

# COUNCILLORS' INFORMATION BULLETIN

Tuesday, 30 November 2021

**Bulletin No: IB/1108**

## INFORMATION ITEM

Pages

1 **Delegated Planning Decisions**

5 - 6

Delegated planning decisions for the week beginning 22 November 2021 are attached. Contact for enquiries: Jean McPherson, Group Manager (Development Management) on [jean.mcperson@crawley.gov.uk](mailto:jean.mcperson@crawley.gov.uk).

2 **Restoration of Ancient Woodland at Tilgate Park**

Ancient woodland at Tilgate Park is set to be restored by removing the large presence of invasive non-native species, which threatens the future of our woodlands. Funding has been obtained to carry out clearance of these species supported by the Woodland Trust and the Government's Green Recovery Challenge Fund. The restoration work will begin this week and is expected to take several months.

The woodland at Tilgate Park was surveyed in September 2020 and the presence of invasive non-native species was identified as a significant threat to the ancient woodland – the main species of concern being Rhododendron (*Rhododendron ponticum*) and cherry laurel (*Prunus laurocerasus*) with western hemlock (*Tsuga heterophylla*) also present. These species pose a threat to the ancient woodland areas by spreading rapidly, growing vigorously and casting a very heavy shade, under which the native woodland plants and tree seedlings cannot survive. Invasive species provide poorer habitat for birds and other animals and therefore woodland biodiversity is further reduced.

Restoration work will result in the development of better high-quality ancient trees and woods that can provide refuges for dependent and immobile species, but also significant and efficient carbon storage. They will become more resilient in the face of climate change, compared to younger-growth forests.

A Press Release on this matter has also been issued this week.



Switchboard: 01293 438000  
Main fax: 01293 511803  
Minicom: 01293 405202 DX:  
57139 Crawley 1  
[www.crawley.gov.uk](http://www.crawley.gov.uk)

Town Hall  
The Boulevard  
Crawley  
West Sussex  
RH10 1UZ

### 3 **Consideration Report: Income Management System Procurement**

Consideration report FIN/543 of the Head of Corporate Finance is attached for Councillors only.

### 4 **Action Taken Under Delegated Authority (Significant Operational Decision): Habitats Regulations Assessment - Water Neutrality. Approval of Screening Reports**

Crawley is situated in an area of serious water stress. The majority of Crawley is supplied with water by Southern Water from its Sussex North Water Resource Zone (SNWRZ). This supply is sourced from abstraction points in the Arun Valley, which includes locations such as Amberley Wild Brooks Site of Special Scientific Interest (SSSI), Pulborough Brooks SSSI and Arun Valley Special Protection Area/Special Area of Conservation and Ramsar site.

On 14 September 2021, the Local Planning Authority (LPA) received a Position Statement from Natural England. The Natural England position is that it cannot be concluded that the existing abstraction within the SNWSZ is not having an impact on the Arun Valley sites. It advises that developments within this zone must not add to this impact.

The effect of the position statement is that all applications made to the LPA that are within the SNWRZ have to demonstrate that they do not increase pressure on water resources – in other words show that they are “water neutral”. The position statement placed the LPA as the body with overall responsibility for ensuring compliance with these requirements.

As a consequence of the Position Statement, all decisions on applications within the SNWRZ which the LPA was minded to recommend positively have had to be held to allow for further legal clarification on its implications and in order to understand the synergy between the Habitats Regulations (referred to in the position statement) and the Planning process.

The LPA is the ‘Competent Authority’ and has responsibility for undertaking the Habitats Regulations Assessment (HRA) process under the Conservation of Habitats and Species Regulations 2017 (as amended). These regulations add a new requirement into the planning process as the LPA has to decide whether each application has an impact on the Arun Valley sites as result of increased water demand. Under the regulations, the ‘Assessment’ process for making this decision is in 2 stages.

Step 1 is a Screening Process to determine whether the application is either (1) exempt (because it is directly connected with or necessary to the management of a European site), (2) whether it can be excluded (because it is not a project), or (3) eliminated (because there would be no conceivable effects), from the HRA process. If none of these conditions apply, it is next necessary to identify whether there are any aspects of a project which may lead to likely significant effects at the Arun Valley sites. This informs the requirement to progress to Stage 2 ‘the Appropriate Assessment’.

The LPA has been developing a framework to allow certain types of application to be screened out of this assessment process, therefore avoiding time and costs for applicants and agents in preparing this information to support their applications. This work has resulted in two Habitats Regulations Assessment Screening Reports having been prepared by the LPA with input, advice and feedback from an independent ecological consultant and Natural England, who have endorsed the two Screening Reports for use.

The first screening report covers the following applications:

- Householder Applications (excluding annexes and swimming pools) including those defined under Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The HRA report concludes that despite a gradual increase in floorspace of houses across Crawley as extensions are built, both household size and water usage per capita are declining. Consequently, the Council considers that the evidence suggests that house extensions (excluding annexes and swimming pools) will not increase water usage, even cumulatively. Therefore, they will not increase water usage within the Sussex North Water Resource Zone and do not therefore require further assessment.

The second screening report covers the following application types:

- Applications for Advertisement Consent.
- Applications for Tree Works.
- Full and Prior Approval applications for Telecommunications Infrastructure, including those defined under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- Minor developments where there is no water usage (e.g. surface car parks/hardstanding, vehicular crossovers, shopfronts, recladding).
- Applications for Development comprising Minor Operations as defined under Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- Applications for Non-Material Amendments involving no increased water usage.

The HRA report concludes that as none of these applications involve connection to a water supply, they will not increase water usage within the Sussex North Water Resource Zone and would have no conceivable effect on any of the designated sites due to increased water demand.

A screening template has also been developed for use for other applications which do not fall within the categories listed above for applicants to complete and will enable the LPA to decide whether the application should be subject to an 'Appropriate Assessment'.

The production of these two screening reports allows the LPA to resume the positive determination of planning applications for the above categories of development within the SNWRZ. This will allow householders to progress with home improvements and other minor works to proceed.

In light of the above, on 26 November 2021 the Head of Economy and Planning agreed to:

- Approve both HRA Screening Reports.
- Resume issuing applications screened out of the HRA process by these reports with immediate effect.

The Screening documents have been prepared by the LPA with external support from a qualified ecologist. Natural England has been consulted and concurs with the conclusions in both screening assessments.

## 5 **Press Releases**

Press releases are available at [www.crawley.gov.uk/news](http://www.crawley.gov.uk/news)