



Habitats Regulations Assessment Screening Statement

Bury Neighbourhood Development Plan

August 2017

1. Introduction

- I.1 The purpose of this screening statement is to provide a screening opinion as to whether there might be any potential likely significant effects on internationally important wildlife sites (also known as European sites) that may be affected by the Bury Neighbourhood Development Plan (NDP), and therefore whether further Habitats Regulations Assessment work is required.

Habitats Regulations Assessment Screening

- I.2 Habitats Regulations Assessment (HRA) refers to the requirement for any plan or project to assess the potential implications for European sites. The need for HRA is set out within the EC Habitats Directive 92/43/EC which is transposed into British Law. Article 6(3) of the EU Habitats Directive provides that:

“Any plan or project not directly connected with or necessary to the management of the [European] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.”

- I.3 The first stage of the HRA process involves an assessment or screening of whether the plan is likely to have a significant effect on one or more European sites either alone or in combination. This can include consideration of avoidance measures. The objective is to ‘screen out’ those plans and projects (or site allocations/policies) that can, without detailed appraisal, be said to be unlikely to result in significant adverse effects upon European sites.
- I.4 If screening determines that there is the potential for likely significant effects, further HRA work would be required in the form of an Appropriate Assessment which considers the impact on the integrity of the European site in more detail.

This report

- I.5 In this report, the likely significant effects screening is undertaken in two parts:
- Impact pathway screening - The policies in the NDP are reviewed to identify potential impact pathways.
 - Likely significant effects screening - Where potential impact pathways are identified, these are considered further to determine if the NDP alone, or in combination with other relevant plans or projects, is likely to result in a significant effects.
- I.6 The information used for this screening statement has been gathered from the HRA for the South Downs Local Plan: Preferred Options, which was published in 2015, and as such, this screening report should be read in conjunction with it.
- I.7 It should be noted that the South Downs Local Plan and its accompanying HRA has not been tested and accepted at Examination. Whilst this is the case, the Local Plan Preferred Options did recognise that some of the housing requirement quantum would be allocated through NDPs. It therefore set out the expected quantum of development for these various

settlements, and this figure was taken into account in the Local Plan Preferred options HRA. The Pre-submission Bury NDP makes provision for the quantum of development as expected in the Local Plan Preferred options and as such the evidence and findings of the Local Plan Preferred Options HRA provide an important basis for the HRA screening of this NDP.

- I.8 This screening statement has regard to the conservation objectives of the relevant European sites. It also makes reference to other plans and projects (the emerging South Downs Local Plan and other Local Plans/Core Strategies as appropriate).

The Bury Neighbourhood Development Plan

- I.7 The Bury NDP was subject to pre-submission consultation in November/December 2016 and was submitted to the SDNPA in March 2017. The NDP includes general policies to guide development. It also includes designation of local green spaces and an allocation for a net increase of 6 dwellings at Jolyons and Robin Hill.
- I.8 When adopted, NDPs will be used by the local planning authority to determine planning applications for the Neighbourhood Areas that they cover. As the parish falls within the South Downs National Park, the policies for the NDP, once adopted, will form the planning policy for that part of the National Park, in the Parish of Bury.

Relevant European sites

- I.9 The European wildlife sites relevant to this neighbourhood development plan are:
- Arun Valley Special Protection Area (SPA)/ Special Area of Conservation (SAC)/Ramsar site
 - The Mens SAC
 - Duncton and Bignor Escarpment SAC
- I.10 Full details for the reason for designation, conservation objectives and key vulnerabilities are set out in Appendix I.

2. Impact pathway screening

- 2.1 Table I below sets out the screening of each of the policies included in the Bury NDP, identifying if potential impact pathways are present. Where no impact pathways are identified, the policy can be screened out (indicated by green shading) because there is no mechanism for an adverse effect on designated sites.

Table 1: Impact pathway screening

Bury NDP Policy Reference	Impact pathway
BNDP Policy 1 – Settlement Boundaries	<p>Potential impact pathways.</p> <p>This policy sets the settlement policy boundary of the village and various other policies in the Bury NDP apply specifically within the defined settlement policy boundary. This policy does not explicitly provide for development, but does allow the potential for development in combination with other policies in the NDP, for example, with Policy 4 – Unallocated residential development.</p> <p>The potential impact pathways are:</p> <ul style="list-style-type: none"> - Hydrology (water quantity (abstraction) and water quality (siltation and wastewater treatment)) of the Arun Valley SPA/SAC/Ramsar - Loss of supporting habitat (Bewicks Swan associated with Arun Valley SPA/SAC/Ramsar and protected bat species associated with The Mens SAC) - Recreational pressure (Arun Valley SPA/SAC/Ramsar and Duncton to Bignor Escarpment SAC) - Air quality (in combination)
BNDP Policy 2 – Built Character	<p>No impact pathways. Screened out.</p> <p>This policy requires design of development to respond to the heritage of the Parish.</p>
BNDP Policy 3 – Allocation for new housing	<p>Potential impact pathways.</p> <p>This policy allocates the site known as Jolyons and Robin Hill for a net increase of 6 dwellings.</p> <p>The potential impact pathways are:</p> <ul style="list-style-type: none"> - Hydrology (water quantity (abstraction) and water quality (siltation and wastewater treatment)); - Loss of supporting habitat (Bewicks Swan associated with Arun Valley SPA/SAC/Ramsar and protected bat species associated with The Mens SAC) - Recreational pressure - Air quality
BNDP 4 – Unallocated residential development	<p>Potential impact pathways.</p> <p>This policy sets criteria for small scale residential development (3 units or less) within the settlement policy boundary, and for residential development proposals outside of the settlement policy boundary. It states that large scale residential development on un allocated sites is not considered sustainable or appropriate.</p>

	<p>The potential impact pathways are:</p> <ul style="list-style-type: none"> - Hydrology (water quantity (abstraction) and water quality (siltation and wastewater treatment)) of the Arun Valley SPA/SAC/Ramsar - Loss of supporting habitat (Bewicks Swan associated with Arun Valley SPA/SAC/Ramsar and protected bat species associated with The Mens SAC) - Recreational pressure (Arun Valley SPA/SAC/Ramsar and Duncton to Bignor Escarpment SAC) - Air quality (in combination)
BNDP Policy 5 – Sunken Lanes	<p>No impact pathways. Screened out.</p> <p>This policy seeks to preserve sunken lanes identified on the Bury NDP policies map.</p>
BNDP Policy 6 – Historic Walls	<p>Screened out. No impact pathways.</p> <p>This policy seeks to preserve and encourage restoration of historic walls.</p>
BNDP Policy 7 – Historic Orchards	<p>No impact pathways. Screened out.</p> <p>This policy seeks to protect historic orchards identified on the Bury NDP policies map and supports planting of new orchards.</p>
BNDP Policy 8 – Parish Heritage Assets	<p>No impact pathways. Screened out.</p> <p>This policy relates to the protection and enhancement of Parish Heritage Assets as identified on the Bury NDP policies map.</p>
BNDP Policy 9 – Recreational & Community Facilities	<p>No impact pathways. Screened out.</p> <p>This policy relates to the protection of particular community facilities.</p>
BNDP Policy 10 – Local Green Space	<p>No impact pathways. Screened out.</p> <p>This policy relates to the designation and thus protection of 5 Local Green Spaces.</p>
BNDP Policy 11 – A strong local economy	<p>No impact pathways. Screened out.</p> <p>This policy relates to the protection of particular Key Employment sites as identified on the Bury NDP policies map. The policy is also a restrictive policy and states that large scale economic development should be refused.</p>
BNDP Policy 12 – The small business economy	<p>Potential impact pathways.</p>

	<p>This policy does not provide specifically for development, but does provide criteria and circumstances for potentially suitable small business development.</p> <p>The potential impact pathways are:</p> <ul style="list-style-type: none"> - Hydrology (water quantity (abstraction) and water quality (siltation and wastewater treatment)) of the Arun Valley SPA/SAC/Ramsar - Loss of supporting habitat (Bewicks Swan associated with Arun Valley SPA/SAC/Ramsar and protected bat species associated with The Mens SAC) - Air quality (in combination)
BNDP Policy 13 – South Downs National Park	<p>No impact pathways. Screened out.</p> <p>This is a positive policy which seeks to protect the special qualities of the National Park including the rich variety of wildlife and habitats, including rare and internationally import species.</p>
BNDP Policy 14 – Landscape & Views	<p>No impact pathways. Screened out.</p> <p>This policy relates to the protection of the distractive landscape and settlement character and particular notable views.</p>
BNDP Policy 15 – Tranquillity	<p>No impact pathways. Screened out.</p> <p>This policy seeks to protect the tranquillity of the Parish.</p>
BNDP Policy 16 – Dark Night Skies	<p>No impact pathways. Screened out.</p> <p>This policy relates to the protection of Dark Night Skies. This is a positive policy; ensuring the protection of dark skies, avoiding and minimising light pollution, is of benefit to bat species.</p>
BNDP Policy 17 – Woodlands and Trees	<p>No impact pathways. Screened out.</p> <p>This policy relates to the protection of woodland, copses, trees and hedgerows. This is a positive policy. These features can be used by bat species for foraging, roosting and commuting.</p>
BNDP Policy 18 – Local habitats	<p>No impact pathways. Screened out.</p> <p>This policy relates to the protection and enhancement of local habitat. This is a positive policy which specifically references chalk streams and wetland habitats, woodlands, and hedgerows.</p>
BNDP Policy 19 – Permissive & Public Rights of Way	<p>Potential impact pathway.</p> <p>This policy relates to protection of existing public rights of way, and supports new public rights of way.</p>

	The potential impact pathway is: - Recreational pressure (Arun Valley SPA/SAC/Ramsar and Duncton to Bignor Escarpment SAC)
BNDP Policy 20 – Parking	No impact pathways. Screened out.
BNDP Policy 21 – Creating a safer public realm	No impact pathways. Screened out.

3. Likely significant effects screening

- 3.1 The impact pathway screening in Table 1 above has identified policies 1, 3, 4, 12 and 19 in the Bury NDP which have potential impact pathways; these policies therefore require a fuller screening assessment as set out in Table 2 below.
- 3.2 Table 2 below draws together the conclusions and includes references to the relevant paragraphs of the South Downs Local Plan Preferred Options HRA report, and additional commentary relating to the proposals and policies within the Bury NDP.

Table 2: Likely significant effects screening

Impact pathway	Summary of the screening outcome in the HRA Report for the South Downs Local Plan: Preferred Options	Further comment	Conclusion
Arun Valley Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site			
<p>Recreational pressure</p> <p>Policies:</p> <ul style="list-style-type: none"> - BNDP Policy 1 – Settlement Boundaries - BNDP Policy 3 – Allocation for new housing - BNDP 4 – Unallocated residential development - BNDP Policy 19 – Permissive & Public Rights of Way 	<p>Screened out.</p> <p><u>Arun Valley SPA/SAC/Ramsar</u></p> <p>The quantum of total new dwellings in the South Downs Local Plan Preferred Options within 5km of the SPA equates to approximately 45-50 new dwellings (including the 6 proposed in Bury).</p> <p>Given that recreational pressure is not identified as a specific issue in the Site Improvement Plan such a small number of dwellings will not result in a material change in recreational activity at the site.</p> <p>The Local Plan for Arun (a district located within 1.5km of the SPA) does not identify any new housing within 5km of Arun Valley SAC, SPA and Ramsar site; the adopted Horsham District Planning Framework (the SPA being situated in Horsham district) does not identify any specific locations for housing within 5km of the designated site. As such, this impact pathway upon this site can be screened out, both alone and in combination.</p> <p>Reference – Paragraph 4.10.7 of the South Downs Local Plan: Preferred Options</p>	<p>The Bury NDP includes Policy 19 (Permissive & Public Rights of Way). This policy supports new public rights of way and could therefore increase access to international designations and recreational disturbance of protected species.</p> <p>In order to ensure that there are no adverse effects on the integrity of international designations, proposals which would increase access to the international designations should be subject to project-level HRA.</p> <p>It is recommended that the following wording be added to the policy:</p> <p><i>‘Development proposals for new or improved public right of way which would increase access to internationally designated sites will be required to undertake a project-level Habitats Regulations Assessment.’</i></p>	<p>Screened out subject to the following amendments:</p> <p>It is recommended that the following wording be added to the policy:</p> <p><i>‘Development proposals for new or improved public right of way which would increase access to internationally designated sites will require a project-level Habitats Regulations Assessment.’</i></p>

Impact pathway	Summary of the screening outcome in the HRA Report for the South Downs Local Plan: Preferred Options	Further comment	Conclusion
<p>Loss of supporting habitat</p> <p>Policies:</p> <ul style="list-style-type: none"> - BNDP Policy 1 – Settlement Boundaries - BNDP Policy 3 – Allocation for new housing - BNDP 4 – Unallocated residential development - BNDP Policy 12 – The small business economy 	<p>Screened out.</p> <p>The Arun Valley SPA and Ramsar site is designated for its wintering population of Bewick’s swan. It is widely accepted that Bewick’s swans feed on suitable farmland up to 5km from the designated site. As such, suitable fields within 5km of the SPA could constitute important supporting habitat if they support a large enough percentage of the SPA population on a regular basis. Bury is located approximately 1km from the designated site.</p> <p>Screened out due to Policy SD13: International Sites which requires development proposals which are within 5km of the Arun Valley SPA to undertake an appraisal as to whether the land is suitable for wintering Bewick swan, if they are important to the swan population, and if so, requires appropriate alternative habitat before development could proceed.</p> <p>Reference – Paragraphs 7.2.19 and 7.2.20 of the Preferred Options HRA</p>	<p>In Policy 3, the site known as Jolyons and Robin Hill is allocated for a net increase of 6 dwellings. The site consists of two plots of land, each with a large dwelling and residential garden. The site is located adjacent to development of similar character (i.e. large dwellings and managed gardens (enclosed by hedges and containing a number of scattered trees) in an irregular pattern). As such, this site is not one which would be considered suitable for the Bewick Swan.</p> <p>The NDP contains a policy regarding unallocated residential development (Policy 4). The policy generally states that large scale development on unallocated sites is not considered sustainable. With regard to small scale sites, the policy states these may be permitted within the settlement boundary. The nature of these potential sites (generally small in size and within the built form of the village) is such that these would not be suitable for use by the Bewick swan. The policy also contains a number of criteria for small scale development outside the settlement policy boundary. These criteria (particularly (i) Is not located on agricultural land OR is located on brownfield land and (ii) is located adjacent to existing residential properties) are likely to rule out most sites</p>	<p>Screened out.</p>

Impact pathway	Summary of the screening outcome in the HRA Report for the South Downs Local Plan: Preferred Options	Further comment	Conclusion
		<p>which may be considered suitable for the Bewick Swan.</p> <p>Policy 12 supports the small business economy. The policy requires that such proposals comply with other policies in the Development Plan, for example Policy 13 which protects wildlife and habitats including rare and internationally important species, which would include the Bewick Swan and its supporting habitat.</p>	
<p>Hydrology (water quantity (abstraction) and water quality (waste water treatment))</p> <p>Policies:</p> <ul style="list-style-type: none"> - BNDP Policy 1 – Settlement Boundaries - BNDP Policy 3 – Allocation for new housing - BNDP 4 – Unallocated residential development - BNDP Policy 12 – The small business economy 	<p>Screened out.</p> <p><u>Water quantity (abstraction):</u> The appropriate assessment for the Southern Water <i>Water Resource Management Plan</i> considered future public water supply abstraction impacts on the Arun Valley SAC/SPA/Ramsar site. It concluded that no adverse effects on integrity of the SAC/SPA/Ramsar site would arise.</p> <p>Reference – Paragraph 6.3.7 of the Preferred Options HRA</p> <p><u>Water quality (wastewater treatment):</u> Although diffuse pollution from agricultural runoff is a significant issue that must be addressed, the principal pathway for a Local Plan to affect water quality in European sites is through increased discharge of treated sewage effluent.</p>	<p>No further comments.</p>	<p>Screened out.</p>

Impact pathway	Summary of the screening outcome in the HRA Report for the South Downs Local Plan: Preferred Options	Further comment	Conclusion
	<p>Provided new development can be accommodated within the existing consent headroom for the relevant wastewater treatment works, it is considered that the existing initiatives being implemented to ensure compliance of relevant Wastewater Treatment Works discharges and improve diffuse pollution, policies SD17 and SD16 within the SDNPA Local Plan and the small amount of development proposed within the catchment enable a conclusion that the South Downs National Park Local Plan will not result in a likely significant effect on the Arun Valley SAC/SPA/Ramsar site.</p> <p>Reference – Paragraph 6.3.16 of the Preferred Options HRA.</p>		
Duncton and Bignor Escarpment Special Area of Conservation (SAC)			
<p>Recreational Pressure</p> <p>Policies:</p> <ul style="list-style-type: none"> - BNDP Policy 1 – Settlement Boundaries - BNDP Policy 3 – Allocation for new housing - BNDP 4 – Unallocated 	<p>The Site Improvement Plan for the SAC does not identify any specific current requirement for access management improvements. The SAC is located in a rural area in relative isolation from large settlements. Due to the low population density surrounding the SAC and the scale of development proposed to come forward, both in the emerging South Downs Local Plan and in this NDP, likely significant effects can be screened out alone and in combination.</p> <p>Reference – Paragraph 4.7.4 of the South Downs Local Plan: Preferred Options.</p>	<p>The Bury NDP includes Policy 19 (Permissive & Public Rights of Way). This policy supports new public rights of way and could therefore increase access to international designations and recreational disturbance of protected species.</p> <p>In order to ensure that there are no adverse effects on the integrity of international designations, proposals which would increase access to the international designations should be subject to project-level HRA.</p>	<p>Screened out subject to the following amendments:</p> <p>It is recommended that the following wording be added to the policy:</p> <p><i>‘Development proposals for new or improved public right of way which would increase access to internationally designated sites will require a</i></p>

Impact pathway	Summary of the screening outcome in the HRA Report for the South Downs Local Plan: Preferred Options	Further comment	Conclusion
residential development - BNDP Policy 19 – Permissive & Public Rights of Way		<p>It is recommended that the following wording be added to the policy:</p> <p><i>‘Development proposals for new or improved public right of way which would increase access to internationally designated sites will be required to undertake a project-level Habitats Regulations Assessment.’</i></p>	<p>project-level Habitats Regulations Assessment.’</p>
The Mens Special Area of Conservation (SAC)			
Loss of supporting habitat - BNDP Policy 1 – Settlement Boundaries - BNDP Policy 3 – Allocation for new housing - BNDP 4 – Unallocated residential development - BNDP Policy 12 – The small business economy	<p>The Mens SAC is important for its barbastelle populations and radio-tracking studies have been undertaken to identify core foraging areas. In some cases the bats travelled up to 7km to visit foraging areas. Whilst it is conceivable for barbastelle bats of the SAC to use a wider area for activities such as migrating between hibernation roosts and summer roosts, the currently available radio-tracking evidence indicates that a 7km distance is likely to encompass the core foraging area of importance for barbastelle bats associated with the SAC. Development within 7km of the SAC therefore has greatest potential to significantly affect barbastelle flightlines or foraging areas. Any development proposals within 7km of The Mens SAC (including windfall sites and sites not identified within the SDNPA Local Plan) have potential to result in likely significant effects upon the barbastelle bats of The</p>	<p>The HRA for the Preferred Option Local Plan used a buffer distance of 7km. Following representations received as part of the preferred options consultation the policy and the HRA for the Pre-submission Local Plan has been changed to use a distance of 9km.</p> <p>The village of Bury is within approximately 8km of the The Mens SAC.</p> <p>Policies 1, 4 and 12 collectively set criteria by which unspecified/allocated i.e. ‘windfall’ development may be considered appropriate. Such development proposals would need to be in accordance with the development plan, and this includes policy 13 which says:</p>	<p>Screened out subject to the following amendments:</p> <p>It is recommended that the following is added to the criteria list of the policy:</p> <ul style="list-style-type: none"> • Ensure that the design of the development will not result in likely significant effects on the commuting foraging of the barbastelle bat associated with The Mens Special Area of Conservation, for

Impact pathway	Summary of the screening outcome in the HRA Report for the South Downs Local Plan: Preferred Options	Further comment	Conclusion
	<p>Mens SAC via direct habitat loss or disturbances from lighting, noise and vibrations both during construction and operational phases of development.</p> <p>The Local Plan was screened out on the basis of the Policy relating to International Sites which requires proposals within the 7km buffer to take due regard to bat features. This relates to proposals on greenfield sites and sites that support or are in close proximity to mature vegetative linear features and waterways.</p> <p>Reference – Paragraph 4.2.8 and 7.2.10 of the South Downs Local Plan: Preferred Options.</p>	<p><i>'Development proposals should not have any adverse impacts on the special qualities of the National Park. The special qualities are: 2. A rich variety of wildlife and habitat including rare and important species'.</i></p> <p>Policy 3 sets out the housing allocation. The site is currently in residential use, and consists of two dwellings and their gardens. The proposed allocation involves 2 replacement dwellings on the northern part of the site, and 6 new dwellings on the southern part of the site.</p> <p>The site lies within the travelling range of barbastelle bats, and without appropriate design the proposals could have a significant effects on the integrity of the Mens SAC if they affected commuting routes or foraging habitat (including by inappropriate illumination).</p> <p>The boundary of the site to south, and the west in particular, consist of long connected mature hedgerows. Hedgerows and other linear features may provide flightpaths for foraging barbastelle bats.</p> <p>A project-level HRA should be undertaken at the planning application stage for this allocation. A suitably qualified ecologist should assess the hedgerow for its</p>	<p>example through lighting which avoids excessive light spill and retention of the boundary hedgerows.</p>

Impact pathway	Summary of the screening outcome in the HRA Report for the South Downs Local Plan: Preferred Options	Further comment	Conclusion
		<p>suitability for use by commuting barbastelle bats. It is considered that the design of the scheme could allow the scheme to be delivered without likely significant effects, through an appropriate lighting scheme and retention of the boundary hedgerows.</p> <p>It is recommended that the following is added to the criteria list of the policy:</p> <ul style="list-style-type: none"> • <i>Ensure that the design of the development will not result in likely significant effects on the commuting foraging of the barbastelle bat associated with The Mens Special Area of Conservation, for example through lighting which avoids excessive light spill and retention of the boundary hedgerows.</i> 	
To be determined			
Air quality - BNDP Policy I – Settlement Boundaries	Screened out. The HRA for the Preferred Options Local Plan screened out air quality as an issue for the Local Plan and for Neighbourhood Plans. Since this time, the standard methodology typically used for this has been found to be incorrect through a Judicial Review of the		

Impact pathway	Summary of the screening outcome in the HRA Report for the South Downs Local Plan: Preferred Options	Further comment	Conclusion
<ul style="list-style-type: none"> - BNDP Policy 3 – Allocation for new housing - BNDP 4 – Unallocated residential development - BNDP Policy 12 – The small business economy 	<p>Lewes Joint Core Strategy. The National Park Authority has therefore commissioned new assessment work on air quality as part of HRA of the Pre-Submission Local Plan, which has considered in combination effects.</p> <p>In terms of air quality, the scale of development proposed at Bury (a net gain of 6 dwellings) is such that there are not likely to be significant effects alone. However, air quality is a potential issue when considered in combination with other plans and projects. Given the strategic nature of in-combination traffic and air quality effects, this issue is by definition, one that cannot be fully explored and resolved by an individual neighbourhood plan. The National Park Authority has commissioned new assessment work on air quality as part of HRA of the Pre-Submission Local Plan, which has considered these in-combination effects. This impact has therefore been screened out as it has been assessed and addressed through the HRA of Local Plan, which will be formally published in September 2017.</p>		

- 3.3 Neighbourhood Plans are required to be considered **‘in combination’** with other plans and projects which might also effect international nature conservation designation sites. Pathways relating to recreational pressure, hydrology, and loss of supporting habitat have been explored and screened out through the Local Plans for Arun, Adur, Chichester, and Horsham Districts. These core strategies propose 25,000 houses. The SDNPA Local Plan proposes approximately 38 new houses within 7km which is a very small fraction of the total proposed. The HRA for Arun and Adur Core Strategies concluded no significant recreational impact would occur, and the HRA for Horsham scoped out recreational pressure as an impact pathway (reference: paragraph 10.2.1 and 10.2.2 of the Preferred Options HRA). With regard to air quality, please see the conclusions in Table 2 above.

4. Conclusion

- 4.1 Is the potential scale or magnitude of any effect likely to be significant?

- a) Alone? **No**
b) In combination with other plans or projects? **No**

- 4.2 It is the conclusion of this screening statement that the Bury NDP is not likely to result in significant effects with regard to recreational pressure, hydrology or loss of supporting habitat on the Arun Valley SAC/SPA/Ramsar, Duncton to Bignor Escarpment SAC and the Mens SAC, subject to the following recommended amendments:

- It is recommended that the following is added to Policy 19:

‘Development proposals for new or improved public right of way which would increase access to internationally designated sites will require a project-level Habitats Regulations Assessment.’

- It is recommended that the following is added to Policy 3:

‘Ensure that the design of the development will not result in likely significant effects on the commuting foraging of the barbastelle bat associated with The Mens Special Area of Conservation, for example through lighting which avoids excessive light spill and retention of the boundary hedgerows.’

- 4.3 The air quality pathway is screened out at this stage as outlined in Table 2. Given the strategic nature of in combination traffic and air quality, this issue is by definition, one that cannot be fully explored and resolved by an individual neighbourhood plan and is most appropriately addressed through the Local Plan. The National Park Authority has commissioned new work on air quality which will be published as part of the Pre-Submission Consultation expected in September.

Appendix I: Details of relevant European site

Background information on the Arun Valley SAC/SPA/Ramsar site extracted from Appendix A of the South Downs National Park Local Plan Habitats Regulation Assessment, prepared by AECOM, and published as part of the Preferred Options Local Plan consultation in 2015.

I Arun Valley SAC/ SPA/ Ramsar site

I.1 Introduction

Arun Valley SPA covers 528.62ha of West Sussex, with 95% of the site comprising of mesophile grassland, 2% inland water bodies, 2% bog, marshes, water fringed vegetation, fens and 1% broad leaved deciduous woodland. The site comprises of low-lying grazing marsh, largely on alluvial soils, but with an area of peat derived from a relict raised bog. Southern parts of the Arun Valley are fed by calcareous springs, while to the north, where the underlying geology is Greensand, where the water is more acidic. These water bodies support internationally important numbers of Berwick's swan *Cygnus columbianus bewickii*.

Arun Valley SPA consists of three SSSIs; Amberley Wild Brooks SSSI, Pulborough Brooks SSSI and Waltham Brooks SSSI. Together these sites comprise an area of wet meadows on the floodplain of the River Arun between Pulborough and Amberley.

The birds that winter on many SPAs (the Arun Valley being no exception) are not confined to the boundaries of the SPA, but in fact utilise areas of 'supporting habits' located outside of the boundaries and sometimes many kilometres distant.

I.2 Reasons for Designation

SAC criteria

The site was designated as being of European importance for the following interest feature:

- Ramshorn snail *Anisus vorticulus*, once a species covering over 15 sites in the south east of England, now only remains in a few select locations as a result a massive decline. Arun Valley is one of the few remaining site in the UK to support this particular species.

SPA criteria

This site qualifies under Article 4.1 of the Directive (79/409/EEC) by supporting populations of European importance of the following species listed on Annex I of the Directive:

Over winter;

- Bewick's swan, 115 individuals representing at least 1.6% of the wintering population in Great Britain (5 year peak mean for 1992/93 to 1996/7).

Assemblage qualification: A wetland of international importance.

- The area qualifies under Article 4.2 of the Directive (79/409/EEC) by regularly supporting at least 20,000 waterfowl.

Over winter, the area regularly supports 27,241 individual waterfowl (5 year peak mean for 1992/93 to 1996/97) including: shoveler, teal, wigeon, Bewick's swan.

Ramsar criteria

The Arun Valley Ramsar site qualifies on three of the nine Ramsar criteria:

Table 1. Ramsar criteria and qualification

Ramsar criterion	Description of Criterion	River Arun and marshes
2	A wetland should be considered internationally important if it supports vulnerable, endangered, or critically endangered species or threatened ecological communities.	The site supports seven wetland invertebrate species listed in the British Red Book and the endangered <i>Pseudamnicola confusa</i> (swollen spire snail). As well as four nationally rare and four nationally scarce plant species.
3	A wetland should be considered internationally important if it supports populations of plant and/or animal species important for maintaining the biological diversity of a particular biogeographic region.	Within the ditches intersecting the site there are all five British duckweed <i>Lemna</i> species, all five water-cress <i>Rorippa</i> species, and all three British water milfoils <i>Myriophyllum</i> species, all but one of the seven British water dropworts <i>Oenanthe</i> species, and two-thirds of the British pondweeds <i>Potamogeton</i> species.
5	A wetland should be considered internationally important if it regularly supports 20,000 or more waterbirds.	<p>Species with peak counts in winter:</p> <ul style="list-style-type: none"> 13774 waterfowl (5 year peak mean 1998/99-2002/2003) <p>Species identified subsequent to designation for possible future consideration:</p> <ul style="list-style-type: none"> Northern pintail, <i>Anas acuta</i>, NW Europe 641 individuals, representing an average of 1% of the population (5 year peak mean 1998/9- 2002/3) <p>Species currently occurring at levels of national importance:</p> <ul style="list-style-type: none"> Eurasian wigeon, <i>Anas penelope</i>, NW Europe 4742 individuals, representing an average of 1.1% of the GB population (5 year peak mean 1998/9-2002/3) Eurasian teal, <i>Anas crecca</i>, NW Europe 2931 individuals, representing an average of 1.5% of the GB population (5 year peak mean 1998/9-2002/3) Northern shoveler, <i>Anas clypeata</i>, NW & C Europe 222 individuals, representing an average of 1.5% of the GB population (5 year peak mean 1998/9- 2002/3) Ruff, <i>Philomachus pugnax</i>, Europe/W Africa 27 individuals, representing an average of 3.8% of the GB population (5 year peak mean 1998/9-2002/3).

The Arun Valley SPA and Ramsar and SAC site comprises of three SSSIs.

I.3 Historic Trends and Current Pressures

Amberley Wild Brooks SSSI

The Amberley Wild Brooks SSSI lies within the greensand natural area and covers approximately 322.6ha. The site supports an extensive area of alluvial grazing marsh, which is dissected by draining ditches supporting over 156 flowering plants. This part of the Arun Valley floods each year making it a haven for breeding birds. This site is managed by the RSPB but unlike many other RSPB reserves, recreational visitors are not encouraged because of the sensitivity of the site, and the site is not designed or promoted to attract visitors. Access within the site is severely restricted specifically in order to ensure that disturbance is not possible. Access is therefore restricted to the Wey South Path.

Over-wintering birds are of international importance, with a rich community of breeding birds and several uncommon invertebrate assemblages. These ditches support a range of rich flora which includes one nationally rare plant the cut grass *Leersia oryzoides* which is currently restricted to only ten UK locations. The marsh fern *Thelypteris thelypteroides* an uncommon plant is found within the fen. Where this fen is situated two rare snails (molluscs): *Anisus vorticulatus* and *Pseudamnicola confusa* can be found.

Pulborough Brooks SSSI

A large part of the site is now managed as an area of wet grassland principally for the benefit of breeding waders and internationally important assemblages of wintering wildfowl. Controlled flooding of this part of the valley during the winter attracts large flocks of nationally and internationally important numbers of Bewick's swan, wigeon, teal, pintail, shoveler and ruff. Other wintering species of note include white-fronted goose, golden plover, snipe and large flocks of lapwing.

Waltham Brook SSSI

Waltham Brook SSSI is situated the other side of the river to that of Amberley Wild Brooks SSSI. Like Amberley Wild Brooks the site lies within the greensand natural area and covers approximately 47.39ha. The site is comprised of alluvial grazing marsh which is dissected by draining ditches supporting a species-rich community of aquatic plants.

This part of the Arun Valley floods almost every winter, resulting in the site becoming a giant lake. This site is particularly important for wildfowl such as teal, shoveler, wigeon and pintail that take advantage of the sanctuary and feeding opportunities offered.

Condition Assessment

During the most recent condition assessment process, 98.05% of Amberley Wild Brooks SSSI was unfavourable but recovering, 100% of Pulborough Brooks SSSI were judged to be meeting PSA targets and in favourable condition, and Waltham Brook SSSI was assessed as being 100% unfavourable condition but recovering. The Arun Valley SPA, Ramsar and SAC were judged to be in favourable condition.

The following key environmental conditions were identified for the Arun Valley SPA/SAC/Ramsar:

- Appropriate ditch management including control of shade-inducing marginal vegetation.
- Good water quality
- Sympathetic management of lowland wet grassland/grazing marsh

- Control of fertilizers.
- Hydrology management (abstraction, river maintenance, ensuring continuation of winter floods).
- Absence of nutrient enrichment.

17 Duncton to Bignor Escarpment SAC

17.1 Introduction

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

17.2 Reasons for Designation

Duncton to Bignor Escarpment qualifies as a SAC for the Habitats Directive Annex I habitat of:

- Beech forests on acid soils.

17.3 Historic Trends and Current Pressures

Historically this site has relatively few threats. The JNCC Natura 2000 data sheet documents; 'The escarpment woodland hosts a number of pheasant shoots which, in general, pose no threat to the woodland. Expansion of these shoots from current levels is undesirable. Plantations of non-native conifers are targeted for complete or partial removal. A large resident deer population is controlled by deer stalkers'.

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

The key environmental conditions that support the features of European interest have been defined as:

- Appropriate woodland management.

22 The Mens SAC

22.1 Introduction

The Mens remains as one of the most extensive examples of Wealden Woodland in West Sussex and measures 203.28ha. It is important for its size, structural diversity and the extremely rich fungal and lichen floras which occur here. The wood supports a diverse community of breeding birds, and is the locality of a nationally endangered species of fly.

22.2 Reasons for Designation

The Mens SAC qualifies as a SAC for both habitats and species. Firstly, the site contains the Habitats Directive Annex I habitats of:

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

Secondly the site contains the Annex II species:

- Barbastelle bat

22.3 Historic Trends and Current Pressures

The Mens SAC is owned and managed by Sussex Wildlife Trust. The Mens SAC is important for its barbastelle populations and radio-tracking studies have been undertaken to identify core foraging areas. These reports have identified that the barbastelles of The Mens SAC forage to the east of the SAC, principally on the floodplain of the river Arun from close to Horsham in the north to Parham in the south. They also cross to the Adur floodplain. In some cases the bats travelled up to 7km to visit foraging areas. Development within 7km of the SAC has potential to affect barbastelle flightlines or foraging areas.

In the most recent Natural England condition assessment process, 97.32% of The Mens SSSI was considered to be in favourable condition.

The key environmental conditions that support the features of European interest have been defined as:

- Appropriate woodland management.
- Low recreational pressure (because management is by minimum intervention and Bridleway degradation by horse riding is a recurring threat).
- Retention of deadwood
- Minimal air pollution - may increase the susceptibility of beech trees to disease and alter epiphytic communities.
- Barbastelles require a constant humidity around their roosts; any manipulation of the shrub layer must be carefully considered.
- In a wider context, bats require good connectivity of landscape features to allow foraging and commuting.