



## **Western Bridge and Link Road (WBLR) Phase 3 (Brookleigh, Burgess Hill)**

### **Further Environmental Information Report**

January 2025

#### **Waterman Infrastructure & Environment Ltd**

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## Quality Assurance – Approval Status

This document has been prepared and checked in accordance with  
Waterman Group's IMS (BS EN ISO 9001: 2015, BS EN ISO 14001: 2015 and BS EN ISO 45001:2018)

| Issue | Date           | Prepared by                                | Checked by                              | Approved by                             |
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### Comments

|          |                                                                 |
|----------|-----------------------------------------------------------------|
| Issue 01 | Working draft for Jacksons and DLP progressive assurance review |
| Issue 02 | Draft for Jacksons and Homes England review                     |
| Issue 03 | Issued for Homes England approval                               |
| Issue 04 | Reissued to reflect updated NPPF (12 Dec 2024)                  |

| Revision |                                       | Status     |                                                    |
|----------|---------------------------------------|------------|----------------------------------------------------|
| Pnn      | Preliminary (shared; non-contractual) | S1         | Coordination                                       |
| Cnn      | Contractual                           | S2         | Information                                        |
|          |                                       | S3         | Review & Comment                                   |
|          |                                       | S4         | Review & Authorise                                 |
|          |                                       | S5         | Review & Acceptance                                |
|          |                                       | A0, A1, An | Authorised & Accepted (n=work stage if applicable) |

## Disclaimer

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We disclaim any responsibility to the client and others in respect of any matters outside the scope of the above.

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## **Contents**

Western Bridge and Link Road (WBLR) Phase 3 (Brookleigh, Burgess Hill)

Project Number: WIE19442 (101)

Document Reference: 19442101-WAT-XX-XX-RP-N-700001\_C01\_A0

## 1. Introduction

### Overview

- 1.1. Waterman Infrastructure & Environment Limited (hereafter 'Waterman') has been commissioned by Jackson Civil Engineering on behalf of Homes England (the 'Applicant') to prepare a Further Environmental Information Report (FEIR) to support a reserved matters application<sup>1</sup> for new pedestrian and cycle routes. The RMA is pursuant to an outline planning permission for wider mixed-use development on land to the north-west of Burgess Hill (Application Reference: DM/21/3279) (hereafter referred to as 'the Brookleigh Development').
- 1.2. The Applicant intends to provide highways infrastructure improvements, known as Phase 3 of the Western Bridge and Link Road (WBLR Phase 3). The development is subject to a reserved matters application (RMA) and a separate, but concurrent, full application.
- 1.3. The WBLR Phase 3 proposes new pedestrian and cycle routes which will:
  - connect the two new WBLR Phase 1 roundabouts on the A2300 ('the A2300 Roundabout') and A273 (Jane Murray Way) ('the A273 Roundabout'), via the roundabout junction connecting the A2300 and A273, known as 'the Triangle Roundabout' (this section of route is located within the outline planning boundary and is subject to a RMA (this planning application), and assessed within this report). These are referred to as 'the RMA Works'; and
  - provide a connection between the A273 Roundabout and Gatehouse Lane (this section is outside of the outline planning boundary and is subject to a separate, full planning application).
- 1.4. These new connections, which form Phase 3 of the WBLR, will serve new occupants of the Brookleigh Development, together with the existing local community.
- 1.5. Together, the works proposed on land within the Brookleigh Development area (Reserved Matters Application) and the land located outside of it (Full Application), are referred to as 'the Proposed Scheme'. The Proposed Scheme is located within the administrative boundary of Mid Sussex District Council (MSDC), and is shown in **Figure 1**. The location and planning boundaries for the RMA Application Site and the Full Application Site are shown in **Figure 2** and **Figure 3** respectively.

### Purpose of Further Environmental Information Report

- 1.6. The outline planning application for the Brookleigh Development was supported by an Environmental Statement (ES) (2018) which considered the potential for significant environmental effects as a result of the development. It was further supported by a 2019 ES Addendum which was prepared to support the submission of supplementary information for the Brookleigh Development. Together, these documents are referred to as 'the 2018 ES (as amended)'.
- 1.7. This FEIR considers whether the additional details relating to WBLR Phase 3 RMA Works, which is covered by the Reserved Matters Application, result in any new or different significant environmental effects from those previously reported in the 2018 ES (as amended). This FEIR is a further ES addendum which has been informed by a review of the RMA Works and the 2018 ES (as amended). Therefore, this FEIR should be read alongside the 2018 ES (as amended).

### Project Team

<sup>1</sup> A reserved matters application (RMA) deals with some or all of the outstanding details of the outline application proposal, including: appearance, means of access, landscaping, layout and scale.

1.8. Regulation 18 of the EIA Regulations states:

*“In order to ensure the completeness and quality of the environmental statement: (a) the developer must ensure that the environmental statement is prepared by competent experts; and (b) the environmental statement must be accompanied by a statement from the developer outlining the relevant expertise or qualifications of such experts”.*

1.9. This FEIR has been prepared by suitably qualified and experienced professionals. **Appendix A** sets out a summary of relevant qualifications and experience for the professional team who have prepared and contributed to this report. It should also be noted that Waterman is a Registered Environmental Impact Assessor Member of the Institute of Environmental Management and Assessment, providing independent recognition of the quality of Waterman's EIA work.

## 2. Planning History

### Outline Planning Consent (DM/21/3279)

- 2.1. In December 2018, a hybrid planning application (part outline, part detailed) ('the Brookleigh Development' (Ref. DM/18/5114) was submitted to MSDC. This application, which was accompanied by an Environmental Statement ('the 2018 ES'), sought:

*"Outline planning permission, with all matters reserved for later determination with the exception of some access, is sought for:*

*Comprehensive, phased, mixed-use development comprising approximately 3,040 dwellings including 60 units of extra care accommodation (Use Class C3) and six permanent gypsy and traveller pitches, including a Centre for Community Sport with ancillary facilities (Use Class D2), three local centres (comprising Use Classes A1-A5 and B1, and stand-alone community facilities within Use Class D1), healthcare facilities (Use Class D1), and employment development comprising a 4 hectare dedicated business park (Use Classes B1 and B2), two primary school campuses and a secondary school campus (Use Class D1), public open space, recreation areas, play areas, associated infrastructure including pedestrian and cycle routes, roads, car parking, bridges, landscaping, surface water attenuation, recycling centre and waste collection infrastructure with associated demolition of existing buildings and structures, earthworks, temporary and permanent utility infrastructure and associated works.*

*Full planning permission is sought at this time for the following highway access works:*

*New roundabout on A2300"*

- 2.2. Following submission of the 2018 Application, the Brookleigh Development was subject to extensive review and discussions with MSDC and statutory consultees (such as the Environment Agency, Natural England and West Sussex County Council). Further design work was undertaken to address the issues raised during these discussions. Amendments to the planning application were proposed through the submission of supplementary information to the 2018 Application. The amendments included (but were not limited to):

- Removal of the new A2300 roundabout as an element for which full planning permission was no longer sought (the planning consent is now in outline only);
- Increasing the number of gypsy and traveller pitches, from six to 13; and
- Updated ecological survey data / Ecological Mitigation Strategy.

- 2.3. An ES Addendum was submitted with the supplementary information ('the 2019 ES Addendum'), which together forms 'the 2018 ES (as amended)'.

- 2.4. The amended description of development was as follows:

*"Comprehensive, phased, mixed-use development comprising approximately 3,040 dwellings including 60 units of extra care accommodation (Use Class C3) and thirteen permanent gypsy and traveller pitches, including a Centre for Community Sport with ancillary facilities (Use Class D2), three local centres (comprising Use Classes A1-A5 and B1, and stand-alone community facilities within Use Class D1), healthcare facilities (Use Class D1), and employment development comprising a 4 ha dedicated business park (Use Classes B1 and B2), two primary school campuses and a secondary school campus (Use Class D1), public open space, recreation areas, play areas, associated infrastructure including pedestrian and cycle routes, means of access,*

roads, car parking, bridges, landscaping, surface water attenuation, recycling centre and waste collection infrastructure with associated demolition of existing buildings and structures, earthworks, temporary and permanent utility infrastructure and associated works.”

- 2.5. Outline Planning Permission was granted in October 2019.
- 2.6. In December 2022, permission was granted under Section 73 (DM/21/3279) as follows:

*“Planning Application under Section 73 of the Town and Country Planning Act 1990 (as amended) seeking alterations to conditions 5 (approved parameter plans), 6 (accordance with Design Guide) , 7 (requirement for a Design Principles Statement), 11 (archaeological investigation), 22 (sustainable drainage) and 35 (restriction of development within 15m of ancient woodland), removal of conditions 50 (public transport strategy) and 51 (phase public transport strategy), addition of new conditions relating to public art on planning permission DM/18/5114, to allow amendments to site boundary, densities and heights, parameters of road layout, proposed land uses, right of way improvements & drainage outfalls, require general accordance with the Street Design and Adoption Manual, allow phased submission of details for archaeology and drainage details and require a public transport strategy and financial contributions towards the public transport strategy to be secured in the legal agreement. Amendments to the legal agreement associated with the amendments to the conditions and additional amendments related to the delivery of open space parcels OS1.2N, OS1.2S, OS3.3 and OS3.4, the Centre for Outdoor Sports, Employment Strategy, the Secondary School, Mobility Corridors, payment of financial contributions and monitoring fees (Amendments received, including an addendum to the Environmental Statement)”*

- 2.7. An ES Addendum was submitted with the Section 73 application (‘the 2021 ES Addendum’), which together forms ‘the 2018 ES (as amended)’.
- 2.8. **Table 1** sets out the environment-related planning conditions relevant to this subsequent RMA.

Table 1: Relevant Environment-related Planning Conditions (Ref. DM/21/3279)

| Condition | Details of the Planning Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Where is this addressed                                        |
|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| 8         | <p>Prior to the commencement of development within each reserved matters area, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority in respect of development within that reserved matters area. The CEMP shall include amongst other matters details of:</p> <ul style="list-style-type: none"> <li>• The appropriate Mitigation Measures stated as being contained within the CEMP in Table 16-1 'Summary of Mitigation Measures from within the Technical ES Chapters', Chapter 16 Mitigation Register, of the Environmental Statement Volume 1 (December 2018).</li> <li>• setting out avoidance and mitigation measures in respect of wildlife and habitats;</li> <li>• a timetable for the commencement, construction, occupation and completion of the development;</li> </ul> | An <b>Outline CEMP</b> has been prepared to accompany the RMA. |

| Condition | Details of the Planning Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Where is this addressed |
|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
|           | <ul style="list-style-type: none"> <li>the anticipated number, frequency and types of vehicles used during construction</li> <li>the method of access and routing of vehicles during construction and directional signage for the purposes of such</li> <li>the siting and layout of site compounds and welfare facilities for construction workers</li> <li>the provision of parking of vehicles by site operatives and visitors</li> <li>the provision for the loading and unloading of plant, materials and removal of waste</li> <li>the provision for the storage of plant and materials used in construction of the development</li> <li>the design, erection and maintenance of security hoardings and other measures related to site health and safety</li> <li>hours of construction working;</li> <li>details of construction lighting;</li> <li>measures to monitor and control noise and vibration affecting nearby residents;</li> <li>the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway, including the provision of temporary Traffic Regulation Orders;</li> <li>dust control measures;</li> <li>pollution incident control and site contact details in case of complaints;</li> <li>a scheme for community liaison and public engagement during construction, including the provision of information to occupiers moving onto the site before the development is complete</li> <li>contact details of site operations manager, contracts manager, and any other relevant personnel.</li> </ul> <p>The construction works within that reserved matters area shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan, unless any variations are otherwise</p> |                         |

| Condition | Details of the Planning Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Where is this addressed                                                                    |
|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
|           | first submitted to and approved in writing by the Local Planning Authority.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                            |
| 10        | <p>No works pursuant to this permission shall commence within each reserved matters area unless and until there has been submitted to and approved in writing by the Local Planning Authority before development commences or within such extended period as may be agreed with the Local Planning Authority:</p> <p>a) A site investigation report documenting the ground conditions of the reserved matters area subject to the reserved matters application and incorporating chemical and gas analysis identified as appropriate by the desk study created in accordance with BS10175:2011+A1:2013 and BS 8576:2013 Guidance on investigations for ground gas. Permanent gases and Volatile Organic Compounds (VOCs); the laboratory analysis should be accredited by the Environment Agency's Monitoring Certification Scheme (MCERTS) where possible; the report shall refine the conceptual model of the site and state either that the site is currently suitable for the proposed end-use or that will be made so by remediation;</p> <p>and, unless otherwise agreed in writing by the LPA,</p> <p>b) A remediation method statement detailing the remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the reserved matters area to which the reserved matters application relates is developed and proposals for future maintenance and monitoring. For risks related to bulk gases, this will require the production of a design report and an installation report for the gas as detailed in BS 8485:2015 - Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings. The scheme shall consider the sustainability of the proposed remedial approach. It shall include nomination of a competent person to oversee the implementation and completion of the works.</p> | Not required for this RMA. For further details, see <b>Section 4 (Ground Conditions)</b> . |
| 11        | <p>(a) No development shall commence within a reserved matters area until a Written Scheme of Investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority. The WSI shall include:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Not required for this RMA. For further details, see <b>Section 8 (Cultural Heritage)</b> . |

| Condition | Details of the Planning Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Where is this addressed                                                   |
|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
|           | <ul style="list-style-type: none"> <li>The statement of significance and research objectives</li> <li>The programme and methodology of site investigation and recording</li> <li>The nomination of a competent person(s) or organisation to undertake the agreed works</li> </ul> <p>The approved scheme shall be carried out in its entirety unless otherwise agreed in writing by the Local Planning Authority.</p> <p>(b) No development shall commence within a reserved matters area until a report confirming the results of the initial evaluation and, if necessary, a supplementary WSI for that reserved matters area has been submitted to and approved by the Local Planning Authority in writing. The supplementary WSI shall include:</p> <ul style="list-style-type: none"> <li>The statement of significance and research objectives;</li> <li>The programme and methodology of any on-site mitigation work</li> </ul> <p>(c) Post-excavation assessment and updated project design (including timescales) shall be produced for each archaeological site within 12 months of the completion of fieldwork. The post investigation assessment and updated project design shall include a methodology and timescales for the publication &amp; dissemination and deposition of resulting material for that reserved matters area.</p> <p>(d) Completion of post-excavation analysis; preparation and deposition of site archive at a store agreed with the local planning authority; completion of an archive report; and the submission of a publication report shall be completed within the timescale set out in the post investigation assessment under part (c) of this condition.'</p> |                                                                           |
| 16        | No development shall proceed within each reserved matters area unless and until a Sustainability Statement for that reserved matters area has been submitted to and approved in writing by the local planning authority. The development of that reserved matters area shall proceed in accordance with such approved details unless                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | A <b>Sustainability Statement</b> has been prepared to accompany the RMA. |

| Condition | Details of the Planning Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Where is this addressed                                                                                                                                         |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
|           | otherwise agreed in writing with the local planning authority.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                 |
| 18        | For each relevant reserved matters application (relevance to be determined in accordance with confirmation sought from the local planning authority) no development within that reserved matters area shall take place until appropriate mitigation measures are submitted to and approved in writing, detailing how the impact of the development within that reserved matters area will mitigate the effects of the development on nearby heritage assets. No development within that reserved matters area shall be occupied until the mitigation measures have been carried out in accordance with the approved details.                                                                                                                                                                                                                                                                                                                                                                                               | Not required for this RMA. For further details, see <b>Section 8 (Cultural Heritage)</b> .                                                                      |
| 20        | <p>No development shall take place within each reserved matters area until the following has been submitted to and approved in writing by the local planning authority:</p> <ul style="list-style-type: none"> <li>An ecological impact assessment report on the detailed proposals for that reserved matters area to be prepared in accordance with current with Chartered Institute of Ecology and Environmental Management (CIEEM) guidelines and supported by up-to-date ecological survey data.</li> </ul> <p>Development within that reserved matters area shall be carried out in accordance with the approved details.</p>                                                                                                                                                                                                                                                                                                                                                                                         | An <b>Ecological Impact Assessment (EcIA)</b> has been prepared and is appended to this FEIR. For further details, see <b>Section 5</b> and <b>Appendix B</b> . |
| 22        | <p>Prior to the commencement of development within each reserved matters area or Sub-Phase (as defined by the Development Phasing and Specification Plan), the proposed method of surface water drainage and means of disposal for that reserved matters area or sub-phase, including any drainage works required outside that reserved matters area or sub-phase shall be submitted to and agreed in writing by the LPA. The surface water drainage design for each reserved matters area should follow the principles agreed as part of the regional surface water drainage masterplan as approved by condition 21 and no dwelling or building in that reserved matters area or sub-phase shall be occupied until all drainage works have been carried out for that reserved matters area or sub-phase in accordance with the approved details. The details shall be based on sustainable drainage (SuDS) principles including source control and shall;</p> <p>a) include a timetable for the implementation of the</p> | A <b>Drainage Strategy and Maintenance Plan</b> has been prepared to accompany the RMA.                                                                         |

| Condition | Details of the Planning Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Where is this addressed                                                                        |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|
|           | <p>surface water drainage design and a management and maintenance plan for the lifetime of the development which shall include arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.</p> <p>b) demonstrate that the surface water drainage system will be able to cater for a 1 in 100 year storm event + 40% climate change and that the discharge rates from that sub-phase, phase or phases meets the principles set out in the Drainage Strategy Calculations Summary Tables document produced by AECOM as Appendix C of their Outline Planning Application Environmental Statement Addendum Chapter 7: Water Resources, Flood Risk &amp; Drainage 7.1 Water Resources Consultation;</p> <p>c) include flood flow routing plans for that phase or sub-phase showing the effect of the development on fluvial (river) and pluvial (surface water and ordinary watercourse) flows and how that phase will deal with exceedance flows either generated on site and/or arriving from adjacent phases of the development;</p> <p>d) provide plans, design specifications and calculations for all surface water drainage systems.</p> |                                                                                                |
| 26        | <p>For each relevant reserved matters application (relevance to be determined in accordance with confirmation sought from the local planning authority), detailed plans shall be submitted to and approved in writing by the LPA at the relevant reserved matters stage showing the approved modelled fluvial + climate change flood extent (with any buffers) and surface water flood extent (with any buffers) in relation to the proposed development layout for that reserved matters area, including amenity space and drainage infrastructure that will be utilised by that reserved matters area. Such plans should demonstrate that buildings within the reserved matters area will not be at risk of flooding and that surface water flood flow routes will be maintained or accommodated within the layout of that reserved matters area. Historic flood extents should also be included within these details. The development of each reserved matters area subject to the requirements of this condition shall then proceed in accordance with the information submitted to and approved by the local</p>                                                                                                                              | <p><b>A Drainage Strategy and Maintenance Plan</b> has been prepared to accompany the RMA.</p> |

| Condition | Details of the Planning Condition | Where is this addressed |
|-----------|-----------------------------------|-------------------------|
|           | planning authority.               |                         |

- 2.9. In October 2024, permission was granted under Section 96a (DM/24/2576) as follows:

*“Non Material Amendment to planning application DM/21/3279 - Updating the drawings listed under Condition 5, namely: - 002 Rev 03: Land Use, - 003 Rev 07: Green Infrastructure, - 006 Rev 04: Building Heights, - 008 Rev 03: Phasing Plan”*

### **Western Bridge and Link Road (WBLR) Phase 1 – Reserved Matters (DM/20/0254)**

- 2.10. Following the outline consent for the Brookleigh Development, the RMA for WBLR Phase 1 was granted planning consent in July 2020 (Ref. DM/20/0254). The planning description for that Reserved Matters application was as follows:

*“Reserved Matters application for DM/18/5114 - the first phase of the Western Bridge and Link Road, comprising the construction of a new all-movements roundabout on the A273 Jane Murray Way, a single-carriageway 7.3-metre wide highway link with two 3-metre shared footways/cycleways and two 2.75-metre verges, connecting to the A2300 via a new all-movements roundabout, junction to the UKPN electricity substation, junction to future employment uses, zones for two minor junctions, signalised crossing points, earthworks, surface water and foul drainage infrastructure, utilities corridors, lighting, and landscaping.”*

- 2.11. It was determined that a new ES would not be required to support the WBLR Phase 1 RMA. The application was, instead, supported by a series of environmental studies, including an Arboriculture Impact Assessment, Biodiversity Report, Heritage Statement, Landscape and Visual Impact Assessment, and a Sustainability Statement. The accompanying Planning Statement addressed matters of compliance with the 2018 ES (as amended).

### **Western Bridge and Link Road (WBLR) Phase 3 – Full Application**

- 2.12. As set out above, the Proposed Scheme comprises land beyond the wider Brookleigh Development which is subject to a separate, but concurrent full application. The description of development for the full planning application is:

*“Widening and extension of the existing footway for creation of a shared footway/cycleway along the western side of the A273 between Gatehouse Lane and A272 roundabout via the removal of the carriageway hard strip, relocation of existing bus stop bench, lighting, landscaping and associated works.”*

- 2.13. Owing to the scale and nature of these proposals it has been concluded that an EIA is not required to accompany the full application. This full application will be considered within the assessment of cumulative effects, as set out in **Section 4**.

### 3. The RMA Works

#### Location

- 3.1. The RMA Works are located on the north-western edge of Burgess Hill, as shown in **Figure 1**, within the administrative boundary of Mid Sussex District Council (MSDC). The RMA Works cover an area of approximately 2.8 hectares (ha) and are centred on co-ordinates 529631, 120070 with an approximate postcode of RH15 8UZ (hereafter the 'RMA Application Site'), as shown in **Figure 2**.
- 3.2. The RMA Application Site, which is broadly linear and follows the alignment of the existing A2300 and A273, comprises agricultural land, vegetated field boundaries and roadside verges, together with drainage ditches, culverts and carriageway (hardstanding). There are two Public Rights of Way (PRoW) within the RMA Application Site: a section of footpath (98CR) which crosses the A273 and A2300 at the Triangle Roundabout, and a section of footpath (14HU) which runs along the northern verge of the A2300.

#### Land Uses within the Surrounding Area

- 3.3. Within the surrounding area, beyond the boundary of the RMA Application Site are the following land uses:
- Residential properties – the majority of properties are located to the south and east of the A273, there are isolated properties off Gatehouse Lane to the south.
  - The Triangle Leisure Centre – located on A273, north of the Triangle Roundabout.
  - St. Paul's Catholic College – located on A273, north of the Triangle Roundabout and the A2300.
  - Agricultural land – located to the north and west. Fields used in agriculture are enclosed by hedgerows, trees and tree belts, with interspersed pockets of woodland.
  - Public Rights of Way – there are two footpaths (98CR and 14HU) which run to the north of the A2300. Footpath 98CR continues south-east of the Triangle Roundabout to become footpath 39BH. A bridleway (80Hu) is located to the west of the A273, south of Gatehouse Lane.
  - The River Adur – this is located approximately 350m to the north of the A2300 (at its closest point).
  - WBLR Phase 1 – the two new roundabouts on A2300 and A273 (complete and operational) and the link road (complete but not operational) – located to the east.
  - An electrical substation – located adjacent and west of the A273 / Triangle Roundabout, the substation is surrounded by trees.

#### Description

- 3.4. The general arrangement of the RMA Works is shown in Figures 4 - 6 and shows the following proposed infrastructure:
- a new segregated footway and cycle track on the north side of the A2300, between the new A2300 roundabout and the Triangle Roundabout. This forms part of the 'Green Superhighway', proposed as part of the Brookleigh Development;

- a new shared use connection for non-motorised users (NMU) on the south and west side of the A2300 and A273, respectively. These shared routes connect the two roundabouts on the A2300 and A273 (WBLR Phase 1 works), via the Triangle Roundabout;
- an NMU connection to the future development area (north of the A2300);
- installation of new surface water drainage infrastructure (filter drains, ditch and swale), adjustments to existing culverts and headwalls, and realignment to sections of an existing ditch;
- installation of new street lighting; and
- landscaping to the north and south of the A2300, and to the west of the A273.

3.5. The planning description for the RMA Works is as follows:

*“Reserved Matters application pursuant to outline application DM/21/3279 - WBLR Phase 3 (A2300 pedestrian/cycle improvement), comprising the construction of a segregated 2 metre footway and 3 metre cycle track (Green Superhighway) and 2.75 metre verge along the northern side of the A2300, construction of a 3-metre shared use route with up to up to 1 metre verge along the southern side of the A2300, construction of a 3 metre shared use route along the western side of the A273 Jane Murray Way with up to 2.75 metre verge drainage works, fencing, lighting, landscaping and associated works”*

3.6. A Green Superhighway and Green Circle network is proposed as part of the Brookleigh Development to provide safe and attractive links between the urban and rural areas. The Green Superhighway will connect to the new pedestrian and cycle routes that are being provided along the A2300. They will be continued north into the central section of the wider Brookleigh Development.

3.7. The RMA Works comprise the two sections summarised below.

### A2300: the A2300 Roundabout to the Triangle Roundabout

3.8. The new NMU routes in this section will continue from the WBLR Phase 1 works to the north and will be suitable for pedestrians and cyclists. Key features of this 320m section will include:

- a strip of soft verge and landscaping, up to 2.75m in width, located on the northern side of the A2300, continuing from WBLR Phase 1. This strip will provide separation between the carriageway and the Green Superhighway. A two-way cycle track (up to 3.0m in width) and a footway (up to 2.0m in width) located on the northern side of the A2300. These provide dedicated and separate pedestrian and cycle facilities;
- a shared use route (pedestrians and cyclists), up to 3.0m in width, located on the southern side of the A2300, continuing from WBLR Phase 1. This route diverts to the south of the A2300 and follows the base of the existing roadside embankment, before rejoining further east, at the Triangle Roundabout. To facilitate this route, approximately 35m and a 30m section of mixed scrub will be removed at the north and south ends respectively;
- new drainage swale provided at the base of the existing roadside embankment, on the south side of the A2300, to treat and convey surface water flow from the shared surface. An outlet (culvert) from the swale will be provided beneath the shared footway, together with a small drainage ditch to connect to the existing drainage ditch around the perimeter of the UKPN sub-station;

- an extension to the existing culvert, 20m north-west of the Triangle Roundabout, which conveys surface water flow, via a drainage ditch to the north of the A2300. This culvert will be extended by 3m on the north side of the A2300 and by 6.2m on the south side of the A2300, and will include new headwalls at the northern and southern end of the culvert;
- realignment of a drainage ditch, over a distance of approximately 7m, up to 1m west of its existing alignment, to rejoin the extended culverts beneath the A2300 and A273; and
- widening of the existing uncontrolled crossing, located on the northern and southern side of the A2300 at its junction with the Triangle Roundabout. This crossing will be widened to up to 2.8m to accommodate shared use routes (pedestrians and cyclists).

3.9. For detailed general arrangements of this section, see **Figure 4** and **Figure 5**.

### A273 Jane Murray Way: Triangle Roundabout to the A273 Roundabout

3.10. The new NMU route in this section continues along the western side of the A273. The shared use route will continue from the A2300 works to the north and extend south to the new A273 Roundabout (WBLR Phase 1). Key features of this 170m section will include:

- continuation of the realigned drainage ditch, over a distance of approximately 26m, up to 3m west of its existing alignment, to rejoin the extended culverts beneath the A2300 and A273;
- replacement of the existing headwall for the culvert, 45m south-west of the Triangle Roundabout; and
- a shared use route, up to 3.0m in width, together with associated filter drain and soft verge and landscaping (up to 3.0m in width) continuing to the A273 Roundabout (Phase 1), on the north side of the roundabout.

3.11. For detailed general arrangements of this section, see **Figure 5** and **Figure 6**.

### Landscape Design

3.12. The landscape general arrangements for the RMA Works are shown in **Figures 7 – 9**.

3.13. Where practicable, existing vegetation will be retained. In general, planting adjacent to the shared routes will mostly comprise wildflower meadow mix. In areas where there are gaps in existing, retained vegetation, additional planting will be provided in the form of whips (using native tree species). Tree planting, using native species, is proposed at locations adjacent to the carriageway, on the south and west side of the A2300 and A273 respectively.

3.14. For detailed general arrangements of this section, see **Figure 7**, **Figure 8** and **Figure 9**.

### Drainage Design

3.15. A **Drainage Strategy** has been prepared and submitted as a standalone document to support the planning application. In summary, the drainage proposals comprise:

- the minor realignment of the existing drainage ditches and a change to the culvert headwalls on the north and south side of the A2300; including an extension to the existing culvert. Run-off from the new paved foot/cycleway will not be collected / concentrated in any new system – but instead will be allowed to drain off along its length through the adjacent grass/vegetation and eventually any remaining run-off will drain to the existing parallel ditch;

- the creation of a swale, between the base of the existing embankment (along the southern side of the A2300) and the shared use footway. This ditch will connect into the existing ditch on the north side of the UKPN electric substation via a new, shallow culvert beneath the footway and a new drainage ditch; and
- the installation of new filter drains, to receive surface water runoff from the new shared footway, along A273, which will connect into the new drainage network and attenuation basins within WBLR Phase 1.

### Lighting Design

- 3.16. A **Lighting Assessment** has been prepared and submitted as a standalone document to support the RMA. At present, street lighting within the RMA Application Site is limited and, where practicable, existing street lighting will be retained. However, to ensure a safe use for road users and users of the shared cycle and footways, new and replacement lighting is proposed (as shown in **Figures 5 – 7**).
- 3.17. Along both sides of the A2300 and the west side of the A273, new lighting columns (10m in height) will be installed within the carriageway verge. On the south side of the A2300, new lighting columns (6m in height), fitted with louvres, will be installed to illuminate the shared use footway.
- 3.18. Lighting has been designed so as to illuminate the carriageway and footways and to avoid light spill into neighbouring plots or habitats.

### Construction Strategy and Programme

- 3.19. In line with industry best practice, and in accordance with the outline planning permission, (Condition 8), an **Outline Construction Environmental Management Plan** (CEMP) has been prepared for the RMA Works and will be secured by planning condition. This Outline CEMP is provided as a supporting document to accompany both the Reserved Matters and Full applications.

### Anticipated Construction Programme

- 3.20. In terms of overall development phasing, duration and details of construction activities for the Brookleigh Development, these will remain as per Chapter 5 (Demolition and Construction) of the 2018 ES.
- 3.21. Project timescales are still to be determined by the Applicant, however the currently anticipated construction programme of works to be carried out for the RMA Works are set out in **Table 2**.

Table 2: Indicative Construction Programme for the RMA Works

| Activity     | Commencement | Completion | Duration  |
|--------------|--------------|------------|-----------|
| Enabling     | Q4 2025      | Q4 2025    | 3 months  |
| Construction | Q1 2026      | Q4 2026    | 12 months |
| Landscaping  | Q3 2026      | Q4 2026    | 6 months  |
| Operation    | Q4 2026      | -          | -         |

- 3.22. It is anticipated that the construction of the RMA Works will entail the following key activities:
- tree and vegetation clearance;

- earthworks (cut / fill);
- compound and work area set up;
- traffic management;
- signal infrastructure removal;
- installation of new utilities (for example, extending electrical ducting and new watermain);
- replacement / realignment of road edging and kerbing;
- landscaping;
- new footway drainage infrastructure;
- upgrades to existing drainage infrastructure, including new ditches, realignment of existing ditches and culvert extensions beneath the A2300 and A273 (west of the Triangle Roundabout), and installation of new headwalls; and
- road marking.

### Traffic Management

- 3.23. Traffic management measures which will be employed to minimise the impacts of construction traffic remain unchanged from those set out within Outline CEMP that was submitted with the 2018 ES (ES Volume 2, Appendix 5).
- 3.24. Owing to the location of the RMA Works, it is intended that online<sup>2</sup> works will take place mostly during off peak periods. A large proportion of the works can be constructed offline without impacting the existing traffic flow. However, there will be occasions where it will be necessary to restrict vehicles, such as during the installation of new kerblines and carriageway resurfacing.
- 3.25. Traffic management would be required during construction to control the flow of vehicles through the works (online and offline), as appropriate.

### Construction Traffic Routes and Movements

- 3.26. Access routes and points to and from the RMA Application Site which will be utilised by HGVs will be agreed with MSDC prior to the start of the construction works. All HGVs will be routed via the primary roads that border the RMA Application Site namely the A2300, A273 and A23, which aligns with the proposals for the Brookleigh Development.
- 3.27. No additional construction-related trips, above and beyond those predicted for the Brookleigh Development are anticipated.

### Compounds

- 3.28. One or more site compounds are likely to be required to enable materials and machinery to be stored safely and securely close to the works on the RMA Application Site. Subject to the number of compounds required on the RMA Application Site, these are likely to include site offices, welfare facilities (toilets, washroom and canteen area), drying rooms, storage containers, refuelling areas and parking.

<sup>2</sup> 'Online' works refers to works undertaken within the carriageway itself, which would require traffic management. 'Offline' works refers to works undertaken on land adjacent to the carriageway, such as along roadside verges and embankments.

- 3.29. It is anticipated that a compound would be established within the agricultural land to the north-east of the new A2300 Roundabout, together with satellite compounds to be used for temporary storage of materials / access (on the east side of the new WBLR Phase 1 link road and close to the new A273 Roundabout. The land adjacent to the highway will accommodate services, lighting columns and signage.

## **4. Approach to the Further Environmental Information Report**

### **EIA Methodology**

- 4.1. This Further Environmental Information Report has been prepared in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations'). It considers any relevant updates to EIA guidance, best practice guidance and case law relating to the EIA process as well as any updates to relevant baseline information.
- 4.2. It should be noted that following the UK leaving the European Union on 31st January 2020 (a process commonly referred to as 'Brexit'), a new statutory instrument (SI), the Environmental Assessments and Miscellaneous Planning (Amendment) (EU Exit) Regulations 2018 (SI 2018 No.1232), came into force. This enables the process of EIA to continue to operate with no substantive changes. The amendments made through the regulations as part of the EU Withdrawal Act 2018 removed, where appropriate, references to obligations to EU law and clarified that the changes do not require re-examination of any decisions made prior to Brexit.

### **Structure of the Further Environmental Information Report**

- 4.3. As this Further Environmental Information Report forms part of an RMA, there must also be consistency with the preceding documentation. This document therefore follows the structure of the previous assessments submitted as part of the Brookleigh Development in the 2018 ES (as amended).
- 4.4. This Further Environmental Information Report includes further technical assessment of: ecology; water resources, flood risk and drainage; landscape and visual; cultural heritage; noise and vibration; and air quality and each further technical assessment follows the structure outlined below:
  - Introduction and Summary and Conclusions of the 2018 ES (as amended);
  - Legislation and Planning Policy Review;
  - Assessment Methodology Review;
  - Updated Baseline Conditions;
  - Environmental Design and Management;
  - Assessment of Effects and Significance;
  - Additional Mitigation and Monitoring;
  - Updated Residual Effects and Conclusions;
  - Updated Cumulative Effects Assessment; and
  - Summary and Conclusions.
- 4.5. For certain topics included in the 2018 ES (as amended) no material changes are likely to occur to the previously identified effect as a result of the RMA Works. The below sections set out why these topics do not require further technical assessment associated with this RMA and a statement of conformity is provided.

## Ground Conditions

- 4.6. The 2018 ES (as amended) included a ground conditions chapter (Chapter 8) which was informed by a desk-based contaminated land study. The study identified a number of historical uses (farm sewage and sewage works, hospitals, gas works, agricultural equipment depot, scrap depot, refuse transfer station, electrical substations, a number of former clay pits of unknown infill and licenced landfill to the south-eastern edge of the Brookleigh Development site) and current uses (agricultural land) that have the potential to have caused localised contamination. None of the historical uses, that may have led to localised land contamination, are within the RMA Application Site.
- 4.7. A review of relevant planning policy and guidance has been undertaken, which has established that there have been minor changes to policy and guidance, such as the National Planning Policy Framework (NPPF) (last updated in December 2024), there are no material changes since the 2018 ES (as amended) and it is therefore concluded that the approach adopted for the 2018 ES (as amended) remains unchanged.
- 4.8. Contamination reports, prepared for the Western Bridge and Link Road Phases 1 and 2, conclude that a low to very low risk of contamination has been identified for those areas of the Brookleigh Development site. As such, there is no change to the baseline presented in the 2018 ES (as amended).
- 4.9. Consultation with MSDC Environmental Health Officers was undertaken on 14th December 2022. It was agreed that, given the nature of the RMA Works (the end use being cycle paths and pavements with hardstanding), there being no historical contamination identified, and the contamination assessments, undertaken for Phases 1 and 2, identifying only low to very low risk of contamination; no further assessment would be required to support the Reserved Matters Application. The Outline CEMP, submitted with the Reserved Matters Application, requires a 'watching brief for unforeseen contamination' during construction.
- 4.10. On the basis of the above, it is considered unlikely that any areas of contamination will be encountered during the construction phase of the RMA Works. Similarly, the nature of the proposals are unlikely to result in any significant contamination risk. Therefore, the conclusions and recommendations of the 2018 ES (as amended) remain valid and no further assessment or further mitigation measures for ground conditions is required to accompany this Reserved Matters application.

## Traffic and Transport

- 4.11. A traffic and transport assessment was undertaken as part of the 2018 ES which considered the outline design for the Brookleigh Development, the parameters of which the RMA Works are still within. Following amendments, the 2019 ES Addendum determined that the conclusions presented in Chapter 11 (Traffic and Transport) of the 2018 ES remain unchanged. The baseline presented in the 2018 ES (as amended) would still be relevant (as a worst case). The RMA Works will not result in any changes to traffic flow or vehicle routing and would therefore not alter the effects previously reported in Chapter 11 of the 2018 ES (as amended).
- 4.12. A review of relevant planning policy and guidance has been undertaken, which has established that there have been minor changes to policy and guidance, such as the NPPF (last updated in December 2024), there are no material changes since the 2018 ES (as amended) and it is therefore concluded that the approach adopted for the 2018 ES (as amended) remains unchanged.
- 4.13. The RMA Works would not impact on traffic numbers or traffic flow during either the construction or

operational phases, as such the conclusions and recommendations of the 2018 ES (as amended) remain valid, and no further assessment of traffic and transport is required.

### Socio-economics and Health

- 4.14. A review of relevant planning policy and guidance has been undertaken, which has established that there have been minor changes to policy and guidance, such as the NPPF (last updated in December 2024), there are no material changes since the 2018 ES (as amended) and it is therefore concluded that the approach adopted for the 2018 ES (as amended) remains unchanged.
- 4.15. The baseline presented in the 2018 ES (as amended) would still be relevant (as a worst case). The RMA Works will not result in any changes to existing or proposed social infrastructure (such as school places or health care requirements), nor will it change any of the economic factors associated with the Brookleigh Development (such as employment numbers and expenditure). Furthermore, the RMA Works will not result in any material change to the health and well-being of existing residents within the local community. Therefore, the RMA Works will not alter the effects previously reported in Chapter 14 (Socio-economics) and Appendix 14.1 (Health Impact Assessment) of the 2018 ES, thus the conclusions and recommendations of the 2018 ES (as amended) remain valid. No further assessment of socio-economics and health is required.

### Climate Change

- 4.16. The baseline presented in the 2018 ES (as amended) would still be relevant (as a worst case). A review of relevant planning policy and guidance has been undertaken, which has established that there have been minor changes to policy and guidance, such as the NPPF (last updated in December 2024), there are no material changes since the 2018 ES (as amended) and it is therefore concluded that the approach adopted for the 2018 ES (as amended) remains unchanged.
- 4.17. The RMA Works will not fundamentally alter the embodied carbon and carbon emissions associated with the Brookleigh Development. The RMA Works provides a shared pedestrian and cycling connection for use by new and existing residents. The RMA Works does not materially alter the impact on climate change, as assessed within the 2018 ES (as amended). Therefore, the RMA Works will not change the effects previously reported in Chapter 15 (Climate Change) of the 2018 ES (as amended), thus the conclusions remain valid.

### Baseline

- 4.18. For the purposes of this Further Environmental Information Report, the 'baseline' year of 2024 has been used which is the period for which the most up-to-date environmental baseline information is available for the RMA Works and its surrounding area. However, in cases where that is different, such as Air Quality and Noise and Vibration, this has been noted and where possible, the closest date to this has been used.

### Cumulative Effects Assessment

- 4.19. The criteria applied to identify cumulative schemes in the 2018 ES (as amended) were as follows:
- Located within an approximate 1km radius of the RMA Application Site; and
  - Result in an increase of more than 10,000m<sup>2</sup> gross external area (GEA) in floor area (or over 150 residential units); and

- Have a planning application submitted, have planning permission or a resolution to grant consent, or are under construction; or
- Are key regional infrastructure projects; or
- Which are identified in the adopted MSDC planning policy (where relevant and sufficient information exists within the public domain).

4.20. There are no cumulative schemes to this application which meet the criteria above. However, there are two applications that the Applicant is putting forward for planning and have been considered as cumulative schemes, these are set out below:

- WBLR Phase 2 (Reserved Matters Application), which has not yet been submitted for planning but will follow on from WBLR Phase 3, however sufficient detail is known at this time. The draft planning description is as follows:

*“Reserved Matters application for DM/18/5114 – the second Phase of the Western Bridge and Link Road, comprising c.460m, single-carriageway 6.5metre wide distributor road highway link running north from the A2300 roundabout with 3-metre shared footways/cycleways on the eastern and western sides. A c70metre three span bridge over the River Adur and embankments rising to a height of approximately 3-metres at the abutments, including zones for 3 minor priority junctions, signalised crossing points (pedestrian and equestrian), earthworks, surface water drainage infrastructure (including attenuation tanks), utilities corridors, lighting and landscaping.”*

and

- WBLR Phase 3 (Full Application), a separate but concurrent application to the RMA for the land which sits outside of the Brookleigh Development boundary. The planning description is as follows;

*“Widening and extension of the existing footway for creation of a shared footway/cycleway along the western side of the A273 between Gatehouse Lane and A272 roundabout via the removal of the carriageway hard strip, relocation of existing bus stop bench, lighting, landscaping and associated works.”*

## 5. Ecology

### Introduction and Summary of the Conclusions of the 2018 ES (as amended)

- 5.1. This chapter provides an update assessment of the ecological impacts in relation to the RMA Works following a review of the ecological impacts assessed in the 2018 ES (as amended).
- 5.2. Chapter 6 of the 2018 ES (as amended) did not report any significant residual (post mitigation) effects to any ecological features as a result of the Brookleigh Development, apart from a 'moderate adverse effect on woodland habitat in the medium term (0-30 years from site clearance)' to account for the lag in landscape planting of new woodland.
- 5.3. A suite of significant pre-mitigation effects were identified to protected and notable species namely bats, dormouse, great crested newt, breeding birds, terrestrial invertebrates, reptiles and badger. Sufficient mitigation was devised to reduce the significance of these impacts and avoid breach of wildlife legislation. Whilst a suite of mitigation measures were proposed, the requirement to verify baseline conditions and the requirements of mitigation within each phase / reserved matters area was also identified (Condition 20 of DM/21/3279).

### Legislation and Planning Policy Review

- 5.4. Since the 2018 ES and updates reported in the 2019 ES Addendum, the following changes to legislation and policy are pertinent to this application. All other legislation remains unchanged.

### Environment Act 2021

- 5.5. The Environment Bill was given Royal Assent in November 2021 and is now the Environment Act 2021. The Act includes a target to halt the decline of nature by 2030 and to strengthen the existing biodiversity duty through the introduction of a mandatory requirement to achieve at least 10% biodiversity net gain (BNG) for new developments in England. These requirements commenced on 12th February 2024. The BNG requirement is framed as a pre-commencement condition and that BNG information will need to be provided by the applicant as part of the planning application submission. Guidance was circulated 14<sup>th</sup> February 2024 and updated on 1<sup>st</sup> May 2024<sup>3</sup>. The BNG calculations for the RMA Works have been provided as a standalone document to support the planning application<sup>4</sup>.
- 5.6. The Act is supported by secondary legislation comprising six statutory instruments:
  - The Biodiversity Gain (Town and Country Planning) (Consequential Amendments) Regulations 2024;
  - The Biodiversity Gain Site Register (Financial Penalties and Fees) Regulations 2024;
  - The Biodiversity Gain Requirements (Exemptions) Regulations 2024;
  - The Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024;
  - The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024; and,
  - The Biodiversity Gain Site Register Regulations 2024.

<sup>3</sup> [Biodiversity net gain - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/collections/biodiversity-net-gain)

<sup>4</sup> Waterman Infrastructure & Environment Ltd (2024), Biodiversity Net Gain Assessment (December 2024) (Document Ref: 19442103-WAT-XX-XX-RP-N-750003\_C01\_A0]

## National Planning Policy Framework

- 5.7. The NPPF was published in 2012 and last updated in December 2024<sup>5</sup>. Section 15 (outlined below) of the NPPF, 'Conserving and Enhancing the Natural Environment', is of relevance to this report. The Government Circular 06/2005<sup>6</sup> - Biodiversity and Geological Conservation: Statutory Obligations and Their Impact within the Planning System, remains valid and is still referenced within the NPPF.
- 5.8. Of particular significance with respect to biodiversity in the NPPF revision, is the amendment to para 175(d) of the NPPF 2019 (now para 187(d) of the NPPF 2024), which requires opportunities to incorporate biodiversity improvements in and around proposed development, rather than simply making it optional. This demonstrates further steps taken by the government towards achieving the 25 Year Environment Plan (2018), revised in the Environmental Improvement Plan (2023). Otherwise, there have been no further changes to the wording of "Conserving and enhancing the natural environment" Chapter of the NPPF.

## National Planning Practice Guidance

- 5.9. The Government's National Planning Practice Guidance<sup>7</sup> (NPPG) was published in 2016 and last updated in February 2024. It is intended to provide guidance to local planning authorities and developers on the implementation of the planning policies set out within the NPPF. The guidance of most relevance to ecology and biodiversity is the Natural Environment Chapter, which explains key issues in implementing policy to protect biodiversity, including local requirements. In addition, the biodiversity net gain guidance<sup>3</sup> requires development to have a positive impact ('net gain') on biodiversity by delivering at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.

## Assessment Methodology Review

- 5.10. The assessment methodology remains broadly unchanged since the submission of the 2019 ES Addendum.
- 5.11. This methodology is provided in the guidance for Ecological Impact Assessment (EclA) in the UK and Ireland developed by the Chartered Institute of Ecology and Environmental Management (CIEEM, 2019)<sup>8</sup> as outlined in the 2018 ES (as amended). The CIEEM guidance was updated between 2018 and 2019, but these updates did not have an impact on the assessment methodology.
- 5.12. The Zone of Influence (ZoI) is the area(s) over which ecological features are anticipated to be impacted by the biophysical changes caused by a proposed development. As referenced in industry guidance, Important Ecological Features (IEFs) that are anticipated to be affected by the RMA Works have been identified and subject to assessment. Given that the scale of the RMA Works is substantially smaller than the Brookleigh Development presented in the 2018 ES (as amended), the ZoI is also considerably smaller. Based on the scale and nature of the RMA Works, the ZoI arising from these works is considered to be no greater than 2km from the RMA Application Site for most IEFs and 10km for International Statutory Designated Sites. Therefore, this distance

<sup>5</sup> Department for Levelling Up, Housing and Communities (2024): National Planning Policy Framework

<sup>6</sup> Department of Communities and Local Government (2005): Circular 06/05: Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System.

<sup>7</sup> Department for Communities and Local Government. (2024). *National Planning Practice Guidance*. Available at: <https://www.gov.uk/government/collections/planning-practice-guidance#full-publication-update-history>.

<sup>8</sup> CIEEM (2018): Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. Chartered Institute of Ecology and Environmental Management, Winchester.

has been used to collect the information during the desk study as part of the baseline verification.

### Previous Surveys

- 5.13. Numerous surveys have been undertaken of the RMA Application Site and surroundings since the 2018 ES (as amended). Of particular relevance to the RMA Works are those undertaken by WSP. A Preliminary Ecological Appraisal (PEA) was undertaken in September 2022 (with the findings presented in a report dated May 18th 2023<sup>9</sup>), together with a Great crested newt technical note, which was produced in May 2023<sup>10</sup>.
- 5.14. The wider WBLR (Phases 1 and 2) has also been subject to various ecological assessments to inform earlier phases of work along the A2300, and A273 which provide context to ecological constraints that may be present within the RMA Application Site. Of note, to enable previous works to proceed along the A2300 in 2022, ADAS<sup>11</sup> undertook the following ecological measures:
- produced a Precautionary Method of Works (PMW) for reptiles and hedgehogs, and ancient woodland located 0.15km north (considering indirect pathways such as pollution or lighting etc),
  - implemented a nesting bird check for works during the bird nesting season,
  - undertook presence/absence surveys for great crested newt and badgers (with an additional pre-commencement check) and
  - produced a lighting strategy for bats.
- 5.15. Additionally, works within the RMA Application Site, north of the A2300 carriageway (which previously consisted of modified grassland and scrub habitat, now comprising 'sparsely vegetated land'), have recently been undertaken by the UK Power Networks (UKPN) in 2024. These works were undertaken under an PMW produced by ADAS and habitats were cleared before the ecological surveys (outlined below) were completed.

### 2024 Update Surveys

- 5.16. Given the age of the data presented in the previous PEA, undertaken within the RMA Application Site, changes in guidance<sup>12</sup>, subsequent changes in red line boundary, and recent de-vegetation along the A2300, the following surveys were undertaken in 2024 by Waterman to review and verify the baseline (see **Appendix B**).
- 5.17. An updated desk study including a review of Multi-Agency Geographic Information for the Countryside (magic.gov.uk)<sup>13</sup> and a purchase of ecological records within a 2km radius of the RMA Application Site from Sussex Biodiversity Records Centre (SBRC) (supplied May 2024).
- 5.18. A field survey comprising:
- an 'Extended' UK Habitat Classification (UKHab) survey<sup>14</sup> including condition assessment, of the RMA Application Site and the Full Application Site.

<sup>9</sup> WSP (2023) Western Bridge and Link Road Phase 3. Preliminary Ecological Appraisal. Ref. WBLR-WSP-EXX-RP-L-0127

<sup>10</sup> WSP (2023) Western Bridge and Link Road Phase 3 Great Crested Newt Technical Note Ref: ED/100377

<sup>11</sup> ADAS (2022) Non Licenced method Statement: Various Species (Ref: BXT69105 1106 (00) Rev.0)

<sup>12</sup> Collins, J. (ed) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edn). The Bat Conservation Trust, London. ISBN 978-1-7395126-0-6; Presentation of data using the UK Habitat Classification System.

<sup>13</sup> DEFRA (2014) Magic Map. Available at: <https://magic.defra.gov.uk/MagicMap.aspx>

<sup>14</sup> UK Hab Ltd (2023). UK Habitat Classification Version 2.0 (at <https://www.ukhab.org>)

- a Habitat Suitability Index (HSI) survey<sup>15</sup> for great crested newts on water bodies with connectivity to the RMA Application Site.
- Daytime Bat Walkover (DBW) and a Ground-Level Tree Assessment (GLTA) of trees in line with Collins, 2023<sup>16</sup>.

## Updated Baseline Conditions

- 5.19. A detailed description of the current baseline conditions on site, including an evaluation of their importance, is presented in the EclA Report for the Proposed Scheme<sup>17</sup> (see **Appendix B**). IEFs identified within the Zol, relevant to the RMA Works, are presented in **Table 2** alongside the impact assessment, avoidance and mitigation and residual effects. These are presented as Figures 1 to 5 within the EclA (**Appendix B**):
- Figure 1: Habitats Features Plan
  - Figure 2: Preliminary Roost Assessment Bat Potential
  - Figure 3: Ancient Woodlands and Notable Habitats
  - Figure 4: Designated Sites
  - Figure 5: Waterbodies within 500m of the RMA Application Site and Great Crested Newt Status
- 5.20. In summary the updated baseline conditions comprise the following IEFs (all other features are scoped out).
- 5.21. Habitats within the RMA Application Site comprise:
- w1g / Other woodland; broadleaved (50 – Ditch)
  - h3h / Mixed Scrub
  - h3d/ Bramble Scrub
  - g4 / Modified grassland (50 – Ditch)
  - u1f/ Sparsely vegetated urban land
  - u1b6 – other developed land
  - H2a – Native Hedgerow
  - u1e – Built linear feature (612 Fence)
- 5.22. There site is of low suitability for bat foraging/commuting although there are three trees within the woodland that offer bat roost suitability.
- 5.23. There are no ancient woodlands, notable habitats or non-statutory designated sites within the application area, although these features are present within the wider Zol depending on construction methods.

<sup>15</sup> Oldham R.S., Keeble J., Swan M.J.S. & Jeffcote M. (2000). Evaluating the suitability of habitat for the Great Crested Newt (*Triturus cristatus*). *Herpetological Journal* 10(4), 143-155.

<sup>16</sup> Collins, J. (ed) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edn). The Bat Conservation Trust, London. ISBN 978-1-7395126-0-6

<sup>17</sup> The EclA report considers the RMA which is the subject of this FEIR report, as well as a separate full application area (which is relatively much smaller and does not contain any IEFs). Given the relatively small size and lack of ecological features in the full application area, the IEFs subject to assessment in the EclA are relevant to this FEIR.

- 5.24. Great crested newt presence is confirmed in the wider area although it is considered unlikely that this species is present on site.

### Impact Assessment, Avoidance (Environmental Design and Management) and Mitigation, Residual Effects

- 5.25. **Table 3** presents the IEFs, the summary of potential impact, the avoidance, reduction and mitigation and demonstrates and predicted residual impacts (of which none are predicted). These are presented in a table to provide clarity on the level of impact and necessary management mitigation required for each feature. In summary, no new effects are predicted compared to the 2018 ES (as amended), although some refinement is proposed regarding avoidance measures specific to this RMA Application Site.

Table 3: Important Ecological Features

| Ecological Feature and Importance                                         | Summary of potential impact from the RMA Works                                                                                                                                                                                                                                                                                                                                                                               | Avoidance, reduction, mitigation                                                                                                                                                                                                                                                                                                                                                                                                                                       | Residual Effects |
|---------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| <b>Designated Sites</b><br><br>Importance not evaluated as not within Zol | No Statutory designated sites are located with the Zol. It has been assessed that the non-statutory designated sites within the Zol would not be subject to any significant direct or indirect impacts as a result of the RMA Works due to the distance from the RMA Application Site and/or the separation by major infrastructure and urban development.                                                                   | No specific mitigation measures for the protection of designated sites are considered to be required in this instance.<br><br>Notwithstanding this, the industry standard good practice measures will be implemented during preparation and construction activities to avoid secondary effects to habitats in the wider landscape arising from surface water run-off, dust, noise, and vibration, light (see Construction Environmental Management Plan (CEMP) below). | Negligible       |
| <b>Habitats (on Site)</b><br><br>Site Importance                          | Habitat types are both nationally and locally common. UK Habitat classification categories (and secondary codes) are summarised below <ul style="list-style-type: none"> <li>w1g / Other woodland; broadleaved (50 – Ditch)</li> <li>h3h / Mixed Scrub</li> <li>h3d/ Bramble Scrub</li> <li>g4 / Modified grassland (50 – Ditch)</li> <li>u1f/ Sparsely vegetated urban land</li> <li>u1b6 – other developed land</li> </ul> | Standard good industry practice will be implemented to minimise losses of vegetation as far as practicable.<br><br>The Brookleigh Development is committed to deliver 10% Biodiversity Net Gain to compensate for habitat losses on site. The BNG assessment will identify the details of permanent and temporary habitat losses, and subsequent gains through landscaping along with their units for the RMA Works.                                                   | Negligible       |

| Ecological Feature and Importance                           | Summary of potential impact from the RMA Works                                                                                                                                                                                                                                                                                                                                                                     | Avoidance, reduction, mitigation                                                                                                                                                                                                                                                                                                                                                                                          | Residual Effects |
|-------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
|                                                             | <ul style="list-style-type: none"> <li>H2a – Native Hedgerow</li> <li>u1e – Built linear feature (612 Fence)</li> </ul> <p>As such, habitat loss arising from the RMA Works are considered significant at a Site level.</p>                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                           |                  |
| <b>Ancient woodlands</b><br><br>National (collectively)     | <p>There is an ancient woodland located 0.15km north of the RMA Application Site and 0.25km to the south with habitat connections.</p> <p>It is understood that the RMA Works and temporary construction areas will not enter an ancient tree root protection buffer zone (a buffer zone is 15 times larger than the diameter of the closest ancient tree to the development) as such no impacts are predicted</p> | Standard good practice pollution prevention measures (as outlined for Designated Sites) are applicable. The above measures will be included as part of CEMP.                                                                                                                                                                                                                                                              | Negligible       |
| <b>Bats (Foraging and Commuting)</b><br><br>Site importance | The RMA Application Site is considered to be of low suitability for foraging and commuting bats. As such, no significant impacts are anticipated as a result of the RMA Works.                                                                                                                                                                                                                                     | Notwithstanding the low value of the RMA Application Site for foraging and commuting bats, standard good industry lighting measures will be implemented during construction and operation to limit the spill of light pollution into the surrounding landscape <sup>18</sup> , and vegetation removal limited as far as practicable.                                                                                      | Negligible       |
| <b>Bats (Roosting)</b><br><br>Local importance              | <p>There were Potential Roost Features (PRFs) located in woodland adjacent to the RMA Application Site in trees T1 – T3 (see Figure 3 within <b>Appendix B</b>). As such roosting bats in these trees cannot be discounted.</p> <p>However, considering the trees will remain in situ and the location of the works would have no direct impacts to the trees, no</p>                                              | <p>A Precautionary Working Method (PWM) is proposed to mitigate against any potential indirect disturbance during construction, including standard good industry measures relating to lighting (as outlined above). This will be implemented through the CEMP.</p> <p>The proposals will include a lighting scheme<sup>18</sup> to avoid operational light spill on the tree line which offers the roosting features.</p> | Negligible       |

<sup>18</sup> Bat Conservation Trust (2023). GN08/23Bats and Artificial Lighting At Night. Available at: <file:///C:/Users/MRTL/Downloads/41867-ILP-GN08-FINAL-1.pdf>

| Ecological Feature and Importance                                                              | Summary of potential impact from the RMA Works                                                                                                                                                                       | Avoidance, reduction, mitigation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Residual Effects |
|------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
|                                                                                                | direct impacts are predicted. Avoidance measures are proposed to mitigation for potential disturbance impacts during construction and operation.                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                  |
| <b>Badger</b><br>Not assessed (no evidence)                                                    | No evidence of badger was noted within the RMA Application Site as such no impacts are predicted.                                                                                                                    | Whilst no sign of badger was noted during survey, as a mobile species, badger may occur on site. As such the potential presence of badger will be considered as standard practice in the CEMP with standard avoidance measures and checks prior to de-vegetation and ground works to avoid mammals being harmed through construction works, and mammal holes being subject to further review, if present.                                                                                                                                                                                                                                                                              | Negligible       |
| <b>Breeding Birds</b><br>Site importance                                                       | Breeding birds may be harmed through vegetation loss, also resulting in a breach of wildlife legislation.                                                                                                            | Loss of habitat supporting breeding birds will be minimised wherever possible. Should vegetation removal be necessary this will not be removed within the nesting season of March to August inclusive subject to seasonal variations. If this is not possible, a suitably experienced ecologist will inspect any vegetation to be removed for the presence of active birds' nests prior to removal. Any active nests will be protected from destruction with a suitable buffer until they are no longer in use.<br><br>Measures to avoid impacts to breeding birds will be included in the PMW and CEMP.<br><br>Habitat compensation will be considered as part of the BNG assessment. | Negligible       |
| <b>Great crested newt.</b><br>Site importance (to account for the low risk of an individual on | Great crested newts are present in Pond 3 located 100m from the RMA Application Site (see Figure 5 within <b>Appendix B</b> ). Pond 3 has optimum immediate terrestrial habitat, and habitat connectivity to the RMA | To account for potential changes to the suitability of terrestrial habitat on site, for example through natural regeneration, and to avoid breaching wildlife legislation, a PMW will include consideration of great crested newt in the area.                                                                                                                                                                                                                                                                                                                                                                                                                                         | Negligible       |

| Ecological Feature and Importance       | Summary of potential impact from the RMA Works                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Avoidance, reduction, mitigation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Residual Effects |
|-----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| site)                                   | <p>Application Site is suboptimal, thus reducing the likelihood that newts breeding in Pond 3 would use terrestrial habitat on site. Recent scrub clearance to the immediate north of the A2300 (mapped as sparsely vegetated land) has removed previously suitable terrestrial habitat for great crested newt (south of the sparsely vegetated land) within the RMA Application Site.</p> <p>Great crested newts are therefore considered highly likely to be absent from the RMA Application Site and impacts to a local great crested newt population is not predicted.</p> <p>There is a low risk of an incidental great crested newt being present within the RMA Application Site in the future, should habitat suitability change. Avoidance measures are proposed for legal compliance purposes.</p> | <p>This will involve a review of whether potentially suitable terrestrial habitat is present within the works area prior to clearance by a suitably qualified individual, with the implementation of a hand search/destructive searches during the appropriate time of year if required. Should suitable hibernation features be identified, works to these will avoid the amphibian hibernation season (generally taken to be November to February depending on seasonal variations) where disturbance can result in greater harm and death. Alternatively trained detection dogs can be used to confirm the absence of great crested newt hibernating in such features. In addition, standard practices such as storing materials on pallets and not leaving trenches uncovered will be included. The PMW will be included in the CEMP. This will outline that in the unlikely event that a great crested newt is encountered during works, works should stop and advice sought from a suitably qualified ecologist. As a European Protected Species, great crested newt will not be moved without a mitigation licence.</p> |                  |
| <b>Reptiles</b><br><br>Local Importance | <p>A slow worm was identified on Site during the Field Survey, and the habitats on site are considered to support a small number of individuals of slow worm and potentially other common reptiles. Habitat loss could result in harm and injury to the local reptile population and result in a breach of wildlife legislation.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p>To avoid harming reptiles and breaching wildlife legislation through construction activities, and in line with approaches previously adopted in the area when undertaking de-vegetation works a PMW<sup>4</sup> is proposed. This will include a sensitive and phased vegetation clearance approach to allow reptiles to move out the way into suitable habitat that connects to the wider landscape, and not flushing reptiles onto roads. Works to potential reptile habitat (woodland edge habitat, hedgerow,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Negligible       |

| Ecological Feature and Importance | Summary of potential impact from the RMA Works | Avoidance, reduction, mitigation                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Residual Effects |
|-----------------------------------|------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
|                                   |                                                | <p>scrub, sparsely vegetated areas and mosaic habitats) will avoid the reptile hibernation season (generally taken to be November to February depending on seasonal variations) where disturbance to reptile can result in greater harm and death. In addition, standard practices such as storing materials on pallets and not leaving trenches uncovered will be included. The PMW will be included in the CEMP.</p> <p>Habitat compensation will be addressed through the BNG assessment.</p> |                  |

## Updated Residual Effects and Conclusions

- 5.26. There are no changes to the likely residual significant ecology effects identified in the 2018 ES (as amended) as a result of either the updated baseline information or the RMA Works.

## Updated Cumulative Effects Assessment

- 5.27. There are no new or different likely significant cumulative effects for ecology as a result of the updated baseline information acting in combination with the cumulative schemes and the RMA Works.

## Summary and Conclusions

- 5.28. The likely significant effects on ecology and biodiversity as a result of the RMA Works has been assessed and commentary has been provided which concludes that the findings of the 2018 ES (as amended) are unchanged. This has included an updated assessment of the baseline conditions within the RMA Application Site.
- 5.29. The RMA Works would result in some vegetation loss which has the potential to affect a small number of reptiles and (depending on timing) breeding birds on site although avoidance measures (as detailed in the 2018 ES (as amended)) can mitigate for this and avoid any potential breach of wildlife legislation. The extent of vegetation loss proposed, with respect of current baseline conditions indicates that adverse effects on bats and great crested newt are unlikely although avoidance measures (as detailed in the 2018 ES (as amended) with some refinement) would reduce this low residual risk. All other protected/notable species have been scoped out.
- 5.30. Standard good industry practice avoidance measures (as detailed in the 2018 ES (as amended) with some minor refinement) will remove potential pollution pathways to designated sites located in the wider Zol.
- 5.31. In conclusion, there are no new or additional likely significant environmental impacts predicted as a result of the RMA Works. There is no change to the significance of effects reported in the 2018 ES

(as amended) with respect to the IEFs present within the application area. The RMA Works will result in a small amount of woodland loss, which was assessed in the 2018 ES (as amended) and constitutes a fraction of the 'moderate' adverse residual effect associated with woodland loss for the wider Brookleigh Development reported in the 2018 ES (as amended).

5.32. A PMW will be produced to be included in the CEMP by the Principal Contractor, as a condition of planning (Condition 8 within **Table 1** of this report), to avoid breaching wildlife legislation and implementing standard good practice measures for the following features. This is in line with mitigation proposed in the 2018 ES (as amended) and as outlined in **Table 3**:

- Habitats and Designated Sites standard pollution prevention measures, limiting de-vegetation and habitat loss as far as possible.
- Species: badger, bats, breeding birds, great crested newt and reptiles.

5.33. Habitat re-instatement, creation and enhancement opportunities will be explored as part of a BNG Assessment within the context of the wider Brookleigh Development. It is understood that a target 10% biodiversity net gain will be delivered as part of the wider Brookleigh Development which may include off-site provision where it has not been possible to deliver onsite. The BNG calculations for the RMA Works, which have been provided as a standalone document to support the planning application, will be recorded in a biodiversity net gain (BNG) assessment calculation to inform this process.

## 6. Flood Risk and Drainage

### Introduction and Summary and Conclusions of the 2018 ES (as amended)

- 6.1. This chapter provides an updated assessment of the flood risk and drainage impacts in relation to the RMA Works. This is following a review of the flood risk and drainage impacts assessed in the 2018 ES (as amended).
- 6.2. Chapter 7 (Water Resources, Flood Risk and Drainage) of the 2018 ES concluded that the Brookleigh Development would result in minor adverse / negligible effects (not significant) during demolition and construction. Once complete and operational, the residual effects after mitigation were considered to be minor adverse / negligible (not significant).
- 6.3. The 2018 ES (as amended) did not report any significant effects to water resources, flood risk or drainage at the Brookleigh Development site, with the residual effects post-mitigation being minor adverse or negligible (not significant) during construction and operation.

### Legislation and Planning Policy Review

- 6.4. Since submission of the 2018 ES (as amended), there have been several updates to the legislative framework and planning policies. Those that are relevant to this planning application are set out below.

### National Planning Policy Framework

- 6.5. The latest revision to the NPPF occurred in December 2024. The policy relating to water resources, flood risk and drainage remains outlined under Paragraphs 161-186, Section 14 'Meeting the challenge of climate change, flooding and coastal change'.
- 6.6. Whilst a re-organisation of policies' paragraph numbering has occurred in the NPPF, there is a greater emphasis on supporting the transition to net zero by 2050, however no fundamental changes to the underpinning policies have occurred. Therefore, the overall context of the NPPF throughout the 2018 ES (as amended) remains unchanged and the assessment against national policy remains valid.

### National Planning Practice Guidance

- 6.7. The latest revision to the NPPG occurred in February 2024. The overarching aim of the planning practice guidance, to make planning guidance more accessible and ensure it is kept up to date, has not changed in relation to flood risk (Flood Risk and Coastal Change, August 2022).

### West Sussex County Council (WSCC) – Council Plan 2021-2025

- 6.8. The WSCC Council Plan 2021-2025 supersedes 'The Wessex Plan 2017-2022' referred to in the 2018 ES (as amended). The plan sets out where WSCC will focus its efforts over the next four years. In addition, the plan is set out and organised around four priorities with an underpinning theme of climate change (from use of green technology and renewable energy). The plan is presented in terms of priorities, outcomes and key performance indicators and targets.
- 6.9. There are no policies in the latest Council Plan which are relevant to this water resources, flood risk and drainage chapter.

## Mid Sussex District Council (MSDC) - Mid Sussex District Plan 2014-2031

- 6.10. The currently adopted district plan still consists of the Mid Sussex District Plan 2014-2031, adopted March 2018. Due to the requirement to complete a review and update the plan within 5 years of adoption by 2023, the draft District Plan 2021-2039 was submitted for Examination in July 2024. It is anticipated that the revised district plan will be adopted in 2025. Relevant draft revision policies to the RMA Works include 'DPS4: Flood Risk and Sustainable Drainage' and 'DPN6: Pollution'.

## Environment Agency (EA) Climate Change Guidance

- 6.11. The latest revision to the EA Climate Change Guidance occurred in May 2022. The overarching principles of when and how climate change allowances are used in flood risk assessments, to ensure it is kept up to date, has not changed. However, it has been revised in line with UK Climate Change Projections 2019.

## Assessment Methodology Review

- 6.12. The methodology for determining baseline conditions and sensitive receptors as part of this assessment remains the same as that presented Chapter 7 of the 2018 ES (as amended).

## Updated Baseline Conditions

- 6.13. Chapter 7 of the 2018 ES (as amended) provides a description of the wider baseline conditions, which remains unchanged. However, for the purpose of this report (and to satisfy MSDC, who requested an FRA for the RMA), the baseline conditions, relevant to the RMA Application Site and RMA Works, are set out below.

## Topography

- 6.14. The topography broadly falls from the north-west to the south-east, with the land adjacent to the A2300 being approximately 30 metres Above Ordnance Datum (AOD) and the land adjacent to the A273 being approximately 25 metres AOD.

## Hydrology

### Surface Water Resources

- 6.15. The nearest 'main river'<sup>19</sup> is the River Adur, which is located approximately 350m to the north of the RMA Application Site (at its closest point).
- 6.16. There are a number of smaller water features including land drains and ponds within and in close proximity to the RMA Application Site. An un-named watercourse issues to the north-west of the electrical substation in land to the west of the Triangle Roundabout. The majority of the RMA Works is located within the catchment of the Pook Bourne.

## Geology and Hydrogeology

- 6.17. Chapter 8 (Ground Conditions), within the 2018 ES (as amended) provides a review of the geological and hydrogeological conditions of the wider development; the findings remain unchanged and valid. Weald Clay Formation is expected to be over 100m thick in the western part of the Brookleigh Development, this includes the RMA Application Site.

<sup>19</sup> 'Main river' is defined by the EA as any watercourse that contributes significantly to the hydrology of a catchment.

- 6.18. The bedrock geology, beneath the RMA Application Site, is classified as Unproductive Strata by the EA.

### Flood Risk

#### Rivers and Sea

- 6.19. The Environment Agency (EA) Flood Map for Planning (Rivers and Sea) (**Figure 10**) shows that the RMA Application Site is located within Flood Zone 1, which has a low probability of flooding (less than 1 in 1,000 annual probability of river or sea flooding). Therefore, it has little risk of river flooding, nor does the EA hold any historic records of river flooding within the RMA Application Site.
- 6.20. The RMA Application Site is not situated in a coastal location and none of the identified surface water features are tidally influenced. The RMA Application Site is not at risk from tidal flooding from this source and is not considered further.

#### Artificial Waterbodies

- 6.21. Artificial flood sources include raised channels, such as canals or storage features, such as ponds and reservoirs. The 2018 ES (as amended) concluded that there was no / low risk of flooding from artificial waterbodies, these conclusions remain unchanged.

#### Groundwater

- 6.22. As set out in the 2018 ES (as amended), the MSDC Strategic Flood Risk Assessment (SFRA) indicates that the Brookleigh Development site is at low risk of groundwater flooding due to the underlying geology. Following a review of the latest SFRA<sup>20</sup> the conclusions of the 2018 ES (as amended) remain valid and applicable to the RMA Application Site.

#### Surface Water

- 6.23. The EA's surface water flood risk mapping identifies that the majority of the RMA Application Site has a low risk of flooding (see **Figure 11**). However, the mapping indicates that there are a small number of areas of overland flow associated with flood flows which exceed the capacity of the ditch on the north side of the A2300, adjacent to the Triangle Roundabout; as a result, there is a high risk of surface flooding (more than 3.3% chance each year) in this area. The area of flooding identified corresponds with an existing drainage ditch and culvert which passes beneath the A2300 and into a field ditch, adjacent to the electrical substation. A large area of the catchment draining to this ditch has recently been cut-off by the construction of the new A2300 Roundabout, which will have a positive effect on reducing the flooding in this area. Furthermore, the updated Drainage Strategy (planning condition 22 within **Table 1** of this report), which is submitted as a document to accompany the RMA, highlights that the localised flooding issues have been exacerbated by blockages and poor maintenance.
- 6.24. As set out in the 2018 ES (as amended), the impact of climate change is likely to increase the risk of flooding, with the predominant risks to the RMA Works being from surface water flooding.

### Environmental Design and Management

- 6.25. No environmental design and management measures, additional to those reported in the 2018 ES (as amended), are required.

<sup>20</sup> Mid Sussex District Council, 2024, Level 1 Strategic Flood Risk Assessment. Available online: <https://www.midsussex.gov.uk/media/sl2jhk0z/env11-1-strategic-flood-risk-assessment-level-1-2024.pdf>

## Assessment of Effects and Significance

### Effects during Demolition and Construction

- 6.26. There is currently little to no risk of surface water flooding across much of the RMA Application Site, with a small area at high risk of surface water flooding (resulting from blockages and poor maintenance). With the implementation of the measures outlined in the Outline CEMP, the RMA Works would not increase the risk of flooding from surface water sources as a result of blockages, etc. during demolition and construction. Nor would it increase the risk to water quality or water supply.
- 6.27. There are no new or different significant demolition and construction effects for flood risk as a result of the RMA Works, in comparison to the 2018 ES (as amended).

### Effects once the RMA Works are Complete and Operational

- 6.28. The 2018 ES (as amended) concluded that an increase in hardstanding would likely increase the risk of flooding. However, following the implementation of mitigation measures, the 2018 ES (as amended) determined that there would be no likely significant effects to water resources, drainage and flood risk expected.
- 6.29. The RMA Works include:
- the minor realignment of the existing drainage ditches and a change to the culvert headwalls on the north and south side of the A2300; including an extension to the existing culvert. This will not change the conveyance or capacity of the existing ditches or culverts. It has been discussed and agreed with the drainage officer at MSDC that run-off from the new paved foot/cycleway, on the north side of the A2300, will not be collected / concentrated in any new system, and will instead be allowed to drain naturally along its length onto and through the adjacent grass/vegetation, allowing evapotranspiration, infiltration and natural ponding in the uneven grass area, and eventually any remaining run-off will drain to the existing parallel ditch.
  - the creation of a new swale (a wide flat bottomed, vegetated open channel), between the base of the existing embankment (along the southern side of the A2300) and the shared use footway. This swale will encourage evapotranspiration and infiltration and will include an outfall connection into the existing ditch on the north side of the UKPN electric substation via a new, shallow culvert beneath the footway and a new drainage ditch. These new, additional drainage features will be designed to have sufficient capacity to accommodate surface runoff from the new areas of hardstanding; and
  - the installation of new filter drains, to receive surface water runoff from the new shared footway, along A273, which will connect into the new drainage network and attenuation basins within WBLR Phase 1 which have been designed to accommodate the WBLR Phase 3 catchment area and resulting flows.
- 6.30. Similarly, the RMA Works with the measures in-built, such as the installation of new filter drains, swale and additional drainage ditches (with capacity to accommodate additional runoff from the new areas of hardstanding) will not increase the risk of flooding.
- 6.31. There are no new or different significant complete and operational effects for flood risk as a result of the RMA Works, in comparison to the 2018 ES (as amended).

### **Additional Mitigation and Monitoring**

- 6.32. No additional mitigation measures or monitoring is required above the measures reported in the 2018 ES (as amended).

### **Updated Residual Effects and Conclusions**

- 6.33. There are no changes to the likely residual significant flood risk effects identified in the 2018 ES (as amended) as a result of the RMA Works.

### **Updated Cumulative Effects Assessment**

- 6.34. There are no new or different likely significant cumulative effects for water resources, flood risk and drainage as a result of the cumulative schemes acting in combination with the RMA Works.

### **Summary and Conclusions**

- 6.35. Since submission of the 2018 ES (as amended), there have been updates to the national planning policies and guidance (including the NPPF and NPPG), together with changes to regional planning policies. Where changes have occurred, these are not material to the assessment of effects reported in the 2018 ES (as amended).
- 6.36. The assessment methodology remains unchanged, therefore the criteria applied for assessing the impacts to water resources, flood risk and drainage remain as set out in the 2018 ES (as amended).
- 6.37. The baseline remains unchanged from that reported in the 2018 ES (as amended).
- 6.38. As a result of the RMA Works, there will be no additional water resources, flood risk or drainage effects during the demolition and construction phase and completion and operational phase due to the minimal design changes taking place and mitigation measures in place.
- 6.39. This report demonstrates that the RMA Works would not give rise to any new or different significant effects upon water resources, flood risk and drainage. Therefore, the significance of effects and conclusions presented in the 2018 ES (as amended) remain unchanged.

## 7. Landscape and Visual

### Introduction and Summary and Conclusions of the 2018 ES (as amended)

- 7.1. This chapter provides an updated assessment of the landscape and visual impacts in relation to the RMA Works. This is following a review of the landscape and visual impacts assessed in the 2018 ES (as amended).
- 7.2. The 2018 ES (as amended) concluded that the Brookleigh Development would have significant effects on landscape character areas (LCA) and visual receptors, some of which are applicable to the RMA Works.
- 7.3. **Table 3** sets out the significant effects on the landscape character areas (LCA) and visual receptors as identified in *Chapter 9: Landscape and Visual* of the 2018 ES (as amended):

Table 4: Summary of Significant Landscape and Visual Effects

| Description of Impact                                                                                                                                                                                                                   | Residual Effect Significance |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| <b>Landscape Demolition and Construction</b>                                                                                                                                                                                            |                              |
| LCA 54: Haywards Heath – Burgess Hill Low Weald<br>Topsoil stripping, alteration to surface landform, presence of construction machinery, reduction in tranquillity and implementation of the Brookleigh Development and new land uses. | <b>Major adverse</b>         |
| Area A: West End Farm<br>Topsoil stripping, alteration to surface landform, presence of construction machinery, reduction in tranquillity and implementation of the Brookleigh Development and new land uses.                           | <b>Moderate adverse</b>      |
| <b>Landscape Complete and Operational Year 1</b>                                                                                                                                                                                        |                              |
| LCA 54: Haywards Heath – Burgess Hill Low Weald<br>Change in land use, new road infrastructure and buildings, balanced with new recreational opportunities and retained vegetation structure.                                           | <b>Moderate adverse</b>      |
| Area A: West End Farm<br>Change in land use, new road infrastructure and buildings, balanced with new recreational opportunities and retained vegetation structure.                                                                     | <b>Moderate adverse</b>      |
| <b>Landscape Complete and Operational Year 15</b>                                                                                                                                                                                       |                              |
| LCA 54: Haywards Heath – Burgess Hill Low Weald<br>Continued change in land use, new road infrastructure and buildings, balanced with new recreational opportunities and retained vegetation structure.                                 | <b>Moderate adverse</b>      |
| Area A: West End Farm<br>Change in land use, new road infrastructure and buildings, balanced with new recreational opportunities and retained vegetation structure.                                                                     | <b>Moderate adverse</b>      |

| Description of Impact                                                                                                                                                                                                       | Residual Effect Significance |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| <b>Visual Receptors Demolition and Construction</b>                                                                                                                                                                         |                              |
| 8. Recreational users of PRow (footpath) 98CR<br><br>Close range views of the construction activity although hoardings would screen the ground level activity. Views of the excavation for the undergrounding of the pylon. | <b>Major Adverse</b>         |
| <b>Visual Receptors Completed and Operational Year 1</b>                                                                                                                                                                    |                              |
| There are no significant visual effects at year 1.                                                                                                                                                                          | -                            |
| <b>Visual Receptors Completed and Operational Year 15</b>                                                                                                                                                                   |                              |
| There are no significant visual effects at year 15.                                                                                                                                                                         | -                            |

## Legislation and Planning Policy Review

- 7.4. Since submission of the 23018 ES (as amended), there have been no changes to legislation, however, there have been revisions to planning policies and guidance.

## National Planning Policy Framework

- 7.5. The revised NPPF was published in December 2024, which supersedes the previous NPPF published in February 2019 and subsequent updates in July 2021 and December 2023, of which was published following the submission of the 2019 ES Addendum. Aside from a change to paragraph numbering, the principle of the NPPF, in relation to landscape and visual matters, remain unchanged from the 2018 ES (as amended).

## National Planning Practice Guidance

- 7.6. The NPPG was last updated in February 2024, which supersedes the previous guidance published in February 2019 and then in July 2021, which was published following the submission of the 2019 ES Addendum. The PPG sets out guidance that supports the use of Landscape Character Assessments, as set out below.

*Para 036 “[...] landscape character assessments can be prepared to complement Natural England’s National Character Area profiles [...] to help assess the type and scale of development that might be able to be accommodated without compromising landscape character [...]. To demonstrate the likely effects of a proposed development on the landscape, a Landscape Visual Impact assessment can be used.”*

## Regional Planning Policy and Guidance

- 7.7. The West Sussex Plan (2017-2022) has been superseded with the West Sussex ‘Our Council Plan’ (2021-2025) which sets out in chapter 2; ‘A sustainable and prosperous economy’ and chapter 4 ‘Making the best use of resources’ that the council will deliver improved transport network and enable active travel and access to community facilities as well as protecting and safeguarding the local environment. In addition to this under delivering commitments to climate change, the council will promote nature recovery and biodiversity.

## Local Planning Policy and Guidance

- 7.8. There have been no updates to the ‘Mid Sussex District Plan 2014-2031’ (adopted 2018) since the

submission of the 2018 ES and 2019 Addendum, therefore the policies set out in 'Chapter 9: Landscape and Visual' remain relevant. This District Plan is currently under review by the District Council and was submitted for examination on 8th July 2024 with formal adoption proposed for 2025.

- 7.9. The 'Burgess Hill Neighbourhood Plan 2015-2031' (adopted 2016) has not been updated since the 2018 ES and 2019 Addendum, therefore the policies set out in the 2018 ES within 'Chapter 9: Landscape and Visual' remain relevant.
- 7.10. The 'Anstey, Staplefield and Brook Street Neighbourhood Plan 2015-2031' (adopted 2017) has not been updated since the 2018 ES and 2019 Addendum, therefore the policies and vision set out in the 2018 ES within 'Chapter 9: Landscape and Visual' remain relevant.

### Other Relevant Policy, Standards and Guidance

- 7.11. There have been no updates to the local guidance documents as set out in the 2018 ES (as amended), therefore those set out in the 2018 ES within 'Chapter 9: Landscape and Visual' remain relevant.
- 7.12. 'The High Weald Area of Outstanding Natural Beauty Management Plan 2024-2029' has been updated since the submission of the 2018 ES (as amended) and therefore supersedes the 'The High Weald Area of Outstanding Natural Beauty Management Plan 2014-2019'. This is a statutory plan adopted by 15 local authority partners which set out policies for the management of the area and providing a vision for the High Weald AONB (now known as National Landscapes).
- 7.13. The Plan sets out the key characteristics of the High Wealds with issues and objectives. Those that are of most relevant to Landscape and Visual include, settlement, woodland, aesthetic and perceptual qualities and their distinct and picturesque landscape and visual character, with rolling pastures, ancient woodlands and unspoilt rural landscapes. The key objectives are to protect the rural and historic pattern and character, to conserve the built heritage, protect valued views and experiences of rurality and tranquillity and ensure new development reflects the character of the High Wealds, maintain and restore the existing extent and pattern of landscapes and woodland cover and particularly ancient woodland.

### Assessment Methodology Review

- 7.14. Since the 2018 ES (as amended), the methodology for assessing the landscape and visual effects of the RMA Works has not changed and therefore the criteria applied for assessing the landscape and visual impacts remain as set out in the 2018 ES. This includes the Guidelines for Landscape and Visual Impact Assessment, Third Edition (GLVIA 3), 2013. The Landscape Institute Technical Guidance Note (TGN) 01/11 Photography and Photomontage in Landscape and Visual Impact Assessment has been updated with (TGN) 06/19: Visual Representation of development proposals, however this would not alter the methodology of the assessment.

### Updated Baseline Conditions

- 7.15. The baseline has not changed since the 2018 ES (as amended), except for the change in terminology of all Areas of Outstanding Natural Beauty (AONB), which took effect from November 2023. These are now known as 'National Landscapes' within published documentation.

### Environmental Design and Management

- 7.16. The RMA Works include the provision of new pedestrian and cycle routes that runs parallel either side of the carriageway along the A2300 and on the western side of the carriageway of the A273. This was identified as forming part of a 'Green Superhighway' within the Brookleigh Development. To facilitate this, some existing trees, hedges and other vegetation will be removed as shown on Tree Protection and Removal Plan (**Figure 12**). However, areas of existing vegetation will also be retained. Details of landscape proposals and existing retained vegetation are shown on the landscape plans (see **Figures 7 – 9**).
- 7.17. No environmental design and management measures, additional to those reported in the 2018 ES (as amended), are required.

## Assessment of Effects and Significance

### Demolition and Construction Phase

- 7.18. As a result of the RMA Works, it is not anticipated that there would be any additional landscape and visual effects during demolition and construction phase due to the minimal design changes taking place. The vegetation that is being removed to facilitate the new pedestrian and cycle routes will be compensated with the addition of proposed tree and shrub planting. The locations of these have been sensitively considered to provide both visual screening, visual amenity and landscape integration, whilst providing native local provenance species. Retained vegetation will be protected during the works, of which details are provided in the Tree Protection and Removal Plan.
- 7.19. There are no new or different significant demolition and construction effects for landscape and visual as a result of the RMA Works, in comparison to the 2018 ES (as amended).

### Completion and Operational Phase

- 7.20. The RMA Works are not anticipated to have any additional landscape and visual effects during the completion and operational phase. The proposed planting will have matured in size, which will provide further screening and visual amenity functions. The locations have been sensitively considered to provide visual screening, visual amenity and landscape integration whilst providing native local provenance species.
- 7.21. There are no new or different significant complete and operational effects for landscape and visual as a result of the RMA Works, in comparison to the 2018 ES (as amended).

### Additional Mitigation and Monitoring

- 7.22. It is anticipated that an Ecological Clerk of Works will provide onsite monitoring of works during demolition, site preparation and construction works. There is no additional landscape mitigation measures required as a result of the RMA Works during demolition and construction.
- 7.23. The Arboricultural Tree Protection Plan (**Figure 12**) provides further details with regards to the effects of clearance and demolition. No-dig solutions will need to be implemented during construction works to avoid and minimise damage and compaction of soils close to the existing trees.

### Updated Residual Effects and Conclusions

- 7.24. There are no changes to the likely residual significant landscape and visual effects identified in the 2018 ES (as amended) as a result of the RMA Works.

## **Updated Cumulative Effects Assessment**

- 7.25. There are no new or different likely significant cumulative effects for landscape and visual as a result of the cumulative schemes acting in combination with the RMA Works.

## **Summary and Conclusions**

- 7.26. Since the 2018 ES, the national planning policies and guidance that have changed include updates to the NPPF and NPPG. Changes to regional planning policies include the updated 2021-2025 West Sussex Plan, which supersedes the 2017-2022 plan. There have been no changes to the local planning policies, therefore those provided as part of the 2018 ES remain relevant. There have also been no updates to the local guidance document as set out in the 2018 ES, therefore these remain relevant. The 2014-2019 High Weald Area of Outstanding Natural Beauty Management Plan has been superseded with the updated 2024-2029 version.
- 7.27. The assessment methodologies remain unchanged, therefore the criteria applied for assessing the landscape and visual impacts remain as set out in the 2018 ES.
- 7.28. The baseline remains unchanged since the 2018 ES (as amended).
- 7.29. As a result of the RMA Works, there will be no additional landscape and visual effects during the demolition and construction phase and completion and operational phase due to the minimal design changes taking place and proposed planting in place.
- 7.30. The report demonstrates that the landscape and visual effects of the RMA Works are not significant and that the significance of effects and conclusions presented in the 2018 ES (as amended) remain unchanged.

## 8. Cultural Heritage

### Introduction and Summary and Conclusions of the 2018 ES (as amended)

- 8.1. This chapter provides an updated assessment of the cultural heritage impacts and effects from the RMA Works in relation to those assessed in the 2018 ES (as amended).
- 8.2. Chapter 10 of the 2018 ES (as amended) consisted of a cultural heritage (built heritage and archaeological remains) impact assessment of potential effects from the Brookleigh Development.
- 8.3. As stated in Paragraph 10.4.12 in the 2018 ES, the prolonged duration of the works associated with the Brookleigh Development merited the need for the use of 'time slices' for the project:

*'Owing to the long construction period and the various phases of construction on the Site, time slices across the programme of works have been defined to inform the impact assessment. Each time slice represents a point in time when multiple works (and in the majority of cases, occupation) is to occur across the Site and therefore represents a worse-case scenario. The demolition and construction phase assessment will comprise time slice assessments based upon the phasing of the Proposed Development in order to appropriately assess the demolition and construction impacts throughout the lifecycle of the scheme. Five of the six time slices (1, 2, 4, 5 and 6) have been utilised as part of this assessment. Time slice 3 has been excluded as it is not relevant to cultural heritage...'*

- 8.4. The RMA Works fall within 'Time slice 2 - construction of the rest of Phase 1 and operation of Phase 1', being part of Phase 1 of 4 for the wider Brookleigh Development.
- 8.5. In terms of archaeological potential, Paragraph 10.5.18 of the 2018 ES outlines the identified level of potential for archaeological remains within the Brookleigh Development boundary for each chronological period:
- *Early Prehistoric- Low given the general scarcity of such sites within the Low Weald;*
  - *Late Prehistoric- Low in the majority of the Site but moderate in areas close to the River Adur and its tributaries;*
  - *Roman- Low in the majority of the Site to moderate within and in proximity to the Roman road ANA;*
  - *Early medieval- Low given the general scarcity of such sites within the Low Weald;*
  - *Medieval- Moderate given the medieval origins to much of the field systems within the Study Area along with the presence of the remains of medieval industrial activity; and*
  - *Post-medieval- Moderate to high based on the identification of several assets dating to the post-medieval through HER and historic map analysis including several scattered farmsteads, industrial sites such as mills, clay extraction pits, and kilns.*
- 8.6. Overall, as stated in Paragraph 10.9.2 in the 2018 ES, the Construction and Demolition activities associated with Time slice 2, which would not result in a significant effect to cultural heritage in the worst-case scenario, include:
- *Topsoil stripping and localised regrading to create level development platforms for structures, roading and landscaping within Time slice 2, 5 and 6;*
  - *Installation of piles to support construction of the north eastern bridge over the River Adur and*

*the construction of roads and footbridges within Time slice 1, 2 and 4; and*

- *Topsoil stripping as part of enabling works within Time slice 1, 2, 4, 5 and 6.*

8.7. Overall, as stated in Paragraph 10.9.5 in the 2018 ES, the Construction and Demolition activities associated with Time slice 2, which would result in a significant effect to cultural heritage in the worst-case scenario, include:

- *Topsoil stripping and localised regrading to create level development platforms for structures, roading and landscaping within Time slice 1, 2<sup>21</sup> and 4;*
- *Excavation of services trenches within Time slice 2 and 4;*
- *Installation of ground slabs and supporting beams within Time slice 2 and 4;*
- *Bulk excavation of basements within Time slice 2, 4 and 5; and*
- *Demolition of buildings and grubbing out of foundations within Time slice 2.*

8.8. The 2018 ES (as amended) concluded that no direct physical changes to built heritage assets were identified during works associated with Time slice 2 for the Brookleigh Development. Impacts would be restricted to potential setting impacts to nearby built heritage assets only.

## Legislation and Planning Policy Review

8.9. The following section presents relevant amendments to the legislative framework and planning policy on the national, regional and local levels with regards to cultural heritage since the production of the 2018 ES. It does not reproduce legislation and/or planning policy at the national, regional or local level, as outlined in the 2018 ES (as amended).

## National Planning Policy Framework

8.10. The latest revision to the NPPF occurred in December 2024. The section of the NPPF which covers achieving sustainable development is now part of Section 2 of the NPPF, entitled 'Achieving Sustainable Development'. The policy relating to cultural heritage remains outlined under Paragraphs 207-221, Section 16 'Conserving and enhancing the historic environment'. Whilst a re-organisation of sections and policies' paragraph numbering has occurred, no fundamental changes to the underpinning policies have occurred.

## National Planning Practice Guidance

8.11. The latest revision to the NPPG occurred in February 2024. The overarching aim of the planning guidance is to make planning guidance more accessible, ensure it is kept up to date and has not changed in relation to cultural heritage (Historic Environment, July 2019).

## West Sussex County Council (WSCC) – Council Plan 2021-2025

8.12. The WSCC Council Plan 2021-2025 supersedes 'The Wessex Plan 2017-2022' referred to in the original 2018 ES. The plan sets out where WSCC will focus its efforts over the next four years. In addition, the plan is set out and organised around four priorities with an underpinning theme of

<sup>21</sup> Paragraph 10.9.2, of the 2018 ES, states there are no significant effects to buried heritage during topsoil stripping in Time Slice 2, however it is then stated in paragraph 10.9.5 that there are significant affects associated with this activity, thus requiring mitigation. It is unclear whether this statement is correct, or whether it is a typo, as the 2018 ES does not explain whether the significant effect relates to a different area of topsoil stripping during Time Slice 2.

climate change. The plan is presented in terms of priorities, outcomes and key performance indicators and targets.

- 8.13. There are no policies in the latest Council Plan which are relevant to this Cultural Heritage chapter.

### Mid Sussex District Council (MSDC) - Mid Sussex District Plan 2014-2031

- 8.14. The currently adopted district plan still consists of the Mid Sussex District Plan 2014-2031, adopted March 2018. Due to the requirement to complete a review and update the plan within 5 years of adoption by 2023, the draft District Plan 2021-2039 was submitted for Examination in July 2024. It is anticipated that the revised district plan will be adopted in 2025. Relevant draft revision policies to the RMA Works include 'DPB2: Listed Buildings and Other Heritage Assets'.

## Assessment Methodology Review

### Guidance – Historic England Good Planning Advice Notes

- 8.15. No changes to the guidance utilised in the 2018 ES (as amended) have been identified. Guidance remains unchanged.

### Assessment Methodology

- 8.16. The methodology for determining baseline conditions and sensitive receptors as part of this assessment utilised the methodology outlined in Chapter 10 of the 2018 ES (as amended).

### Study Area

- 8.17. A 500m Study Area buffer was applied to the RMA Application Site boundary to define the spatial parameters of the assessment for non-designated heritage assets. An extended 1km Study Area buffer was applied for designated heritage assets. This approach follows that outlined in Chapter 10 of the 2018 ES (as amended).

### Data Sources

- 8.18. In March 2024, a revised data search of West Sussex Historic Environment Record (WSHER) and the National Heritage List for England (NHLE) was undertaken for the Study Area. An updated search was undertaken to determine if there have been any additional entries in the Study Area for both designated and non-designated heritage assets as well as further archaeological events (investigation and/or mitigation) that may alter the assessment of the 2018 ES (as amended).
- 8.19. LiDAR data, aerial photographs and historic mapping was revisited to check accuracy and inform the baseline for the Study Area. Aerial photographs and historic mapping (Tithe and Ordnance Survey (OS) mapping) was utilised where available online. This data has not been reproduced as part of this chapter.
- 8.20. In addition to the 2018 ES (as amended), a Heritage Statement was produced by The Environmental Partnership (TEP) in March 2020 to support a Reserved Matters Planning Application (App ref. DM/20/0254) for Phase 1 of the WBLR. The results of this assessment have been included in the comparison of the original 2018 ES dataset with the renewed March 2024 dataset to identify changes in the baseline conditions.

## Updated Baseline Conditions

- 8.21. A full historic environment background is presented within Appendix 10.1 of the 2018 ES. Full gazetteers of heritage assets and previous archaeological events are provided in the 2018 ES and associated appendices.
- 8.22. No new designated heritage assets have been identified within the RMA Application Site or Study Area since the production of the 2018 ES.
- 8.23. No new non-designated heritage assets or previous archaeological events within the RMA Application Site have been identified since the production of the 2018 ES.
- 8.24. Newly recorded non-designated heritage assets and previous archaeological events within the Study Area, identified to have been recorded since the production of the 2018 ES are provided in **Tables 5 and 6**.

Table 5: Newly Identified Non-Designated Heritage Assets

| WSHER Reference | Record Type | Name                                                            | Description                                                                                                                                         | NGR            |
|-----------------|-------------|-----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| MWS4416         | Monument    | Few Flint Flakes - Seven Fields                                 | Isolated, discrete archaeological findspot of a small number of flint flakes.                                                                       | TQ 29498 19700 |
| MWS6830         | Monument    | Drovers Meadow, Church Way, Burgess Hill - Watching Brief       | Negative Evidence recorded during Watching Brief event. Record for negative archaeological evidence produced from event record [EWS1701].           | TQ 29602 19903 |
| MWS10832        | Monument    | Grasmere (Malthouse Farm) Historic Farmstead, Burgess Hill      | Historic Farmstead location. DEMOLISHED.                                                                                                            | TQ 29563 19397 |
| MWS15097        | Monument    | Western Bridge and Link Road, Burgess Hill - Geophysical Survey | Monument record produced from geophysical survey results event record [EWS2010]. Record for potential field boundary/ditch linear feature anomaly.  | TQ 29320 20377 |
| MWS15146        | Monument    | Western Bridge and Link Road, Burgess Hill - Evaluation         | Monument record produced from evaluation trial trenching results. Record for negative archaeological evidence produced from event record [EWS2034]. | TQ 29297 20162 |

Table 6: Newly Identified Previous Archaeological Events

| WSHER Reference | Event Type         | Name                                                                                    | Description                                                                                      | NGR            |
|-----------------|--------------------|-----------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|----------------|
| EWS1972         | Watching Brief     | Goddards Green Water Treatment Works, Hurstpierpoint and Sayers Common - Watching Brief | Watching Brief. No significant archaeological remains recorded.                                  | TQ 28923 20679 |
| EWS2010         | Geophysical Survey | Western Bridge and Link Road, Burgess Hill - Geophysical Survey                         | Geophysical Survey across WBRL Phase 1-2. Monument record [MWS15097] produced from event record. | TQ 29320 20377 |
| EWS2034         | Evaluation         | Western Bridge and Link Road, Burgess Hill - Evaluation                                 | Evaluation across WBRL Phase 1. Monument record [MWS15146] produced from event record.           | TQ 29297 20162 |

- 8.25. For clarification, the A2300 Link Road to the A23/M23 west of Burgess Hill, as well as the A273, were constructed during the 1990s as part of major infrastructure redevelopment within the area. The extent of previous disturbance from the construction of the road is unknown. However, near sub-surface impacts would have occurred from the construction of the road surfaces, drainage ditches and root action of planted vegetation. Furthermore, no known archaeological remains are recorded along the length of the roads within the RMA Application Site.
- 8.26. Further to the archaeological potential, identified and assessed for the wider Brookleigh Development in the 2018 ES (as amended) and outlined in Paragraph 8.7 above, the following minor changes have been identified:
- Medieval – Low given the location of the roads' alignment through former fields and the truncation of underlying near surface deposits by the construction of the roads and their associated features within the RMA Application Site.
  - Post-Medieval – Low given the location of the roads' alignment through former fields and the truncation of underlying near surface deposits by the construction of the roads and their associated features within the RMA Application Site.

## Environmental Design and Management

- 8.27. No environmental design and management measures, additional to those reported in the 2018 ES (as amended), are required.

## Assessment of Effects and Significance

### Demolition and Construction Phase

- 8.28. The works associated with the RMA Works, as described in Section 3, indicate that no temporary adverse setting impacts would occur to surrounding designated built heritage assets, located from a minimum of c. 500m to the south [1285466] and southeast [1354756] of the RMA Application Site. No adverse temporary setting impacts to the one non-designated historic building [MWS10745], located c. 370m west of the RMA Application Site. The works would predominantly be screened from existing vegetation along the flanks of the roads, as well as tree lines and existing modern development between the RMA Application Site and designated/non-designated built heritage assets.
- 8.29. As outlined in Section 3, the NMU route, to the south of the A2300, will likely result in near surface deposit(s) disturbance and impact(s) to shallow archaeological deposits, if present and previously undisturbed from the construction of the A2300. However, based on the low potential for archaeological remains from all periods, and the shallow disturbance of deposits from such works, potential impact(s) would be minimal and are considered to be negligible.
- 8.30. The re-alignment of a drainage ditch to the west of the Triangle Roundabout within the RMA Application Site, will likely result in near surface deposit disturbance only. The drainage ditch would result in potential impacts to any surviving archaeological remains along the alignment of the ditch, where previous disturbance/truncation has not occurred from existing ditches associated with the A2300 and A273 roads and Triangle Roundabout. The dimensions for the ditch realignment have not been confirmed. However, based on the low potential for archaeological remains from all periods, potential impact(s) would be minimal and are considered to be negligible. The potential impact to buried, as yet unknown remains, would depend on the nature, character, preservation and value of such remains, if present. It is anticipated at this stage that archaeological remains, at present, would likely be associated with agricultural features of Post-Medieval date (e.g. field boundaries).
- 8.31. The addition of a footway and a filter drain would likely not result in impact(s) to potential archaeological remains, due to previous disturbance from the construction of the A273 and its flanking northern ditch. The widening of the roadside verge is within the limits of the road's drainage features and vegetation plantation, indicating disturbance from the widening works will be limited to areas of previous disturbance. Based on the low potential for archaeological remains from all periods, and the shallow disturbance of deposits from such works, potential impact(s) would be minimal and are considered to be negligible.
- 8.32. It is concluded that there would be no new or different significant demolition and construction effects for cultural heritage as a result of the RMA Works, in comparison to the 2018 ES (as amended).

### Completion and Operational Phase

- 8.33. There are no new or different significant operational effects for cultural heritage as a result of the RMA Works, in comparison to the 2018 ES (as amended).

## **Additional Mitigation and Monitoring**

### **Demolition and Construction Phase**

- 8.34. Due to the low potential for archaeological remains and negligible potential impact to possible Post-Medieval remains in areas, subject to alteration from the drainage ditch realignment (to the west of the Triangle Roundabout), no further archaeological mitigation is recommended.
- 8.35. Consultation with the Archaeology Advisor for WSCC was undertaken on 27th November 2024. It was agreed that, owing to the limited nature of the proposed groundworks and likely disturbance from the existing roadway, no archaeological mitigation would be required for the RMA Works (see **Appendix C**).

### **Completion and Operational Phase**

- 8.36. No additional mitigation measures or monitoring is required above the measures reported in the 2018 ES (as amended).

## **Updated Residual Effects and Conclusions**

### **Demolition and Construction Phase**

- 8.37. There are no changes to the likely residual significant cultural heritage effects identified in the 2018 ES (as amended) as a result of either the updated baseline information or the RMA Works.

### **Completion and Operational Phase**

- 8.38. There are no changes to the likely residual significant cultural heritage effects identified in the 2018 ES (as amended) as a result of either the updated baseline information or the RMA Works.

## **Updated Cumulative Effects Assessment**

- 8.39. There are no new or different likely significant cumulative effects for cultural heritage as a result of the updated baseline information acting in combination with the cumulative schemes and RMA Works.

## **Summary and Conclusions**

- 8.40. This chapter has explored whether the RMA Works would result in the potential for any new or different significant cultural heritage affects, arising from the demolition, construction and operational phases, as presented in Chapter 10 of the 2018 ES (as amended).
- 8.41. This chapter has utilised an updated HER commercial database search (March 2024) as well as the review of the adjacent previous archaeological event results across WBLR Phases 1 and 2 .
- 8.42. The historic environment baseline has been identified to include several additional archaeological event results as well as monument records created from these events. Such events recorded minimal additional archaeological evidence within the Study Area.
- 8.43. No changes have been identified to archaeological potential, as set out in the 2018 ES (as amended), bar the reduction in archaeological potential within the RMA Application Site for Medieval and Post-Medieval remains to a low level of potential.

- 8.44. The RMA Works are relatively minimal compared to those impacts identified for built heritage and archaeology, as outlined in the 2018 ES (as amended).
- 8.45. There is a potential for the drainage ditch re-alignment, to the west of the Triangle Roundabout, to introduce new impacts to potential Post-Medieval archaeological remains of agricultural features (i.e. low value remains). The level of adverse impact to such remains, if present, would likely be negligible.
- 8.46. No further mitigation works are proposed or recommended, as agreed with the Archaeology Advisor for WSCC.

## 9. Noise and Vibration

### Introduction and Summary of the Conclusions of the 2018 ES (as amended)

- 9.1. The 2018 ES assesses the potential effects from noise and vibration arising from the demolition and construction phase, including construction traffic on the local road network, as well as the potential noise effects from the completed and operational development (plant noise, changes in road traffic noise and the suitability of the Brookleigh Development site for residential use based on existing and future noise levels).
- 9.2. With the implementation of Best Practicable Means (BPM) and the Construction Environmental Management Plan, the predicted effects from demolition and construction noise ranged from negligible to minor adverse and therefore not significant. With regards vibration, with the implementation of the CEMP, the predicted effects were negligible and therefore not significant.
- 9.3. The 2019 ES Addendum, which took account of additional construction and operational road traffic, resulted in no change to the 2018 ES identified effects, which remained not significant.
- 9.4. This Chapter assesses if the construction works associated with the RMA Works would result in a change of the significance of the reported effects within the 2018 ES (as amended).

### Legislation and Planning Policy Review

- 9.5. Since the 2019 ES Addendum, which took account of policy changes since the 2018 ES, there have been a number of updates to legislation and guidance as listed below:
  - National Planning Policy Framework<sup>22</sup> (2023) - no change to content in relation to noise minor changes to paragraph numbering;
  - Design Manual for Roads and Bridges (DMRB) LA111 Noise and Vibration<sup>23</sup> (2020) – update to assessment methodology for a full DMRB assessment but significance criteria remain unchanged from those adopted in the 2018 and 2019 ES
  - BS4142:2014+A1:2019 'Methods for Rating and Assessing Industrial and Commercial Sound'<sup>24</sup> (2019) - Minor amendments and update to appendices only primary assessment methodology remains unchanged.
- 9.6. None of the changes would result in a change in the assessment methodology or assessment criteria, which itself remains unchanged.

### Assessment Methodology Review

- 9.7. The methodology used in both the 2018 ES (as amended) for the assessment of the demolition, construction and operational phases is unchanged and remains valid.

<sup>22</sup> Ministry of Housing, Communities and Local Government. (December 2023) National Planning Policy Framework. HMSO. Available at <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

<sup>23</sup> Highways England (2020). Design Manual for Roads and Bridges, 'LA 111 Sustainability and Environmental Appraisal. Noise and Vibration' – Version 2. Crown Copyright. Available at <https://www.standardsforhighways.co.uk/dmrbs/search/cc8cfc7-c235-4052-8d32-d5398796b364>

<sup>24</sup> British Standards Institute (2019) BS4142:2014+A1:2019 'Methods for Rating and Assessing Industrial and Commercial Sound'. BSI

### Updated Baseline Conditions

- 9.8. Baseline conditions as presented in the 2018 ES (as amended) were established from a long-term survey conducted between 9<sup>th</sup> to 20<sup>th</sup> November 2018, supplemented by short-term noise measurements. Noise levels across the Brookleigh Development site were then predicted using CadnaA noise modelling software, calibrated to the measured baseline noise levels.
- 9.9. The dominant noise at the Brookleigh Development site and surrounds was noted to be road traffic noise. Although almost 6 years have passed since the 2018 baseline survey, road traffic noise is not anticipated to have changed significantly as the vehicle flow would have to double to result in a 3dB increase in road traffic noise, which is just perceptible if gradual and considered unlikely.
- 9.10. The current overall baseline during the daytime period is however likely to have changed locally since the 2018 baseline survey, due to the contribution from on-going construction works, potentially resulting in temporary increases compared to without construction works.
- 9.11. As a basis for assessment, the results of the 2018 baseline survey are considered robust and appropriate on which to determine the level of effect resultant from construction works and the significance of it. This is as the 2018 baseline survey results would not be influenced by existing construction activities which may result in higher baseline noise levels than would arise in the absence of construction activities not associated with the RMA Works.
- 9.12. At sensitive receptor R01 the daytime 2018 daytime noise level was reported as 57dB LAeq,16h and at R02 54dB LAeq,16h.

### Environmental Design and Management

- 9.13. No environmental design and management measures, additional to those reported in the 2018 ES (as amended), are required.

### Assessment of Effects and Significance

#### Demolition and Construction Phase

- 9.14. Although the construction works associated with the RMA Works would be slightly different to that assessed in the 2018 ES (as amended), the effects would be no greater than for Brookleigh Development, as assessed in the 2018 ES (as amended). The RMA Works would result in no change to forecast construction traffic as assessed in the 2018 ES (as amended).
- 9.15. The RMA Works include earthworks, pavement and drainage works to allow provision of a footway/cycle way separated from the main carriageway by soft verge. The potential effects from the construction phase of the RMA Works, which are within the Brookleigh Development boundary, would not be any closer to R01 (Residential Jane Murray Way-West Roundabout) or R02 (St Paul's Catholic College) than the construction works already assessed as part of the ES 2018 ES (as amended). The magnitude of impact would therefore range from very low to low and therefore minor effect, which is not significant.
- 9.16. There are no new or different significant demolition and construction effects for noise and vibration as a result of the RMA Works, in comparison to the 2018 ES (as amended).

#### Completion and Operational Phase

- 9.17. The RMA Works will not result in any change to the operational phase as assessed and presented

in the 2018 ES (as amended). Completed operational road traffic noise, plant noise limits and suitability of the Brookleigh Development site for residential use are therefore as presented in the 2018 ES (as amended). Further to this there is no change in the road alignment and vehicle lanes, therefore the distance of the road traffic noise source from noise sensitive receptors remains unchanged.

- 9.18. There are no new or different significant complete and operational phase effects for noise and vibration as a result of the RMA Works, in comparison to the 2018 ES (as amended).

### **Additional Mitigation and Monitoring**

- 9.19. No additional mitigation or monitoring is required above the measures reported in the 2018 ES (as amended).

### **Updated Residual Effects and Conclusions**

- 9.20. There are no changes to the likely residual significant ecology effects identified in the 2018 ES (as amended) as a result of either the updated baseline information or the RMA Works.

### **Updated Cumulative Effects Assessment**

- 9.21. There are no new or different likely significant cumulative effects for ecology as a result of the updated baseline information acting in combination with the cumulative schemes and RMA Works.

### **Summary and Conclusions**

- 9.22. The potential change in noise and vibration effects and significance, as presented in the 2018 ES (as amended) resultant from the RMA Works has been assessed.
- 9.23. Baseline conditions established through survey in November 2018 and noise levels across the Brookleigh Development site predicted using CadnaA noise modelling, calibrated to the result of the baseline survey are considered robust and appropriate to assess the construction phase of the RMA Works.
- 9.24. Although there have been some legislation, policy and guidance changes relevant to noise and vibration since the 2018 ES (as amended), this would not change the assessment methodology or criteria used.
- 9.25. The RMA Works would result in construction activities, namely earthworks, roadworks for provision of a footway/cycle way separated from the main carriageway by soft verge, but remaining within the Brookleigh Development boundary. The potential effect from the construction phase of the RMA Works, would not be any closer to R01 (Residential Jane Murray Way-West Roundabout) and R02 (St Paul's Catholic College) than the construction works already assessed as part of the ES 2018 ES (as amended). The magnitude of impact would therefore range from very low to low and therefore minor effect, which is not significant. Construction traffic remains unchanged. There is no change to the significance of effects reported in the 2018 ES (as amended) resulting from the additional construction works, which remain not significant.
- 9.26. The RMA Works will not result in any change to the operational phase as assessed and presented in the 2018 ES (as amended). Completed operational road traffic noise, plant noise limits and suitability of the Brookleigh Development site for residential use are therefore as presented in the 2018 ES (as amended), not significant. Further to this there is no change in the road alignment and vehicle lanes, therefore the distance of the road traffic noise source remains unchanged.

## 10. Air Quality

### Introduction and Summary of the Conclusions of the 2018 ES (as amended)

#### Construction

- 10.1. Chapter 13: Air Quality of the 2018 ES (as amended) concluded the Brookleigh Development would be classified as high risk during the construction phase due to the location of sensitive receptors close to the Brookleigh Development site boundary. However, providing all proposed mitigation measures are adhered to, the predicted effects on human health and amenity were not considered to be significant.

#### Operation

- 10.2. Once complete and operational, it was considered that, with respect to annual mean NO<sub>2</sub> concentrations, there would be an overall minor adverse (not significant) residual effect upon existing residential receptors within the study area as a whole. It was considered the Brookleigh Development would have a negligible effect at all existing sensitive and cumulative receptors with respect to annual mean and 1-hour mean NO<sub>2</sub> concentrations; annual mean and 24-hour mean PM<sub>10</sub> concentrations; and annual mean PM<sub>2.5</sub> concentrations. The Brookleigh Development was considered suitable for the intended use following a site suitability assessment.
- 10.3. The 2019 ES Addendum predicted effects of the Operational Development to be Negligible (not significant). The conclusions of the operational effects differ from the findings of the 2018 ES, whereby the residual traffic effects of annual mean NO<sub>2</sub> upon existing receptors (R1 – R26 and C1 and C4), were assessed to be minor adverse (not significant) in the 2018 ES. This improvement in likely effect was the result of the update to Defra's background pollutant concentration maps.
- 10.4. Overall, it was considered that, although the modelling results were updated in the 2019 ES Addendum, the conclusions presented in Chapter 13: Air Quality of the 2018 ES remained unchanged, and that effects upon receptors remained not significant.

### Legislation and Planning Policy Review

- 10.5. The following guidance and policy has been published or been updated since the 2018 ES (as amended):
- National Planning Policy Framework<sup>25</sup> (2023) - no significant change to content in relation to air quality and minor changes to paragraph numbering;
  - Institute of Air Quality Management: Guidance on the Assessment of Dust from Demolition and Construction, 2024<sup>26</sup> - the updates in methodology would not result in changes to the conclusion of the construction assessments set out in the in the 2018 ES (as amended)
  - The Mid Sussex District Council is in the process of reviewing and updating the MSDC Mid Sussex District Plan 2014-2031, adopted in 2018. The draft District Plan 2021 – 2039<sup>27</sup> will

<sup>25</sup> Ministry of Housing, Communities and Local Government. (December 2023) National Planning Policy Framework. HMSO. Available at <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

<sup>26</sup> Institute of Air Quality Management, 2024, 'Guidance on the Assessment of dust from demolition and construction. January 2024 (Version 2.2)

<sup>27</sup> Mid Sussex District Plan 2021 - 2039 Submission Draft (Regulation 19), December 2023

replace the current adopted District Plan 2014-2031. Policy DPN9: Air Quality has been included to support strategic objectives 3(Protect Valued Landscapes) and 12 (Support Safe, Healthy and Inclusive Communities)

- West Sussex County Council's 'Our Council Plan 2021–2025', Version 12 was published in August 2024. The WSCC plan makes no specific reference to air quality.

10.6. Updated guidance and policy, listed above, would not affect the conclusions of the 2018 ES (as amended).

### **Assessment Methodology Review**

10.7. The guidance used to undertake the construction was updated, as set out above.

10.8. The 2018 ES (as amended) identified the Brookleigh Development site as being 'high risk' prior to the implementation of mitigation measures. The 2018 ES (as amended) concluded that no significant dust effects would be anticipated if all mitigation measures recommended are effectively implemented and monitored. The risk of dust impacts assessment, using the updated guidance, would not change the construction risk at the Brookleigh Development site. No reassessment of demolition and construction is required.

10.9. The assessment methodology remains the same as the 2018 ES (as amended) for operational effects.

10.10. The conclusions of the 2018 ES (as amended) would not be affected.

### **Updated Baseline Conditions**

10.11. Due to limited local air quality monitoring data, three months of air diffusion monitoring was completed by AECOM, as part of the 2018 ES, to establish baseline air quality conditions for the Brookleigh Development site. The monitoring was undertaken between August and November 2018. It is likely the baseline NO<sub>2</sub> concentrations used in the 2018 ES show a more conservative scenario than present NO<sub>2</sub> concentrations, as baseline NO<sub>2</sub> concentrations have generally decreased since 2018<sup>28</sup> and will continue to decrease in the future following the UK Government's announcement (in September 2023) that new diesel or petrol vehicles will not be sold in the UK from 2035. The likely improvement would not materially affect the conclusions of the 2018 ES.

### **Environmental Design and Management**

10.12. No environmental design and management measures, additional to those reported in the 2018 ES (as amended), are required.

### **Assessment of Effects and Significance**

#### **Demolition and Construction**

10.13. Using the updated 2024 IAQM Guidance, the Brookleigh Development site would remain 'high risk' prior to the implementation of mitigation measures. Therefore, the likely significant effects during demolition and construction on local air quality set out in the 2018 ES (as amended) would remain unchanged.

10.14. There are no new or different significant demolition and construction effects for air quality as a

<sup>28</sup> Mid Sussex District Council (2023), 2023 Air Quality Annual Status Report (August 2023). Available online: <https://www.midsussex.gov.uk/media/esnjxh0f/air-quality-annual-status-report-2023.pdf>

result of the RMA Works, in comparison to the 2018 ES (as amended).

### **Completion and Operational Phase**

10.15. There are no new or different significant complete and operational effects for air quality as a result of the RMA Works, in comparison to the 2018 ES (as amended).

### **Additional Mitigation and Monitoring**

10.16. No additional mitigation measures or monitoring is required above the measures reported in the 2018 ES (as amended).

### **Updated Residual Effects and Conclusions**

10.17. There are no changes to the likely residual significant air quality effects identified in the 2018 ES (as amended) as a result of either the updated baseline information or the RMA Works.

### **Updated Cumulative Effects Assessment**

10.18. There are no new or different likely significant cumulative effects for air quality as a result of the updated baseline information acting in combination with the cumulative schemes and RMA Works.

### **Summary and Conclusions**

10.19. The conclusions presented in Chapter 13: Air Quality of the 2018 ES (as amended) remain unchanged, and effects upon receptors remain not significant.

## 11. Conclusions

- 11.1. The Applicant is seeking permission for highways infrastructure improvements, known as the WBLR Phase 3, which form part of, and is pursuant to outline planning approval for, the Brookleigh Development, north-west of Burgess Hill. Part of the proposed improvement works proposed are on land within the Brookleigh Development area, which are subject to a reserved matters application (this FEIR), and land partially located outside of it, which is subject to a separate, but concurrent full application.
- 11.2. The RMA Works comprise new pedestrian and cycle routes which form part of the wider Brookleigh Development, which was subject to an EIA, with an ES (2018, as amended) submitted in support of the Outline Planning Application. The proposals for a Green Superhighway (on the north side of the A2300), originally submitted in outline, together with the shared use routes (on the south side of the A2300 and west of the A273), are now subject to a Reserved Matters Application (RMA). The findings of the 2018 ES (as amended) have been reviewed to establish whether the potential effects, mitigation measures and residual effects remain valid for the purposes of decision making.
- 11.3. The design of the new pedestrian and cycle routes, together with landscaping have been reviewed and assessed within this Further Environmental Information Report. In addition to the RMA Works, changes to the baseline environment have also been considered such as updated ecological and heritage data and a consideration of adjacent cumulative schemes.
- 11.4. In view of the Brookleigh Development and review of the details for the RMA Works, it was considered appropriate that further environmental information was necessary for the following environmental topics: ecology, flood risk, landscape and visual, cultural heritage, noise and vibration and air quality.
- 11.5. All of the updated assessments concluded that there will be no new or different significant residual environmental effects from those previously reported in the 2018 ES (as amended).