

Adam Kindred
Senior Director
CBRE
London

Our ref: EIA/24/0006
Your ref:
E-mail: Jason.hawkes@horsham.gov.uk
Direct line: 01403 215162
Date: 5th December 2024

Dear Mr. Brookvale,

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

Request for a formal EIA Scoping Opinion for the proposed development at Brookvale Garden Village, Kingsfold.

Following your email requesting a formal Scoping Opinion for the proposed development at the Brookvale Garden Village, 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 relevant departments within the Council. The full comments of the Environment Agency, Historic England, Natural England and the HDC Ecology comments have been sent separately for your information. The comments of the HDC Landscape Architect are to follow.

In addition to consultation responses, we have also received 15 comments from local residents which raise an objection to a planning application on this site. The full comments can be viewed via our website (<https://www.horsham.gov.uk/planning>) using the ref: EIA/24/0006.

Overall, Horsham District Council would expect much more detailed information on the scoping for an EIA for a scheme of this size. The report states that the development proposal is 'evolving'. Whilst this is accepted to some degree, we are concerned that, as the proposals have not been finalized, the Scoping Opinion does not cover all potential environmental impacts and is too general in its approach.

It is noted that the Scoping does not reference a specific water neutrality solution. It is important that this is stated so that any potential environmental impacts from the solution can be included in the EIA.

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

Scoping Opinion: Comments of Horsham District Council & Consultees

Contents

- The Topics within the Proposed Scope of the ES should be listed with the relevant page numbers in the EIA.

Chapter 3: The Application Site and Surrounding Context:

- 3.1: Reference should be made here to the proximity of Warnham Nature Reserve to the south of the site. Reference should also be made to the site being within both Rusper and Warnham Neighbourhood Plan areas. The boundary between the two parishes runs along the railway line. The site is also nearby to the area for the Gatwick Northern Runway Development Consent Order. Reference should also be made to the incinerator allowed on appeal at Langhurstwood Road (appeal ref: APP/P3800/W/18/321896). It should also be noted here that the site is within the Sussex North Water Resource Zone, where there are currently restrictions on water abstraction, subject to a water neutrality strategy.
- 3.2: Broadlands Business Park is adjacent to the site to the south. Reference should be made here to any relevant planning history for this commercial site. Reference should also be made here to the appeal decision for the incinerator and the Land North of Horsham development site (DC/16/1677). Works are well underway on this site.
- Table 3.3.1: Waste & Minerals. Under the WSCC Joints Mineral Plan, this site is within the Brick Clay area and is also nearby to Aggregate Recycling Site at Brookhurst Wood and Langhurstwood Brickworks.

Chapter 4: The Proposed Development:

- 4.1: Arguments to support the principle of the proposed development are not relevant to the EIA. This section should be removed.
- 4.2: This section should include a precise description of the development for the planning application which has been agreed with Horsham District Council. This section should also include much more detail of what the proposal is for, and the maximum and minimum quantum with Use Class, outlined in a table.
- 4.3: This section should include a more detailed breakdown of the delivery of the scheme over the 14 year period. For example, when would be the expected date of the first occupation of the homes? When are works anticipated to be completed.
- 4.4: For Associated Development, it should be noted here that the proposal may require works outside the boundary of the site in order to mitigate its impact. This could include off site highway works to improve infrastructure or works which form part of a water neutrality solution.

Chapter 5: EIA Methodology:

- 5.2: Relevant Planning Policy and Guidance needs to include the following:
 - Neighbourhood Plans of Rusper & Warnham. Both of these Parish's have made plans.
 - West Sussex Joint Minerals Local Plan (2018)
 - West Sussex Waste Local Plan (2014)
 - Air Quality and Emissions Mitigation Guidance for Sussex (2020)
 - HDC Sports, Open Space and Recreation Assessment (2014)
 - HDC Open Space, Sport & Recreation Review (2021)
 - HDC Play Strategy 2017-2027
 - HDC Local Cycling and Walking Infrastructure Plan
 - Environment Act 2021

- 5.3: For the proposed parameter plans, it is unclear what 'Maximum and minimum extent of the development' refers to. Does this relate to density, development parcels etc? If so, please clarify. The Open Space and Landscaping Parameter Plan is to include play areas.
- 5.8.1: This table needs to include the Kilnwood Vale development currently being constructed to the east of the site. This site was granted outline permission under DC/10/1612 for approximately 2,500 dwellings and other uses in 2011. A separate permission has also been granted for up to 250 additional dwellings at Phase 6 under DC/17/2481. Regard should also be had to the West of Horsham (Highwood) development off the A24 approved under DC/09/2138, which has some 400 homes remaining to be constructed, and which may have cumulative transport impacts.
- 5.10: Consideration of Alternatives should have regard to the fact that a flood risk sequential test is required as part of any planning application.

Chapter 6:

- **Socio Economics and Health:** The impact of the proposal on existing and nearby residents needs to be included here. This includes the impact of the loss of this area of countryside and the benefits that currently brings to mental health. Cumulative Effects need to consider the impact of this development. This includes such matters as access to health and education provision taking into account the consented strategic sites at Mowbray and Kilnwood Vale. Consideration also needs to be given to sites allocated under the draft Local Plan, currently undergoing consultation. This includes the strategic site at Land West of Ifield for up to 3,000 homes and Land at Mercer Road for approx. 300 homes.
- **Transport and Access:**
 - Cumulative Effects need to consider the transport impact of this development in conjunction with the consented sites at Mowbray and Kilnwood Vale. Consideration also needs to be given to sites allocated under the draft Local Plan, currently undergoing consultation. This includes the strategic site at Land West of Ifield for up to 3,000 homes, Land at Mercer Road for approx. 300 homes, and the sites allocated at Rusper and Rudgwick. The wider impact on the adjacent districts also needs to be taken into consideration.
 - West Sussex County Council has commented that the Applicant should note that due to the proximity to the West Sussex and Surrey border, and the likelihood of traffic travelling northwards, it will be appropriate to discuss scoping related matters with the adjoining Surrey County Council. Surrey County Council have been consulted on this scoping opinion. Any comments will be forwarded to you separately.
- **Air Quality:** The HDC Air Quality Officer has made the following comments:
 - The latest version of Defra LAQM Technical Guidance, Assessment of dust from demolition and construction, Annual Status Report, Air Quality and Emissions Mitigation Guidance for Sussex, Emission Factor Toolkit should be used for the Air Quality Assessment.
 - Monitoring: Major applications should consider supplementing local authority monitoring with own monitoring - which would help to increase model certainty and confidence in the results.
 - 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.
 - Liaise with the planning department for information on any other schemes that should be included in a cumulative impact's scenario.

- **Emission Mitigation:** The Mitigation measures for the proposed development should be in line with the Sussex Air (2021) Air Quality and Emissions Mitigation Guidance for Sussex.
 - Recommended that the emission mitigation statement contains itemised costing for each proposed mitigation option and total value of all proposed emissions' mitigation. This should be equal to the value from Emissions calculation and total calculated value of emissions' health damage cost. Where possible, the likely emission reduction(s) resulting from the mitigation proposed should also be quantified.
 - Sussex Air quality guidance aims to avoid the duplication of measures that would normally be required through other regimes.
 - It is also requested that any document submitted is in a format to enable copy of the text and searches within the document, not image file or a scanned document.
- **Ecology:** The comments of the Natural England, the HDC Ecologist and HDC Ecology Consultant are attached separately. 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>
- **Water Resources:**
 - Reference needs to be made here to the location of the site within the Sussex North Water Resource Zone, where there are currently restrictions on water abstraction, subject to a water neutrality strategy. The water neutrality solution proposed needs to be stated here.
 - West Sussex County Council Local Lead Flood Authority have commented that as this is an EIA scoping it is accepted that the majority of the surface water related information will be included within the ES and FRA/Drainage Strategy, therefore the LLFA will provide detailed comments when the planning application is submitted. Nevertheless, they have the following comments to make:
 - The LLFA agree flood risk should be scoped in for this application.
 - The FRA must include all sources of flood risk. The drainage strategy and supporting information submitted must use up to date parameters. It is strongly suggested that the use of open, source control SuDS is considered from the beginning of the design process for the masterplan for each phase, instead of reliance on traditional underground piped networks. Further guidance on this can be found in the PPG Flood risk and coastal change.
 - The LLFA offer pre-app advice. This can be obtained using: <https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/flood-risk-management-pre-application-advice/>. It is suggested early engagement will benefit this site.
 - Note a flood risk sequential test will be required as part of any planning application.
- **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.
- **Archaeology:** The HDC Archaeology Consultant has made the following comments:
 - The site is large and few previous archaeological investigations have been carried out in the vicinity and so the archaeological potential is uncertain and so there is potential for significant archaeological remains to be present. In addition there is an Archaeological Notification Area (DWS8523) in the north the proposed development area comprising the Moat Copse Medieval moated site and the site of the possible Moat Copse Deserted Medieval Village.
 - The applicants have recognised the archaeological sensitivity of the site by scoping it into the proposed Environmental Statement. The work will be carried out by Cotswold Archaeology and will include a baseline archaeological desk based assessment that will be further informed by site investigations that will allow the extent and significance of any archaeological features to be determined and inform the design of appropriate mitigation measures. The site investigations should include geophysical survey, trial trench evaluation and geoarchaeological assessment.
 - The HDC Archaeologist has confirmed that the methodology that is proposed is acceptable, accords to appropriate professional standards and will ensure that the archaeological resource will be properly assessed, its significance determined, and appropriate mitigation measures identified and designed within the proposed EIA.
 - **Landscape, Visual and Built Heritage:** The comments from the HDC Landscape Architect will be sent separately. The HDC Heritage Officer has commented that he concurs with the response provided by Historic England. In addition, he would like the desk-top study to include assessment of historic maps against the current built environment to identify potential non-designated heritage assets. There may be unidentified heritage assets within the 1km site radius and therefore do not appear in the H.E.R. The field work study should assess any potential non-designated heritage assets which lie within the 1km site radius and identify any surviving historic structure.

Chapter 6.2.2 Topics to be 'scoped out' of the ES:

- HDC does not agree that Agriculture & Soils should be scoped out. The Proposed Development has the potential to affect associated farm infrastructure, reducing the total land available to that enterprise through direct loss of farmland and holdings, including land drainage.
- For Solar Glare, a standalone Glint and Glare Study is required to address potential glare from the solar panels.

Other Comments Received:

Crawley Borough Council

- The site is located within Horsham District approximately 7.5 km to the west of Crawley Borough. While the applicants have assumed that the impacts would be principally on

Horsham and other settlements within Horsham District, the relatively close proximity of the land to Crawley (and also to the Surrey boundary) should also be assessed. This should include any cumulative impacts from significant developments proposed both in Crawley and on intervening land within Horsham District immediately to the west of Crawley. These would have impacts on services, in terms of infrastructure needs such as transport and education, housing need and employment for the town and in the sub region. In addition, the ecological impacts scoped seem quite narrowly defined.

- Overall, the report in its introduction suggests proposals are still evolving. While it is accepted that this is often the case with EIA scale development, it is questionable how many of the assumptions made have been robustly tested and evidenced. Of concern is the feasibility of infrastructure including a possible railway station which, if its delivery is to be heavily relied upon in order to underpin any transport and active travel assumptions, needs to be evidenced with a high degree of certainty given the recent practical difficulties experienced with the delivery of this type of infrastructure on other nearby locations such as Kilnwood Vale.
- The Gatwick Northern Runway DCO and the potential strategic allocation West of Ifield should be included as cumulative schemes. They should be considered for their impacts on, for example, transport infrastructure and major road junctions including an assessment of impacts on the A24, A264 and M23 junctions. The impact of the Gatwick DCO on aviation noise for future residents should also be considered. The impact of the development on education, in particular secondary school provision, should be addressed, because there are impacts from the potential development West of Ifield and also unmet educational needs arising in Crawley.
- It is noted that the suggested scope of impact of the development on other environmentally designated sites is very limited in its geographical extent. The site is within the Sussex North Water Supply Zone and therefore must demonstrate it would be water neutral. It is suggested that evidence should be provided to understand the cumulative impact of this site and other planned development within the SNWSZ given the availability of any offset water credits or any other planned alternatives. Similarly, impacts on air quality on locations such as Ashdown Forest merit further consideration.

WSCC Minerals and Waste:

- The application site covers an area of approximately 177ha and is located within the Weald Clay (brick clay) Mineral Safeguarding Area. Accordingly, the applicant should demonstrate how the proposal would comply with Policy M9 at the application stage and a Mineral Resource Assessment should accompany any formal submission for planning permission. As necessary, the MRA should inform any environmental statement.
- Waste developments are dealt with by WSCC and more details can be found on our online planning register. While outside of the 250m consultation buffer zone, it is noted that Brookhurst Wood, an operational waste transfer facility, located some 1.5km to the south of the application site.
- Any Environmental Statement should consider cumulative impacts with other nearby development that could act in combination with the proposal. To this end, it is noted that the information submitted has identified a soil heat treatment application within the Brookhurst Wood site north of Horsham. This permission has since fallen away, however, there are waste developments within the Brookhurst wood site that may be of relevance; of note is the permission for an Energy and Waste Plant (ref. WSCC/015/18/NH, allowed on appeal 27/02/2020 ref. APP/P3800/W/18/3218965), which has been implemented but not built.

Gatwick Airport:

- It is clear that the applicants are aware of generic aerodrome safeguarding requirements as listed on page 53 of the Scoping Report. It is noted that the applicants have given assurances that the London Gatwick Aerodrome Safeguarding Section will be consulted

throughout and that the proposed development will be designed to avoid any impacts relating to aerodrome safeguarding.

- Gatwick Airport would ask that the applicants consult with London Gatwick Aerodrome Safeguarding Section in relation to the production of the 'Aerodrome Safeguarding Assessment.

WSCC Rights of Way Team:

- It's good to see Public Rights of Way will be considered, both during construction phases and upon completion. Footpath (FP) 1489 provides an important pedestrian connection between Kingsfold and Friday Street. Cycle access should ideally be provided between the two. If along the existing PRoW, the at-grade railway crossing should be looked at along with the bridge that carries FP1489 over Boldings Brook.

National Highways:

- The Transport Assessment should be undertaken in accordance with the Department for Transport Circular 01/2022 "Strategic road network and the delivery of sustainable development" which outlines how National Highways will engage with developers including assessment requirements to deliver growth and safeguard the operation of the SRN.
- National Highways are pleased to see that the applicant intends to consult them on the scope and methodology for the Transport Assessment and any necessary mitigation measures. National Highways request that the Transport Assessment Scoping Report includes flows forecast to be generated by the development to and from M25 junction 9 and M23 junction 11.

End.