

**THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL  
IMPACT ASSESSMENT) REGULATIONS 2017:  
REGULATION 15 – Request for a Scoping Opinion – CD/17a**

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**Proposal**

**Re-modelling of the existing golf course and driving range involving cut and fill and imported clean inert fill material on land at Cuckfield Golf Centre, Cuckfield, West Sussex, RH17 5HY.**

**Applicant**

**Cuckfield Golf Centre.**

**Date received**

24<sup>th</sup> May 2017

**Classification of the Proposed Development and requirement for an Environmental Impact Assessment**

The proposal has not been the subject of a screening opinion, nor have the applicants requested a screening opinion, considering at the outset that an EIA would be required.

West Sussex County Council (WSCC) considers that the proposal does comprise Schedule 2 development, as defined in the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 ('the EIA Regulations'). Specifically, with a site area of approximately 38 hectares, WSCC considers the proposal falls within Schedule 2, part 11 (b) – Installations for the disposal/recovery of waste, with the area of development exceeds the relevant threshold of 0.5 hectare. It is therefore necessary to consider whether the proposal is likely to result in significant environmental effects. The 'indicative criteria and threshold' set out in the Annex to Planning Policy Guidance: EIA note that installations holding more than 50,000 tonnes of waste/year, and/or holding waste on a site of 10 hectares or more are likely to require EIA, and that the key issues to consider are the scale of the development, and the nature of the potential impact on terms of discharges, emissions or odour. The proposal is significantly in excess of these indicative thresholds, with some 367,500m<sup>3</sup> (551,250 tonnes) of material to be imported, and a site area of 38 hectares. Accordingly, any application would need to be supported by an Environmental Statement (ES).

The applicant has subsequently submitted a formal request for a Scoping Opinion. This is where a developer asks the local planning authority for their formal opinion (a 'scoping opinion') on the information to be supplied in the ES. This provides clarity as to what the local planning authority considers the main effects of the development are likely to be and, accordingly, the main topics on which the ES should focus.

The following forms the Scoping Opinion of WSCC, based on the Scoping Request made by the developer on 24<sup>th</sup> May 2017 and further information provided on 24<sup>th</sup> July 2017. In providing this response, consultation has been undertaken with the relevant statutory authorities, along with the relevant Parish Councils.

## **SCOPING OPINION**

### **1. Proposal**

- 1.1 The proposal is for the re-modelling of the existing golf course and driving range involving cut and fill (using 1,100m<sup>3</sup> of on-site material) and the importation of 367,500m<sup>3</sup> (551,250 tonnes) of inert material. The duration of the development is expected to be up to 287 working days, using a phased approach (up to 5 phases). To achieve full re-profiling of the golf course within this timescale, an importation rate of 130 HGV deliveries per day would be required. Due to the nature of the underlying geology (clay), the applicant states that the site currently experiences drainage issues during the winter months.
- 1.2 Initial works would entail the creation of a temporary access off Staplefield Road together with the creation of a vehicle turning area and internal access roads. This would involve the removal of a section of existing hedgerow. A small cabin, wheel wash and weighbridge are also proposed. New gates would also be erected to secure the site out of operational hours, set back 15m from the highway.
- 1.3 The next phase would involve the removal of topsoil from the golf course. Prior to the site being used as a golf course, the land was in agricultural use and the soils across the site are of good to moderate quality (Agricultural Land Classification Grade 3). The topsoil would be stripped in a phased manner and in accordance with a phasing plan. It would be stored in periphery bunds and grass seeded immediately after creation in order to reduce runoff and maintain stability. Upon completion of the infill operation in each phase, the soil bunds would be removed and soils replaced on top of the imported inert material to restore the site.
- 1.4 A proportion of material (1,100m<sup>3</sup>) within the existing site would also be excavated to re-profile the design of the golf course in order to improve drainage using a cut and fill approach.
- 1.5 Upon completion of the soil stripping and creation of new access 367,500m<sup>3</sup> of clean inert materials would be imported to the site via 20-tonne HGVs. Loads would be tipped in each phase where 5-tonne dumper trucks would be loaded by an excavator or loading shovel in order to achieve restoration. It may not be practical to tip directly into each phase due to the current slope angles therefore a dedicated tipping area is also proposed.
- 1.6 At the end of each tipping phase, where pre-topsoil levels have been achieved, topsoils would be removed from the storage bunds and loose tipped across the restored phase.
- 1.7 In line with a concept restoration and landscaping scheme, the site would be restored to a golf course, removing the internal access roads and temporary access and replacing the section of removed hedgerow.
- 1.8 An aftercare period of ten years is proposed.

### **2. Location**

- 2.1 Cuckfield Golf Course (the application site) lies to the north of the B2114 Staplefield Road, approximately 800m to the north west of the village of Cuckfield. The B2114 is orientated on a broadly east-west direction and forms the southern boundary of the application site with a mature indigenous hedgerow demarcating the site from the road. The northern boundary of the site is bounded by mature hedgerow beyond which lies an area of woodland and agricultural fields. The eastern boundary is also bounded by mature hedgerow beyond which lies the hamlet of Brook Street and the road running north from Whitemans Green, Cuckfield serving it. The western boundary comprises a combination of mature hedgerow along the northern section and fencing along the southern section.
- 2.2 The main entrance to the application site is off Staplefield Road, adjacent to which lies 'Cuckfield Garden Machinery' and 'Room With a View Café and Bar'.
- 2.3 In terms of geology and landform, the southern end of the site is located on a prominent sandstone ridge with mixed bands of sandstone and clay running northwards through the site east to west. There is a watercourse running through the site with ponds and Mizbrooks Ghyll is located to the west. A fault line (the 'Lindfield Fault') also runs through the site. It runs from Slough Green to the west through Whitemans Green, Lindfield and continues towards Freshfield Manor.
- 2.4 In terms of environmental designations there are a number of internationally and nationally important nature conservation designations in the vicinity of the proposal site. The application site is within the High Weald Area of Outstanding Natural Beauty (AONB). The AONB is a nationally important landscape designation which is important for its landscape character value and for recreational opportunities. Fragments of ancient woodland are also located to the north, south east and west of the application site, the closest of which lies adjacent to the north western corner of the site with another located within 140m to the east. A Regionally Important Geological Site (RIGS) is located some 230m to the south east, adjacent to the B2114. Borde Hill Registered Park and Garden and Archaeological Notification Area are located some 1.4km to the east. The Hanger Site of Nature Conservation Interest (SNCI) is located approximately 2.6km to the south west of the site. Mizbrooks Ghyll to the west of the site and Trolls Dell to the south east are Ancient Woodland.
- 2.5 The High Weald is characterised by dispersed historic settlements of farmsteads and medieval field systems. A number of Listed Buildings are located in proximity to the golf course. These include Little Mizbrooks (some 460m to the west of the site), medieval Mizbrooks Farmhouse (some 370m to the north west), Former Stable, Granary and Cartshed at Brook Farm (some 600m to the north east) and the barn to the south west of Taylors Barn (some 485m to the east). The Whitemans Green Conservation Area is also located to the south east.
- 2.6 Two public rights of way cross the site. Footpath 45CR runs in a north-south direction along the eastern boundary of the application site. Footpath 44CR runs generally east to north-west across the site. These routes date back to c.1800 and link to the ancient routeway running along the ridge (now Staplefield Road). Bridleway 42CR runs parallel to the site's northern boundary linking Cleaver's Lane with Spark's Lane.

- 2.7 There are residential properties to the north, east, south east, south and west of the site. The nearest dwellings are those located in Brook Green (some 400m to the east of the site), Lower Sparks Farm (some 490m to the north), St Margarets (some 290m to the south east), Peacocks (some 89m to the south) and Little Mizbrooks, a Listed Building (some 460m to the west).
- 2.8 The site is bisected by one river/stream crossing the application site south to north. Two fishing lakes are located within the centre of the golf course. The site lies in Flood Zone 1 and is therefore at a low risk of flooding.
- 2.9 A high pressure gas pipeline (ref.GM07) lies within the vicinity of the site. The pipeline is of prime importance to the gas supplies of the area and restrictions apply (please refer to Southern Gas Network's consultation response at Appendix 1)
- 2.10 The site lies under the control of one landowner Cuckfield Golf Centre who is operating the site currently as a golf course. The site access however is owned by a separate landowner.

### **3. General Scope of Environmental Statements**

- 3.1 Every Environmental Statement (ES) must provide a full factual description of the development, and consideration of the 'main' or 'significant' environmental effects to which the development is likely to give rise. The ES should, wherever possible avoid the use of jargon and be written in easily-understood language.
- 3.2 Regulation 15(6) requires that before a scoping opinion is adopted, the following must be taken into account:
- a) Any information provided by the applicant about the proposed development;
  - b) The specific characteristics of the particular development;
  - c) The specific characteristics of development of the type concerned; and
  - d) The environmental features likely to be significantly affected by the development.
- 3.3 Every ES must also contain all of the information set out in Regulation 18 (3) and Schedule 4 to the EIA Regulations, as is reasonably required, to assess the effects of the project. The ES should therefore contain, as a minimum:
- 1. a full description of the development;
  - 2. a description of the reasonable alternatives studied by the developer which are relevant to the development and the reason for the option chosen;
  - 3. a description of the relevant aspects of the current state of the environment (baseline scenario) and an outline of the likely evolution thereof without the implementation of the development;
  - 4. a description of the factors specified in Regulation 4(2) likely to be significantly affected by the development;
  - 5. a description of the likely significant effects of the development on the environment, including direct and indirect, secondary, cumulative,

transboundary, short-term, medium term and long-term, permanent and temporary, positive and negative effects of the development;

6. a description of the forecasting methods or evidence, used to identify and assess the significant effects on the environment, including details of difficulties encountered and main uncertainties;
7. a description of the features of the development or measures envisaged to avoid, prevent, reduce or, if possible, offset any identified significant adverse effects on the environment and where appropriate, proposed monitoring arrangements, including construction and operational phases;
8. a description of the expected significant adverse effects of the development on the environment deriving from the vulnerability of the development to risks of major accidents and/or disasters which are relevant to the project concerned;
9. a non-technical summary of the information provided under paragraphs 1 to 8 of Schedule 4; and
10. a reference list detailing the sources used for the descriptions and assessments included in the environmental statement.

3.4 As set out in Part 1 of Schedule 4, the ES should include, as relevant, a description of the aspects of the environment likely to be significantly affected by the development, as confirmed in the following; a description of the likely significant effects on the environment resulting from the development and the methodology used to predict them; and a description of proposed mitigation measures.

3.5 In line with Regulation 18 (4), an ES must be based upon the most recent scoping opinion issued (so far as the proposed development remains materially the same as the proposed development the subject of the scoping opinion). It must also:

- Include the information reasonably required for reaching a reasoned conclusion on the significant effects of the development on the environment, taking into account current knowledge and methods of assessment;
- Be prepared taking into account the results of any relevant UK environmental assessment, which are reasonably available to the person preparing the environmental statement, with a view to avoiding duplication of assessment.

3.6 Further, in order to ensure completeness and quality of the ES, Regulation 18 (5) requires that:

- The developer must ensure that the environmental statement is prepared by competent experts; and
- The environmental statement must be accompanied by a statement from the developer outlining the relevant expertise or qualifications of such experts.

3.7 Any updated requirements set out in the Planning Policy Guidance: Environmental Impact Assessment should also be taken into account.

#### **4. Scope of this Environmental Statement**

4.1 The following sets out the County Council's views as to what main/significant areas will need to be considered within any forthcoming ES. It does not prevent the County Council from further requests for information at a later stage under Regulation 25 of the EIA Regulations, if deemed necessary.

4.2 As an overall comment it is noted that minimal information was submitted with the Scoping Request regarding the content of studies and the nature of the development. As a result, the detail provided in the following has been constrained.

4.3 All consultation responses to the Scoping Request are provided at **Appendix 1** to this Scoping Opinion.

4.4 **Landscape and Visual Impact:** The site is located in the High Weald Area of Outstanding Natural Beauty (AONB) an area statutorily designated for its landscape value. Great weight should be given to conserving the landscape and scenic beauty within it. Regulation 2(1)(f) of the 2017 EIA Regulations defines AONBs as sensitive areas and it should be ensured that the ES considers how the proposed development is likely to affect the features for which the AONB was designated and the significance of such impact.

4.5 The Scoping Request report does not specify the approach to the Landscape Character and Visual Impact. It simply states that there is potential for short term significant impacts and that the site is visible from several PRow and dwellings. It states that a Landscape and Visual Impact Assessment (LVIA) would be carried out, but does not specify methodology, identify any viewpoints or means to present the findings, and does not confirm whether it would be carried out by a suitably qualified expert. The following is therefore based on the limited information provided.

4.6 There should be a full Landscape and Visual Impact Assessment (LVIA) carried out in accordance with the [Guidelines for Landscape and Visual Impact Assessment \(GLVIA\) \(3rd Edition\) \(The Landscape Institute and Institute of Environmental Management and Assessment \(GLVIA\), 2013\)](#). The findings of the LVIA should feed into the Landscape and Visual Impact chapter in the ES and measures to mitigate and monitor should be provided.

4.7 In terms of visual impact, the LVIA should primarily consider views to and from the north, particularly from the Balcombe viaduct. The impact on views needs to be demonstrated clearly and accurately and an assessment made of how the development would enhance and conserve the natural beauty of the AONB.

4.8 In terms of landscape impact, the proposed development has the potential affect the High Weald AONB, the High Weald Landscape Trail (PRow 44cr/1) and the Ouse Valley Character Area (HW3) and could have significant, negative, long-term impacts. The LVIA should form part of an iterative process to inform the creation and evolution of the golf course through the assessment of landscape features and form the basis of the final landform and appropriate mitigation measures at all stages of the development.

- 4.9 Further, all key landscape components/each objective considered by the High Weald AONB Management Plan should also be referred to by the LVIA. It should identify whether the proposal meets or brings about conflict with those components and objectives (please see link to [High Weald AONB Management Plan](#)). The planning advice note published by the High Weald AONB Unit provides a checklist for what should be included in an assessment ([Planning Advice Note](#)).
- 4.10 With regard to trees, consideration of landscape impacts should include an Arboricultural Impact Assessment of existing trees on site that may be affected by the proposals, detailing trees to be retained and removed, an assessment of their quality/health, position, and root protection measures. Where new working areas are to be provided it will be important to ensure that the potential impacts on trees/hedgerows resulting from these is considered in full and mitigated where necessary.
- 4.11 The timescale of the development is expected to be 287 working days, but if this period was extended would be more than three years, consideration of the landscape and visual impacts during the construction phase should be considered and intermediate mitigation measures identified if appropriate.
- 4.12 **Transport and Access:** The Scoping Request report identifies that the development would have potentially significant impacts on the local highway network due to an increase in HGVs bringing plant, materials and inert soils for reprofiling works. It also identifies that there may be a significant impact upon local PRoW and possibly a requirement to temporarily close footpath 44CR.
- 4.13 The further information submitted clarifies that 130 HGV movements per day would result from the development over a period of 287 days so the potential for significant impact is likely. It does not however specify in detail the approach to be taken to assessing the impact upon transport and access. Other than mentioning that a full Transport Assessment would be carried out, no detailed methodology is proposed, including mitigation or monitoring, nor is it mentioned that such assessments would be carried out by a qualified expert.
- 3.8 A full Transport Assessment (TA) should be carried out in accordance with the West Sussex County Council [Transport Assessment Methodology](#). It is also recommended that liaison take place with WSCC Highways at an early stage to inform the contents of any assessment (please see link to WSCC Highways pre-application advice <https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/pre-application-advice-for-roads-and-transport/> )
- 4.14 In any case, the TA should include details of traffic movements and their effects in terms of volume, size and frequency, routing, the condition of the existing highway network and its suitability in accommodating this level of activity taking into account current usage. A full list of other highway requirements is provided at Appendix 1.
- 4.15 **Noise Assessment and Vibration:** The proposed development is likely to generate noise and the Scoping Request report identifies that there would be potential impacts upon PRoW users and nearby dwellings. It does not however provide a methodology for assessing noise impact, or consider measures for

mitigation and monitoring. Further, the number of daily vehicle movements (130 per day) will affect the noise environment.

- 4.16 A noise impact assessment should be carried out in line with the methodology set out by sections 1.3, 5.4 and Annex 1 of '[Planning Noise Advice Document: Sussex](#)' dated July 2015. Residential properties should be identified and, in addition, consideration should be given to the potential impacts of noise upon other sensitive receptors which may include neighbouring land uses such as businesses and PRoW during both construction and operational conditions. Consideration should include the impact at different phases of the development, including as a result of plant operating on higher topography.
- 4.17 Although not discussed in the Scoping Request report, it is considered that vibration should be scoped into the ES. Again, the increased activity at the site from material movement on site, the raising of levels on which operations will take place, as well as importation of materials has the potential for significant environmental effects. If it is considered that potential impacts may not be severe, the ES should provide evidence of such. Any assessment should clearly set out existing and predicted vibration levels at sensitive receptors, including an assessment against relevant guidance/standards, and taking into account local topography. The assessment must be carried out to best practice standards and by a suitably qualified expert.
- 4.18 **Ecology and Nature Conservation:** The Scoping Request does not specify an approach to assessing ecological impact at the site and no methodology is specified. It states that there would be limited effects and that a full ecological assessment would be undertaken.
- 4.19 The Council disagrees with this conclusion. There is Ancient Woodland adjacent to the site which could be significantly impacted upon, and the site is approximately 12km from Ashdown Forest, a Site for Special Scientific Interest (SSSI) and Special Protection Area (SPA). The proximity of the site to the SPA and also the route of associated vehicle movements (regarding nitrogen deposition) to the designation may trigger the need for an Appropriate Assessment under the Habitat Regulations 2010. This requirement will become apparent during the EIA process.
- 4.20 The County Ecologist has expressed concern that the correct time of year for carrying out Phase 2 surveys for protected species (e.g. bats, great crested newts, dormice etc.) is during the summer months and they must be completed prior to the submission of any planning application and accompanying ES.
- 4.21 The ES will need to identify impacts on habitats and notable/protected species, during site preparation, site operations (construction), and in the long term and identify mitigation, compensation, enhancement and monitoring measures. The assessment should take into account the guidance set out in the National Planning Policy Framework (NPPF) and Natural England Standard Advice (please see attached comments of Natural England) as well as ensuring that impact is assessed in line with the Guidelines for Ecological Impact Assessment (EcIA) which have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM).
- 4.22 **Hydrology and Flood Risk:** The site is located completely within Flood Zone 1 (Low Risk of Flooding). The Scoping Request states that there is potential for

impacts upon ground and surface water quality and that there would be a Flood Risk Assessment submitted with the application and an assessment of ground a surface water impact together with mitigation measures. No methodology is proposed however and no indication of who the assessment would be carried out by (i.e. a qualified expert).

- 4.23 The potential impact of the development on ground and surface water quality and quantities (i.e. drainage/flood risk) should be considered and objectively assessed. Further, the matters raised and discussed in the responses from the Environment Agency and WSCC as the Local Lead Flood Authority are supported by WSCC as the Planning Authority and should be taken into account and addressed appropriately (please see attached comments of the EA and WSCC Local Lead Flood Authority).
- 4.24 **Cumulative and In-Combination Impacts:** The ES should include consideration of potential cumulative impacts of the proposal alongside existing and permitted/allocated uses in the proximity of the site. An appraisal of the potential interaction of impacts should also be set out either in this chapter or in each topic chapter, acknowledging the potential for a combination of impacts to result in an impact of greater significance.
- 4.25 **Air Quality/Emissions/Dust:** The Scoping Request acknowledges that the nature of the proposed development is such that dust emissions may arise. It does not however take into consideration other emissions to air, including that from vehicle movements, or state the methodology by which impacts would be assessed.
- 4.26 There will invariably be some concern over potential impacts regarding air quality, emissions and dust from the proposed development, especially as there are areas of Ancient Woodland nearby and the impact that HGV emissions may have upon such designations. Although such matters will be assessed within other sections (i.e. transport section, ecology), air quality, emissions and dust do have the potential to arise and have significant impacts from other operations including the tipping of the materials on site and the handling and management of soils. The Environmental Health Officer at Mid Sussex District Council has provided comment and is appended to this Scoping Opinion. Their response, together with the guidance '[Air Quality and Emissions Mitigation Guidance for Sussex Authorities \(2013\)](#)' should be applied when preparing the ES.
- 4.27 **Archaeology and Cultural Heritage:** Having liaised with the County Archaeologist, there is the potential for archaeological features to be present at the site and therefore the consideration by the Scoping Request that archaeology is not considered a significant issue is contested. Due to the movement of material associated with the cut and fill operations, together with the potential to disturb other areas of the site during the overall operation, a full Archaeological Impact Assessment is required. As part of the assessment, a plan should be provided that shows the sections of the site to be cut (therefore revealing material of potential archaeological or palaeontological interest).
- 4.28 With regard to heritage assets, it is considered that a Heritage Statement is also required because there are a number of Listed Buildings and assets on the sites and monuments record to the north, east and south east of the site

including those in Brook Street and those within the Whitemans Green Conservation Area.

### **Other matters**

- 4.29 **Alternatives:** The alternatives to the proposed development and need should be set out, taking into account the latest data regarding West Sussex's waste production and management, and forecast capacity, and the Waste Local Plan, April 2014.
- 4.30 **Socio-Economic Impacts:** An assessment of the potential impacts of the proposed development on the community living and working within the locality should be provided. This should include recreation, as considered by the Scoping Request.
- 4.31 **Soils:** Consideration of soils has been made by the Scoping Request, and it is considered that this topic should be included with the development description section of the ES. Further the management of soils should be considered in terms of the management of dust emissions and ongoing monitoring. The dust impact assessment referred to above should include soils.
- 4.32 **Climate Change:** consideration of the impact of climate change on the development, and of the development on climate change should be set out either as a separate topic, or included in each topic chapter.

### **Topics to be scoped out**

- 4.33 No topics are to be scoped out of the ES.

### **Conclusion**

- 4.34 It is recommended that all of the above comments are taken into account and included within any supporting ES, along with the responses from consultees (see **Appendix 1**).
- 4.35 Given the scale of the development, its location within the High Weald AONB and potential for wide ranging effects, your application for pre-application advice from the County Planning Authority is welcomed. Following receipt of your pre-application form and fee on 30<sup>th</sup> August 2017, a meeting is now scheduled to take place on 12<sup>th</sup> September 2017 at County Hall during which the principle of the development and key policy considerations can be discussed.

*Signed:*



Lucy Harding (Planning Consultant)  
*for the Strategic Planning Manager*  
Date: 7<sup>th</sup> September 2017



Reviewed by: Jane Moseley  
(County Planning Team Manager)

**Appendix 1:**  
**Scoping Consultation Responses**