenspace already available to residents of West Chiltoningon: Rackham Hill (located within the South Downs National Park) is the closest landmark, Parham Park SSSI lies between Storrington and Amberley Wild Brooks SSSI, while Hurston Warren SSSI lies between West Chiltoningon and the same SSSI.

Consultation comments from both the Coldwaltham Meadows Conservation Trust and the Sussex Wildlife Trust to the South Downs Local Plan HRA did identify concerns regarding recreational pressure on the Waltham Brooks SSSI component of the SAC, SPA and Ramsar site. The primary risk here would be an increase in visitor pressure (particularly involving dog walkers) disturbing grazing livestock which are used to manage the Waltham Brooks SSSI, the condition of which is 'Recovering'. However, this part of the SPA is a minimum of 4km from West Chiltoningon and residents would need to bypass Pulborough Brooks SSSI in order to visit the much smaller Waltham Brooks SSSI. The HRA for the adopted Horsham Core Strategy HRA scoped out recreational pressure as an impact pathway.

²⁴ Greenaway, F. (2008) Barbastelle bats in the Sussex West Weald 1997 - 2008

Impact pathway

Discussion

The principal other plans and projects of relevance to development around the Arun Valley SAC/SPA/Ramsar site are the Local Plans for South Downs National Park and to a lesser extent Arun and Adur districts. The HRA of the adopted South Downs National Park Local Plan considered recreational pressure from these local authorities collectively (including Horsham District). Horsham has its Horsham District Planning Framework which provides for 16,000 new dwellings during its Plan period, while both Adur and Arun have begun preparation of their new Local Plans which provide for an increase in dwelling provided during their Plan periods (Adur are currently providing for 3,609 new dwellings during its Plan period, whilst Arun are providing for approximately 18,700 new dwellings during its emerging Plan period), thus resulting in a potential increase of approximately 38,300 new dwellings within the three surrounding Authorities.

The HRAs for the Arun, South Downs and Adur Local Plans all considered that there would be no likely significant effects on Arun Valley SAC, SPA and Ramsar site 'in combination' with each other and growth in Horsham. **It is therefore considered that a conclusion of no likely significant effect can be drawn regarding this impact pathway.**

Duncton to Bignor SAC lies 8.5km from the WCSNP area boundary. The nearest site allocation location is approximately 10km from the SAC and has no direct easy road access to the SAC such that the trip by car from West Chiltington to the SAC is closer to 14km. **Given the distance separating West Chiltington from the SAC it is considered that likely significant effects can be reasonably dismissed.**

Air pollution: impact of atmospheric nitrogen deposition

Increased residential development would likely lead to a greater number of vehicles within the WCSNP area. As such, increased air pollution could arise relative to a situation of no growth. Pollutants released from vehicles may be carried directly by wind currents and deposited to Habitats sites or pollutants may become soluble and taken up during evaporation and deposited to said sites during precipitation. Guidance from the Institute of Air Quality Management and Highways England both set an impact zone of 200m from the roadside for potential significant air quality effects to vegetation from main road traffic.

There are no significant roads within 200m of Arun Valley SAC/SPA/Ramsar site and phosphorus is considered to be the principal growth limiting nutrient (i.e. the nutrient controlling eutrophication) for that site rather than nitrogen. Phosphorus does not come from vehicle exhausts. **The pathway can therefore be screened out for this Habitats site.**

The woodland of The Mens SAC is sensitive to nitrogen deposition which could affect the ground flora and epiphytic communities of the beech forest, although it is unlikely to affect tree survival. According to the UK Air Pollution Information System nitrogen deposition is not believed to have a direct, major effect on tree growth in the UK²⁵. This Habitats site is adjacent to an A road (the A272), although work undertaken for the South Downs Local Plan indicated that the road has relatively low traffic flows such that modelled baseline NOx concentrations did not exceed the critical level for that pollutant even at the roadside and are forecast to fall further over the plan period due to the improvements in vehicle emissions technology (i.e. people replacing older vehicles with those compliant with the most recent emissions standard, Euro6) outstripping the forecast increase in vehicle flows.

The designated habitat for this SAC is beech woodland. This habitat has a minimum Critical Load of 10 kg/N/ha/yr, and as such the background nitrogen deposition at this site is above this Critical Load (being between 24.6 kg/N/ha/yr and 26.4 kg/N/ha/yr) according to APIS. Relatively high nitrogen deposition rates compared to relatively low NOx concentrations suggests that much of the nitrogen deposition at the SAC derives from surrounding agriculture rather than road traffic. Given the small scale of proposed

²⁵ <http://www.apis.ac.uk/node/965>

Impact pathway

Discussion

residential development within West Chiltington and the fact that roads within 200m of the SAC will not be significant journey to work routes for residents of the parish, it is highly unlikely to result in a significant increase in traffic flows. **The pathway can therefore be reasonably screened out for this Habitats site.**

The woodland of Ebernoe Common SAC is sensitive to nitrogen deposition which could affect the ground flora and epiphytic communities of the beech forest, although it is unlikely to affect tree survival. According to the UK Air Pollution Information System nitrogen deposition is not believed to have a direct, major effect on tree growth in the UK²⁶. This Habitats site is adjacent to an A road (the A283), although work undertaken for the South Downs Local Plan indicated that the road has relatively low traffic flows. However, the A283 past this SAC is not a major route from West Chiltington to likely employment locations. This is demonstrated by investigation using Google maps which recommends other routes as shorter journey times. **Given this, it is considered that likely significant effects can be reasonably dismissed.**

Duncton to Bignor Escarpment SAC lies 8.5km from the WCSNP area boundary. The nearest site allocation location is approximately 10km from the SAC and has no direct easy road access to the SAC such that the trip by car from West Chiltington to the SAC is closer to 14km. Moreover, it is not a major route from West Chiltington to likely employment locations such as Chichester. This is demonstrated by investigation using Google maps which recommends other routes as shorter journey times. **Given the distance separating West Chiltington from the SAC it is considered that likely significant effects can be reasonably dismissed.**

²⁶ <http://www.apis.ac.uk/node/965>

Table 4. Screening assessment (likely significant effect) of the WCSNP.

Policy	Habitats sites that may be affected by the Policy	Brief summary	Screening outcome
Housing			
H1: Spatial Strategy and Built Up Area Boundaries	N/A	Policy describes the spatial approach of the Neighbourhood Plan and sets out development criteria.	No Likely Significant Effect. Screened out. This is a development management policy and does not specifically allocate sites for development. Therefore, no impact pathways exist to Habitats sites.
H2: Allocation of Land for Housing	Arun Valley SAC/ SPA/ Ramsar	Policy supports development at two sites: <ul style="list-style-type: none"> - Land at Hatches Estate (mixed development of 15 units) - Land at Smock Alley (mixed development of 14 units) 	Likely Significant Effect. Screened in. Although outside the Built Up Area Boundary, both sites are <2ha in size and therefore too small to be considered functionally linked land for Arun Valley SPA/Ramsar site. However, greenfield development in this part of the District could have an adverse effect if it led to the net loss of linear features in pastoral landscapes including deciduous woodland, wet meadows and waterbodies which could result in an adverse effect on features of interest of The Mens SAC and Ebernoe Common SAC. Potential to cause changes in water levels due to increase in demand for water abstraction.
H3: Quality of Design	N/A	Policy describes the design requirements for new developments.	No Likely Significant Effect. Screened out. This is a development management policy and does not specifically allocate sites for development. Therefore, no impact pathways exist to Habitats sites.
H4: Housing Mix	N/A	Policy describes the requirement for a range of housing types, sizes and tenures.	No Likely Significant Effect. Screened out. This is a development management policy and does not specifically allocate sites for development. Therefore, no impact pathways exist to Habitats sites.
H5: Housing Density	N/A	Policy describes how the density of new development needs to be appropriate to its location.	No Likely Significant Effect. Screened out. This is a development management policy and does not specifically allocate sites for development. Therefore, no impact pathways exist to Habitats sites.
H6: Affordable Housing	N/A	Policy describes the need for the inclusion of affordable housing within developments.	No Likely Significant Effect. Screened out. This is a development management policy and does not specifically allocate sites for development. Therefore, no impact pathways exist to Habitats sites.
H7: Windfall Sites	N/A	Policy offers support for the development of small infill sites within the existing built up area.	No Likely Significant Effect. Screened out. This is a development management policy and does not specifically allocate sites for development, however any identified will be within the existing built up area. Therefore, no impact pathways exist to Habitats sites.

Policy	Habitats sites that may be affected by the Policy	Brief summary	Screening outcome
H8: Recreational Space	N/A	Policy describes the need for new housing developments to provide adequate recreational space.	No Likely Significant Effect. Screened out. This policy identifies two sites for development (refer to Policy H2). Although outside the Built Up Area Boundary, both sites are <2ha in size and therefore too small to be considered functionally linked habitat. Therefore, no impact pathways exist to Habitats sites.
Environment and Heritage Policies			
EH1: Green Infrastructure and Ecosystem Services	N/A	Policy states that new developments within or adjacent to biodiversity corridors and green infrastructure assets must demonstrate that proposals will not give rise to harm to integrity or function of the Biodiversity Corridors.	No Likely Significant Effect. Screened out. This is a development management policy. Therefore, no impact pathways exist to Habitats sites. May be beneficial to Habitats sites through provision of 'net gain'.
EH2: Surface Water Management	N/A	Policy states that developments must demonstrate no net increase in surface water run-off.	No Likely Significant Effect. Screened out. This is a development management policy. Therefore, no impact pathways exist to Habitats sites.
EH3: Protection of Trees and Hedgerows	N/A	Policy describes the need to protect and retain trees and hedgerows and sets a requirement for development to enhance biodiversity, where appropriate.	No Likely Significant Effect. Screened out. This policy is designed to protect and enhance the natural environment. This policy is considered to have no adverse impacts and potentially some beneficial effects on the Habitats sites.
EH4: Renewable and Low Carbon Energy	Arun Valley SAC/ SPA/ Ramsar The Mens SAC Ebernoe Common SAC	Policy sets out criteria to be used in support of energy-generating infrastructure.	Likely Significant Effect. Screened in. Development of energy generating infrastructure on agricultural land has the potential to impact Habitats sites through loss of land functionally-linked to a Habitats site, and disturbance to species as a result of construction activities/ operational stage. These potential impacts cannot be fully explored and resolved until planning applications come forward as no specific proposals are made in the Neighbourhood Plan. This therefore requires further consideration as part of application-specific HRA. Policy wording should include a caveat that support is contingent on planning application HRAs confirming no adverse effect on Habitats site integrity.
EH5: Non-designated Heritage Assets	N/A	Policy identifies structures where local distinctiveness must be taken into account. Proposals that may cause a direct impact must provide a heritage statement.	No Likely Significant Effect. Screened out. This policy is designed to protect the character of specific non-designated heritage assets. Therefore, no impact pathways exist to Habitats sites.

Policy	Habitats sites that may be affected by the Policy	Brief summary	Screening outcome
EH6: Conserve and Enhance the Heritage Environment	N/A	Policy aims to prevent new developments from having a negative impact on the local character of heritage assets.	No Likely Significant Effect. Screened out. This policy is designed to protect the character of local heritage assets. Therefore, no impact pathways exist to Habitats sites.
EH7: 'Unlit Village' Status	The Mens SAC Ebernoe Common SAC	Policy aims to maintain the current low level of night-time lighting that exists within the Parish. Development proposals which detract from the unlit environments by significantly reducing sky quality will not be supported.	No Likely Significant Effect. Screened out. This policy is designed to protect the 'unlit night sky' of the Parish. Therefore, no impact pathways exist to Habitats sites and the Policy may have beneficial effects for the SACs.
EH8: Wells Houses	N/A	Policy seeks to preserve and enhance the Wells' Houses by ensure any 'infill' developments are in keeping with the existing houses.	No Likely Significant Effect. Screened out. This is a development management policy and does not specifically allocate sites for development, however any identified will be within the existing built up area. Therefore, no impact pathways exist to Habitats sites.
EH9: Sunken Lanes and Stream Lane	N/A	Policy seeks to protect specified areas from damaging developments.	No Likely Significant Effect. Screened out. This is a development management policy that seeks to protect specified areas. Therefore, no impact pathways exist to Habitats sites.
EH10: Landscape Character and Important Views	N/A	Policy identifies important local views and states that development proposals which negatively impact these views will not be supported.	No Likely Significant Effect. Screened out. This is a development management policy and does not specifically allocate sites for development. Therefore, no impact pathways exist to Habitats sites.
EH11: Sub-division of Agricultural Land	N/A	This policy seeks to prevent inappropriate development in the countryside where sub-division and small structures can harm the character of open countryside and put pressure on rural roads.	No Likely Significant Effect. Screened out. This is a development management policy aimed at preventing inappropriate development. Therefore, no impact pathways exist to Habitats sites.
EH12: Development on Agricultural Land	Arun Valley SAC/ SPA/ Ramsar The Mens SAC Ebernoe Common SAC	Policy seeks to safeguard the best and most versatile agricultural land from development.	Likely Significant Effect. Screened in. Developments on less economically valued agricultural land have the potential to impact Habitats sites through loss of land functionally-linked to a Habitats site, and disturbance to species as a result of construction activities/ operational stage. These potential impacts cannot be fully explored and resolved until planning applications come forward. This therefore requires further consideration as part of application-specific HRA. Policy wording should include a caveat that support is contingent on planning application HRAs confirming no adverse effect on Habitats site integrity.

Getting Around Policies

Policy	Habitats sites that may be affected by the Policy	Brief summary	Screening outcome
GA1: Promoting Sustainable Movement	N/A	Policy seeks to encourage improvements to public and community transport facilities and reduce traffic volumes.	No Likely Significant Effect. Screened out. This is a development management policy and does not specifically allocate sites for development. Therefore, no impact pathways exist to Habitats sites.
GA2: Footpath, Bridleways and Cycle Path Network	N/A	Policy supports enhancement of existing network.	No Likely Significant Effect. Screened out. This is a development management policy which aims to improve the exiting network. Therefore, no impact pathways exist to Habitats sites.
GA3: Parking and New Development	N/A	Policy aims to manage the scale of physical parking provision, whilst ensuring adequate parking provision is made.	No Likely Significant Effect. Screened out. Policy aspires to apply a dynamic management regime in order to maximise the efficient use of the existing on and off-street parking provision. No impact pathways exist to Habitats sites
Employment and Enterprise Policies			
EE1: Supporting Existing Employment and Retail	N/A	Policy describes support for the upgrade/ extension of existing employment sites and retail units.	No Likely Significant Effect. Screened out. This is a development management policy and does not specifically allocate sites for development but improves existing sites. Therefore, no impact pathways exist to Habitats sites.
EE2: Employment Land	N/A	Policy opposes changes of land use in employment and supports proposals for new commercial development within the Built Up Area Boundaries.	No Likely Significant Effect. Screened out. This is a development management policy and does not specifically allocate sites for development. Therefore, no impact pathways exist to Habitats sites.
EE3: Local Shopping Facilities	N/A	Policy opposes changes of se at ground floor level from retail use.	No Likely Significant Effect. Screened out. This is a development management policy and does not specifically allocate sites for development. Therefore, no impact pathways exist to Habitats sites
EE4: Improving Signage	N/A	Policy describes the requirement to improve local signage.	No Likely Significant Effect. Screened out. This is a statement of intent and does not specifically allocate sites for development. Therefore, no impact pathways exist to Habitats sites.
EE5: Sustainable Recreational and Tourism Activities	Arun Valley SAC/ SPA/ Ramsar The Mens SAC Ebernoe Common SAC	Policy describes support tourism development proposals and/ or expansion of existing tourism uses. Proposals outside the Built Up Area Boundary will need to demonstrate a positive contribution and no adverse impact on the rural landscape.	Likely Significant Effect. Screened in. Development of further recreational facilities outside the Built Up Area Boundary has the potential to impact Habitats sites through loss of land functionally-linked to a Habitats site, and disturbance to species as a result of construction activities/ operational stage. These potential impacts cannot be fully explored and resolved until planning applications come forward as no specific proposals are made in the Neighbourhood Plan. This therefore requires further consideration as part of application-specific HRA. Policy wording should include a

Policy	Habitats sites that may be affected by the Policy	Brief summary	Screening outcome
EE6: Rural Buildings	Arun Valley SAC/ SPA/ Ramsar The Mens SAC Ebernoe Common SAC	Policy describes support for the conversion/ re-use/ adaptation of existing rural buildings but also supports development of equestrian facilities ancillary to existing dwellings.	<p>caveat that support is contingent on planning application HRAs confirming no adverse effect on Habitats site integrity.</p> <p>Likely Significant Effect. Screened in. Development of further equestrian facilities has the potential to impact Habitats sites through loss of land functionally-linked to a Habitats site, and disturbance to species as a result of construction activities/ operational stage. These potential impacts cannot be fully explored and resolved until planning applications come forward as the Neighbourhood Plan contains no specific proposals.</p> <p>This therefore requires further consideration as part of application-specific HRA. Policy wording should include a caveat that support is contingent on planning application HRAs confirming no adverse effect on Habitats site integrity.</p>
EE7: Communications Infrastructure	N/A	Policy specifies a requirement for all new residential, employment and commercial development which provides new buildings/dwellings must be designed to connect to high quality communications infrastructure.	<p>No Likely Significant Effect. Screened out. This is a statement of intent and does not specifically allocate sites for development. Therefore, no impact pathways exist to Habitats sites.</p>
Leisure and Community Policies			
LC1: Support Independent Living	N/A	Policy states that new, converted and extended independent living and care homes will be supported within the Built Up Area Boundary.	<p>No Likely Significant Effect. Screened out. This is a statement of intent. Although it does not specifically allocate sites for new development, it does state they will be within the Built Up Area Boundary. Therefore, no impact pathways exist to Habitats sites.</p>
LC2: Healthcare Facilities	N/A	Policy states that proposals for new medical facilities within the Built Up Area Boundary will be supported.	<p>No Likely Significant Effect. Screened out. This is a statement of intent. Although it does not specifically allocate sites for new development, it does state they will be within the Built Up Area Boundary. Therefore, no impact pathways exist to Habitats sites.</p>
LC3: Provision of Buildings for Community Use	N/A	Policy supports the provision of buildings for community use and identifies existing leisure facilities for improvement.	<p>No Likely Significant Effect. Screened out. This is a statement of intent and identifies facilities for renewal/improvement. Therefore, no impact pathways exist to Habitats sites.</p>
LC4: Protection of Assets of Community Value	N/A	Policy seeks to enhance the viability and community value of existing assets.	<p>No Likely Significant Effect. Screened out. This is a statement of intent and does not specifically allocate sites for development. Therefore, no impact pathways exist to Habitats sites.</p>

Policy	Habitats sites that may be affected by the Policy	Brief summary	Screening outcome
LC5: Designation of Local Green Space	N/A	Policy aims to protect existing Local Green Space.	No Likely Significant Effect. Screened out. This is a statement of intent and does not specifically allocate sites for development. Therefore, no impact pathways exist to Habitats sites.

5. The ‘in Combination’ Scope

- 5.1 It is a requirement of the Regulations that the impacts and effects of any land use plan being assessed are not considered in isolation but in combination with other plans and projects that may also be affecting the internationally designated site(s) in question.
- 5.2 When undertaking this part of the assessment it is essential to bear in mind the principal intention behind the legislation i.e. to ensure that those projects or plans which in themselves have minor impacts are not simply dismissed on that basis but are evaluated for any cumulative contribution they may make to an overall significant effect. In practice, in combination assessment is therefore of greatest relevance when the plan would otherwise be screened out because its individual contribution is inconsequential. The overall approach is to exclude the risk of there being unassessed likely significant effects in accordance with the precautionary principle. This was first established in the seminal Waddenzee²⁷ case.
- 5.3 For the purposes of this assessment, we have determined that, due to the nature of the identified impacts, the key other plans and projects with potential for in combination likely significant effects are those schemes that have the following impact pathways: recreational pressure, changes in air quality and urbanisation. The following plans have been assessed for their in-combination impact to interact with the West Chiltington Submission Neighbourhood Plan:
- Horsham emerging Regulation 19 Draft Local Plan
 - Arun Local Plan (adopted July 2018)
 - South Downs Local Plan (adopted July 2019)
 - Southern Water Water Resources Management Plan 2020-2070
- 5.4 It should be noted that, while the broad potential impacts of these other projects and plans will be considered, we do not propose carrying out full HRA on each of these plans – we will however draw upon existing HRA that have been carried out for surrounding regions and plans.

²⁷ Waddenzee case (Case C-127/02, [2004] ECR-I 7405)

6. Appropriate Assessment

- 6.1 The law does not prescribe how an appropriate assessment should be undertaken or presented but the appropriate assessment must consider all impact pathways that have been screened in, whether they are due to policies alone or to impact pathways that arise in combination with other projects and plans. That analysis is the purpose of this section. The law does not require the 'alone' and 'in combination' effects to be examined separately provided all effects are discussed.
- 6.2 By virtue of the small amount of growth the WCSNP specifies, the main impact pathways of concern to this HRA (inappropriate water levels and loss of functionally linked habitat) are inherently 'in combination' with neighbouring plans and projects. However, for completeness, potential impacts of the 29 net residential dwellings allocated within the WCSNP area in isolation are also assessed.
- 6.3 The HRA screening exercise undertaken in Table 4 indicates that five NP Policies were considered to pose Likely Significant Effects for Habitats sites alone (and will therefore also do so 'in combination' with other projects and plans) and require further assessment:
- Policy H1: Allocation of Land for Housing
 - Policy EH4: Renewable and Low Carbon Energy
 - Policy EH12: Development on Agricultural Land
 - Policy EE5: Sustainable Recreational and Tourism Activities
 - Policy EE6: Rural Buildings
- 6.4 The impact pathways identified in Table 4 as requiring Appropriate Assessment are:
- Inappropriate water levels (water quantity, level and flow)
 - Loss of functionally linked habitat

Water Quantity, Level and Flow

- 6.5 The unique nature of wetlands combines shallow water, high levels of nutrients and high primary productivity. These conditions are ideal for the growth of organisms at the basal level of food webs, which feed many species of birds, mammals, fish and amphibians. Overwintering and migrating wetland bird species are particularly reliant on these food sources, as they need to build up enough nutritional reserves to sustain their long migration routes.
- 6.6 Maintaining a steady water supply is of critical importance for many hydrologically dependent SPAs, SACs and Ramsars. For example, in many wetlands winter flooding is essential for sustaining a variety of foraging habitats for SPA / Ramsar wader and waterbird species. However, different species vary in their requirements for specific water levels. Splash and / or shallow flooding is required to provide suitable feeding areas and roosting sites for ducks and waders. In contrast, deeper flooding is essential to provide foraging habitats for Bewick's swans and other ducks.
- 6.7 Wetland habitats rely on hydrological connections with other surface waters, such as rivers, streams and lakes. A constant supply of water is fundamental to maintaining the ecological integrity of sites. However, while the natural fluctuation of water levels within narrow limits is desirable, excess or too little water supply might cause the water level to be outside of the required range of qualifying birds, invertebrate or plant species. This might lead to the loss of the structure and functioning of wetland habitats. There are two mechanisms through which urban development might negatively affect the water level in Habitats sites:
- The supply of new housing with potable water will require increased abstraction of water from surface water and groundwater bodies. Depending on the level of water stress in the geographic region, this may reduce the water levels in Habitats sites sharing the same catchment.
 - The proliferation of impermeable surfaces in urban areas increases the volume and speed of surface water runoff. As traditional drainage systems often cannot cope with the volume of stormwater, sewer overflows are designed to discharge excess water directly into watercourses. Often this pluvial flooding results in downstream inundation of watercourses and the potential flooding of wetland habitats.

- 6.8 Specifically, the Site Improvement Plans for Arun Valley SAC/SPA/Ramsar identify inappropriate water levels as threats to the respective sites. Increases to the quantity and rate of water delivery can result in summer flooding and prolonged / deeper winter flooding. This in turn results in the reduction of feeding and roosting sites for birds and be harmful to the ramshorn snail, which has very specific water level requirements. Conversely, reduced water flows can result in loss of supporting conditions for designated features such as the little whirlpool ram's-horn snail, and aquatic plant populations.
- 6.9 Implementation of Policies H1 and H2 of the WCSNP in isolation are unlikely to have a negative effect on water levels however, in-combination with other plans, it could result in changes to the water quantity, level and flow in the catchment of the River Arun Habitats sites if it required additional abstraction from such sites or the continuance of existing damaging abstraction. This could alter the water level within the designated sites themselves with potential cascading effects on qualifying species.
- 6.10 Following consultation with Natural England at the Horsham Draft Local Plan Regulation 18 stage, Natural England expressed concerns regarding the Hardham groundwater abstraction following a review of evidence. It should be noted that ultimately it is for Southern Water working with the Environment Agency to ensure that this abstraction does not result in an adverse effect on the integrity of the Arun Valley. However, until such time that this issue has been resolved at the higher tier level, Natural England has requested that Horsham District Council do their utmost to provide for water neutrality within the Local Plan in order to minimise the burden new development places on local water resources and thus minimise the need for Southern Water to use the Hardham Borehole to its full permitted extent.
- 6.11 To support the production of the Horsham Local Plan, a water neutrality investigation has been undertaken by AECOM (2021). The Technical Note provides a list of recommendations and requirements for the delivery of water neutrality. No one intervention alone will be sufficient. A suite of interventions will be required to work together to achieve water neutrality. These include Plan Policy, partnership approaches, and retrofitting. Details of the technical note can be found in Appendix E of the Draft Horsham Local Plan Regulation 18 stage HRA²⁸.
- 6.12 It should be noted that the impact discussed here is an "in combination" effect which considers the totality of development within the Horsham District and that of surrounding authorities. Likewise, mitigation to ensure water neutrality is required to be at the district level.
- 6.13 Since the production of the Horsham Local Plan Water Neutrality Technical Note in March 2021, in order to ensure that water supplies can be maintained and the environment protected, the affected local authorities within Southern Water's Sussex North Water Resource Zone (Horsham District, Crawley Borough, Chichester District, Mid Sussex District, South Downs National Park, and West Sussex County) have worked with consultants, Natural England, Southern Water, the Environment Agency and others to produce a Water Neutrality Strategy²⁹. Part C of the study develops a Strategy to achieve water neutrality. The purpose of the Strategy is to demonstrate that the Local Plan growth of the commissioning LPAs (Horsham District, Crawley Borough, Chichester District, Mid Sussex District, South Downs National Park, and West Sussex County) can be delivered in compliance with the Habitat Regulations (i.e., that the Local Plans will be water neutral).
- 6.14 Two approaches are proposed to be included in the Local Plan to ensure that its identified growth is water neutral:
- 6.15 Firstly, all new development will need to be highly water efficient. This can be achieved by designing in water efficiency measures such as low flush toilets, rainwater harvesting and greywater recycling in new development.
- 6.16 However, all new development will still require some additional water. This additional water demand will need to be offset by reducing the demand for water in existing development within the Sussex North Water Resource Zone. This might include fixing leaks or retrofitting existing buildings with more water efficient technology. The affected authorities are looking to introduce an offsetting scheme which planned development could utilise to achieve water neutrality based on the principles outlined in the 'Part C' Study.
- 6.17 The strategy includes a summary and further update of the growth accounted for in the study from each LPA in the water resource zone; a recommendation for a new build water efficiency standard, including how

²⁸ Available at [Local Plan review evidence base | Horsham District Council](#) [accessed 07/03/2024]

²⁹ JBAConsultaing (December 2022). Sussex North Water Neutrality Study: Part C – Strategy.

this may be achieved and an indicative cost; and options for offsetting remaining water demand, including Southern Water's existing contribution, and indicative costs for each offsetting option(s). A strategy to achieve water neutrality is presented, including recommendations for appropriate measures, how these may be funded, delivered, and monitored. Part C states that *'Further work will be required to implement the Strategy that is not included within this scope of work. This will include setting up the appropriate governance structure, conducting a procurement exercise to obtain accurate costings for implementing mitigation measures or offsetting, and development of the detailed processes and procedures for running and reporting a neutrality scheme. Until such a time as a strategy is agreed and implemented, development management applications will remain subject to the Natural England position statement.'*

- 6.18 The Strategy that has been identified to offset water demand can be utilised anywhere in the WRZ, *'except the area around Upper Beeding as in normal conditions these measures will not reduce water demand in the wider WRZ.'*
- 6.19 The Strategy reiterates that water neutrality measures are required for any development that has not already been granted outline or full planning permission, although the *C G Fry & Son Limited vs Secretary of State for Levelling Up, Housing and Communities and Somerset Council* High Court decision handed down in June 2023 also requires that development granted before the Natural England position statement was issued, where there are outstanding consents to be issued, also need to demonstrate water neutrality. The Strategy also reiterates that it must be demonstrated that water neutrality can be achieved and be in place prior to the demand occurring.
- 6.20 The Strategy notes that Southern Water will provide alternative water sources to replace the groundwater abstraction at Pulborough, however, this will not be in place until c. 2030 or later. As such, development provided before an alternative and sufficient long term water supply is identified and functional, any net new development in the water resource zone (including that provided within the Horsham, Crawley, Chichester, Mid Sussex, South Downs and West Sussex Development Plans) will be required to ensure they are water neutral, to ensure no adverse effect on the integrity of the Arun Valley designated site results. It may be that once these new long-term water sources are functioning, water neutrality will no longer need consideration with regard to the Arun Valley. As such the Strategy only covers until 2030, and an extension may be required to cover the entire Local Plan period i.e. until 2038/2039.
- 6.21 The Strategy makes the following key recommendations:
- *'The Water Neutrality Strategy should cover the period up to the end of a combined Local Plan periods of the commissioning LPAs (up to 2038/39).*
 - *A water efficiency target of 85l/p/d should be adopted for new build housing.*
 - *Non-household development should achieve a score of three credits within the water (Wat 01 Water Consumption) issue category for BREEAM New Construction Standard, achieving 40% reduction compared to baseline standards.*
 - *The Strategy will include an Offsetting Scheme which will run up to the end of 2029/30. This should be reviewed in 2030 based on whether a long-term solution has been implemented by Southern Water.*
 - *The Offsetting Scheme should be LPA-led, and operated collectively across LPAs, with the costs and benefits shared.*
 - *Developer contributions should be collected via Section 106 agreements.*
 - *Flow regulators are most appropriate for providing offsetting in the early part of the Strategy.*
 - *Pilot studies for a water efficiency programme in schools, non-household rainwater harvesting, and reduction in golf course irrigation should be set up, and if successful implemented alongside the flow regulator in the Offsetting Scheme.*
 - *A procurement process for delivering offsetting measures should be started as soon as possible to obtain accurate costing for offsetting measures.'*
- 6.22 To reflect the newly identified issue regarding water neutrality within the Sussex North Water Resource Zone, the Councils have updated their strategic policy relating to water neutrality.

'Strategic Policy 9: Water Neutrality

1. All development within the Sussex North Water Resource Zone (WRZ) will need to demonstrate water neutrality through water efficient design and offsetting of any net additional water use of the development...'

- 6.23 Horsham District Local Plan (Regulation 19) Strategic Policy 9: Water Neutrality identifies interventions relating to water efficient design, offsetting water use, the implementation of a water neutrality statement, offsetting schemes, and alternative water supply³⁰.

Recommendations

- 6.24 As mentioned, it is ultimately up to the water company (in conjunction with the Environment Agency as the regulator) to address the underlying issue of the Hardham abstraction. However, following Natural England's advice, it is recommended that:

- **An additional policy or supporting text is incorporated within the West Chiltington Neighbourhood Plan to demonstrate commitment to support the delivery of water neutrality in line with the emerging Horsham Local Plan in order to protect the Arun Valley SAC/ Ramsar.**
- **Neighbourhood policies H1 and H2 be amended to require all development that requires the use of water within the neighbourhood be compliant with the Horsham Strategic Policy 9: Water Neutrality within the Horsham District Regulation 19 Plan.**

Loss of Functionally Linked Land

- 6.25 The following Policies have the potential to result in loss of functionally linked land: EH4, EH12, EE5, and EE6 as they do not specify areas. It is feasible that applications may be submitted to develop outside the Built Up Area Boundary.
- 6.26 Generally, development plans may lead to the loss of functionally linked land (mainly winter foraging resources) through the allocation of greenfield sites (e.g. grassland, agricultural stubble / cereals), meaning that qualifying species have to compete for dwindling forage. West Chiltington is within 5km of the SPA/ Ramsar and whilst development within built-up areas of the settlement would not affect the availability of functionally linked habitat, greenfield development could do so if it resulted in the loss of farmland areas large enough to support a significant proportion (i.e. 1% of more) of the SPA/Ramsar population of Bewick swan (i.e. generally 2ha in size and upwards) and with suitably clear sightlines.
- 6.27 West Chiltington lies within 12km The Mens SAC and Ebernoe Common SAC. Development within the built-up areas of the settlements villages within this zone is unlikely to materially interfere with commuting or foraging opportunities for barbastelle bats associated with either SAC. However, greenfield development in this part of the District could have an adverse effect if it led to the net loss of linear features in pastoral landscapes including deciduous woodland, wet meadows and waterbodies³¹. Even if it did not lead to their loss but failed to provide an adequate physical buffer zone against construction and operational lighting (for example), it could still result in an adverse effect.

Recommendations

- 6.28 As no sites have been identified, **it is recommended that the policy wording for EH4, EH12, EE5, and EE6 be amended to include a caveat that support is contingent on planning application HRAs confirming no adverse effect on Habitats site integrity.**

³⁰ Available at [Horsham District Local Plan Regulation 19.pdf](#) [accessed 07/03/2024]

³¹ http://www.bats.org.uk/data/files/Species_Info_sheets/barbastelle_11.02.13.pdf [accessed 23/06/2021]

7. Conclusions

- 7.1 This assessment undertook both Screening and Appropriate Assessment of the policies and the proposed allocations within the WCSNP.
- 7.2 The international designated sites considered within the Appropriate Assessment for impact pathways that could not be screened out at the screening stage were:
- Arun Valley SAC/ SPA/ Ramsar;
 - The Mens SAC; and
 - Ebernoe Common SAC.
- 7.3 Impact pathways considered during the screening were: inappropriate water levels, water pollution, loss of functionally linked habitat, public access/ disturbance and air pollution: impact of atmospheric nitrogen deposition.
- 7.4 Thirty five policies and associated site allocations were subject to Appropriate Assessment as they were located within the accepted zones of influence of the aforementioned international sites and could result in adverse effects on the integrity of an international site both alone and in combination with other projects and plans.
- 7.5 Following Appropriate Assessment, it is concluded that, at present, the West Chiltington Submission Neighbourhood Plan contains insufficient policy framework to ensure no adverse effects on the integrity of international designated sites will occur in isolation or in combination with other projects and plans.
- 7.6 With regard to water resource impacts on Arun Valley SAC/SPA/Ramsar, it is recommended that:
- **An additional policy or supporting text is incorporated within the West Chiltington Neighbourhood Plan to demonstrate commitment to support the delivery of water neutrality in line with the emerging Horsham Local Plan in order to protect the Arun Valley SAC/ Ramsar.**
 - **Neighbourhood policies H1 and H2 be amended to require all development that requires the use of water within the neighbourhood be compliant with the Horsham Strategic Policy 9: Water Neutrality within the Horsham District Regulation 19 Plan.**
- 7.7
- 7.8 With regard to loss of functionally-linked land it is recommended that an additional policy be included to demonstrate a commitment to include water efficiency measures within new developments and that the wording of Policies EH4, EH12, EE5, and EE6 be amended. Natural England were consulted on this report but replied on 26th April 2024 noting they did not wish to comment.

Appendix A

Figure 1A – Habitats sites