

CRAWLEY BOROUGH LOCAL PLAN: HABITATS REGULATIONS ASSESMENT INTEGRITY TEST

October 2024

Contents

Introduction to Habitats Regulations Assessment.....	1
Summary of the Conclusions of the Assessment.....	2
The screening of the project	3
Mitigation measures	3
Appropriate assessment	4
Integrity test.....	5
Assumptions and limitations	6
References and reports	6

Table 1: Scope of Pressures and Threats from the Local Plan Habitats sites (extract from HRA, Lepus, 2023, Table 6.3)..... 3

Table 2: Summary of Local Plan HRA Outputs (extract from HRA, Lepus, 2023, Table N.2) 5

Introduction to Habitats Regulations Assessment

When preparing Local Plan documents, councils are required by law to carry out a Habitats Regulations Assessment (HRA) to test if a plan could significantly harm the designated features of a Habitats site (i.e. any site which would be included within the definition at Regulation 8 of the Conservation of Habitats and Species Regulations 2017). For the Crawley Borough Local Plan 2023-2040, Habitats sites include Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar sites (wetlands of international importance).

The HRA process comprises a number of distinct stages of assessment, set out below.

- **Scoping:** A process of scoping is used to identify and understand all potential Habitats sites to be included in the HRA.
- **Stage 1. Screening:** The Local Plan is first screened to determine whether it has the potential to have a likely significant effect (LSE) on a Habitats Site, either on its own or in-combination with other plans and projects. Where LSEs are identified, the Local Plan must progress to Stage 2 of the HRA process – Appropriate Assessment. Where no LSEs are identified, the Local Plan can be adopted in compliance with the Habitats Regulations.
- **Stage 2. Appropriate Assessment and the ‘Integrity Test’:** An Appropriate Assessment is undertaken to determine whether or not the Local Plan would have an impact on the integrity of any Habitats site. This assessment is made by the Competent Authority (in this instance Crawley Borough Council, CBC) taking into consideration the outputs of this HRA report. The Appropriate Assessment comprises an impact assessment and evaluation in view of a Habitats site’s conservation objectives. Where adverse impacts on site integrity are identified, consideration is given to avoidance and mitigation measures which are tested through the assessment process.
- **Stage 3. Alternative solutions; and Stage 4. Imperative reasons of overriding public interest and compensatory measures:** Stages 3 and 4 relate to the tests of derogation.

Under circumstances when it is not possible to pass the integrity test due principally to the Appropriate Assessment concluding that there will be a significant adverse residual effect arising from the plan, it is next necessary to consider if the plan would qualify for an exemption under the Habitats Regulations. Steps 3 and 4 have not been undertaken for the Crawley Borough Local Plan HRA.

The Crawley Local Plan HRA report, 2023¹, summarises the outcomes of Scoping, Stage 1 and Stage 2 of the HRA process. Through the scoping process the following Habitats sites were identified:

- Arun Valley Ramsar
- Arun Valley SAC
- Arun Valley SPA
- Ashdown Forest SAC
- Ashdown Forest SPA
- Mole Gap to Reigate Escarpment SAC
- South West London Waterbodies Ramsar
- South West London Waterbodies SPA
- The Mens SAC

Summary of the Conclusions of the Assessment

The Crawley Borough Local Plan 2023-2040 has been considered in light of the assessment requirements of Regulation 63 of the Conservation of Habitats and Species Regulations 2017 by CBC which is the competent authority responsible for undertaking the Local Plan and any assessment of it required by the Regulations.

Having carried out a 'screening' assessment of the Local Plan, CBC concluded that it would be likely to have a significant effect on the Ashdown Forest SAC and Ashdown Forest SPA, the Mole Gap to Reigate Escarpment SAC, the Arun Valley SAC, Arun Valley SPA and Arun Valley Ramsar, and The Mens SAC Functionally Linked Land Habitats sites.

Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying features of those sites in light of their conservation objectives.

Following an Appropriate Assessment in accordance with the Regulations, CBC has ascertained that the project would not have an adverse effect on the integrity of the Ashdown Forest SAC and Ashdown Forest SPA, the Mole Gap to Reigate Escarpment SAC, the Arun Valley SAC, Arun Valley SPA and Arun Valley Ramsar, and The Mens SAC Functionally Linked Land Habitats sites, either alone or in combination with other plans or projects.

Natural England were consulted on the appropriate assessment and the council's conclusions. They confirmed that they concurred with the conclusions of the Crawley Borough Local Plan 2023-2040 HRA and Appropriate Assessment insofar that the proposed Local Plan will have no adverse effects on the integrity of any internationally designated sites, either alone or in combination.

Natural England made some detailed comments on the Local Plan policies and supporting text which were taken into account through the Examination into the Crawley Borough Local Plan. These led to Main Modifications to the Local Plan which was consulted upon between February and March 2024.

¹ [Habitats Regulations Assessment of the Crawley Borough Local Plan, January 2023, Lepus Consulting](#)

The HRA was reviewed against the proposed Main Modifications subject to public consultation. This report confirmed its previous conclusions². Natural England made formal representations as part of the Main Modifications consultation on the HRA and confirmed that they note that the HRA dated February 2024 concludes that there will be no new Likely Significant Effects (LSEs) upon any habitat site as a result of the proposed modifications and that the main modifications will not change the findings of the 2023 HRA report. They concurred with these conclusions of Main Modification’s HRA and appropriate assessment insofar that the proposed Local Plan will have no adverse effects on the integrity of any internationally designated sites, either alone or in-combination.

The screening of the project

A summary of the outcomes of the screening process is set out below.

Habitats sites	Air Pollution	Water	Functionally Linked Land	Public Access/ Disturbance
Mole Gap to Reigate Escarpment SAC	Vulnerable	Vulnerable	No threat or pressure	No threat or pressure
Ashdown Forest SAC and Ashdown Forest SPA	Vulnerable	No threat or pressure	No threat or pressure	No threat or pressure
South West London Waterbodies SPA and South West London Waterbodies Ramsar	No threat or pressure	No threat or pressure	No threat or pressure	No threat or pressure
Arun Valley SAC Arun Valley SPA Arun Valley Ramsar	No threat or pressure	Vulnerable	No threat or pressure	No threat or pressure
The Mens SAC	No threat or pressure	No threat or pressure	Vulnerable	No threat or pressure

Table 1: Scope of Pressures and Threats from the Local Plan Habitats sites (extract from HRA, Lepus, 2023, Table 6.3)

LSEs were identified at the following Habitats sites:

- Ashdown Forest SAC and SPA – air quality LSEs in-combination;
- Mole Gap to Reigate Escarpment SAC – air quality LSEs in combination;
- Mole Gap to Reigate Escarpment SAC – hydrology LSEs alone;
- Arun Valley SAC – hydrology LSEs alone;
- Arun Valley SPA – hydrology LSEs alone;
- Arun Valley Ramsar – hydrology LSEs alone; and
- The Mens SAC – habitat loss and fragmentation (at functionally linked land due to knock on hydrological LSEs) LSEs alone.

Mitigation measures

In reaching the conclusion of the screening assessment CBC took no account of any measures intended to avoid or reduce the potential harmful effects on any European site.

² [Crawley Borough Local Plan Main Modifications Habitats Regulations Assessment Report, February 2024, Lepus Consulting](#)

Appropriate assessment

CBC undertook an objective scientific assessment of the implications of the project on the qualifying features of the Arun Valley, Ashdown Forest, The Mens, European sites using the best scientific knowledge in the field.

This is set out in full detail in the Habitats Regulations Assessment of the Crawley Borough Local Plan (Lepus, January 2023) and reviewed in the Habitats Regulations Assessment of the Main Modifications of the Crawley Local Plan (Lepus, February 2024).

On the basis of the Appropriate Assessment, the HRA concludes that the Crawley Borough Local Plan 2023-2040 would have no adverse impact on site integrity at any Habitats site, either alone or in-combination. The table below provides a high-level summary of the HRA process.

Qualifying Features which may be affected by the Crawley Borough Local Plan (alone or in-combination)	Impact Pathways from the Crawley Borough Local Plan	Supporting Appropriate Assessment Information	Mitigation Measures	Adverse Impact on Site Integrity?
Ashdown Forest SAC Northern Atlantic wet heaths with <i>Erica tetralix</i> ; Wet heathland with cross-leaved heath European dry heaths	Change in air quality – direct impact upon habitats.	Air Quality Modelling	Local Plan; Local sustainable travel initiatives; and the County Transport Plan	No
Ashdown Forest SPA European nightjar (Breeding) Dartford warbler (Breeding)	Change in air quality – indirect impact upon species habitat requirements.	Air Quality Modelling	Local Plan; Local sustainable travel initiatives; and the County Transport Plan	No
Mole Gap to Reigate Escarpment SAC European dry heaths Stable xerothermophilous formations with <i>Buxus sempervirens</i> on rock slopes Natural box scrub Semi-natural dry grasslands and scrubland facies: on calcareous substrates (important orchid sites) Dry grasslands and scrublands on chalk or limestone (important orchid sites) <i>Asperulo-Fagetum</i> beech forests; Beech forests on neutral to rich soils <i>Taxus baccata</i> woods of the British Isles; Yew-dominated woodland	Change in air quality – direct impact upon habitat types and indirect impacts on species habitat requirements. Water quality and water quantity impacts through hydrological linkage.	Air Quality Modelling Water Quality Monitoring	Local Plan; Local sustainable travel initiatives; and the County Transport Plan Policy wording around water efficiency (Policy SDC3 – Tackling Water Stress).	No No

Qualifying Features which may be affected by the Crawley Borough Local Plan (alone or in-combination)	Impact Pathways from the Crawley Borough Local Plan	Supporting Appropriate Assessment Information	Mitigation Measures	Adverse Impact on Site Integrity?
Great crested newt Bechstein`s bat				
Arun Valley SAC Little whirlpool ram's-horn snail	Water quality and water quantity direct impacts through hydrological linkages.	Water Quality Monitoring	Policy wording around water efficiency (Policy SDC4: Water Neutrality and Policy SDC3: Tackling Water Stress)	No
Arun Valley SPA Bewick's swan (Non-breeding) Waterbird assemblage (including: Shoveler, Teal, Wigeon, Bewick's Swan).	Indirect water quality and water quantity impacts on species habitat requirements through hydrological linkages.	Water Quality Monitoring	Policy wording around water efficiency (Policy SDC4: Water Neutrality and Policy SDC3: Tackling Water Stress)	No
Arun Valley Ramsar Red Data Book invertebrate and plant species. Assemblages of waterbirds of international importance. Species/populations identified subsequent to designation for possible future consideration under criterion 6 – Northern pintail	Water quality and water quantity direct and indirect impacts through hydrological linkages.	Water Quality Monitoring	Policy wording around water efficiency (Policy SDC4: Water Neutrality and Policy SDC3: Tackling Water Stress)	No
The Mens SAC Barbastelle bat	Impacts on functionally linked bat habitat through hydrological changes.	Water Quality Monitoring	Policy wording around water efficiency (Policy SDC4: Water Neutrality and Policy SDC3: Tackling Water Stress)	No

Table 2: Summary of Local Plan HRA Outputs (extract from HRA, Lepus, 2023, Table N.2)

Integrity test

Following the appropriate assessment and the consideration of all mitigation measures, CBC is able to ascertain that the Crawley Borough Local Plan 2023-2040 would not adversely affect the integrity of any European site. In making that decision, CBC has taken account of the potential for the project to contribute to cumulative effects of other plans or projects.

This included the combination of the effects of the following neighbouring authorities' local plans and other relevant plans and projects with the effects of the project:

- Arun District Council
- Brighton and Hove City Council
- Chichester District Council
- Eastbourne Borough Council
- Epsom and Ewell District Council
- Horsham District Council
- Lewes District Council
- Mid Sussex District Council
- Mole Valley District Council
- Reigate and Banstead Borough Council
- Rother District Council
- Sevenoaks District Council
- South Downs National Park Authority
- Tandridge District Council
- Waverley Borough Council
- Wealden District Council
- West Sussex Joint Minerals Plan
- West Sussex Local Plan
- West Sussex Transport Plan
- SES Water – Revised Draft Water Resources Management Plan 2019
- Southern Water – Water Resource Management Plan 2020
- South East Water – Water Resources Management Plan 2020 to 2080
- Thames River Basin Management Plan and
- Gatwick Airport Northern Runway.

This forms Crawley Borough Council's final view as to the integrity test following the receipt of Natural England's, as the statutory body, representations.

Assumptions and limitations

The screening conclusion, the appropriate assessment and the integrity test necessarily rely on some assumptions and are inevitably subject to some limitations. Most of the assumptions and limitations would not affect the conclusions, but the following points are recorded in order to ensure that the basis of the assessment is clear.

References and reports

In reaching the conclusion of the assessment, CBC took the following documents into account:

- Main Modifications Habitats Regulations Assessment Report (Lepus Consulting, 2024)
- Habitats Regulations Assessment of the Crawley Borough Local Plan: Submission Publication Consultation (Lepus Consulting, 2023)
- Local Plan Additional Publication Consultation: Habitats Regulations Assessment of the Crawley Borough Local Plan, draft report to inform the HRA (Lepus Consulting, 2021)
- Habitats Regulations Assessment Screening Report for the Crawley Borough Local Plan Review (CBC, 2020)
- Habitats Regulations Assessment Screening Report for the Crawley Borough Local Plan Review (CBC, 2019)
- Water Neutrality Study Part C: Mitigation Strategy (JBA, 2022)
- Water Neutrality Study Part B: In-Combination Assessment (JBA, 2022)
- Water Neutrality Study Part A: Individual Authority Areas (JBA, 2021)

- Air Quality Modelling to support HRA Crawley Borough Council Local Plan (Air Quality Consultants, 2021)
- Crawley Transport Modelling Study (Stantec, 2022)
- West Sussex Transport Plan (2022)
- New Directions for Crawley (CBC, 2020)
- Crawley Cycling and Walking Infrastructure Plan (CBC, 2020)
- Gatwick Sub-Region Water Cycle Study (JBA, 2020)
- SES Water – Revised Draft Water Resources Management Plan 2019
- Southern Water – Water Resource Management Plan 2020
- South East Water – Water Resources Management Plan 2020 to 2080
- Thames River Basin Management Plan
- Ashdown Forest Statement of Common Ground (2018)

Dated: 16/10/24

Copy sent to Natural England date: 17/10/24