

Habitat Regulations Assessment Matrix

The Conservation of Habitats and Species Regulations 2017 (as amended) requires that where a plan or project is likely to result in a significant effect on a European site, and where the plan or project is not directly connected with or necessary to the management of the European site, as is the case here, a competent authority is required to make an Appropriate Assessment of the implications of that plan or project on the integrity of the European site in view of its conservation objectives. In so doing, an assessment is required as to whether the development proposed is likely to have a significant effect upon a European site, either individually or in combination with other plans and projects.

Circular 06/05 sets out guidance to enable the consideration of new plans and projects, including development such as this. Figure 1 of the circular provides a flow chart approach to be taken in order to consider a proposal that may affect protected sites. This chart has been used to assess the application proposals.

Application Numbers	WD/2022/3222/MAO (Appeal: 3335625)
Site Details	LAND TO THE SOUTH OF THE A271 AND EAST OF THE A22, LOWER HORSEBRIDGE, HAILSHAM
Proposal	DEVELOPMENT OF UP TO 124 NO. RESIDENTIAL DWELLINGS, ASSOCIATED INFRASTRUCTURE (INCLUDING A NEW ACCESS JUNCTION ONTO THE A271) AND OPEN SPACE.
The proposal is not directly connected with or necessary to the management of a protected site	

STAGE 1: SCREENING

Ashdown Forest SAC	
Features	Large parts of Ashdown Forest (2,729 hectares) are designated as a Special Area of Conservation (SAC). The qualifying features underpinning the SAC designation are the presence of European dry heath, North Atlantic wet heath and great crested newts.
Conservation Objectives	The conservation objectives for the SAC can be summarised as ensuring the favourable conservation status of its qualifying features by, amongst other things, maintaining or restoring qualifying habitats
Threats	The main threat to the SAC relates to air pollution and the effect of new development on the Ashdown Forest SAC with regards to an increase in additional traffic movements resulting from development across the forest.
Screening of likely significant effects	
Habitat fragmentation and loss	The site is located approximately 19.8km from this designation at its nearest point and no functional habitat will be lost as a result of the proposals. No habitat loss or fragmentation will be caused by the proposals
Urbanisation and recreational disturbance	No impact
Hydrology and water quality	No impact
Air quality	NE's supplementary advice on conserving and restoring the SAC, linked to the PPG, explains that the heathland habitat of the Ashdown Forest is sensitive to changes in air quality. Exceedance of 'critical values' for air pollutants may modify its chemical substrate, accelerating or damaging plant growth, altering its vegetation structure and composition and causing the loss of typical heathland species. Accordingly, the application development could result in an impact pathway to the SAC if it contributes to an exceedance in critical values.
Conclusion – could the proposed development result in a likely significant effect?	
Alone	The heathland habitat in the Ashdown Forest SAC is vulnerable to atmospheric pollution from several sources including vehicle emissions from motor vehicles. There is a potential impact pathway from increased traffic flows associated with new development on the roads which go through, or run adjacent to, the SAC. Many of the characteristic plants, mosses and lichens of heathland habitats are adapted to nutrient poor conditions and extra input of nitrogen can disadvantage these characteristic species in favour of others with a greater tolerance of higher nitrogen levels.
In combination	

Ashdown Forest SPA	
Features	Large parts of the Ashdown Forest (3,205 hectares) are designated as a Special Protection Area (SPA). The SPA status was awarded for a number of qualifying individual species that includes the Dartford Warbler and European Nightjar that the SPA supports during their breeding season.
Conservation Objectives	The conservation objectives for Ashdown Forest SPA are to ensure that the integrity of the site is maintained or restored as appropriate, so that it continues to support the population and distribution of its qualifying features.
Threats	The main threats to those qualifying features includes the disturbance by humans and recreational activities, development pressure and the loss of nesting/feeding habitats. The Ashdown Forest SPA is also legally protected through the Conservation of Habitats and Species Regulations 2017 (as amended).
Screening of likely significant effects	
Habitat fragmentation and loss	The site is located approximately 19.8 km from this designation at its nearest point and no functional habitat will be lost as a result of the proposals. No habitat loss or fragmentation will be caused by the proposals
Urbanisation and recreational disturbance	Natural England's (NE) supplementary advice on conserving and restoring site features for the Ashdown Forest SPA (See Planning Practice Guide (PPG) Paragraph: 002 Reference ID: 65-002-20190722) identifies recreational disturbance as one of the principle threats to ground nesting birds. Research and assessment undertaken by the Council supports this by demonstrating that increased recreation can result in damage to the bird's habitat through trampling and erosion. Moreover, the presence of people can disturb ground nesting birds during their breeding season (Feb - Aug). Dog walking can be particularly problematic in this regard, especially if dogs are let off their lead. Evidence in the form of visitor surveys carried out for the Council demonstrates that it is residents living within 7km of the Ashdown Forest are likely to visit it. The application site is beyond the 7km distance and as such, the evidence held does not provide a pathway of effect for recreational disturbance.
Hydrology and water quality	No impact
Air quality	No impact
Conclusion – could the proposed development result in a likely significant effect?	
Alone	The development site is located a significant distance away from Ashdown Forest and therefore would not result in additional recreational impacts on the Ashdown Forest SPA. Given the above analysis, an Appropriate Assessment, in accordance with Regulation 63 of the Habitats and Species Regulations, is not required to consider the implications of the proposals for the integrity of the SPA in view of the conservation objectives.
In combination	

Pevensy Levels SAC/Ramsar	
Features	The Pevensy Levels, between Eastbourne and Bexhill, is one of the largest and least fragmented lowland wet grassland systems in the southeast of England. The Pevensy Levels site is designated as a Ramsar site for the outstanding assemblage of ditch flora and fauna supporting wetland plants, invertebrates including the rare Fen Raft spider, aquatic beetles and dragonflies amongst others species. The Pevensy Levels is also designated as a Special Area of Conservation (SAC). The SAC status was awarded for the presence of the Ramshorn snail which can be found here in both a wide spatial distribution and in good population densities.
Conservation Objectives	The conservation objectives are to ensure that the integrity of the site is maintained or restored as appropriate and ensure that the site contributes to

	achieving the aims of the Wild Birds Directive by maintaining or restoring the habitats of the qualifying features.
Threats	The Pevensey Levels are required to be protected from any detrimental development impacts that may affect its environmental designations which include • Inappropriate water levels • Invasive species (notably existing presence of Floating Pennywort and New Zealand Pigmyweed) • Water Pollution (principally discharged from sewage treatment plants)
Screening of likely significant effects	
Habitat fragmentation and loss	The site is located approximately 2.8km from the designation at its nearest point. No functional habitat will be lost as a result of the proposals. No habitat loss or fragmentation will be caused by the development
Urbanisation and recreational disturbance	The sites are separated from the SAC Ramsar such that no urbanisation effects are anticipated. Recreational pressure was not identified as a threat to the SAC/Ramsar under the Wealden Local Plan HRA and therefore it is considered that a likely significant effect can be screened out.
Hydrology and water quality	Water quality and water resource issues, specifically foul and surface water drainage solutions represent the potential impact pathways which require specific consideration with regard to the Pevensey Levels SAC and Ramsar site, which are designated for plants and invertebrates dependent on appropriate water levels and sensitive to changes in water quality. In the absence of a suitable drainage solution to convey foul water from the site for treatment at the Hailsham North Wastewater Treatment Plant, it is possible that foul water could be discharged to local watercourses and thereby potentially conveyed to Pevensey Levels, if connections exist. Should this occur, the nutrient enriched water would have a direct and adverse impact upon the aquatic ecosystem within the SAC and result in harm to flora and fauna. The Rivers Trust website shows that for 2023 the Hailsham North WWTW recorded sewer storm overflow overspilled 75 times for a total of 1042.35 hours discharging into the tributary of the Hurst Haven which feeds into the Pevensey Levels. The reason given was "Not Asset Maintenance - Hydraulic Capacity". Southern Water's consultation response indicated that the additional flows from the development may lead to an increased risk of foul flooding from the sewer network and that any network reinforcement deemed necessary will be provided by Southern Water. The Rivers Trust website shows that in 2023 the Horsebridge Pumping Station sewer storm overflow spilled 48 times for a total of 732 hours discharging into the River Cuckmere. The River Cuckmere does not flow into the Pevensey levels catchment area. The potential for surface water run-off and discharge into the local watercourses gives rise to the risk of soil/silt and other suspended matter impacting aquatic and emergent plants directly through deposition and smothering as well as by increasing the turbidity of the water. This can affect the ability of plants to photosynthesise, impact upon the assemblages of aquatic invertebrates and potentially affect flow rates. Untreated and unattenuated surface water flows from the operation of the development can have similar impacts with increased hard standing potentially increasing water discharge rates causing localised erosion and flushing sediment/silt further downstream. Furthermore there is the potential for pollutants such as hydrocarbons to be present within surface water run-off. There is potential for significant adverse impacts to the Pevensey Levels and associated flora and fauna given the sensitivity to water quality from the development The Pevensey Levels has a complex hydrology which is subject to a water level management plan. The site's surface water drainage does not discharge into the catchment of the Pevensey Levels SAC/Ramsar. As such, there is no potential for a likely significant effect from surface water run-off as a result of changes to hydrology or run-off of pollutants that cannot be screened out

Air quality	The proposed development is considered to result in a negligible increase in traffic flows along roads running through the SAC/Ramsar. Accordingly, potential for likely significant effects as a result of air quality alone can be screened out
Conclusion – could the proposed development result in a likely significant effect?	
Alone	The site does not discharge surface water into a watercourse within the drainage catchment of Pevensey Levels SAC/Ramsar therefore changes to surface water run-off or release of pollutants will not result in effects on hydrology and water quality at the SAC/Ramsar. Hailsham Waste Water Treatment Works does discharge to the Pevensey Levels and is subject to the permitting regime of the Environment Agency.
In combination	Whilst predicted traffic flows from the proposed development alone are negligible, in combination increases in traffic flows have the potential to result in changes to Air Quality. As such, an Appropriate Assessment is required

Lewes Downs	
Features	Lewes Downs has been designated as a Special Area of Conservation (SAC), Site of Special Scientific Interest (SSSI) and a National Nature Reserve (NNR), due to its orchid-rich chalk grassland and scrub vegetation, which contains numerous southern and oceanic-southern species. It also supports a rich invertebrate fauna, including moths and a breeding community of downland birds.
Conservation Objectives	Ensure that the integrity of the site is maintained or restored as appropriate and ensure that the site contributes to achieving the favourable conservation status of its qualifying feature
Threats	The main air pollutants of concern relate to traffic emissions - impact of nitrogen deposition
Screening of likely significant effects	
Habitat fragmentation and loss	The site is located approximately 15km from the designation at its nearest point. There will be no habitat fragmentation or loss.
Urbanisation and recreational disturbance	Public access and disturbance – the distance between the sites and Lewes Downs is such that adverse impacts are unlikely
Hydrology and water quality	Not applicable
Air quality	The developments would result in a negligible increase of traffic flows along the A26 adjacent to the SAC.
Conclusion – could the proposed development result in a likely significant effect?	
Alone	Potential for a likely significant adverse effect on air quality from the development alone can be screened out however a potential for a likely significant effect as a result of changes to air quality in combination with other plans or projects cannot be screened out.
In combination	