Date: 29 April 2010
Our ref: SEG.24.02.010
Your ref: A/53/10/EIS

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By email only, no hard copy to follow

Dear Mr Crowther

Environmental Impact Assessment Scoping Report for mixed use development on land at Weavers Hill, Angmering.

Thank you for your letter of 8th April 2010 regarding the above. Case law[1] and guidance from the Office of the Deputy Prime Minister[2] has stressed the need for a full set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant planning permission. Natural England therefore advises that the Environmental Impact Assessment (EIA) should give full consideration to:

1. Sites of Special Scientific Interest (SSSIs) and sites of European or international importance (Special Areas of Conservation, Special Protection Areas and Ramsar sites).

The development site is not within or adjacent to any designated nature conservation sites. The nearest sites are Climping Beach SSSI and Arundel Park SSSI, both of which are almost 6km distant. Further information on the SSSIs can be found at www.natureonthemap.org.uk or by request from this office.

The nearest sites of European importance are the Arun Valley SPA, approximately 9km away, and the Duncton to Bignor Escarpment SAC, approximately 12km away. European sites (e.g. designated SPAs or SACs) fall within the scope of the Habitats Regulations[3]1994. Government policy, stated in PPS9 and Ramsar Sites in England: A Policy Statement (DETR 2000)[4], stipulates that Ramsar Sites be treated as if they are fully designated European sites for the purpose of considering development proposals that may affect them. Under Regulation 48 of the Habitats Regulations an appropriate assessment needs to be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site.

2. Landscape Character and Designated Areas
To ensure that the proposed scheme does not adversely affect the character of the surrounding countryside, we recommend that consideration should be given to the following aspects in the environmental impact assessment:

- The potential impact of the scheme on the landscape character and visual amenity of the surrounding area.

[1] Harrison, J in *R. v. Cornwall County Council ex parte Hardy* (2001)
[2] *Note on Environmental Impact Assessment Directive for Local Planning Authorities* (April 2004)
[3] *The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended)*
[4] http://www.ramsar.org/wurc/wurc_policy_uk_england.htm

- The detailed design of the proposed improvements should seek to respect and enhance local character and distinctiveness, and use appropriate materials and designs in all new built features.
- The development site is within/adjacent to the following designated area:

South Downs National Park
The South Downs was officially designated as a National Park on 31 March 2010. The core area of the National Park encompasses the previous East Hampshire and Sussex Downs Areas of Outstanding Natural Beauty, along with surrounding countryside and settlements.

The two purposes of a National Park are laid out in Section 61 of The Environment Act (1995):

1. Conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park;
2. Promoting opportunities for the understanding and enjoyment of the special qualities of (the) areas by the public.

Section 62 of the Environment Act requires that in exercising or performing any functions in relation to, or so as to affect, land in a National Park, any relevant authority shall have regard to national park purposes. If there is a conflict between those purposes, authorities shall attach greater weight to the purpose of conserving and enhancing the natural beauty (also known as the Sandford Principle).

The development site lies approximately 100m from the National Park boundary and the Environmental Statement should include a full assessment of any possible visual impacts on this designated landscape. The South Downs National Park Authority becomes the Local Planning Authority for the South Downs National Park on the 1 April 2011. Until that time, or until other arrangements are made, Natural England recommends that the opinions of the South Downs Joint Committee are still sought, if they have not already been, in order to ensure that planning issues regarding this proposal take into account the various issues that arise as a result of the National Park designation.

Heritage Landscapes
You should consider whether there is land in your area qualifying for conditional exemption from capital taxes on the grounds of outstanding scenic, scientific or historic interest. These are considered to be designated landscapes of national importance and the impact of your plan on these should be assessed where appropriate. An up to date list for the SE Region may be obtained at www.hmrc.gov.uk/heritage/lbsearch.htm and further information can be found on Natural England's landscape pages at www.naturalengland.org.uk.

Landscape and visual impacts
Natural England would wish to see details regarding local landscape character areas mapped at a scale appropriate to the development site and any relevant management plans or strategies pertaining to the area. The EIA should include assessments of visual effects on the surrounding area and landscape together with any physical effects on the development, such as changes in topography.

The EIA should include a full assessment of the potential impacts of the development on local landscape character using landscape assessment methodologies. We strongly advocate 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 2002. 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, as detailed proposals are developed. Guidance on LCA, published by the Countryside Agency and Scottish Natural Heritage, is available at:
http://www.countryside.gov.uk/LAR/Landscape/CC/landscape_character_assesment.asp.

In order to foster high quality development that respects, maintains, or enhances, local landscape character and distinctiveness, Natural England would encourage all new development to consider the character and distinctiveness of the area, with the design and outlay of all elements of a

proposed development reflecting local design characteristics and wherever possible using local materials. The Environment Impact Assessment process should detail the measures to be taken to ensure the building design will be of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit.

3. Access and Recreation
Natural England would encourage any proposal to incorporate measures to help encourage people to access the countryside for quiet enjoyment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways are to be encouraged. Links to other green networks or urban fringe areas should also be explored to help promote the creation of a wider green infrastructure. To this end, relevant green infrastructure strategies put in place by local authorities should be incorporated where appropriate.

4. Species protected by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2010
We strongly recommend that surveys for protected species (including, for example, great crested newts, reptiles, water voles, badgers and bats) should be carried out within the area affected by the development.

If any protected species are found the Environmental Statement should include details of:

- The species concerned;
- The population level at the site affected by the proposal;
- The direct and indirect effects of the development upon that species;
- Full details of any mitigation or compensation that might be required;
- Whether the impact is acceptable and/or licensable.

In order to provide this information there may be a requirement for a survey at a particular time of year. Surveys should always be carried out by suitably qualified and where necessary, licensed, consultants.

The great crested newt, dormouse and all species of bats are European protected species such that it is illegal to intentionally kill, injure or otherwise disturb them. If any of these species are found to be present you should also consult Natural England's Wildlife Management and Licensing Unit in Bristol (Tel. 0845 6014523) about licensing implications before any work can proceed.

5. Other features of nature conservation interest, e.g. habitats and species identified within the UK and County Biodiversity Action Plans.
Natural England advises that a habitat survey (analogous to Phase 2) is carried out on the site, in order 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 BAP priority habitat);
- The direct and indirect effects of the development upon those habitats and species;
- Full details of any mitigation or compensation that might be required.

The development should avoid adversely impacting the most important wildlife areas within the site, and should if possible provide opportunities for overall wildlife gain.

6. Agricultural Assessment
As part of the appraisal of the farm holdings affected by the proposals it should be noted that the eastern part of the proposed development site currently forms part of an Entry Level Stewardship agreement. This is a basic agri-environment scheme managed by Natural England. The landowners should be aware that they may have to repay the money received under this agreement and could be charged interest for any recouped money.

7. Cumulative and in-combination effects.
The EIA should include an impact assessment to 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. To carry out the assessment of cumulative and in-combination effects, the following types of projects should be included. (Subject to the availability of 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
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.

I trust these comments are helpful but please do not hesitate to contact me if you require any other information.

Yours sincerely



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