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for people and wildlife

Environment Agency

Horsham District Council
Planning team
Park House
North Street
Horsham
West Sussex
RH12 1RL

Our ref: HA/2025/127053/01
Your ref: DC/25/1312

Date: 24 September 2025

Dear Planning team (FAO: Jason Hawkes),

HYBRID PLANNING APPLICATION (PART OUTLINE AND PART FULL PLANNING APPLICATION) FOR A PHASED, MIXED USE DEVELOPMENT COMPRISING: A FULL ELEMENT COVERING ENABLING INFRASTRUCTURE INCLUDING THE CRAWLEY WESTERN MULTI-MODAL CORRIDOR (PHASE 1, INCLUDING ACCESS FROM CHARLWOOD ROAD AND CROSSING POINTS) AND ACCESS INFRASTRUCTURE TO ENABLE SERVICING AND DELIVERY OF SECONDARY SCHOOL SITE AND FUTURE DEVELOPMENT, INCLUDING ACCESS TO RUSPER ROAD, SUPPORTED BY ASSOCIATED INFRASTRUCTURE, UTILITIES AND WORKS, ALONGSIDE: AN OUTLINE ELEMENT (WITH ALL MATTERS RESERVED) INCLUDING UP TO 3,000 RESIDENTIAL HOMES (CLASS C2 AND C3), COMMERCIAL, BUSINESS AND SERVICE (CLASS E), GENERAL INDUSTRIAL (CLASS B2), STORAGE OR DISTRIBUTION (CLASS B8), HOTEL (CLASS C1), COMMUNITY AND EDUCATION FACILITIES (USE CLASSES F1 AND F2), GYPSY AND TRAVELLER PITCHES (SUI GENERIS), PUBLIC OPEN SPACE WITH SPORTS PITCHES, RECREATION, PLAY AND ANCILLARY FACILITIES, LANDSCAPING, WATER ABSTRACTION BOREHOLES AND ASSOCIATED INFRASTRUCTURE, UTILITIES AND WORKS, INCLUDING PEDESTRIAN AND CYCLE ROUTES AND ENABLING DEMOLITION. THIS HYBRID PLANNING APPLICATION IS FOR A PHASED DEVELOPMENT INTENDED TO BE CAPABLE OF COMING FORWARD IN DISTINCT AND SEPARABLE PHASES AND/OR PLOTS IN A SEVERABLE WAY.

LAND WEST OF IFIELD, CHARLWOOD ROAD, IFIELD, WEST SUSSEX.

Thank you for consulting the Environment Agency on the above application.

We have reviewed the information as submitted and set out our position and comments below.

Environment Agency position

We require further information to be able to assess the application fully. Please see details below.

Information required

An updated assessment is required to assess how the proposed development will affect species, habitats, hydromorphology and fisheries. The applicant should submit the following:

- A geomorphic assessment to inform the proposals, including an assessment of erosion risks and provisions for setting back the abutments and associated structures further from the riverbanks.
- The proposals have the potential to impact the Water Framework Directive (WFD) status and ecological condition of the watercourse, therefore, the WFD Assessment and Environmental Statement should be revised to consider these impacts (to include hydromorphology and aquatic ecology/fish), with appropriate mitigation proposed.

Reasons for requesting further information

The submitted planning application and associated documents indicate that changes are proposed within 8 metres of the top of the bank of the watercourse and/or within the watercourse and the information provided does not give enough evidence to show that the proposals will not have a detrimental impact on the biodiversity, fisheries and physical habitats and requirements of the Water Environment Regulations 2017 (WFD).

The application contains inadequate environmental assessments which do not consider impacts on aquatic habitats. Negative impacts on aquatic habitats have been overlooked within the assessments for WFD, Biodiversity Net Gain (BNG) and the Environmental Statement, with a lack of adequate mitigation and enhancements proposed. In addition, some of or all the proposals will require a Flood Risk Activity Permit(s) under the Environmental Permitting (England and Wales) Regulations 2016 which is unlikely to be granted with the current level of detail being provided.

The current proposals indicate that a bridge crossing of the River Mole and associated enabling works for the outline development is being proposed. However, the supporting documents provided do not adequately show that it will not have a detrimental impact on the watercourse, its corridor and associated ecology, fisheries and physical habitats. Further details are set out below:

- Under the proposals, there will be a loss of approximately 50 metres of habitats along both riverbanks due to permanent overshading by the bridge, as well as permanent loss of floodplain habitats by the bridge embankments and associated structures. This has not been considered in the relevant assessments, and no mitigation has been proposed. We therefore expect the proposals to be revised to incorporate appropriate compensation for the proposed impacts on existing habitats, such as river and floodplain restoration.
- Since the bridge is proposed at a meandering section of the River Mole, which is anticipated to migrate naturally over time, this presents a potential risk of erosion to the structures, as well as negative impacts on to the natural processes and habitats of the river. We are concerned that this may trigger requirements for artificial bank projection in the future, thereby degrading the river habitats and WFD status of the river. Therefore, we recommend that a geomorphic assessment is submitted to

inform the proposals, including an assessment of erosion risks and provisions for setting back the abutments and associated structures further from the riverbanks.

- Impacts of the proposed bridge crossing and access road, including on hydromorphology of the River Mole and existing floodplain habitats, have not been considered in the WFD Assessment (ref: WOI-HPA-DOC-WFDA-01) or the Environmental Statement (ref: WOI-HPA-DOC-WFDA-01).
- The WFD assessment (section 5.4.1) states *"The Site's existing wetland habitats, including Ifield Brook and the River Mole, would be maintained".* This is not correct, since river habitats will be permanently degraded due to the proposed bridge crossing, in addition to the permanent loss of existing floodplain habitats, including wetlands. These include both floodplain areas impacted by the proposed bridge embankments, as well as existing wetlands at the northeast of the site from approximately TQ2420637771 to TQ2505038351, which will be lost due to the proposed access road.
- There is an inadequate appraisal of the impacts on aquatic ecology (species and habitats). Watercourses on site and associated species are sensitive to any changes in habitat or water quality. Baseline data for aquatic species and habitats should be collected and impacts specifically assessed in a risk assessment with suggested mitigations detailed.
- Flood storage areas: there is no appraisal of impacts to fish or how the design mitigates for stranding/entrainment of fish following flood events. We would like to see that these issues have been considered, risk assessed, and mitigation built into the design for the flood storage areas. We would like to review designs for flood storage area bank stabilisation methods and materials. Bank stabilisation should be appropriate for sheer stresses in flood events and be designed to be sensitive to aquatic ecology.

The above is supported by paragraphs 187 and 193 of the NPPF which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. It is also supported by Section 41 of the NERC Act 2006 which lists rivers as a priority habitat and Section 40, as amended by section 102 Environment Act 2021, which establishes a general duty on public authorities, to conserve and enhance biodiversity through the exercise of its functions.

The applicant should also note that when we are determining the Flood Risk Activity Permit(s) for this development, we will assess its compliance with the Thames River Basin Management Plan (RBMP). We will also consider how the development will affect water biodiversity and the wetland environment. The RBMP states that the water environment should be protected and enhanced to prevent deterioration and promote the recovery of water bodies.

Advice to the Local Planning Authority and Applicant

1. Planning conditions

Appendix 1 to this letter sets out a number of conditions we are recommending are attached to any planning permission granted. We may recommend further conditions once the above information requested has been provided and reviewed.

2. Surface water outfalls and water quality

The proposed site-wide drainage strategy (RAM-XX-XX-DR-C-0100 & 0101, Rev P05, Appendix 5, Surface Water Drainage Statement) includes provisions for 6 outfalls to existing main rivers, with an additional 5 outfalls proposed to existing ditches/ordinary watercourses in the full planning highway design (10051123-ARC-050-1A-DR-DE-00001 to 00004), incorporating proposed headwalls perpendicular to the riverbank. Proposed outfalls should be aligned to an angle of between 30° to 60° towards the direction of flow in the river, to minimise erosion risks. We strongly recommend that green/soft engineering is prioritised in outfall designs, with any hard engineering, such as headwalls, to be minimised to limit impacts on the watercourse habitats. Any proposed hard engineering should be incorporated into the post-development Biodiversity Net Gain watercourse (BNG) metric.

The 'Drainage Strategy Report' (1620007949-RAM-ZZ-XX-RP-D-0001) includes provisions for water quality treatment prior to discharge to watercourses, in line with the CIRIA SuDS Manual 'Simple Index Approach'.

Since specific details of outfalls and water quality treatment have not been submitted, **we recommend a suitably worded condition for detailed drainage design incorporating the above advice is included in any planning permission granted.**

3. Phase 1 OCEMP

Submitted document ref: 10051123-ARC-XXX-ZZ-TR-CM-00001 is an outline document. **We would like to review the final document as a pre-commencement condition.** The final document should include detailed confirmation of the strategy for invasive non-native species (INNS) and biosecurity measures through all phases of the development. Appendices A and B should have specific provision for ecologically sensitive receptors in and near the site for dust, noise and vibration.

4. Biodiversity Net Gain (BNG) assessments

We are concerned that the BNG assessments have not been prepared in line with 'The Statutory Biodiversity Metric User Guide', including lacking adequate baseline or post-development assessments of watercourses, and proposals for adequate BNG uplift for all watercourse types. Additionally, encroachment due to the proposed bridge and drainage outfalls have not been captured. The BNG assessments should be revised to comply with 'The Statutory Biodiversity Metric User Guide' and the following comments:

Arcadis BNG report (full planning application)

- The baseline assessment appears to include the proposed river crossing (0.05 km) only, whilst excluding ~0.2 km of the River Mole upstream of the Ifield Brook confluence that is adjacent to the site. Therefore, the baseline assessment should be updated to include all watercourses where the top of bank is within 10 metres of the red line boundary.

- The post-development assessment does not include any of the existing watercourses, including Table 2 (page 11), stating a target condition of 'N/A – Other'. No details of the post-development condition watercourse have been submitted. This does not comply with 'The Statutory Biodiversity Metric User Guide', therefore, the

BNG assessment should be revised to incorporate a minimum of 10% BNG uplift to the existing watercourses. Proposed structures, including the bridge and surface water outfalls, should be captured in the post-development condition, including any encroachment.

Ramboll BNG report (outline planning application)

- Most of the on-site watercourses have been included in the baseline assessment. However, Figure 2 of Appendix 1 (Ramboll report) indicates that an approximately 0.3 km section of the Hyde Hill Brook in proximity to the northwestern site boundary has not been included. Therefore, the baseline assessment should be updated to include all watercourses where the top of bank is within 10 metres of the red line boundary.

- The BNG Metric spreadsheet (dated 18/06/2025) does not account for the full length of existing watercourses in the post-development assessment, including only 3.54 km (River Mole and Ifield Brook) of the estimated 4.07 km of baseline watercourses (which also includes the Hyde Hill Brook and Ifield Mill Stream).

- The post-development assessment includes a proposed movement from 'moderate/minor' to 'minor/minor' riparian encroachment, albeit with no further details provided. Furthermore, the proposed bridge crossing will cause 'major/major' riparian encroachment, which has not been captured. Therefore, the post-development assessment should be updated to include all on-site watercourses, including accurate assessment of encroachment, in addition to details of proposed enhancements.

- The BNG report (page 36) proposes a net BNG loss to watercourses *"Combined, the retained and enhanced rivers and ditches within the Site, as well as any changes to their riparian zone and watercourse encroachment, would deliver a total of 80.7 WU and a -0.46% net loss. Based on the outline parameter plans, to achieve a 10% net gain in watercourse units, it is recommended that a minimum length of 2.2 km of new ditch, in moderate condition, is created."* Additionally, the report (page 1) states: *"The creation of 1.2 km of species-rich native hedgerow and 2.2 km of new ditch within the outline component, both in moderate condition, would be sufficient to reach a 10% net gain for hedgerows and rivers, respectively, and to satisfy trading rules."*

  These proposals are not acceptable, since they are not in line with 'Rule 2' of the Biodiversity Metric outlined in The Statutory Biodiversity Metric User Guide (page 13) which says *"Biodiversity unit outputs, for each type of unit, must not be summed, traded, or converted between types. The requirement to deliver at least a 10% net gain applies to each type of unit"* and page 16: *"Compensation for the loss of any watercourse units should be on a section of watercourse with similar habitat features (were it in a natural state). It should be of a similar size, function and stream order (rivers)."* Therefore, the BNG assessment should be revised in line with the Statutory Biodiversity Metric User Guide to provide a minimum of 10% uplift for all baseline watercourses classified, including 'other rivers and streams' and 'ditches'. Proposed

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structures, including the bridge and surface water outfalls, should be captured in the post-development condition, including any encroachment.

5. General comments on flood risk

The nature of the risk to fluvial flooding varies across the site, with Flood Zones 1, 2 and 3 being present with some areas considered to fall within Flood Zone 3b (functional floodplain). Main rivers are also present within the site boundary, namely the River Mole and Ifield Brook, with the Hyde Hill Brook also flowing along the southern boundary of the site. Ordinary watercourses are also present within the site, one of these being referred to by the applicant as the 'Rusper Road drain'.

Due to the nature and scale of the development, detailed consideration must be given to fluvial flood risk for both the pre and post proposed development environment. The applicant has prepared a Flood Risk Assessment (FRA) (ref: W01-HPA-DOC-FRA-01), which covers the whole of the development. In addition, an FRA Addendum which focuses on Phase 1 of the development has also been prepared (ref: 100511233-ARC-260-ZZ-002). These FRA documents should be considered together, though the focus for the Addendum is aspects within the 'full' part of this application which includes the proposed bridge over the River Mole, flood compensation areas and a section of the Crawley Western Multi-Modal Corridor (CWMMC) which crosses the floodplain of the River Mole.

We are aware that fluvial flooding has been recorded on the site in the past, including during 1947, 1968 and in the winter of 2013/14. These are flood events which have been recorded. It is likely the site has been subject to varying degrees of fluvial flooding at other times. It is understood that, due to the clay soil type in the area, parts of the site are prone to waterlogging following heavy rain. The site is not considered to benefit from the presence of any flood defences, as natural high ground does not constitute a formal flood defence structure, therefore the area is considered as undefended against fluvial flooding.

In terms of the Phase 2 outline element of the proposed development which includes dwellings, community facilities, employment uses and public open space, the sequential design of these elements allows these to be placed within Flood Zone 1. On a site of this scale, it is possible to locate this type of development outside of the fluvial flood risk areas and it is welcomed this approach has been taken.

6. Rusper Road drain

One important aspect is the changes to the extent of the area considered to be at risk to fluvial flooding following an update to the Environment Agency's Flood Map for Planning in March 2025. This is set out within the FRA in sections 4.2.2 to 4.2.10. We have a continual programme of updating our flood risk information to ensure the understanding of both current and future flood risk to help better manage these risks and help with decision making on future development and flood risk management investment. The updated methodology for producing our Flood Map for Planning is considered to offer

our new best understanding of overall flood risk in an area. The updated methodology allows some ordinary watercourses within smaller catchments to be modelled for the first time. As mentioned within paragraph 4.2.3 of the FRA, generally smaller watercourse catchments that exceed 3km^2 in size have been modelled for the first time, though some smaller catchments have been included if they are considered to perform an important drainage function. It is acknowledged the technique to model these catchments is a more simplified direct rainfall technique and can lead to areas at risk to surface water flooding being considered within the fluvial Flood Map for Planning. This does help to build up a more detailed picture of flood risk from all sources across a proposed development and to ensure this is fully considered within a site-specific FRA. The applicant has included information within their FRA to suggest this new area of flood zone along the Rusper Road drain is at risk to surface water flooding rather than fluvial flooding. The supporting evidence within the FRA does suggest this area could be considered as surface water flooding, however, this does not negate the need for the applicant to fully consider this risk within their surface water drainage strategy for the site. With this in mind, we would highlight this to the Local Planning Authority and the Lead Local Flood Authority to ensure this area is included within the surface water drainage strategy so any risks can be carefully managed.

We note the supporting evidence offered within paragraphs 4.2.5 – 4.2.7 of the FRA, although this is useful to support the applicants case for considering this flooding as being from a surface water source, it would be helpful to **see more details on the FEH analysis (mentioned in paragraph 4.2.5)** and to **see Figures 4.3 and 4.4 at a bigger scale**, such as standalone drawings rather than embedded in the FRA. In addition, when considering the Masterplan layout, the applicant can leave space along the Rusper Road drain corridor in line with the surface water flow path, this would allow any out of bank flows to interact with the floodplain. In addition, the applicant may wish to consider raising the finished floor levels and using flood resistant/resilient construction techniques in any built development within the area that falls inside the direct rainfall flood area.

7. Flood compensation areas

The main aspects of the proposed development that interact directly with fluvial flood risk areas are those within the full part of this application, mainly the proposed crossing of the River Mole, the flood compensation areas and the Crawley Western Multi-Modal Corridor (CWMMC). Part of the CWMMC passes across the floodplain of the River Mole, with a bridge proposed to cross the watercourse. The proposed road embankments would result in a loss of floodplain storage and impact on flood flow routes, hence the proposal for two flood compensation areas.

The CWMMC should be considered as essential infrastructure to ensure that it remains useable during more extreme flood events, allowing future occupants access/egress to the development site. The Local Planning Authority should be satisfied the Exception Test can be passed for this element of the proposed development, as part of the CWMMC will be located within Flood Zone 3. In addition, the Local Authority should also be satisfied that safe access/egress can be maintained for flood events up to and

including the design flood event. As the CWMMC is classified as essential infrastructure, the design flood event is the 1% AEP flood event plus a 40% allowance for climate change. Paragraph 5.2.8 of the FRA confirms this has been used as the design flood level. With this in mind, both the River Mole bridge crossing and the flood compensation areas should also be designed to this standard.

The FRA Addendum contains more information on the CWMMC, proposed River Mole bridge and the flood compensation areas. The provision of the flood compensation areas within Phase 1 of the proposed development is essential as the flood risk modelling carried out by the applicant demonstrates the embankments associated with the CWMMC impact on the floodplain.

Regarding the flood risk modelling, we have reviewed this modelling in the past and considered it to be fit for purpose. Section 6 of the FRA Addendum offers details on this review. Although a minor point, it should be noted that a further review of the applicant's flood risk modelling was carried out in January 2025, which is clearly set out within Annex 4 of the FRA Addendum. The result of the flood risk modelling indicates that with the flood compensation areas in place and functioning correctly, any increases in flood levels resulting from the CWMMC embankments are within open parts of the proposed development site. The applicant should make provision for this in the site design to avoid passing this flood risk forward to others.

The suggested way to manage increases in flood risk due to the embankment is through the construction of two flood compensation areas, referred to as FCA A and FCA B. These would be online structures, which would start to function in a 1 in 5-year flood event, so water can flow in and out in a passive manner. The FRA suggests the two flood compensation areas would provide a combined volume of 4,568m^3 of flood storage to offset the CWMMC embankments. This shouldn't be considered as 'new' storage, it is offering a replacement volume to that which has been lost. The principle of how the flood compensation areas would operate is set out within the FRA Addendum and the Hydraulic Modelling Report. It is noted these areas are not wholly sited outside of the floodplain, which would be the ideal solution to store floodwaters, though the information provided suggests these areas essentially keep the risk to flooding outside of the site boundary the same as at present.

It is clear that further design work is required on the flood compensation areas, and we would request to be consulted further as the design of these areas progresses. The long-term maintenance of the flood compensation areas should also be clear, as the details in the LEMP are very high level. Specific consideration should be given to the way in which these areas are managed in the future, so their functionality and capacity are not compromised. Although the site does have constraints, the size of the flood compensation areas seems to be the minimum necessary for this application. It would be useful if the applicant was able to take into consideration increasing the size of these are to offer further and wider benefits. It is noted that a comment in the applicants supporting information suggests that FCA B may be impacted by overland flows. The purpose of the flood compensation areas is to manage fluvial flood risk; there should not

be a situation where the flood compensation areas are attempting to manage flooding from multiple sources.

The applicant should note that the flood compensation areas are likely to require a Flood Risk Activity Permit under the Environmental Permitting Regulations 2016.

8. River Mole bridge crossing

The proposed design of the River Mole bridge crossing is for an open span bridge, with the suggestion the soffit level will be set a minimum of 2.3 metres above the design flood level, this giving a soffit level of 66.48 mAOD. Although this is suggested to be over 2 metres above the design flood level, this figure does not appear to be shown within the FRAs for the site. It would be useful for the applicant to provide a Figure with a range of peak 1D flood levels marked along the watercourse(s), as well as a Figure with peak 2D flood levels set out for reference. We would wish to be further consulted as the design of the bridge is developed further. The design should also include details about the mammal passage (as discussed in the submitted LEMP).

The bridge structure, as well as a section of the CWMMC, are likely to require a Flood Risk Activity Permit(s) under the Environmental Permitting Regulations 2016.

9. Construction Environment Management Plan

The risk to flooding should not be increased at any time during the development of the site. An outline Construction Environmental Management Plan has been submitted, which sets out the measure to be taken to protect the water environment and manage the risk to flooding. This document should be considered as a living document and must be updated as necessary should permission be granted for the proposed development.

10. Water supply

Regarding water supply to this development, we note that Southern Water have indicated in their consultation response that this site is not within their supply area. SES Water are the nearest alternative water supply company, but do not appear to have been consulted. The Water Neutrality Statement notes that demand will be offset by a combination of SNOWS (now called ‘Sussex North Water Certification Scheme’ (SNWCS) credits), harvested rainwater and a private water supply system (groundwater from Upper Tunbridge Wells Sand). Appendix F of the Water Neutrality Statemen describes the exploratory drilling and testing at several boreholes. Yields were relatively small and only tested at low rates from exploratory boreholes. Variation in the lithology and strata thickness limits the reliability of data, and there are concerns about the achievability of the projected yields. Further tests of multiple larger-diameter boreholes would be needed to provide confidence that the projected demand could be supplied from a private system located near the site.

11. Flood resistance and resilience

We strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

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To find out which measures will be effective for this development, please contact your building control department. If you would like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the Planning Practice Guidance.

Further guidance on flood resistance and resilience measures can also be found in:

- Government guidance on flood resilient construction Flood resilient construction of new buildings - GOV.UK

- CIRIA Code of Practice for property flood resilience Code of practice for property flood resilience C790

- British Standard 85500 – Flood resistant and resilient construction BS 85500:2015 30 Nov 2015 BSI Knowledge

Advice to the Local Planning Authority

Sequential test

What is the sequential test and does it apply to this application?

In accordance with the NPPF (paragraphs 175-177 (inc. footnote 62)), development in flood risk areas should not be permitted if there are reasonably available alternative sites, appropriate for the proposed development, in areas with a lower risk of flooding. The sequential test establishes if this is the case.

Development is in a flood risk area if it is in Flood Zone 2 or 3, or it is within Flood Zone 1 and your strategic flood risk assessment shows it to be at future flood risk or at risk from other sources of flooding such as surface water or groundwater.

The only developments exempt from the sequential test in flood risk areas are:

- Householder developments such as residential extensions, conservatories or loft conversions
- Small non-residential extensions with a footprint of less than 250sqm
- Changes of use (except changes of use to a caravan, camping or chalet site, or to a mobile home or park home site)
- Applications for development on sites allocated in the development plan through the sequential test and:
    - the proposed development is consistent with the use for which the site was allocated; and
    - there have been no significant changes to the known level of flood risk to the site, now or in the future, which would have affected the outcome of the test
- Developments where no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future

Avoiding flood risk through the sequential test is the most effective way of addressing flood risk because it places the least reliance on measures such as flood defences, flood warnings and property level resilience.

Who undertakes the sequential test?

It is for you, as the Local Planning Authority, to determine an appropriate area of search and to decide whether the sequential test has been passed, with reference to the information you hold on land availability. You may also ask the applicant to identify any other 'reasonably available' sites which are on the open market and to check on the current status of identified sites to determine if they can be considered 'reasonably available'. Further guidance on the area of search can be found in paragraphs 027-030 of the planning practice guidance here.

What is our role in the sequential test?

We can advise on the relative flood risk between the proposed site and any alternative sites identified - although your strategic flood risk assessment should allow you to do this yourself in most cases. We won't advise on whether alternative sites are reasonably available or whether they would be suitable for the proposed development. We also won't advise on whether there are sustainable development objectives that mean steering the development to any alternative sites would be inappropriate. Further guidance on how to apply the sequential test to site specific applications can be found in the planning practice guidance here.

Advice to the Applicant

Flood Risk Activity Permit(s)

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:

- erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge
- altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work
- building or altering any permanent or temporary structure designed to contain or divert flood waters from a main river
- dredging, raising or removing any material from a main river, including when you are intending to improve flow in the river or use the materials removed
- diverting or impounding the flow of water or changing the level of water in a main river
- quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river
- any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river
- any activity within 16 metres of a sea defence structure

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- activities carried out on the floodplain of a main river, more than 8 metres from the river bank, culvert or flood defence structure (or 16 metres if it is a tidal main river), if you do not have planning permission (you do not need permission to build agricultural haystacks, straw stacks or manure clamps in these places)

For further guidance, please visit Flood risk activities: environmental permits - GOV.UK or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit(s) will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Culverting consent

Erection of flow control structures or any culverting of an ordinary watercourse requires consent from the Lead Local Flood Authority, which in this instance is West Sussex County Council. It is best to discuss proposals for any works with them at an early stage.

Waste on-site

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the environmental permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays (03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk).

We recommend that developers should refer to the waste management page on GOV.UK.

We will consider any queries in relation to the use of Definition of Waste: Development Industry Code of Practice (DoWCoP) (which is to be updated) through our environmental permitting enhanced pre-application advice service, considering site conditions, the materials that are proposed to be used, and the potential for harm to the environment and to human health. We can also provide advice as to whether an environmental permit is required.

Waste off-site

Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the

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Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays (03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk).

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12-month period, the developer will need to register with us as a hazardous waste producer. Refer to the hazardous waste pages on GOV.UK for more information.

If you have any queries regarding the above information, please do not hesitate to contact the advisor identified below.

Yours faithfully,

Environment Agency – Solent & South Downs

Sustainable Places Advisor: Anna Rabone
[redacted]

APPENDIX 1 – Planning conditions

Condition 1 – Flood risk

The development shall be carried out in accordance with the submitted Flood Risk Assessments ('West of Ifield Flood Risk Assessment', reference: W01-HPA-DOC-FRA-01, dated July 2025, and 'West of Ifield, Crawley Phase 1 Flood Risk Assessment Addendum with Hydraulic Modelling (plus all associated Annexes)', dated July 2025) and the following mitigation measures they detail;

- **Provision of flood compensation areas to account for flood storage lost as a result of the embankments associated with the Crawley West Multi-Model Corridor**
- **The overbridge across the River Mole will be an open span design and have a soffit level not lower than 66.48mAOD. These aspects are shown on drawings River Mole Overbridge General Arrangement Sheets 1 and 2, drawing numbers 10051123-ARC-160-1B-DR-SE-00001 P03 and 10051123-ARC-160-1B-DR-SE-00002 P03.**
- **The level of the Crawley Western Multi-Modal Corridor will be set above the design flood level, this being the 1% AEP plus a 40% allowance for climate change.**
- **Compensatory storage and the River Mole overbridge will be fully implemented during Phase 1 of the development and will be functional prior to any Phase 2 works commencing.**

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements.
The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.
Reasons for condition 1

To reduce the risk of flooding to the proposed development and future occupants, and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

The condition is in line with the Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change.

Condition 2 – Design of flood compensation areas and River Mole bridge crossing

The development hereby permitted must not be commenced until such a time as a scheme to detail the design of the flood compensation areas and the River Mole bridge crossing has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- **Full design details of the Flood Compensation areas, including details of the loss of the floodplain area due to the Crawley Western Model-Modal Corridor embankment, total compensatory storage provided by the compensation**

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areas and the difference between these figures, how the flood compensation areas will be connected to the River Mole and the mechanism in which water will enter and leave these areas.

- **Details about how the flood compensation areas are designed to manage fluvial flooding only.**
- **A long-term maintenance plan for the flood compensation areas which is fit for their lifetime.**
- **Full design details of the River Mole overbridge, this will include the setback distance of the abutments from the top of the watercourse and details of the section of embankment of the Crawley Western Multi-Model Corridor within the River Mole floodplain, including further details on the 1D and 2D flood levels along the River Mole and its associated floodplain, and details of the mammal crossing provisions.**
- **Construction Environment Management Plan demonstrating that flood risk can be successfully managed throughout all construction phases of the development. This will include measures to ensure there is no storage of materials within the floodplain or loss of floodplain throughout the construction phases of the development. This document will be updated as required throughout the duration of the development.**

The scheme shall be fully implemented and subsequently maintained, in accordance with the schemes timing/phasing arrangements or within any other period as may be subsequently agreed in writing the Local Planning Authority.

Reasons for condition 2

To ensure there are no detrimental impacts to flood storage or flood flow routes.

To reduce the risk of flooding to the proposed development and future users both throughout the construction phases and once the development is complete.

To ensure the long-term integrity and maintenance of the flood compensation area

To ensure the River Mole bridge is designed to minimise impacts on flood risk and ecology.

Condition 3 – Remediation strategy

No development approved by this planning permission shall commence until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

1. **A preliminary risk assessment which has identified:**

    - **all previous uses;**
    - **potential contaminants associated with those uses;**

- **a conceptual model of the site indicating sources, pathways and receptors; and**
- **potentially unacceptable risks arising from contamination at the site.**

2. **A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.**

3. **The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.**

4. **A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.**

Any changes to these components require the written consent of the local planning authority.

The scheme shall be implemented as approved.

Reason for condition 3

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 187 of the National Planning Policy Framework.

We note that the submitted Phase 1 Environmental Assessment (Ramboll, ref WOI-HPA-DOC-GCA1-01 Phase 1 ESA, dated July 2025) has been submitted in support of this application and we feel it has been carried out in accordance with relevant guidance. This document therefore satisfies part 1 of the above condition. The document has recommended that further site investigation should be carried out (part 2 of above condition), with which we are in agreement with this. We now look forward to receiving and providing comments on any submitted site investigation.

Condition 4 - Verification report

Prior to any part of the permitted development being occupied/brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reasons for condition 4

To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan

have been met and that remediation of the site is complete. This is in line with paragraph 187 of the National Planning Policy Framework.

Condition 5 - Previously unidentified contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reasons for condition 5

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 187 of the National Planning Policy Framework.

Condition 6 - Surface water drainage

No drainage systems for the infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reasons for condition 6

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 187 of the National Planning Policy Framework.

Only clean uncontaminated water should drain to the surface water system. Roof drainage shall drain directly to the surface water system (entering after the pollution prevention measures). Appropriate pollution control methods (such as trapped gullies and interceptors) should be used for drainage from access roads and car parking areas to prevent hydrocarbons from entering the surface water system. There should be no discharge into land impacted by contamination or land previously identified as being contaminated. There should be no discharge to made ground. There must be no direct discharge to groundwater, which is a controlled water.

Condition 7 - Foul drainage

No development shall commence until a strategy to deal with foul water drainage is submitted to, and approved in writing by, the Local Planning Authority.

Reasons for condition 7

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 187 of the National Planning Policy Framework.