

# **Mannings Heath Wastewater Treatment Works Sewer Pipe Bridge Planning, Design and Access Statement**

Planning Portal Reference: PP-12424035

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Version 2

# Contents

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1. Introduction .....	3
2. Site & Description .....	4
3. Relevant Planning History .....	5
4. The Proposal .....	5
5. Relevant Planning Policies .....	9
6. Consideration of Key Issues .....	11
7. Overall Conclusion.....	19

# 1. Introduction

- 1.1 This Statement has been prepared by Arcadis on behalf of Southern Water Services Ltd, hereafter referred to as Southern Water, in support of its planning application for permission to construct a sewer pipe bridge over a small stream. The proposed pipe bridge forms part of a wider scheme designed to enable the transfer of wastewater from Mannings Heath Wastewater Treatment Works (WTW) via a 3.6km sewer pipeline to Horsham New WTW for treatment. Retrospective planning permission is also sought for a temporary widened access onto the A281 Brighton Road, which is required to enable access to the construction working area. The field access will be reinstated following construction of the pipeline.
- 1.2 The majority of the new sewer is below ground and being delivered using permitted development rights, under Schedule 2, Part 13 Water and Sewerage, Class B (a) and Part 4, Class A of the Town and Country Planning (General Permitted Development) (England) Order (GPDO) 2015 (as amended). However, the pipe-bridge over a stream in Gaggle Wood is above ground and the temporarily widened access is onto a classified road; therefore, both of these elements of the scheme require planning permission.

<b>Application No:</b>	<b>PP-12424035</b>
<b>Local Council:</b>	Horsham District Council
<b>Site Address:</b>	Land to the west of Mannings Heath Wastewater Treatment Works, within Gaggle Wood, Mannings Heath
<b>Applicant:</b>	Southern Water Services Ltd
<b>Description of Development</b>	Construction and operation of a sewer network pipe-bridge and temporary widening and use of a vehicle access onto the A281 Brighton Road.

- 1.3 This statement outlines the background to the scheme and describes the proposed development. It includes a design component and access component, and it describes the relevant policy background.

## Applicant

- 1.4 Southern Water is a statutory water and sewerage undertaker. As such it has a statutory duty under the Water Industry Act 1991, as amended by the Water Act 2014, to provide and extend a system of public sewers and effectually deal with the contents of those sewers. This duty is enforceable by the Secretary of State and the industry's financial regulator, the Water Services Regulation Authority (Ofwat).

## The Decision-Making Framework

- 1.5 Mannings Heath WTW and the site within the planning application boundary is located within Horsham District Council's administrative area (refer to Drawing 751162-NGX-XX-XX-DR-Z-70001). However, as the proposals relate to sewage treatment, West Sussex County Council (the waste planning authority) is responsible for determining this planning application.
- 1.6 The scheme as a whole comprises of development identified in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), Part 10 (I) 'Installations of long-distance aqueducts', where that development is located in, or partly in, a sensitive area as defined in 2(1).of the Regulations.

- 1.7 Therefore, Southern Water requested an EIA Screening Opinion from West Sussex County Council on the need for EIA on 30 May 2023. The County Council adopted its Screening Opinion on 27 June 2023, which confirmed that EIA was not required. Therefore, Southern Water is able to use permitted development rights under the GPDO to deliver the majority of the scheme, including the associate temporary compounds. However, the proposal to install a pipe bridge requires planning permission because it is above ground. Also, a temporarily widened vehicle access from the A281 Brighton Road to the construction working area has been created and this requires retrospective planning permission because the A281 is a classified road.

## Landownership

- 1.8 Drawings 157754-FRH-XX-XX-DR-C-8000 and 751162-NGX-XX-XX-DR-Z-70001 and 70002 illustrate the footprint of the permitted and proposed development. Southern Water owns the Mannings Heath WTW (outlined in blue in Drawing 751162-NGX-XX-XX-DR-Z-70001). The planning application boundary includes the proposed location of the pipe-bridge and the access to it via the working area for the new sewer pipeline, plus the proposed temporary vehicle access from the A281 Brighton Road and access from the WTW. The requisite notices have been served on the landowners and this planning application is therefore accompanied by a Certificate B.

## 2. Background

- 2.1 The application site includes the widened access from the A281 Brighton Road to the sewer working area and the reduced working area for construction of the pipe-bridge. Refer to Drawings: 751162-NGX-XX-XX-DR-Z-8000, 751162-NGX-XX-XX-DR-Z-70002 and 157754-FRH-XX-XX-DR-C-8001. The total area is 4,441m<sup>2</sup>.

### The Existing Wastewater Treatment Process

- 2.2 Mannings Heath is currently a small WTW. It discharges treated effluent to a tributary of the River Arun and when storm flows exceed the capacity of the WTW, it overflows stormwater to the tributary. The WTW first appears on the 1958 Ordnance Survey map, where an area of Gaggle Wood was cleared, and an access road created.

### The Need for the Scheme

- 2.3 Southern Water has a statutory duty under Part IV of the Water Industry Act 1991 to ensure that an efficient and economical system of water collection and treatment is provided to customers. Discharges from the WTW are subject of environmental permits set by the Environment Agency.
- 2.4 To meet the requirements of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017, which aim to protect and improve the water environment, the Environment Agency has set revised permit conditions. These require that, wastewater generated in the Mannings Heath catchment receives additional treatment to reduce levels of phosphorous, magnesium and iron. The current Flow to Full Treatment (FFT) permit is 7 litres per second (l/s). The revised permits set a phosphorous limit (P) of 0.5 mg/L (Annual Average) with an iron limit (Fe) of 4 mg/l (95%) and 8mg/l upper tier. The regulatory date by which that permit must be achieved is 22 December 2024. To do nothing is not an option.

- 2.5 Mannings Heath WTW is very small, and the necessary treatment plant to achieve the standards set in the permit cannot be accommodated within the existing operational boundary. An extension of the site is not feasible because the site is surrounded by Ancient Woodland and there is subsidence along its western boundary. Therefore, Southern Water proposes to convert Mannings Heath WTW to a wastewater pumping station (WPS) - the existing inlet screen that screens all incoming flows will be retained, as will the storm tank and overflow. A 3.6km pipeline is being constructed that will connect the Mannings Heath WPS to the existing gravity sewer network that conveys wastewater to Horsham WTW for treatment prior to discharge. Transferring Mannings Heath wastewater flows to Horsham WTW for treatment will also increase the FFT capacity to 9 l/s, which will reduce stormwater discharges at Mannings Heath.
- 2.6 Mannings Heath WTW and the local sewer network that drains to it, were established prior to the designation of Gaggle Wood as Ancient Woodland. As a result, the WTW is completely surrounded by the designated area and the Ancient Woodland is criss-crossed by existing buried sewer infrastructure and an existing pipe bridge (refer to the Landscape and Visual Technical Note), as well as the access road to the WTW.
- 2.7 Any new assets that are required to be connected into the WTW have to pass through the Ancient Woodland. Complete avoidance of this designation is impossible.
- 2.8 Where the new 3.6km sewer passes through the Gaggle Wood it crosses a deep 'ghyll' valley through which a stream runs. The pipe must cross this valley and a pipe-bridge is proposed.

### 3. Relevant Planning History

- 3.1 A search of the West Sussex County Council online planning register did not reveal any planning history for Mannings Heath WTW apart from the June 2023 EIA Screening Opinion.
- 3.2 A search of Horsham District Council's planning register in the vicinity of Manning Heath WTW identified the following planning history of relevance to the proposals:
- PP12354650 - Hedgerow Removal Notice associated with Southern Water's sewer works – application validated 1 July 2023 – determination target 11 Sep 2023.

### 4. The Proposal

#### Construction Management

- 4.1 Construction of the scheme as a whole began in July 2023 and is scheduled to take approximately 60 weeks. The team is scheduled to mobilise at the pipe-bridge construction site in late February 2024. Construction of the pipe-bridge will take approximately six months, including site set-up.
- 4.2 Construction work will generally be undertaken between 0730 – 1800 Mondays to Fridays and between 0730 to 1400 on Saturdays. There is no intention for work to be undertaken on Sundays or any Public Holidays. Working at night is not anticipated to be required. However, advance agreement with the local authority will be sought prior to any out-of-hours work.

- 4.3 In total four part-buried concrete piers are needed to support the pipe bridge. The piers will be excavated to a depth of between 1500mm and 2000mm and measuring approximately 800mm x 200mm. The excavation will be undertaken using a 360° hydraulic excavator where safe to do so. Where the excavator cannot be used, or within the Root Protection Area (RPA) of retained trees, the excavation will be hand dug. Where present, topsoil and leaf litter will be carefully scraped off and stored separately from subsoil, adjacent to the excavation. Any soil not used for reinstatement will be translocated to another part of the woodland.
- 4.4 Following excavation, the base of each chamber will be formed through concrete pour and then pre-cast piers installed in sections to ground level and in the case of the two outer piers just above ground level.
- 4.5 A temporary construction compound has been established on land adjoining working area for construction of the new sewer. This includes welfare facilities, secure storage, temporary relocatable office units and parking. No further compounds are required to specifically support construction of the proposed pipe-bridge.
- 4.6 The construction access will via the working area for the pipeline, which is permitted development. The working area is not surfaced. That working area will be reinstated following installation of the pipeline. The reinstatement of the pipeline working area (including the temporary access) were matters addressed in Southern Water's request for an EIA Screening Opinion on the pipeline (30/5/2023), which states:

*"The topsoil will be stripped for the width of the excavation and the access strip, and stored to one side of the easement. Construction vehicles and construction traffic will then run on the subsoil though this will be limited tractor and trailer, 6 or 9 tonne dump truck or excavator. The pipes will be strung out along the route in readiness for their installation.*

*The trench will be excavated to a depth of approximately 1.5m to 4.5m in order to ensure the pipe can be buried with a cover of 0.9m in the field and 1.2m in the road to prevent frost damage and excessive vehicle loadings. The width of the trench at the surface would vary depending on ground conditions at the specific location though would be a maximum of 1.6m, subject to trench depth. After placement of any necessary bedding material in the base of the trench, the pipeline sections would be installed.... arisings would then be used to backfill the trench sections progressively as the work continued. Lastly, the stripped top soil layers would be returned to the trench line to restore the finished ground level... The pipeline working easement and the trench to accommodate the pipeline will also be fully reinstated to pre commencement conditions in agreement with the landowners".*

- 4.7 The temporary compound, the temporary working areas and access routes will be restored to pre-commencement conditions, in agreement with the landowners, following construction of the sewer pipeline scheme. Southern Water does not propose to retain the temporarily widened access.

#### Construction Environmental Management Plan

- 4.8 Construction activities will be managed in accordance with a Construction Environmental Management Plan (CEMP), which is submitted with the planning application.
- 4.9 The CEMP addresses the potential environmental issues associated with the construction works and identifies management measures. The purpose of the CEMP is to reduce the risk of adverse impact of construction on sensitive environmental receptors, including human health, and to minimise disturbance to the surrounding area. It includes:

- General environmental guidelines and standards, plus any additional requirements set by the planning and other consenting authorities.
- Environmental monitoring procedures during the works.
- Best practice guidance.
- Normal working hours.
- Communication and training methods: site inductions and regular toolbox talks.
- Environmental Incident Reporting Systems.
- The roles of environmental staff and others in implementing the environmental actions.

4.10 The CEMP will be kept on site and will continue to be regularly updated during the construction phase.

## Design Component

4.11 The design component of this Statement outlines the process that has been undertaken to design the upgrade scheme in the context of the physical, social and economic environment. This includes descriptions of the amount of development proposed, the layout, scale and appearance of the proposal.

### The Design Process

4.12 The design rationale for the scheme has been informed and constrained by:

- The location of the site within an Ancient Woodland and the aim to minimise impacts as far as reasonably practicable on the designated area.
- The context of the surrounding landscape, including the ravine topography, ground conditions and above-ground features.
- Operational parameters, including the volume of wastewater to be transferred.
- The importance of providing a robust engineering solution that ensures public safety and prevents unauthorised access to the pipe-bridge.
- The need to carry out regular routine maintenance.
- The potential environmental and economic effects of the construction and operation of the scheme.
- Making effective use of physical resources and minimising energy requirements.
- The unique way in which Southern Water is funded to deliver the scheme.

### Amount & Density of Development

4.13 The design has sought to minimise as far as reasonably practicable the works necessary within the Ancient Woodland. Transferring wastewater flows from Mannings Heath WTW to Horsham WTW avoids the need to extend the WTW into the Ancient Woodland. The majority of the pipeline is being constructed below ground, using no-dig technology, where reasonably practicable. However, it is not possible to cross beneath the stream within the deep ravine to the west of the WTW using no-dig methods. Therefore, a pipe-bridge is required. The construction area for the pipe-bridge has been minimised as far as reasonably practicable.

4.14 The pipe-bridge will have a 15m span, which will be supported by four buried concrete piers (0.2m x 0.8m x 1.5m). The ductile iron pipe itself will have an outside diameter of 160mm (refer to drawing 751162-NGX-XX-XX-DR-Z-70006 Pipe Bridge Elevation).

### Layout

4.15 The temporary working area within the Ancient Woodland has been minimised as far as reasonably practicable. The layout of the temporary construction area is designed to provide a safe working environment and to minimise the potential adverse effects of

construction experienced off-site. It is essential that a safe working area is created for construction, this is a requirement of health and safety legislation. The layout avoids storage of construction plant and materials within the Ancient Woodland (refer to drawing 751162-NGX-XX-XX-DR-Z-7001 Location Plan and 751162-NGX-XX-XX-DR-Z-70002 and 70003).

- 4.16 An existing field access from the A281-Brighton Road has been widened to provide safe access and egress access to the pipeline working area and a temporary construction compound (refer to drawing 157754-FRH-XX-XX-DR-C-8001 Compound Access).

#### Scale & Appearance

- 4.17 The overall scale of development is a function of a number of variables. The size of the pipe-bridge is a function of the volume of sewage to be transferred, which is a consequence of the size of the catchment, and the width of the ravine/ghyll that the stream is located in. Refer to Landscape and Visual Technical Note.
- 4.18 The 15m wide bridge will comprise of a single ductile iron pipe, made up from sections of 300mm ID (Internal diameter). The raptor security device at either end of the pipe-bridge will be aluminium alloy, with a black (RAL 9011) polyester powder coated finish. The security fans will be corrosion free stainless steel, powder coated finish black (RAL 9011).

#### Landscaping

- 4.19 Despite minimising the working area as far as is reasonably practicable, it is not possible to construct the pipe-bridge without removing three individual trees within the Ancient Woodland, a 15m high semi-mature Beech, a semi mature holly and a semi mature Hawthorn.
- 4.20 To mitigate this impact Southern Water proposes to carry out coppicing and translocate plants, this is discussed further in section 6 'Biodiversity', the Ecological Impact Assessment, Arboricultural Impact Assessment and Arboricultural Method Statement submitted with the planning application.

### Access Component

- 4.21 The access component of this statement explains the vehicular and transport links to the development and how the principles of inclusive design have been integrated into the proposed design.

#### Access

- 4.22 Access to the working area will be via the pipeline working route, which is accessed via the proposed widened access from the A281 Brighton Road (refer to 157754-FRH-XX-XX-DR-C-8000 Location Plan and 157754-FRH-XX-XX-DR-C-8001 Compound Access).
- 4.23 There are no public rights of way within the planning application area and there is no public access to Mannings Heath WTW, Gaggles Wood or neighbouring fields.
- 4.24 The main construction phase is expected to last 60 weeks. On average there will be up to 10 construction workers and 4 supervisors/managers on site during peak periods of construction activity. Temporary car parking has been provided within the temporary construction compound, which avoids the need for any parking on the public highway.
- 4.25 It is estimated that installation of the 3.6km pipeline will generate on average 2 HGV movements per day over the 60-week construction period. This figure increases during enabling and ground work phases. Signage on the A281 Brighton Road warns other road



users of the site access and heavy vehicles turning. Deliveries to site will be managed to avoid highway network weekday peak hours (school drop off and pick-up times) and queuing or parking on the public highway. The Construction Traffic Management Plan, submitted with the planning application, requires that deliveries are notified to the site team at least the day before schedule delivery to confirm acceptable delivery times. Deliveries involving larger vehicles (articulated and or/high sided lorries, lorries with additional trailers) are planned and agreed with the site manager in advance, with at least 5 working days' notice.

- 4.26 For security and safety reasons, the working area is only accessible to employees of Southern Water and its contractors who are involved in construction. On site, the speed limit is 10mph and construction traffic is directed to works area by a traffic marshal.
- 4.27 The Traffic Management Plan and Construction Environmental Management Plan both include measures to prevent mud being transferred onto the public highway and ensuring it is quickly cleaned up if this occurs.
- 4.28 The pipe bridge is designed to prevent unauthorised access. It incorporates specific security measures including raptor security devices and security fans around the pipe at either end of the bridge to prevent unauthorised access.

#### Crime and Disorder Act 1998

- 4.29 No implications arise from the proposed development.

#### Human Rights Act 1998

- 4.30 Article 8 of the European Convention safeguards the respect for family life and home whilst Article 1 of the first protocol concerns the non-interference with the peaceful enjoyment of private property. Both rights are subject to conditions and interference with these rights may be permitted if the need to do so is proportionate. Southern Water has carefully considered the interests of those potentially affected by the proposed development which are reported in this statement and have been examined in the context of relevant planning considerations.

#### Equalities

- 4.31 In formulating the proposals, Southern Water has had regard to the relevant provisions of the Equality Act.

## 5. Relevant Planning Policies

### Statutory Development Plan

- 5.1 This section of the Planning, Design and Access Statement identifies the statutory development plan, relevant national policy and guidance, and emerging policies that are material.
- 5.2 Section 38 (6) of the Planning and Compulsory Act 2004 requires that applications are determined in accordance with the statutory 'development plan' unless material considerations indicate otherwise (as confirmed in paragraph 47 of the National Planning Policy Framework – NPPF). For the purposes of the application, the statutory development plan comprises of:
- the West Sussex Waste Local Plan (2014)
  - the Horsham District Planning Framework (2015)

- 5.3 The statutory development plan, together with the NPPF and other statutory and non-statutory guidance documents, have informed the design of the scheme.

## National Planning Policy Framework

- 5.4 The **National Planning Policy Framework** (NPPF), which was updated in July 2021, contains the following guidance of relevance to determination of this application:

- A presumption in favour of sustainable development.
- Approving development proposals that accord with an up-to date development plan without delay.
- Identifying and coordinating the provision of infrastructure to help build a strong, responsive and competitive economy.
- Protecting and enhancing valued landscapes.

- 5.5 **Planning Practice Guidance** notes the importance of adequate wastewater infrastructure to support sustainable development. In identifying suitable sites for enhanced wastewater infrastructure, the guidance highlights that infrastructure “*has particular location needs (and often consists of engineering works rather than new buildings) which mean otherwise protected areas may exceptionally have to be considered where consistent with their designation*”.

## West Sussex Waste Local Plan 2014

- 5.6 West Sussex Waste Local Plan (WSWLP) was adopted in April 2014 and covers the period to 2031. The development plan policies that are considered to be of relevance to the assessment of the proposal are:

Policy W6:	Management of wastewater and sewage sludge
Policy W11:	Character
Policy W12:	High quality developments
Policy W14:	Biodiversity and geodiversity
Policy W15:	Historic environment
Policy W16:	Air, soil and water
Policy W17:	Flooding
Policy W18:	Transport
Policy W19:	Public health and amenity
Policy W21:	Supports development which would not result in unacceptable cumulative impacts

- 5.7 The Waste Local Plan was subject to a 5-year review in 2019, which was published in May 2019. In relation to Policy W6, which is concerned specifically with wastewater and sewage sludge, the review noted that owing to extensive permitted development rights available to sewerage undertakers, the majority of upgrade works within treatment works and other below ground development does not require express planning permission. The exception is the provision of new buildings, or development requiring Environmental Impact Assessment (EIA). The review concluded that Policy W6 and the Waste Local Plan remains relevant and effective; therefore, no update was required.

## Horsham District Council

- 5.8 Horsham District Council's current Local Plan is called the Horsham District Planning Framework (HDPF). It was adopted in November 2015. The relevant policies are as follows:

Policy 1	Strategic Policy: Sustainable Development
Policy 2	Strategic Policy: Strategic Development
Policy 24	Strategic Policy: Environmental Protection
Policy 25	Strategic Policy: The Natural Environment and Landscape Character
Policy 26	Strategic Policy: Countryside Protection
Policy 30	Protected Landscapes
Policy 31	Green Infrastructure and Biodiversity
Policy 33	Development Principles
Policy 39	Strategic Policy: Infrastructure Provision

5.9 The District Council’s Local Development Scheme 2023 – 2026, which was adopted in September 2023 states the review of the HDPF plan has commenced and once complete the new ‘Horsham District Local Plan’ will be adopted for the period to 2040.

## 6. Consideration of Key Issues

6.1 The main considerations in relation to this application are its acceptability in terms of:

- The principle of the development.
- Impacts of the Ancient Woodland
- Potential impacts on the local environment
- Potential Impact on amenity
- Water and Flood Risk
- Potential impacts on highways.

### Principle of the development

*(WSWLP Policies: Strategic Objective 4; Policy W6; HDPF Policies: S1, S2 and 39)*

- 6.2 Wastewater treatment is a vital public service, which underpins sustainable communities. Wastewater generated by the local community must be treated in accordance with environmental permits set by the Environment Agency. To meet the requirements of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017, which serve to protect the environment, the community’s wastewater needs to be treated to a higher standard. To do nothing is not an option.
- 6.3 The Mannings Heath WTW is very small, and it is surrounded by Ancient Woodland, which prevents its expansion to accommodate further treatment processes. Therefore, the community’s sewage must be transferred to another site for treatment prior to discharge. The scheme, of which the proposed development is a key component, will ensure that there is sufficient capacity for sewage treatment for the existing community and so that developments may connect to the public sewer network. Transferring wastewater from Mannings Heath WTW to Horsham WTW for enhanced treatment is clearly in the public interest; and will have a positive impact on the environment.
- 6.4 The policies of the Waste Local Plan are supportive of the provision of necessary wastewater treatment and utilities infrastructure. Strategic Objective 4 of the Waste Local Plan aims “to protect the network of waste management sites and infrastructure”. HDPF Policy 39 Strategic Policy: Infrastructure Provision – recognises the importance of infrastructure capacity to enable new development and to ensure that the environment and amenities of existing or new local residents.
- 6.5 However, the ground conditions, topography and restricted space within the WTW demand that where the sewer transfer infrastructure crosses Gaggle Wood, which is an Ancient

Woodland, a pipe bridge is required to span a deep ravine. It is not possible to avoid the Ancient Woodland completely. In accordance Paragraph 180 of the National Planning Policy Framework (NPPF) the need for the pipe bridge infrastructure in this location represents 'wholly exceptional reasons' for development in Ancient Woodland, where the public benefit would clearly outweigh impacts. Moreover, Southern Water has minimised the development footprint and potential impacts as far as is reasonably practicable and the proposals include a comprehensive package of mitigation measures that will enhance Gaggle Wood. Therefore, it is considered that the principle of the proposed development is acceptable.

## Amenity

(Policies: W12, W16 and W19; HDPPF Policy 24)

- 6.6 The nearest residential/commercial receptor to the planning application site is located approximately 87m to the east, on the opposite side of the WTW.
- 6.7 In accordance with Policy W12, the proposals will serve to improve the quality of treatment the sewage generated by the local community receives.
- 6.8 Construction activities will be managed in line with the Construction Environmental Management Plan (CEMP), which includes measures to control construction noise, dust, litter, odour and other emissions.
- 6.9 **Air Quality:** Dust suppression techniques, set out in the CEMP, will be employed during construction. These include covering loads prior to vehicles leaving site, enforcing site speed limits, and employing dust suppression techniques including, dampening down site access roads and stored earth where required. Given the temporary and linear nature of the proposed development and distance to sensitive residential receptors, dust emissions from the proposed works are unlikely to result in any impact at receptors.
- 6.10 Operation of the pipe-bridge will not generate odour or dust.
- 6.11 **Lighting:** Temporary directional task lighting is likely to be required at times to provide a safe working environment for the construction team. Temporary lights will only be used to comply with health and safety requirements. Lighting will be low level, directed towards tasks and operated by switch, to avoid light spill.
- 6.12 **Construction noise:** Construction will involve the use of normal construction machinery including heavy goods vehicles, excavators, dumpers, small plant and hand tools. The construction works are located approximately 87m west of the nearest residential receptor and the site is surrounded by a mature vegetation. This will result in appreciable attenuation of temporary construction noise.
- 6.13 All construction activity, including construction related traffic, will be managed in accordance with the CEMP, which requires implementation of noise control measures as a minimum, that follow the principles set out in BS 5228-1/2: 2009+A1:2014 Code of practice for noise and vibration control on construction and open sites. This includes compliance with appropriate working hours and good working practices.
- 6.14 **Operational noise:** It is not anticipated that operation of the bridge will generate noise.
- 6.15 It is not anticipated that the proposal will generate any unacceptable impacts on amenity and therefore it is considered that the proposals fully accord with Policy W16.

## Landscape and Visual

(Policy: W11; HDDPF Policies: 24, 30 and 33)

- 6.16 The proposed widened access from the A281 Brighton Road and the temporary access to the pipe-bridge cross the High Weald Area of Outstanding Natural Beauty (AONB) designated area. However, the proposed pipe-bridge is outside of the AONB. AONB is a designation of national importance for landscape protection and Policy 30 seeks to conserve and enhance the High Weald AONB.
- 6.17 The High Weald National Character Area (NCA) Profile 122 is characterised by a mixture of fields, small woodlands and farmsteads connected by historic routeways, tracks and paths. The proposals will not permanently impact upon historic field patterns, routeways or woodland, shaws or farm woodland.
- 6.18 It is proposed to reduce the working width to a 10m corridor (at its widest) within the woodland. This is the minimum area needed enable the installation of the pipe-bridge. Within this area three trees will need to be removed. However, they are not visible from the AONB, larger more significant trees are being retained and the works are unlikely to impact the visual amenity of the local areas.
- 6.19 Potential visual impacts are primarily limited to the temporary construction activities associated with temporary working areas, compound and the proposed temporary widened access. Such impacts would be relatively short in duration the temporarily widened access will be reinstated upon completion of construction.
- 6.20 The proposed pipe-bridge will not be visible from any location other than within the ravine itself, which is privately owned and not open to the public. The vast majority of the pipe-bridge supports will be buried below ground level with only the 160mm ductile pipeline, albeit for only a 15m span, and the associated security devices (fan and raptors) being visible.
- 6.21 There is an existing above-ground sewer and pipe-bridge in the woodland that conveys wastewater to the WTW. It is considerably longer in length and higher in elevation than the proposed and is not visible from any publicly accessible areas and/or the adjacent AONB (refer to the Landscape and Visual Technical Note submitted with the planning application).
- 6.22 Temporary construction lighting will only be used when light levels are below what is required to safely carry out tasks. Lighting will be task directed and shielded LED. It will be manually switched on/off and will only be on as required to safely access site and for any specific task.
- 6.23 It is considered that in accordance with Policy W11 and Policy 33 the proposed modest development relates sympathetically to the local landscape and that the need for the scheme, which is clearly in the public interest, justifies the localised impact on the Ancient Woodland and temporary impact of construction activities on the AONB. Moreover, transferring wastewater from Mannings Heath WTW will avoid further discharges to the stream, which will improve the environmental quality of the water environment and help conserve wildlife in the local environment, in accordance with Strategic Policy 24, environmental protection.

## Biodiversity

(Policy: W14 and HDPF Policies: 25 and 31)

- 6.24 Southern Water's ecologists carried out a Preliminary Ecology Appraisal (PEA), including site walkover, in April and May 2022. The suitability of the site for legally protected species

and the need for further surveys was assessed using the results of a desk-study, combined with field observations and identification of habitat that could support protected species. The Ecological Impact Assessment (EclA), which accompanies the planning application, reports on the findings of the PEA.

- 6.25 In relation to the retrospective part of the planning application, the EclA notes that access from the public highway was widened under the supervision of an Ecological Clerk of Works as part of the wider sewer pipeline works. No trees were removed and there is unlikely to have been an effect on any protected species.

#### *Protected Species*

- 6.26 **Badger:** The EclA notes that the woodland provides suitable habitat for badgers. A preconstruction check for badgers will be carried out by the project ecologist prior to commencement of works. Excavations will be fenced off/covered to avoid animals becoming trapped, with mammal ladders/slopes to aid egress. Excavations will be checked at the start and end of each working day.
- 6.27 **Bats:** The Ancient Woodland has potential to support roosting, commuting and foraging bats. A ground level bat inspection of trees within the proposed works area was undertaken in May 2023. Measures to ensure foraging, commuting and roosting bats are safeguarded during construction are set out in the EclA. These include: controlling noise and vibration, carrying out tree pruning/removal under ecological supervision and employing best practice measures in relation to lighting.
- 6.28 **Birds:** The woodland may provide suitable habitat for breeding birds. A pre-construction check for breeding birds will be completed by an ecologist prior to commencement of construction. Any vegetation suitable for breeding birds will be removed outside of the breeding bird season. If this is not possible, a nesting bird check will be carried out by an ecologist within 48 hours prior to any vegetation clearance. If any active nests are discovered, an appropriate buffer will be established by the ecologist and left in place until all young have dispersed.
- 6.29 **Great Crested Newts (GCN):** The PEA identified recent records of GCN 500m to the south of the WTW. eDNA surveys have been carried out of nearby ponds, which confirmed that one pond within 250m of the pipe, away from the Ancient Woodland, was positive for GCN. Therefore, the EclA concludes the Ancient Woodland is unlikely to be suitable terrestrial habitat for GCN.
- 6.30 **Dormouse:** A site assessment for dormice, carried out in September /October 2023, found no Dormice in or near to the Ancient Woodland. Dormouse survey footprint tunnels continued to be monitored throughout September and October 2023. With no signs of dormice, it is highly unlikely that they are present within the Ancient Woodland. However, the understory of the woodland does provide highly suitable dormouse habitat. Therefore, to maintain potential dormouse habitat, Southern Water will implement a dormouse precautionary method of working within the woodland, which includes:

- Ecological supervision of vegetation removal.
- Removal of woody vegetation above 200mm in height during winter months and subsequent grubbing up of root-balls of trees and shrubs from May onwards to minimise any risk of impacts to hibernating dormice, coppicing large hazels.
- Digging up the coppice stools and storing them for the duration of the works then replanting.
- Digging up perennial herbaceous vegetation with large undisturbed root-balls under the supervision of the ecologist, for storage (including watering) and then replanting.

- Any of the large mature multi-stemmed hazel shrubs which are to be removed and stored, will be placed back into the ground at a suitable location as part of the site reinstatement following completion of the works.

6.31 **Reptiles:** Desk studies confirmed that the most suitable habitat for reptiles is towards the western area of the wider pipeline scheme and away from the area of the Ancient Woodland that is the subject of this planning application.

6.32 **Water Vole and Otter:** The small stream running through the woodland is unsuitable for water vole and there are no records of otter in the area of the proposed works.

#### *Aquatic*

6.33 As a result of the scheme, Mannings Heath WTW will no longer discharge treated effluent into the small tributary (ordinary watercourse) of the River Arun. Storm overflow events will be reduced as the volume of sewage to be treated at the Horsham WTW will increase. This overall reduction of sewage into the small tributary is of benefit to aquatic ecology and although the flow in the small tributary will decrease, it will become more akin to its natural state. This aligns with Policy 24 which seeks to improve the environmental quality of watercourses.

#### *Invasive non-native species (INNS)*

6.34 Rhododendron, Cherry Laurel and Variegated Yellow Archangel have been recorded in the woodland. Southern Water proposes to remove and control the INNS within and adjacent to the working area, by cutting and treating stumps of rhododendron and cherry laurel, and by carefully digging up and disposing of clumps of variegated archangel. This presents an important enhancement measure for the Ancient Woodland.

6.35 Further to this, the CEMP sets out measures that will be implemented to prevent the spread of INNS, including:

- A pre-construction check for INNS will be completed by an Ecologist and ecological supervision of the works.
- Invasive plant species will be removed/controlled.
- Any aquatic plant INNS present will be assessed in terms of potential to be spread by the works.
- Sensitive vegetation clearance.
- Protection of the stream and its fern and bryophyte-covered sides, and
- Implementation of pollution prevention measures.

#### *Ancient Woodland & Arboriculture*

6.36 The proposed pipe-bridge crosses a deep 'ghyll' stream valley within Gaggle Wood, an area of Ancient Woodland (comprising UK Hab mixed deciduous woodland w1f and wet woodland w1d), immediately to the west of Mannings Heath WTW. The designation includes the trees, soils, ground flora and fungi. The area of affected woodland is 10m x 25m. The deep 'ghyll' stream valley is a sensitive ecological feature that supports a number of widespread fern and bryophyte species on the earth banks.

6.37 The EclA provides an assessment of the impacts of construction of the pipe-bridge on the Ancient Woodland and on the protected and/or notable species that occur (or have the potential to occur) within and near to the woodland.

6.38 Ancient Woodland is irreplaceable. The NPPF advises, "*development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland...) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy*

*exists....*". Note 63. of the NPPF confirms that wholly exceptional reasons include "infrastructure projects... where the public benefit would clearly outweigh the loss or deterioration of habitat". The location of the existing WTW within the Ancient Woodland means that it is not possible to avoid the works in the Ancient Woodland.

- 6.39 Multiple alternatives were considered, as reported in Southern Water's request for an EIA Screening Opinion. Those alternatives included siting new WTW facilities to the west of the Ancient Woodland, but this would involve more extensive works within the Ancient Woodland and permanent impacts of the AONB. Alternative pipeline routes and methods of construction for the pipeline were also carefully considered, utilising the mitigation hierarchy of avoid, mitigate, or compensate. These were either eliminated because they involved a greater footprint of works within the Ancient Woodland or in the case of potential no-dig methods they were not considered to be technically feasible. No-dig/drilling methods were discounted because the sandstone ground conditions within Gaggle Wood increase the risk of break-out of drilling fluid, which is a pollution risk; the steep topography of the ghyll and presence of the stream mean the bend of the pipe would significantly increase the risk of sediment deposition and pipe blockage during operation and there is insufficient land available within the WTW to accommodate the reception pit area needed for the drill.
- 6.40 The proposed pipe bridge solution minimises the potential environmental impacts on the Ancient Woodland as far as is reasonably practicable and the County Council's EIA Screening Opinion confirms that the new sewer pipeline scheme will not give rise to significant environmental impacts.
- 6.41 Mindful of the protected status of the Ancient Woodland, Southern Water has sought to minimise potential impacts as far as is reasonably practicable.
- 6.42 The EclA notes the Ancient Woodland is a habitat of principal importance (HPI) considered to be suitable habitat to support badger, bats, hazel dormouse and nesting birds. Invasive non-native species have also been recorded in the woodland. The EclA highlights that "*the woodland contains large, mature canopy trees and a shrub layer comprising of large multi-stemmed specimens which are potentially of considerable age. In addition, the affected area of woodland habitat contains at least 17 ancient woodland indicator species including yellow archangel Lamium galeobdolon and wood anemone Anemone nemorosa*".
- 6.43 Southern Water commissioned Middlemarch to undertake an Arboricultural Impact Assessment. This included a survey of the trees on site, and within influencing distance of the works, which was carried out in February 2023. The Arboricultural Impact Assessment, which includes full arboricultural survey, tree survey plan, tree retention plan and method statement, is submitted with the planning application (rt-mme-159801-02\_(AIA) and rt-mme-159801-03\_(AMS).
- 6.44 The proposed works will require the removal of three individual trees: T20 - a semi-mature Beech, T12, a semi-mature Holly and T23, a semi-mature Hawthorn. T20 - the semi-mature Beech, is considered to be of moderate value. 15m in height, it presents an etiolated form and is mostly only visible from the WTW, lacking visibility from surrounding areas. The remain two trees - T12, a semi-mature holly and T23, a semi-mature Hawthorn, are considered to be of low value. Translocation and coppicing are considered unsuitable for these trees.
- 6.45 Although the trees that have been identified for removal are situated within an area of Ancient Woodland, the trees selected are only representative of a low retention value. This area has been identified because there is a lower density of trees which do not represent the 'Retention Category A' characteristics of the surrounding woodland (refer to drawing C159801-02- 01\_RevA).



- 6.46 The AIA notes that some aspects of the proposed development will require works within the Root Protection Areas (RPAs) of retained trees. However, the AIA notes, “*The majority of the proposed pipe bridge installation within the RPAs of T17 and T19 will be located above ground to enable it to span across a stream and the steep topography towards the west of the site. In this section of the sewer route the sewer will be on a bridge with foundations on either side of the bank and as such the bridge is not expected to present a significant impact upon the RPAs of retained trees. The installation of the subterranean sections of the sewer and the construction of the bridge foundations will be undertaken according to methodologies devised as part of the Arboricultural Method Statement in accordance with BS5837.*” Subject to the adoption of appropriate working practices, as detailed in the submitted Arboricultural Method Statement, the works within the RPAs of retained trees can be completed without causing significant impact. The Arboricultural Method Statement also details tree pruning works.
- 6.47 The EclA notes that the existing diversity of native species within the Ancient Woodland is already at a good level and does not need augmenting, and there is already sufficient natural regeneration of seedlings, saplings and young trees and shrubs. Mindful of the requirements of Policy W14 and Policies 25 and 31, Southern Water’s ecologist and arboricultural advisors have worked closely with the construction team to carefully consider construction methods and to develop an embedded package of mitigation measures that will avoid and reduce the level of effects on the woodland as far as reasonably practicable.
- 6.48 The project ecologist advises that there is a general presumption against bringing planting material into ancient woodland habitats due to the risk that this will introduce pathogens and genetic stock, which is not as well adapted to the locality as material generated from within the woodland. Furthermore, the existing structure of the woodland is already rather dense. Therefore, opening it up (and not planting more trees and shrubs) is considered to be the best means of increasing its biodiversity. The Arboricultural Method Statement provides a step-by-step approach for coppicing and tree translocation. Coppicing is a traditional woodland management method, which allows light into the woodland floor and promotes a more varied woodland structure, stimulates the ground flora and enhances biodiversity. Dead wood material produced from coppicing will also be used to create log piles and create habitat for stag beetles.
- 6.49 Where reasonably practicable, all understory and specimens capable of being coppiced, will be retained in situ through coppice management. Where this is not possible, specimens that are suitable for translocation will be moved to alternative positions outside the working area to avoid the loss of arboricultural and ecological features and promote the conservation of the important woodland ecosystem.
- 6.50 Within the already reduced 10m wide working area in the Ancient Woodland it has been determined that the outer sides (2-3m on both sides) of the working width will not need to have the root-balls removed and will only be coppiced to ground level. Protective matting will then be placed over this zone for the duration of the construction works (estimated to be no more than 2-3 weeks), after which the matting will be removed, and the plants will be able to re-grow. Also, in the deeper central parts of the stream valley it has been confirmed that there is no need to grub up the root-balls. Therefore, these plants will also only be cut to ground level. The areas to be coppiced and protected will be agreed with the project ecologist on site prior to commencement of the works and will be clearly demarcated to ensure that they are protected.
- 6.51 It is estimated that approximately two thirds of the 10m wide working area will be treated in this way, which will reduce the potential level of impacts on the woodland as far as is reasonably practicable.

- 6.52 Where excavation of root-balls is needed, all suitable specimens will be removed in a sensitive manner under ecological supervision, then retained and carefully maintained in a holding 'nursery' area so that they can be replanted once construction works have been completed. Although there is a risk that some specimens will not survive this process, most are likely to persist, and even where they do not, the soil will be inoculated with microbes, fungi and invertebrates through replanting the root-balls. The planting will be maintained for 5 years. Any planting failures and gaps within that period will be replaced/planted up using suitable brought in material, to ensure that an adequate density of shrubs is maintained.
- 6.53 Overall, it is considered that the comparatively small section of affected Ancient Woodland will result in minimal loss of habitat. The trees in this area are more diminutive and are typically of low retention value. In line with Policy W14, the EclA concludes "*Embedded mitigation measures will be implemented to avoid/mitigate any potential adverse impacts to ecological features. With these mitigation measures implemented, as well as the enhancements .... there will be no significant adverse effects on the ancient woodland habitat or species as a result of the proposed works*". In accordance with Policy 25, the proposals seek to protect the natural environment of the district by maintaining the ancient woodland habitat and potential dormouse habitat. In accordance with Policy 31 it is considered that the mitigation measures will maintain and enhance the existing network of green infrastructure and will contribute to the enhancement of existing biodiversity.

## Heritage

(Policy W15)

- 6.54 Southern Water has undertaken extensive archaeological investigation and evaluation in relation to wider scheme. Southern Water's archaeological advisors, Archaeology South East (ASE), are liaising closely with the County Archaeologist regarding those works.
- 6.55 Following a desk-based assessment (DBA), ASE advised Southern Water that the proposed pipe-bridge works should be scoped out of further archaeological evaluation and mitigation due to the very low impact/area of excavation and risk of encountering archaeology being low. The DBA is submitted with the planning application for information.
- 6.56 The construction team will be briefed during site induction and environmental toolbox training on the procedures to be implemented if archaeological remains are uncovered during construction. Should any previously unknown undisturbed archaeological features be encountered then work would cease immediately in that area and a qualified archaeologist would be consulted on appropriate measures to be implemented. It is considered that in accordance with Policy W15 there will be no adverse effect on currently unknown heritage assets.

## Water & Flood Risk

(Policy W17)

- 6.57 The application site is located within an area that is affected by water neutrality. However, once operational, the pipe-bridge will not result in any mains water demand.
- 6.58 Transferring wastewater to Horsham WTW for treatment will remove discharges of treated effluent from Mannings Heath to its local watercourse and the additional treatment capacity provided at Horsham WTW will reduce spills of stormwater from Mannings Heath.
- 6.59 The planning application site is located within flood zone 1, which has a low probability of flooding from rivers and the sea. The planning application boundary site area does not

exceed 1 ha and therefore a flood risk assessment (FRA) is not required as part of this planning application.

## Highways

*(Policy W18)*

- 6.60 Once commissioned, the pipe-bridge will not generate any highway issues.
- 6.61 To enable construction of sewer pipeline, which is permitted development and the proposed pipe-bridge, an existing field access from the A281 Brighton Road has been temporarily widened to provide safe access and egress to the working area (refer to Existing and Temporary Access - 157754-FRH-XX-DR-C-8004).
- 6.62 The temporary widened access provides construction access to the working area of the pipeline route, including the proposed pipe-bridge working area, and a temporary construction compound, which provides essential welfare, administration and storage facilities for the construction team. The construction access via the working area for the pipeline, which is permitted development is not surfaced.
- 6.63 The peak mobilisation period, which was in July 2023, generated 2 articulated lorries, 4 grab wagons, 8 light vans and 6 car movements per day access. The average number of vehicles using this access point to enter the pipeline construction site is now 2 grab wagon movements, 6 light van movements and 2 car movements per day. Drawings 157754-FRH-XX-X-DR-C-8002 and 8003 illustrate the tracking for articulated and low loader vehicles from the public highway.
- 6.64 Those construction traffic movements are managed through implementation of a Traffic Management Plan (submitted with the planning application for information).

## 7. Overall Conclusion

- 7.1 To meet the requirements of the Environmental Permit set by the Environment Agency, the sewage generated by the local community must be treated to a higher standard. That cannot be achieved at the Mannings Heath WTW without extending into the surrounding Ancient Woodland. Therefore, to minimise impacts as far as reasonably practicable, it is proposed to transfer the wastewater from Mannings Heath WTW via a new section of sewer to the existing sewer network that conveys flows to Horsham WTW. At Horsham WTW the wastewater will be treated prior to discharge to the environment. The connection to the existing sewer network cannot be achieved without installation of a 15m span pipe-bridge within the Gaggle Wood Ancient Woodland that surrounds the WTW.
- 7.2 To enable safe access to the construction site, an existing field access from the A281 Brighton Road has been temporarily widened. It will be reinstated following completion of construction.
- 7.3 The proposals are essential to ensure that the sewage generated by the local community is treated in accordance with an environmental permit set by the Environment Agency and to accommodate planned future population growth in the catchment. The need for the development for reasons of residential amenity and environmental protection represent 'wholly exceptional reasons' for development in Ancient Woodland, where the public benefit would clearly outweigh impacts on a comparatively small area of Ancient Woodland.

- 7.4 The proposed works will result in minimal loss of habitat in an area of the Gaggle Wood where the trees are more diminutive and are typically of low retention value. The submitted Arboricultural Method Statement provides a step-by-step approach for coppicing and tree translocation. With these mitigation measures implemented the EclA concludes there will be no significant adverse effects on the Ancient Woodland habitat or species as a result of the proposed works.
- 7.5 In accordance with Section 38 of the Planning and Compulsory Purchase Act 2004 this application should be determined in accordance with the Development Plan unless material considerations indicate otherwise. The proposal has been assessed against the requirements of national policy, the statutory and emerging development plan, and the principle of the development is considered to be acceptable, the impacts are local and the majority temporary, associated with construction only. The proposed pipe-bridge is small in scale and an appropriate package of mitigation measures are proposed that will minimise and manage the potential adverse impacts of construction and will avoid and reduce effects on the woodland as far as reasonably practicable. The scheme represents a carefully considered development, which responds positively to the relevant planning policy context.