Horsham District Council

Matt Royal
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240 Blackfriars Road
London
SE1 8NW

Our ref: EIA/24/0003
Your ref:
E-mail: Jason.hawkes@horsham.gov.uk
Direct line: 01403 215162
Date: 15th July 2024

Dear Mr Royal,

**Town & Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)**

**Request for a formal EIA Scoping Opinion for the proposed development at the Land West of Ifield, Horsham.**

Following your email requesting a formal Scoping Opinion for the proposed development at the Land West of Ifield site, please find below the Scoping Opinion issued on behalf of Horsham District Council. The opinion incorporates the views of the statutory consultees and other relevant departments within the Council. The full comments of the Environment Agency, Natural England, Gatwick Airport, Historic England and the HDC Ecology Consultant are attached for your information. These comments form part of the opinion.

In addition to consultation responses, we have also received comments from local residents. The comments can be viewed on our website (https://www.horsham.gov.uk/planning) using the ref: EIA/24/0003. You are advised to assess these comments.

This Scoping Opinion follows a previous opinions issued under reference EIA/20/0004 & EIA/23/0007 for the same site. The current Scoping Opinion is to address amendments to the proposal.

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

Yours sincerely

**Jason Hawkes**
Principal Planning Officer

**Comments on Scoping Opinion Chapters**

1. Introduction:

- No comments.

2. Site Context:

- No comments.

3. The Proposed Development:

- Para 3.1.3: It is unclear as to how Phases 1A and 1B are to be divided up and what they cover. This needs to be clear in any planning application.
- Para 3.1.5: The third part of the description of the proposal states '*This Hybrid application is for a phased development intended to be capable of coming forward in distinct and separate phases and / or plots in a severable way*.' This phrase does not need to be in the description of development. In addition, how the scheme will come forward and its phasing is a matter to be agreed under a planning application.
- Table 3.3 states that for local community (Class F2) uses the minimum floorspace under a S106 would be 600sqm. This is a reduction from the scoping report under EIA/23/007 which refers to a minimum of 1,000sqm. What is the reasoning for this reduction? There are concerns that 600sqm may not be sufficient for this use.

4. EIA Methodology:

- Para 4.6.6 refers to CBC comments on the cumulative effects. The applicant is referred to CBC to agree their approach to the methodology.

5. Agriculture and Soils:

- No comment.

6. Air Quality:

The HDC Air Quality Officer has made the following comments:

- The 2023 IAQM Assessment of dust from demolition and construction 2023 (V2.1) was withdrawn in light of a number of identifies errors. The latest version of the guidance should be used.
- Modelling: The assessment should be transparent and thus, where reasonable, all input data used, assumptions made, and the methods applied should be detailed in the report (or appendices). Please provide full statistical analyses to give full picture of the model performance.
- There is a potential for Non-Road Mobile Machinery (NRMM) emissions to adversely affect local air quality. The measure set out in TG22 should be implemented. TG22. 7.29. The following provides example measures of how NRMM emissions from construction sites may be minimised:
- Ensure all equipment complies with the appropriate NRMM standards;
- Where feasible, ensure further abatement plant is installed on NRMM equipment, e.g. Diesel Particulate Filters (DPFs);
- Ensure all vehicles switch off engines when stationary – no idling vehicles;
- Avoid the use of diesel- or petrol-powered generators and use mains electricity or battery powered equipment where possible; and

- Impose and signpost a maximum-speed-limit of 15mph on surfaced and 10mph on unsurfaced haul roads and work areas (if long haul routes are required these speeds may be increased with suitable additional control measures provided, subject to the approval of the nominated undertaker and with the agreement of the local authority, where appropriate).

7. Biodiversity:

- The comments of the HDC Place Service Consultant Ecologist and Natural England are attached separately.
- The HDC Ecologist has also commented that it is positive to see that ecology comments on the previous scoping opinion (EIA/23/0007) have been considered by the Applicant (Table 7.1 EIA Scoping Opinion Request Report). The officer is satisfied with these additions and the further planned assessments. It is understood that further surveys for Bechstein's bats have recently been conducted, and the results of these surveys and concerns regarding impacts on Bechstein's bats and potential mitigation is under ongoing discussion with HDC and Natural England
- Please note that Horsham District Council has been issued with a District-wide licence for newts which is regulated by Natural England. Details of the scheme can be found at: https://www.horsham.gov.uk/planning/great-crested-newt-district-licensing-scheme

8. Climate Change:

- Horsham District Council has agreed targets which includes indirect emissions to be carbon neutral by 2050. A key opportunity for the Council to address climate change will be to ensure that new developments are built to high sustainability standards, to reduce the demand for energy and reduce emission of greenhouse gases.
- Reduction in the demand for transport should also be incorporated wherever possible to reduce the impacts of traffic on climate change. Development needs to be designed to reduce reliance on carbon-based heat and electricity sources to reach these targets. These include renewable technologies such as heat pumps, district heating schemes or solar energy.
- Chapter 5 of the HDLP outlines the Council's updated approach to climate change. In line with the Horsham District Council Climate Action Strategy, the Council's expectation is that new development that takes place is as a minimum designed to be net zero carbon in construction and operation. To deliver this, new development in Horsham District should maximise the smart use of renewable energy, enable the decarbonisation of our energy supply, use renewable or low carbon heat sources and be highly energy efficient to minimise energy demand and heat losses.
- You are advised to adhere to the policies outlined under Chapter 5 of the HDLP. All measures must be outlined in an Energy Statement to be submitted with any application.

9. Cultural Heritage:

- Historic England's comments are attached separately.
- The Council's Senior Conservation Officer has commented that he is content the EIA scoping document is comprehensive with regard to heritage. The responses from Historic England and the HDC Archaeologist regarding built heritage and archaeology are to be noted.
- The Council's Consultant Archaeologist has commented that in recognition of the potential for significant archaeological remains an assessment of the impacts on Cultural Heritage is to be included within the proposed EIA. The proposed methodology for the assessment is satisfactory and the scope of work to inform the assessment is appropriate assuming further work is carried out on the aerial photography and Lidar data sets.

- The archaeologist has commented that a chapter on Cultural Heritage is included within the EIA Scoping Opinion Request Report. The report confirms that cultural Heritage will be included for assessment in the forthcoming EIA and following previous advice by Essex Place Services (EPS), initial archaeological investigations have been carried in the form of a Geophysical survey of the Site and a series of archaeological trial trench evaluations although further identified evaluation areas are yet to be completed. In the response to the previous scoping opinion, EPS advised that a re-assessment of aerial photographic evidence for the area was required as well as an assessment of the available LiDAR data for the application site and rectified plots produced of both archaeological and historic landscape features identified.
- The applicants have responded to this in the current Scoping Opinion Report that they consider that these tasks are a design exercise more appropriately undertaken in a post-determination Archaeological Mitigation Strategy stage.
- The archaeologist does not agree with this position, as this work would normally be expected to be included in the assessment stage rather than the mitigation element of the project and so he would expect the results of this work to be included in the EIA chapter.
- EPS also advised that assessment of available borehole data to establish the potential for paleoenvironmental deposits within the valleys of the Mole River and the Ifield Brook. The applicants have suggested that this work would be better carried out post determination and the archaeologist can confirm that in this case that would be appropriate.
- The remainder of the proposals are acceptable and accord to appropriate professional standards and so the methodologies set out will ensure that the archaeological resource will be properly assessed, its significance determined and appropriate mitigation measures identified and designed within the proposed EIA.

10. Landscape and Visual Impact:

- The comments of Natural England are attached separately.
- Comments from the HDC Landscape Officer will be forwarded separately.

11. Noise and Vibration:

- The comments from Gatwick Airport are attached separately.
- The Council's Environmental Health Team have made the following comments:

Construction Noise:

- It is agreed that BS5228-1 and Annex E are the appropriate standard for assessing construction works. However, the concern is that significant impacts from construction noise are only considered to occur above 65dB$_{LAeqT}$. The adoption of the values in BS5228 annex E ABC thresholds are not sufficiently protective of noise sensitive receptors in rural locations where background noise levels are very low during the day and at night. Significant adverse effects may occur at these locations below the thresholds used in the ABC method and this should be accounted for in the assessment of noise and vibration impacts. It may also result in disproportionate effects for short but very noisy periods of construction work. The assessment methodology in Annex E states that other project-specific factors, such as the number of receptors affected and the duration and character of the impact, will also determine if there is a significant effect.
- It is noted that the detailed consideration construction noise impacts cannot be finalised at this point. However, it is important that to ensure the potential noise impacts for the receptors are fully understood beyond the narrow confines of BS5228-1 Annex E. The requirement for the assessment and mitigation of construction noise should be included in the development consent for the project. This should include methodology for the

identification of receptors to ensure all relevant receptors have been identified and factors such as differences in topography have been included in determining the predicted construction noise levels.

Aviation Noise

- The proposal to use additional metrics in addition to the annualised Leq measurements is welcomed. The use of the N65 contour will address the concerns regarding the future increased use of WIZAD route (Route 9) when westerly departures are in operation as highlighted in the previous consultation response
- The commitment to identify building at risk of overheating due to the external noise environment is welcomed. The requirements for this assessment and mitigation scheme should be included in the development consent for the project. Any scheme should take account of the energy costs associated with ventilation and particularly cooling in warmer weather. Measures such as PV panels and battery storage to offset energy use should also be considered as part of any scheme.

12. Socio-economic Effects and Health:

- No comments.

13. Surface Water Resources and Flood Risk:

- The comments of the Environment Agency are attached separately.
- Thames Water have commented as follows:

  *Thames Water are the statutory sewerage undertaker for the area and would like to make the following comments: The EIA Regulations 2017 set out in Schedule 4 that water and wastewater issues may need to be covered in an EIA. Thames Water consider the following issues should be considered and covered in either the EIA or planning application submission: 1. The developments demand for Sewage Treatment and network infrastructure both on and off site and can it be met 2. The surface water drainage requirements and flood risk of the development both on and off site and can it be met. 3. Build – out/ phasing details to ensure infrastructure can be delivered ahead of occupation. 4. Any piling methodology and will it adversely affect neighbouring utility services. Should the developer wish to obtain information on the above issues they should contact our Developer Services department on 0800 0093921.*

- Southern Water have commented as follows:
  - The development site is not located within Southern Water's statutory area for wastewater drainage services. Please contact the relevant statutory undertaker.
  - Southern Water's records show that there are public water mains within the proposed development site.
  - No excavation, mounding or tree planting should be carried out within 6 metres of the external edge of the public water main without consent from Southern Water.
  - It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.
  - Southern Water requires a formal application for a connection to the public water main to be made by the applicant or developer.

- Lead Local Flood Authority (LLFA) at West Sussex County Council have commented that the Flood Risk Management Team commented on the previous EIA scoping note and have nothing else to add at this stage. As stated previously, the LLFA would strongly suggest the applicant engages with us through their pre-application advice service.

14. Transport:

- West Sussex County Council Highways has made the following comments:

  *WSCC Highways have previously commented on any earlier iteration of the EIA scoping note. Discussions continue to be on-going with WSCC concerning the scope of the highways and transport information that will support the application, and feed into the EIA. The only comment WSCC would make at this stage is to note that 'Guidelines for Environmental Impact Assessments (2004)' document (referenced on page 146) was updated last year. As such, the EIA should be prepared in accordance with the 2023 guidance rather than the 2004.*

- National Highways has made the following comments:

  *The EIA Screening Appraisal provides high level information on the main elements of an EIA, but does not provide any information on the parameters that would be considered as part of the EIA. These being the significance effects (construction and operational), proposed methodology (baseline, assessment, receptor sensitivity, magnitude of impact, effect significance). If the LPA requires such a report, these parameters will require agreement with National Highways.*

  *The EIA Screening Appraisal outlines that a Construction Logistics Plan (CLP) and Construction Environmental Management Plan (CEMP) will be prepared and submitted alongside a future planning application submission, as will a TA, which will identify traffic impacts associated with the proposed development. These reports are welcomed and will provide the primary highway information that we require, in determining the scale of traffic impacts on the SRN.*

  *Our comments imply no pre-determined view as to the acceptability of the proposed development in traffic, environmental or highway terms*.

15. Waste and Resource Management:

- West Sussex County Council Minerals and Waste has commented as follows:

West Sussex Joint Minerals Local Plan, July 2018 (Partial review March 2021)

*The application site would be located within a Mineral Safeguarding Area for brick clay and building stone. It is noted that, within the submitted Scoping Opinion request, the applicant proposes to submit a Mineral Resource Assessment as part of their planning application should one come forward, and we would emphasise the importance for the proposal to demonstrate compliance with M9 (Joint Minerals Local Plan, 2018), using the Minerals and Waste Safeguarding guidance to assist in demonstrating how the proposal would remain in accordance with this policy. With regards to the EIA, the MWPA would offer no objection at this stage subject to the above considerations being met and the LPA being satisfied that the proposed development could be delivered without significant Environmental Impacts. Where significant impacts are anticipated, the LPA should be satisfied that suitable mitigative measures can be implemented to ensure sustainable use of the land.*

West Sussex Waste Local Plan (April 2014)

*The decision maker should be satisfied that the proposals minimise waste generation, maximise opportunities for re-using and recycling waste, and where necessary include waste management facilities of an appropriate type and scale (Policy W23).*

16. Major Accidents & Disaster:

- No comment.

Other Comments:

- Appendix A: Cumulative Effects. Please note that the Horsham Golf & Fitness application (DC/23/1178) was refused on the 14th May 2024.

- Active Travel England have commented that they do not currently provide detailed advice at pre-application stage. However, they have produced a standing advice note that summaries some of the key active travel criteria that ATE will assess when consulted on a formal application. The standing advice can be found here: https://www.gov.uk/government/publications/active-travel-england-sustainable-development-advice-notes

- The HDC Environmental Health Team have commented it is noted that the Outline Construction Environmental Management Plan is to include mitigation for ground conditions during the construction phase. This should be a requirement if the application proceeds.

End