

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

Our ref: HA/2024/126292/01
Your ref: EIA/24/0006
Date: 19 November 2024

Dear Planning team (FAO: Jason Hawkes),

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.

BROOKVALE LAND AT KINGSFOLD, DORKING ROAD, KINGSFOLD, WEST SUSSEX.

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

We have reviewed the submitted 'Environmental Impact Assessment Scoping Opinion' (dated 05 July 2024, version 01, by CBRE Ltd) and set out our comments below.

Overall, we are generally pleased with the scope of the report and the range of topics that have been proposed to be included within the Environmental Statement (ES). Please find some more detailed comments on specific matters within our remit below:

Flood risk & Boldings Brook

We note that 'Water resources and flood risk' and 'Climate change' are both topics proposed to be 'scoped in' for further assessment in the ES. As already identified in the submitted scoping report, we would particularly expect to see:

- Consideration of the potential impacts and likely effects of fluvial flood risk to both on-site receptors and downstream receptors during both the construction and development stages.
- Assessment of the vulnerability of the proposed development to extreme weather and projected climate change. This assessment should use the climate change allowances advised on the gov.uk page ['Flood risk assessments: climate change allowances'](#).

In terms of the the site design, an easement of at least 8 metres is required from the top of both river banks to allow to access to these watercourses for maintenance purposes,

and to provide ecological and water quality benefits. We note that an 8 metre undeveloped buffer is proposed from the Boldings Brook. If this can be increased either partially or fully to 10 metres or more this would provide even greater ecological and water quality benefits.

We note that there is reference made to hydraulic modelling of the Boldings Brook to inform the design of the proposed development (page 42), which we support. Additionally, we would expect to be provided with flood risk modelling where there are any significant changes proposed to the landscape or floodplain. We would need to review such modelling. The applicant should note that model reviews can take some time for a development of this scale (estimate of up to 3 months or more if multiple reviews are required to address any modelling issues or if adverse weather is reducing our resources to conduct such work at the time). We would therefore recommend that any model review is submitted as early as possible, and this may also be charged under our cost recovery service. The applicant can contact the advisor indicated at the end of this response for further information about our cost recovery service. A sequential approach should be taken to the site design (in accordance with the Planning Practice Guidance for Flood risk and coastal change), steering development to the lowest risk areas.

Finally, the applicant should note that any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the main river may require a permit under the Environmental Permitting (England and Wales) Regulations 2016 from us. This type of permit is called a 'Flood Risk Activity Permit'. A permit is separate to and in addition to any planning permission granted. The granting of planning permission does not necessarily lead to the granting of a permit.

Ground contamination

While we agree with the 'scoping out' of ground contamination as a topic as a result of the planned production of a Phase 1 Environmental Risk Assessment including a preliminary risk assessment on this topic for planning assessment, aspects of ground contamination should be considered within the 'scoped in' topic of water. This is due to the site containing several issue points which feed into the Boldings Brook, which could indicate perched or localised groundwater within the area. This combined with a directly abutting historical landfill and nearby authorised landfill could potentially result in mobilisation, via disturbance from the development, of contaminants to the Boldings Brook.

Wetland habitats and species

We are particularly interested in all wetland habitats and species and would require an up-to-date ecological survey prior to the development of detailed plans, which should identify all wet habitats on and around the site, including less obvious ditches, wet grassland, marshy and boggy areas, as well as rivers and ponds and wet woodland (habitats of principal importance). There are ponds, ditches and a main river within or adjacent the development footprint, as well as ancient woodland. All should be protected and retained.

There should be an ecology strategy as well as a landscape strategy for the proposal. We would expect to see justification and mitigation for unavoidable adverse ecological impacts and compensation for any loss of wetland habitat or features, including terrestrial habitat suitable for wetland species. There is the opportunity to combine SuDS and wetland creation, such as creating ponds. We strongly advocate the use of a

coordinated drainage and ecological strategy to maintain or improve the water quality draining to the Boldings Brook. Water Framework Directive (WFD) impacts must be a consideration in the ES; although the watercourse through the development is not classified it becomes a WFD waterbody only a short distance downstream.

As proposed in the ecology scope for the ES, we would expect to see a baseline Phase 1 survey carried out at an appropriate time, followed by species specific surveys by a suitably qualified ecologist.

Cumulative effects need consideration given the approved large development only a short distance south of the site.

Foul water

The potential impact on both surface water and groundwater and the quality and quantity of water entering the Boldings Brook should be investigated, and this should also include the potential impact of the proposed development on the existing foul water drainage network and treatment capacity as there is currently no sewerage on site. In accordance with paragraph 020 of the Planning practice guidance for Water supply, wastewater and water quality, the first presumption is to provide a system of foul drainage discharging into a public sewer to be treated at a public sewage treatment works (those provided and operated by the water and sewerage companies).

It should be noted that within the 'Water resources' proposed scope, numerous references are made to 'South West Water' who are not the undertakers in this area.

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

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