

Alistair Walker  
Quod  
17 Broadwick Street  
London  
W1F 0DE

Our ref: EIA/19/0002  
Your  
ref:  
Email: Jason.hawkes@horsham.gov.uk  
Direct  
Line: 01403 215162  
Date: 3<sup>rd</sup> October 2019

Dear Mr Walker

**Request for a formal Scoping Opinion for the proposed development at Mayfield Market Town, Horsham**

Following your email requesting a formal Scoping Opinion for the proposed development at Mayfield Market Town, Horsham, please find attached a copy of the Scoping Opinion issued on behalf of Horsham District Council. The opinion incorporates the views of the statutory consultees and other departments within the Council. The comments of Natural England and the Environment Agency are included.

Please note that as yet we have not been able to secure the comments of Mid Sussex District Council or South Downs National Park. Their comments will be forwarded onto you. These comments will need to be taken into consideration.

I confirm that this letter forms Horsham District Council's formal Scoping Opinion and will be placed on the public register.

Yours sincerely

Jason Hawkes  
Principal Planning Officer

## Chapter 1: Introduction

- No comment

## Chapter 2: Site Description

- Paragraph 2.15: It is misleading to state that the South Downs National Park is not visible from the site. Parts of the South Downs, especially the hills to the south, would clearly be visible from the site.

## Chapter 3: Description of Development

- Paragraph 3.1: Please note that discussions are taking place to finalise what kind of application this would entail. The view of Horsham District Council is that the outline application should include access. All other matters could be reserved.
- The final Environmental Statement will have to be amended to take into account the final proposal. You will need to work out exactly what is being proposed as a worst case scenario so that impacts can be assessed.

## Chapter 4: EIA Methodology

The Environment Agency has made the following comments:

- Within the table 5.1: Proposed Assessment Year (page 13), the entry for '2027 - Intermediate Year 1' "assumes no delivery of major on-or-off site infrastructure (i.e. no Sewage Treatment Works (STW), primary substation or link roads)." The Agency would recommend that the applicant demonstrates that this is an appropriate assumption in regard to wastewater treatment. In particular, we would seek clarity from the applicant as to whether the first phase would make use of existing capacity at Southern Water wastewater treatment works, and if so, evidence demonstrating that such capacity exists.

## Chapter 5: Socio-economics (including Human Health)

- It is a requirement of the EIA legislation that there is consideration as to the effect of a proposed development on the nearby population. It will therefore be necessary to consider the impact of the development on the neighbouring district of Mid Sussex as well as Horsham. It is also suggested that in assessing socio-economic impacts it would be beneficial to refer to the analysis of any representations as part of the Local Plan Review to take place in 2019. This is in the event that the scheme is taken forward as part of the review as a preferred site. At this stage, the preferred sites have not been allocated. Analysing the representations will provide an indication of the concerns of the existing communities.

## Chapter 6: Transport and Access

West Sussex County Council Highways have made the following comments:

- The EIA Scoping Report Transport Access section is linked to the draft Transport Assessment, so WSCC comments below should be read in conjunction with their Transport Assessment / Transport Statement comments.
- Paragraphs 3.5 and 6.10: When listing off-site mitigation this should state 'but not limited to'. In relation to the highway network at Cowfold, it is worth noting that any improvements necessary here could be a benefit in the EIA if they can improve the existing air quality situation.
- Paragraph 6.6: The proposal at this paragraph to start with construction of the access link, so that heavy construction vehicles can use the new link in preference to existing rural roads to access the main development construction site is supported.

- Paragraph 6.7: Proposes use of consolidation and distribution for deliveries around the local road network. It will be important to manage how this is operated to obtain the most appropriate balance between size of vehicles used and controlling the number of trips per day by goods vehicles on local roads. It is recommended that this should be one of the main objectives and outputs of the Construction Traffic Management Plan.
- Paragraph 6.15 & 6.16: The thresholds suggested in paragraphs 6.15 and 6.16 are acceptable for the purpose of assessment of environmental impacts of forecasted changes in traffic flows. Tighter standards apply to assessment of traffic capacity and highway safety impacts and mitigation where changes of 50 or more vehicles or PCUs an hour are a starting point of discussions for each potential mitigation location.
- Paragraph 6.17: It states here that the extent of the Paramics model will define the study area. This is accepted for the purpose of assessment of environmental impacts of forecasted changes in traffic flows. The assessment of traffic capacity and highway safety impacts and mitigation will depend on whether there are forecasted flow changes over 50 PCUs beyond the model area boundary resulting from the proposed development.
- Paragraph 6.20: The key measures listed have omitted air quality, which will be relevant to offsite impacts at Cowfold and noise. However, these measures are considered separately in the report (in section 7) as they can arise from a variety of sources other than road traffic. The A281/A2037 in Henfield (High Street, London Road and Barrow Hill) is another place where monitoring of air quality may be relevant, due to slow moving / stop start traffic with turning and parking movements in the village centre, combined with its proximity to the planned development.
- The information regarding monitoring at Henfield in the report is not the most recent, latest status from the Horsham LAQM Annual Status Report 2018 being: "Henfield 2n – relocated from Henfield1n (Golden Sq) to the A281 High Street. Henfield 1n did not exceed the annual mean NO<sub>2</sub> objective in the previous year." Although the site has moved, it would seem that nothing material has changed since the 2016 data in the scoping report, although next year will be the first for a full year's data from the new site.

## Chapter 7: Air Quality

Horsham District Council's Air Quality Officer has made the following comments:

- The assessment should be undertaken in accordance with relevant guidance. HDC is in the process of adopting the Air Quality and Emissions Mitigation Guidance for Sussex (2019). The guidance takes a low-emission strategies' approach to avoiding cumulative impacts of new development, by seeking to mitigate or offset emissions from the additional traffic and buildings. It is recommended that the applicant has regard to this guidance in preparing the air quality assessment report.
- In respect of the construction phase impacts, it is recommended that the assessment process follows the IAQM 'Guidance on the assessment of dust from demolition and construction' (2016). There are concerns over the impacts of construction traffic going through Cowfold (and the AQMA) and Henfield, to join the A23. A qualitative impact assessment proposed by the applicant may not be appropriate to assess the impacts to a sufficient degree.

Natural England's has made the following comments:

- Air quality in the UK has improved over recent decades but air pollution remains a significant issue; for example over 97% of sensitive habitat area in England is predicted to exceed the critical loads for ecosystem protection from atmospheric nitrogen deposition (England Biodiversity Strategy, Defra 2011). A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The assessment should take account of the risks of air pollution and how these can be managed or reduced. Further information on air pollution impacts

and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System ([www.apis.ac.uk](http://www.apis.ac.uk)). Further information on air pollution modelling and assessment can be found on the Environment Agency website.

#### Chapter 8: Noise and Vibration

Horsham District Council's Environmental Health Officer has made the following comments:

- For the construction phase this chapter has identified a number of significant impacts on existing dwellings during the highway and general construction. Operational impacts are likely to be limited to localised issues relating to plant associated with the new commercial uses and wider impacts due to road traffic noise from vehicles accessing the new town.
- The area currently comprises an area of relative tranquillity characterised by scattered farms and dwellings with lightly trafficked by-roads. The development will represent a profound change in the acoustic character of the site and wider locality. This should be thoroughly assessed.

#### Chapter 9: Archaeology

Horsham District Council's Archaeologist has made the following comments:

- It is agreed that the site has potential to contain archaeological remains from the prehistoric period onwards. In addition, the location on the slopes of the valleys of the River Adur and its tributary streams is conducive to the survival of significant palaeoenvironmental remains relating to the landscape history of the area.
- The Scoping Opinion document submitted by the applicant contains few details as to how an appropriate assessment of the cultural heritage significance of the Site will be undertaken. It is therefore recommended that the proposed Cultural Heritage Chapter in the EIA should comprise:-
  - A desk-based assessment of the proposed development area – this should utilise the information available in the West Sussex Historic Environment Record and historic cartographic and documentary sources. This should include an assessment of both the historic environment sites and the historic landscape setting.
  - A re-assessment should be made of the aerial photographic evidence for the area, including the on-line digital data available on GoogleEarth. This should include rectification of both archaeological features and palaeochannels.
  - An assessment should be made of the available LiDAR data for the application site and rectified plots produced of both archaeological and historic landscape features identified.
  - If a geophysical survey is being undertaken it is recommended that a trial area is undertaken on an area of known archaeological deposits to assess its effectiveness prior to the remainder being surveyed.
  - An assessment should be made of the available borehole and BGS data for the site in order to establish the potential for palaeoenvironmental deposits within the Site.
  - Mitigation measures can only be defined once the evaluation requirements described above have been completed. An element of ground-truthing, in the form of trial-trenching, will be required to confirm these results.
- This is the initial phase of work in order to ensure that an appropriate understanding of the significance of the site has been reached. Further large-scale evaluation and excavation will be required if the development proceeds.

#### Chapter 10: Built Heritage:

Horsham District Council's Heritage Officer has made the following comments:

- The report satisfactorily covers those aspects of the built historic environment relevant in this case.

- Paragraph 10.4: The list description for the buildings that fall within the site and immediately outside are not comprehensive and give little, if any, information of their significance. To aid the assessment of effects on these listed buildings it is recommended that the listing enhancement service offered by Historic England is used. This will remove much of the potential debate about where significance lies. This is the stated intention in para.10.18 so it may be that para.10.4 is reworded to reflect this.
- Concern is raised to the reference in paragraph 10.10 to any impact resulting from the development will be indirect. The Planning (L.B. & C.A.) Act 1990 requires special regard is paid to the desirability of preserving the building or its setting. Setting is given as important a consideration as the building itself in the Act. Any new development within the setting will have a direct impact on the setting. The Heritage Officer does not agree with the assertion that direct impact is exclusively the result of physical change to built form.
- Bullet point four of paragraph 10.14 does not refer to the overriding statutory considerations of the Planning (L.B. & C.A.) Act 1990.
- With regard to Appendix B, the Heritage Officer agrees with the statement that the assessment of cultural heritage is a qualitative one and as a result sensitivity to change is a subjective judgment dependent on the relative importance of each asset. Table 1 in Appendix B is an acceptable starting point in considering relative sensitivity of heritage assets. Table 2 and Table 3 are reflective of established approaches in assessing level of impact and the resulting effect on significance.

#### Chapter 11: Landscape and Visual Impact:

Horsham District Council's Landscape Architect has made the following comments:

- The information provided in the report covers all the relevant information to enable us to understand the effects the proposals will have on the landscape.
- Paragraph 11.7: Reference is made to existing Ancient Woodland within the site. Given our arboriculturalist's colleague recent findings and request to Natural England to include Nine Acre Shaw as Ancient woodland, the design team should be informed and made aware.
- Appendix C: methodology: At a recent inquiry, criticism was made that we hadn't provided a table for Landscape quality/condition within the methodology in the same way as its provided to qualify value, susceptibility, etc. Provided that the evaluation is made against the GLIVA3 definition of condition and there is sufficient text to justify the judgement this should be acceptable. However, to avoid any challenge and for clarity it is suggested that a table is also included.
- Cumulative schemes – consideration should be given to the emerging Henfield Neighbourhood Plan and proposed housing site allocations, particularly Land North of Parsonage Farm which is of a considerable size.

Natural England has made the following comments:

- **Nationally Designated Landscapes:** As the development site is within 3000km of the South Downs National Park, consideration should be given to the direct and indirect effects upon this designated landscape and in particular the effect upon its purpose for designation within the environmental impact assessment, as well as the content of the relevant management plan for the South Downs National Park.
- **Landscape and visual impacts:** Natural England would wish to see details of local landscape character areas mapped at a scale appropriate to the development site as well as any relevant management plans or strategies pertaining to the area. The EIA should include assessments of visual effects on the surrounding area and landscape together with any physical effects of the development, such as changes in topography.
- The EIA should include a full assessment of the potential impacts of the development on local landscape character using landscape assessment methodologies. Natural England encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA provides a sound

basis for guiding, informing and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character, as detailed proposals are developed.

- Natural England supports the publication Guidelines for Landscape and Visual Impact Assessment, produced by the Landscape Institute and the Institute of Environmental Assessment and Management in 2013 (3rd edition). The methodology set out is almost universally used for landscape and visual impact assessment.
- In order to foster high quality development that respects, maintains, or enhances, local landscape character and distinctiveness, Natural England encourages all new development to consider the character and distinctiveness of the area, with the siting and design of the proposed development reflecting local design characteristics and, wherever possible, using local materials. The Environmental Impact Assessment process should detail the measures to be taken to ensure the building design will be of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit.
- The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. In this context Natural England advises that the cumulative impact assessment should include other proposals currently at Scoping stage. Due to the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application.
- The assessment should refer to the relevant National Character Areas which can be found on our website. Links for Landscape Character Assessment at a local level are also available on the same page.
- **Heritage Landscapes:** Please consider whether there is land in the area affected by the development which qualifies for conditional exemption from capital taxes on the grounds of outstanding scenic, scientific or historic interest. An up-to-date list may be obtained at [www.hmrc.gov.uk/heritage/lbsearch.htm](http://www.hmrc.gov.uk/heritage/lbsearch.htm).
- **Access and Recreation:** Natural England encourages any proposal to incorporate measures to help encourage people to access the countryside for quiet enjoyment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways are to be encouraged. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.
- **Rights of Way, Access land, Coastal access and National Trails:** The EIA should consider potential impacts on access land, public open land, rights of way and coastal access routes in the vicinity of the development. Natural England also recommend reference to the relevant Right of Way Improvement Plans (ROWIP) to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

## Chapter 12: Biodiversity:

Horsham's District Council's Ecologist has commented that the Scoping Opinion and the additional Scoping Letter received from Aspect Ecology cover the queries raised. The Ecologist is satisfied that the submission will contain sufficient ecological information as indicated in the Scoping Report and additional letter.

The Environment Agency has made the following comments:

- Throughout the chapter there is reference to "watercourses". This is a general term, the Agency recommend within the ES that the Applicant distinguishes between designated 'Main River' (within our remit) and 'Ordinary Watercourse' (within the remit of the Local Authority). The designated Main Rivers within the site boundary are Chess Stream and River Adur East.

- Whilst it is noted that some habitats will be scoped out of the EIA, these should be considered more broadly for the development as a whole when considering a baseline for delivering biodiversity net gain across the site.
- The Agency are pleased to see a range of surveys will be undertaken. Where these relate to wet ecology features, the Agency would be happy to review this work prior to any planning application being submitted as part of our charged advice service.
- The Agency note that a Habitats Regulation Assessment (HRA) will be produced, considering impacts on the Arun Valley SAC from the development as a result of water quality and/or water resources issues.

Natural England has made the following comments:

- **Ecological Aspects of an Environmental Statement:** Natural England advises that the potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/enhancement should be included within this assessment in accordance with appropriate guidance on such matters. Guidelines for Ecological Impact Assessment (EcIA) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM) and are available on their website.
- EcIA is the process of identifying, quantifying and evaluating the potential impacts of defined actions on ecosystems or their components. EcIA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal.
- The National Planning Policy Framework sets out guidance in S.174-177 on how to take account of biodiversity interests in planning decisions and the framework that local authorities should provide to assist developers.
- **Regionally and Locally Important Sites:** The EIA will need to consider any impacts upon local wildlife and geological sites. Local Sites are identified by the local wildlife trust, geoconservation group or a local forum established for the purposes of identifying and selecting local sites. They are of county importance for wildlife or geodiversity. The Environmental Statement should therefore include an assessment of the likely impacts on the wildlife and geodiversity interests of such sites. The assessment should include proposals for mitigation of any impacts and if appropriate, compensation measures. Contact the local wildlife trust, geoconservation group or local sites body in this area for further information.
- **Protected Species:** The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law, but advises on the procedures and legislation relevant to such species. Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, groups and individuals; and consideration should be given to the wider context of the site for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.
- The conservation of species protected by law is explained in Part IV and Annex A of Government Circular 06/2005 Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System. The area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES.
- In order to provide this information there may be a requirement for a survey at a particular time of year. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and where necessary, licensed, consultants. Natural England has adopted standing advice for protected species which includes links to guidance on survey and mitigation.
- **Habitats and Species of Principal Importance:** The ES should thoroughly assess the impact of the proposals on habitats and/or species listed as 'Habitats and Species of Principal Importance' within the England Biodiversity List, published under the requirements of S41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 places a general duty on all

public authorities, including local planning authorities, to conserve and enhance biodiversity. Further information on this duty is available here <https://www.gov.uk/guidance/biodiversity-duty-public-authority-duty-to-have-regard-to-conserving-biodiversity>.

- Government Circular 06/2005 states that Biodiversity Action Plan (BAP) species and habitats, 'are capable of being a material consideration...in the making of planning decisions'. Natural England therefore advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the ES. Consideration should also be given to those species and habitats included in the relevant Local BAP.
- Natural England advises that a habitat survey (equivalent to Phase 2) is carried out on the site, in order to identify any important habitats present. In addition, ornithological, botanical and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present. The Environmental Statement should include details of:
  - Any historical data for the site affected by the proposal (e.g. from previous surveys);
  - Additional surveys carried out as part of this proposal;
  - The habitats and species present;
  - The status of these habitats and species (e.g. whether priority species or habitat);
  - The direct and indirect effects of the development upon those habitats and species;
  - Full details of any mitigation or compensation that might be required.
- The development should seek if possible to avoid adverse impact on sensitive areas for wildlife within the site, and if possible provide opportunities for overall wildlife gain. The record centre for the relevant Local Authorities should be able to provide the relevant information on the location and type of priority habitat for the area under consideration.
- **Contacts for Local Records:** Natural England does not hold local information on local sites, local landscape character and local or national biodiversity priority habitats and species. It is recommended that you seek further information from the appropriate bodies (which may include the local records centre, the local wildlife trust, local geoconservation group or other recording society and a local landscape characterisation document).

### Chapter 13: Agriculture and Soils:

Natural England has made the following comments:

- Impacts from the development should be considered in light of the Government's policy for the protection of the best and most versatile (BMV) agricultural land as set out in paragraph 170 of the NPPF. We also recommend that soils should be considered in the context of the sustainable use of land and the ecosystem services they provide as a natural resource, as also highlighted in paragraph 170 of the NPPF.
- Soil is a finite resource that fulfils many important functions and services (ecosystem services) for society, for example as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution. It is therefore important that the soil resources are protected and used sustainably.
- The applicant should consider the following issues as part of the Environmental Statement:
  - The degree to which soils are going to be disturbed/harmed as part of this development and whether 'best and most versatile' agricultural land is involved. This may require a detailed survey if one is not already available. For further information on the availability of existing agricultural land classification (ALC) information see [www.magic.gov.uk](http://www.magic.gov.uk). Natural England Technical Information Note 049 - Agricultural Land Classification: protecting the best and most versatile agricultural land also contains useful background information.
  - If required, an agricultural land classification and soil survey of the land should be undertaken. This should normally be at a detailed level, eg one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, ie 1.2 metres.



- The Environmental Statement should provide details of how any adverse impacts on soils can be minimised. Further guidance is contained in the Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites.
- As identified in the NPPF new sites or extensions to new sites for peat extraction should not be granted permission by Local Planning Authorities or proposed in development.

#### Chapter 14: Ground Conditions, Hydrogeology and Contamination:

Horsham District Council's Environmental Health Officer has no comment on this chapter.

The Environment Agency has made the following comments:

- The Agency note that a number of studies will be undertaken to inform the ES in relation to this topic. The Agency would be happy to review these prior to any planning application being submitted as part of our charged advice service.
- The Agency note that Roma Farm historic landfill site is located within the north-east of the Site.

#### Chapter 15: Water Resources, Flood Risk and Drainage:

Horsham District Council's Drainage Officer has no comment on this chapter.

West Sussex County Council Flood Authority has made the following comments:

- Paragraph 15.12: A Flood Risk Assessment (FRA) will be prepared in accordance with NPPF requirements. The assessment related to flood risk for the EIA will draw upon the studies and conclusions made within the FRA. WSCC would wish to see this amended to read: A Flood Risk Assessment (FRA) will be prepared in accordance with NPPF requirements and local policy including the West Sussex LLA Policy for the Management of Surface Water:  
[https://www.westsussex.gov.uk/media/12230/ws\\_llfa\\_policy\\_for\\_management\\_of\\_surface\\_water.pdf](https://www.westsussex.gov.uk/media/12230/ws_llfa_policy_for_management_of_surface_water.pdf)
- Paragraph 15.7: As part of the impact assessment, the potential for environmental enhancement to support delivery of WFD objectives and the application of multi-functioning SuDS will be considered.
- WSCC would very much welcome consideration of both the potential for environmental enhancement to support delivery of WFD objectives and the application of multi-functioning SuDS, particularly given the water stressed category applied to the South East of England. We would recommend that the scope of this consideration includes full integrated water management as per the attached presentation, particularly noting from paragraph 15.6 that on-site provision for waste water treatment is currently proposed.

The Environment Agency has made the following comments:

- As acknowledged within the report, areas of the site fall within Flood Zones 2 and 3. Therefore, it is expected that through the sequential approach, no built development will take place in these areas. The Agency will be happy to review a draft Flood Risk Assessment as part of their charged advice service.
- Where possible, opportunities to reduce flood risk on site and to downstream communities could be considered – notably this could be through opportunities for Natural Flood Management (NFM) across the site.
- The Agency are pleased to see that the need to ensure the development does not cause deterioration, or prevent improvement in status, for the River Adur and associated tributaries is recognised. The Agency support the reference in paragraph 15.7 for the development to also consider opportunities to improve the water quality within the watercourse on site where possible.
- The Agency note that a Water Framework Directive (WFD) assessment is to be undertaken. Further guidance on WFD assessments can be found on the gov.uk website here –

<https://www.gov.uk/government/publications/water-framework-directive-how-to-assess-the-risk-of-your-activity>. The Agency will be happy to review a draft WFD assessment as part of our charged advice service.

- The Agency have been working with Create Consulting, who produced the information for this chapter, in relation to proposals for wastewater treatment infrastructure as well as some discussions regarding flood risk management. The Agency will continue to work with them as part of our charged advice service as they develop the documents in support of the planning application.

#### Chapter 16: Climate Change:

The Environment Agency has made the following comments:

- When considering the “vulnerability of the project to climate change”, the Agency recommend that this chapter considers wider aspects than greenhouse gas emissions. In particular, consideration as to how the development will manage water resources would be welcomed. There is an opportunity for the development to be exemplary in its approach, looking at high levels of water efficiency, water reuse and opportunities for water neutrality.
- The Agency would recommend that cross referencing between this chapter and chapter 15 are considered to discuss these issues alongside management of surface water, including consideration of opportunities for sustainable drainage and NFM to increase the development’s resilience to extreme weather events.

Natural England have made the following comments:

- The England Biodiversity Strategy published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development’s effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPPF requires that the planning system should contribute to the enhancement of the natural environment ‘by establishing coherent ecological networks that are more resilient to current and future pressures’ (NPPF Para 174), which should be demonstrated through the ES.

#### Chapter 17: Cumulative Effects:

Natural England have made the following comments:

- A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.
- The ES should include an impact assessment to identify, describe and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment, (subject to available information):
  - a. existing completed projects;
  - b. approved but uncompleted projects;
  - c. ongoing activities;
  - d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
  - e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

#### Chapter 18: Non-Significant Topics:

- No comment.

#### Appendix E- Cumulative Scheme and Map:

- This chapter will need updating with all relevant appeal decisions and recent decisions.

#### General Comments:

The Environment Agency has commented that development and any associated works on the site may require a permit from the Agency under the Environmental Permitting (England and Wales) Regulations 2016 for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the designated as Main Rivers. This type of permit is called a 'Flood Risk Activity Permit', and was formerly known as a 'Flood Defence Consent'.

Further details about Flood Risk Activity Permits can be found on the gov.uk website using the following link – <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>

The Agency also note that the Scoping Report refers to potential dewatering taking place during construction (section 14.6). Dewatering activities may require a permit from us, unless an exemption applies. Further information about such permits can be found on the gov.uk website – <https://www.gov.uk/government/publications/temporary-dewatering-from-excavations-to-surface-water/temporary-dewatering-from-excavations-to-surface-water>

It should be noted that permits are separate to and in addition to any planning permission granted. The granting of planning permission does not necessarily lead to the granting of any permit.

The Agency recommend that the developer considers parallel tracking the planning and permit applications as this can help identify and resolve any issues at the earliest opportunity. Parallel tracking can also prevent the need for post-permission amendments to the planning application. The Agency would welcome a joint discussion with the Applicant and Local Planning Authority to discuss this further.

Natural England have made the following comments:

- The application should consider how it complies with Horsham's Green Infrastructure Strategy and Green Space Strategy.
- Ancient Woodland: The S41 list includes six priority woodland habitats, which will often be ancient woodland, with all ancient semi-natural woodland in the South East falling into one or more of the six types.
- Information about ancient woodland can be found in Natural England's standing advice [http://www.naturalengland.org.uk/Images/standing-advice-ancient-woodland\\_tcm6-32633.pdf](http://www.naturalengland.org.uk/Images/standing-advice-ancient-woodland_tcm6-32633.pdf).
- Ancient woodland is an irreplaceable resource of great importance for its wildlife, its history and the contribution it makes to our diverse landscapes. Local authorities have a vital role in ensuring its conservation, in particular through the planning system. The ES should have regard to the requirements under the NPPF (Para. 175)2 which states:
- When determining planning applications, local planning authorities should apply the following principles:
  - a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts);
  - b) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.