HORSHAM DISTRICT COUNCIL CONSULTATION

TO:	Horsham District Council – Planning Dept
LOCATION:	Brookvale Land at Kingsfold Dorking Road Kingsfold
DESCRIPTION:	EIA scoping opinion request for development of the site for a new garden village comprising approximately 2,125 homes, including extra care provision, employment uses, primary school provision, a solar farm, a new railway station and a local centre.
REFERENCE:	EIA/24/0006
RECOMMENDATION:	Advice

SUMMARY OF COMMENTS & RECOMMENDATION:

MAIN COMMENTS:

The below comments relate solely to biodiversity net gain (BNG) considerations. All other ecology comments will be addressed by Place Services.

Scoping to inform BNG

Please note, that ancient trees should also be within the scope (500m from the application site boundary), as should other irreplaceable habitats as listed in the NPPF and the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024, and priority habitats as listed under Section 41 of the NERC Act 2006. Priority species should also be added to the protected and notable species within the current scope, to inform BNG design to benefit local wildlife.

Given that a Statutory Main River runs within and adjacent to the site, 10% BNG within the watercourse module will need to be delivered. If this is to be delivered on-site, then potential impacts to any sensitive ecological receptors downstream, such as SSSI's, Local Wildlife Sites, irreplaceable and priority habitats, as a result of intervention should be assessed.

General advice for the Applicant

BNG became mandatory for all major applications from 12th February 2024, and the statutory framework is principally set out under Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990, inserted by Schedule 14 of the Environment Act 2021 (with supporting regulations). The need for development to provide net gains for biodiversity is supported by Paragraphs 180 and 186 in the NPPF, Policy 31 in the Horsham District Planning Framework (2015) and Strategic Policy 17 of the emerging Horsham District Local Plan (2023-2040). As such, all applications will need to demonstrate 10% BNG (or 12% if this policy is accepted at the Local Plan

examination and adopted) and submit information to satisfy the minimum national validation requirements as listed in Paragraph: 011 Reference ID: 74-011-20240214 of Planning Practice Guidance. Given BNG implementation is in its early stages, it is advised to regularly check the Government BNG Collection pages for any Government updates.

In addition to this, Applicants must also satisfy Horsham District Council's local validation requirements for BNG. Please refer to the most updated local validation list on Horsham District Council's website for more information. Given that this development is proposed to be phased, a clear upfront framework for how the biodiversity gain objective of at least 10% net gain is expected to be met across the entire development will be required prior to determination.

BNG proposals should adhere to the BNG Good Practice Principles for Development (CIEEM, CIRIA, IEMA 2016) and British Standard BS 8683:2021 Process for Designing and Implementing BNG. It is advised that BNG should be incorporated early in the design process and should be a key consideration when determining the emerging masterplan for the proposed development. Completion of the Statutory Biodiversity Metric calculation tool should also follow the rules and principles set out in the accompanying User Guide, which can be found on the Government website.

BNG must be additional to any existing obligations relating to designated sites or protected species, and any habitats that are proposed to mitigate or compensate for impacts on designated sites or protected species can only count up to no net loss (0% in BNG terms). This is also applicable to vegetated buffer zones acting as mitigation for ancient woodland. This means at least 10% of the development's biodiversity uplift must come from additional habitat creation and/or enhancements.

The mitigation hierarchy and Biodiversity Gain Hierarchy must be addressed, and proposals justified in accordance with these hierarchies.

For information on how the Council considers strategic significance (in the absence of a published West Sussex Local Nature Recovery Strategy) and significant on-site BNG, please visit the Councils BNG webpage. Please note, the webpage is due several updates in the new year.

ANY RECOMMENDED CONDITIONS:

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DEPARTMENT:	Strategic Planning - Specialists
DATE:	13/11/24