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Arun District Council,
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West Sussex,
BN17 5LF.

26 July 2021

JJ/R - 21/231
BY EMAIL

Dear Sir / Madam,

**LAND AT BAYARDS, LEVEL MARE LANE, EASTERGATE - REQUEST FOR A SCREENING
OPINION UNDER THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT
ASSESSMENT) REGULATIONS 2017 (AS AMENDED)**

We write on behalf of Reside Developments Ltd. and in accordance with Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations'), to request an EIA Screening Opinion from Arun District Council in relation to the redevelopment of the land at Bayards, Level Mare Lane, Eastergate, West Sussex, PO20 3SA (hereafter referred to as 'the Site').

a. The EIA Regulations

Regulation 2 of the EIA Regulations defines EIA Development as either:

- ¿ Schedule 1 Development - where EIA is mandatory and includes major projects such as nuclear power stations, chemical installations, motorways, railway lines and ports; or
- ¿ Schedule 2 Development - a project / proposal likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

The Proposed Development does not fall within the list of projects defined as Schedule 1 Development. Given the characteristics of the Proposed Development, it comprises a Schedule 2 development, subcategory 10(b) of the EIA Regulations, i.e. an 'urban development project' and therefore the likely effects of the Proposed Development on the environment should be considered.

For all Schedule 2 Development, the Local Planning Authority (LPA) must determine whether or not an EIA is required, taking into account the relevant 'Selection Criteria' identified in Schedule 3 of the EIA Regulations.

We have assessed the proposals against these criteria and conclude that the Proposed Development will not have a significant environmental impact on the local area, and thus will not require an EIA.

In reaching this conclusion, the following sections of this letter set out our analysis of the proposals against the requirements of Schedule 3, having regard to the following:

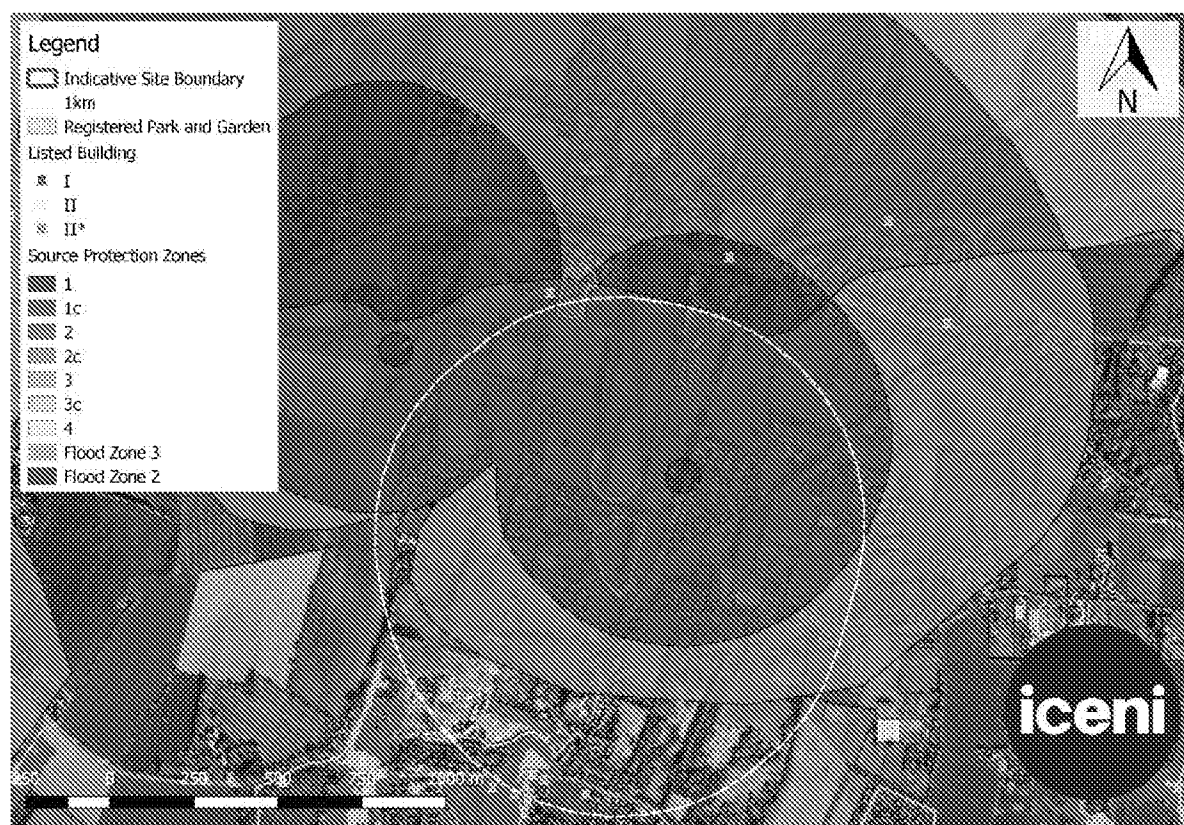
- ¿ Characteristics of development;
- ¿ Location of development; and
- ¿ Types and characteristics of the potential impacts.

b. The Site and Surrounding Area

The Site comprises 2.3 hectares of agricultural land to the west of Fontwell Avenue located in the south-west corner of Fontwell, approximately 1km north of Eastergate. The Site is bounded by Level Mare Lane to the north, trees and hedgerows associated with the field boundaries to the east and west, and buildings associated with Northfield Cottages to the south. There is an electricity substation located immediately to the north of the Site.

An aerial view of the Site is shown in the Figure below and a Site Location Plan is also enclosed with this EIA Screening Request in accordance with Regulation 6(2) of the EIA Regulations.

Figure 1 Environmental Receptor Map



Land uses in the surrounding area comprise a mixture of residential, agricultural, commercial, retail and leisure, typical of a semi-rural setting. The site immediately to the west was recently granted planning consent for 42 dwellings with associated access, parking, landscaping and associated works (application ref. BN/50/20/PL).

The Fontwell Park Racecourse is situated to the north of the Site on the opposite side of Level Mare Lane. The Site itself comprises Grade 3a (good) agricultural land which is currently used as grazing for horses. In terms of topography, the site is generally flat.

There are no statutory ecological designations either on-site or within a 250 metre radius of the Site boundary. The Eartham Pit Boxgrove Site of Special Scientific Interest (SSSI) and Halnaker Chalk Pit SSSI are located approximately 3.1 kilometres to the north-west of the Site. The Site is south of Fontwell Racecourse SNCI (Site of Nature Conservation Importance).

The Site lies to the west of the A29 (Fontwell Avenue) which comprises the main arterial route through the area between Eastergate and the A27 which forms the main east-west route through the area.

The Site is not within an Air Quality Management Area (AQMA). The nearest AQMAs are located circa 10 kilometres to the south-west of the Site in Chichester.

The Site is located within the Aldingbourne Rife Nitrate Vulnerable Zone (NVZ) and within Source Protection Zones 1 and 2 (Inner and Outer Zones).

Flood Mapping shows that the Site is located within Flood Zone 1 which is recognised as an area of very low probability of flooding (i.e. land assessed as having a less than 1 in 1,000 annual probability of river or sea flooding [0.1%]). The Site is not identified as being at risk of flooding from surface water or reservoirs.

There are no Listed Buildings or Scheduled Ancient Monuments within the Site or within close proximity of the Site and the Site is not located within or adjacent to a Conservation Area or Archaeological Notification Area. Denmans Garden (Grade II) Registered Park and Garden and the Grade II listed Westergate House are located approximately 1km to the north of the Site. The Site does not lie within either a nationally or locally protected landscape, designated for its special scenic qualities.

The Site is not allocated for any specific uses within the adopted Arun Local Plan 2011-2031¹ however it is identified as being within the Sharp Sand and Gravel Minerals Safeguarding Area (MSA).

The Site is within an accessible location and is within walking distance of local amenities and facilities. Numerous facilities are accessible within a 20-minute walk or 10 minute cycle such as a post office, medical centre, nursery and secondary school. The Site benefits from regular bus services and rail services from Barnham Station, allowing for both local travel and travel further afield.

c. The Proposed Development

The Proposed Development will be submitted to the Council as an outline application for up to 75 dwellings (Class C3) with all matters reserved except access. All homes will comprise 2.5 storey buildings (up to 8m above ground level) with private front and rear gardens and associated communal shared spaces.

Vehicle access to the Site will be provided via the approved scheme (application ref. BN/50/20/PL) to the west and Level Mare Lane to the north. Pedestrian access via Level Mare Lane to the north. Parking will be provided in accordance with local standards.

It is anticipated that the Proposed Development will also incorporate a range of landscaping features across the Site including street tree planting as well as open space. Further details on these proposals will be provided at the reserved matters stage of the application.

Full details of the proposed development are set out in the Design and Access Statement and accompanying plans submitted in support of the application.

d. EIA Screening Assessment

As stated above, the Proposed Development is considered to be a Schedule 2 Development and as such the LPA must determine whether or not an EIA is required with reference to the relevant Selection Criteria identified in Schedule 3 of the EIA Regulations. Consideration of the Proposed Development with respect to these criteria is set out below.

The thresholds above which an EIA may be required for a Schedule 2, category 10(b) development are as follows:

- (i) The development includes more than 1 hectare of urban development which is not dwellinghouse development; or
- (ii) the development includes more than 150 dwellings; or

¹ Arun District Council, (2011); Arun Local Plan 2011-2031 (adopted July 2018)

(iii) the overall area of the development exceeds 5 hectares. _

The Planning Practice Guidance is clear that the focus should be on those effects which are significant. It provides as an Annex a series of Indicative Screening Thresholds which includes indicative criteria to assist in determining whether significant effects are likely, recognising that the location and sensitivity of an asset are important considerations.

The Proposed Development does not meet or exceed any of these thresholds and is not located in a sensitive area as defined under Regulation 2 of the EIA Regulations. However, the Applicant has elected to undertake a voluntary screening exercise.

Characteristics of Development

The size and design of the whole development

The Proposed Development comprises the erection of up to 75 residential dwellings (Use Class C3) with associated access, parking and landscaping arrangements at a 2.3 hectare site to the south-west of Fontwell.

Car parking will be provided in accordance with local policy with full details provided within the Transport Statement submitted as part of the planning application.

The Proposed Development can be suitably accommodated and delivered within the Site and the design of the buildings has been developed with consideration of the environmental surroundings of the Site.

Cumulative effects with other development

The National Planning Practice Guidance (NPPG) states (at paragraph 024 Ref: ID: 4-024-20170728) that there are occasions where other existing or approved development may be relevant in determining whether significant effects are likely as a consequence of a proposed development. This has been taken into account when considering the accumulation of the Proposed Development with other committed developments in the area and within supporting technical documents such as a Transport Statement.

The use of natural resources

The Proposed Development would not involve any significant or unusual use of natural resources and would not result in the use of natural resources that are considered to be in short supply.

The Site comprises Grade 3a (Good) quality agricultural land, and therefore an Agricultural Land Report will be prepared and submitted as part of the planning application. A Minerals Resource Assessment will also form part of the planning application as the Site is located within an MSA.

The production of waste

The Proposed Development is similar in nature to the existing uses in the surrounding area and will not give rise to a significant amount of waste which will be dealt with through regular refuse collection. In this regard, the production of waste is not sufficient or of a particular significance for the purpose of EIA.

Pollution and nuisances

The Proposed Development would not generate any significant level of environmental pollution or nuisance, as the intended use of the Proposed Development is in keeping with the surrounding area. Nevertheless, the application will be supported by a full Transport Statement, Air Quality Assessment (including a dust assessment) and a Noise Assessment. An Odour Assessment will also be undertaken to consider the impact of the adjoining agricultural use.

During the construction phase of the Proposed Development, dust from construction and emissions from construction vehicles are likely to be generated. These impacts would be managed in accordance

with standard best practice measures, which will be set out in a Construction Environmental Management Plan (CEMP) submitted as part of the planning application and are not anticipated to generate significant adverse effects.

In short, there is no likelihood of significant pollution or nuisance impacts arising from the Proposed Development during the operational phase that would require an EIA is undertaken.

The risk of accidents

The Proposed Development is not likely to lead to an increase in accidents due to the nature of the proposals.

The risk to human health

Best practice techniques will be employed to prevent the risk of accidental contamination or spillages during the construction stage. Details of the controls in place will be set out in the CEMP.

Location of Development

Schedule 3 advises that the environmental sensitivity of the area will be determined having regard to the following matters:

- ¿ The existing and approved land use;
- ¿ The relative abundance, quality and regenerative capacity of natural resources in the area;
- ¿ The absorption capacity of the natural environment, paying particular attention to the following areas:
 - (i) Wetlands, riparian areas, river mouths;
 - (ii) Coastal zones and the marine environment;
 - (iii) Mountain and forest areas;
 - (iv) Nature reserves and parks;
 - (v) European sites and other areas classified or protected under national legislation;
 - (vi) Areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the project, or in which it is considered that there is such a failure;
 - (vii) Densely populated areas;
 - (viii) Landscapes and sites of historical, cultural or archaeological significance.

The existing and approved land use

The existing Site comprises circa 2.3 hectares of good quality (Grade 3a) agricultural land.

The Proposed Development comprises up to 75 residential dwellings (Use Class C3) with associated access, parking, and landscaping. The Site is located in a predominantly residential area to the west of Fontwell Avenue (A29) with Fontwell Racecourse located to the north. Northfields and Folly Foot Farm are located to the south and south-east respectively. Northfields and Fontwell Farm is located to the west. The land to the east of Fontwell Avenue is undeveloped.

Vehicular access to / from the Site will be via the site to the west which has consent, with car and cycle parking provided across the Site in accordance with local standards.

A range of landscaping features will be provided across the Site including street tree planting, a publicly accessible adventure playground trail with wildflower planning, central space to provide a green heart to the development and provide expansive space for community events and informal play and a natural corridor to create an interface with off-site vehicular infrastructure.

The relative abundance, availability, quality and regenerative capacity of natural resources in the area and its underground

There are a number of large trees located along the western boundary of the Site and therefore a Tree Survey and Arboricultural Report will be prepared and submitted as part of this planning application. Where possible, trees will be retained as part of the Proposed Development and incorporated into the Landscape Strategy.

Environment Agency Flood Mapping shows that the Site is located in Flood Zone 1 which is recognised as an area of least probability of flooding (i.e. land assessed as having a less than 1 in 1000 annual probability of river or sea flooding [0.1%]). The Site is not considered to be at risk of flooding from surface water or reservoirs. Nonetheless a Flood Risk Assessment and Drainage Strategy will be prepared and submitted as part of the planning application.

The absorption capacity of the natural environment, paying particular attention to the following areas:

(i) wetlands, riparian areas, river mouths;	Not applicable to this Site
(ii) coastal zones and the marine environment;	
(iii) mountain and forest areas;	
(iv) nature reserves and parks;	
(v) European sites and other areas classified or protected under national legislation;	There are no ecological designations within a 250 metre radius of the Site.
(vi) areas in which there has already been a failure to meet the environmental quality standards, laid down in European Union legislation and relevant to the project, or in which it is considered that there is such a failure;	The Site does not fall within an AQMA and the Proposed Development will not affect environmental quality standards which have already been exceeded.
(vii) densely populated areas;	The Site comprises an area of agricultural land. The surrounding land uses are a mixture of residential, commercial, retail, leisure and agricultural typical of a semi-rural area.
(viii) landscapes and sites of historical, cultural or archaeological significance.	There are no Listed Buildings or Scheduled Ancient Monuments within the Site or within close proximity of the Site and the Site is not located within or adjacent to a Conservation Area or Archaeological Notification Area.

None of the locational factors discussed above are likely to give rise to significant impacts that would warrant an EIA to be undertaken.

Characteristics of the Potential Impact

Schedule 3 of the EIA Regulations states that the potential significant effects of the development must be considered in relation to those matters raised above and having regard, in particular, to the following:

- (a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);
- (b) the nature of the impact;
- (c) the transboundary nature of the impact;
- (d) the intensity and complexity of the impact;
- (e) the probability of the impact;
- (f) the expected onset, duration, frequency and reversibility of the impact;
- (g) the cumulation of the impact with the impact of other existing and/or approved development;
- (h) the possibility of effectively reducing the impact.

During construction, management plans (such as a CEMP) would be implemented to manage construction activities, to prevent temporary pollution (such as noise management, dust management).

The extent of the impact of the Proposed Development is localised due to the nature of the proposals and there are very limited designated assets or sensitive receptors within 1km of the Site boundary as shown in Figure 1. Where potential impacts may occur, these can be satisfactorily mitigated. Where mitigation measures are relevant to the LPA's consideration of these issues, they have been set out.

In short, the Proposed Development would not have any adverse effects on the environment that would require an EIA to be undertaken.

Summary

Having considered the characteristics of the potential impacts above, it is considered that there is unlikely to be likely significant effects that would require an EIA to be undertaken. Where relevant, detailed assessments will be undertaken in accordance with appropriate guidance and submitted as part of the planning application as standalone supporting planning documents.

We look forward to receiving your formal screening opinion within the statutory 21 day period. If you have any queries, please do not hesitate to contact me on [REDACTED] or [REDACTED] or James Jaulim [REDACTED] will be happy to assist. We look forward to hearing from you in due course.

Yours sincerely,

Jo Ready
Senior EIA Consultant

Enc. Site Location Plan
Environmental Receptor Map