

Horsham District Council Screening Assessment

HDC Reference EIA/21/0007

Applicant Reference: Sony DADC/VT/EIA Screening

Development Proposal:

EIA Regulations	
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; more than 1 hectare of urban development for non-dwellinghouse development.
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

1. Characteristics of Development	Description (include permanent / temporary impacts, positive and / or negative impacts / likelihood of impact as applicable)	Significance (direct and indirect)
a) Size and design of development (e.g. site area, scale)	<p>The site is 1.86 hectares in size and is currently comprises three manufacturing and storage buildings (Planning Use Class B1c and B8), which total 8,627 metres square of floorspace.</p> <p>To the north, the site is bound by a car park, wooded area and residential dwellings; to the east by an ancient woodland; to the south by Southwater Country Park (an LWS); and to the west by existing industrial uses and further wooded area beyond.</p> <p>The site is situated centrally within the village of Southwater. Southwater village contains predominantly low-rise detached residential dwellings, a mixed-use village centre and is surrounded by large areas of open space, recreation, and agricultural land.</p> <p>The Proposed Development includes the demolition of warehouse buildings and redevelopment to provide 7 no. contemporary employment units for a flexible range of employment uses (within Use Classes E(g)(iii), B2 and/or B8) and ancillary offices, together with associated works. Overall, the Proposed Development would provide approximately: 7 warehouse units; a flexible range</p>	No significant and/or residual environmental impacts anticipated

	<p>of up to 9,000 sqm of employment uses and ancillary offices (within Use Classes E(g)(iii), B2 and/or B8), together with associated works. The Proposed Development is envisaged to include 138 car parking bays (20% of which would include charging points for electric vehicles), refuse stores centrally located in two locations, and external cycle storage spaces.</p>	
<p>b) cumulation with other existing or approved development</p>	<p>The cumulative impact should consider additional 3x permitted major development sites in the vicinity of the site (within 1km) which are detailed below:-</p> <p>DC/14/0590 - Land West of Worthing Road Southwater West Sussex - Residential development of up to 540 dwellings and 54 retirement living apartments, associated vehicular, cycle and pedestrian access, drainage and landscape works (Outline) (Development affects the setting of a Listed Building).</p> <p>Plus associated applications:</p> <p>DC/15/2064 - Erection of 244 dwellings (including 54 retirement living apartments) with associated access, parking and landscape works pursuant to outline planning permission DC/14/0590 (Approval of Reserved Matters) - completed</p> <p>DC/16/1919 - Provision of a community building, 2 x football pitches, a cricket pitch, 2 x tennis courts, a multi-use games area (MUGA), a skate park, a LEAP-NEAP with associated access, parking and landscaping works (application for approval of Reserved Matters following outline approval DC/14/0590- Residential development of up to 540 dwellings and 54 retirement living apartments, associated vehicular, cycle and pedestrian access, drainage and landscape works) - completed</p> <p>DC/17/0842 - Proposed erection of a single storey sports pavilion (approval of reserved matters pursuant to outline planning permission DC/14/0590)</p> <p>DC/17/2319 - Reserved Matters for the erection of 68 dwellings (including 8 affordable dwellings) with associated garaging, access, parking and landscaping works. (Following approval of previous outline application DC/14/0590).</p>	

DC/18/1255 - Reserved matters approval sought for layout, appearance, landscaping and access for the extension of existing allotments, allotment car park, outdoor child play area associated with village hall, and extension of existing village hall car park with associated access and landscaping works pursuant to outline planning permission DC/14/0590 (residential development of up to 540 dwellings and 54 retirement living apartments and associated works (outline)).

DC/18/1246 - Reserved matters approval sought for layout, appearance, landscaping, scale and access for the erection of 214 dwellings (including 61 affordable dwellings) with associated access, parking and landscaping works pursuant to phases 3.2 and 4 of outline planning permission DC/14/0590.

In addition:

DC/16/0642 – Land West of Mill Straight - Approval of Reserved Matters application for the erection of 193 dwellings relating to layout, scale, appearance and landscaping following outline application DC/14/2582

DC/20/0695 – Rascals Farm Shipley Road - Outline application for the erection of up to 100 residential units with all matters reserved except access (excluding internal estates roads)

The development at Highwood is approximately half-built, and the development at Mill Straight is nearly complete. It can be reasonably expected that these developments will continue to be constructed in accordance with good practice environmental standards and are subject to appropriate planning conditions (e.g. with respect to minimising noise, dust and other effects) and S106 agreements to mitigate against increased pressure on community infrastructure. If the developments reach their peak construction periods with regard to construction vehicles at the same time, suitable mitigation measures in Construction Management Plans could be identified to minimise the impact on local road networks. Trips associated with the demolition and construction phases, for example, if they were to overlap from the cumulative developments, trips could be managed through Construction Logistics Plans for each development to ensure travel during peaks times is reduced as far as possible, to minimise any potential impact. Bearing in mind the reasoning set out in the individual environmental topic sections above, that set out measures to mitigate impacts and identifies no likely significant effects, it is considered

	<p>that impacts cumulatively with other schemes can also be mitigated to non-significant levels.</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 retail development of the nature proposed. 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>The site does not support any high quality or scarce resources, with tree cover on the site limited to peripheral areas, and is not in a safeguarded area for minerals.</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>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>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>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.</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>d) the production of waste (demolition, construction, operation and decommissioning?)</p>	<p>In accordance with best practice measures, a CEMP will be prepared, which will include details of the types of waste stream that will likely be generated on-site during demolition and construction, along with the relevant recycling/disposal route. Waste minimisation strategies incorporated in the design and the procurement strategy, and information on how waste will be managed during the construction works (e.g. the employment of the waste hierarchy strategy, to minimise the volume of waste produced and to divert waste from landfill as far as possible) will also be outlined within the CEMP. It is anticipated that waste during the operational stage of the Proposed Development will be managed by a registered waste contractor.</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, including nearby residential development.</p> <p>Any impact will be short-term and temporary and can be mitigated through</p>	<p>No significant and/or residual environmental impacts anticipated</p>

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).

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.

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.

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.

There would also be emissions associated with the operational phase of the proposed development.

There will be an increase of vehicles accessing the site during the demolition and construction phases, particularly HGVs. HGVs will access the site during operation phase as well.

The traffic impacts of the Proposed Development will be need to be carefully managed, to limit the impact of the vehicles on the surrounding transport network so that any impacts and resultant effects upon receptors that do occur are not significant. This could include routing movements during off-peak travel hours and a just-in-time delivery system on site to avoid the potential for off-site queuing.

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

	<p>water drainage will be managed on-site during the construction and operational phases.</p> <p>Noise arising from the Proposed Development during its operation has the potential to result in adverse effects to existing noise sensitive receptors. Noise will be assessed according to the relevant standard (which is British Standard BS4142) and mitigation measures (such as screening or restrictions on certain activities at particular times) may be used to ensure that noise levels at nearby noise sensitive receptors either do not result in any adverse effects or are mitigated and minimised so far as is reasonable, in accordance with Planning and Noise Policy requirements.</p> <p>Details of the assessment, including baseline survey data, predicted levels and mitigation measures would be provided within a noise impact assessment submitted with the planning application.</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, 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>The major accidents or disasters that could be considered “likely” to be of relevance to the Proposed Development comprise flood risk (which has been considered as part of the drainage design across the site and below under Water Resources and Flood Risk) and fire risk (which will be managed through building design in accordance with relevant British Standards). The likely effects associated with these are not considered to be significant, particularly with the implementation of these design and strategy measures.</p>	<p>No significant and/or residual environmental impacts anticipated</p>
<p>g) The risks to human health (eg due to water contamination or air pollution)</p>	<p>Any associated risks to human health arising from the proposal would be dealt 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</p>	<p>No significant and/or residual environmental impacts anticipated</p>

	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.	
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2. Location of Development: the environmental sensitivity of geographical areas likely to be affected by development must be considered having regard, in particular to	Description (include permanent / temporary impacts, positive and / or negative impacts / likelihood of impact as applicable)	Significance
<p>a) the existing and approved land use</p> <p>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?)</p> <p>c) the absorption capacity of the natural environment, paying particular attention to</p>	<p>The Site is currently owned and operated by Sony. The surrounding area does include areas that are utilised for retail and residential, however these are not anticipated to be affected by the Proposed Development in terms of land use.</p> <p>There are no TPOs 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>Once operational, the proposed development can include landscaping, tree planting. Further details can be included in the landscape strategy which will be submitted with the planning application.</p>	<p>No significant and/or residual environmental impacts anticipated</p>
<p>i) wetlands, riparian areas, river mouths (e.g. floodplains, impacts on drainage, aquifers)</p>	<p>The Site is not considered to be at risk of fluvial flooding, with the entirety of the site located within Flood Zone 1 (low risk). As detailed on the Defra MAGIC maps, the site is located above an unproductive aquifer, with no noted groundwater vulnerability</p> <p>Areas of the site are potentially vulnerable to surface water flooding. However, the Site presents an opportunity to alleviate some of the surface water flooding issues in the locality through the provision of appropriate Sustainable Drainage Systems (SuDS) as part of the development, providing beneficial effects to the surface flooding risk. This approach aligns with the Local Plan, which looks for the use of innovative SuDS on the site, and would satisfy the requirements of the SFRA in limiting the discharge of surface water to the sewer network.</p> <p>As the Proposed Development is over 1 hectare in size, a planning application will need to be accompanied by a Flood Risk Assessment that will ensure these considerations are adequately addressed by the design. Consequently significant effects are not considered likely.</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>

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.

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.

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 demand on the public water supply in a defined region is the same after development as it was before.

In the case of the Proposed Development, water efficiency calculations will be completed for the existing site to determine the water consumption per person per day and in total. Water efficiency calculations will then be completed for the proposed development to establish the baseline water consumption. The next step will be to introduce water reduction measures such as flow restrictors, dual flow WCs, waterless urinals, timers, smart metering, etc. and recalculate the predicted water usage. It is expected that these measures will reduce the predicted consumption below that of the existing site, however, should that not be the case then the next consideration will be the introduction of water re-use either through rainwater harvesting or grey water recycling. Again, the impact of these measures will be calculated either individually or combined as necessary to demonstrate that the revised achieved predicted water consumption is less than that of the existing site.

	<p>Whilst Natural England suggest a target of 85 litres per day per person to demonstrate neutrality this would be for residential accommodation and so for industrial/ warehousing, 40 l/p/d or less would be expected. There is of course a third option to consider and that is water offsetting whereby the developer may fund retrofits of existing buildings to achieve a commensurate reduction in water consumption.</p> <p>Based on the measures set out above, significant effects are not considered likely for water neutrality as a result of the Proposed Development coming forward.</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).	<p>The site is bound to the south by a mature tree belt beyond which lies Southwater Lake (which hosts Southwater Watersports Centre) and Southwater Country Park, a Local Wildlife Site (LWS). Adjacent to the east and south of the site lies an area of ancient woodland.</p> <p>Small sections of trees are likely to be removed. There are no TPOs 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.</p>	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?)	Neither the Site nor the surrounding area are subject to statutory or non-statutory designation for ecological interest. The nearest statutory designated site is St Leonard's Forest Site of Special Scientific Interest (SSSI), located approximately 6km north east of the site; however, does not fall within the Impact Risk Zone for this (or any other designated site).	No significant and/or residual environmental impacts anticipated

	<p>The site is bound to the south by a mature tree belt beyond which lies Southwater Lake (which hosts Southwater Watersports Centre) and Southwater Country Park, a Local Wildlife Site (LWS). Adjacent to the east and south of the site lies an area of ancient woodland.</p> <p>The Mens SAC/SSSI is located approximately 13km to the west of the site. The Mens SAC/SSSI comprises mature beech woodland which supports Barbastelle bats (a European Protected Species). 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 under the Habitats Regulations maybe required on this proposal. A planning application will be supported by an Ecology Assessment and appropriate surveying.</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 as defined by HDC, which extends further to the north and west. The Mens SAC/SSSI comprises mature beech woodland which supports Barbastelle bats (a European Protected Species). Given the site partially falls within a bat sustenance zone, and is located adjacent to an LWS and ancient woodland, it is likely for there to be sensitive ecological receptors within the area surrounding the site. The PEA walkover has outlined the need for bat surveys, which would be undertaken in the required survey periods and also submitted in support of the planning application. Should the need for mitigation be determined, this would be detailed within these reports, to be secured through a suitably worded planning condition.</p> <p>With regards to bats, no potential roosting features were determined on site, with low potential in a small number of trees outside of the site boundary. The tree line adjacent to the east of the site does have potential to be used for foraging, but the rest of the site does not offer significant foraging potential. Given the site is located within a bat sustenance zone, bat surveys will be completed in line with a methodology to be agreed with the county ecologist.</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>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>

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.

The existing site is principally hardstanding and buildings that are principally of industrial nature. Considering the extent of habitat present on site, species potentially present would be restricted to those typically found in urban environments and common nature, such as nesting birds and roosting bats. Any presence is likely to be restricted to common species and in the case of bats likely to be restricted to night roost opportunities for individuals, with development impacts on which being classified as low. The Proposed Development may result in the loss of a small number of trees to facilitate the delivery of one of the proposed units. It is understood provision of new landscaping/ trees will be provided to ensure their loss will be sufficiently offset. The site does adjoin a mature belt of trees to the east which are designated as 'Ancient Woodland. An assessment of the Proposed Development and its impact on this area will be undertaken at the planning application stage, to ensure the area of Ancient Woodland is respected and preserved as part of the proposal.

The potential for light pollution to impact on ecological receptors would be controlled in line with national good practice guidance, including following the Institute of Lighting Professionals (ILP) Guidance Note (2020) for reduction of obtrusive light and the ILP and Bat Conservation Trust Guidance Note (2018) on bats and artificial lighting. A lighting strategy will be prepared and submitted with the application, which will detail how light spill at existing receptors will be controlled.

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 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 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).

Developments within Sussex North must therefore must not add to this impact.

	<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>	
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 there is such a failure (any areas already subject to pollution or damage – include impact on any AQMAs).	<p>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.</p>	No significant and/or residual environmental impacts anticipated
vii) densely populated areas (size of population affected, changes to demography, lifestyles, employment etc)	<p>The nearest bus stops are located to the west of the site. Residential properties and facilities including a primary school, community school, shops, restaurants and a library are also located within the village of Southwater.</p> <p>The site is well connected to the strategic road network. Access to the A24 is located approximately 1.5km travel distance to the south of the site, which provides wider access to the A272. The current access to the site is via Worthing Road. There are 11 bus stops within 500m of the site, which are served by the following buses: Nos. 3, 23, 98, 398, 622, 626. These offer regular services to Crawley, Worthing, Shoreham-by-Sea, Oakhill, Southgate and Littlehaven. The nearest railway station to the site is Christ's Hospital, an approximate 9 minute drive to the northwest and located along the Southern Railway network. Crawley is the nearest major railway station, which provides Thameslink services to London Bridge.</p> <p>The closest commercial airport to the site is London Gatwick Airport, located approximately 18km to the north east of the site. The Hadfold Airfield, located 8.2km to the west of the site, is the closest airfield to the site and is used for private micro-flights.</p>	No significant and/or residual environmental impacts anticipated
viii) landscapes of historical, cultural or archaeological significance	<p>The site falls 1.7km to the west of Grade II Registered Sedgwick Park, which contains a scheduled monument, the 'Medieval moated site at Sedgwick Castle'. There are also a number of listed buildings present within Southwater village, however these are distanced from the site (the nearest listed building is</p>	No significant and/or residual environmental impacts anticipated

	<p>the Grade II listed Cock Inn, which is located approximately 300m to the northwest of the site. There are approximately eight Grade II listed buildings within 1km of the site).</p> <p>Considering the nature and scale of the Proposed Development, and the low rise design of the proposed buildings and screening of trees around the site would be provided for site hoarding and construction works including cranes on site, and so the setting of these designated heritage assets is not considered likely to be affected, and therefore impacts are unlikely to be significant.</p> <p>The Proposed Development is located on a brownfield site that has been extensively developed. The site is not located within a known area of archaeological potential. The nearest archaeological notification area 'Land to the West of Southwater', as classified by West Sussex County Council (WSSCC), is located 500m to the west of the site.</p>	
<p>3. Types and Characteristics of the potential impact: The potential significant effects of development must be considered in relation to criteria set out under 1 & 2, having particular regard to:</p>	<p>Description</p>	<p>Significance</p>
<p>a) the magnitude and spatial extent of the impact (geographical area and size of the affected population)</p>	<p>Residents adjacent to the site will be affected by the development during the construction phase. Adverse effects would be mostly temporary and minimised through the implementation of a CEMP.</p> <p>The Proposed Development is in a location and of a height that would not affect aviation – either during demolition, construction (e.g. cranes), or operation. The Proposed Development is expected to be a maximum of 15.45m in height, similar to the existing buildings, and as such would not impact operations of any surrounding airports or aerodromes. Therefore, it is considered unlikely that the Proposed Development will result in any significant effects on aviation during construction or operation.</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</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>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>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>The site and surrounding area is not subject to protection for its landscape or scenic value, the closest of which is the High Weald Area of Outstanding Natural Beauty located on the eastern side of Horsham.</p> <p>The Site is located on a brownfield site within an urbanised area, with vegetation around the periphery of the site providing screening to the existing site. Given that the height and massing of the Proposed Development will be similar to the existing uses on site, it is highly unlikely there will be significant effects on daylight, sunlight and overshadowing from the Proposed Development.</p> <p>There would be an increase in HGV traffic movements; increase in noise, particularly during site construction and operational phase.</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>

The Proposed Development has the potential to impact on local air quality during both construction and operation. During construction this would be due to the potential impacts of dust soiling, road traffic emissions from construction traffic and once operational through road emissions and day to day operation of the Proposed Development.

Operation

During operation, the Proposed Development could affect air quality for existing sensitive receptors from development-generated traffic. This could include surrounding residential receptors along Worthing Road and the surrounding road network in Southwater, where operational traffic from the Proposed Development is expected to travel. The Proposed Development will share a similar scale and use to the existing site.

The nearest continuous air quality monitoring station is located in Horsham, 4.8km to the north, with diffusion tube monitoring undertaken regularly within Southwater along Worthing Road. NO₂ monitored at the Southwater diffusion tube location was 23.5ug/m³ well below the 40ug/m³ annual mean target, therefore air quality within the area is considered good. Additional trips generated from the Proposed Development are unlikely to generate significant air quality effects given the similar scale of the existing and Proposed Development. In addition, with air quality within the area already below the national objective, the introduction of the Proposed Development is unlikely to result in significant increases in concentrations of NO₂ from road traffic.

Road traffic from the Proposed Development is not anticipated to adversely affect any ecological sensitive receptors surrounding the site, including the adjacent ancient woodland and LWS, given the existing air quality levels. As such, the Proposed Development is unlikely to result in significant adverse effects on ecological receptors.

An air quality assessment will be submitted in support of the planning application, which will provide details of mitigation measures, if required.

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>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>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>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>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</p>	<p>No significant and/or residual environmental impacts anticipated</p>

	<p>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>As the infrastructure surrounding the site has been significantly modified to accommodate the additional traffic associated with the surrounding residential developments, environmental effects associated with the additional traffic from the Proposed Development are not anticipated to be significant.</p> <p>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>subject to the submission of a water neutrality strategy to be secure by way of condition or legal agreement.</p>
<p>e) the probability of the impact (e.g. overall probability of impacts identified above)</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>No significant and/or residual environmental impacts anticipated</p>

	<p>Significant environmental impacts anticipated 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).</p> <p>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>The probability of impacts highlighted are considered to be permanent and long-lasting given the scale and nature of the development.</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>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. 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>No significant and/or residual environmental impacts anticipated</p>
<p>g) the cumulation of the impact with the impact of other existing and/or approved development</p>	<p>The cumulative impact should consider the Broadacres residential scheme, which is currently under construction. The earlier phases of the Broadacres development is largely completed, and therefore any subsequent effects will be realised as part of the baseline assessments supporting the application.</p> <p>Cumulative effects with the Broadacres scheme and other sites will be</p>	<p>No significant and/or residual environmental impacts anticipated</p>

	<p>relatively limited, in comparing the scale of the Proposed Development. Impacts associated with noise or air quality (dust) will be minimal over the distance involved, and traffic impacts will be limited as the highway upgrades delivered have taken the traffic originating from this development into consideration</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 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>The Proposed Development would be developed in line with the Council's Energy Hierarchy, in accordance with Policy 36 of HDC's District Planning Framework (DPF) (2015). HDC's Draft Local Plan sets out a number of policies aimed at reducing carbon emissions from the construction and operation of new developments. This includes a requirement for BREEAM 'very good' to be achieved by all new non-domestic developments, with a particular focus on water efficiency. The Local Plan also targets the sustainable construction of new buildings, energy efficient design that is resistant and resilient to climate change, and the use of renewable energy where practicable. WSCC also has a Building Design and Construction Sustainability Requirements document, which would be complied with</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>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 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

EIA Required?	No
Statement of reasons	<p>The Proposed Development is not a Schedule 1 development, and it is not located in a sensitive area. 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>There will be an increase of vehicles accessing the site during the demolition and construction phases, particularly HGVs. HGVs will access the site during operation phase as well. The traffic impacts of the Proposed Development will be need to be carefully managed, to limit the impact of the vehicles on the surrounding transport network so that any impacts and resultant effects upon receptors that do occur are not significant. This could include routing movements during off-peak travel hours and a just-in-time delivery system on site to avoid the potential for off-site queuing.</p> <p>Noise arising from the Proposed Development during its operation has the potential to result in adverse effects to existing noise sensitive receptors. Noise will need to be assessed according to the relevant standard (which is British Standard BS4142) and mitigation measures (such as screening or restrictions on certain activities at particular times) may be used to ensure that noise levels at nearby noise sensitive receptors either do not result in any adverse effects or are mitigated and minimised so far as is reasonable, in accordance with Planning and Noise Policy requirements.</p> <p>Details of the assessment, including baseline survey data, predicted levels and mitigation measures would be provided within a noise impact assessment submitted with the planning 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. 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.</p>

	<p>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>In summary, the screening assessment of the current pre-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/or offsetting mitigation, 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 not required.</p>
Date	Matthew Porter 07-12-2021