

Habitat Regulation Assessment: Arundel Neighbourhood Plan Review

Likely Significant Effects

October 2018

Quality information

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1. Introduction

Scope of the Project

- 1.1 AECOM was appointed by Arundel Town Council to assist in undertaking a Habitats Regulations Assessment (HRA) of Arundel specific development sites and site allocations for the emerging Pre-submission Arundel Neighbourhood Plan Review. Arundel Council are in the process of a Neighbourhood Plan Review. As such the exact quantum of housing delivery and site allocations are not confirmed. For the purposes of this assessment, draft site allocations have therefore been taken from Arundel's Housing and Economic Land Availability Assessment (HELAA) and the Arundel Neighbourhood Plan Review: Initial Site Assessments Report (July 2018). Reference has also been made to the appropriate policies in the newly released Arun Local Plan (July 2018).
- 1.2 The Arun District Local Plan Core Strategy was subject to HRA prior to submission in March 2013. That HRA examined several European sites including the Arun Valley SPA/ Ramsar, which is of relevance to Arundel. The primary conclusion of the HRA was a need to address the potentially damaging impacts water abstraction and waste water pollution from development within the whole of Arun. These are strategic issues that are being resolved by the District Council and cannot be addressed by Arundel Town Council.
- 1.3 The Core Strategy HRA has therefore already addressed the strategic effect of growth across Arun District 'in combination' with growth in other authority areas over the same time period. As such, these strategic issues do not require reinvestigating for Arundel's Neighbourhood Plan Review. However, because it was focussed on the overall quantum and broad distribution of growth the Core Strategy HRA work was not able to scrutinise individual site allocations in Arundel. The objective of this particular HRA is to identify if any particular site allocations that have the potential to cause an adverse effect on the integrity of Natura 2000 or European designated sites (Special Areas of Conservation, SACs, Special Protection Areas, SPAs, and Ramsar sites designated under the Ramsar convention), either in isolation or in combination with other plans and projects, and to determine whether site-specific mitigation measures are required.

Legislation

- 1.4 The need for HRA is set out within Article 6 of the EC Habitats Directive 1992, and interpreted into British law by the Conservation of Habitats & Species Regulations 2017. The ultimate aim of the Habitats Directive is to "*maintain or restore, at favourable conservation status, natural habitats and species of wild fauna and flora of Community interest*" (Habitats Directive, Article 2(2)). This aim relates to habitats and species, not the European sites themselves, although the sites have a significant role in delivering favourable conservation status. European sites (also called Natura 2000 sites) can be defined as actual or proposed/candidate Special Areas of Conservation (SAC) or Special Protection Areas (SPA). It is also Government policy for sites designated under the Convention on Wetlands of International Importance (Ramsar sites) to be treated as having equivalent status to Natura 2000 sites.
- 1.5 The Habitats Directive applies the precautionary principle to protected areas. Plans and projects can only be permitted having ascertained that there will be no adverse effect on the integrity of the site(s) in question. This is in contrast to the SEA Directive which does not prescribe how plan or programme proponents should respond to the findings of an environmental assessment; merely that the assessment findings (as documented in the 'environmental report') should be 'taken into account' during preparation of the plan or programme. In the case of the Habitats Directive, plans and projects may still be permitted if there are no alternatives to them and there are Imperative Reasons of Overriding Public Interest (IROPI) as to why they should go ahead. In such cases, compensation would be necessary to ensure the overall integrity of the site network.
- 1.6 All the European sites mentioned in this document are shown in **Appendix A, Figure A1**. In order to ascertain whether or not site integrity will be affected, a HRA should be undertaken of the plan or project in question.

Habitats Directive 1992

Article 6 (3) states that:

“Any plan of project not directly connected with or necessary to the management of the 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.”

Conservation of Habitats and Species Regulations 2017

Regulation 63 states that:

“A competent authority, before deciding to ... give any consent for a plan or project which is likely to have a significant effect on a European site ... must make an appropriate assessment of the implications for the plan or project in view of that site’s conservation objectives... The competent authority may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site.”

Box 1: The legislative basis for HRA

- 1.7 Over the years, ‘Habitats Regulations Assessment’ (HRA) has come into wide currency to describe the overall process set out in the Habitats Regulations, from screening through to identification of IROPI. This has arisen in order to distinguish the overall process from the individual stage of “Appropriate Assessment”. Throughout this Report the term HRA is used for the overall process and restricts the use of Appropriate Assessment to the specific stage of that name.

2. Methodology

Introduction

- 2.1 This section sets out the approach and methodology for undertaking the HRA. HRA itself operates independently from the Planning Policy system, being a legal requirement of a discrete Statutory Instrument. Therefore there is no direct relationship to the 'Test of Soundness'.
- 2.2 The HRA is being carried out in the absence of formal Government guidance. The Department for Communities and Local Government (DCLG) released a consultation paper on Appropriate Assessment (AA) of Plans in 2006¹. As yet, no further formal guidance has emerged. However, Court Judgements can be used to shape the approaches used.
- 2.3 The draft DCLG guidance² makes it clear that when implementing HRA of land-use plans, the AA should be undertaken at a level of detail that is appropriate and proportional to the level of detail provided within the plan itself: *"The comprehensiveness of the [Appropriate] assessment work undertaken should be proportionate to the geographical scope of the option and the nature and extent of any effects identified. An AA need not be done in any more detail, or using more resources, than is useful for its purpose. It would be inappropriate and impracticable to assess the effects [of a strategic land use plan] in the degree of detail that would normally be required for the Environmental Impact Assessment (EIA) of a project."* More recently, the Court of Appeal³ ruled that providing the Council (competent authority) was duly satisfied that proposed mitigation could be 'achieved in practice' to avoid an adverse effect, then this would suffice. This ruling has since been applied to a planning permission (rather than a Core Strategy)⁴. In this case the High Court ruled that for *'a multistage process, so long as there is sufficient information at any particular stage to enable the authority to be satisfied that the proposed mitigation can be achieved in practice it is not necessary for all matters concerning mitigation to be fully resolved before a decision maker is able to conclude that a development will satisfy the requirements of reg. 61 of the Habitats Regulations'*.
- 2.4 In other words, there is a tacit acceptance that HRA can be tiered and that all impacts are not necessarily appropriate for consideration to the same degree of detail at all tiers.
- 2.5 **Figure 1** below outlines the stages of HRA according to current draft CLG guidance. The stages are essentially iterative, being revisited as necessary in response to more detailed information, recommendations and any relevant changes to the plan until no significant adverse effects remain.

¹ DCLG (was CLG) (2006) Planning for the Protection of European Sites, Consultation Paper

² Ibid

³ No Adastral New Town Ltd (NANT) v Suffolk Coastal District Council Court of Appeal, 17th February 2015

⁴ High Court case of R (Devon Wildlife Trust) v Teignbridge District Council, 28 July 2015

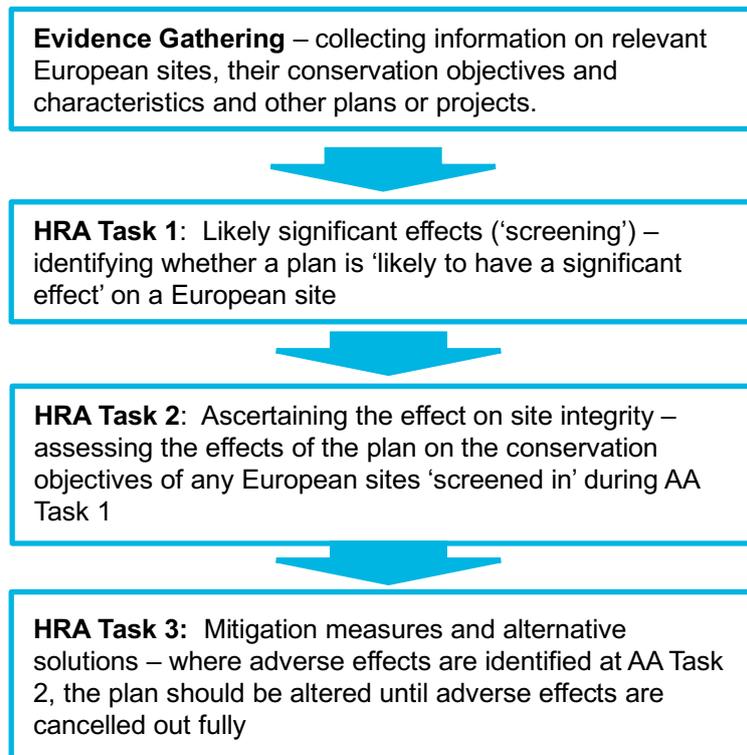


Figure 1: Four-Stage Approach to Habitats Regulations Assessment (Source: CLG, 2006)

Likely Significant Effects (LSE)

- 2.6 The first stage of any Habitats Regulations Assessment (HRA Task 1) is a Likely Significant Effect (LSE) test - essentially a risk assessment to decide whether the full subsequent stage known as Appropriate Assessment is required. The essential question is:
- 2.7 *“Is the Plan, either alone or in combination with other relevant projects and plans, likely to result in a significant effect upon European sites?”*
- 2.8 The objective is to ‘screen out’ those plans and projects that can, without any detailed appraisal, be said to be unlikely to result in significant adverse effects upon European sites, usually because there is no mechanism for an adverse interaction with European sites. The Likely Significant Effect test is the purpose of this HRA report.
- 2.9 The HRA assessment carried out for Arun’s Local Plan regarded issues of water disturbance and quality and recreation pressures on European Sites that are within catchment of the Arun district. Arundel town council does not seek to deviate from the Core Strategy set out within the Arun Local Plan. Rather, this document identifies the specific locations of the drafted site allocations within Arundel and the likely significant effects development may have to Arun Valley SPA/Ramsar, with particular emphasis on habitat loss of the over wintering Bewick’s swan.

HRA Task 2 – Appropriate Assessment (AA)

- 2.10 The purpose of this report is HRA Task 1. However, where it is determined that a conclusion of ‘no likely significant effect’ cannot be drawn, the analysis has proceeded to the next stage of HRA known as Appropriate Assessment. Case law has clarified that ‘appropriate assessment’ is not a technical term. In other words, there are no particular technical analyses, or level of technical analysis, that are classified by law as belonging to appropriate assessment rather than determination of likely significant effects.
- 2.11 By virtue of the fact that it follows Screening, there is a clear implication that the analysis will be more detailed than undertaken at the Screening stage and one of the key considerations during appropriate assessment is whether there is available mitigation that would entirely address the potential effect. In practice, the appropriate assessment would take any policies or allocations that could not be dismissed following the high-level Screening analysis and analyse the potential for an effect in more detail, with a view to concluding whether there would actually be

an adverse effect on integrity (in other words, disruption of the coherent structure and function of the European site(s)).

- 2.12 There has been a very recent decision by the European Court of Justice⁵, which appears to conclude that measures intended to avoid or reduce the harmful effects of a proposed project on a European site, but which are not an integral part of the project or plan, may no longer be taken into account by competent authorities at the Likely Significant Effects or ‘screening’ stage of HRA. This contradicts many years of UK court rulings that concluded mitigation *could* be taken into account at ‘screening’. The implications of the ECJ ruling are structural, essentially meaning that the role of avoidance and measures should be discussed in the subsequent ‘appropriate assessment’ stage instead.

HRA Task 3 – Avoidance and Mitigation

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

Confirming Other Plans and Projects that may act ‘In combination’

- 2.16 The Conservation of Habitats and Species Regulations (2017) require that plans are not considered purely in isolation but ‘in combination’ with other projects and plans. That analysis has already been undertaken as part of the strategic HRA undertaken for Rother’s Core Strategy and SARMS. However since this time neighbouring Authorities have progressed their own strategic planning policy and other relevant plans have been produced. The most relevant are:

- Adopted Arun Local Plan (July 2018)⁶;
- Draft Ford Neighbourhood Plan (emerging)⁷;
- Horsham District Planning Framework (adopted)⁸;
- Horsham District Site Allocations Document (emerging)⁹;
- Draft South Downs Local Plan (preferred approach)¹⁰;
- Habitat Regulations Assessment for the Arun District Local Plan (March 2018)¹¹;
- Improvement Programme for England’s Natura 2000 Sites (IPENS)¹²; and
- Arundel Neighbourhood Plan Review: Initial Site Assessments Report (July 2018)¹³.

⁵ People Over Wind and Sweetman v Coillte Teoranta (C-323/17)

⁶ <https://www.arun.gov.uk/adopted-local-plan> [Accessed: 17/09/2018]

⁷ <https://www.arun.gov.uk/ford-neighbourhood-development-plan> [Accessed: 17/09/2018]

⁸ https://www.horsham.gov.uk/_data/assets/pdf_file/0006/28563/Horsham-District-Planning-Framework-2015.pdf [Accessed: 17/09/2018]

⁹ <https://www.horsham.gov.uk/planningpolicy/planning-policy/site-specific-allocations-of-land> [Accessed: 17/09/2018]

¹⁰ <https://www.southdowns.gov.uk/planning/national-park-local-plan/> [Accessed: 17/09/2018]

¹¹ <https://www.arun.gov.uk/download.cfm?doc=docm93jjim4n5767.pdf&ver=5468> [Accessed: 17/09/2018]

¹² <https://www.gov.uk/government/publications/improvement-programme-for-englands-natura-2000-sites-ipens> [Accessed: 17/09/2018]

¹³ <https://www.arun.gov.uk/download.cfm?doc=docm93jjim4n3660.pdf&ver=3328> [Accessed: 17/09/2018]

3. Internationally Designated Sites within and around Arundel Parish

3.1 There are several internationally designated sites that lie within Rother District. These are:

- Arun Valley SPA;
- Arun Valley SAC;
- Arun Valley Ramsar site

3.2 The locations of these are illustrated in (Appendix A, Figure A1).

Ecological context and interest features of designated sites

3.3 The complex of European sites located within Arun Valley is collectively underpinned by the Arun Valley SPA/Ramsar. This large area consists of wet meadow on the floodplain of the River Arun between Pulborough and Amberley. The wet meadow and low-lying grazing marsh sits upon a variety of soil types including alluvial and peat soils. As such, there is there is a wide variety of ecological conditions in water supply and therefore flora and fauna. The southern parts of Arun are fed by calcareous springs whereas towards the north is Greensand making the ground more acidic. There are varieties of grassland habitats supporting different vegetation specialists. These include drier grasslands with species such as meadow grasses, Crested Dog's-tail *Cynosurus cristatus* and Perennial Rye-grass *Lolium perenne*. Whereas within the wetter grassland areas species that dominate include rushes and sedges. The un-grazed fields within the Arun Valley have naturally developed into fen, scrub or woodland. In addition the ditches and margins between grazing marsh fields support outstanding aquatic flora and invertebrate fauna.

3.4 This site qualifies under Article 4.1 of the Directive (79/409/EEC) by supporting species /populations of European importance listed on Annex I of the directive including over wintering Bewick's Swan *Cygnus columbianus bewickii*. The Arun Valley supports a total of 115 individuals that represents around 1.6% of the overwintering population within Great Britain. The site also qualifies under Article 4.2 of the directive (79/409/EEC) by regularly supporting at least 20,000 waterfowl including species such as Shoveler *Anas clypeata*, Teal *Anas crecca* and Wigeon *Anas Penelope*.

Arun Valley SPA

3.5 Arun Valley SPA site is designated for¹⁴:

- qualifying under article 4.1 of the Birds Directive (79/409/EEC),
- It is used regularly by 1% or more of the UK's population of Bewick's swan; and
- The site is used regularly in the non-breeding season by over 20,000 waterfowl.

3.6 This SPA is made up of three component SSSI site including Waltham Brooks SSSI, Amberley Wild Brooks SSSI and Pulborough Brooks SSSI. The SPA therefore hold a series of habitat types including wet meadows, alluvial grazing marsh and former raised peat bog. These habitat types are of significant ornithological importance.

Arun Valley SAC

3.7 Arun Valley SAC is designated for its:

- Ramshorn snail *Anisus vorticulus*

3.8 The SAC supports a diversity of wetland habitats including standing and running water bodies, bogs, marshes, fens and humid grasslands. The Ramshorn snail occurs across a range of sites

¹⁴ JNCC (2001) SPA Description: Arun Valley (www.jncc.defra.gov.uk)

found throughout the south-east of England. However, Arun Valley supports a large population centre for this species within the whole of the UK.

Arun Valley Ramsar

3.9 Arun Valley Ramsar site is designated for its:

- Swollen spire snail *Pseudamnicola confuse Frauenfeld*;
- All five duckweed *Lemma* species;
- All five watercress *Rorippa* species; and
- Overwinter area supports over 20,000 waterfowl.

3.10 This site comprises an area of wet meadow and floodplain of the River Arun. The grasslands are subject to winter and occasional summer flooding. The site is divided by a network of ditches that support rich aquatic flora and invertebrate fauna.

4. Likely Significant Effects

- 4.1 Over winter the Arun Valley supports 115 Bewick's swan individuals, representing approximately 1.6% of Britain's migratory population¹⁵. The Bewick's swan is a highly migratory bird species that spends summer in Russia. However, during the autumn months these swans migrate to northern Europe where they feed upon a diet of grasses, sedges and aquatic plants. Until fairly recently, these species have adapted to also feed within arable fields upon root crops, cereals and grasses. The Arun Valley consists of mixed wet grasslands that provides optimal over wintering habitat for these species. In addition, much of the wider surrounding area of Arun consists of floodplain grazing marsh due to the periodic flooding of the River Arun; also supporting suitable over wintering grounds. The Bewick's swan has seen recent declines of 27% from 1995 to 2005¹⁶ with national trends indicating continual declines.
- 4.2 Arundel Town is a medieval town that is situated approximately 6km south of the Arun Valley SPA complex. As is mirrored throughout the whole of Arun, Arundel is situated of floodplain and therefore support a variety of wetland habitats. Of most significance to the Bewick's swan is wet meadows that are located close to the River Arun. Much of Arundel is located within the Arun Valley SPA Impact Risk Zone as the parish supports good quality habitat patches for over wintering Bewick's swan; otherwise known as functionally-linked land. Within Arun Local Plan HRA two impact risk zones were identified:
- **Impact Risk Zone 1** – where development is likely to have adverse impact to over wintering foraging habitats of migrant bird species¹⁷. As such comprehensive ornithological studies must be conducted within proposed development sites before planning permission is granted.
 - **Impact Risk Zone 2** – this is a 500m buffer beyond zone 1 and is where functionally linked habitat is present and could impact on over wintering bird populations. Only in certain circumstances where developments are likely to cause net loss in function links should ornithological surveys be conducted.

Screening of Residential Site Allocations to Provide a Quantum of Residential Development

- 4.3 Table 2 below undertakes screening of development sites that may provide residential development in the Neighbourhood Plan Review. Residential development is provided in the form of specific site allocations (emerging) that provide a quantum of development within the town of Arundel. **Appendix A, Figure A1.**

¹⁵ JNCC (2001) SPA Description: Arun Valley (www.jncc.defra.gov.uk)

¹⁶ Rees, E.C. & Beekman, J. Submitted. Bewick's Swan: a population in decline. British Birds.

¹⁷ <https://data.gov.uk/dataset/5ae2af0c-1363-4d40-9d1a-e5a1381449f8/sssi-impact-risk-zones> [Accessed: 20/09/2018]

Table 2: Screening of Potential Arundel Neighbourhood Plan Review site allocations based on the Arun District HELAA and Updated HELA reports, Arundel Neighbourhood Plan Review associated Site Assessments Map

Site reference	Reference	Designated Site Locations	Brief Summary
Site 1 – Horse Field, 59 Torton Hill Road		<ul style="list-style-type: none"> • Arun Valley SPA/ Ramsar: 6.9km north • Within Arun Valley SPA 'Impact Risk Zone 2' 	The existing land use of the site is of greenfield currently used as pastoral land. Much of the land is sloping and is prone to flooding. The site is not currently developable but has been allocated for housing.
Site 2 - 6 Plots Below Anne Howard Gardens	AB4	<ul style="list-style-type: none"> • Arun Valley SPA/ Ramsar: 6.2km north • Within Arun Valley SPA 'Impact Risk Zone 2' 	The existing land use of the site is of private gardens and a sports pitch connected to residential dwellings. The site has been allocated for proposed housing development. However, due to the small size of the site and limited access it is not currently considered developable.
Site 3 – Arundel Riding Stables	AR001	<ul style="list-style-type: none"> • Arun Valley SPA/ Ramsar: 6.4km north • Within Arun Valley SPA 'Impact Risk Zone 2' 	The existing land use of this site is of equestrian facilities and associated car parking. The existing land use is coming to an end within the next 5 years after this time the site has been allocated for allocation of either housing or retail when made available.
Site 4 – The Causeway	AR003	<ul style="list-style-type: none"> • Arun Valley SPA/ Ramsar: 6.4km north • Within Arun Valley SPA 'Impact Risk Zone 2' 	The existing land use of the site is a floodplain to the flood plain and consists of wet grassland. The site has been proposed for allocation of car parking facilities.
Site 5 – Mill Farm Barn	-	<ul style="list-style-type: none"> • Arun Valley SPA/ Ramsar: 6.6km north • Within Arun Valley SPA 'Impact Risk Zone 2' 	The existing land use of the site is for agriculture. The site is prone to flooding and therefore support floodplain grazing. The proposals at this site allocation are for a nursery.

Site reference	Reference	Designated Site Locations	Brief Summary
Site 6 – Queens Lane Building Plot	AB9	<ul style="list-style-type: none"> • Arun Valley SPA/ Ramsar: 6.5km north • Within Arun Valley SPA 'Impact Risk Zone 2' 	The existing land use of the site is of mixed industrial and residential units within on site car parking facilities. The site is located just to the north of the site whereas to the south are open pastoral fields bounded by a network of ditches.
Site 7 – Land adjacent Fitzalan Road Allotments	Forms part of Site 56 Mill House Farm	<ul style="list-style-type: none"> • Arun Valley SPA/ Ramsar: 6.6km north • Within Arun Valley SPA 'Impact Risk Zone 2' 	The existing land use of the site is of wet meadow and ditch system. The site has been proposed for consideration by Arundel council for the development of residential and alternative/ addition car parking facilities.
Site 8 – Land off Fitzalan Road	57	<ul style="list-style-type: none"> • Arun Valley SPA/ Ramsar: 6.8km north • Within Arun Valley SPA 'Impact Risk Zone 2' 	This site is located adjacent to site 8. The current land use is agricultural land that is prone to seasonal flooding. The site lies within a Biodiversity Opportunity Area as the site is a coastal and floodplain grazing marsh habitat. The site of land 1.28 ha is allocated for residential development.
Site 9 – Land off A27 Roundabout (HELA reference: Electronic Sub station)	58	<ul style="list-style-type: none"> • Arun Valley SPA/ Ramsar: 6.8km north • Within Arun Valley SSSI 'Impact Risk Zone 2' 	This site is located west of Arundel along the A27. The current site is used as a horse paddock and is prone to flooding. The site has been allocated for possible mixed residential and commercial units.

Site reference	Reference	Designated Site Locations	Brief Summary
Tower House Allotments, Maltravers Street	61	<ul style="list-style-type: none"> • Arun Valley SPA/ Ramsar: 6.2km north • Within Arun Valley SSSI 'Impact Risk Zone 2' 	This site is located within the centre of town directly to the east of Arundel Castle. The current site use is of allotment gardens. The site is bordered by an ancient listed wall that borders the site.
Allotment Site, Fitzalan Road	64	<ul style="list-style-type: none"> • Arun Valley SPA/ Ramsar: 6.5km north • Within Arun Valley SSSI 'Impact Risk Zone 2' 	This site is located just south of Arundel the site is triangular in shape and is a well-used allotment site bordered by trees and hedges.
Site 10- Part of garage site, Ford Road	65	<ul style="list-style-type: none"> • Arun Valley SPA/ Ramsar: 7km north • Within Arun Valley SSSI 'Impact Risk Zone 2' 	This site is located towards the south-west of Arundel town. The site is small with a total area of 0.15ha.
Site 11 – Tortington, west of Ford Road (HELAA reference: Land South of Stewards Rise)	66	<ul style="list-style-type: none"> • Arun Valley SPA/ Ramsar: 7.3km north • Within Arun Valley SSSI 'Impact Risk Zone 2' 	This site is located towards the south-west of Arundel town. The site is large with a total of 12ha current land use that is mostly used by agricultural land with allotments and scattering of residential. However, much of the land is sloping and only a maximum of 7.2ha is suitable for development.

Site reference	Reference	Designated Site Locations	Brief Summary
Site 12- Caste Stables, Arundel Castle	67	<ul style="list-style-type: none"> • Arun Valley SPA/ Ramsar: 7.3km north • Within Arun Valley SSSI 'Impact Risk Zone 1' 	This site is located towards the north of Arundel town. The land use of the site is for employment purposes.
Site 13 – Blastreat/ Greenhurst	AB10	<ul style="list-style-type: none"> • Arun Valley SPA/ Ramsar: 6.5km north • Within Arun Valley SSSI 'Impact Risk Zone 2' 	This site is located towards the south of Arundel. The current use of the site is of workshops. The proposals of this site at the time of writing, under planning consideration for the development of either 46 shelter accommodation units and 10 residential dwellings.
Electronic Substation, Ford Road	AB11	<ul style="list-style-type: none"> • Arun Valley SPA/ Ramsar: 6.7km north • Within Arun Valley SSSI 'Impact Risk Zone 2' 	This site is located to the south of Ford Road. The current use of the site is as a floodplain to the River Arun as the site is directly south of the site. The site is also used as a horse paddock. The field is bounded by mature trees and hedgerows.
Site 14 – Land at Ford Road (Old Gas Works Site)	115	<ul style="list-style-type: none"> • Arun Valley SPA/ Ramsar: 6.7km north • Within Arun Valley SSSI 'Impact Risk Zone 2' 	This site is of brownfield with overgrown vegetation and is the site of much of the former electrical substation and Vacant Town Works.
Site 15 – Industrial	RU6	<ul style="list-style-type: none"> • Arun Valley SPA/ Ramsar: 6.4km north 	This site is located directly adjacent to the River Arun.

Site reference	Reference	Designated Site Locations	Brief Summary
Units on Fitzalan Road		<ul style="list-style-type: none">• Within Arun Valley SSSI 'Impact Risk Zone 2'	land use of the site is mixed with one residential building, neglected gardens, small industrial workshops and office. The site thus far is considered as 'developable' by Arundel Council.
Site 16 – Crown Yard	-	<ul style="list-style-type: none">• Arun Valley SPA/ Ramsar: 6.3km north• Within Arun Valley SSSI 'Impact Risk Zone 2'	This site is a large car parking facility located in the centre of Arundel Town. The land has been allocated for re-development into residential units including workspace and residential units. The car parking facilities will need to be provided elsewhere within the town.

5. Consideration of Effects ‘In Combination’

- 5.1 The Arun District Local Plan Core Strategy was subject to HRA prior to submission in March 2013. That HRA identified two strategic ‘in combination’ effects on European sites (Arun Valley SAC/SPA/Ramsar site) that would affect development in Arundel and across Arun District. These were to do with potentially damaging impacts from water abstraction and waste water pollution from development within the whole of Arun. These are strategic issues that are being resolved by the District Council and cannot be addressed by Arundel Town Council. The Core Strategy HRA has therefore already addressed the strategic effect of growth across Arun District ‘in combination’ with growth in other authority areas over the same time period.

6. Conclusion of Screening

6.1 There are eleven possible development sites which cannot be dismissed (screened out on the basis of providing no likely significant effect) since they appear from aerial photography and mapping to support potential functionally-linked foraging and roosting habitat for the Bewick's swan population of Arun Valley SPA.

6.2 If any of the eleven sites listed below are included within the draft Neighbourhood Plan it will be necessary to undertake an appropriate assessment of the Neighbourhood Plan. That appropriate assessment will investigate whether there is existing wintering bird survey data for the sites which adequately confirms no use by Bewick's swan. In the absence of such data it will then make recommendations for a) obtaining such data for any planning application through at least 2 years of winter survey and b) ensuring there is policy wording within the Neighbourhood Plan that will ensure any loss of functionally-linked land is mitigated by the provision (or enhancement) of replacement habitat. The sites are as follows:

- **Arun Valley SPA/Ramsar**
 - Site 1 – Horse Field, Torton Hill Road
 - Site 2 - 6 Plots Below Anne Howard Gardens
 - Site 3 – Arundel Riding Stables
 - Site 4 – The Causeway
 - Site 5 – Mill Farm Barn
 - Site 6 – Queens Lane Building Plot
 - Site 7 – Land adjacent Fitzalan Road Allotments
 - Site 8 – Land off Fitzalan Road
 - Site 11 – Tortington, west of Ford Road
 - Electronic Substation, Ford Road
 - Site 14 – Land at Ford Road

Appendix A: Figure A1: Location of European Designated Sites

