

Horsham District Local Plan 2023-2040 – Hearing Statement

Representation relates to:

Matter 1, Issue 2, Q6. Has the Habitats Regulations Assessment (HRA) been undertaken in accordance with the Conservation of Habitats and Species Regulations 2017?

This statement also connects into Matter 4, Issue 2 Q5 (biodiversity net gain) and Matter 9 Issue 2 Q6b (HOR1 site)

I have a degree and PhD in Zoology and Comparative Physiology from Queen Mary College, London and am also a Fellow of the Royal Society for the Protection of Birds. I have lived in [REDACTED] near to site HOR1, for 25yrs and [REDACTED]. My statement therefore reflects a general concern on the approach and level of detail of the environmental survey undertaken, underpinned with my knowledge of site HOR1 as an exemplar.

Overall, the ecological impact assessment itself appears to focus on two aspects that clearly have been of high concern, such that they have made the press at local and national level. These are the concern of Natural England over the levels of water extraction by Southern Water from the river network of Sussex (and particularly the Arun with its European Level Special Areas of Conservation (SAC)) and the impact of surface water runoff.

For HOR1 the environment impact assessment notes a ‘field walk’ which found nothing of significance. The report also states that Horsham is 20+ km from the Arun SAC and thus there is no impact on the SAC sites.

The Conservation of Habitats and Species is a pan European approach to both defining SAC sites and protecting from disturbance a critical list of species. Amongst the protected species are all species of bat. Ghyll Crescent plays host to a colony of pipistrelle bats each summer, where they roost [REDACTED]. We enjoy seeing them fly through our gardens, along the Hornbrook ghyll and over the meadows located within HOR1. I could find no mention of them in the environmental survey documentation.

I would also argue that the Arun cannot be seen just as the area occupied by an isolated SAC, but its entire length is one complex ecosystem that needs to be viewed as a single entity. The source of the Arun is within 0.5 miles from HOR1 and the Hornbrook ghyll that runs along the north side of HOR1 is one of its main tributaries. While the potential for extra surface water exacerbating the flooding seen as the Hornbrook and Arun meet is noted in

the survey, this is only considered from a human impact to roads and land, not an environmental one. I would also point out that geese clearly flying up from roosting areas along the Arun River, regularly feed in the fields in the area, particularly during the summer months. While not seen every day, I presume the distance rule quoted has a research basis, but clearly does not always apply to the geese on the Arun!

Looking at complementary UK legislation, the National Environment and Rural Communities Act publishes within section 41 a list of our most threatened species. One of the government's own indicator species is the Skylark, which for the last few years have nested within HOR1, although sadly not this year. We presume the site survey work has already disturbed them. Also on the list are Bullfinches and March Tits, both of which breed in the trees on the north side of HOR1 and on the other side of the Hornbrook ghyll, while I have also seen Starlings feeding on the farmland which nest/roost in the Oak Hill estate, not that far from the site. All these species are specified in Section 41 of the Act.

This site (I suspect particularly the hay meadows component) is clearly a rich habitat. A pair of nesting kestrels (British Trust for Ornithology (BTO) Amber conservation list) as well as breeding Tawny owls and Sparrowhawks (also both BTO Amber) plus Buzzards nest in the woods near to HOR1 and clearly use the field to hunt. Whether there are other endangered species is hard to tell as it is private land and so we can only observe from the outside. However, there are foxes [REDACTED] in the banks along the ghyll, while HOR1 is used as a wildlife corridor by deer from the forest to access woods and open land on the other side of the A281 Brighton Road.

That we have such a range of important protected and endangered species within a complex environment for which no details seem to have been captured supports my view that the environmental survey has not focused on all aspects required of it. If we are to disturb/impact endangered species we should do so with an open debate and with full knowledge of what is about to happen. I could find no such documentation that could lead to an informed decision.

I would also highlight that recent developments around Horsham have often included a pond in them. They clearly help slow surface water runoff and the issues this creates, but I also suspect neatly raises the number of species in a 'field with nothing of significance' in it. I believe the environment regulations we have are not aiming to replace endangered species with greater numbers of common species to meet an abstract target of increasing biodiversity. The regulations are there to ensure we have informed discussions around the planning decisions we are taking. If we want to impact out endangered species, then at least let's recognise what we are doing.

Overall, the lack of detail in the impact assessment of endangered species in site HOR1 makes me concerned if all the other sites have been similarly treated. I would ask the Planning Inspector to make sure they are satisfied appropriate documentation of the full environmental impact, especially on our legally protected wildlife, is available and made in a form that the council members and residents can easily find and fully understand.