

**TOWN AND COUNTRY PLANNING
(ENVIRONMENTAL IMPACT ASSESSMENT)
REGULATIONS 2017 (as amended)**

Application Number: A/168/21/PL

Description: Erection of 76 No. dwellings, means of access, public open space, play areas, associated infrastructure & landscaping. This application is a Departure from the Development plan, is in CIL Zone 5 and is CIL Liable as new dwellings & affects a Public Right of Way.

Date Accepted: 17th August 2021

Assessment: **The application does not require the submission of an Environmental Statement because of the following reasons:**

Schedule 2 development: The application falls within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) and could have had the potential to impact on the environment in such a manner as is covered by these regulations. The following issues are considered relevant to this proposal and have been considered in coming to 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 only extends to 2.9ha below the applicable threshold of 5ha, and the number of dwellings of 76 does not exceed the applicable threshold of 150 and therefore EIA screening is not required.

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".

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:- "If a proposed project is listed in the first column in Schedule 2 of the 2017 Regulations and exceeds the relevant thresholds or criteria set out in the second column, the proposal needs to be screened by the local planning authority to determine whether significant effects on the environment are likely and hence whether an Environmental Impact Assessment is required."

The proposal is considered to be Schedule 2 development. In the case of schedule 2, an EIA is not automatically required unless the local planning authority considers that the development is likely to have significant effects on the environment.

It is necessary to consider the proposal against Schedule 3 of the Regulations which outlines the criteria to consider in determining whether development falling in Schedule 2 requires an EIA. These criteria include (1) the characteristics of the development (e.g., its size, design, cumulative impact along with other developments, use of natural resources); (2) the environmental sensitivity of the location; and (3) the characteristics of the potential impact (e.g., its magnitude and duration).

It is noted that the paragraph 018 (reference ID: 4-018-20170728) of the PPG states:

"While it is not possible to formulate criteria or thresholds which will provide a universal test of whether or not an assessment is required, it is possible to offer a broad indication of the type or scale of development which is likely to require an assessment. It is also possible to provide an indication of the sort of development for which an assessment is unlikely to be necessary. To aid local planning authorities to determine whether a project is likely to have significant environmental effects, a set of indicative thresholds and criteria have been produced. The table also gives an indication of the types of impact that are most likely to be significant for particular types of development.

However, it should not be presumed that developments above the indicative thresholds should always be subject to assessment, or those falling below these thresholds could never give rise to significant effects, especially where the development is in an environmentally sensitive location. Each development will need to be considered on its merits."

The indicative thresholds state:- "Environmental Impact Assessment 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." In respect of sites which have not previously been intensively developed, the following criteria are relevant:

- (i) The area of the scheme is more than 5 hectares; or
- (ii) it would provide a total of more than 10,000 m² of new commercial floorspace; or
- (iii) the development would have significant urbanising effects in a previously non-urbanised area (e.g., a new development of more than 1,000 dwellings).

The proposal exceeds criteria (i) but not (ii) or (iii). This Screening Response continues in response to the headings given within Schedule 3.

(1) Location of the Development

The site is located on the boundaries of Angmering and East Preston parishes. The site comprises a rectangular shaped piece of farmland. There are a number of trees along the site boundary. Some trees on the site boundary are subject to a Tree Protection Order (TPO). No built structures are located on the site.

Residential properties at Saxon Close adjoin to the west.

The site is located within Flood Zone 1 (low probability of flooding).

The site does not include any heritage assets and does not adjoin any. It is not considered this is an environmentally sensitive site, and that any environmental impacts are likely to be local in nature.

(2) Characteristics of the Development

The development comprises 76 dwellings, residential dwellings; supporting car and cycle parking infrastructure; and associated hard and soft landscaping works, including green space. Access will be gained from the A259.

The completed Development will include landscaping that will deliver beneficial landscaping, tree planting and amenity spaces.

The characteristics of the development are not likely to be significant in the context of the EIA regulations.

(3) Characteristics of the Potential Impacts

It is not considered the characteristics of the likely impacts are such that they are particularly significant, or long lasting, that they affect a significant area of the district or that they are complex in nature.

It is not considered likely that the development results in any significant harm to ecological interests and that any harm can be mitigated through planning conditions and through the approval of an appropriate layout (such as by the areas of open space, drainage features and integration of trees and landscaping). The site is not at risk of flooding.

The development of the site will not directly affect any heritage assets whilst those in the wider landscape will be protected as a result of the distance to them.

Although there will be a new access and consequentially a significant and noticeable increase in vehicular and other modes of traffic accessing the site, it is not considered this impact will be significant (in the context of the EIA Regulations). The impact of additional traffic on the adjacent road will not itself be particularly noticeable.

It is not considered that landscape impacts will be significant in the context of the EIA regulations. The surrounding landscape is flat, and the site is adjoined by existing development. Landscaping and tree planting to the boundaries of the site are likely to be sufficient to ensure that there is no significant or long-lasting impact on the wider landscape.

Although the construction phase will result in some impacts (such as noise/dust) on the local population, these effects are likely to be temporary and, provided suitable mitigation measures are put in place, not significant.

Cumulative Effects

It is noted the PPG paragraph 024 (Reference ID: 4-024-20140306) states with regard to cumulative effects:- "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".

There have been a number of recent approvals. There is a neighbouring residential approval comprising 72 new homes (Planning Ref. LU/330/18/PL) (currently under construction) to the north and north east, and the Fitzalan Link Road to the west. Land north of Toddington Lane, Littlehampton BN17 7PP (Ref: LU/47/11/) was approved January 2013 and is currently under construction and comprised outline permission with some matters reserved for mixed use development comprising: demolition of existing buildings and structures, up to 1,260 residential dwellings (out of a potential 1,460 dwelling masterplan), up to 13,000 sqm of B1 employment floorspace (including 3,000 sqm Enterprise Centre), up to 3,500 sqm of Class A local facilities, a 100 bed hotel, 60 bed care home, a new 2 Form Entry primary school, community centre, youth and leisure facilities, combined heat & power plant, extension to existing household recycling centre, landscaping, replacement and additional allotments, multifunctional green infrastructure including sports pitches (& associated changing facilities), informal open space, children's play areas, primary vehicular access from a new access from the A259 bridging over the railway line with additional access from Mill Lane & Toddington Lane.

It is considered that the proposed 110 houses, when considered alongside the existing approved developments, will not result in any significant impacts and that any harm will be local to Littlehampton and the surrounding area.

Conclusion

Having considered the above factors and having had regard to the nature & scale of the proposal, it is not considered that the proposed development has the potential to result in significant impacts on the environment. The impacts would be relatively small-scale and localised and will be mitigated in accordance with standard methods including by conditions, a s106 legal agreement and the Community Infrastructure Levy. As such, it is considered that the proposal does not constitute EIA development and as such an Environmental Statement is not required in this instance.