Growth and Place Directorate
Web: www.richmond.gov.uk/planning
Email: envprotection@richmond.gov.uk
Tel: 020 8891 1411
Textphone: 020 8891 7120

LONDON BOROUGH OF RICHMOND UPON THAMES

Contact: Lucy Thatcher
Tel: 020 8 891 7691
Email: lucy.thatcher@richmondandwandsworth.gov.uk

8 May 2026

Charlotte Orrell
Associate Director
DP9 Ltd
100 Pall Mall
London
SW1Y 5NQ

Dear Charlotte Orrell

Re: Request for a scoping opinion, under Regulation 15 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Thank you for your email dated 11 March 2026 and attached Scoping Report V2 (dated March 2026) from Turley requesting a Scoping Opinion from the London Borough of Richmond Local Planning Authority (as responsible authority), on behalf of the Rugby Football Union, for the proposed increase in the number of major non-sporting event days at Allianz Stadium, Twickenham.

I hereby attach the Local Planning Authority's formal Scoping Opinion adopted on 8 May 2026.

Yours faithfully

Nicki Dale

Nicki Dale
Area Manager

Growth and Place Directorate

London Borough of Richmond upon Thames

Formal EIA Scoping Opinion in connection with the increase in the number of non-sporting events at Allianz stadium, Twickenham.

Regulation 15 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (As Amended) – (EIA Regulations).

Section 1 – Introduction

The Rugby Football Union (RFU), the applicant, is preparing to submit a planning application in 2026 for the Allianz Stadium, within the London Borough of Richmond upon Thames (LBRuT).

Proposal:
The proposal is to increase the number of major non-sporting event days at Allianz Stadium from the existing 3 per annum to 15 per annum, over a staggered timescale of

- 2027 – 6 major non-sporting days with no more than 4 separate events and 1 event outside of summer months;
- 2028 – 12 major non-sporting days with no more than 6 separate events and 2 events outside of summer months; and
- 2029 – 15 major non-sporting days with no more than 8 separate events and 3 events outside of summer months.

There will be no more than 4 consecutive major non-sporting event days in any two-week period across the year.

A major non-sporting event will include set-up days (up to five days) for the erection and provision of equipment and infrastructure; activities (e.g. music, shows and rehearsals) within the bowl of the stadium; and take-down days (up to three days) for the dismantle and removal of equipment and infrastructure following the event.

The capacity for these major non-sporting event days is up to 75,000 spectators.

The finish time for the major non-sporting events would of 22:30 hours, with an added provision of up to 10 minutes as required (under exceptional circumstances).

Screening:
A request for an EIA Screening Opinion was submitted to the LBRuT in May 2025, followed by supplementary information. In July 2025, the LBRuT issued a formal Screening Opinion, confirming the proposed development is likely to result in significant environmental effects on the environment and therefore an Environmental Statement (ES) is required.

It was concluded the proposal constitutes Schedule 2 Development for the purposes of the Regulations – Paragraph 13(b) 'Changes and extensions', as amending a paragraph 10(b) 'Urban development projects'.

The screening opinion set out significant environmental effects are considered likely in relation to transport and the consequential nuisance and noise, air and waste effects – key outcomes of the screening opinion are set out below:

Transport	➢ Significant concerns about additional demand placed on the rail and highway network by event goers, especially late at night when leaving a concert. ➢ Road closures and the impact to bus routes and journey time reliability, particularly for consecutive weekday events, could create significant nuisance for users of these routes that have not been addressed. ➢ Significant concerns about the additional demand placed on the transport and highway network and whether this demand can be satisfactorily managed. This is likely to result in a significant nuisance for Twickenham residents, particularly given four consecutive events during the week where this has not previously been experienced by residents. ➢ Modelling needs to be completed at the A316 Chertsey Road/London Road roundabout junction, and at the Hospital Bridge Road/A316 Chertsey Road roundabout junction with 2025 as the baseline assessment year, 2026 as the opening year, and 2028 as the final assessment year, to allow Officers and TfL to see how significant the impact of the net increases in passenger car units are at these junctions and whether any mitigation, such as altering the signal timings, is required to enable the junction to continue to operate with an acceptable safe degree of vehicular saturation ➢ The net impact of the proposal on buses serving the site relative to current and future forecast loadings needs to be considered, particularly as some bus services operate less frequently after 19.00 than they do in the normal working day. ➢ More information required in terms of taxi/Privat Hire Vehicle (PHV) strategies and whether these services would be available. ➢ Vehicular traffic generation is considered unlikely to reach the thresholds at which guidance would recommend an EIA subject to the number of train passengers being as predicted. ➢ Officers do not think the additional attendee capacity will lead to an increase of HGV trips of 30% or more on local authority or TfL-maintained roads, and therefore the threshold for a full EIA assessment is unlikely to be reached in this regard.
Noise / nuisance	➢ Regarding crowd management, given the scale, duration, and timing of these activities, there is a plausible pathway to significant noise-related environmental effects, and potentially significant nuisance impacts on Twickenham residents adjacent to the station platforms as well as those along Whitton and Rugby Road is considered to be potentially significant. ➢ The use for music events has not resulted in significant noise complaints highlighting the original thresholds based on frequency of occurrence. As such there is clearly scope to adjust the thresholds for a contextual increase in Music Noise Level or event days without causing unacceptable disturbance to affected communities in the Stadium environs.

Air	➢ Potential significant environmental impacts arising from transport impacts and the consequential nuisance and noise, air and waste effects ➢ Concerns for air quality can be adequately addressed through an Air Quality Assessment. As such, it will not require an EIA to be undertaken to accompany any planning application for this development.
Waste	➢ Waste from the operational use of the site is not deemed likely to result in a significant effect on the basis that appropriate conditions could be applied in relation to refuse and recycling. ➢ The cumulative burden of unmanaged waste in the public realm and station area could be significant without specific mitigation.
Biodiversity	It is not considered that significant effects to biodiversity will occur that can't be mitigated and is therefore not likely to result in significant effects.
Lighting	Potential for adverse impacts from increased artificial lighting and therefore a Lighting Management Plan will be required to ensure that a sensitive lighting strategy is implemented.
Risk of accidents / disasters	The potential for increased risk of accidents as a result of larger crowds later at night, dangers to pedestrian safety and the consequential risk of major accidents has not been sufficiently addressed.
Energy	An Energy Strategy would be expected to deal with sustainability considerations in accordance with the development plan without the need for an EIA. It is not considered that the proposed development would have a significant impact on climate change and greenhouse gas emissions.
Socio economics	Scoped out
Adsorption capacity of the natural environmental	➢ Wetlands, riparian areas, river mouths – no significant effect likely ➢ Coastal areas and marine environment - no significant effect likely ➢ Mountain and forest areas - no significant effect likely ➢ Nature reserves and parks - no significant effect likely ➢ European sites / areas classified or protected under national legislations - no significant effect likely.
Landscapes and sites of historical, cultural or archeological significance	No significant effect likely.
Construction	No significant effects.

Scoping Opinion Request (SOR)

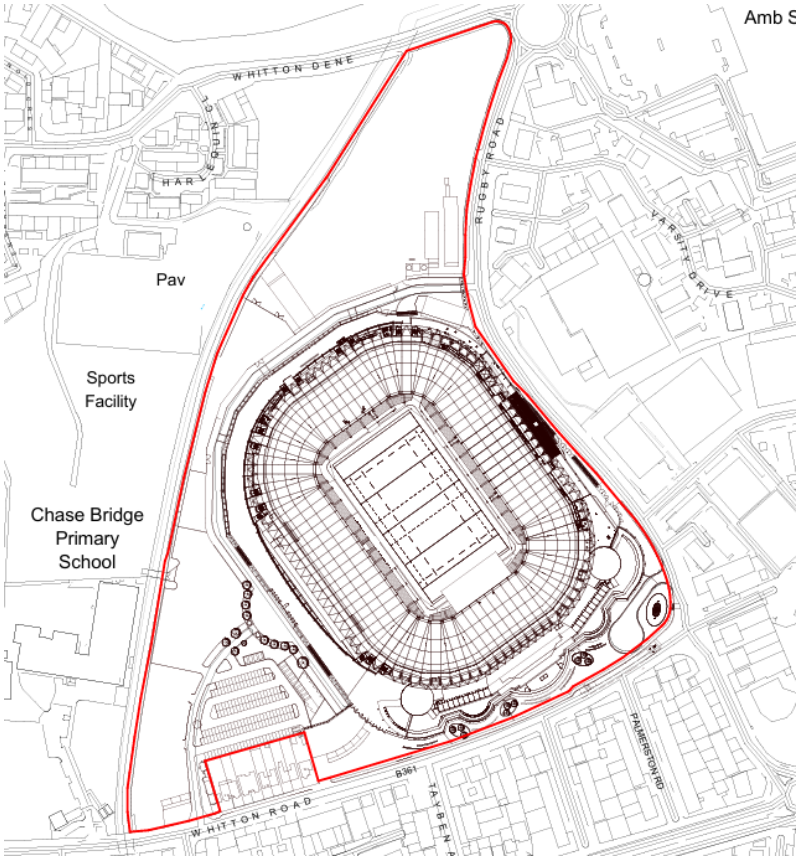
A formal SOR has been submitted, accompanied by an EIA Scoping Report (SR), which has been informed by the EIA Screening process. This seeks an Opinion on the breath of the technical topics and associated effects to be considered within the EIA and reported in the ES, as well as the scope and methodology for assessment.

As set out in national planning policy guidance:

- The scoping process determines the extent of issues to be considered in the assessment and reported in the ES.
- The scoping opinion process allows LPAs to clarify what it considers the main effects of the development are likely to be and, therefore, the aspects on which the ES should focus.
- Where a scoping opinion has been issued, an ES must be based on the most recent scoping opinion issued, so far as the proposed development remains materially the same as the proposed development which was subject to the opinion or direction.
- The ES must include the information that may reasonably be required to enable the local planning authority or Secretary of State to come to a reasoned conclusion on the significant effects of the proposed development on the environment. Therefore, where it becomes evident during the assessment process, for example, when undertaking a baseline survey, that a particular environmental factor is absent or unlikely to be significantly affected by a proposed development, there should be no need for further assessment of that factor even though it was identified in the scoping process. In such cases, the reasons for not undertaking further, more detailed assessment of that particular factor should be clearly set out in the ES.
- The ES should be proportionate and not be any longer than is necessary to assess properly the effects. Where, for example, only one environmental factor is likely to be significantly affected, the assessment should focus on that issue only. Impacts which have little or no significance for the development in question will need only very brief treatment to indicate that their possible relevance has been considered.

In line with Regulation 15(2) of the EIA Regulations, the SOR has been accompanied with:

i. a plan sufficient to identify the land.



ii. a brief description of the nature and purpose of the development, including its location and technical capacity; (Chapter 4 of the SR)

iii. an explanation of the likely significant effects of the development on the environment; and (Chapter 6 of the SR)

iv. such other information or representations the applicant making the request wishes to provide or make;

The EIA Regulations identifies consultation bodies as the following.

- any body which the relevant planning authority is required to consult, or would, if an application for planning permission for the development in question were before them, be required to consult by virtue of (i) article 18 (consultations before the grant of permission) of the Order or of any direction under that article;
- the Marine Management Organisation in any case where the proposed development would affect, or would be likely to affect, waters in or adjacent to England up to the seaward limits of the territorial sea; an exclusive economic zone, except any part of an exclusive economic zone in relation to which the Scottish Ministers have functions; a Renewable Energy Zone, except any part of a Renewable Energy Zone in relation to which the Scottish Ministers have functions; an area designated under section 1(7) of the Continental Shelf Act 1964, except any part of that area which is within a part of an exclusive economic zone or Renewable Energy Zone in relation to which the Scottish Ministers have functions; and
- any principal council for the area where the land is situated, if not the relevant planning authority.
- Natural England

- the Environment Agency.
- other bodies designated by statutory provision as having specific environmental responsibilities and which the relevant planning authority or the Secretary of State, as the case may be, considers are likely to have an interest in the application;

In line with Regulation 15(4), the authority has consulted the following consultation bodies. Those highlighted in red did not make comments:

LBRuT	**Consultation bodies**
Policy – socio economics and sustainability	TFL
Transport	Network Rail
Trees	Southwestern Railway
Ecology	Environment Agency
Public Health	Thames Water
Contaminated Land	Greater London Authority
Environmental Health – Noise	LB Hounslow
Environmental Health – Air	Natural England
Lead Local Flood Authority	Marine Management Organisation
Urban Design / Conservation	Historic England – Conservation and Archaeology
Waste	Sport England
Environmental health - Lighting	Metropolitan Police
	Active Travel

In line with Regulation 28, the SOR and SR has been made available on the Council website - Environmental Impact Assessment: Screening Directions and Scoping Opinions – Environmental Impact Assessment: Screening Directions and Scoping Opinions - London Borough of Richmond upon Thames

As part of the SOR, and as required by Regulations 15(6), the authority has taken into account the following, which is set out in subsequent sections of this Opinion.

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.

Section 2 – Approach to EIA

This section of the SR sets out the scope and methodology for assessment.

Paragraph 2.5 requests the authority endorses the approach that where an environmental factor is absent or unlikely to be significantly affected, there should be no need for further assessment, even if this was identified in the scoping process. Whilst such guidance will be borne into consideration, the authority will ultimately determine whether an impact is significant or not.

- Approach to the consideration of alternatives - No comments.

- Study boundaries for data collection – No comments.

- Baseline environment – The ES must list all sources that will be used to establish baselines.

- Consideration of future baselines – No comments.

- Identification of sensitive receptors – paragraph 2.24 details the receptors considered likely to be affected are as set out in Chapter 6, this includes:
  - Users of the local residential street network
  - Users of the local highway network
  - Users of local bus services, rail stations, and the London wide train / tube network.

  For clarity, 'users of local residential street and local highway network' should include the footways and cycle ways. This should also include the type of population – commuters, residents, businesses, children attending nursery – university, women (in the context of safety). In addition, receptors should include users of public open space and rights of way, The Scoping Report also does not define 'local' and therefore cannot comment on the assessment area.

  Section 6 of this Opinion identifies noise and vibration should be scoped into the ES. Therefore, the receptors should be extended to include residents, and particularly those residing along the arrival / dispersal routes and adjacent and above the stations.

- Defining mitigation and how this will be controlled. No comments

- Consideration of off-site mitigation.
  - Paragraph 2.32 states "*this package will benefit the management of all events at the Allianz Stadium, not just the additional major non-sport events*". Given the planning application can only secure mitigation, via heads of terms / conditions associated to the scheme proposed, this statement is not accurate and should be omitted. Refer to comments regarding potential transport interventions that should be considered or may be sought as mitigation to avoid, prevent, reduce or offset significant adverse effects.

- Information to inform the assessments within the ES.
  - The development specification is set out in Chapter 4. The authority recommends:
    - The description of development does not set out the specific years.
    - Whilst the document states there will be no more than 4 consecutive major non-sporting event days in any two-week period across the year – it is recommended the ES confirms
      - A cap on the number of 'event days' within any two week period across the year.

        - A cap on the number of ‘events’ within any two week period across the year.
        - The number of events and event days in any calendar month
        - A minimum ‘gap’ between events
        - A definition of weekdays, if Thursday, Friday and Bank Holiday impacts are different;
    - Define a ‘non-sporting event’ and ‘summer months’.
    - Confirmation as to whether this application also proposes to relinquish the existing consents 00/1098/FUL and 06/0154/FUL, via a legal agreement, to avoid the potential for both this development and earlier consents taking place in any one year.

- Assessment scenarios – Paragraph 2.36 states, “Transport will primarily compare the environmental impacts of an existing 55,000 capacity non-sporting event (which have previously been held at the Stadium on both weekdays and weekend days), with those of the proposed 75,000 capacity non-sporting events. This will include contextualisation against a non-event day and the annual effect”
    - Officers question the robustness of such and this being relied upon to identify effects and necessary mitigation, given the time past since the last 55,000 event, different timing of events and different days the events may have fallen on – for example weekdays v weekends. It is thereby recommended assessment scenarios also consider the worst case, which is an existing baseline day with no events.

- Approach to defining level of effect and significance
    - When defining environmental sensitivity, magnitude of change, level or effect and significance:
        - The ES should be clear in the criteria applied to determine the value of the receptors.
        - The ES needs to set out the criteria for determining the magnitude of change and the environmental sensitivity.
        - The ES should set out the significance criteria - how ‘significant’ effects in the context of the EIA Regulations are to be determined, measured and described in the ES. It is important to ensure that the way in which significance has been determined is transparent and repeatable, and also clearly states what constitutes a significant environmental effect, with clear justification, supported by guidance and standards where applicable.
    - Under paragraph 2.38 the SR sets out the magnitude of change will consider the duration and frequency. Officers advise the ‘limited number of events days and limited hours of events’ should not be relied upon to diminish the magnitude of change. The impacts will arise when the events take place, and therefore the magnitude of change should be based on the level of impact during these events.
    - Question the appropriateness of using ‘recoverability’ in the effects, given the nature and characteristic of the development.
    - Paragraph 2.44 outlines “for each effect, a binary judgement will be made as to whether the effect is ‘significant’ or ‘non-significant’. Officers recommend this is linked to the matrix to support determining the level of effect for transparency.

- Format of the ES – No comments.
- Competent expertise – No comments.
- Interaction of the ES with other application documents and plans – No comments.

Section 3 – Site context

As set out in the screening opinion, and again here, it is recommended the submission does not state the Stadium has permission for 82,000 spectators. There is no permission that authorises the use of the stadium for sport events or limits the capacity to 82,000.

It is recommended paragraph 3.3 is extended to set out the current limitations, as secured via planning conditions associated with the existing non-sporting event consents. For example:

00/1098/FUL Granted 2001	• No more than 3 concerts held in any calendar year, and only between 1st June and 31st October. (condition 2) • ~~No more than 50,000 persons in an audience (condition 3)~~ • Finishing time of 10:30pm on the day of the concert (condition 4) • 1 coach space on site per 250 tickets sold (condition 5) • Provision of shuttle buses (condition 6) • No set up prior to 5 days before a concert, and all removed within 3 days of concert (condition 7) • No heavy commercial vehicles within set up / dismantling between 9pm and 7am (condition 8) • No erection / dismantling between 9am – 7am (condition 9) • Restriction on amplified sounds on speakers external to stadium for emergency only (condition 10) • Restriction on sound checks (day before and on concert day) and sound rehearsals (concert day only) (condition 11) • Restriction on duration of sound checks (not exceeding 5.5 hours day before) and 2-3.5 hours on day of concert (condition 12) • No sound checks or rehearsals before 10:30 hours not after 19:00 hours (condition 13) • Sound level restrictions for sound rehearse / concerts at 1m from façade of residential property – 75LAeq.15min (condition 14) • After rehearsals / prior to concerns sound levels do not exceed 60LAeq.15min at 1m from façade of residential property (condition 15) • Sound from mixing desk does not exceed 96LAeq.15min (condition 16) • Restriction of amplified sound after concert and 11pm – note exceed 50LAeq.15min at 1m from façade, and only for emergency announcements. (condition 17) • No lighting / fireworks outside stadium unless approved by LPA (condition 18)
06/0154/FUL Granted 2006	• Increase capacity to 55,000 persons.

Whilst there are other consents for increased number of concerts, these were on a temporary basis only (06/3036; 07/3802; 10/1849 and 12/2990).

Section 4 – High level development specification

This section of the SR set out the number of non-sporting events per annum, set up and take down periods, number of spectators and timings. It also confirms:

- Promoters compound will be within site boundaries.
- Carry rig routes will be via Rugby Road, north of the stadium.
- An Event Management Plan will be in place (detail routes for heavy vehicles, timings of such, timing of rigging and de-rigging activities outside stadium bowl but within site, and crowd management procedures).
- A Noise Management Plan will be in place – for monitoring music noise, determining noise monitoring locations, complaint procedures and how they will be responded to.
- Package of transport interventions will be developed, including
    - digital and ticketing strategy,
    - road closures and traffic management,
    - Twickenham Station operations;
    - management of A316 crossing;
    - refined wayfinding strategy;
    - promotion of additional rail stations,
    - enhanced bus management;
    - improved taxi and hire vehicle (PHV) strategy;
    - improved event day on site travel information.

The authority makes the following comments and identifies potential additional transport interventions:

- Do any operations need reviewing at Whitton, Richmond and Hounslow East Stations?
- Provision of a parking management scheme.
- Provision of a settling-down and collection of patrons by coach, car and taxi.
- Provision of car parking spaces for disabled persons.
- Provision of cycle parking provision.
- Travel Plans – spectator and staff, with bond and monitoring contribution.
- Towed vehicle recovery scheme.
- Parking enforcement scheme / contributions.
- Additional CCTV and CCTV contribution.
- Transport studies for further improvements to network if deemed necessary.
- Transport Management Plan.
- Event coordination payments.
- Stewarding
- Enhanced public transport operations

As previously raised, noise should be scoped in, and therefore mitigation to prevent, avoid and reduce potentially significant effects should be identified. May of the causes to effects

are the same for both transport and noise, and therefore in addition to the above this may include:

- Noise monitoring
- Marshalls
- Signage

Under paragraph 4.6 it states the transport interventions will benefit the management of all events, not solely the non-sporting events. Officers request details of such and question how this will be secured given any mitigation can only be secured for non-sporting events associated to the development in question and therefore should not be relied upon as a benefit.

Paragraph 4.8-4.9 sets out the timescales. It is recommended:

- The description of development does not set out the specific years, in case delays and or changes are proposed. Section 73 applications cannot alter descriptions of development.
- Whilst the document states there will be no more than 4 consecutive major non-sporting event days in any two week period across the year – it is recommended that the number of 'events' and 'event days' is also restricted in any two week period across the year.
- It is recommended a restriction on the maximum number of events and event days in any calendar month is set out,
- A minimum 'gap' between events should be detailed.
- Confirmation if this consent seeks to relinquish the existing consent – so there is not the potential for both this development and earlier consents (ref: 00/1098 and 06/0154) taking place in any one calendar year.

Section 5 - Technical topics which are not significant.

The SR identifies the following technical topics for which further detailed assessment is not justified and therefore be scoped out.

There is no objection to construction being scoped out.

Apart from **Noise**, there is no objection to the following topics being scoped out at operation stage. For information, consultees make the following observations on the SR:

Air Quality	The London Borough of Richmond Upon Thames considers the development will have environmental consequences but these will not be such as to require an Environmental Impact Assessment. Paragraph 5.11 seems to rely upon traffic levels being reduced on event days, which may not be the case, particularly those on weekdays, and therefore should not be relied upon. The development is within an Air Quality Management Area and there are several residential and education receptors within close proximity to the site.

	Currently there are approximately 12 x major sporting events (55,000 - 82,000) per year so an additional 15 x major non-sporting events (55,000 – 75,000) will be significant. The site lies within a residential area. Road closures are necessary at major events for the safe transit of pedestrian attendees to the Allianz Stadium from Twickenham. Pedestrian attendees must also cross the main trunk road through the borough – the A316 – to access the Allianz Stadium, which necessitates additional vehicle stoppages. This means the number of additional people, as well as their mode of transport, effects emissions. Cumulative impacts of weekday major events on transport emissions will be of concern and must be robustly assessed. This is because unlike most sporting events, some of these dates are likely to coincide with weekday peak hour traffic. Emissions for a larger area, including Richmond and Twickenham Air Quality Focus Areas, will need to be assessed. In 2024, for the first year in the last 22 years, Richmond town centre, just complied with the UK limit value of 40 ug/m3 for annual bias adjusted NO2. No development should be permitted which reverses compliance. In 2025 Richmond Council's new Air Quality Action Plan set a target of 20ug/m3 for annual bias adjusted NO2 to be achieved by 2030, which aligns with the revised Ambient Air Quality Directive, adopted by the EU and introduced in December 2024. All new developments are expected to play their part in achieving compliance. Assurance from SWR/NR and TfL for the provision of adequate, additional public transport for any major non sporting event at the Allianz Stadium must be obtained. The Allianz Stadium will be required to provide robust travel plans to attendees and all associated workers to ensure attendees and all associated workers, employees, contractors are encouraged and possibly incentivized to use public transport to access all major non sporting events at the Allianz Stadium. The travel plan will need to be SMART - Specific, Measurable, Achievable, Realistic, and Timely - and progress reported annually to the Local Planning Authority. The Council considers that all concerns about air quality can be adequately addressed through an Air Quality Assessment. As such it will not require an

	EIA Scoping opinion to be undertaken to accompany any planning application for this development.
Biodiversity	Biodiversity was scoped out at the screening stage. Trees: • There is no direct impact to trees from the proposal. • There will be a large increase in footfall and pollution to the area and additional planting should be secured to reduce the impacts of pollution and to provide increased shading and ecosystem services to the locality - For example, the area of road immediately to the front of the stadium has little to know planting. • Outside the ground is unforgiving during hot periods so would like to explore how this might be mitigated. Natural England • A robust assessment of environmental impacts and opportunities based on relevant and up to date environmental information should be undertaken prior to a decision on whether to grant planning permission. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for the proposed development. • Further guidance is set out in Planning Practice Guidance on environmental assessment, natural environment and climate change. • Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. • Please note that Natural England must be consulted on Environmental Statements.

Water environment	Lead Local Flood Authority:
	If the proposal results in an increase in impermeable area, then the LLFA would expect the following guidance to be followed.
	• As per Richmond's Local Plan Policy 8, the use of SuDS is required in all development proposals that increase impermeable area and therefore surface water runoff.
	• The applicant should submit a Drainage Strategy demonstrating the implementation of sustainable forms of drainage, especially when adding impermeable area.
	• These SuDS features should be implemented preferentially according to the London Plan Policy SI 13 hierarchy of drainage as detailed below (top of the list is most preferred):
	  ○ Rainwater harvesting (water butts/blue roofs
	  ○ Infiltration (evidence should be provided of sufficient infiltration rates above 1 x 10^-6 m/s)

	○ Green infrastructure (rain gardens, green roofs, swales, basins, ponds, wetlands) ○ Grey infrastructure (permeable paving, attenuation tanks) ○ Surface water sewer ○ Combined sewer • The scheme must demonstrate a reduction in surface water discharge to greenfield run-off rates wherever feasible in alignment with Defra's Non-Statutory Technical Standards for Sustainable Drainage. The Environment Agency: • The site is within ○ Flood Zone 2 and 3, which is land defined as having a 'medium probability' and 'high probability' of river and sea flooding; ○ Situated next to Main River; ○ Situated over a Principal Superficial Aquifer • Refer to guidance (Annex B) set out in their document titled 'Environmental Impact Assessment Scoping Opinion: Kent and South London Area.
Ground conditions & contamination	
Archaeology	Historic England: ○ Having considered the consultation it is recommended that archaeological considerations scoped out of the environmental impact assessment.
Built heritage	Historic England ○ Whilst we do not have any observations to make in relation to the Scoping Opinion submission, we can confirm that Historic England would be a statutory consultee on any resulting planning application. We may provide comments once we have been consulted on the full application. ○ Paragraph 5.58 states a hertiage assessment and views analysis will not be necessary. Given this is a major application, a heritage assessment will be required as set out in the Local Validation Checklist - LBRuT Local Validation Checklist February 2026
Townscape and visual	No comments
Artificial lighting	
Climate change	
Socio economic and human health	• Paragraph 5.68: It is recommended the value of the tourism sector baseline for both Richmond and Hounslow is not combined – this should

	be separated, so the value to each borough can be identified. This equally applies to employment and Gross Value Added. • Paragraph 5.69: Need to also consider the downward impact on economic productivity because of people avoiding the local area in response to the events. • Refer to previous guidance provided in email dated 27 April concerning the Economic and Social Contribution Report. Sport England. • Any subsequent planning application should consider the implications for sport in the context of NPPF Paragraph 104, local plan policy, and any strategic evidence set out in local playing pitch and/or built facilities strategies. • Sport England should be consulted on the planning application if it meets the statutory requirements contained within SI 2015/295 (development affecting playing fields) or the guidance for non-statutory consultation with Sport England contained within Planning Practice Guidance: Open Space, Sports and Recreation Facilities (Paragraph: 003, Reference ID: 37-003-20140306). • General guidance on assessing the need to protect, enhance and provide sports facilities can be found by following the link below: https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#planning_applications Planning Policy: • While some socio-economic impacts were uncertain, these could be further considered as part of an application, and do not disagree that they are not reported within the ES.
Major accidents and/or disasters	Whilst this may not need a specific chapter, the transport chapter must consider: • crowd management • risk of accidents as a result of larger crowds later at night, • dangers to pedestrian safety arising from crowds
Waste	

Section 6 – Transport

Section 6 of the SR provides an explanation of the likely significant effects of development on the environment, which is restricted to just transport.

Paragraph 6.1 provides the technical baseline of the site and surrounding area, and summarises existing measures to control traffic on event days, including:

- Temporary road closures
- Restricted Zones on event days (triggered by crowds of over 30,000 attendees)

- Stewarding
- Traffic management
- Shuttle bus services
- Enhanced public transport operations

Paragraphs 6.4 and 6.7 identify hazardous loads and construction have been scoped out. The authority raises no objection to such.

Table 6.1 identifies the following operational effects as potentially likely to be significant and therefore will be assessed within the EIA and reported in the ES.

- Severance of communities
- Road vehicle driver and passenger delay
- Non-motorised use delay (NMU)
- Non-motorised user amenity
- Fear and intimidation on and by road users
- Road users and pedestrian safety
- Public transport delay

This should be extended to include:

- Fear and intimidation on and by public transport users
- Fear and intimidation by footway and by non-motorised users
- Crowding on trains / buses / public transport
- Crowd management at stations and bus stops
- Public transport capacity
- With respect to road users and pedestrian safety, ensure this incorporate the potential for increased risk of accidents as a result of larger crowds later at night.

With respect to paragraphs 6.9, whilst the transport impacts may be temporary in duration, they do have permanent effects – for example, a business on tight margins may find the impact of additional activity at the Stadium has a permeant effect on their bottom line, and people may give up using buses and train at other times as well. This needs to be considered.

Under technical baselines (para. 6.1), the report states Allianz Stadium has a proven robust event-day transport strategy. This again is relied upon under paragraph 6.9. This is not the case for non-sporting events, particularly on weekday events (Monday – Friday). This needs to be amended.

Paragraphs 6.10 - 6.20 set out the assessment methodology of effects likely / significant, including

- Road links that will be considered – this makes no reference to Hospital Bridge Road/A316 Chertsey Road roundabout junction, as raised in the screening opinion. This must be included
- Baseline traffic flows and distribution assessment, and where they will be derived from
- Full assessment against Rule 1 and 2
- The assessment will compare the impacts from an existing 55,000 capacity non-sporting event with those of the proposed 75,000 capacity non-sporting events.

  - Officers question the robustness of such and this being relied upon to identify effects and mitigation measures, given the time past since the last 55,000 event and the different timings and days the events may have fallen on – for example weekdays v weekends. The effects should thereby be compared to an existing non event day to gather the worst case scenario.
- Paragraphs 6.18 and 6.19 state a direct comparison between a proposed event day and a non-event day will not be undertaken for each environmental effect as this is not deemed a fair or appropriate assessment as the stadium is existing and these impacts are regulated generated. Further the SR deems they have robust, tried and tested management and mitigation measures to help reduce the potential for significant residual effects and minimise impacts on the local community
  - The authority cannot agree with the premise in these paragraphs.
  - The authority would stress some would dispute this as the transport system has failed in the past.
  - The proposal is to have potential evening concert events on a significantly larger scale than existing, on weekdays and consecutive nights, whilst most rugby matches are on weekend afternoons.
  - Sporting events and smaller concerns have been successfully managed (which itself is arguable) provides only a limited proxy for what might happen for larger evening concerts, also on weekdays.
  - Comparing an evening without a larger concert to one with will provide the more appropriate comparison.
- Paragraph 6.20 identifies the likely significant effects will be through professional judgement, and on the sensitivity of the receptor, magnitude of change, and the level of effect.
- Para. 6.21 identifies limitations and assumptions.

The applicants are also advised:

- The Council deem:
  - There is a lack of information about how many trains and buses there will be each hour. There's a profile of public transport spectator demand but not of public transport capacity. There is no commitment to review/increase buses/train capacity at night.
  - With respect to appendix 1.1 screening report, paragraph 1.48, too much confidence is placed on existing processes being suitable for an increase in non-sporting events.
  - With respect to appendix 1.2, EIA screening further information:
    - The bullet points listed at the base of page 12 of the pdf are considered opinion and assumption – there is no real quantification provided that the transport system can cope. Page 16 says that arrival demand has been "successfully accommodated by the existing rail network during previous weekday concert events (e.g. Rolling Stones 2018…) and departure demand… has also been managed effectively". Many would disagree as per this article https://www.bbc.co.uk/news/uk-england-london-44546592.
    - The additional information does not demonstrate that evening demand can be satisfactorily accommodated due to the absence of public transport supply/capacity information.

    - The summary again places too much emphasis on being able to accommodate 55,000 people at concerts and 82,000 for daytime rugby games and not enough on how 75,000 people would be accommodated for evening concerts.
- Network Rail and South Western Railway have confirmed no comments on the Scoping Opinion
- The London Borough of Hounslow request that transport planning matters continue to be scoped in.
- Transport for London Spatial Planning confirm TfL officers have met with the applicants to discuss the proposal, which included the following key points:
    - Use of a variety of recent comparable data to inform assumptions on travel patterns for the proposed events. Trip generation should be disaggregated by specific mode and should also consider last mile trips.
    - The arrival and departure profile for a typical event should be presented, noting the potential for weekday events to coincide with the network peak.
    - Late event finish times should be considered in the context of available public transport services, and the potential safety implications. A women's safety audit is requested to inform the proposals.
    - Detailed consideration of opportunities for car parking should be set out. This should support a shift away from car travel and could be supported by further on-street parking restrictions as necessary.
    - Both staff and visitor travel patterns should be reflected for the proposed events.
    - Assessment of the transport impacts and suitable mitigation will need to be agreed with TfL, and we encourage ongoing discussion with South Western Railway and Network Rail also.
    - The proposal must demonstrate alignment with the Mayor's Healthy Streets approach including reducing car dominance, improving safety, lowering emissions/noise, and increasing walking, cycling and public transport use. A Healthy Streets Transport Assessment should be prepared, including an Active Travel Zone assessment undertaken in day and nighttime conditions.
    - An ambitious Travel Plan should accompany a planning application and is expected to be secured with monitoring.
    - A detailed transport / event management plan should also be prepared and intended as a live document to manage the impacts of non-sport events. This would be updated on a regular basis in consultation with key stakeholders including TfL, South Western Railway and Network Rail.

<u>Noise and Vibration</u>

The Screening Opinion concluded that the development had the potential to cause significant noise related effects, thereby the authority disagrees that noise and vibration be omitted from the ES.

Paragraph's 5.14-5.15 of the SR set out the technical baseline. The roads identified are limited to a tight radius around the Stadium, which should be extended. The noise effect assessment, should also include arrival and dispersal routes, and locations adjacent to and above stations.

The authority agrees that rigging and de-rigging within the Allianz Stadium and change to the noise environment as a result of traffic generation by the proposed scheme can be scoped out.

Paragraphs 5.20 – 3.22 consider changes to the noise environment as a result of crowd noise. It appears reliance is placed on existing sound insulation at properties, noise management procedures, smaller crowds than sporting events and the duration and crowd disposal shorter. This is not deemed sufficient to assume no significant effects. The crowds are modestly smaller, transport infrastructure has not been detailed to support the claim that crowd dispersal will be shorter, and the finishing time will be significantly later than usual sporting events. The sporting and non-sporting events often differ in crowd demographics, alcohol consumption, behaviour, and dispersal patterns. Therefore, sporting event data cannot be reliably applied. Therefore, this matter should be scoped in.

Paragraphs 5.23 – 5.27 consider change in the noise environment as a result of music noise. This states the noise levels at the nearest receptors will be below the limits on the existing planning permission and license in response to the continuous bowl form of the stadium. Further, the SR relies upon there only being a small number of events and the non-sporting events taking place in defined periods separated by episodes of respite. The number of sporting events are not defined as small, especially given they can be over consecutive nights. Consideration must be given to the impact when these events are taking place, and not just rely on these being transient. Further no details of the frequency and pattern of occurrences have been given, which are important factors in assessing impact.

The Council's Environmental Health – Noise Team also advise, while the revised Supplementary Noise Report is an improvement and on a balanced and proportionate basis, the conclusions remain finely balanced and dependent on professional judgement, assumptions and effective management, rather than being underpinned entirely by fully quantified evidence. This is particularly relevant when considering the expanded scale and frequency of proposed non-sporting events.

From an EIA scoping perspective, noise has the potential to give rise to significant effects, primarily due to:

- The proposed increase in the number of non-sporting event days, including weekday and out-of-summer events;
- The potential for up to four consecutive major event days;
- Later evening crowd dispersal compared to typical sporting events; and
- The risk of cumulative impacts on nearby noise-sensitive receptors.

The key acoustic sensitivities relate not only to music noise within the stadium bowl, but more significantly to off-site and associated noise effects, including

- Crowd noise during arrival and dispersal;
- Short-term peak noise events (vocal surges, shouting, whistles) which are not fully characterised by averaged LAeq metrics;
- Noise associated with stewarding, megaphones, barriers and vendor activity;
- Repeated exposure over consecutive days; and

- Night-time noise impacts in the vicinity of Twickenham Station, including residential properties above and adjacent to the station where sleep disturbance is a particular concern.

While the Supplementary Noise Report relies on reasonable assumptions (for example, the use of rugby match data as a proxy), Environmental Health has consistently highlighted that:

- Different event types may give rise to different crowd behaviours;
- Peak noise characteristics and perceptibility are critical to residents' experience; and
- Assumptions about closed windows, façade performance and ventilation are inherently less certain for older housing stock.

In that context, for the purposes of EIA scoping, a dedicated Noise and Vibration chapter is scoped into the Environmental Statement. This should explicitly cover:

- A robust worst-case assessment, including weekday and consecutive event scenarios at maximum capacity;
- Crowd noise during arrival and dispersal;
- Short-term peak noise events (vocal surges, shouting, whistles) which are not fully characterised by averaged LAeq metrics;
- Noise associated with stewarding, megaphones, barriers and vendor activity;
- Both average and maximum noise levels, with consideration of perceptibility and night-time disturbance;
- Cumulative and frequency-related effects, rather than assessment on a single-event basis;
- Detailed assessment of impacts at noise-sensitive receptors around Twickenham Station, as well as along arrival and dispersal routes; and
- Clear, enforceable mitigation and management measures, secured through the Event Management Plan, recognising that their effectiveness is dependent on consistent implementation and monitoring.

Noise remains a topic with potential for significant effects and should be fully addressed within the EIA.

The above is supported by comments from the London Borough of Hounslow Pollution Control team (noise impacts) who raise:

- primary concern with the proposal for increased number of events at the stadium is the music noise level (MNL) associated with all concerts and similar events.
- there is limited reference to MNL's, other than in the attached EIA Screening Opinion document, although this provides no clear information as to the proposed MNL's at concert events.
- The stadium location borders both LB Richmond and LB Hounslow, and a significant number of residents fall within the catchment area of LB Hounslow, therefore the greatest effect of music noise would likely impact LBH residents.
- We need to understand what the proposed MNL would be for the number of events currently being considered and whether the license holder is proposing to continue using the Noise Council's Code of Practise on Environmental Noise Control at Concerts (1995), which by many in the industry is now considered out of date; importantly, in addition to clarifying the position on MNL's we need to know whether

there is any proposal to cap C and possibly Z weighting levels of the low frequency content of music when performances are taking place?

- Can we therefore raise this concern with the license holder and seek clarification on this matter."

We request that once the noise levels and pollution have been assessed that if high MNL is found that would impact residents in the London Borough of Hounslow further than the existing approved noise levels of the stadium, that noise pollution shall be scoped into the Environmental Impact Assessment

Section 7 – Approach to the Assessment of Cumulative Effects

Section 7 confirms the EIA will consider the effect interactions and in-combination effects, arising from transport. This should be extended to consider the effect interactions and in-combination effects arising from noise and vibration impacts.

Section 8 – Summary of EIA Scoping Report.

The Section identifies the following matters to be scoped out. Apart from Noise and Vibration, these are accepted, subject to suitable mitigation being secured via conditions and Section 106 Legal Agreement.

Whilst the authority agrees with transport being scoped in, as previously set out, the authority recommends the following effects are also added to those already identified for assessment.

As required by Regulation 4(2) of the EIA Regulations, the ES must identify, describe and assess the direct and indirect significant effects.

Identified effects for assessment	**Additional effects that should be assessed**
Transport • Severance of communities. • Road vehicle driver and passenger delay. • Non-motorised user (NMU) delay. • Non-motorised user (NMU) amenity. • Fear and intimidation on and by road users. • Road user and pedestrian safety; and • Public transport delay.	Transport • Public transport capacity • Fear and intimidation on and by public transport users. • Fear and intimidation by footway and by non-motorised users. • Crowding on trains and buses / public transport • Crowd management generally, on arrival / dispersal routes and at stations and bus stops. • With respect to road users and pedestrian safety, ensure this incorporate the potential for increased

	risk of accidents as a result of larger crowds later at night. • dangers to pedestrian safety arising from crowds.
	Noise: ▪ A robust worst-case assessment, including weekday and consecutive event scenarios at maximum capacity; ▪ Peak noise characteristics ▪ Average and maximum noise levels, with consideration of perceptibility and night-time disturbance ▪ Short-term peak noise events (vocal surges, shouting, whistles) which are not fully characterised by averaged LAeq metrics; ▪ Noise associated with stewarding, megaphones, barriers and vendor activity; ▪ Music Noise Levels (MNL) associated with non sporting events ▪ Impact and cap of C and Z weighting levels of the low frequency content of music when performances are taking place ▪ Crowd behaviours and noise during arrival and dispersal – compared to existing and typical sporting events ▪ Repeated exposure over consecutive days ▪ Cumulative and frequency-related effects, rather than assessment on a single-event basis; ▪ Detailed assessment of impacts at noise-sensitive receptors and the risk arising from repeated exposure over consecutive days; and of cumulative impacts on nearby noise-sensitive receptors for residents residing in the local area, along arrival and dispersal routes, and above and adjacent to the stations. ▪ Human health effect from increases in noise.

ANNEX A - Natural England’s advice note

Annex A – Natural England Advice on EIA Scoping

General Principles

Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, sets out the information that should be included in an Environmental Statement (ES) to assess impacts on the natural environment. This includes:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc.) resulting from the operation of the proposed development
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen
- A description of the aspects of the environment likely to be significantly affected by the development including biodiversity (for example fauna and flora), land, including land take, soil, water, air, climate (for example greenhouse gas emissions, impacts relevant to adaptation, cultural heritage and landscape and the interrelationship between the above factors
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium, and long term, permanent and temporary, positive, and negative effects. Effects should relate to the existence of the development, the use of natural resources (in particular land, soil, water and biodiversity) and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment
- A non-technical summary of the information
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information

Further guidance is set out in Planning Practice Guidance on environmental assessment and natural environment.

Cumulative and in-combination effects

The ES should fully consider the implications of the whole development proposal. This should include an assessment of all supporting infrastructure.

An impact assessment should identify, describe, and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment (subject to available information):

a. existing completed projects;
b. approved but uncompleted projects;
c. ongoing activities;
d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

Environmental Data

Natural England is required to make available information it holds where requested to do so. National datasets held by Natural England are available at http://www.naturalengland.org.uk/publications/data/default.aspx.

Detailed information on the natural environment is available at www.magic.gov.uk.

Natural England's SSSI Impact Risk Zones are a GIS dataset which can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the Natural England Open Data Geoportal.

Natural England does not hold local information on local sites, local landscape character, priority habitats and species or protected species. Local environmental data should be obtained from the appropriate local bodies. This may include the local environmental records centre, the local wildlife trust, local geo-conservation group or other recording society.

Biodiversity and Geodiversity

General Principles

The National Planning Policy Framework (paragraphs 192-196) sets out how to take account of biodiversity and geodiversity interests in planning decisions. Further guidance is set out in Planning Practice Guidance on the natural environment.

The potential impact of the proposal upon sites and features of nature conservation interest and opportunities for nature recovery and biodiversity net gain should be included in the assessment.

Ecological Impact Assessment (EcIA) is the process of identifying, quantifying, and evaluating the potential impacts of defined actions on ecosystems or their components. EcIA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal. Guidelines have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM).

Local planning authorities have a duty to conserve and enhance biodiversity as part of their decision making. Conserving biodiversity can include habitat restoration or enhancement. Further information is available here.

Designated Nature Conservation Sites

The proposal is unlikely to adversely impact any European or internationally designated nature conservation sites (including 'habitats sites' under the NPPF) or nationally designated sites (Sites of Special Scientific Interest, National Nature Reserves or Marine Conservation Zones).

Regionally and Locally Important Sites

The ES should consider any impacts upon local wildlife and geological sites, including local nature reserves. Local Sites are identified by the local wildlife trust, geoconservation group or other local group and protected under the NPPF (paragraph 192 and 193). The ES should set out proposals for mitigation of any impacts and if appropriate, compensation measures and opportunities for enhancement and improving connectivity with wider ecological networks. Contact the relevant local body for further information.

Protected Species

The conservation of species protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017
is explained in Part IV and Annex A of Government Circular 06/2005 *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System*.

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law. Records of protected species should be obtained from appropriate local biological record centres, nature conservation organisations and local groups. Consideration should be given to the wider context of the site, for example in terms of habitat linkages and protected species populations in the wider area.

The area likely to be affected by the development should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and, where necessary, licensed, consultants.

Natural England has adopted standing advice for protected species, which includes guidance on survey and mitigation measures. A separate protected species licence from Natural England or Defra may also be required.

District Level Licensing for Great Crested Newts

District level licensing (DLL) is a type of strategic mitigation licence for great crested newts (GCN) granted in certain areas at a local authority or wider scale. A DLL scheme for GCN may be in place at the location of the development site. If a DLL scheme is in place, developers can make a financial contribution to strategic, off-site habitat compensation instead of applying for a separate licence or carrying out individual detailed surveys. By demonstrating that DLL will be used, impacts on GCN can be scoped out of detailed assessment in the Environmental Statement.

Priority Habitats and Species

Priority Habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Lists of priority habitats and species can be found here. Natural England does not routinely hold species data. Such data should be collected when impacts on priority habitats or species are considered likely.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. Sites can be checked against the (draft) national Open Mosaic Habitat (OMH) inventory published by Natural England and freely available to download. Further information is also available here.

An appropriate level habitat survey should be carried out on the site, to identify any important habitats present. In addition, ornithological, botanical, and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present.

The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys)
- Additional surveys carried out as part of this proposal

- The habitats and species present
- The status of these habitats and species (e.g. whether priority species or habitat)
- The direct and indirect effects of the development upon those habitats and species
- Full details of any mitigation or compensation measures
- Opportunities for biodiversity net gain or other environmental enhancement

Ancient Woodland, Ancient and Veteran Trees

The ES should assess the impacts of the proposal on any ancient woodland, ancient and veteran trees, and the scope to avoid and mitigate for adverse impacts. It should also consider opportunities for enhancement.

Natural England maintains the Ancient Woodland Inventory which can help identify ancient woodland. The wood pasture and parkland inventory sets out information on wood pasture and parkland.

The ancient tree inventory provides information on the location of ancient and veteran trees.

Natural England and the Forestry Commission have prepared standing advice on ancient woodland, ancient and veteran trees.

Biodiversity Net Gain

Paragraph 193 of the NPPF states that decisions should contribute to 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.

Biodiversity Net Gain is additional to statutory requirements relating to designated nature conservation sites and protected species.

Proposals for mandatory biodiversity net gain should be in line with the Environment Act 2021 and supporting regulations. Further information on biodiversity net gain, including draft Planning Practice Guidance, can be found here

The statutory biodiversity metric, together with ecological advice, should be used to calculate the change in biodiversity resulting from proposed development and demonstrate how proposals can achieve a net gain.

The metric should be used to:

• assess or audit the biodiversity unit value of land within the application area
• calculate the losses and gains in biodiversity unit value resulting from proposed development
• demonstrate that the required percentage biodiversity net gain will be achieved

Biodiversity Net Gain outcomes can be achieved on site, off-site or through a combination of both. On-site provision should be considered first. Delivery should create or enhance habitats of equal or higher value. When delivering net gain, opportunities should be sought to link delivery to relevant plans or strategies e.g. Green Infrastructure Strategies or Local Nature Recovery Strategies.

Opportunities for wider environmental gains should also be considered.

Landscape and Visual Impacts

The environmental assessment should refer to the relevant National Character Areas. Character area profiles set out descriptions of each landscape area and statements of environmental opportunity.

The ES should include a full assessment of the potential impacts of the development on local landscape character using landscape assessment methodologies. We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA provides a sound basis for guiding, informing, and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character.

A landscape and visual impact assessment should also be carried out for the proposed development and surrounding area. Natural England recommends use of the methodology set out in *Guidelines for Landscape and Visual Impact Assessment 2013 (*(3rd edition) produced by the Landscape Institute and the Institute of Environmental Assessment and Management. For National Parks and AONBs, we advise that the assessment also includes effects on the 'special qualities' of the designated landscape, as set out in the statutory management plan for the area. These identify the particular landscape and related characteristics which underpin the natural beauty of the area and its designation status.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. This should include an assessment of the impacts of other proposals currently at scoping stage.

To ensure high quality development that responds to and enhances local landscape character and distinctiveness, the siting and design of the proposed development should reflect local characteristics and, wherever possible, use local materials. Account should be taken of local design policies, design codes and guides as well as guidance in the National Design Guide and National Model Design Code. The ES should set out the measures to be taken to ensure the development will deliver high standards of design and green infrastructure.
It should also set out detail of layout alternatives, where appropriate, with a justification of the selected option in terms of landscape impact and benefit.

Heritage Landscapes

The ES should include an assessment of the impacts on any land in the area affected by the development which qualifies for conditional exemption from capital taxes on the grounds of outstanding scenic, scientific, or historic interest. An up-to-date list is available at www.hmrc.gov.uk/heritage/lbsearch.htm.

Connecting People with Nature

The ES should consider potential impacts on access land, common land, public rights of way and, where appropriate, the England Coast Path and coastal access routes and coastal margin in the vicinity of the development, in line with NPPF paragraph 105. It should assess the scope to mitigate for any adverse impacts. Rights of Way Improvement Plans (ROWIP) can be used to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

Measures to help people to better access the countryside for quiet enjoyment and opportunities to connect with nature should be considered. Such measures could include reinstating existing footpaths or the creation of new footpaths, cycleways, and bridleways. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Access to nature within the development site should also be considered, including the role that natural links have in connecting habitats and providing potential pathways for movements of species.

Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.

Soils and Agricultural Land Quality

Soils are a valuable, finite natural resource and should also be considered for the ecosystem services they provide, including for food production, water storage and flood mitigation, as a carbon store, reservoir of biodiversity and buffer against pollution. It is therefore important that the soil resources are protected and sustainably managed. Impacts from the development on soils and best and most versatile (BMV) agricultural land should be considered in line with paragraphs 187 and 188 of the NPPF. Further guidance is set out in the Natural England Guide to assessing development proposals on agricultural land.

As set out in paragraph 223 of the NPPF, new sites or extensions to sites for peat extraction should not be granted planning permission.

The following issues should be considered and, where appropriate, included as part of the Environmental Statement (ES):

- The degree to which soils would be disturbed or damaged as part of the development
- The extent to which agricultural land would be disturbed or lost as part of this development, including whether any best and most versatile (BMV) agricultural land would be impacted.

This may require a detailed Agricultural Land Classification (ALC) survey if one is not already available. For information on the availability of existing ALC information see www.magic.gov.uk.

- Where an ALC and soil survey of the land is required, this should normally be at a detailed level, e.g. one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, i.e. 1.2 metres. The survey data can inform suitable soil handling methods and appropriate reuse of the soil resource where required (e.g. agricultural reinstatement, habitat creation, landscaping, allotments and public open space).
- The ES should set out details of how any adverse impacts on BMV agricultural land can be minimised through site design/masterplan.
- The ES should set out details of how any adverse impacts on soils can be avoided or minimised and demonstrate how soils will be sustainably used and managed, including consideration in site design and master planning, and areas for green infrastructure or biodiversity net gain. The aim will be to minimise soil handling and maximise the sustainable use and management of the available soil to achieve successful after-uses and minimise off-site impacts.

Further information is available in the Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites and

The British Society of Soil Science Guidance Note Benefitting from Soil Management in Development and Construction.

Air Quality

Air quality in the UK has improved over recent decades but air pollution remains a significant issue. For example, approximately 85% of protected nature conservation sites are currently in exceedance of nitrogen levels where harm is expected (critical load) and approximately 87% of sites exceed the

level of ammonia where harm is expected for lower plants (critical level of 1µg) [1].A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The Government's Clean Air Strategy also has a number of targets to reduce emissions including to reduce damaging deposition of reactive forms of nitrogen by 17% over England's protected priority sensitive habitats by 2030, to reduce emissions of ammonia against the 2005 baseline by 16% by 2030 and to reduce emissions of NOx and SO_2 against a 2005 baseline of 73% and 88% respectively by 2030. Shared Nitrogen Action Plans (SNAPs) have also been identified as a tool to reduce environmental damage from air pollution.

The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly, or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The ES should take account of the risks of air pollution and how these can be managed or reduced. This should include taking account of any strategic solutions or SNAPs, which may be being developed or implemented to mitigate the impacts on air quality. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk).

Information on air pollution modelling, screening and assessment can be found on the following websites:

- SCAIL Combustion and SCAIL Agriculture - http://www.scail.ceh.ac.uk/
- Ammonia assessment for agricultural development https://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit
- Environment Agency Screening Tool for industrial emissions https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit
- Defra Local Air Quality Management Area Tool (Industrial Emission Screening Tool) – England http://www.airqualityengland.co.uk/laqm

Natural England has produced *'Air pollution and development: advice for local authorities. How to assess sector-specific planning applications that could affect air quality on a protected site'.* This standing advice is to help planning authorities understand the impact on statutory protected sites from particular developments that emit specific air pollutants. The advice covers emissions of ammonia (NH*3*), nitrogen oxides (NO, NO*2* or NO*x*), nitrogen deposition, acid deposition and sulphur dioxide (SO*2*).

The standing advice is Natural England's formal statutory advice and is a material consideration. It provides decision makers with the information needed to fulfil their statutory duties when making decisions on planning applications with potential air pollution impacts.

Water Quality

The planning system plays a key role in determining the location of developments which may give rise to water pollution, and hence planning decisions can have a significant impact on water quality, and land. The assessment should take account of the risks of water pollution and how these can be managed or reduced. A number of water dependent protected nature conservation sites have been identified as failing condition due to elevated nutrient levels and nutrient neutrality is consequently required to enable development to proceed without causing further damage to these sites. If your planning application is affected by Nutrient Neutrality, the ES needs to take account of any strategic solutions for nutrient neutrality or Diffuse Water Pollution Plans, which may be being developed or implemented to mitigate and address the impacts of elevated nutrient levels. These solutions or plans should be relevant to the specific planning consultation site.
Further information can be obtained from the Local Planning Authority.

[1] Report: Trends Report 2020: Trends in critical load and critical level exceedances in the UK - Defra, UK

Climate Change

The ES should identify how the development affects the ability of the natural environment (including habitats, species, and natural processes) to adapt to climate change, including its ability to provide adaptation for people. This should include impacts on the vulnerability or resilience of a natural feature (i.e. what's already there and affected) as well as impacts on how the environment can accommodate change for both nature and people, for example whether the development affects species ability to move and adapt. Nature-based solutions, such as providing green infrastructure on-site and in the surrounding area (e.g. to adapt to flooding, drought and heatwave events), habitat creation and peatland restoration, should be considered. The ES should set out the measures that will be adopted to address impacts.

Further information is available from the Committee on Climate Change's (CCC) Independent Assessment of UK Climate Risk, the National Adaptation Programme (NAP), the Climate Change Impacts Report Cards (biodiversity, infrastructure, water etc.) and the UKCP18 climate projections.

The Natural England and RSPB Climate Change Adaptation Manual (2020) provides extensive information on climate change impacts and adaptation for the natural environment and adaptation focussed nature-based solutions for people. It includes the Landscape Scale Climate Change Assessment Method that can help assess impacts and vulnerabilities on natural environment features and identify adaptation actions. Natural England's Nature Networks Evidence Handbook (2020) also provides extensive information on planning and delivering nature networks for people and biodiversity.

The ES should also identify how the development impacts the natural environment's ability to store and sequester greenhouse gases, in relation to climate change mitigation and the natural environment's contribution to achieving net zero by 2050. Natural England's Carbon Storage and Sequestration by Habitat report (2021) and the British Ecological Society's nature-based solutions report (2021) provide further information.

Contribution to local environmental initiatives and priorities

The ES should consider the contribution the development could make to relevant local environmental initiatives and priorities to enhance the environmental quality of the development and deliver wider environmental gains. This should include considering proposals set out in relevant local strategies or supplementary planning documents including landscape strategies, green infrastructure strategies, tree and woodland strategies, biodiversity strategies or biodiversity opportunity areas.

ANNEX B – The Environment Agency's advice note

Environmental Impact Assessment Scoping Opinion: Kent and South London Area

This document sets out the key environmental issues and sources of information, within our remit, which should be considered to determine the effects of a proposal, when preparing an Environmental Impact Assessment. Proposals should be designed to avoid or minimise negative environmental impacts and incorporate positive environmental enhancements.

In addition, we will provide bespoke comments on:

- Proposals within 20 metres of a main river
- Those under the Nationally Significant Infrastructure Project; Highways Act and Transport and Works regimes.

Please be aware that this guide is not exhaustive and further details may be requested at planning application stage to address site specific environmental issues and opportunities.

This guidance is for use in the Environment Agency's Kent and South London Area and should be read alongside our detailed national guidance which can be found on gov.uk. We also recommend that you discuss your proposals early with your relevant Local Planning Authority.

Further bespoke advice

The information provided contains general information and guidance which may be applicable to your development. We can provide bespoke guidance or review technical information prior to the submission of a planning or discharge of planning conditions applications. This is offered as part of our charged planning advice service.

To find out more please search Developers: get environmental advice on your planning proposals - GOV.UK or email: kslplanning@environment-agency.gov.uk

Section 1: Flood risk management

The National Planning Policy Framework (NPPF) requires development in areas at risk of flooding to be safe and not increase the risk of flooding elsewhere.

You can view a site's flood zone and request information to inform your flood risk assessment using the Flood Map for Planning service. It is important to note the Flood Map for Planning shows a combined Flood Zone 3. It does not separately distinguish Flood Zone 3b (functional floodplain) from Flood Zone 3a. Instead, areas of Flood Zone 3b have been identified by Local Planning Authorities (LPAs) within their Strategic Flood Risk Assessment (SFRA). To identify future flood risk and other sources of flooding including surface water and reservoir flood risk please visit out long term flood risk map.

If your proposed development is located within a flood risk area from any source of flooding you should consult the Flood Risk and Coastal Change pages of the National Planning Practice Guidance (NPPG).

The guidance will help you determine whether the flood risk vulnerability of your proposed development and the flood zone are compatible. You can also establish if there are flood risk sequential test and exception test requirements for your proposed development. These are summarised in the table below, which is adapted from Table 2 in the NPPG.

Flood Zones	**Flood Risk Vulnerability Classification**				
	Essential infrastructure	**Highly vulnerable**	**More vulnerable**	**Less vulnerable**	**Water compatible**
Zone 1	✓ Avoid flood risk from sources other than rivers & sea	✓ Avoid flood risk from sources other than rivers & sea	✓ Avoid flood risk from sources other than rivers & sea	✓ Avoid flood risk from sources other than rivers & sea	✓ Avoid flood risk from sources other than rivers & sea
Zone 2	**?** Sequential Test required	**?** Sequential and Exception Tests required	**?** Sequential Test required	**?** Sequential Test required	**?** Sequential Test required
Zone 3a	**? and †** Sequential and Exception Tests required	✗ Development should **not** be permitted	**?** Sequential and Exception Tests required	**?** Sequential Test required	**?** Sequential Test required
Zone 3b	**? and** * Sequential and Exception Tests required	✗ Development should **not** be permitted	✗ Development should **not** be permitted	✗ Development should **not** be permitted	**? and** * Sequential Test required

"†" In Flood Zone 3a essential infrastructure should be designed and constructed to remain operational and safe in times of flood.

"*" In Flood Zone 3b (functional floodplain) essential infrastructure that has passed the Exception Test, and water-compatible uses, should be designed and constructed to:

- Remain operational and safe for users in times of flood;

- Result in no net loss of floodplain storage;
- Not impede water flows and not increase flood risk elsewhere.

1.1 Flood risk Sequential Test

The NPPF and associated NPPG (Flood Risk and Coastal Change chapter) requires the Sequential Test to be applied to planning applications where development is located within an area at current and/or future flood risk from any source. The sequential test does not need to be undertaken for minor development. A change of use application is also exempt from the flood risk sequential test unless the change relates to caravan, camping, chalets, mobile or park home developments. Development on sites allocated in an adopted Local Plan are only exempt if:

- They have already been subject to the sequential test;
- Development is consistent with the use for which the site was allocated;
- No subsequent changes to flood risk would have changed the outcome of that sequential test.

For the site to pass the Sequential Test it must be satisfactorily demonstrated that there are no appropriate alternative sites available for this development at a lower risk of flooding. It is for the LPA to determine if the Sequential Test has to be applied and whether or not there are other sites available at lower flood risk. Therefore, we recommend that you discuss the requirements of the Sequential Test with the LPA at the earliest opportunity.

The LPA's SFRA will normally form the basis for applying the sequential test. The SFRA may also include guidance on how to apply the sequential test, such as how to identify an appropriate area of search and how to compare relative flood risk using a ranking methodology.

1.2 Flood risk sequential approach

If the flood risk sequential test is passed then a flood risk sequential approach should be applied within the site to direct development to the areas of lowest flood risk in accordance with the hierarchy set out in planning guidance. If it is not possible to locate all of the development within low risk areas, then the most vulnerable elements of the development should be located in the lowest risk parts of the site.

1.3 Flood risk exception test

The Exception Test should only be applied in the circumstances shown in the table above following application of the sequential test. The Exception Test should not be used to justify the grant of planning permission in flood risk areas when the Sequential Test has not been satisfied.

The Exception Test is in two parts and both need to be met for the test to be satisfied. It is for the applicant to demonstrate this to the LPA, but we will provide advice on the second part of the test. The second part requires a site-specific flood risk assessment (FRA) to demonstrate that the new development will be safe over its lifetime (including access and escape routes), will not increase flood risk elsewhere and, where possible, will reduce flood risk overall. The NPPF states that both parts of this test should be satisfied for development to be permitted.

1.4 Inappropriate development in areas at risk of flooding

Table 2 in the NPPG sets out the circumstances where development is incompatible and should not be permitted.

Flood Zone 3b is land classed as the 'functional floodplain' and is land defined by an LPA's Strategic Flood Risk Assessment (SFRA) as having the highest probability of flooding, and where water has to flow or be stored in times of flood. Only water compatible development and essential infrastructure (subject to the Exception Test) can be acceptable within the functional floodplain provided they are designed and constructed to:

- Remain operational and safe for users in times of flood;
- Result in no net loss of floodplain storage;
- Not impede water flows and not increase flood risk elsewhere

We would object in principle to any development that falls under any other vulnerability classification within Flood Zone 3b. It is important to note that the functional floodplain is not separately distinguished from Flood Zone 3a on the Flood Map for Planning. Instead, areas of functional floodplain have been identified by LPAs within their SFRA's.

Highly vulnerable development, which includes caravans, mobile homes and park homes intended for permanent residential use and basement dwellings, is also not compatible with Flood Zone 3a.

1.5 Flood Risk Assessment (FRA) requirements

A site-specific flood risk assessment should be provided for all development in Flood Zones 2 and 3 in accordance with paragraph 181, footnote 63 of the National Planning Policy Framework (NPPF, December 2024). In Flood Zone 1, an assessment should accomp any all proposals involving: sites of 1 hectare or more; land which has been identified by the Environment Agency as having critical drainage problems; land identified in a strategic flood risk assessment as being at increased flood risk in future; or land that may be subject to other sources of flooding, where its development would introduce a more vulnerable use.

In accordance with the NPPF and associated NPPG, a site-specific FRA must clearly demonstrate how you intend to manage flood risk on site to ensure that the proposed development will be safe for its lifetime and that flood risk is not increased on site and elsewhere. The NPPG provides a helpful guide on what should be included in your FRA in the FRA checklist.

The FRA should be appropriate to the scale, nature and location of the development. While it is possible for applicants to undertake their own assessment, most employ suitably experienced professionals. We are not able to recommend specific consultants, but details of competent individuals or companies can be found online.

We would expect your FRA to address (but not necessarily be limited to) the following issues:

- Consideration of the level of flood risk and whether the proposed use would be compatible in accordance with its vulnerability classification outlined within Annex 3 of the NPPF (December 2024) and Table 2 of the NPPG;

- Identification of the level of flood risk (with reference to likelihood, depth, velocity, hazard, speed-of-onset and duration) on the site and consideration of the impact a range of flood events would have on the proposed development, including an assessment of the impacts of climate change by selecting the appropriate climate change allowances.
- Confirmation of any flood defences and standard of protection provided, to confirm the level of residual risk in accordance with the Strategic Flood Risk Assessment (SFRA) for the local planning authority in which the development is located;
- Estimation of flood depths at the site for a range of flood events including in the event of a breach or failure of the flood defences where relevant;
- Details of how flood risk has been addressed through the location and design of the development in accordance with the hierarchy set out in the NPPG to ensure the development will be safe;
- Calculations of any loss of floodplain storage and proposals for providing compensatory floodplain storage where necessary. Reference should be made to NP PG paragraph 49;
- Details of how the development will be made appropriately flood resistant and resilient with reference to the CIRIA Code of Practice for Property Flood Resilience;
- Details of set back of the development from any riverbank / defence to ensure access is maintained for the operation, maintenance, repair and improvement of the watercourse and any defences;
- Confirmation that a safe route of access and escape has been provided to enable free and voluntary movement during the design flood and potential for evacuation before a more extreme flood.

For further information on our flood map products please visit the flood risk assessments page on gov.uk. You can access flood risk data for your FRA such as predicted flood levels and historical flood data using the Flood Map for Planning service.

1.6 Flood modelling

In some instances a detailed hydraulic model or flood modelling work may be necessary, in particular if there is no available data for the area of your planning application or to take into account correct climate change allowances. Please be aware that if you are required to carry out flood modelling as part of your proposal you will need to submit the flood model files to the LPA as part of your planning application, which will then usually need to be reviewed by us.

Where modelling is required, we advise you to contact us ahead of submitting your planning application to discuss your modelling requirements and avoid delays when you submit your planning application.

Further information on when to use hydrological and hydraulic modelling as part of a flood risk assessment for a planning application, and the expected standards is available on the gov.uk website.

1.7 Climate change allowances

In order to demonstrate the risks to the proposal over its lifetime, a site-specific FRA must also consider the impact of climate change on future flood risks. The latest guidance on how to apply the correct, up to date climate change allowance for FRAs is available at gov.uk.

1.8 Finished floor levels

Raising floor levels above the design flood level is the most effective means of ensuring development will not be subject to internal flooding. The finished floor levels of new buildings in areas at a high risk of flooding should normally be at least 600 millimetres above the design flood level, including an allowance for climate change. Where this cannot be achieved due to other planning constraints, we request that floor levels are set as high as possible (for extensions to existing buildings, no lower than the existing floor levels) and that flood resilience/resistance measures are considered, where appropriate, up to the design flood level.

Where floor levels cannot be raised sufficiently, consideration should be given to the use of flood resilient construction practices and materials in the design and build phase. Choice of materials and simple design modifications can make the development more resistant to flooding and reduce rehabilitation time in the event of future inundation. We may object unless it can be demonstrated that the safety of occupants can be managed by including other flood resilience/resistance measures up to the design flood level.

Detailed information on flood resilience techniques can be found in CIRIA Code of Practice for Property Flood Resilience.

1.9 Floodplain compensation

Your FRA will need to demonstrate that any increase in built footprint within the 1% annual exceedance probability (1 % AEP) scenario plus climate change flood extent can be directly compensated for, on a level-for-level basis and volume-for-volume to prevent a loss of floodplain storage. If it is not possible to provide level for level flood plain compensation, other forms of mitigation may be considered or alternatively there should be no increase in built footprint. It will also need to be demonstrated that the proposed development does not impact the flow and conveyance of water.

The use of voids, stilts or under-croft parking as mitigation for a loss in floodplain storage should be avoided, as they may become blocked over time by debris or domestic effects. We would not recommend these methods to the LPA as an acceptable means of compensation. Further guidance is provided in NPPG paragraph 49.

1.10 Safe access and escape

Development will need to be designed so users can have free and voluntary movement during flooding via safe access and escape routes to safe, dry areas completely outside the 1% annual exceedance probability (1% AEP) plus climate change flood extent. Such routes should be designed to remain dry during flooding. If this is not possible a ‘very low flood hazard' rating in accordance with the guidance on .gov.uk – in particular FD2320: Flood Risk Assessment Guidance for New Developments may be acceptable.

Where safe access cannot be achieved, an emergency flood plan that deals with matters of evacuation and refuge to demonstrate that people will not be exposed to hazardous flooding should be submitted to and agreed with the LPA. Further guidance is provided in ADEPT/EA Flood Risk Emergency Plans for New Development guidance and in paragraphs 047 and 048 of the NPPG.

We recommend that you discuss safe access and escape routes with the local authority emergency planners, as they will be responsible for agreeing to any emergency plan submitted with your application.

1.11 Flood defences

Your FRA should identify the presence of any relevant flood walls/defences and include information on their standard of protection and condition. You should also include information on who is responsible for the flood defence along with information on any plans to improve those defences with references to relevant flood risk management strategies.

The FRA should assess the impacts of flood defence failure (for example, a breach scenario) on the proposed development and demonstrate that these residual risks can be safely managed without people being exposed to hazardous flooding.

Opportunities to reduce the causes and impacts of flood should also be explored including making space for the flow and storage of flood water and providing or making contributions to flood risk management infrastructure. Proposals could also include natural flood risk management techniques.

1.12 Flood Risk Standing Advice for lower risk development

We have produced a series of standard comments for LPAs and applicants to refer to for lower risk development proposals. These comments replace direct consultation with us. These standard comments are known as Flood Risk Standing Advice (FRSA), and can be found on gov.uk. In some locations, Local Flood Risk Standing Advice may also apply. We recommend that you view our standing advice in full before submitting the required information as part of a planning application. The LPA will then determine whether flood risk has been considered in line with FRSA recommendations.

1.13 Thames Estuary 2100 Plan delivery

Applies to Richmond, Wandsworth, Lambeth, Southwark, Lewisham, Greenwich, Bexley, Dartford, Gravesham and Medway tidal LPA areas

In line with requirements set out in the Thames Estuary 2100 (TE2100) plan, any development which borders the Thames tidal flood defences will need to demonstrate how the development is informed by the TE2100 plan and how any flood defences can be raised now or in the future. Check the policy unit map for actions required in each policy unit.

- Development adjacent to tidal flood defences will need to demonstrate that it will not have a detrimental impact on the integrity of existing flood defences.

- Development should be set back with increased space for management, maintenance and any upgrading in accordance with both the TE2100 plan and Local and national planning policies.
- Development should be informed by the latest good practice and guidance such as the Estuary Edges Guidance, Strategic Flood Risk Assessments and Riverside Strategy Local plan policies and guidance. Examples of an improved riverside and set back tidal flood defences at Royal Arsenal Riverside (left) and Greenwich Peninsula (right).

Section 2: Main rivers and ecology

2.1 Flood Risk Activity Permit (FRAP)

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- In, over or under a main river
- On or within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river
- On or within 8 metres of any flood defence structure or culvert on a main river, or 16m for a tidal main river or sea defence
- Involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- In a main river floodplain more than 8 metres from the riverbank, culvert or flood defence structure (16 metres if it is a tidal main river) which could divert or obstruct floodwater, damage any river control works or affect drainage. For example, land raising and other potential impacts that are not controlled by planning permission.

Flood risk activities can be classified as: Exclusions, Exemptions, Standard Rules or Bespoke. These are associated with the level of risk your proposed works may pose to people, property and the environment. Further guidance on applying for flood risk activity permits can be found online.

To identify any Main Rivers in proximity to your proposed development please check our Flood Map for Planning.

Where a Flood Risk Activity Permit (FRAP) is required, it is unlikely that our consent will be granted for works that do not allow access for maintenance or repair purpose or that have an unacceptable impact on flood risk or the natural environment. The permanent retention of a continuous unobstructed area is an essential requirement for emergency access to the river for repairs to the bank and for future maintenance and/or improvement works.

Where development or works are proposed that would require a FRAP, it is recommended that detailed planning advice is obtained from us prior to the submission of a planning application. We may object to a planning application if we do not consider that we can issue a FRAP for a development as proposed. The determination of a planning application could be delayed until our concerns are resolved.

FRAPs are required irrespective of any planning permission and are not guaranteed. You should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise you to consult with us at the earliest opportunity.

2.2 Ecological enhancements and Biodiversity Net Gain (BNG)

Paragraphs 187 and 193 of the National Planning Policy Framework (NPPF, December 2024) recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused.

We recommend that development proposals protect and enhance the local environment and seek opportunities to enhance ecology and provide Biodiversity Net Gains (BNG). The

enhancement of biodiversity in and around development should be led by a local understanding of ecological networks, and should seek to include:

- Habitat restoration, re-creation and expansion;
- Improved links between existing sites;
- Buffering of existing important sites;
- New biodiversity features within development; and
- Securing management for long term enhancement

2.3 River naturalisation and culverted watercourses

Development on sites with existing culverts present opportunities for de-culverting as part of the proposal. Deculverting and river restoration will provide environmental improvements and contribute to the delivery of BNG, will help deliver The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (WFD) improvements and will also reduce the risk of flooding. We strongly recommend you consider all options to remove any culverted sections of watercourses as part of your development proposals, restoring the river to its natural state. If deculverting is not possible on the site we would expect to see adequate evidence for this. Constructing new development on top of existing culverts is unlikely to be acceptable in terms of flood risk, culvert maintenance and safety.

We will object to any proposal to culvert main river watercourses. Development that involves culverting for land gain purposes is not sustainable. It works against the natural processes of watercourses and can exacerbate the risk of flooding and increase maintenance costs and complexity. It can also destroy wildlife habitats, hinder fish passage, reduce amenity value, interrupt the continuity of the linear corridor of a watercourse and affect channel stability. It can also significantly reduce resilience to the effects of drought, floods and pollution. Culverting an ordinary watercourse requires the prior consent of the Lead Local Flood Authority.

Improved riverside environment and new riverside buffer zones in Lewisham (Ravensbourne River) *left* and Greenwich Peninsula (River Thames) *right*

2.4 Riverside buffer zones

Development adjacent to main rivers should be designed with a naturalised buffer zone of at least 8 metres from the bank top or retaining wall to protect and enhance the conservation value of the watercourse and ensure access for flood defence maintenance. This increases to 16 metres for a tidal main river, and the requirement for a buffer zone also applies to culverted watercourses. Where such a buffer strip does not currently exist, we normally seek to ensure that it is established. In urban areas in particular, rivers have often been degraded by past development, and we expect that any new development should go some way to redress the balance.

The buffer zone should be designed and managed for the benefit of biodiversity and should be undisturbed by development with no fencing, footpaths or other structures. It should not include formal landscaping, and should include the planting of locally appropriate native species. Mowing regimes should be low intensity, allowing plants to flower. Light spill within the buffer zone from external artificial lights should be kept at an absolute minimum and be located and directed so that light levels of 0-2 lux are maintained. The buffer zone will help provide more space for flood waters, provide improved habitat for local biodiversity and allows access for any maintenance requirements. We may also ask you to leave space to allow flood defences to be upgraded in the future. We recommend that you submit a suitably scaled plan showing the distance of the new development from the watercourse and any associated flood defences.

2.5 Nature conservation and ecology surveys

The presence of a main river on or within 8 metres of your proposed development site means an ecological survey should accompany your planning application to establish whether development is likely to have a detrimental impact on the biodiversity of the watercourse. We would not support development proposals if there was shown to be a likely detrimental impact on the water environment. In accordance with the NPPF, any development proposal should avoid significant harm to biodiversity and seek to provide a net gain in biodiversity. Opportunities to incorporate biodiversity in and around the development will be encouraged where appropriate, see examples in our Estuary Edges Guidance.

If there is the potential for protected species or habitats to be present on or adjacent to the site, as part of your planning application you will need to undertake the necessary ecological surveys and assessments to determine if they are present. Where protected species and/or habitats are present, detailed assessments and mitigation measures may be necessary. We may offer advice in relation to water-based species and/or habitats that are within our remit.

Where protected species or habitats are present, works may also require licensing from Natural England and therefore we recommend you contact Natural England for their advice.

You can find a full list of protected sites, species and the precautions required for planning on the gov. uk website.

2.6 The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017

With any development alongside watercourses, consideration should be given to the requirements of the The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (WFD) which includes causing no overall deterioration in water quality or the ecological status of any waterbody.

Proposed development in close proximity to watercourses may require a WFD compliance assessment. This must assess any potential impacts on the watercourses and demonstrate that the required enhancements will be delivered. Any development that has the potential to cause deterioration in classification under WFD or that precludes the recommended actions from being delivered in the future is likely to be considered unacceptable to us. You will find actions associated with the WFD by searching for your watercourse on the EA Catchment Data Explorer.

For further guidance on undertaking a WFD compliance assessment, please refer to gov.uk.

2.7 Non-native species

Development and construction activities may increase the risk of spreading invasive species present within a proposed development site. Where the presence of invasive species is known or suspected, prior to the commencement of development (including ground clearance) we would expect a detailed method statement for the removal or long-term management /eradication of the invasive species on the site to be submitted to and approved in writing by the LPA. This will help prevent the spread while work is being carried out and consider the longer-term management. When visiting any site, work methods must include appropriate biosecurity measures (considered for all potential spread pathways) to prevent the spread and introduction of invasive non-native species in order to avoid contravention of the Wildlife and Countryside Act 1981. Without this, avoidable damage could be caused to the nature conservation value of a site.

Section 3: Groundwater quality and contaminated land

3.1 Land affected by contamination

The NPPF takes a precautionary approach to land contamination. Before the principle of development can be determined, land contamination should be investigated to see whether it could preclude certain development due to environmental risk or cost of remediation.

Where contamination is known or suspected, a desk study, site investigation, remediation and other works may be required to enable safe development (paragraph 196 of the NPPF, December 2024). The minimum requirements for submission with a planning application are a preliminary risk assessment, such as a site walkover or desk top study.

Site Investigation and Remediation Strategy reports may be required for submission with a planning application for sensitive land use types or where significant contamination or uncertainty is found. Where these reports are missing or where they do not demonstrate no adverse impact on the environment, we are likely to raise an objection to the planning application.

If during site works contaminated material is suspected, you are advised to stop works and seek further guidance. Remediation of contaminated land may require a permit under Environmental Permitting Regulations.

When dealing with land affected by contamination, developers should follow the risk management framework provided in 'Model procedures for the management of land contamination' (CLR11).

Please also note that any surface water drainage system must not pose a risk to groundwater quality and must not be constructed in ground affected by contamination.

Further guidance can be found at:

- What is contaminated land?
- NPPG: Land affected by contamination
- Environment Agency Land contamination: technical guidance
- Land contamination risk assessment

We recommend you contact your Local Authority's Environmental Health team who may hold records on known/potential land contamination. Please note our primary concern is with regards to water quality. Your Local Authority's Environmental Health team will advise you on issues related to human health.

3.2 Groundwater protection

The Environmental Permitting (England and Wales) (Amendment) (England) Regulations 2023 were implemented on 2 October 2023. We are reviewing the Environment Agency's approach to groundwater protection and updating it where applicable. Therefore, our previous groundwater protection position statements noting our position on groundwater protection for both planning and permitting regimes are **under review** (correct as of February 2025). We will hold an appropriate consultation on any changes to the guidance before we republish it. However, the following information may still be helpful.

We have defined Source Protection Zones (SPZs) for 2000 groundwater sources such as wells, boreholes and springs used across the country for public drinking water supply. These zones are more vulnerable to contamination from activities that might cause pollution in the area. The closer the activity to groundwater, the greater the risk.

To see if your proposed development is located within a Source Protection Zone, please use MagicMap.

It is likely that we will object to the following developments within SPZ1:

- Large-scale above or below ground storage of hazardous substances (as may occur at a chemical works or at a petrol filling station)
- New development of non-landfill waste operations where the operation poses an intrinsic hazard to groundwater, for example deposit of waste for recovery activities.
- Land spreading of sludge or liquid waste containing significant concentrations of pollutants.
- The locating of any new cemetery or the extension of any existing cemetery, within SPZ1, or 250 metres from a well, borehole or spring used to supply water that is used for human consumption, whichever is the greater distance.

3.3 Cemeteries

Development proposals for cemeteries should be avoided in areas where they present a high risk to the water environment. A groundwater risk assessment should be undertaken to accompany any planning application for a proposed burial site. This should show that there are minimal risks to the environment either at the time of burial, or in the future.

From 1 April 2022, cemeteries with the highest environmental risk are also controlled through the permitting system under the Environmental Permitting (England and Wales) Regulations 2016. If you need to apply for an environmental permit, you must also provide a risk assessment as part of your application.

More information and guidance can be found on the protecting groundwater from human burials gov.uk webpage. Although our previous groundwater protection position statements are under review (correct as of February 2025) you may still find Section L: Cemetery developments of 'The Environment Agency's approach to groundwater protection' useful.

3.4 Surface water drainage

We recommend the use of Sustainable Drainage Systems (SuDS). These techniques can provide a method for reducing runoff that could otherwise lead to flooding. They can also minimise pollution impacts, improve biodiversity and provide amenity areas.

Where infiltration drainage is proposed, it must be demonstrated that it will not pose a risk to groundwater quality. Infiltration should not be focused in areas where ground contamination has been identified. Surface water infiltrating through contaminated ground can mobilise contaminants and result in pollution of the groundwater. Where necessary, we will seek to control the depths of soakaway systems by recommending maximum penetration depths and a requirement that the water table should not be intersected. In general, groups of shallow soakaways are preferable to one or two deep boreholes.

Where infiltration SuDS are to be used for surface run-off from roads, car parking and public or amenity areas, they should have a suitable series of treatment steps to prevent the

pollution of groundwater. For the immediate drainage catchment areas used for handling and storage of chemicals and fuel, handling and storage of waste and lorry, bus and coach parking or turning areas, infiltration SuDS are not permitted without an environmental permit.

Please note that we cannot issue an environmental permit for the direct discharge of hazardous substances into groundwater.

Further guidance can be found in the updated CIRIA SUDs manual, and the pollution prevention advice for businesses at gov.uk. Although currently under review (correct as of February 2025) you may still find some of the information in our previous groundwater protection position statements helpful.

Sustainable Drainage Systems (SuDs) should always be carefully considered in discussions with the Lead Local Flood Authority, who are responsible for providing advice on the management of surface water drainage. You should consult them for their comments on your proposal.

Section 4: Foul water drainage and water resources

4.1 Foul water drainage

Government guidance contained within the NPPG (Water supply, wastewater and water quality – considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

1. Connection to the public sewer
2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
3. Septic tank

The first presumption must be to provide a system of foul drainage discharging into a public sewer to be treated at a public sewage treatment works. Only where an applicant can demonstrate to the satisfaction of the LPA that connection to a public sewer is not feasible due to the cost and/or practicability should a non-mains foul sewage disposal solution be considered.

The NPPG states that 'applications for developments relying on anything other than connection to a public sewage treatment plant should be supported by sufficient information to understand the potential implications for the water environment'. Any planning application which includes a non-mains system should therefore be accompanied by a foul drainage assessment form (FDA1) which provides sufficient information for an assessment to be made of the risks of pollution to the water environment. For the proposal to be acceptable the FDA will need to demonstrate that the proposed system will be viable and will not be detrimental to the water environment.

Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development. We have provided guidance to LPAs on non-mains drainage from non-major development to help them determine these planning applications.

Further information on septic tanks and treatment plants can be found here.

4.2 Trade effluent

Effluent discharged from any premises operating as a trade or industry, and effluent generated by a commercial enterprise where the effluent is different to that which would arise from domestic activities in a normal home, is described as trade effluent.

If you wish to discharge a trade effluent to groundwater or surface water via a non-mains system, you will require a permit under the Environmental Permitting Regulations.

If you wish to discharge a trade effluent to the public sewer, or a private sewer that connects to a public foul sewer, a trade effluent consent or a trade effluent agreement with your water and sewerage company must be obtained before you do so.

If you are not able to discharge effluent it will be classed as waste and you must then comply with your duty of care responsibilities.

4.3 Environmental Permitting Regulations (Foul Drainage and Trade Effluent)

Environmental Permitting Regulations require any discharge of sewage or trade effluent made to either surface water or groundwater to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, additional to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.

The granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are able to decide whether to grant a permit or not. Where a pre-existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.

4.4 Water resources

All new homes are required to meet the mandatory national water efficiency standard for consumption as set out in the Building Regulations of 125 litres/person/day. In some water-stressed areas such as Kent and South London area some councils have adopted policies in their Local Plans that require developers to apply their tighter Building Regulations optional requirement. We recommend developers always aim to ensures their schemes minimise their impact on the environment as much as possible by reducing demand for water. For sites in London boroughs you should also refer to the London Plan and Local Plans for the latest environmental standards and policies where standards are currently 105 litres per day.

We suggest you submit a water efficiency calculator report, or equivalent information, at the planning stage to demonstrate compliance with this standard. Achieving these targets can be done with existing technology installing efficient shower heads, spray taps and low flush toilets. Complex greywater recycling and rainwater harvesting schemes are not typically required to adhere to this water efficiency standard.

We also recommend that new non-residential commercial buildings are required to achieve a BREEAM ‘excellent’ rating for water efficiency (or an equivalent rating with any successors).

Older buildings are often the least efficient in resource use. We strongly recommend the retrofitting of existing buildings where opportunities arise through refurbishments and changes of use. There are a number of BREEAM Technical Standards documents to support retrofitting for commercial and residential buildings.

Section 5: Waste management

5.1 Development close to an existing permitted site

New development in close proximity to an existing waste management infrastructure may not be an appropriate land use neighbour as it could result in the community at the proposed development being exposed to odour, noise, dust and pest impacts.

The severity of these impacts will depend on the size of the facility, the nature of the waste it takes and prevailing weather conditions. If the site operator can demonstrate that they have taken all reasonable precautions to mitigate these impacts, the facility and community may co-exist, with some residual impacts. In some cases, these residual impacts may cause local residents concern, and there are limits to the mitigation the operator can apply. Only in very exceptional circumstances would we revoke the operators permit.

Generally, sensitive development (e.g. occupied buildings) within 50 metres of such a facility is unacceptable because of the potential impacts to residents that may not be able to be mitigated. If any development is proposed within 50m of such a site at the planning application stage, we may object to the application on this basis.

You can check for Waste Permits or Registered exemptions near your proposed development site by searching our online Public Register.
Access the public register for environmental information – gov.uk

5.2 Waste management

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/ or land development works are waste or have ceased to be waste. Under the Code of Practice:

- Excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution
- Treated materials can be transferred between sites as part of a hub and cluster project
- Some naturally occurring clean material can be transferred directly between sites

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

We recommend that developers refer to:

- The position statement on the Definition of Waste: Development Industry Code of Practice
- The waste management page on gov.uk

5.3 Waste to be taken off site

Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

5.4 Environmental Permitting Regulations (Waste)

To see if your proposed development requires an Environmental Permit under the Environment Permitting Regulations please refer to gov.uk.

As planning and permitting decisions are often closely linked, we have issued detailed guidance for developments requiring planning permission and environmental permits. This guidance explains how, when responding to planning consultations that require environmental permits, we will advise of three possible positions:

- No major permitting concerns
- More detailed consideration is required and parallel tracking is recommended
- Don’t proceed – unlikely to grant a permit

We advise joint discussions with the applicant, planning authority and ourselves, as well as parallel tracking of the planning and permit applications where possible. Parallel tracking planning and environmental permit applications offers the best option for ensuring that all issues can be identified and resolved, where possible, at the earliest possible stages. This will avoid the potential need for amendments to the planning application post-permission.

Section 6: Agricultural development

6.1 Agricultural buildings

If the buildings are to be used for livestock housing, the operator must ensure that they comply with the relevant regulations regarding the storage of slurry and silage. Any increase in the numbers of livestock may require the construction or expansion of slurry and silage storage facilities.

The operator should ensure that they comply with the requirements of The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) Regulations 2010, commonly known as the 'SSAFO regs', the storage requirements of The Nitrate Pollution Prevention Regulations 2015, commonly known as the 'NVZ regs' and have regard to guidance on protecting our water, soil and air at gov.uk.

6.2 Slurry storage

If your livestock produces slurry, you must be able to store the slurry produced in accordance with the regulations on capacity, construction, and the associated calculations and records.

Depending on the relevant regulations, slurry stores must have the capacity to store:

- 4, 5 or 6 months of slurry;
- Rainfall expected to enter the store during the storage period including yards and roofs; and
- Any wash water or other liquids that enter the store during that period.

If you have poultry manure or other types of solid manure you must store them:

- In a vessel;
- On an impermeable base, with appropriate collection and containment of runoff;
- In a roofed building; or
- In an appropriately located temporary field heap.

If you build a new facility for storing organic manure (i.e. slurry stores or impermeable bases for solid manure) and/or if you substantially reconstruct or enlarge your existing facilities, you must:

- Comply with standards set down in the SSAFO Regulations, and
- Notify the Environment Agency in writing about your intention to build a new store, or substantially enlarge or reconstruct an existing store at least 14 days before you start construction or reconstruction works.

6.3 Silage storage

All parts of a silo must be resistant to attack. Your silo must have:

- An impermeable base extending beyond any walls
- Impermeable drainage collection channels around the outside, flowing into an appropriately sized effluent tank

Further guidance is available at gov.uk.

Please note

This document is a response to a request for our EIA scoping opinion only and does not represent our final view in relation to any future planning application made in relation to any site.

You should seek your own expert advice in relation to technical matters relevant to any planning application before submission.

If you have any questions please contact the Kent and South London Sustainable Places team:
kslplanning@environment-agency.gov.uk.