



Horsham
District
Council

Horsham Blueprint Business Neighbourhood Plan 2019-2036

Habitats Regulations Assessment Addendum including Appropriate Assessment

June 2022

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1. Introduction

- 1.1 The Conservation of Habitats and Species Regulations 2017 (as amended) requires the Competent Authority to undertake a Habitat Regulations Assessment (HRA) before making a decision about permission for any plan or project, which may result in a likely significant effect upon a Habitats (European) Site and would require further work through Appropriate Assessment.
- 1.2 The Horsham Blueprint Business Neighbourhood Plan was initially subject to a Habitat Regulations Assessment Screening Assessment in June 2020. This was undertaken by consultants for the Horsham Blueprint Neighbourhood Forum. Natural England provided a formal response to the consultation on the Horsham Blueprint Business Neighbourhood Plan dated 6 November 2020 (ref 327986), which stated that it did not have any specific comments on the plan.
- 1.3 Following the publication of Natural England's Position Statement on Water Neutrality in (September 2021), which concludes that new development has the potential to adversely impact the Arun Valley SPA/SAC, it has been necessary to update the Habitats Regulations Assessment. (HRA)
- 1.4 An initial HRA was undertaken by Place Services (December 2021). Following comments on this document received from Natural England in April 2022, it has been necessary to update the Habitat Regulation Assessment in light of these comments. This document sets out the outcomes from that assessment. The two documents should be read in conjunction with each other.

2. Brief description of the Habitats sites within scope of this assessment

- 2.1 The Arun Valley SAC, SPA and Ramsar site supports rare and diverse plant, invertebrate and bird assemblages as qualifying features. It consists of low-lying grazing marsh, largely on alluvial soils, but with an area of peat derived from a relict raised bog. Variation in soils and water supply lead to a wide range of ecological conditions and hence a rich flora and fauna. The habitats and species of the Arun Valley have been identified as being at risk from increased levels of water abstraction / demand as identified by Natural England's Position Statement Interim Approach (September 2021). Further details can be found in Appendix 2 of the Place Services report (December 2021).

3. Approach to Habitats Regulations Assessment Addendum

- 3.1 The Habitats Regulations Assessment screening report for Horsham Blueprint Business Neighbourhood Plan (June 2020) complied with Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended). Therefore, this Habitats Regulations Assessment Addendum should be read in conjunction with the Habitats Regulations Assessment screening report Horsham Blueprint Business Neighbourhood Plan (June 2020) and the Place Services report (Dec 2021).
- 3.2 The Habitats Regulations Assessment Addendum addresses the need for additional screening of the Horsham Blueprint Business Neighbourhood Plan at Regulation 16, for hydrological changes to assess if the Plan is legally compliant and sound.
- 3.3 Figure 1 overleaf outlines the stages of the Habitats Regulations Assessment process for Neighbourhood Development Plans.

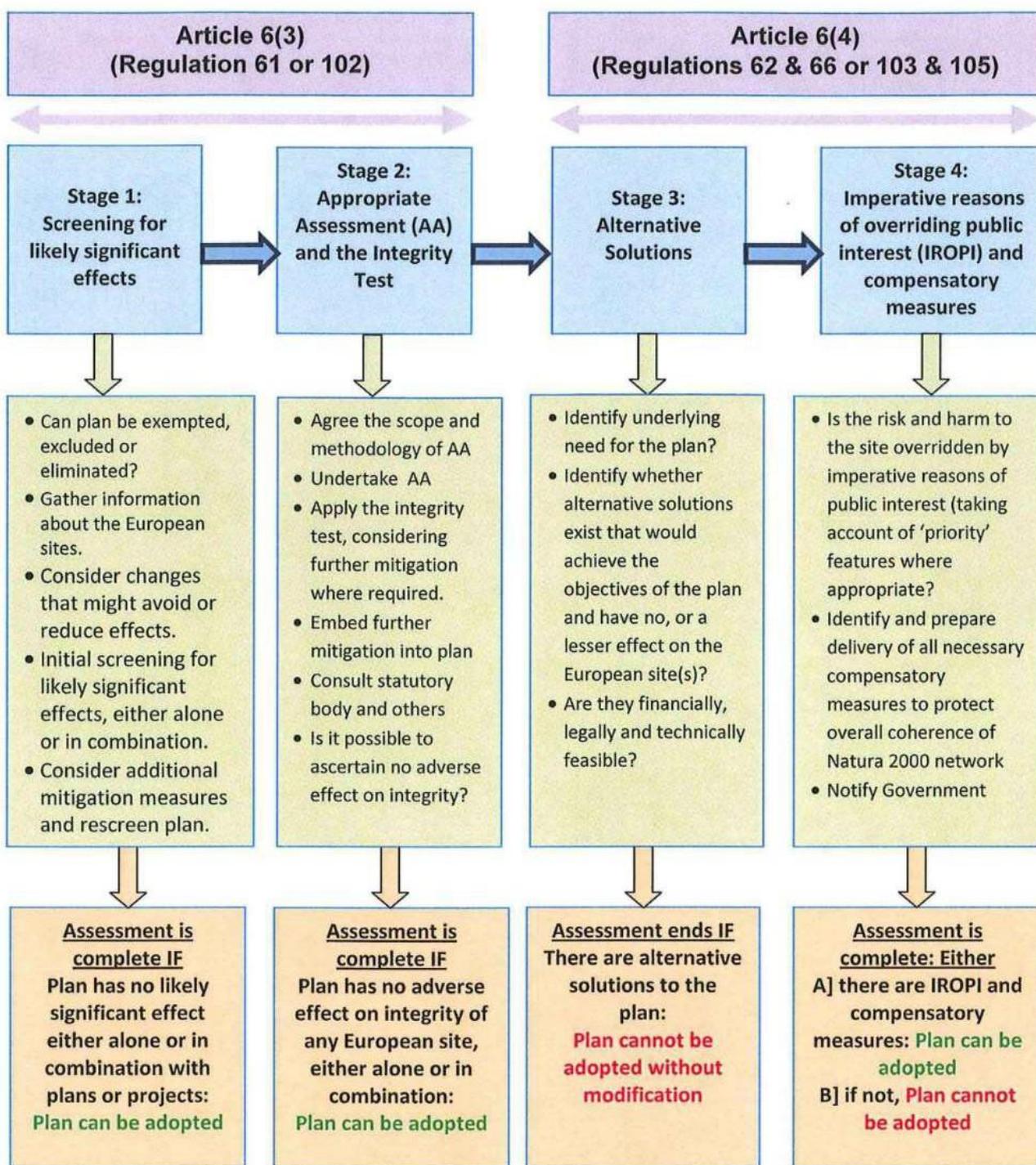
Stage 1: HRA screening

- 3.4 This screening stage identifies if further Habitat Regulation Assessment is required as a result of Neighbourhood Plan policies or non-policy actions having an impact on the Arun Valley Habitats sites. Each of the policies in the Horsham Blueprint Business Neighbourhood Plan have been screened to identify whether they would have a water quantity impact on the Arun Valley Habitats sites. Table 1 identifies the different categories assigned to each policy in the plan:
- 3.5 Category A identifies those policies or projects that may not result in a Likely Significant Effect and are considered to have No Negative Effect. Category B identifies those policies or projects that will have No Likely Significant Effect. Category C identifies those policies or projects that might have Likely Significant Effect and thus upon a Habitats Site either alone or in combination with other plans or projects.
- 3.6 Further to Natural England's comments, the following policies have rescreened and allocated to a category as shown in Table 2. Policy HB1, HB2, HB4, HB5, HB9, HB8 and HB14 have been rescreened in - to Appropriate Assessment stage

Table 1 HRA Screening categorisation

Category A: No Negative Effect
Policies or projects that will not be likely to have any negative effect on a Habitats site.
Category B: No Likely Significant Effect
Policies or projects that could have an effect but would not be likely to have a likely significant effect on a Habitats site alone or in combination. This conclusion could only be reached if the effects, even in combination and taking the precautionary principle into account, are considered trivial.
Category C: Likely Significant Effect
Policies or projects which are predicted to have a likely significant effect on a Habitats Site either alone or in combination with other plans and projects and require revision or further assessment (Appropriate Assessment).

Figure 1. Outline of the Four Stage Approach to the Assessment of Plans under the Habitats Regulations



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4. Results of Screening of Horsham Blueprint Business Neighbourhood Plan Policies on Water Neutrality

- 4.1 This section of this Update sets out the potential for the Horsham Blueprint Business Neighbourhood Plan to impact upon the Arun Valley Habitats sites. This takes account of:
- The potential for in combination effects from other projects and plans in the area.
 - Whether there are any outstanding issues that need further investigation.
- 4.2 Natural England's substantive advice (Position Statement Interim Approach (September 2021)) identifies the Arun Valley Habitat sites as being sensitive to increased abstraction for main waters to meet increased demand. As the Horsham Blueprint Business Neighbourhood Plan lies within the Sussex North Water Resource Zone, there is potential for it to affect the Arun Valley Habitats sites.
- 4.3 For the single issue of water quantity, impacts from development could include hydrological changes due to increased demand for water resources. As there is a predicted risk of increased demand for mains water from development, this HRA Addendum screening exercise is for a single impact pathway – water quantity.
- 4.4 The HRA Screening exercise explores whether there will be any Likely Significant Effect resulting from the Plan's policies. The results of the screening exercise for water quantity is recorded in Table 2 overleaf.

Table 2: Summary of findings from the HRA screening

Objective & Policy/ text	Will Policy have Likely Significant Effect on a Habitats Site in respect of Water Quantity?	Recommendations
<p>Objective 1:</p> <p>To safeguard, conserve, protect and enhance the historic character of the Area, including its Conservation Areas and heritage assets and their setting.</p>	No, Category A	No specific recommendations
<p>Objective 2:</p> <p>To safeguard green space, where it contributes to the wider green and blue infrastructure and/or is demonstrably special, for instance where it contributes to local character, biodiversity, recreation or tranquillity.</p>	No, Category A	No specific recommendations
<p>Objective 3:</p> <p>To protect and improve community, recreational, sporting and leisure facilities and be an integrated, balanced and resilient community, catering for diverse and changing needs across all age and social groups.</p>	No, Category A	No specific recommendations
<p>Objective 4:</p> <p>To ensure that development is well designed, is in keeping with local character and does not put adverse pressure on the roads, publicly available car parking and other services and infrastructure.</p>	No, Category A	No specific recommendations
<p>Objective 5:</p> <p>To encourage new housing that addresses local housing need, in particular providing opportunities for first-time buyers and young families to move into or remain in the area and provide opportunities for older people wishing to downsize.</p>	No, Category A	No specific recommendations
<p>Objective 6:</p> <p>To have a network of attractive streets and public spaces, which encourages pedestrian use and cycling, particularly for shorter journeys, and which moves the balance away from the dominance of cars, improves access within the area and to the surrounding settlements and countryside.</p>	No, Category A	No specific recommendations

Objective & Policy/ text	Will Policy have Likely Significant Effect on a Habitats Site in respect of Water Quantity?	Recommendations
<p>Objective 7:</p> <p>To support Horsham Town as a distinctive market town with a lively shopping experience and an eclectic mix of retail and complementary uses/facilities and a safe and welcoming evening economy to meet the needs of residents and visitors.</p>	No, Category A	No specific recommendations
<p>Objective 8:</p> <p>For the area to have a competitive edge as a good place to start and build a business, particularly in the digital and energy sectors, contributing to a net zero carbon economy; thereby supporting a sustainable local economy that provides high quality local employment.</p>	No, Category A	No specific recommendations
<p>Objective 9:</p> <p>To support initiatives and schemes that offset the impacts of climate change and create a low-carbon neighbourhood.</p>	No, Category A	No specific recommendations
<p>Policy HB1: LOCATION OF DEVELOPMENT</p> <p>a. Development in the Blueprint Neighbourhood Area shall be focused within the built-up area boundary as shown on the Policies Maps in Section 14 of this Neighbourhood Plan. Development between settlements will only be permitted where it meets the criteria of Policy 27 (Settlement Coalescence) of the HDPF, or the equivalent policy of the successor Local Plan.</p> <p>b. Development proposals outside the proposed built-up area boundary will not be permitted unless:</p> <ol style="list-style-type: none"> i. it is in accordance with the development plan policies on appropriate uses in the countryside; or ii. it relates to necessary utility infrastructure; or iii. it is on sites allocated for those uses in the Horsham District Planning Framework or its successor. <p>c. Proposals should make the best use of suitable brownfield land, where available, before greenfield land adjacent to or beyond the built-up area boundary is released.</p>	Yes, Category C	<p>Amend policy text for encouraging new employment/development to include additional requirement for part (a) (b) and (c).</p> <p><u>d. the proposal demonstrates water neutrality to avoid adverse impact on integrity of the Arun valley SAC/SPA. Ramsar sites.</u></p>
<p>Policy HB2: MEETING LOCAL HOUSING NEEDS</p> <p>a. All residential development proposals in the Plan area shall provide a mix of housing as required by Policy 16 of the Horsham District Planning Framework and in accordance with Policy HB5 Design of Development in this Neighbourhood Plan. Proposals that will deliver smaller one, two and three bedroom dwellings, including apartments and bungalows, to address the needs of single people, young couples, small families and the elderly, will be strongly encouraged.</p>	Yes, Category C	<p>Amend policy text for encouraging new employment to include additional requirement for part (a) (b) and (c).</p> <p><u>d. the proposal demonstrates water neutrality to avoid adverse impact on integrity of the Arun valley SAC/SPA. Ramsar sites.</u></p>

Objective & Policy/ text	Will Policy have Likely Significant Effect on a Habitats Site in respect of Water Quantity?	Recommendations
<ul style="list-style-type: none"> b. Housing development must contribute to meeting the existing and future housing needs of the neighbourhood area. Developers of major developments are required to submit a neighbourhood area-Specific Affordable Housing and Dwellings Mix Strategy. c. Affordable homes should be well integrated with market housing. The type and size of affordable homes should meet the specific needs identified for the neighbourhood area. d. Should it be demonstrated that the required level of affordable housing cannot be met onsite for legitimate reasons, a commuted sum will be required to ensure that the provision of affordable units is not lost. 		
<p>Policy HB4: DESIGN OF DEVELOPMENT</p> <p>Development is expected to demonstrate a high quality of design, which responds and integrates well with its surroundings, meets the changing needs of residents and minimises the impact on the natural environment. Development proposals will be expected to demonstrate how they have considered and sought to address the following matters:</p> <ul style="list-style-type: none"> a. Being guided by the National Design Guide and the principles of Building for Life unless alternative principles would otherwise result in a higher quality of design. Development proposals are encouraged to achieve the 'Built for Life' quality mark. b. The guidance contained within the Horsham Town Design Statement SPD21 and Good By Design 22 c. Dwellings designed to be suitable for older residents (aged 60 and over) are encouraged to meet the space and accessibility requirements of the Lifetime Homes standards. Such dwellings may also be suitable for younger residents and are not intended to be restricted in use. d. To design layouts of safe and secure dwellings that meet the requirements of 'Secured by Design' and minimise the likelihood and fear of crime. e. The height of new building in conservation areas to be consistent with existing buildings such that they do not affect their setting. In addition to retain existing building lines, where development is set back from the pavement to create a sense of space and aid movement. f. All new residential, commercial and community properties within the Horsham Blueprint Business Neighbourhood Plan area should be served by a superfast broadband (such as full fibre) connection. g. To ensure that areas requiring service and maintenance including watercourses are accessible at all times. h. Development that is required to provide Sustainable Drainage Systems (SuDS) is expected to provide this on-site, unless there are clear reasons why this is not possible. Such development is encouraged to demonstrate the use of 	<p>Yes, Category C</p>	<p>Amend policy text for encouraging new employment and all proposals to include additional requirement for part (i-viii).</p> <p><u>ix. to incorporate water and energy efficiency measures.</u></p>

Objective & Policy/ text	Will Policy have Likely Significant Effect on a Habitats Site in respect of Water Quantity?	Recommendations
<p>a wide range of creative SuDS solutions, for example through the provision of SuDS as part of green spaces, green roofs, permeable surfaces and rain gardens. SuDS provision must demonstrate how its design will enhance wildlife and biodiversity as well as minimise the impacts of flooding. Only where it is demonstrably unviable will an absence of any on-site SuDS provision be permissible in such developments.</p> <p>i. Provide adequate off-road parking for residents, visitors and service vehicles, in accordance with the West Sussex Parking Standards²³ as a minimum.</p> <p>j. To ensure that the layout and design of parking provision does not adversely affect vehicular and pedestrian access and safety. Permeable surfacing should be used.</p> <p>k. Where a building incorporates Horsham stone roofing, developers are expected to reinstate it. If this is not possible, the Horsham stone must be preserved for future reuse in Horsham district.</p>		
<p>Policy HB5: ENERGY EFFICIENCY AND DESIGN</p> <p>a. The design and standard of any development is encouraged to achieve the highest level of sustainable design, in order to reduce energy consumption and climate effects. This includes:</p> <ul style="list-style-type: none"> i. Siting and orientation to optimise passive solar gain. ii. The use of high quality, thermally efficient building materials. iii. Installation of energy efficiency measures such as loft and wall insulation and double glazing. iv. Incorporating on-site energy generation from renewable sources such as solar panels. v. Reducing water consumption through the use of grey water systems vi. Providing low carbon sustainable design and avoid or mitigate all regulated emissions using a combination of on-site energy efficiency measures (such as insulation and low energy heating systems), on-site zero carbon technologies (such as solar panels) and only where necessary off-site measures to deal with any remaining emissions. vii. Reducing fuel poverty levels, such as replacement of lighting by lower wattage light sources. viii. Providing the infrastructure for adequate electric vehicle charging points for each dwelling, where new parking provision is expected to be made, in accordance with WSCC Parking Guidance Principle B24. ix. Alterations to existing buildings should be designed with energy reduction in mind and comply with current sustainable design and construction standards. <p>Where a development cannot achieve one or more of the criteria (for instance for practical reasons), then this would not render the scheme unacceptable, providing a robust demonstration can be provided by the developer.</p>	<p>Yes, Category C</p>	<p>Amend policy text for encouraging new employment to include additional requirement for part (i-ix) to ensure all proposals are Water Neutral.</p> <p><u>(v). Including the provision of measures to maximise water saving through building design, including efficient fixtures and fittings and the use of rainwater harvesting and/or grey water systems.</u></p>

Objective & Policy/ text	Will Policy have Likely Significant Effect on a Habitats Site in respect of Water Quantity?	Recommendations
<ul style="list-style-type: none"> b. Alterations to existing buildings, including the sensitive retrofitting of historic buildings, should be designed with energy reduction in mind and comply with current sustainable design and construction standards. c. Proposals to develop community-owned energy projects, that generate funds to offset fuel poverty and that contribute towards the area being a low-carbon neighbourhood, are strongly encouraged and will be strongly supported. 		
<p>Policy HB8: HORSHAM AS A SUSTAINABLE VISITOR DESTINATION</p> <p>The development and expansion of tourism facilities, accommodation, attractions and activities connected with day and staying visitors will be supported where the following criteria can be met:</p> <ul style="list-style-type: none"> i. There are demonstrable economic and social benefits of the proposals; and ii. It provides links to sustainable forms of transport and is accessible by foot, bicycle and mobility transport; and iii. There is no significant detrimental impact on the existing community; and iv. Dedicated parking provision should be consistent with WSCC Parking Guidance; and v. The siting, scale and design has strong regard to the local character, historic and natural assets of the surrounding area and the design and materials are in keeping with the local style and reinforce local distinctiveness and provide a strong sense of place. 	Yes, Category C	<p>Amend policy text for encouraging new employment/ development to include additional requirement for part (i-v) and to ensure new proposals are water neutral.</p> <p><u>(vi) Proposal must demonstrate that they are water neutral to prove that there is no adverse impact on the integrity of the Arun Valley SAC/SPA and Ramsar sites.</u></p>
<p>Policy HB9: PROTECTING EXISTING AND ENCOURAGING NEW COMMERCIAL PREMISES AND LAND</p> <p><u>Protecting existing employment</u></p> <ul style="list-style-type: none"> a. There will be a presumption against the loss of commercial premises or land which provides employment. Subject to Permitted Development rights, applications for a change of use of existing commercial premises to an activity that does not provide employment opportunities will be resisted unless it can be demonstrated that the commercial premises or land: <ul style="list-style-type: none"> i. has not been in active use for at least 12 months; and ii. has no potential for either reoccupation or redevelopment for employment generating uses as demonstrated through the results of: <ul style="list-style-type: none"> iii. a marketing campaign lasting for a continuous period of at least six months and a supplemental report evidencing the marketing undertaken and the market response; and iv. a detailed valuation report assessing the viability of the land and buildings for employment use. <p><u>Encouraging new employment</u></p> <ul style="list-style-type: none"> b. Proposals to provide start-up business space – including office/workshop space, incubator and start-up units - on flexible terms will be supported, provided that: 		

Objective & Policy/ text	Will Policy have Likely Significant Effect on a Habitats Site in respect of Water Quantity?	Recommendations
<ul style="list-style-type: none"> i. there is no adverse impact on the amenity of surrounding areas; and ii. access by public transport, cycle and on foot, and catering for all users including children and those with disabilities, is created, maintained and enhanced; and iii. Proposals must demonstrate that they are water neutral to prove that there is no adverse impact on the integrity of the Arun Valley SAC/SPA and Ramsar site. <p>c. Proposals that support or enhance existing businesses delivering a net gain in employment in sustainable locations and enabling businesses to grow will be supported.</p>		
<p>Policy HB14: COMMUNITY AND CULTURAL FACILITIES</p> <ul style="list-style-type: none"> a. Proposals that would result in the loss of community and leisure facilities – in particular community halls and the library - will only be supported if alternative and equivalent facilities are provided. Such re-provision will be required to demonstrate that the replacement facility is: <ul style="list-style-type: none"> a. at least of an equivalent scale to the existing facility; and b. is in a location accessible by foot or bicycle to the community of the Neighbourhood Plan area; and c. is made available before the closure of the existing facility; and d. is of a quality fit for modern use. b. Proposals for new/improved community facilities – for example an art gallery will be encouraged subject to the following criteria: c. Proposals that enable the diversification and flexible use of the buildings through the extension of and shared use of such buildings, to provide additional community facilities for example, will be supported. <ul style="list-style-type: none"> i. the proposal would not have significant harmful impacts on the amenities of surrounding residents and the local environment; and ii. the proposal would not have significant adverse impacts upon the local road network; and iii. sufficient associated storage space and adequate parking space is provided. 	Yes, Category C	<p>Amend policy text for encouraging new employment to include additional requirement for part (b) and (c) and to ensure new proposals are water neutral.</p> <p><u>(D) Proposal must demonstrate that they are water neutral to prove that there is no adverse impact on the integrity of the Arun Valley SAC/SPA and Ramsar sites.</u></p>

Recommendation

- 4.5 Although the majority of the policies in this Neighbourhood Development Plan have been assigned to Category A (no negative effect) with no need to amend policy text, following further comment from Natural England, seven policies have been assigned to Category C (Likely Significant Effect) which triggers revision or further assessment.
- 4.6 Policies HB1, HB2, HB4, HB5, HB8, HB9 and HB14 encourage and support development that is predicted, without mitigation, to increase the demand for mains water.
- 4.7 Whilst the Horsham Blueprint Business Neighbourhood Plan does not allocate any land for development, its policies will, together with the Horsham District Planning Framework¹ set the framework for decisions on development proposals. Without mitigation, therefore this HRA Addendum Update cannot reasonably conclude no Likely Significant Effect at the screening stage for policies that support development proposals within the Neighbourhood Plan area.
- 4.8 There is a clear impact pathway for water quantity from the Plan to result in effects although this is not considered to result in Likely Significant Effects from the Plan alone.
- 4.9 However, given the existing situation of predicted impacts on the Arun Valley Habitats sites from increased demand for mains water from planned growth, there is a credible evidence of a real risk for hydrological changes resulting from development supported by the Plan, when considered in combination with other plans and projects.
- 4.10 As mitigation cannot be considered at HRA screening stage, this HRA Addendum report therefore needs to progress to Stage 2 Appropriate Assessment to consider the implications of the Plan on the Conservation Objectives for the Arun Valley SAC/SPA/Ramsar site in combination with other plans and projects for the single impact pathway of water quantity. With mitigation and any informative caveats embedded in the Plan at Stage 2 Appropriate Assessment, the test will then be to avoid Adverse Effect on Integrity of Arun Valley Habitats sites for this impact pathway.
- 4.11 With predicted effects from the Regulation 16 Horsham Blueprint Business Neighbourhood Plan alone, this HRA Addendum needs to progress to Habitats Regulations Assessment Stage 2: Appropriate Assessment. Consideration of in- combination impacts will be included.

5 Appropriate Assessment

Introduction to Appropriate Assessment

- 5.1 The emerging Horsham Blueprint Business Neighbourhood Plan is considered, without mitigation, to result in Likely Significant Effect in combination with other plans and projects. This is via a single pathway of water quantity.
- 5.2 The second stage of HRA is to undertake an 'Appropriate Assessment' of the implications of the plan (either alone or in combination with other plans or projects) and establish whether there may be an Adverse Effect on Integrity (AEOI) of any Habitats sites in view of their Conservation Objectives. The process undertaken for the Appropriate Assessment is set out in this Section of the HRA Addendum.

¹ (until replaced by the Horsham District Local Plan which is under preparation)

5.3 The Appropriate Assessment should be undertaken by the competent authority and should assess all aspects of the Plan which can by themselves, or in combination with other plans and projects, affect the sites' Conservation Objectives which support the qualifying features. The assessment must consider the implications for each qualifying feature of each potentially affected Habitats Site. Key vulnerabilities are set out in Appendix 2 and the Site Improvement Plans (SIPs) were used to obtain this information. Site Improvement Plans have been developed for each Habitats Site in England as part of the 'Improvement Programme for England's Natura 2000 sites (IPENS)'. The Site Improvement Plans provide a high level overview of the issues (both current and predicted) affecting the condition of the designation features of the site(s) and outlines the priority measures required to improve the condition of the features. These can be found at: <http://publications.naturalengland.org.uk/category/5458594975711232>

Use of mitigation measures and applying the Integrity Test

- 5.4 All mitigation measures recommended to be incorporated into the Horsham Blueprint Business Neighbourhood Plan can now be taken into account at Stage 2 Appropriate Assessment. The Appropriate Assessment is an iterative process, re-assessing changes and new or different mitigation measures before making its final conclusion. It must be clear which mitigation measures are being relied upon in order to meet the integrity test.
- 5.5 The integrity test must apply the precautionary principle. However, plan assessments are less precise than project assessments, and so it is important for the assessment process to eliminate the prospect of adverse effects integrity insofar as it is possible, given the level of specificity of this Plan.

Stage 2 Appropriate Assessment

- 5.6 Natural England has advised Horsham District Council that the matter of water neutrality should be resolved in partnership through Local Plans across the affected authorities, where policy and assessment can be agreed and secured to ensure that water use is offset for all new developments within Sussex North. To achieve this Natural England is working in partnership with all the relevant authorities to secure water neutrality collectively through a strategic approach.
- 5.7 Whilst the water neutrality strategy is evolving, Natural England advises that decisions on planning applications should await its completion. However, if there are applications which a planning authority deems critical to proceed in the absence of the strategy, then Natural England advises that any application needs to demonstrate water neutrality. It will also need to be ensured that measures are not already proposed (for example in Southern Water's Management Plan) to avoid double-counting. Any mitigation must be suitably certain in order to comply with the Habitats Regulations and Caselaw. If the application cannot demonstrate, through an Appropriate Assessment, the required water neutrality, Natural England advise that it is either revised to achieve this in line with its interim approach or awaits completion of the strategic approach.
- 5.8 There will therefore be a need for any development subsequently coming forward within the Horsham Blueprint Business Plan area, which is likely to result in increased demand for mains water, to be subject to a project level HRA for water neutrality. This will mean that at planning application stage, without mitigation, Horsham DC cannot conclude no Likely Significant Effect on the Arun Valley Habitats sites when considered *in combination* with other plans and projects. Until a strategic solution can be delivered by Southern Water, all new development will need to

demonstrate water neutrality and secure mitigation by way of water minimisation and water offsetting measures.

Embedding Mitigation Measures

5.9 At Screening stage, the following Plan policies were listed as having the potential for Likely Significant Effects as a result of impacts on water quantity.

5.10 Amendments to ensure compliance with the Habitat Regulations are set out below. Appropriate measures have been included as policy criterion (additional text highlighted in **bold** and **underlined**):

POLICY HB1: LOCATION OF DEVELOPMENT

- A. Development in the Blueprint Neighbourhood Area shall be focused within the built-up area boundary as shown on Figure 4.4 and the Policies Maps in Section 14 of this Neighbourhood Plan. Development between settlements will only be permitted where it meets the criteria of Policy 27 (Settlement Coalescence) of the HDPF, or the equivalent policy of the successor Local Plan.
- B. Development proposals outside the proposed built-up area boundary will not be permitted unless:
 - i. it is in accordance with the development plan policies on appropriate uses in the countryside; or
 - ii. it relates to necessary utility infrastructure; or
 - iii. it is on sites allocated for those uses in the Horsham District Planning Framework or its successor.
- C. Proposals should make the best use of suitable brownfield land, where available, before greenfield land adjacent to or beyond the built-up area boundary is released.
- D. **Proposals must demonstrate that they are water neutral to prove that there is no adverse impact on the integrity of the Arun Valley SAC/SPA and Ramsar site.**

POLICY HB2: MEETING LOCAL HOUSING NEEDS

- A. All residential development proposals in the Plan area shall provide a mix of housing as required by Policy 16 of the Horsham District Planning Framework and in accordance with Policy HB5 Design of Development in this Neighbourhood Plan. Proposals that will deliver smaller one, two and three bedroom dwellings, including apartments and bungalows, to address the needs of single people, young couples, small families and the elderly, will be strongly encouraged.
- B. Housing development must contribute to meeting the existing and future housing needs of the neighbourhood area. Developers of major developments are required to submit a neighbourhood area-Specific Affordable Housing and Dwellings Mix Strategy.
- C. Affordable homes should be well integrated with market housing. The type and size of affordable homes should meet the specific needs identified for the

neighbourhood area. Should it be demonstrated that the required level of affordable housing cannot be met on-site for legitimate reasons, a commuted sum will be required to ensure that the provision of affordable units is not lost.

D. Proposals must demonstrate that they are water neutral to prove that there is no adverse impact on the integrity of the Arun Valley SAC/SPA and Ramsar site.

POLICY HB4: DESIGN OF DEVELOPMENT

Development is expected to demonstrate a high quality of design, which responds and integrates well with its surroundings, meets the changing needs of residents and minimises the impact on the natural environment. Development proposals will be expected to demonstrate how they have considered and sought to address the following matters:

- i. Being guided by the National Design Guide and the principles of Building for a Healthy Life – Design for Homes² unless alternative principles would otherwise result in a higher quality of design. Development proposals are encouraged to achieve the Building for a Healthy Life commendation.
- ii. The guidance contained within the Horsham Town Design Statement SPD³ and Good By Design⁴.
- iii. Dwellings designed to be suitable for older residents (aged 60 and over) are encouraged to meet the space and accessibility requirements of the Lifetime Homes standards. Such dwellings may also be suitable for younger residents and are not intended to be restricted in use.
- iv. To design layouts of safe and secure dwellings that meet the requirements of 'Secured by Design' and minimise the likelihood and fear of crime.
- v. The height of new building in conservation areas to be consistent with existing buildings such that they do not affect their setting. In addition to retain existing building lines, where development is set back from the pavement to create a sense of space and aid movement.
- vi. All new residential, commercial and community properties within the Horsham Blueprint Business Neighbourhood Plan area should be served by a superfast broadband (such as full fibre) connection.
- vii. To ensure that areas requiring service and maintenance including watercourses are accessible at all times.
- viii. Development that is required to provide Sustainable Drainage Systems (SuDS) is expected to provide this on-site, unless there are clear reasons why this is not possible. Such development is encouraged to demonstrate the use of a wide range of creative SuDS solutions, for

² [Building For Life | Design For Homes](#)

³ Ibid.

⁴ Ibid.

example through the provision of SuDS as part of green spaces, green roofs, permeable surfaces and rain gardens. SuDS provision must demonstrate how its design will enhance wildlife and biodiversity as well as minimise the impacts of flooding. Only where it is demonstrably unviable will an absence of any on-site SuDS provision be permissible in such developments.

- ix. **To incorporate water and energy efficiency measures.**
- x. Provide adequate off-road parking for residents, visitors and service vehicles, in accordance with the West Sussex Parking Guidance⁵ as a minimum.
- xi. To ensure that the layout and design of parking provision does not adversely affect vehicular and pedestrian access and safety. Permeable surfacing should be used.
- xii. Where a building incorporates Horsham stone roofing, developers are expected to reinstate it. If this is not possible, the Horsham stone must be preserved for future reuse in Horsham district.

POLICY HB5: ENERGY EFFICIENCY AND DESIGN

A. The design and standard of any development is encouraged to achieve the highest level of sustainable design, in order to reduce energy consumption and climate effects. This includes:

- i. Siting and orientation to optimise passive solar gain.
- ii. The use of high quality, thermally efficient building materials.
- iii. Installation of energy efficiency measures such as loft and wall insulation and double glazing.
- iv. Incorporating on-site energy generation from renewable sources such as solar panels.
- v. **Including the provision of measures to maximise water saving through building design, including efficient fixtures and fittings and the use of rainwater harvesting and/or grey water systems.**
- vi. Providing low carbon sustainable design and avoid or mitigate all regulated emissions using a combination of on-site energy efficiency measures (such as insulation and low energy heating systems), on-site zero carbon technologies (such as solar panels) and only where necessary off-site measures to deal with any remaining emissions.
- vii. Reducing fuel poverty levels, such as replacement of lighting by lower wattage light sources.
- viii. Providing the infrastructure for adequate electric vehicle charging points for each dwelling, where new parking provision is expected to

⁵ https://www.westsussex.gov.uk/media/1847/guidance_parking_res_dev.pdf

be made, in accordance with WSCC Parking Guidance Principle B⁶.

- ix. Alterations to existing buildings should be designed with energy reduction in mind and comply with current sustainable design and construction standards.

Where a development cannot achieve one or more of the criteria (for instance for practical reasons), then this would not render the scheme unacceptable, providing a robust demonstration can be provided by the developer.

- B. Alterations to existing buildings, including the sensitive retrofitting of historic buildings, should be designed with energy reduction in mind and comply with current sustainable design and construction standards.
- C. Proposals to develop community-owned energy projects, that generate funds to offset fuel poverty and that contribute towards the area being a low-carbon neighbourhood, are strongly encouraged and will be strongly supported.

POLICY HB8: HORSHAM AS A SUSTAINABLE VISITOR DESTINATION

The development and expansion of tourism facilities, accommodation, attractions and activities connected with day and staying visitors will be supported where the following criteria can be met:

- i. There are demonstrable economic and social benefits of the proposals; and
- ii. It provides links to sustainable forms of transport and is accessible by foot, bicycle and mobility transport; and
- iii. There is no significant detrimental impact on the existing community; and
- iv. Dedicated parking provision should be consistent with WSCC Parking Guidance; and
- v. The siting, scale and design has strong regard to the local character, historic and natural assets of the surrounding area and the design and materials are in keeping with the local style and reinforce local distinctiveness and provide a strong sense of place.
- vi. **Proposals must demonstrate that they are water neutral to prove that there is no adverse impact on the integrity of the Arun Valley SAC/SPA and Ramsar site.**

⁶ WSCC Parking Guidance Principle B – Electric Vehicle Charging Infrastructure (para. 4.7 & 4.8).

Policy HB9: PROTECTING EXISTING AND ENCOURAGING NEW COMMERCIAL PREMISES AND LAND

Protecting existing employment

- A There will be a presumption against the loss of commercial premises or land which provides employment. Subject to Permitted Development rights, applications for a change of use of existing commercial premises to an activity that does not provide employment opportunities will be resisted unless it can be demonstrated that the commercial premises or land:
- i. has not been in active use for at least 12 months;
 - ii. has no potential for either reoccupation or redevelopment for employment generating uses as demonstrated through the results of;
 - iii. a marketing campaign lasting for a continuous period of at least six months and a supplemental report evidencing the marketing undertaken and the market response; and
 - iv. a detailed valuation report assessing the viability of the land and buildings for employment use.

Encouraging new employment

- B Proposals to provide start-up business space – including office/workshop space, incubator and start-up units - on flexible terms will be supported, provided that:
- i. there is no adverse impact on the amenity of surrounding areas; and
 - ii. access by public transport, cycle and on foot, and catering for all users including children and those with disabilities, is created, maintained and enhanced;
 - iii. proposals that support or enhance existing businesses delivering a net gain in employment in sustainable locations and enabling businesses to grow will be supported; and
 - iv. **Proposals must demonstrate that they are water neutral to prove that there is no adverse impact on the integrity of the Arun Valley SAC/SPA and Ramsar site.**

Policy HB14: COMMUNITY AND CULTURAL FACILITIES

- a. Proposals that would result in the loss of community and leisure facilities – in particular community halls and the library - will only be supported if alternative and equivalent facilities are provided. Such re-provision will be required to demonstrate that the replacement facility is:
 - i. at least of an equivalent scale to the existing facility; and
 - ii. is in a location accessible by foot or bicycle to the community of the Neighbourhood Plan area; and
 - iii. is made available before the closure of the existing facility; and
 - iv. is of a quality fit for modern use.
- b. Proposals for new/improved community facilities – for example an art gallery will be encouraged subject to the following criteria:
 - i. the proposal would not have significant harmful impacts on the amenities of surrounding residents and the local environment; and
 - ii. the proposal would not have significant adverse impacts upon the local road network; and
 - iii. sufficient associated storage space and adequate parking space is provided.
- c. Proposals that enable the diversification and flexible use of the buildings through the extension of and shared use of such buildings, to provide additional community facilities for example, will be supported.
- d. Proposals must demonstrate that they are water neutral to prove that there is no adverse impact on the integrity of the Arun Valley SAC/SPA and Ramsar site.

Encouraging new employment

- b. Proposals to provide start-up business space – including office/workshop space, incubator and start-up units - on flexible terms will be supported, provided that:
 - i. there is no adverse impact on the amenity of surrounding areas; and
 - ii. access by public transport, cycle and on foot, and catering for all users including children and those with disabilities, is created, maintained and enhanced.
 - iii. **the proposal demonstrates water neutrality to avoid adverse impact on integrity of the Arun valley SAC/SPA and Ramsar site.**

5.11 In terms of providing certainty that the Horsham Blueprint Business Neighbourhood Plan is sound, it is recommended that additional text on water neutrality is also added as supporting text for Policy HB4: Design of the Development in the Horsham Blueprint Business Neighbourhood Plan, where there is already a reference to rain gardens.

5.12 This will explain the predicted impacts of future development which, without mitigation, to result in adverse effects on Arun Valley Habitats sites. The following additional text below (underlined) is therefore recommended. The additional text has been accepted and inserted in the plan moving forward:

With reference to Natural England's Position Statement for Applications within the Sussex North Water Resources Zone (September 2021 – Interim Approach), Horsham Blueprint Business Area lies within this Water Supply Zone which includes supplies from a groundwater abstraction which cannot, with certainty, conclude no adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar site. As it cannot be concluded that the existing abstraction within Sussex North Water Supply Zone is not having an impact on the Arun Valley site, Natural England advises that developments within this zone must not add to this impact.

Natural England has advised that this matter should be resolved in partnership through Local Plans across the affected authorities, where policy and assessment can be agreed and secured to ensure water use is offset for all new developments within Sussex North. To achieve this Natural England is working in partnership with all the relevant authorities to secure water neutrality collectively through a water neutrality strategy. Whilst the strategy is evolving, Natural England advises that decisions on planning applications should await its completion. However, if there are applications which a planning authority deems critical to proceed in the absence of the strategy, then Natural England advises that any application needs to demonstrate water neutrality.

Developments within Horsham Blueprint Business Area must therefore must not add to this impact and one way of achieving this is to demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.

Re-applying the integrity test

5.13 Following the Appropriate Assessment and the consideration of all mitigation measures, the competent authority needs to re-apply the integrity test and make a judgement on whether any of the policies will have an Adverse Effect on Integrity on the Arun Valley Habitats sites, either alone or in combination with other plans and projects. This test incorporates the precautionary principle.

6 Recommendations

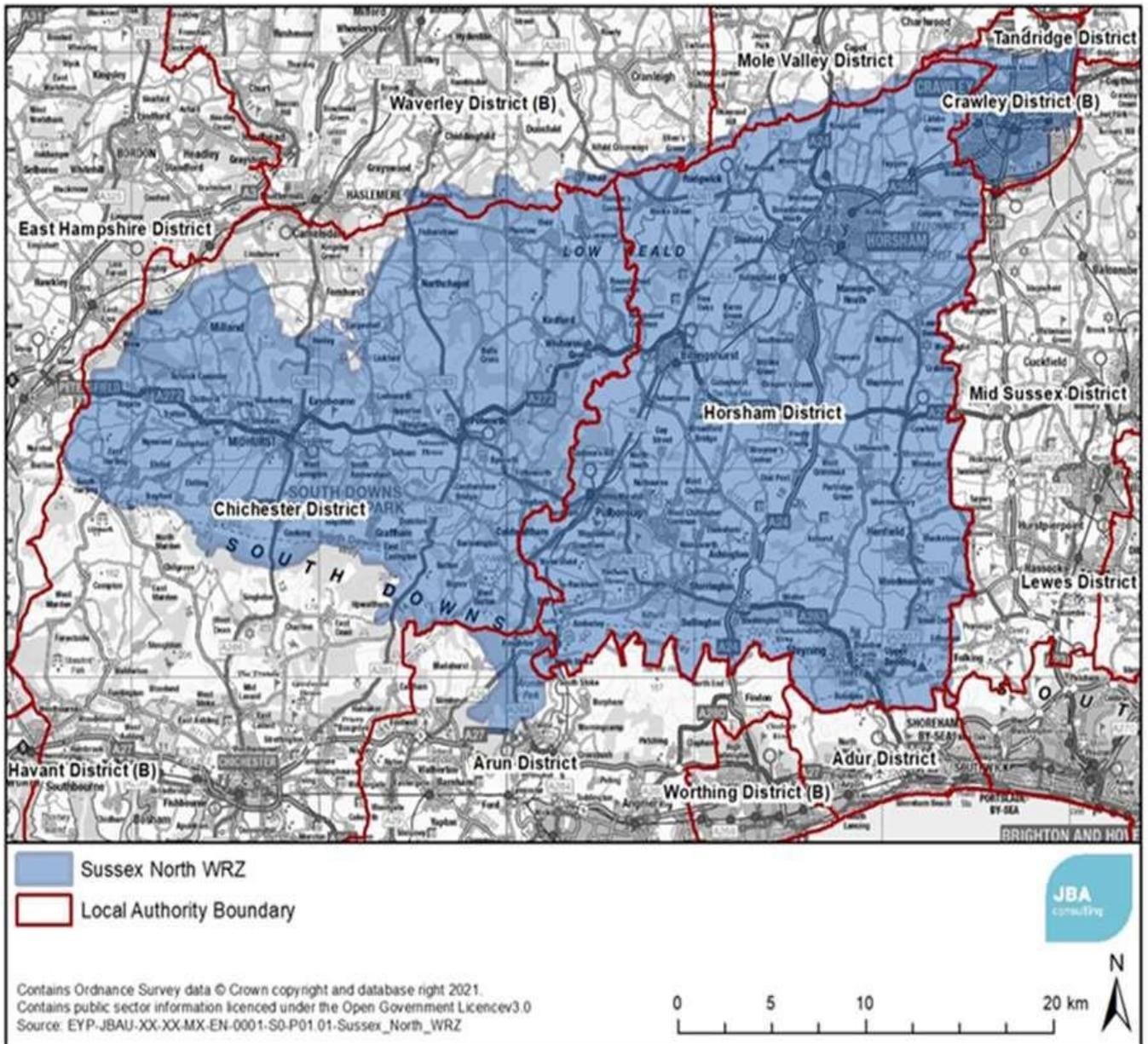
6.1 The additional policy text and supporting aims to ensure that the Examined Horsham Blueprint Business Neighbourhood Plan, incorporating the Examiner's proposed amendments protects the Habitats sites from any Plan level impacts. Natural England will be formally consulted on this revised Screening and Appropriate Assessment documentation.

7 Conclusion

- 7.1 This Habitats Regulations Assessment Addendum has considered the likely impacts arising from the Examined Horsham Blueprint Business Neighbourhood Plan, incorporating the Examiner's proposed amendments in relation to water neutrality. Following the update set out it is concluded that, with mitigation, the Plan is not predicted to result in any Adverse Effect on Integrity of the qualifying features of the Arun Valley Habitats sites, either alone or in combination with other plans and projects.
- 7.2 The content of the Regulation 16 Horsham Blueprint Business Neighbourhood Plan has therefore been appropriately assessed and Horsham DC can demonstrate its compliance with the Conservation of Habitats and Species Regulations 2017 (as amended).
- 7.3 Therefore, with the recommended modifications embedded, Horsham District Council can demonstrate that the Regulation 16 Horsham Blueprint Business Neighbourhood Plan is legally and procedurally compliant and therefore sound.

8 Appendices

Appendix 1. Sussex North Water Resource Zone



Appendix 2. Natural England Letter (21 April 2022)

Date: 21/04/2022
Our ref: 384343



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Senior Neighbourhood Planning Officer

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BY EMAIL ONLY

Dear Mr Kwan

Planning consultation: Horsham Blueprint Business Neighbourhood Plan 2019-2036: Regulation 16 Habitats Regulations Assessment (HRA) Habitats Regulations Assessment Addendum on Water Neutrality

Thank you for your consultation on the above application.

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

We welcome the opportunity to comment on Horsham's Blueprint Business Neighbourhood Plan HRA.

Sussex North Water Supply Zone – Impacts on the Habitats Sites

As you have identified the above Plan lies within the Sussex North Water Supply Zone. On 14 September 2021, Natural England issued a [Statement](#) on Water Neutrality which was circulated to all Local Planning Authorities ("LPAs") within the Sussex North Water Supply Zone. On 22 December 2022 we provided [FAQs](#) for applications within the Sussex North Water Supply Zone. In February 2022, a subsequent [Advice Note](#). The Feb 2022 Advice Note provides further advice designed to expand upon and clarify the September 2021 Statement.

On 14 September 2021 Natural England advised the relevant Local Authorities that the existing abstraction within the Sussex North Water Supply Zone could not be ruled out as causing an adverse effect on internationally protected sites in the Arun Valley, Sussex. Furthermore, if further development were to be consented in this region (with the requirement for additional abstraction) such development was likely to have an adverse effect on the Habitats Sites.

Developments within Sussex North must therefore not add to this impact and one way of achieving this is to demonstrate water neutrality. Water neutrality is achieved through a combination of water efficiency measures for new developments to reduce the water use per person (called per capita consumption).

Water Neutrality is not currently defined in legislation but is drawn from the Gatwick Sub regional Water Cycle Study (2020)¹ “For every new development, total water use in the Sussex North Water Supply Zone after the development must be equal to or less than the total water-use in the region before the new development.”

Habitats Regulation Assessment (HRA) Addendum

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

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for any adverse effects, it is the advice of Natural England that **it is not possible** to ascertain that the Plan will not result in adverse effects on the integrity of the sites in question.

Natural England advises that the assessment does not currently provide enough information and/or certainty to justify the assessment conclusion

Natural England provides the following advice on the additional assessment work required

Additional Information required:

We have reviewed the HRA Addendum and have the following comments: We note the following:

There will therefore be a need for any development subsequently coming forward within the Horsham Blueprint Business Plan area, which is likely to result in increased demand for mains water, to be subject to a project level HRA for water neutrality. This will mean that at planning application stage, without mitigation, Horsham DC cannot conclude no Likely Significant Effect on the Arun Valley Habitats sites when considered in combination with other plans and projects. Until a strategic solution can be delivered by Southern Water, all new development will need to demonstrate water neutrality and secure mitigation by way of water minimisation and water offsetting measures.

We advise the following:

As mitigation cannot be considered when determining likely significant effect, we advise that this section is amended to read without mitigation, Horsham DC cannot conclude no adverse impact on integrity on the Arun Valley Habitats sites.

Furthermore, we advise that the following is amended:

Until a strategic solution can be delivered by Southern Water, all new development will need to demonstrate water neutrality and secure mitigation by way of water minimisation and water offsetting measures.

The term *until a strategic solution be delivered by Southern Water* should be amended to read, until an alternative water supply is operational within Sussex North.

As you have stated Natural England is working in partnership with all the relevant authorities to secure water neutrality collectively through a water neutrality strategy. Mitigation will be required within Sussex North until an alternative water supply is operational.

Screening of Policies

We advise that the following Policies have the potential to increase water use and should therefore be screened- in to the appropriate assessment:

- Policy HB8 Expansion of tourist facilities.
- Policy HB1 Location of Development: As this relates to housing provision within Sussex North, we advise that an impact pathway cannot be screened ruled out.
- Policy HB2: Meeting Local Housing Needs: As this relates to housing provision within Sussex North, we advise that an impact pathway cannot be ruled out.

We further advise that Policy HB4: Design of Development and Policy HB5: Energy Efficiency should be amended to include provision for maximising water saving measures in building design. Commercial developments have significant potential for water capture and recycling for example. Furthermore, existing commercial properties have significant potential to provide offsetting for water reduction measures.

Policies pertaining to water neutrality and allocations will be secured in Horsham's Local Plan Review with avoidance and mitigation measures (as tested via the Sustainability Appraisal and Habitats Regulations Assessment)

We welcome the Text in 7.13 and advise that the Assessment should clearly cite that developments associated with the Horsham Blueprint Business Neighbourhood Plan will need to conform to the requirements of the Horsham Local Plan and be subject to a project level HRA.

New development is considered to be any relevant project requiring a public water supply from Southern Water's Sussex North Water Supply Zone but is likely to be dominated by large planning applications.

The decision on whether the 2017 Regulations apply to a specific project will be a matter for the relevant Competent Authority (usually the local planning authority). However, the 2017 Regulations are likely to apply to any development which could materially increase water consumption. This could include dwellings, office, commercial and educational development among others.

I hope that the above is helpful and we advise that the Addendum is revised to include Natural England's advice.

If you have any queries relating to the specific advice in this letter please contact me on Rebecca.Pearson@naturalengland.org.uk For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Rebecca Pearson
Sussex and Kent Area Team