

Luken Beck

**Request for Screening Opinion under Regulation 6 of the Town and County Planning
(Environmental Impact Assessment) Regulations 2017 (As amended).**

**Proposed residential development of up to 95 dwellings on Land adjacent Woodgate Nurseries,
Woodgate**

August 2021

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1 INTRODUCTION

- 1.1. This report has been produced by Luken Beck on behalf of Hanbury Properties (the 'Applicant') to assist Arun Council (ADC) in determining whether proposals for the erection of up to 95 dwellings, Public Open Space and supporting infrastructure, on land adjacent to Woodgate Nurseries, Woodgate, West Sussex, west of Lidsey Road (A29), would require an Environmental Impact Assessment (EIA) as defined within the Town and Country Planning (Environmental Impact Assessment Regulations) 2017 (the EIA Regulations), as amended.
- 1.2. The proposed development for the purposes of 'screening' comprises the erection of up to 95, two-storey dwellings with access from Lidsey Road (A29), associated Public Open Space, landscaping, and related infrastructure. A site location plan and indicative layout of the proposals are attached at Appendix 2.
- 1.3. This report supports a formal request for an EIA Screening Opinion for the proposed development.
- 1.4. In accordance with the procedures set out in Section 6(2) of the EIA Regulations, this request for an EIA Screening Opinion includes the following information:
 - A plan sufficient to identify the land;
 - A description of the location of the development, with particular regard to the sensitivity of the geographical areas likely to be affected;
 - A description of the development, including its physical characteristics;
 - A description of the aspects of the environment likely to be significantly affected by the development;
 - A description of the likely significant effects of the development on the environment resulting from the expected residues and emissions, and the use of natural resources;
 - Conclusions on the potential of the development for significant environmental effects.
- 1.5. To assist the Council with this process, the checklist used by the National Planning Casework Unit and the Planning Inspectorate when screening for EIA is attached at **Appendix 1** to this document.

2 SITE DESCRIPTION

- 2.1 The site is located adjacent to Woodgate Nurseries, Woodgate, West Sussex, 1 mile to the south of Westergate and 4 miles to the north of Bognor Regis along the A29. The site lies outside but adjacent to the built-up area of Woodgate, to the west of a Strategic Housing Allocation as allocated within the Adopted Arun Local Plan. The site is not subject to any statutory environmental designations and covers an area of 3.2 hectares comprising three agricultural fields, two to the south of Woodgate House that are regular in shape and one irregular field to the rear and north. The site benefits from a relatively flat topography, and is visible from the A29 which runs along its south eastern boundary as it enters Woodgate. The eastern boundary adjoins Woodgate House/Lidsey Road, whilst the northern and north-eastern boundaries abut existing residential dwellings. To the south and west of the site is open countryside and agricultural / horticultural holdings. The site is not located within the setting of any heritage assets; however, the southern section of the site does lie within an SSSI Impact Zone.

3 THE PROPOSED DEVELOPMENT

- 3.1 The proposed development comprises the erection of up to 95, two storey dwellings, Public Open Space and associated infrastructure with access from Lidsey Road. The dwellings will comprise a mix of detached, semi-detached and terraced dwellings together with a number of two storey apartment buildings. It is anticipated the design approach will comprise traditional, pitched roof properties with an approximate ridge height of 11m above finished floor level.

4 THE SCREENING PROCESS

- 4.1 The EIA Regulations are applied to specific types of development that may have significant effects on the environment. Development types are categorised in the EIA Regulations as Schedule 1 or Schedule 2 developments; the nature of the proposals, their location, and their scale being the determining factors, as to whether they are likely to have significant environmental effects.
- 4.2 Developments within Schedule 1, and those developments described in Schedule 2 that are likely to have significant environmental effects, are termed 'EIA developments'. Planning applications for such developments must be accompanied by an Environmental Statement (ES) prepared in accordance with the EIA Regulations.
- 4.3 Screening is the term applied to determining if a development is an EIA development.
- 4.4 The first stage of the screening process is to determine whether the development falls within Schedule 1 or Schedule 2. Development under Schedule 1 must be subject to EIA. Development described under Schedule 2 may be EIA development, depending on whether it is likely or not to have significant effects on the environment.
- 4.5 In the case of Schedule 2 projects, it is necessary to determine if the site is in a 'sensitive area' which are defined in the EIA Regulations including SSSIs, National Parks, AONBs, World Heritage Sites, and Scheduled Ancient Monuments. If the Site is within a sensitive area and the

proposals are likely to have significant effects on the environment, then the development is an EIA development, and an ES is required.

- 4.6 If the development is not located in a sensitive area, the next stage is to assess whether the development proposals exceed or meet any of the applicable thresholds and criteria for that particular type of development. These thresholds and criteria are related to the attributes (e.g. size of the Site, production / output, capacity of a facility) of a type of development, and not exceeding or meeting them is a firm indication that an EIA is not required.
- 4.7 If the development exceeds or meets any of the applicable thresholds and criteria, then it is termed a Schedule 2 development, and the next stage is to assess if it is likely to have significant effects on the environment.
- 4.8 This report follows the above screening process as it applies to the proposed development, to assist the Council in determining whether it is an EIA development, and consequently would require the preparation of an ES to accompany the planning application. The extracts of the flow chart (Figures 4.1 and 4.2) from the EIA Planning Practice Guidance 2014, (as amended) below have been used to assist the various stages of the process.

EIA SCHEDULE 1

- 4.9 The Proposed Development is **not** listed under Schedule 1 of the EIA Regulations. Therefore, the requirement for EIA is not mandatory.

EIA SCHEDULE 2

- 4.10 If the development does not fall within Schedule 1 of the EIA Regulations, it may be fall under Schedule 2. Where development is of a type described in Schedule 2, an EIA is more likely to be required if the site is located in a sensitive area, or the scale of the development meets or exceeds the applicable threshold which, in the case of residential development, is 150 dwellings or where the site area exceeds 5 hectares, neither of which apply to the proposals under consideration.
- 4.11 The proposed development is not specifically listed within Schedule 2 of the EIA Regulations, however, *Section 10 Infrastructure Projects*, and specifically, *section 10(b) Urban development projects, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas*, would be the nearest Schedule 2 category in terms of the proposed process and potential effects.

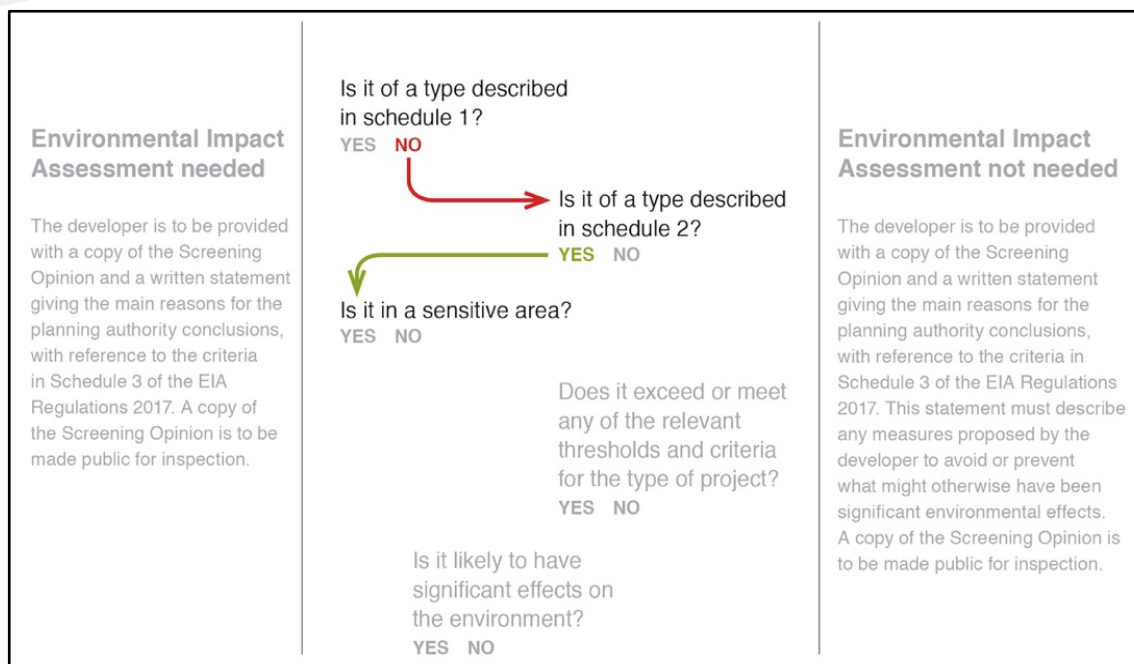


Figure 4.1 – Schedule selection process

SENSITIVE AREAS

- 4.12 Where a development is listed under Schedule 2, the next stage is to identify whether the proposed development is located in a 'sensitive area'. Sensitive areas defined in the EIA Regulations include:
- Sites of Special Scientific Interest (SSSIs) and their consultation areas
 - Land under nature conservation orders and international conservation sites
 - National Parks (including the Broads)
 - Areas of Outstanding Natural Beauty
 - World Heritage Sites
 - Scheduled Monuments
- 4.13 The site is **not** located within a 'sensitive area', as defined in the EIA Regulations. The requirement for EIA must now consider whether the proposed development exceeds applicable thresholds within Schedule 2.

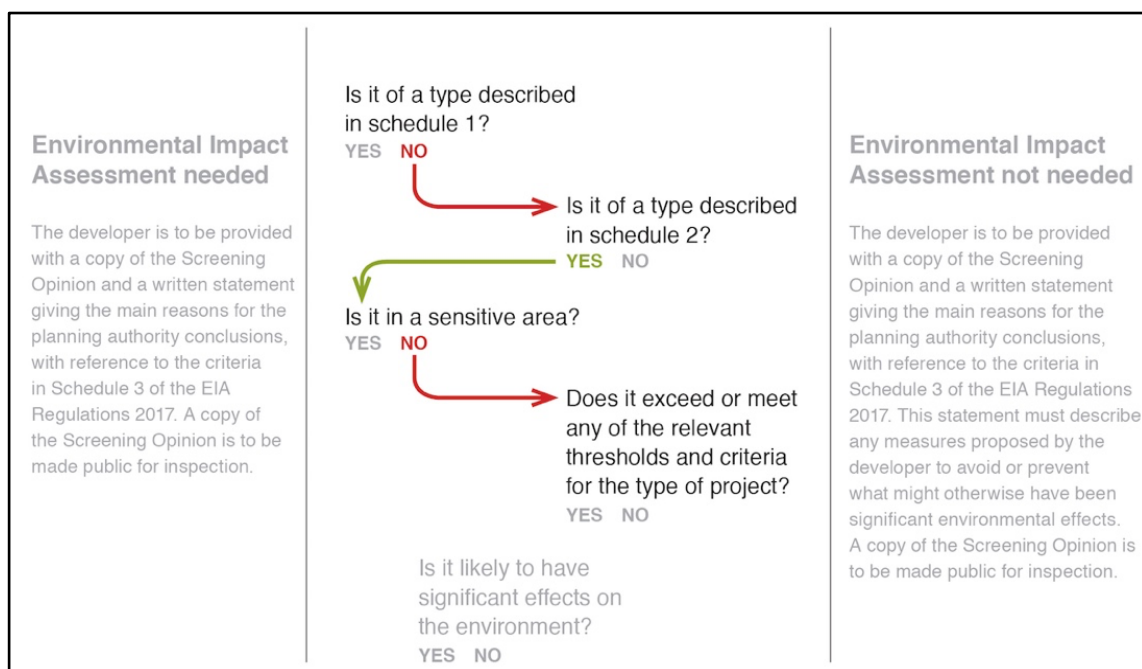


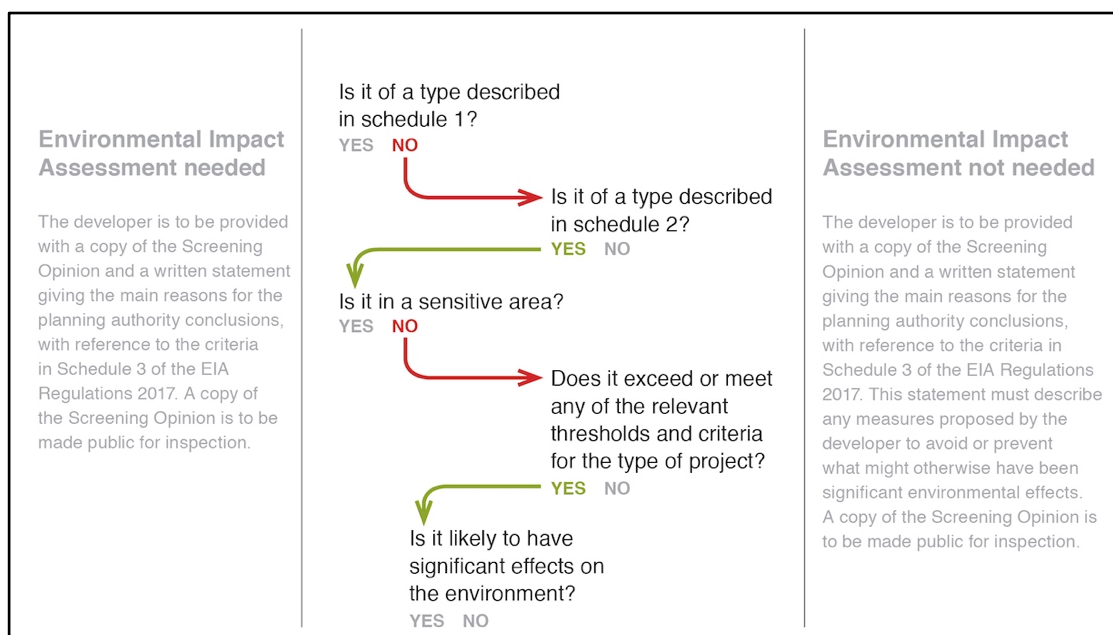
Figure 4.2 – Selection process: Site Sensitivity / Classification

APPLICABLE THRESHOLDS

4.14 With respect to section 10(b) of Schedule 2, the relevant thresholds are:

- (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***
- (iii) *The overall area of development exceeds 5 hectares.***

4.15 The proposed development does **not** exceed the above thresholds. Having established that the proposed development is **not** Schedule 2 development and is not located within any of the 'sensitive areas' prescribed in the EIA Regulations, the proposed development is unlikely to be EIA development. Consideration of the likelihood of significant environmental effects, notwithstanding, are made below having regard to Schedule 3 of the Regulations.



5 POTENTIAL ENVIRONMENTAL EFFECTS

- 5.1 The EIA Planning Practice Guidance 2014 (as amended) provides guidance and indicative thresholds on the potential for different forms of development to result in significant environmental effects.
- 5.2 With respect to section 10(b) of Schedule 2, the guidance suggests that EIA is unlikely to be required for *'the redevelopment of land unless the new development is on a significantly greater scale than the previous use, or the types of impact are of a markedly different nature or there is a high level of contamination.'* For sites that have not previously been intensively developed (as is the case for the Application Site), as advised above, the additional indicative criteria suggest that EIA is more likely to be required where:
- The area of the scheme is more than 5 hectares; or
 - It would provide a total of more than 10,000 m² of new commercial floorspace; or
 - The development would have significant urbanising effects in a previously non-urbanised area (e.g. a new development of more than 1,000 dwellings).
- 5.3 The Proposed Development will **not** exceed any of these criteria and therefore it is not considered that significant effects are likely.
- 5.4 The guidance also indicates that key issues to consider with respect to the potential for EIA to be required are the physical scale of development and the nature of potential impacts in terms of traffic, emissions or noise. These are considered below.

TRAFFIC

- 5.5 During the construction phase, the development will increase the number of daily traffic movements, however these will be temporary and over a short period of time. The magnitude of construction traffic flows is likely to be within daily variation on surrounding roads and as such is not considered to have the potential for significant impacts on the local road network including Lidsey Road.
- 5.6 Once operational, the development will generate additional vehicular movements and has the potential to increase the demand for public transport. An initial assessment has been undertaken by Highgate Transportation Consultants and this has assessed the likely trip generation from the proposed development as being low during peak times such that no significant impacts on highway capacity or safety are predicted.
- 5.7 A Transport Assessment and residential Travel Plan will be prepared and submitted as part of the planning application for the site, and the methodology for determination of trip generation / distribution would be agreed in advance with the Highway Authority. It is envisaged that a Construction Management Plan (CMP) would also be produced under a planning condition for the development. As a result, it is considered that no significant impact will arise to Lidsey Road or the wider network as a result of traffic generation both during construction and once occupied from the development.

NOISE AND VIBRATION

- 5.8 The construction phase of the development will create a source of noise, although this will be temporary over a relatively short period of time. There will be a number of existing residential receptors, including Woodgate House that could be affected by construction noise.
- 5.9 Construction noise impacts can be appropriately controlled using best practice construction techniques, and planning conditions (e.g. limiting hours of working and the requirement for a Construction Environmental Management Plan (CEMP)). For these reasons, significant construction noise impacts are not considered likely.
- 5.10 The nature of the operational phase of the proposed development (residential) is such that it is not considered likely to generate significant noise, although additional road traffic has the potential to increase noise levels.
- 5.11 In the event that EIA is not required, a Noise Impact Assessment will be produced which will include baseline noise levels to assess the potential impacts of noise from road traffic and provide information required for the design of the Site such that appropriate internal and amenity noise levels (e.g. BS 8233 / WHO criteria) can be achieved.

AIR QUALITY

- 5.12 The Proposed Development has the potential to change air quality on and in the vicinity of the Site through increases in traffic movements during the construction and operational phases and through dust emissions during construction. Given the residential nature of the development,

it is not expected that there will be any significant effects during the operational phase with regards to dust emissions.

- 5.13 During the construction phase of the development, the impact of dust emissions will be mitigated through the implementation of measures described in the Institute of Air Quality Management (IAQM) construction dust guidance. The implementation of a Dust Management Plan will reduce the residual dust effects to a level as categorised as not significant. This will be part of the submitted CMP for the site.
- 5.14 The site is not located within an Air Quality Management Areas (AQMA) and background air quality in the vicinity of the Application Site is considered to be generally good.
- 5.15 Taking into account the scale and nature of the proposed development, significant effects on air quality are considered to be unlikely.

ECOLOGY AND BIODIVERSITY

- 5.16 The planning application will include a range of ecological baseline assessments undertaken within relevant seasonal periods. A number of ecological surveys have been undertaken with no change in baseline conditions being recorded.
- 5.17 The site does not lie within any statutory or non-statutory sites for nature conservation,
- 5.18 The ecological baseline surveys undertaken by the Ecology-Coop have determined that the site does not accommodate any significant habitats or protected species although the existing landscaped boundaries are used for foraging bats. Notwithstanding this, no significant impacts on biodiversity are anticipated and overall biodiversity interests will be enhanced.
- 5.19 The Proposed Development will provide a Biodiversity Net Gain. Mitigation and enhancements to be included within the development are likely to include new native tree and hedgerow planting within open green space, multifunctional benefits from SuDS and a habitat enhancement creation scheme. The public open space will be suitably managed to enhance biodiversity.
- 5.20 The application will be supported by an Ecological Impact Assessment which will identify any biodiversity features or species affected and appropriate mitigation and enhancements will be recommended and secured via a Biodiversity Enhancement Plan. Therefore, the development is not likely to have significant effects on the biodiversity interest of the site and will in fact result in a biodiversity net gain having regard to the DEFRA biodiversity metric.

CONTAMINATION AND GROUND CONDITIONS

- 5.21 The proposed development of the Site for dwellings (many of which will have gardens) represents a high sensitivity end-use. The known use of the site is agricultural and consequently it is not anticipated that contamination will be significant, if at all.
- 5.22 During construction, there will be potential for the contamination of soils and / or groundwater through accidental spillage etc. but such impacts can be effectively mitigated through the use

of best practice procedures embedded within a Construction Environmental Management Plan. As such, no significant adverse ground conditions effects are considered likely during this phase.

- 5.23 The nature of the Proposed Development is such that end users are not likely to significantly contaminate the site during the operational phase therefore no significant effects are considered likely.

FLOOD RISK AND WATER MANAGEMENT

- 5.24 The Application Site is located within Flood Zone 1 and is classed as having a low risk of fluvial flooding. All construction projects have the potential to increase the risk of contamination to the water environment through leaks and spills, however these risks can be effectively controlled through the implementation of best practice.
- 5.25 During operation, new permeable surfaces will be present within the site, and to ensure that there is no likelihood of increasing the flood risk on or off the Application Site, a surface water management strategy will be implemented incorporating Sustainable Drainage Systems (SuDS).
- 5.26 In accordance with the requirements under the National Planning Policy Framework and its supporting guidance a Flood Risk assessment (FRA) and drainage strategy will be submitted as part of the planning application for the development.
- 5.27 Taking the above into consideration, it is therefore envisaged there will be no significant effects in relation to flood risk and water management.

LANDSCAPE AND VISUAL IMPACT

- 5.28 The development, like most, has the potential to give rise to environmental effects on landscape and visual amenity during the construction and operational phases.
- 5.29 During construction and because the existing fields will ultimately be lost to development, there will be a change when considered in the local area. If there is to be development of the site, this change will be unavoidable.
- 5.30 The development will include a range of landscaping proposals designed to reduce any adverse impacts arising from the development. As a result, and once complete, the development is not predicted to alter the key characteristics of the landscape in the area. Once the new landscaping has matured, the effect on landscape character will be negligible and not significant. Long term residual effects to the local area and immediate context are assessed as not significant. The Landscape Strategy for the Development will ensure no envisaged significant effects on the landscape character beyond the site itself.
- 5.31 The development, in isolation and cumulatively, will result in a change in views from rights of way adjacent to the Site and other publicly accessible locations. By virtue of the nature and context of the site, there will be no significant visual effects of the development on the immediate or wider area.

- 5.32 Although a change in landscape character at the site-level and change in views for receptors close to the Site will be largely un-avoidable, these can be appropriately assessed, reported and mitigated within a Landscape and Visual Impact Assessment submitted as part of a non-EIA planning application.

CULTURAL HERITAGE

- 5.33 The Proposed Development has the potential to impact on both below and above ground heritage assets.
- 5.34 During the construction phase, the activities associated with the ground disturbance have the potential to result in the complete or partial removal of any sub-surface archaeological remains. A desk-based assessment will inform the layout of the development and will be submitted as part of the planning application. It is likely that there will be a pre-commencement condition requiring the agreement of a Written Scheme of Investigation and subsequent implementation of a programme of archaeological investigation / recording. With this mitigation, there would be no likely significant effects to archaeology.
- 5.35 With respect to built heritage, the development will not affect the setting of any above ground, designated or non-designated heritage assets and therefore no significant impacts are likely on heritage.

SOCIO-ECONOMIC

- 5.36 The development may have a number of direct and indirect effects on the neighbouring community as a result of the new residential development, primarily through changes in population and demand for community services such as education, health care and community facilities. By virtue of the modest scale of the development and the envisaged requirement for appropriate provision / financial contribution to community facilities through Community Infrastructure Levy and/or a Section 106 Agreement, no significant effects are predicted.
- 5.37 The development will provide some local employment opportunities during its construction, however it is unlikely to create any direct jobs post construction. Whilst all employment generation is beneficial, the likely scale of change when compared to baseline unemployment levels is not likely to be significant in EIA terms.

HUMAN HEALTH

- 5.38 As the potential impacts relating to transport, air and noise as a result of the development are not considered to be significant, and taking into consideration the scale and nature of the proposed development, no potential for significant human health effects are anticipated.

CLIMATE

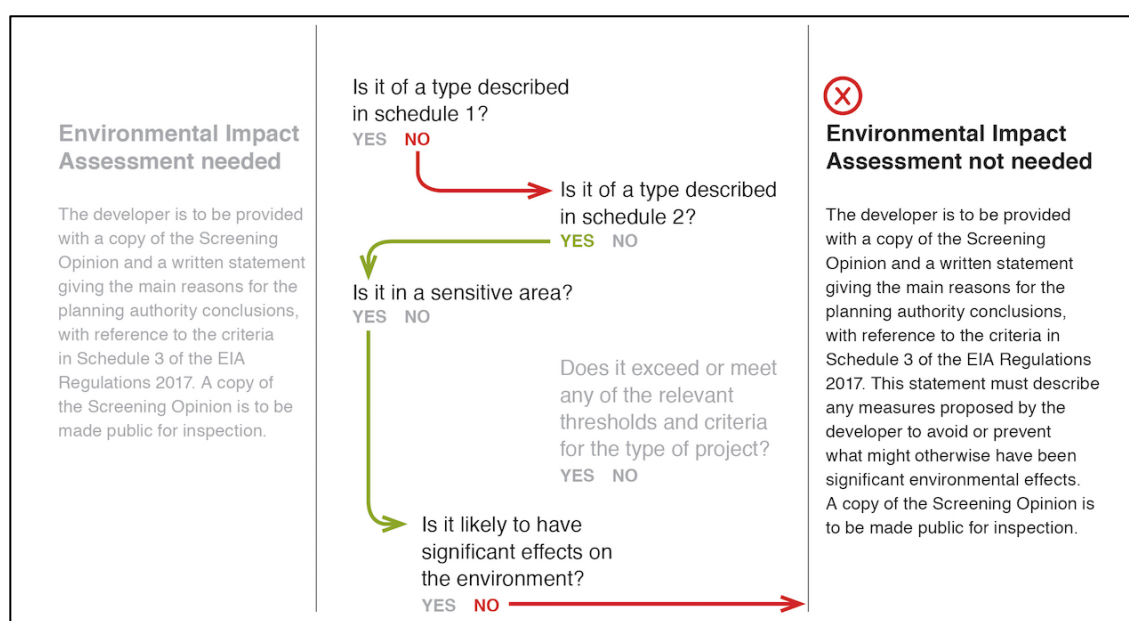
- 5.39 The scale and residential nature of the development is such that there will be no significant climate effects as a result. In keeping with best practice, allowances for climate change will be taken into account within the Flood Risk Assessment.

6 EIA SCREENING CHECKLIST

- 6.1 To assist to determine whether significant effects on the environment will arise the EIA checklist used by the National Planning Casework Unit and the Planning Inspectorate when screening for EIA is attached at **Appendix 1**. It is our view that having regard to this checklist, there will be no significant impacts arising from the proposed development such that EIA is not required.

7 CONCLUSION

- 7.1 Having assessed the potential key issues and the relevant criteria from the EIA Regulations and guidance from the PPG, it is considered that the development will **not** have the potential to generate significant environmental effects, and hence is not a development for which EIA should be required.



- 7.2 Luken Beck is formally requesting an EIA screening opinion from Arun District Council to determine whether the proposed development constitutes an EIA development.
- 7.3 This Request for an EIA Screening Opinion has been prepared to provide relevant information to assist Arun District Council in its determination of the screening opinion. The request has provided a description of the Site and its surrounding environment, a brief summary of the development proposals and an evaluation of the potential effect of the proposed development on the environment.

7.4 The Proposed Development has been assessed in accordance with the screening process set out in the EIA Regulations and this has concluded that:

- The Proposed Development is not Schedule 1 or Schedule 2 Development;
- The Application Site is not located within a sensitive area;
- The Proposed Development is not considered to have significant environmental effects;
- The Proposed Development does not require an EIA.

Whilst the decision remains with the Council, this screening request concludes that the proposed development will **not** require an EIA, as it is considered unlikely to result in significant environmental effects.

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