

Iceni
Da Vinci House
44 Saffron Hill
London
EC1N8F

Date: 13th August 2021

Please ask for: Mr S Davis

Tel: 01903 737874

Your Ref:

Our Ref: AL/100/21/ESO

Dear Ms Ready,

Screening opinion for 75 Dwellings
Land at Bayard Level Mare Lane Eastergate

Screening Opinion

The Group Head of Planning has determined under delegated powers that the above proposal does not require the submission of an Environmental Statement, as any impacts as there are on the environment are not likely to be of a magnitude to be covered by the Regulations. The following environmental issues are considered relevant to this proposal and have been considered in reaching this decision:

The Council considers the proposal is an "Urban Development Project" as found in section 10(b) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended).

Regarding Schedule 2 relevant criteria and thresholds, it is noted the site area of approx. 2.3 hectares does not exceed the applicable threshold of 5ha and the number of dwellings of 75 does not exceed the applicable threshold of 150. Even when assessing the site cumulatively with the adjoining site which benefits from planning permission (BN/50/20/PL for 42 dwellings on 1.85ha), it is clear neither the site area or the number of dwellings exceed the thresholds.

According to paragraph: 032 (Reference ID: 4-032-20170728) of the Planning Practice Guidance (PPG), all developments in sensitive areas should also be screened regardless of whether they meet the stated thresholds. The PPG states that sensitive areas are:

- Sites of Special Scientific Interest and European sites;
- National Parks, the Broads and Areas of Outstanding Natural Beauty; and
- World Heritage Sites and scheduled monuments.

The PPG states: "In certain cases, local designations which are not included in the definition of "sensitive areas", but which are nonetheless environmentally sensitive, may also be relevant in determining whether an assessment is required".

I concur with your observations on pages 2-3 of your letter that the nearest SSSI's are 3.1km away, that there is a Site of Nature Conservation Importance to the north of Level Mare Lane on Fontwell Racecourse, that the site is not within or near to an Air Quality Management Area (AQMA) and the site is not subject to or in close proximity to any heritage assets.

The site is in the 12km buffer for the Singleton and Cocking Tunnels SAC but is not in the SAC and is not in any other sensitive sites or any other environmentally sensitive local designations. I agree there are no statutory ecological designations either on site or in a 250m radius of the site boundary.

Paragraph: 017 (Reference ID: 4-017-20170728) of the PPG states: "Projects which are described in the first column of Schedule 2, but which do not exceed the relevant thresholds, or meet the criteria in the second column of the Schedule, or are not at least partly in a sensitive area, are not Schedule 2 development."

Therefore, it is not considered that the proposal is Schedule 2 development or within a sensitive site and as such, an Environmental Impact Assessment is not required.

This determination that an environmental statement is not required should not be seen as an indication of the Council's view on the planning merit of the proposal.

Yours sincerely



Neil Crowther
Group Head of Planning