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Environment Agency

Ms Jessica Robinson
Waverley Borough Council
Development Control
The Burys
Godalming
Surrey
GU7 1HR

Our ref: WA/2018/126054/01-L01
Your ref: WA/2018/2019

Date: 15 January 2019

Dear Ms Robinson

APPLICATION FOR RESERVED MATTERS IN RESPECT OF LAYOUT, SCALE, LANDSCAPING AND APPEARANCE FOR SITE A PURSUANT TO CONDITION 1 OF THE OUTLINE PLANNING PERMISSION WA/2016/2207, COMPRISING DETAILS OF THE DESIGN, CONSTRUCTION AND MANAGEMENT OF A 22.80 HECTARE COUNTRY PARK INCLUDING THE PROVISION OF ASSOCIATED CAR PARKING, CYCLE PARKING, PUBLIC TOILETS AND PLAY EQUIPMENT.
AT SITE IDENTIFIED AS SITE A ON LAND AT WEST CRANLEIGH NURSERIES AND NORTH OF KNOWLE PARK BETWEEN KNOWLE LANE AND ALFOLD ROAD, CRANLEIGH.

Thank you for consulting the Environment Agency on the above application for reserved matters approval. We apologise for the delay in responding.

Environment Agency position

The Environment Agency objects to the reserved matters as submitted because of the adverse impact it would have on nature conservation. We recommend that reserved matters are not approved.

Reasons and overcoming our objection

In this instance the proposals would involve realigning approximately 340m of the Littlemead Brook which would result in the loss of a mature and well established riparian corridor. The River Corridor and River Habitat Surveys (Surrey Wildlife Trust Ecology Services, September 2018) demonstrate that the section of the Littlemead Brook proposed for diversion supports a number of in-channel habitat features, including pools, riffles, eroding cliffs, a vegetated point bar, exposed tree roots and deposition of gravel side bars. In addition, it is buffered by a relatively rich riparian herb community and a number of mature bankside trees that would be lost within the current proposal. We welcome the intention to enhance biodiversity by providing a variety of in stream bank-profiles as outlined in section 4.4 of the Design and Access Statement (DAS) but we do not believe that diverting the watercourse will allow this to be achieved, particularly in the short-medium term. This section of the Littlemead Brook supports a complex of geomorphological features that have developed, in part as a result of the large mature trees along the banks. It will not be possible to re-create this habitat in the next few decades if the watercourse is diverted. The 30 trees (plus one group of trees) and section of the Littlemead Brook proposed for removal/diversion have also been

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identified as a commuting/foraging route for at least five species of bat, as well as otter. Some of the trees have potential for roosting bats and could also potentially be used by otter as lying up or holt sites.

Although measures have been proposed to mitigate for a number of these impacts, these measures carry a degree of uncertainty (particularly as there is little information on the design parameters for the Littlemead Brook diversion) and even if effective, will result in a temporary loss (over a number of decades) of ecological value. In any case, priority should be given to the avoidance of impacts before considering how they are mitigated or compensated for. It is not clear from the current application what alternatives have been explored. During subsequent discussions with the applicant, we are aware that two alternatives have been explored. These both involve keeping the watercourse where it is and creating the lake either to the north or south. These options were dismissed as less preferable but we are not satisfied that sufficient weighting has been given to the ecological impacts on the Littlemead Brook, nor that the ecological objectives for the lake can't be achieved with this option. We would like to see the proposals reconfigured to retain the existing alignment of the Littlemead Brook with the lake created to the south. Consideration for creating several smaller features that maximise marginal habitat should also be considered.

One of the justifications for diverting the Littlemead Brook is to create a more sinuous multi-staged channel. We acknowledge that the watercourse is heavily incised but do not agree that it needs to be diverted to enhance it. The existing channel could still be enhanced by re-profiling the banks in places and installing gravels and woody material to help create a diversity of flows. Condition 17 of the applicant's planning permission requires an ecological buffer zone, which includes enhancements to the Littlemead Brook. We would therefore expect to see enhancements proposed for the Littlemead Brook regardless of whether it is diverted. The River Corridor and Habitat Surveys identified sections 10-15 as being over wide and over deep, supporting few natural features. The report also makes reference to an old paleo channel through the southern edge of the Osier bed where the watercourse had presumably been diverted at some point. Opportunities to enhance sections 10-15 of the Brook, either by restoring the old paleo channel (providing impacts to the Osier bed can be avoided) or carrying out in-channel enhancements as described above, should be explored.

The National Planning Policy Framework (NPPF) paragraph 170 recognises that planning decisions should contribute and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. It states that development should, wherever possible, help to improve local environment conditions, taking into account relevant information such as river basin management plans.

In addition, policy NE2 (Green and Blue Infrastructure) of Waverley's Local Plan Part 1 states that the Council will seek to protect and enhance benefits to the existing river corridor network. In accordance with the Water Framework Directive, development will not be permitted which will have a detrimental impact on the ecological value of existing river corridors. It goes onto state that the Council will seek to maintain and enhance existing trees within the Borough.

This objection is also supported by recent legislation and Government Guidance as set out in the Natural Environment and Rural Communities Act 2006 and the UK Biodiversity Action Plan.

Further comments/recommendations:

- We are not clear from the information provided whether the construction of the proposed board walk through the Osier bed requires the removal of any trees. We recommend that this is clarified as the Ecological Report identifies the Osier bed as a key ecological feature which should be protected.
- The Ecological Report provided only refers to a data search being carried out in 2014. As this was five years ago, this will need to be updated and the results provided in the Ecological Report. Depending on the results returned, further ecological surveys may be required as some of the protected species surveys were carried out more than three years ago.
- Reptiles have been considered likely absent from the study area due to none having been recorded in the 2014 surveys. However, these surveys were only carried out in the western section of the study area, and we understand that this does not include the Knowle Park site. We recommend that a further assessment is made prior to determination to ensure any necessary mitigation/compensation measures are secured.
- Great Crested Newts have been considered likely absent from the study area due to all ponds within 500m of the site being assessed as poor quality for Great Crested Newts. Unfortunately, we can't find any details of which waterbodies were assessed, nor whether there are any records of Great Crested Newt within the vicinity of the site. Regardless, Habitat Suitability Index (HSI) assessments are not a substitute for Great Crested Newt surveys and given that there is suitable habitat on site (terrestrial and wet ditches) and that the previous HIS assessment was carried out 5 years ago, we recommend that a further assessment is made prior to determination.
- The design of the lake will need to consider the evaporative loss of the lake and the impact this may have on the base flow of the adjacent Littlemead Brook. To avoid this impact, the lake may have to be lined.
- We welcome the commitment to create a variety of bed and bank profiles to the lake and a diverse range of habitats. However, there are footpaths proposed around the entire perimeter and across the lake itself. We acknowledge that the footpath is set back in the western end but would like to see larger areas of the lake buffered from human disturbance to ensure its' ecological value can be maximised.

Please send us a copy of any further decision issued in respect of this application.

Yours sincerely

Judith Johnson
Sustainable Places team

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