

## **Horsham District Council Screening Assessment**

**HDC Reference** DC/20/2607

**Applicant Reference:**

**Development Proposal:** Outline Application for the development of 83 residential units, landscaping, access, parking and associated infrastructure on land at Duckmoor, East Billingshurst with all matters reserved except access.

<b>EIA Regulations</b>	
Is the proposed development listed in Schedule 1?	No
Is the proposed development listed in Schedule 2?	Yes. Exceeds threshold of Category 10(b) projects in Column 1 of Schedule 2 of the Regulations; overall area of development exceeds 5 hectares
Is the proposed development within or adjacent to a sensitive area as defined in Regulation 2? (SSSI, National Park, property on World Heritage List, Scheduled Ancient Monuments, AONB, SPA or SAC)	No.

### **Schedule 3 – Selection Criteria for Screening Schedule 2 Development**

<b>1. Characteristics of Development</b>	<b>Description (include permanent / temporary impacts, positive and / or negative impacts / likelihood of impact as applicable)</b>	<b>Significance (direct and indirect)</b>
a) Size and design of development (e.g. site area, scale)	<p>The site is 6.07ha of three fields of agricultural land enclosed by mature vegetation which reflects the historic field pattern, to the east of the village of Billingshurst. The topography of the site is generally flat. Trees and hedgerows within the site are predominantly restricted to the field boundaries. Oak trees are the most dominant species present. There are no Tree Preservation Orders (TPOs), no veteran trees and no ancient woodland on the site. There are no buildings on the site. Agricultural land and woodland is to the north, east and south of the site. A public Right of way is located adjacent to the north of the site.</p> <p>The site is bordered by Wooddale Lane and to the west, by a land that has planning permission for up to 475 dwellings (ref DC/13/0735). Of these 475 dwellings, 162 have been built out (reserved matters consents ref: DC/16/1422, ref: DC/16/2610 and ref: DC/17/0079), with the remaining 313 dwellings currently under construction. The village of Billingshurst is located immediately west of this land parcel and includes existing residential properties and community facilities.</p> <p>The proposed development would provide 83 additional residential dwellings.</p>	No significant and/or residual environmental impacts anticipated

	<p>The proposed development includes the retention of the existing boundary vegetation with additional planting and landscaping provision throughout the site. The proposed development would be provided at predominantly 2 residential storeys, with a maximum height of up to 2.5 residential storeys (approximately 10.5m above ground level to the ridge height), which reflects the built development/approved development (ref: DC/13/0735) in proximity to the site. The vehicular access into the proposed development will be from a proposed road within Parcel H7 (reserved matters planning permission ref: DC/18/2509) of the development to the west of the site.</p>	
<p>b) cumulation with other existing or approved development</p>	<p>The cumulative impact should consider the developments under construction on the land immediately to the west of the site, which has planning permission for up to 475 dwellings (ref DC/13/0735). Of these 475 dwellings, 162 have been built out (reserved matters consents DC/16/1422, DC/16/2610, and DC/17/0079), with the remaining dwellings currently under construction.</p> <p>There are the following 'existing or approved' developments:</p> <ul style="list-style-type: none"> <li>• Land East of Billingshurst to the north and south of A272, East Street, Billingshurst (Ref: DC/13/0735, as amended by DC/15/0059) which approved 475 dwellings;</li> <li>• Subsequent Reserved Matters Applications pursuant to Outline Application DC/15/0059, as above;</li> <li>• Land North of Hilland Farm, Stane Street, Billingshurst (Ref: DC/18/2122); full planning permission for up to 4,998sqm of employment use floorspace, roundabout access junction from the A29, outline planning permission for up to 14,075sqm of employment use floorspace, petrol filling station with ancillary retail offer and drive through coffee unit; subsequent variation of condition application DC/21/1107 and DC/21/1209 and reserved matters application DC/21/2077</li> <li>• Land at Platts Roundabout, Newbridge Road, Billingshurst (Ref: DC/19/0295); full permission for petrol filling station with convenience store and sandwich bar, motorcycle showroom and workshop, outline for 4,627sqm employment space, new access to the site from A272 and pedestrian link to footbridge over A29.</li> <li>• Land Fronting Natts Lane, Natts Lane, Billingshurst</li> <li>• (Ref: DC/16/0357) Outline for 32 dwellings</li> <li>• Land to south of Billingshurst Doctors Surgery Roman Way Billingshurst (DC/16/2962) for 45 dwellings</li> </ul>	

	<ul style="list-style-type: none"> <li>Land to south of Hilland Farm Stane Street Bilinghurst (DC/11/0878) for 67 dwellings</li> </ul> <p>The criteria and key issues for Urban Development Projects are the physical scale of such developments and the potential increase in traffic emissions and noise. The site is 6.07ha in area and the proposed development will provide 83 residential dwellings. The cumulative total of residential dwellings, when considering the proposed development and the approved development listed out above, would not exceed 1,000 dwellings. The total number of dwellings approved is 619 units, together with the proposal of 83, results in a cumulative total of 702 dwellings units.</p> <p>The Applicant's transport consultant has identified that as a worst case (based on 83 dwellings being provided on the site), the proposed development would generate approximately 59 two-way trip movements in the weekday morning peak hour (08:00-09:00) and 62 two-way trip movements in the weekday evening peak hour (17:00-18:00). This equates to around 1 vehicle every minute during the busiest periods with other times of the day exhibiting less traffic. The site is accessible to the PRow network. The proposed development will provide a footpath that will link the residential development with the existing PRow to the north of the site. Bus stops are located 500m to the west of the site along High Street / the A272.</p>	
<p>c) the use of natural resources, in particular soil, water and biodiversity (e.g. land, water, materials, energy – non renewable or in short supply?)</p>	<p>The proposed construction and operational phases of the proposed development will use resources in terms of land, water and energy as would be expected for a residential development for 83 dwellings. The Applicant can include measures in the CEMP to minimise the consumption of natural resources. The operation of the development is not anticipated to use these resources, unless maintenance of the buildings and associated infrastructure (means of access, communal areas, and SuDs) is required.</p> <p>During construction, some minor topographical changes will occur to facilitate a SUDS scheme. Whilst some topographic changes will occur these will be minor changes in the landscape to facilitate better drainage of the scheme. These changes are considered insignificant in relation to the natural topography of the area.</p> <p>Horsham District is situated in an area of serious water stress, as identified by the Environment Agency Water Stressed Areas Classification.</p>	<p>No significant and/or residual environmental impacts anticipated subject to the submission of a water neutrality strategy to be secure by way of condition or legal agreement.</p>

	<p>Horsham District is supplied with water by Southern Water from its Sussex North Water Resource Zone. This supply is sourced from abstraction points in the Arun Valley, which includes locations such as Amberley Wild Brooks Site of Special Scientific Interest (SSSI), Pulborough Brooks SSSI and Arun Valley Special Protection Area/Special Area of Conservation and Ramsar site. The Sussex North Water Resource (Supply) Zone also covers Crawley Borough and parts of the Chichester and Arun Districts and the central area of the South Downs National Park.</p> <p>This area is served by groundwater abstraction near Pulborough. This has the potential to impact upon the nearby Arun Valley, a Special Area Conservation (SAC), Special Protection Area (SPA) and Ramsar site. The hydrology (water quantity and its movement) of the area is essential to maintaining the habitat upon which the designation features/species rely on.</p> <p>This Authority has received a Position Statement from Natural England. The Natural England position is that it cannot be concluded that the existing abstraction within the Sussex North Water Supply Zone is not having an impact on the above Arun Valley sites. It advises that development within this zone must not add to this impact.</p> <p>The full interim advice from Natural England is that development proposals that would lead to a material increase in water demand will need to demonstrate 'water neutrality'. This means that there would be no increase in water consumption, demonstrated by a combination of water efficiency, water recycling and offsetting measures. This should be demonstrated in a water budget, showing the baseline and proposed water consumption and mitigation measures proposed. This must be submitted as part of the application. Since issuing its Position Statement, this Authority has received subsequent advice from Natural England. Natural England have clarified that they will accept offsetting measures being undertaken on private property provided that property is also served within the Sussex North Supply Zone. Allied to providing water efficiency measures within the development there are therefore known options to potentially offset water usage on and off site. Such options are capable of being developed into a water neutrality strategy sufficient to pass Appropriate Assessment and therefore avoid adverse impacts on the Arun Valley. In the event the strategy is insufficient to pass Appropriate Assessment, it would not be possible to reasonably grant permission contrary to the Habitat Regulations. Subject therefore to the submission of a water</p>	
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	<p>neutrality strategy to be secured either by condition or legal agreement, the proposal will not result in the abstraction of water significantly affecting the integrity of the Arun Valley habitat sites.</p>	
<p>d) the production of waste (demolition, construction, operation and decommissioning?)</p>	<p>As with nearly all construction, the proposed development will result in waste materials from the preparation and undertaking of works. Construction waste would be reused and recycled where possible. Significant quantities of construction waste are not anticipated as a result of the proposed development. Construction waste would be managed in accordance with all applicable legislation and disposed of in line with best practice. Operational waste would be disposed of in line with HDC requirements and managed in accordance with all applicable legislation.</p>	<p>No significant and/or residual environmental impacts anticipated</p>
<p>e) pollution and nuisances (e.g. potential for noise, dust, vibration, light, odours, production of substances / emissions which may damage environment -construction, operation and decommissioning t)</p>	<p>During the construction phase there is potential for effects to arise from building works, in terms of noise and vibration, traffic disturbance and any dust from site preparation/ground works. Any impact will be local to the site area and its immediately locality. Any impact will be short-term and temporary and can be mitigated through adherence to a Construction Management Plan providing for noise and dust suppression measures (the submission, approval and implementation of which can be secured by a planning condition).</p> <p>The site layout for construction works has the capacity to be arranged to ensure that machinery and dust causing activities are located as far away from sensitive receptors as possible. There may be some minor adverse impacts on habitat within the scheme, which will be minimised through sensitive masterplanning.</p> <p>Appropriate measures, in accordance with all relevant legislation, would be used to prevent accidental spillages of contaminants during the construction and use of the highways improvements once completed.</p> <p>A CEMP, to be agreed with HDC and secured through a suitable planning condition, can be submitted in support of the planning application to ensure construction contractors use best practice measures to prevent land and water contamination, as well as effects on construction workers.</p> <p>There would also be emissions associated with the operational phase of the proposed development. As the development is residential in nature, emissions would be associated with the number of vehicles travelling to and from the site as a result of the future residents that will occupy the maximum 83 dwellings</p>	<p>No significant and/or residual environmental impacts anticipated</p>

	<p>on the site. Preliminary work undertaken by the Applicant's transport consultant has identified that as a worst case (based on 83 dwellings being provided on the site), the proposed development would generate approximately 59 two-way trip movements in the weekday morning peak hour (08:00-09:00) and 62 two-way trip movements in the weekday evening peak hour (17:00-18:00). This equates to around 1 vehicle every minute during the busiest periods with other times of the day exhibiting less traffic. A Transport Assessment and Travel Plan will also be submitted in support of the planning application.</p> <p>The site is located in Flood Zone 1; low probability of river flooding. The effects in relation to surface water and hydrology will be assessed in full in supporting material submitted with the planning application. With the proposed remediation design and implementation of the mitigation measures outlined below, the resultant effects are unlikely not be significant. The scheme avoids any development in the flood plain. In addition, surface water run-off and foul water drainage will be managed on-site during the construction and operational phases.</p> <p>During construction potential effects to existing properties can be mitigated by measures set out within a CEMP. These would include avoiding works in the floodplain wherever possible, and safe storage of plant or contaminants. Sustainable drainage would be considered, and appropriate drainage design would be included within the planning application documents including a Surface Water Drainage Strategy, Foul Drainage Scheme and Flood Risk Assessment (FRA).</p>	
<p>f) the risk of major accidents and/or disasters including those caused by climate change, in accordance with scientific knowledge</p>	<p>During the construction phase, the contractor(s) would implement measures in accordance with Health and Safety legislation/requirements, and best practice to minimise the risks of accidents that would have effects on people or the environment. All such measures would form part of the CEMP. There are no anticipated significant risks of major accidents and/or disasters, including those caused by climate change, during the operation of the development. The development would adhere to highway safety standards.</p> <p>During the construction phase, certain materials may be present on the site which may be harmful to the environment. The effects in relation to hazardous substances and contamination were assessed by way of supporting material submitted with the planning application and conditions imposed in the event of planning being permitted.</p>	<p>No significant and/or residual environmental impacts anticipated</p>
<p>g) The risks to human health (eg due to water</p>	<p>Any associated risks to human health arising from the proposal would be dealt</p>	<p>No significant and/or</p>

contamination or air pollution)	<p>with through the supporting planning application material ensuring that appropriate mitigation is included within the proposed development.</p> <p>Appropriate measures, in accordance with all relevant legislation, would be used to prevent accidental spillages of contaminants during the construction of the development. For the operational phase, an appropriate drainage design to prevent contaminants entering waterbodies would be implemented as part of the development. A CEMP can be submitted in support of the planning application to ensure construction contractors use best practice measures to prevent land and water contamination, as well as effects on construction workers. The site layout for construction works has the capacity to be arranged to ensure that machinery and dust causing activities are located as far away from sensitive receptors as possible.</p>	residual environmental impacts anticipated
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<b>2. Location of Development: the environmental sensitivity of geographical areas likely to be affected by development must be considered having regard, in particular to</b>	<b>Description (include permanent / temporary impacts, positive and / or negative impacts / likelihood of impact as applicable)</b>	<b>Significance</b>
a) the existing and approved land use	The principal land use will change from undeveloped agricultural land to land used for residential purposes. There would be changes to the site during the construction phase as soil would be excavated for foundations, drainage and access. The proposed development will provide a footpath that will link the residential development with the existing PRoW to the north of the site.	No significant and/or residual environmental impacts anticipated
b) the relative abundance, availability, quality and regenerative capacity of natural resources in the area and its underground (common land use? Quality of land / designations / protected species – would development lead to irreversible loss of key qualities or resources in the area?)	The site comprises Grade 3 agricultural land and can comprise Grade 3b agricultural land, which is considered to be Best and Most Versatile (BMV) agricultural land. The proposed development would not result in a loss of more than 20ha of BMV agricultural land.	
c) the absorption capacity of the natural environment, paying particular attention to	<p>There are no TPOs, no veteran trees and no ancient woodland on the site. A Tree Survey and Arboricultural Report can be submitted with the planning application. A landscape strategy can be submitted with the planning application.</p> <p>There is a pond located in the north western corner of the site. This will be removed to allow for a vehicular access route into the site.</p> <p>The PRoW adjacent to the north of the site can remain accessible to the public during construction. During construction, potential adverse effects to the quality</p>	

	<p>of surface and ground water, roads and air (including airborne noise) can be minimised through the implementation of the CEMP. Such effects will be temporary.</p> <p>Once operational, the proposed development can include landscaping, tree planting, areas of new green open space, and an enhanced landscape buffer between the proposed development and the existing boundary vegetation. Further details can be included in the landscape strategy which will be submitted with the planning application.</p>	
<p>i) wetlands, riparian areas, river mouths (e.g. floodplains, impacts on drainage, aquifers)</p>	<p>The River Adur is located approximately 400m to the east of the site. The site falls within Flood Zone 1 (at a low risk of flooding from rivers), with small areas that are susceptible to surface water flooding. There is a pond located in the north western corner of the site. The site is not located within or adjacent to any groundwater SPZ. A Flood Risk Assessment can be provided with the application.</p> <p>Horsham District is supplied with water by Southern Water from its Sussex North Water Resource Zone. This supply is sourced from abstraction points in the Arun Valley, which includes locations such as Amberley Wild Brooks Site of Special Scientific Interest (SSSI), Pulborough Brooks SSSI and Arun Valley Special Protection Area/Special Area of Conservation and Ramsar site.</p> <p>The Sussex North Water Resource (Supply) Zone also covers Crawley Borough and parts of the Chichester and Arun Districts and the central area of the South Downs National Park.</p> <p>This area is served by groundwater abstraction near Pulborough. This has the potential to impact upon the nearby Arun Valley, a Special Area Conservation (SAC), Special Protection Area (SPA) and Ramsar site. The site is within 7 km of the Arun Valley SAC / SPA/ Ramsar which exhibits inland water bodies (Standing water, running water) and bogs, marshes and water fringed vegetation, fens. The hydrology (water quantity and its movement) of the area is essential to maintaining the habitat upon which the designation features/species rely on.</p> <p>The definition of water neutrality is that the use of water in the supply area before the development is the same or lower after the development is in place. Therefore, for every new development, water demand should first be minimised then any remaining water demand offset, so that the total water</p>	<p>No significant and/or residual environmental impacts anticipated and mitigated subject to the submission of a water neutrality strategy to be secure by way of condition or legal agreement.</p>



	<p>demand on the public water supply in a defined region is the same after development as it was before.</p> <p>Since issuing its Position Statement, this Authority has received subsequent advice from Natural England. Natural England have clarified that they will accept offsetting measures being undertaken on private property provided that property is also served within the Sussex North Supply Zone. As there are known options to offset water usage in the Proposed Development this, in tandem with any strategy to achieve this indicates that water neutrality can be delivered on this site, and with achievable mitigation, the proposal will not result in the abstraction of water significantly affecting the integrity of the Arun Valley habitat sites.</p>	
ii) coastal zones and marine environments (any potential for the scheme to impact on coastal areas e.g. runoff etc)	N/A	N/A
iii) mountain and forest areas (impacts on wooded areas, including any designated areas of ancient woodland / TPOs).	Small sections of hedgerow and trees are likely to be removed for access and internal roads. There are no TPOs, no veteran trees and no ancient woodland on the site. A Tree Survey and Arboricultural Report can be submitted with the planning application. In addition, the proposed development will include areas of new landscape planting, including native shrubs. A landscape strategy can be submitted with the planning application.	No significant and/or residual environmental impacts anticipated
iv) nature reserves and parks (e.g. any impacts on designated nature conservation sites / other areas of nature conservation importance?)	<p>The South Downs National Park and the Mens SAC/SSSI are located approximately 5.6km to the west of the site. The Mens SAC/SSSI comprises mature beech woodland which supports Barbastelle bats (a European Protected Species). The applicant's Dec 2020 screening report states the Applicant's ecologist has identified that there are low numbers of Barbastelle bats using the site. The retention and enhancement of boundary vegetation and dark corridors and the planting of native scrubs will have beneficial effects for bats.</p> <p>An Appropriate Assessment screening has been undertaken on this proposal. A planning application will be supported by an Ecology Assessment and appropriate surveying.</p> <p>The nearest 'sensitive area', as defined by the EIA Regulations is Coneyhurst Cutting SSSI, which is located approximately 1.5km to the south east of the site. Coppedhall Hanger SSSI is located approximately 2.2km to the north west of the site. The Upper Arun SSSI is located approximately 2.5km to the south west of the site.</p>	No significant and/or residual environmental impacts anticipated subject to the submission of a water neutrality strategy to be secure by way of condition or legal agreement.

	<p>Coneyhurst Cutting SSSI is located approximately 1.5km to the south east of the site. Coppedhall Hanger SSSI is located approximately 2.2km to the north west of the site. The Upper Arun SSSI is located approximately 2.5km to the south west of the site. An area of Ancient Woodland is located approximately 230m to the north east of the site and Wilden's Meadow SINC is located approximately 380m to the south of the site.</p>	
<p>v) European sites and other areas classified or protected under national legislation (this therefore includes areas designated pursuant to Directive 79/409/EEC (conservation of wild birds) and Directive 92/43/EEC (conservation of habitats and fauna and SSSI's) (In particular the Arun valley SPA and The Mens -Barbastelle bat flightlines are a key consideration here. Any other European protected species present that can be affected?)</p>	<p>The site is located within a Bat Sustenance Zone. The Mens SAC/SSSI comprises mature beech woodland which supports Barbastelle bats (a European Protected Species). As above, the Applicant's ecologist is stated to have identified low numbers of Barbastelle bats using the site.</p> <p>An Appropriate Assessment screening has been undertaken on this proposal. A planning application will be supported by an Ecology Assessment and appropriate surveying.</p> <p>A Phase 1 Habitat Survey can be submitted with the planning application. Best practice ecological mitigation measures can be implemented to include using tree protection during construction and undertaking scrub/vegetation removal outside of the bird breeding season to avoid the potential for damaging bird nests.</p> <p>As stated above, there is a pond located in the north western corner of the site. This will be removed to allow for a vehicular access route into the site. In the applicant's Dec 220 screening report, it is stated this pond has been assessed by the Applicant's ecologist as being of poor quality and having low ecological value. A survey of the pond for Great Crested Newts (GCN) did not record any presence of GCN. In addition, replacement SuDs ponds will be included within the design of the proposed development and will provide enhancements for biodiversity.</p> <p>It is stated in the applicant's Dec 2020 screening report that through preliminary ecological assessments of the site, the Applicant's Ecologist recorded the presence of dormice on the site. As such, a licence will be sought from Natural England prior to the commencement of the development.</p> <p>Arun Valley SPA, SAC and Ramsar Site- Sussex North Water Supply Zone Natural England wrote to HDC as part of the Regulation 18 Local Plan</p>	<p>No significant and/or residual environmental impacts anticipated subject to the submission of a water neutrality strategy to be secure by way of condition or legal agreement.</p>

consultation and highlighted concerns about the Arun Valley. They asked that HDC ensure that any new development in the Local Plan is water neutral.

To ensure this is the case, the Local Plan review is supported by two pieces of evidence – the Habitat Regulations Assessment and a separate Water Cycle Study carried out jointly with Crawley Borough Council and Chichester District Council. The Habitat Assessment makes recommendations that the Local Plan can include to contribute to water neutrality. The Water Cycle study is still ongoing. Habitats Regulations Assessment. In screening for Likely Significant effects on Water quantity, Level and Flow it was concluded that excessive changes to the hydrological integrity, such as through effects on water flow and volume, of European 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.

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.

Natural England have informed Horsham Council that they are very concerned about the Hardham groundwater abstraction (a key part of the Southern Water supply strategy for Horsham during certain conditions) and the effect they consider it has on water levels/flows in the Arun Valley SAC and Ramsar site. Natural England provided interim advice to Southern Water (December 2020) that identified that the existing Hardham abstraction could provide likely significant effects on 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. The interim advice identified that the SAC feature (ramshorn snail) was no longer present at Amberley Wild Brooks 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. As such, Natural England have advised Horsham that 'The Environment Agency and Natural England are working with

Southern Water to try to identify a long term more sustainable water supply. In the meantime, whilst the adverse effect remains or is uncertain, development in Horsham must be certain not to add to this adverse effect'. They then refer the Council to '...studies such as the Gatwick Sub Regional water cycle study regarding this issue. For example, the study cites the requirement to demonstrate water neutrality in order for sufficient water to be available to the district'.

Given this evidence, Likely Significant Effects of the development proposal on the Arun Valley SAC / SPA/ Ramsar regarding water quantity, level and flow cannot be excluded. The site is screened in for Appropriate Assessment. Whilst individual site allocations may not result in likely significant effects in isolation, in combination with each other and other projects and plans they have the potential to result in adverse effects in the integrity of the SPA. This impact pathway cannot be screened out.

This Authority has since received a Position Statement from Natural England. The Natural England position is the Sussex North Water Supply Zone includes supplies from a groundwater abstraction which cannot, with certainty, conclude no adverse effect on the integrity of the Arun Valley Special Area Conservation (SAC), Arun Valley Special Protection Area (SPA), and Arun Valley Ramsar Site.

Natural England are concerned that development which takes place in advance of the emerging Local Plans for Horsham District Council, Crawley Borough Council and Chichester District Council will also increase the demand for water abstraction and harm the Arun Valley. They have therefore produced a Position Statement which advises that these Councils should not issue any new planning decisions until Natural England have produced a mitigation strategy.

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 advise that developments within this zone must not add to this impact. This is required by recent caselaw, Case C-323/17 People over wind and Sweetman. Ruling of CJEU (often referred to as sweetman II) and Coöperatie Mobilisation for the Environment and Vereniging Leefmilieu Case C-293/17 (often referred to as the Dutch Nitrogen cases). Between them these cases require Plans and Projects affecting sites where an existing adverse effect is

	<p>known (i.e. the site is failing its conservation objectives), to demonstrate certainty that they will not contribute further to the existing adverse effect or go through to the latter stages of the Regulations (no alternatives IROPI etc).</p> <p>Developments within Sussex North must therefore must not add to this impact. Since issuing its Position Statement, this Authority has received subsequent advice from Natural England. Natural England have clarified that they will accept offsetting measures being undertaken on private property provided that property is also served within the Sussex North Supply Zone. As there are known options to offset water usage in the Proposed Development this, in tandem with any strategy to achieve this indicates that water neutrality can be delivered on this site, and with achievable mitigation, the proposal will not result in the abstraction of water significantly affecting the integrity of the Arun Valley habitat sites.</p>	
vi) areas in which there has already been a failure to meet environmental quality standards laid down in Union legislation or in which it is considered that these is such a failure (any areas already subject to pollution or damage – include impact on any AQMAs).	There are no AQMAs in the vicinity of the site. Dust generation during the construction phase would be managed in accordance with standard best practice measures, enforced through a CEMP and is not anticipated to generate significant adverse effects. The site layout has the capacity for construction works will be arranged to ensure that machinery and dust causing activities are located as far away from sensitive receptors as possible.	No significant and/or residual environmental impacts anticipated
vii) densely populated areas (size of population affected, changes to demography, lifestyles, employment etc)	Billingshurst Railway Station is located approximately 1.2km to the south west of the site. The nearest bus stops are located 500m to the west of the site along High Street / the A272. Residential properties and facilities including a primary school, community school, shops, restaurants and a library are also located within the village of Billingshurst. The town of Horsham is located approximately 9.2km to the north east of the site.	No significant and/or residual environmental impacts anticipated
viii) landscapes of historical, cultural or archaeological significance	There are no Scheduled Monuments or Registered Parks and Gardens within 5km of the site. The site is not located within a Conservation Area, nor are there any listed buildings on the site. The nearest listed building, 'Hammonds' is Grade II listed and is located approximately 300m to the south west of the site. Little Daux Farmhouse Grade II listed building is located approximately 500m to the south west of the site. The nearest Conservation Area is Billingshurst Conservation Area, which is located approximately 350m to the west of the site. An Archaeological Site, identified in HDC's Local Plan Mapping, is located approximately 350m to the west of the site.	No significant and/or residual environmental impacts anticipated
<b>3. Types and Characteristics of the potential impact: The potential significant effects of</b>	<b>Description</b>	<b>Significance</b>

<p><b>development must be considered in relation to criteria set out under 1 &amp; 2, having particular regard to:</b></p>		
<p>a) the magnitude and spatial extent of the impact (geographical area and size of the affected population)</p>	<p>The impacts are confined to the site and the land immediately adjacent. Residents adjacent to the site will be affected by the development during the construction phase. Adverse effects would be temporary and minimised through the implementation of a CEMP.</p> <p>The Arun Valley is located to the south of Pulborough (in HDC but within the SDNP) is designated as being of international importance for nature conservation. (It is a Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar site as well as the national designation as a Site of Special Scientific Interest (SSSI).</p> <p>The water supply for Horsham District, some of Chichester District and most of Crawley Borough (excluding Gatwick Airport) come from water abstraction at Hardham pumping station, located to the south of Pulborough. The Gatwick Sub regional Water Cycle Study concluded that water neutrality is required for Sussex North to enable sufficient water to be available to the region.</p> <p>Natural England are concerned that development which takes place in advance of the emerging Local Plan will also increase the demand for water abstraction and harm the Arun Valley. They have therefore produced a Position Statement which advises that HDC should not issue any new planning decisions until Natural England have produced a mitigation strategy.</p> <p>Since issuing its Position Statement, this Authority has received subsequent advice from Natural England. Natural England have clarified that they will accept offsetting measures being undertaken on private property provided that property is also served within the Sussex North Supply Zone. As there are known options to offset water usage in the Proposed Development this, in tandem with any strategy to achieve this indicates that water neutrality can be delivered on this site, and with achievable mitigation, the proposal will not result in the abstraction of water significantly affecting the integrity of the Arun Valley habitat sites.</p>	<p>No significant and/or residual environmental impacts anticipated subject to the submission of a water neutrality strategy to be secure by way of condition or legal agreement</p>

<p>b) the nature of the impact</p>	<p>The development has the potential to lead to impacts on landscape character, landscape resources and visual amenity. In terms of visual amenity, there are currently locations where the likely visual impact can be assessed.</p> <p>There would be an increase in HGV construction traffic movements; increase in noise, particularly during site construction.</p> <p>There are a number of public rights of way within the vicinity of the site. The application would allow for public access and permeability.</p> <p>The development has the potential to lead to permanent impacts on landscape Significant character, landscape, water resources affecting the Arun Valley SAC, SPA and Ramsar sites, and visual amenity, both to the locality and its immediate and wider setting within the National Park landscape.</p> <p>Since issuing its Position Statement, this Authority has received subsequent advice from Natural England. Natural England have clarified that they will accept offsetting measures being undertaken on private property provided that property is also served within the Sussex North Supply Zone. As there are known options to offset water usage in the Proposed Development this, in tandem with any strategy to achieve this indicates that water neutrality can be delivered on this site, and with achievable mitigation, the proposal will not result in the abstraction of water significantly affecting the integrity of the Arun Valley habitat sites.</p>	<p>No significant and/or residual environmental impacts anticipated subject to the submission of a water neutrality strategy to be secure by way of condition or legal agreement.</p>
<p>c) the transboundary nature of the impact (any international impacts?)</p>	<p>The water supply for Horsham District, some of Chichester District and most of Crawley Borough (excluding Gatwick Airport) come from water abstraction at Hardham pumping station, located to the south of Pulborough. 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.</p> <p>The Natural England Position Statement advises it cannot be concluded that the existing abstraction within Sussex North Water Supply Zone is not having an impact on the Arun Valley site. The Arun Valley site is designated a SAC and RAMSAR site under European and International law.</p>	<p>No significant and/or residual environmental impacts anticipated subject to the submission of a water neutrality strategy to be secure by way of condition or legal agreement.</p>

	<p>Since issuing its Position Statement, this Authority has received subsequent advice from Natural England. Natural England have clarified that they will accept offsetting measures being undertaken on private property provided that property is also served within the Sussex North Supply Zone. As there are known options to offset water usage in the Proposed Development this, in tandem with any strategy to achieve this indicates that water neutrality can be delivered on this site, and with achievable mitigation, the proposal will not result in the abstraction of water significantly affecting the integrity of the Arun Valley habitat sites.</p>	
<p>d) the intensity and complexity of the impact (e.g. overall size, scale, combination of impacts)</p>	<p>Natural England are concerned that development which takes place in advance of the emerging Local Plan will also increase the demand for water abstraction and harm the Arun Valley. They have therefore produced a Position Statement which advises that HDC should not issue any new planning decisions until Natural England have produced a mitigation strategy.</p> <p>Significant environmental impacts anticipated In the case of the size and nature of the development proposal (the additional housing quantum and new allotments) will have an increase in water consumption, and so require the application to be accompanied by a water neutrality statement setting out the strategy for achieving water neutrality within the development. Water neutrality can be achieved by developers building significant water efficiency measures into new development and by providing offsetting measures to reduce water consumption from existing development, so the development becomes water neutral. The statement will need to calculate the water balance and we will be providing some further guidance on what should be included in a water neutrality statement. It is not just a case of providing water efficiencies measures onsite as this will not make the development water neutral</p> <p>Since issuing its Position Statement, this Authority has received subsequent advice from Natural England. Natural England have clarified that they will accept offsetting measures being undertaken on private property provided that property is also served within the Sussex North Supply Zone. As there are known options to offset water usage in the Proposed Development this, in tandem with any strategy to achieve this indicates that water neutrality can be delivered on this site, and with achievable mitigation, the proposal will not result in the abstraction of water significantly affecting the integrity of the Arun Valley habitat sites.</p>	<p>No significant and/or residual environmental impacts anticipated subject to the submission of a water neutrality strategy to be secure by way of condition or legal agreement</p>



	<p>It is likely that resident arrival/departure times will be in the conventional morning and evening peak periods. The impact of the development will be assessed within a Transport Assessment. An Ecological Mitigation Management Plan will be prepared and submitted in support of the planning application. The application boundary is within Flood Zone 1 (Low Probability of fluvial flooding).</p>	
<p>e) the probability of the impact (e.g. overall probability of impacts identified above)</p>	<p>The effects of the development can be clearly established and the probability of any effects determined with reasonable confidence.</p> <p>The site is generally at low risk of flooding from all other sources. Some residual risk exists in the form of surface and groundwater flooding. However mitigation measures exist to manage this. This can be carefully designed in co-ordination with Landscape constraints in order to minimise the amount of material that will need to be removed from site by aiming to achieve a cut/fill balance, and incorporating sustainable drainage features which will provide treatment to runoff.</p> <p>Arun Valley SPA, SAC and Ramsar Site- Sussex North Water Supply Zone 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, we advise that developments within this zone must not add to this impact. This is required.</p> <p>Significant environmental impacts anticipated by recent caselaw, Case C323/17 People over wind and Sweetman. Ruling of CJEU (often referred to as sweetman II) and Coöperatie Mobilisation for the Environment and Vereniging Leefmilieu Case C-293/17 (often referred to as the Dutch Nitrogen cases). Between them these cases require Plans and Projects affecting sites where an existing adverse effect is known (i.e. the site is failing its conservation objectives), to demonstrate certainty that they will not contribute further to the existing adverse effect or go through to the latter stages of the Regulations (no alternatives IROPI etc).</p>	<p>No significant and/or residual environmental impacts anticipated</p>
<p>f) the expected onset, duration, frequency and reversibility of the impact (demolition, construction, operation and decommissioning)</p>	<p>Construction effects would be short term in duration and the operational effects would be long term. Development will commence following the discharge of pre-commencement conditions attached to the planning permission. Operational effects would be permanent. Construction effects would be temporary. Construction – intermittent and Frequent and reversible. Operation – continuous and irreversible.</p>	<p>No significant and/or residual environmental impacts anticipated</p>

	<p>This includes water usage impact on the Arun Valley SPA, SAC and Ramsar Site- Sussex North Water Supply Significant environmental impacts anticipated Zone. Developments within Sussex North 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</p>	
<p>g) the cumulation of the impact with the impact of other existing and/or approved development</p>	<p>Elements such as cumulative highway effects of the dwellings yet to be completed/commenced, alongside the proposed dwellings of this proposal, will be assessed as part of the Transport Assessment, which will be submitted alongside a future planning application. This consented scheme has its own required mitigation measures to address any adverse effects.</p> <p>From the Environment Statement (ES) that accompanied outline planning permission DC/13/0735, the vast majority of mitigation measures were incorporated within the Detailed Design of the Proposed Development. This included demolition/construction phase mitigations through a CEMP to address identified significant adverse effects of noise, landscape and visual and air quality effects, and effects on surface water quality). Completion and operational phase mitigation measures were off and on-site, in the form of species relocation and landscaping (not involving this pre-application site). Structural planting was proposed along the northern edge of the site and this would not be significantly affected by this pre-application proposal.</p> <p>As a number of houses approved at Outline and in subsequent Reserved Matters have been built now, the Environmental Impacts have been already partially addressed through some mitigation measures, such as the CEMP.</p> <p>In the Statement of Significance in the outline ES, Transport and Access significance was assessed as negligible and of benefit as the scheme diverted traffic along spine road and away from east street, high street and west street in centre of Billingham Air quality significance was assessed as negligible effect. Increase in pollutants below air quality and effects assessed as minor adverse significance. Hydrology, flood risk and drainage – negligible to minor adverse residual effects (mitigation through drainage on site). Given the residual effect significances were judged at the lower end of the impact, an additional 83 dwellings is not considered to generate significant impacts, even accounting for the other development proposals approved in the locality.</p> <p>This Authority has received a Position Statement from Natural England. The</p>	<p>No significant and/or residual environmental impacts anticipated</p>

	<p>Natural England position is that it cannot be concluded that the existing abstraction within the Sussex North Water Supply Zone is not having an impact on the Arun Valley sites. It advises that development within this zone must not add to this impact. Whilst individual site allocations may not result in likely significant effects in isolation, in combination with each other and other projects and plans that the grant of planning permission in this instance would set the precedent for, they have the potential to result in adverse effects in the integrity of the SAC/SPA/Ramsar sites.</p>	
<p>h) the possibility of effectively reducing the impact</p>	<p>During the construction phase, adverse effects would be temporary and minimised through the implementation of a CEMP and best practice measures.</p> <p>Various studies and statements will be submitted with the planning application to ensure the provision of appropriate mitigation on site. Measures to reduce the impact of the proposals on climate change, visual and landscape impacts, and ecology will be integrated into the proposals where possible, such as through the orientation of the buildings and energy and water efficiency.</p> <p>An Appropriate Assessment screening maybe required on this proposal. A planning application will be supported by an Ecology Assessment and appropriate surveying.</p> <p>Legal agreement and conditions would be imposed to secure the provision of this appropriate mitigation.</p> <p>Developments within Sussex North must not add to the Arun Valley SPA, SAC and Ramsar Site- Sussex North Water Supply Zone impacts 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.</p> <p>Where an increase in water consumption is likely (including reserved matters), the Council will require the application to be accompanied by a water neutrality statement setting out the strategy for achieving water neutrality within the development. Water neutrality can be achieved by developers building significant water efficiency measures into new development and by providing offsetting measures to reduce water consumption from existing development, so the development becomes water neutral. The statement will need to calculate the water balance and we will be providing some further guidance on</p>	<p>No significant and/or residual environmental impacts anticipated subject to the submission of a water neutrality strategy to be secure by way of condition or legal agreement</p>

	<p>what should be included in a water neutrality statement. It is not just a case of providing water efficiencies measures onsite as this will not make the development water neutral.</p> <p>Since issuing its Position Statement, this Authority has received subsequent advice from Natural England. Natural England have clarified that they will accept offsetting measures being undertaken on private property provided that property is also served within the Sussex North Supply Zone. As there are known options to offset water usage in the Proposed Development this, in tandem with any strategy to achieve this indicates that water neutrality can be delivered on this site, and with achievable mitigation, the proposal will not result in the abstraction of water significantly affecting the integrity of the Arun Valley habitat sites.</p>	
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Results of any relevant EU environmental assessment that is reasonably available	None applicable	
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### Conclusion

<b>EIA Required?</b>	<b>No</b>
<b>Statement of reasons</b>	<p>Whilst the threshold for site area is exceeded in Schedule 2 of the EIA regs. (2017) the effects of development are considered not to be significant in combination with existing and approved development. There would be some impact on natural resources including biodiversity, and the production of waste and pollution during the construction phases however these are considered to not be significant in relation to the types and characteristics of the potential impact.</p> <p>The proposed development, when considered cumulatively with identified schemes, would not exceed the 1,000 residential dwellings threshold. The land immediately to the west of the site has planning permission for up to 475 dwellings (ref: DC/13/0735). Of these 475 dwellings, 162 have been built out (reserved matters consents ref: DC/16/1422, ref: DC/16/2610 and ref: DC/17/0079), with the remaining 313 dwellings currently under construction. The vehicular access into the proposed development will be from a proposed road within Parcel H7 (reserved matters planning permission ref: DC/18/2509) of the development to the west of the site. However, the proposed development does not comprise part of the wider masterplan for the adjacent site.</p> <p>The outline permission DC/13/0735 was subject to EIA. From the Environmental Statement (ES) that accompanied this, the vast majority of Environmental Impact mitigation measures were incorporated within the Detailed Design of the Proposed Development. As a number of houses have been built now, these Environmental Impacts have been already partially addressed.</p>

	<p>Horsham District is supplied with water by Southern Water from its Sussex North Water Resource Zone. This supply is sourced from abstraction points in the Arun Valley, which includes locations such as Amberley Wild Brooks Site of Special Scientific Interest (SSSI), Pulborough Brooks SSSI and Arun Valley Special Protection Area/Special Area of Conservation and Ramsar site. The Council has received a Position Statement (attached) from Natural England which states that it cannot be concluded that the existing abstraction within the Sussex North Water Supply Zone is not having an impact on the Arun Valley sites. It advises that development within this zone (in effect all of Horsham District) must not add to this impact. The Position Statement is a new material consideration and the consequence of this is that Horsham District Council is unable to determine current planning applications positively unless it can be demonstrated they are 'water neutral'. Failure to achieve water neutrality would result in development conflicting with s.63 of the Conservation of Habitats and Species Regulations 2017.</p> <p>Since issuing its Position Statement, this Authority has received subsequent advice from Natural England. Natural England have clarified that they will accept offsetting measures being undertaken on private property provided that property is also served within the Sussex North Supply Zone. Allied to providing water efficiency measures within the development there are therefore known options to potentially offset water usage on and off site. Such options are capable of being developed into a water neutrality strategy sufficient to pass Appropriate Assessment and therefore avoid adverse impacts on the Arun Valley. In the event the strategy is insufficient to pass Appropriate Assessment, it would not be possible to reasonably grant permission contrary to the Habitat Regulations. Subject therefore to the submission of a water neutrality strategy to be secured either by condition or legal agreement, the proposal will not result in the abstraction of water significantly affecting the integrity of the Arun Valley habitat sites.</p> <p>The screening assessment of the current application proposal has identified that the vast majority of impacts on the environment could be similarly addressed with mitigation measures incorporated within the design of the proposed development, and that significant effects are not considered likely either alone or in combination with other development. The proposals would be of a sufficiently limited scale that effects could be managed in accordance with standard methods. The proposed development is therefore not considered to be formal EIA development as defined by the EIA Regulations.</p> <p>It is therefore considered that, whilst the development is Schedule 2 development, it has been demonstrated that the proposed development will be unlikely to cause significant environment effects, and in this case, EIA is <b>not</b> required.</p>
<b>Date</b>	Matthew Porter 25-03-2022