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London
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Date: 11th November 2020

Please ask for: James Cross

Tel: 01903 737784

Your Ref:

Our Ref: BN/112/20/EIS

Dear Mr Slatford,

Town & Country Planning Act 1990 (as amended)
Town & Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)

Environmental scoping opinion for up to 1500 dwellings, community facilities, local centre (shops and services), a primary school and associated playing fields and early years provision (nursery).

Land at Barnham, Eastergate and Westergate

Scoping Opinion

I write with reference to the above submission made on Monday 31 August 2020. You will have seen the full consultation responses to this request on the Council's website already and I do not propose to provide these again but they should be read as attachments to this letter. I have attempted to summarise these comments but please refer to these in full as well, as they provide more detail concerning the content and scope of the EIA and the contents of the ES. Below I set out the Council's formal Scoping Opinion.

1. CLASSIFICATION OF THE PROPOSED DEVELOPMENT AND THE REQUIREMENT FOR AN ENVIRONMENTAL IMPACT ASSESSMENT

1.1 The current Regulations are the Town and Country (EIA) Regulations 2017 which came into force on 16 May 2017. These were amended by the Town and Country Planning and Infrastructure Planning (Environmental Impact Assessment) (Amendment) Regulations 2018 which came into force on 01 October 2018 (together the '2017 EIA Regulations'). The EIA Scoping submission confirms the subsequent ES will be prepared with regard to the 2017 EIA Regulations.

1.2 The development falls within Part 10(b) of Schedule 2 of the 2017 Regulations as an urban development project which included more than 150 dwellings.

1.3 For Schedule 2 developments, the 2017 Regulations require that an EIA is undertaken where development is likely to have significant effects on the environment by virtue of factors such as its

nature, size and location.

1.4 Schedule 3 of the 2017 Regulations goes on to identify the characteristics of the development, the sensitivity of the location and the characteristics of the potential impact as the key 'Selection Criteria for screening Schedule 2 development'. In light of these, EIA will be required for Schedule 2 development in three main types of cases:

- 1 - Major development which is more than of local importance;
- 2 - Developments located in particularly environmentally sensitive or vulnerable locations; and
- 3 - Developments with unusually complex and potentially hazardous environmental effects

1.5 The Local Planning Authority (LPA) consider that the development fulfils the first two of these criteria and therefore triggers the requirement of an Environmental Impact Assessment.

1.6 It is considered that the development should be subject to EIA to ensure that any likely significant effects can be identified, and mitigations and monitoring measures specified as required.

2. THE SITE

2.1 The site falls between Barnham, Eastergate and Westergate in West Sussex. It is situated on the Sussex coastal plain east of Chichester, north of Bognor Regis and north-west of Littlehampton.

2.2 The three villages are located in close proximity to one another, separated by open agricultural land. The characteristics of the coastal plain define the area, namely low-lying fields divided by planting and some watercourses linked to the Lidsey Rife. The site slopes towards the Lidsey Rife as part of the natural topography.

2.3 The scoping boundary includes an area of approximately 120 hectares. The total area within the Strategic Allocation is circa 270 hectares which extends north of Barnham Road, Westergate Street and Lidsey Road to the west, and the existing settlement edge of Barnham to the east.

2.4 The site is currently and primarily in agricultural use.

2.5 The site is located to the east of the A29 and is bound to the north by residential properties in Eastergate and Barnham. To the south the site is bound by agricultural land and the site is divided across the centre, west to east, by the East Coastway railway line between Portsmouth and Brighton.

2.6 The boundary of the north eastern portion of the site runs adjacent to St Philip Howard Catholic School and is bounded by agricultural land in the south. Lidsey oil field and the Southern Water Waste Water Treatment Works are located to the south east of the site.

2.7 The nearest railway station is Barnham Railway Station which is located approximately 1.5km from the centre of the Site, and runs frequent services to Chichester, Brighton, Southampton, London and Gatwick Airport.

2.8 There are several bus stops around the periphery of the allocation Site, these are located along the A29 and B2233 Barnham Road, providing services to Bognor Regis, Chichester, Arundel and Walberton.

2.9 The northern part of the site is approximately 300 metres from the A29, and the boundary meets the A29 at the southern area. The Site is also approximately 2km south of the A27.

2.10 Three Conservation Areas lies close to the site comprising The Square, Eastergate; Church Lane, Eastergate and Church Lane, Barnham. Remnants of the Portsmouth and Arundel Canal is present

along the southern boundary of the site.

2.11 There are no designated heritage assets within the site; however, there are a number of listed buildings (Grades I, II and II*) located in the areas surrounding the site, to the northwest along the A29 through Westergate, at Eastergate and to the east of the site near to Barnham. Further Grade II listed buildings are located along the B2233 (Nyton Road/Barnham Road) to the north of the site.

2.12 The site has direct views to the South Downs National Park to the north; the nearest boundary is approximately 2km to the north of the site (beyond the A27 trunk road).

2.13 There are no Air Quality Management Areas within the District of Arun. The nearest AQMAs are located along the A27 in the District of Chichester.

3. PROPOSAL

3.1 The submission details that a hybrid application will be submitted in respect of the proposed development with detailed design of key infrastructure with the remainder of the development being in outline. A series of parameters will be established for those areas that will be in outline. This response assumes that the application will proceed on this basis.

3.2 The submission details that the development will provide up to 1,500 dwellings. The dwellings will be a mix of type, size and tenure. Maximum building heights across the site will vary from between 12 metres (2.5 storeys) and 18 metres (4 storeys).

3.3 The development will also provide community facilities, a local centre (shops and services), a primary school and associated playing fields and early year provision (i.e. a nursery).

3.4 The Scoping Opinion also considers the provision of Phase 2 of the A29 realignment between Barnham Road to a new junction on the A29 south of Lidsey Bends. It includes a connection from the realigned Phase 2 A29 route to the existing A29 through Hanbury Properties land parcel. This is referred to as the 'Hanbury Spur'.

3.5 A red line plan has been submitted in Appendix 1 which identifies the land subject of the EIA Scoping Opinion.

4. SCOPE OF THE ENVIRONMENTAL STATEMENT

4.1 Every Environmental Statement (ES) must provide a full factual description of the development, and consideration of the 'main' or 'significant' environmental effects to which the development is likely to give rise. The ES should, wherever possible, avoid the use of jargon and be written in plain English.

4.2 Every ES must also contain all of the information set out in Part 5 of Schedule 18 to the EIA Regulations, along with such information from Part 5, Schedule 18(3) as is reasonably required to assess the effects of the projects. The ES should therefore contain:

- A full description of the development;
- Measures to avoid/reduce/remedy significant adverse effects;
- Data to identify and assess the main environmental effects;
- An outline of the main alternative, options and sites considered; and
- A non-technical summary

4.3 The following sets out Arun District Council's views as to what main/significant areas will need to be considered within any forthcoming ES. It does not prevent Arun District Council from further request for information at a later stage, if deemed necessary.

LANDSCAPE AND VISUAL IMPACT

4.4 Natural England has provided advice on the scope of the ES in relation to Landscape and Visual impacts. ADC has provided advice under separate cover on the location of the proposed viewpoints that will form the basis of the visual impact assessment.

4.5 Comments received from the South Downs National Park Authority have concluded:

LANDSCAPE & VISUAL EFFECTS

- Whilst the site is 2km (at its closest) to the boundary of the South Downs National Park, it is located in the low lying coastal plain with potential for clear views from a number of high points within the SDNP according to our own View Characterisation and Analysis (2015) and accompanying cumulative Viewshed Map.

- We agree with the proposed viewpoints to be considered, and in particular viewpoint 17 - Halnaker Windmill

- Any work associated within the Landscape and Visual impact chapter of the Environmental Statement should explore, using evidence, how the proposed development will impact the setting of the SDNP, both in visual and landscape character terms. This will be a fundamental element of the baseline studies as it will help to determine the significance of a number of strands of evidence to produce a holistic understanding of the landscape character of the site and any potential impacts on the SDNP.

4.6 Comments received from the Natural England have concluded:

- The EIA should include assessments of visual effects on the surrounding area and landscape together with any physical effects of the development, such as changes in topography.

- The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. In this context Natural England advises that the cumulative impact assessment should include other proposals currently at Scoping stage. Due to the overlapping timescales of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping Stage would be likely to be a material consideration at the time of determination of the planning application.

4.7 Appendix 2 of the EIS Scoping submission details 21 viewpoints identified from a range of locations. The methodology underpinning the LVIA work has been agreed outside of this process with ADC Officers; however, this agreed methodology should be incorporated into the submitted ES.

4.8 The ES should include a night time character assessment to fully consider the impact which the development will have on the dark skies agenda.

4.9 Whilst the Landscape Capacity of Strategic Sites in Arun District (February 2017) details the majority of the site varies from low-medium capacity, a wider area than the red line area proposed should be taken forward to fully consider the wider landscape and visual impact.

4.10 The proposed ES should detail the inclusion of a Site Level Landscape Character Assessment, to be agreed with Officers. Such an assessment should be included within the submitted ES.

4.11 The LVIA forming part of the ES should be undertaken in accordance with the principles set out by the Landscape Institute and Institute of Environmental Management and Assessment in the Guidelines for Landscape and Visual Impact Assessment, Third Edition (2013) and guidance on Landscape Character Assessment produced by the Countryside Agency (now Natural England) and Scottish Natural Heritage (2002).

4.12 Verified Visual Images/Montages (VVI/M's) included within the LVIA chapter of the ES shall be

prepared in accordance with the Technical Guidance Note 06/19 on Visual Representation of Development Proposals (Landscape Institute, 17 September 2019) - as set out in the methodology in Appendix 3 of the EIS Scoping submission.

4.13 A Lighting Assessment will be appended to the ES and effects during the night-time will be considered in the LVIA chapter as appropriate.

4.14 The South Downs National Park Authority response highlights that:

- The submitted EIA Scoping Report appears to scope out light pollution but it should be noted that the SDNP is designated as an International Dark Night Skies Reserve (DNS Reserve).
- Development outside of the National Park (even when in close proximity to existing sources of sky glow) can adversely affect sky quality within the DNS Reserve
- We would therefore advise that any lighting impacts should be assessed in terms of both the visual impact on the setting and tranquillity of the SDNP resulting from the visibility of additional luminaries in the landscape, as well as the impact the proposed development may have on the quality of the dark night skies of the DNS Reserve.

4.15 ADC will require other land within the strategic allocation outside of the control of the applicant to be given consideration; subject to relevant information being available.

4.16 Subject to the above, and the comments set out in the NE response found on the EIS Scoping file, the scope of the Landscape Character and Visual Impact Assessment is agreed.

GROUND CONDITIONS, CONTAMINATION AND SOILS

4.17 Environment Agency have not provided comments in respect of this EIA Scoping opinion. The comments received from Environmental Health in respect of the above matters concluded that:

- The site is adjacent to some areas of land which have been identified as potentially contaminated and would require further investigation before development
- Providing a report which follows the Methodological Approach set out in section 15.9 of the submitted EIA Scoping Report is submitted alongside the planning application it is acceptable for this to be scoped out of the EIA

4.18 The EIS Scoping submission sets out that in view of the historical and current land uses, that the potential for any risk of contamination for future users of the site or environmental receptors is low.

4.19 The submission details that a review of the available historical mapping information indicates that the entire area is currently undeveloped farmland with no historical development of any significant being identified.

4.20 However, the LPA expects site investigations to be undertaken at application stage to reflect the localised nature of contamination.

4.21 The submission sets out a number of documents to be submitted alongside the planning application which comprise:

- o A Preliminary Risk Assessment (PRA);
- o A Site Investigation (SI) based on the PRA;
- o A Verification Plan (if required) to demonstrate that the detailed methods are complete and identify any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action

4.22 The LPA has adequate scope and control to address impact on receptors throughout the

construction phase through details submitted at application stage and via discharge of conditions.

4.23 The operation phase, owing to the anticipated land uses set out in the Local Plan policy, are unlikely to have any impact upon receptors. Further, any fuels or chemicals stored on the site will be required within the ES to demonstrate their storage will be undertaken in accordance with best practice which would avoid uncontrolled release to the environment.

4.24 Paragraph 15.14 of the submission details the site lies within a potential Radon affected area (maximum potential 1 - 3%). However, this can be checked and safeguarded on an area by area basis at planning application/discharge of condition stage. This is not an impediment to development subject to a technical solution being considered acceptable at the relevant point throughout the process.

4.25 Based on the information provided within the EIS Scoping submission, the LPA agree that it is unlikely the site would pose any significant risk of contamination and, in conjunction with further works planned to quantify any potential contamination risk, Ground Conditions, Contaminations and Soils can be scoped out.

NOISE AND VIBRATION

4.26 Comments received from Environmental Health concluded that:

- I have concerns about cumulative noise from road and rail sources affecting residents of the new development and the noise assessment should ensure that it takes into account all potential noise sources in combination;
- Environmental Health would expect to see that the submitted noise assessment includes a scheme that proves internal noise levels within all new residential properties will conform to the "Indoor Ambient Noise Levels for Dwellings" guideline values specified within Table 4 under section 7.7.2 of BS 8233:2014 and demonstrates that the external noise levels within the curtilage of residential units will conform to the "Design Criteria for External Noise" upper guideline value of 55 dB LAeq,T as specified within section 7.7.3.2 of BS 8233:2014;
- Noise assessments should also include noise and vibration from any proposed or existing pumping stations and electrical sub stations which may impact the noise environment.

4.27 The LPA requires the ES chapter on Noise and Vibration to assess the likely significant effects of the construction and operational phases of the development on the environment, with respect to noise and vibration.

4.28 Noise levels deriving from road sources may be subject to change due to changes in traffic flows from nearby and surrounding developments. To account for these variations and changes in baseline conditions, modelling should be undertaken in accordance with the Department of Transport Calculation of Road Traffic Noise (1988; as recommended in the Design Manual for Roads and Bridges (LA111).

4.29 Noise and Vibration assessments should be conducted in accordance with the principles set out in the National Planning Policy Framework (July 2018) or any document in succession, NPPG guidance and the Arun Local Plan (2011-2031), Guidelines for Environmental Noise Impact Assessment published by the Institute of Environmental management and Assessment in 2014.

4.30 Construction and road traffic noise assessments, within the Environmental Statement, should be undertaken using software which meets the requirements for Quality Assurance of software for the calculation of sound outdoors, according to DIN45687 and OSP17534 Series, and fully implements the UK calculation methodologies such as Calculation of Road Traffic Noise (CRTN) and BS5228-1:2009 + A1:2014, used for construction noise predictions.

4.31 Subject to the above, and the comments set out in the EIS Scoping file, the scope of Noise and Vibration is agreed.

AIR QUALITY AND DUST

4.32 Comments received from Environmental Health concluded that:

- I am disappointed to see that no real monitoring of air quality is planned as part of the EIA. The Council's two closest air quality monitoring sites are in Barnham and at the level crossing in Westergate. However, these are new sites which have only been in existence since January 2020 and have been disrupted by Covid 19 so there is very little real data from the area. I would therefore recommend that baseline data is gathered from the area through real monitoring rather than relying on predictions and modelling. Monitoring locations should be approved by the Council's Environmental Health Team prior to commencement
- Traffic data used in the modelling should be based on worst case scenario figures and be projected into the future so that we are not faced with an air quality problem a few years after completion
- The rerouting of the A29 is going to bring a major new road source close to the proposed housing and this raises significant concerns from both air quality and noise perspectives. I would therefore expect to see careful site layout planning to ensure that new residents are not exposed to unacceptable air quality and that projected increases in traffic levels over future years once the road and housing are fully occupied are taken into consideration to ensure that air quality objectives will not be breached within a few years of completion
- The Government has plans to introduce new air quality targets as part of the Environment Bill, including objectives for PM2.5. Although these objectives are not yet known it would be useful for the air quality assessment to include PM2.5 in the area during operation as well as construction phases
- An application should also include mitigation measures to reduce road traffic in the area including but not limited to electric vehicle charge points for every home with a drive or garage as well as public charging points for residents without allocated parking and visitors as well as at all business and community facilities e.g. school, community centres. The Council's existing requirements can be found in the Arun District Council Electric Vehicle Infrastructure Study (November 2017)
- There is no mention in the document of any assessment of odour from the sewage treatment works close to the southern site boundary. It is not clear from the maps whether any housing is proposed in this area of the site but if it is an odour assessment will be required. If no housing is proposed in this area this should be made clear so that odour can be discounted as a potential issue.

4.33 Arun District Council does not have any Air Quality Management Areas designated within their District; though nearby road junctions within the District of Chichester do contain such designations. The ES Chapter on Air Quality and Dust should take into account the wider, in-combination effects, on air quality within those nearby AQMAs.

4.34 The ES Chapter will need to give regard to the Air Quality and Emissions Mitigation Guidance for Sussex (2020) and any other relevant air quality standards and assessment criteria. The advice of Arun District Council's Environmental Health Team should be sought in formulating this chapter, including the establishment of the baseline conditions and receptor points. The LPA will require receptor points at both existing and new points within the proposed development to determine construction and operational effects of the development on air quality.

4.35 The EIS submission highlights that owing to the size of the development a construction and dust assessment will be required. The assessment methodology shall accord with that set out in the Institute of Air Quality Management's Guidance on the Assessment of Dust from Demolition and Construction. The ES will need to conclude, subject to appropriate mitigation measures commensurate with the in-combination impacts, will determine the appropriate level of mitigation required to ensure no significant effects.

4.36 The ES chapter on Air Quality and Dust shall include an assessment on roadside pollutant concentrations and the impacts of the development-generated traffic changes. This assessment should be based on predictions deriving from the ADMS-Roads Dispersion Model and verified against

local monitoring data. The model shall predict existing baseline pollutant concentrations and likely concentrations in the future, both with and without the development.

4.37 The LPA will require the ES Chapter on Air Quality and Dust to ensure that no new homes are introduced into areas of unacceptable air quality. If the assessment suggests that such a situation will occur then the design shall be amended accordingly.

4.38 Subject to the above, and the comments set out in the EIS Scoping file, the scope of Noise, Vibration, Air Quality and Dust is agreed.

WATER ENVIRONMENT AND DRAINAGE: FOUL & SURFACE WATER DRAINAGE

4.39 The comments received from Portsmouth Water confirm that no adverse comments are required from a groundwater quality protection perspective, given the site is outside a groundwater source protection zone for their public water sources. The comments received from Southern Water in respect of foul and surface water drainage conclude that:

- Southern Water's current sewerage records show that there are foul sewers within the proposed development site/s. No new development/building works will be permitted to be constructed over or within 3.0 metres of the existing foul sewers.
- Due to the size of the development and to protect the premises from the impact of sewage flooding, an assessment is required to ascertain an appropriate point of connection to the foul and surface water sewerage network.
- Southern Water requires a formal application for a connection to the public foul and surface water sewer to be made by the applicant or developer.
- Where surface water is being discharged to our network, we require the below hierarchy for surface water to be followed which is reflected in part H3 of the Building Regulations.

4.40 The Water Environment and Drainage chapter in the ES shall include details on surface water and groundwater resources (quantity and quality), impacts on flood risk to the site and wider area and the existing and foul water, including sewerage infrastructure.

4.40.1 The contents of Policy W DM1(3) should be fulfilled as part of a full Drainage Impact Assessment which will detail the capacity of the Waste Water Treatment Works (WWTW), in combination with other committed, anticipated and phased development. The LPA will only allow for the release of properties in line with capacity at the nearby WWTW. Sufficient evidence will be required within the ES to allow the Council to satisfy themselves in respect of this issue.

4.41 All evidence based documents, including the Flood Risk Assessment, shall be prepared in line with relevant planning policy and guidance shall comprise part of the Technical Appendices to the ES. This shall take into account both national and local planning policies, including local guidance (as set out in the EIS Scoping submission) related to flood risk and climate change.

4.42 This Chapter of the ES, and its associated technical assessments which underpin the Chapter, should be prepared in conjunction with both the Council's relevant technical teams and Environment Agency; including, but not exclusively, their up to date mapping relevant at the time of submission.

4.43 The EIS Scoping Opinion does not confirm whether the site falls within either a Nitrate Vulnerable Zone (NVZ) or Source Protection Zone (SPZ). Should further studies conclude that the site would affect any of these zones the ES should incorporate mitigation to be agreed with Southern Water and/or Natural England in respect of any impacts. Such impacts, if any, should take into account in-combination effects.

4.44 The LPA will require the applicants to the relevant pages of the Arun Strategic Surface Water

Management Study (October 2016) which provides a framework and recommendations for surface water drainage at strategic sites. It includes information about the issues on the site, which include surface water flooding, waterlogging and high groundwater levels. The next steps and recommendations section of the Stage 3 report identifies actions which should be addressed through the ES as part of the FRA.

4.45 Impacts on the water environment should take into account both construction phases and operational phases of the development. Consideration and evidence will be required that details how construction activities may impact upon the water environment. Such evidence shall be supported by a comprehensive mitigation strategy to ensure no site specific, nor in-combination, impacts on the water environment will result.

4.46 The Chapter within the ES will be required to detail the mitigation strategy proposed for works which relate to Special Protection Areas and Nitrate Neutrality Zones. The ES Chapter will need to incorporate how nitrate neutrality can be achieved to provide the appropriate safeguards to any future in-combination impacts.

4.47 Subject to the above, and the comments set out in the EIS Scoping file, the scope of Water Environment and Drainage is agreed.

HISTORIC ENVIRONMENT & ARCHAEOLOGY

4.48 Arun District Council's Archaeology Advisor comments concluded that:

- I agree that an EIA for this site should include an assessment of its potential to contain structures and deposits of archaeological interest and the likelihood that these might be affected by development and to suggest suitable measures to mitigate this.
- I agree that this should be undertaken as outlined in Section 11 of the scoping report.

4.49 Arun District Council's Conservation Officer comments concluded that:

- Whilst the report identifies the designated heritage assets in the local area, it fails to identify any of the non-designated heritage assets.
- Arun District Council has a local list of non-designated heritage assets which consists of what it has termed Buildings or Structures of Character and Areas of Character. Both of these asset types are within a short distance of the site boundary.
- It is also not clear why some listed buildings have been identified (in section 3 of the report), and others not. For instance, on Westergate street, three buildings are identified, when there are others in close proximity (such as Hop Garden Cottage).
- Reference is made to both the Arun Local Plan 2011-31 and the NPPF, but it should also include references to the Planning Practice Guidance. Further, the settings of the assets should be considered in accordance with the relevant Historic England Guidance (Historic Environment Good Practice Advice in Planning: 3: The Setting of Heritage Assets).
- Whilst table 10.1 is helpful for now, it reads as a general summary of the impact of the development upon the assets on an area/group basis, as opposed to on an individual asset basis. This, in turn affects the initial assessment of the impact of the development upon the individual assets. For instance, St George's Church (Grade II*), is assessed as part of the Church Lane Eastergate Conservation Area which also contains a number of Listed Buildings. Such an approach results in an overly generalised assessment of the impact, as opposed to one more specifically related to the individual assets such as the Grade II* Listed Building. It is suggested that a revised approach be considered so that the full impact on the different assets can be assessed and considered.

4.49 The baseline for the Historic Built Environment Chapter shall follow the methodology guidelines of Industry (ClfA2014). The LPA requires built environment and archaeological data sets to be reviewed and considered into one document (the DBA) in forming the baseline conditions.

4.50 The Chapter will be required to consider both built heritage assets and all others defined by both local and national guidance/policy (i.e. archaeological, Scheduled Ancient Monuments and Conservation Areas).

4.51 The Archaeology Chapter of the ES shall establish a baseline which will follow current West Sussex/East Sussex 'Industry Approved' Guidelines (2019 version) and appropriate industry (CIfA 2014) guidelines.

4.52 The baselines assessment and assessment of impacts shall take into account the document referred to in paragraphs 11.4 and 11.5 of the as part of the DBA approach. However, this should not be exclusive and additional records may be included as part of the assessment subject to confirmation by either the LPA or applicant.

4.53 Subject to the above points being included within the relevant sections of the ES then the Scope is agreed as set out in the Scoping Report.

SOCIO-ECONOMICS

4.54 The Environmental Statement shall include an assessment of the potential impacts of the proposed development on the recreational value of the area, together with impacts on the community living and working within the locality. This shall also be linked to the cumulative impacts section. ADC will require consideration to be given to impacts on healthcare and education within the District.

4.55 Subject to the above, and the comments set out in the EIS Scoping file, the scope of Socio-economics is agreed.

CLIMATE CHANGE AND RESILIENCE

4.56 The Climate Change and Resilience Chapter of the ES shall establish a baseline based on the data set out in paragraph 14.3 of the submission. The applicants may wish to liaise with the LPA to ensure such an evidence base is robust and look at further data sets to assist completeness.

4.57 The subsequent methodology for assessing impact shall be based on the recommendations and best practice contained within the IEMA Principles Series: Climate Change Mitigation & EIA (2010), IEMA (2016) Environmental Impact Assessment Guide to: Delivering Quality Developments and IEMA Environmental Impact Assessment Guide to: Assessing Greenhouse Gas Emissions and Evaluating Their Significant (2017).

4.58 The methodology shall fully take into account the legislative requirements as set out in paragraphs 14.4 and any successor to these at the time of submission. The methodology shall also consider the planning policies and guidance set out in paragraph 14.5 of the EIS Scoping submission.

4.59 The Chapter shall review the key anticipated CO2 emission sources for the Proposed Development, i.e. Embodied carbon in buildings (including fuel use in construction plant & associated facilities) during construction and shall adopt the fabric first approach to carbon reduction throughout the development. The Chapter shall also account for during construction and regulated/unregulated CO2 emissions from buildings during operation.

4.60 Subject to the above, and comments set out in the EIS Scoping file, the scope of Climate Change and Resilience is agreed.

ECOLOGY

4.61 ADC Ecologist has provided detailed comments which can be found on the EIS Scoping file. These comments include the general principles of what an ES should include:

- Phase one habitat surveys and subsequent protected species surveys as required;
- Mitigation strategies for any species found onsite;
- Consideration and safeguarding of green infrastructure and connectivity across the site (hedgerow and tree connectivity);
- Net Biodiversity Gain and how this will be achieved to meet the requirements of Policy ENV DM5;
- Assessment of the direct and indirect impacts on protected sites;
- Impacts from climate change and planning for the future

4.62 Comments received from Natural England concluded that:

- Natural England advises that the potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/enhancement should be included within this assessment in accordance with appropriate guidance on such matters. Guidelines for Ecological Impact Assessment (EclA) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM) and are available on their website.
- The National Planning Policy Framework sets out guidance in S.174-177 on how to take account of biodiversity interests in planning decisions and the framework that local authorities should provide to assist developers.
- The proposal is located outside of specific buffer areas and therefore appears unlikely to affect an Internationally or Nationally designated site. However, it should be recognised that the specific nature of a proposal may have the potential to lead to significant impacts arising at a greater distance than is encompassed by Natural England's buffers for designated sites, including Special Areas of Conservation (SAC), Special Protection Areas (SPA), Ramsar sites and Sites of Special Scientific Interest (SSSI).
- Should the proposal result in an emission to air or discharge to the ground or surface water catchment of a designated site then the potential effects and impacts of this would need to be considered in the Environmental Statement.
- The EIA will need to consider any impacts upon local wildlife and geological sites. Local Sites are identified by the local wildlife trust, geo-conservation group or a local forum established for the purposes of identifying and selecting local sites. They are of country importance for wildlife or geodiversity. The ES should therefore include an assessment of the likely impacts on the wildlife and geodiversity interests of such sites. The assessment should include proposals for mitigation of any impacts and if appropriate, compensation measures.
- The ES should assess the impact on all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law, but advises on the procedures and legislation relevant to such species. Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, groups and individuals; and consideration should be given to the wider context of the site for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.
- Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and where necessary, licensed, consultants.
- Government Circular 06/2005 states that Biodiversity Action Plan (BAP) species and habitats, 'are capable of being a material consideration in the making of planning decisions'. Natural England therefore advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the ES. Consideration should also be given to those species and habitats included in the relevant Local BAP.

4.63 The above comments also refer to the importance of any assessments considering the potential cumulative effects of the proposal and in-combinations effects.

4.64 The LPA will require that a habitat survey (equivalent 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.

4.65 The Ecology Chapter in the ES shall therefore include an assessment of the likely impact on the wildlife and geodiversity interests of such sites. The assessment should include proposals and strategies for full mitigation of any impacts and if appropriate, compensation measures. Such measures shall relate to the scope set out in the EIS Scoping submission.

4.66 The ES should thoroughly assess the impact of the proposals on habitats and/or species listed as 'Habitats and Species of Principal Importance' within the Natural England Biodiversity List, published under the requirements of S41 of the Natural Environment and Rural Communities (NERC) Act 2006.

4.67 The Chapter in the ES shall detail what measures and how these measures will allow the development to achieve at least 10% minimum biodiversity net gains. The applicants should seek to go beyond this mandatory minimum wherever possible, in accordance with Natural England best practice guidance. The mitigation hierarchy, as set out in paragraph 175 of the NPPF should be followed and firstly consider what existing environmental features on and around the site can be retained or enhanced and then what new features could be incorporated into the development proposal. The results from this shall be documented using the DEFRA Metric 2.0 calculator, to compare the ecological baseline with the proposed habitats post-development.

4.68 Paragraph 7.64 of the EIS Scoping submission details that:

'The issue of nitrate neutrality has been raised by Natural England in relation to a number of European designated sites associated with the Solent; however, it is understood that no such concerns have been raised specifically with regard to the Solent and Dorset Coast SPA. Whilst further consideration will be necessary as the proposals develop, at this stage it is not anticipated that detailed nitrate calculations will be required in respect of the Site, nor would specific mitigation be necessary.'

4.69 The LPA considers that this approach does not fully take into account the in-combination impacts on the SPA from other nearby developments. Such an approach would not accord with the holistic approach which the EIA Regulations seek to consolidate.

4.70 The LPA is aware of increasing nitrate levels accumulating from the west. Firstly this was experienced in the Solent SPA and has now become problematic in the Chichester Harbour SPA. Given the long build out period associated with this development, the ES should include a baseline position of the development as existing. This will allow for nitrate neutrality calculations to be undertaken should this more latterly be raised as an issue throughout the lifetime of the development. The LPA agrees that specific mitigation would not be required as part of the ES; however, baseline conditions should be identified and evidenced. This accords with the precautionary principle.

4.71 Subject to inclusion of the issues set out above (and as detailed in the Natural England comments in full, found on the EIS Scoping file), the scope of Ecology is agreed.

TRANSPORTATION

4.72 WSCC Highways provided the following comments:

'At the start of the document, the CHA recommends that reference should be made early on to the overall build-out of circa 4,200 dwellings to cover the entire BEW allocation to cover both pre and post-Local Plan time frames. This will then give context to the development proposed.

Specifically with regard to the highway component of this Scoping Opinion (Section 5), this appears largely fit for purpose at this stage of the proposals. However, reference is made in this section to assessment cycling facilities (para 5.33), public transport (5.34) and road safety and collision data

(5.35) using professional judgement. In response to this, the CHA would expect that where relevant, any applicable design standards, design guidance and best practice should also be referenced here.'

4.73 The Highways England provided comments relating to the following key points (please see file for full comments):

- Any TA and EIA assessment should be undertaken in accordance with the DfT Circular 02/2013 "The Strategic Road Network and the Delivery of Sustainable Development"
- The TA should include a robust assessment of the vehicular impacts "with" and "without" development for the horizon year (full occupation) and the end of the Local Plan period to examine the net impact of non-consented development
- The EIA should demonstrate how it accords with the Design Manual for Roads and Bridges (DMRB) LA104 Environmental Assessment and Monitoring, and we note that the latter document is referenced in paragraphs 5.43 and 5.44 but not in paragraph 5.5 (Legislative and policy context)
- The Scoping note should be agreed prior to commencement of the main transport study by both Highways England and West Sussex County Council as Strategic and Local Highways Authorities
- We note that the Framework Masterplan included was up to 4,300 dwellings (a 1,300 dwelling increase on the previous proposal for 3,000 dwellings), where the EIA scoping report refers to 4,180, while the consultation refers to 1500 dwellings and thus clarification is required as such.
- We have concerns about the implications of development traffic on the A27 Chichester Bypass. Of particular concern is the impact of the development site on the A27 Bognor Road Roundabout, and A27 Whyke Roundabout. Both junctions will need detailed consideration as part of the Transport Assessment.
- The assessment of these junctions will also need to take into account Chichester District Council's Local Plan proposals (plus committed development) and the agreed necessary junction mitigations on the A27 coupled with the cumulative impacts of Arun's committed development that from its adopted Local Plan. It will be necessary to undertake the assessment at the end of both Local Plan periods which is currently 2031 as well as year of opening at full occupancy.
- As the Chichester Local Plan mitigation schemes on the A27 Chichester Bypass only account for the impacts of Chichester's own strategic development and deliver a 'no worse' than existing scenario on the highway network, it is highly unlikely that additional impacts from strategic development at BEW can be accommodated without increasing the severity of congestion already encountered at these junctions. Accordingly, the Transport Assessment will need to consider appropriate highways mitigations at the A27 Bognor Road and Whyke junctions as well as measures targeted at reducing travel demand by car in favour of more sustainable transport modes.
- Consideration will also need to be given to the development's impact at the other SRN junctions identified in Table 5.1, all of which were identified in the latest Arun Local Plan strategic modelling report (Systra's Enterprise Bognor Regis Transport Review of November 2017). This is considered key as the Systra Review was based upon 3,000 dwellings at BEW, where the Masterplan is now proposing 4,300 dwellings.

4.74 The Transport Chapter of the ES should include reference to, but not exclusively, and any successor document relevant at the time of submission:

- National Planning Policy Framework (NPPF) (June 2019);
- National Planning Policy: Planning Practice Guidance (March 2014);
- The Department for Transport's Circular 02/2013 The Strategic Road Network and the Delivery of Sustainable Development;
- National Planning Policy: The Strategic Road Network (SRN): Planning for the Future (2015); and
- Local Planning Policy: Arun Local Plan (2012-2031)

4.75 The initial traffic modelling was undertaken in 2016 as part of the site promotion within the Arun Local Plan. The assessment was undertaken using traffic flows derived from the Arun Transport Study (ARS) commissioned by ADC. Subsequently, the BEW allocation was allocated within the Local Plan

which also sets out the proposed realignment of the A29 which passes through the development. This allocation was predicated on a dwelling yield of 3,000 units split across a staggered delivery within this Local Plan period and the next.

4.76 Paragraphs 5.15 - 5.18 demonstrate updated modelling that has been undertaken following this initial Local Plan ATS work. However, the submission is devoid of mention of the increase from 3,000 units to 4,300 units; an in-combination effect.

4.77 Key to ensuring that both construction effects of the development can be evidenced properly is through having satisfaction of both the phasing of the wider BEW allocation. This phasing is reliant upon the delivery of the A29 which, dependent upon its delivery within the Phasing, will dictate when according parcels are delivered, and what the in-combination construction effects will be.

4.78 The submitted Transport Chapter shall include a section on phasing which will specifically outline the applicant's position on the delivery of the re-aligned A29. Then, using this as part of the baseline evidence, assessment scenarios for construction and operational phases of the development should then be undertaken.

4.79 Should the eventuality arise whereby the re-aligned A29 is not delivered as part of an early phase and phasing of parcels should be staggered, then assessment scenarios for construction and operational phases should take into account.

4.80 The LPA will require consideration to be given to the in-combination effects of the development over the total dwelling yield of 4,300 homes throughout this Plan period. The adoption of the Framework Masterplan would allow for delivery within this Local Plan period and the in-combination effects would need to consider this fully.

4.81 The Transport Chapter should also consider other nearby committed development which will impact upon the junctions outlined in Table 5.1 of the submission. This will include cross-boundary working with neighbouring authorities including Chichester District Council to assess the in-combination effects of these junctions with committed development within their District.

4.82 Ongoing discussions with both Highways England and WSCC Highways suggest that the transport mitigation package outlined in the ADC Apportionment Study will need substantial revision should the total dwelling yield of 4,300 be supported through endorsement of the Framework Masterplan.

4.83 ADC understand that the additional dwelling yield will be facilitated on land under the control of the Church Commissioners (the applicant of this Scoping Submission). As part of the EIA process it will be the responsibility of the applicant to demonstrate that the in-combination effects of this increased dwelling yield can be accommodated acceptably. This matter should be documented fully as part of the Transport Chapter of the ES.

4.84 Subject to inclusion of the issues set out in the above EIS Scoping file, comments received from WSCC and Highways England, and the comments in this response, the scope of Transport is agreed.

ITEMS FALLING OUTSIDE THE SCOPE OF THE ENVIRONMENTAL STATEMENT: ENERGY AND UTILITIES

4.85 The LPA agree that there are no onerous infrastructure constraints associated with gas provision and there are no restrictions which are likely to create significant environmental effects. The LPA acknowledges that existing infrastructure is able to be designed around or diverted and upgraded where necessary.

4.86 Water supply and drainage are matters falling with the Water Environment chapter of the ES.

4.87 Subject to the above, Energy and Utilities can be scoped out.

ITEMS FALLING OUTSIDE THE SCOPE OF THE ENVIRONMENTAL STATEMENT: AGRICULTURAL LAND

4.88 The Site is identified as having areas of Grades 2, 3a and 3b agricultural values and, in part, some areas of non-agricultural and (which includes farm steadings, buildings, watercourses, tracks and roadways).

4.89 The Inspector's Report forming part of the examination of the Local Plan concluded (para 117):

'As a consequence of the need to meet a housing requirement of 20,000 homes the LP now allocates significant areas of land on the edge of settlements within the District. This scale of development will have a range of adverse impacts, including urbanising of the countryside, loss of the best and most versatile agricultural land and placing strains on existing infrastructure, including the highway network... However, LPs should meet OAN unless the adverse impacts would significantly and demonstrably outweigh the benefits or specific policies in the NPPF indicate that development should be restricted. It is within this context that I will assess the strategic allocations.'

4.90 The Inspector went on to conclude specifically on this issue at paragraph 124 of their Report that:

'Most of the allocations involve the loss of the best and most versatile agricultural land (Grades 1, 2 and 3a) but this applies to most of the greenfield land within the District. I am satisfied that there are no significant areas of poorer quality or brownfield land which could be developed. Significant areas of higher grade land will remain. Loss of some such land is inevitable if OAN is to be met.'

4.91 Given this context, it is not considered that the development will give rise to significant effects over and above those already considered as part of the Inspector's allocation of this site. Therefore, Agricultural Land can be scoped out.

ITEMS FALLING OUTSIDE THE SCOPE OF THE ENVIRONMENTAL STATEMENT: WASTE

4.92 Attached to any planning consent will be conditions requiring the submission of a Site Waste Management Plan (SWMP) under the Site Waste Management Plans Regulations 2008. Such a plan will demonstrate how materials resource efficiency will be improved and to ensure that a fully auditable trail of waste removed from the site is maintained.

4.93 Further, a Construction Environmental Management Plan (CEMP) will be required via discharge of condition, prior to the commencement of development. Information regarding waste management can be provided as part of the planning application submission.

4.94 During the operation of the Site, the sustainable management of waste will be secured by ensuring opportunities for minimising waste together with the correct storage, removal and management of all waste streams is addressed robustly, via discharge of condition process.

4.95 Such measures will ensure there is no potential for significant environmental effects requiring assessment. Therefore, waste can be scoped out.

ITEMS FALLING OUTSIDE THE SCOPE OF THE ENVIRONMENTAL STATEMENT: RISK OF ACCIDENTS AND DISASTERS

4.96 Risks associated with matters relating to accidents and disasters are able to be included within

the relevant Chapters of the ES where relevant. Therefore, risk of accidents and disasters can be scoped out.

ITEMS FALLING OUTSIDE THE SCOPE OF THE ENVIRONMENTAL STATEMENT: DAYLIGHT, SUNLIGHT AND OVERSHADOWING

4.97 Existing properties surrounding the Site are limited to a small number of properties to the south east and north east of the Site. For these reasons, the LPA considers there is not any significant likelihood of adverse impacts resulting on existing properties in terms of daylight and overshadowing.

4.98 The Framework Masterplan of the site details broad outline principles which will translate into a parameters plan at outline application stage. The Design and Access Statement that will accompany any outline planning application will sufficiently address this matter.

4.99 The Framework Masterplan, which all applications should accord with, detail proposed areas of open space and amenity space adjacent to and within the development. These areas take into account overshadowing. This matter will also be formally assessed in detail as part of the assessment of design.

4.100 On the basis of the above, it is not envisaged that the development will give rise to any materially adverse daylight and sunlight effects and therefore it is considered that daylight, sunlight and overshadowing can be scoped out.

ITEMS FALLING OUTSIDE THE SCOPE OF THE ENVIRONMENTAL STATEMENT: WIND ENVIRONMENT

4.101 The site is currently open and devoid of any large structures. The development will result in a change in massing, height and orientation of buildings. These changes associated with the development would influence ground level wind speeds and direction on and adjacent to the Site from the existing conditions. However, due to the open nature of the surroundings, it is not considered that the proposed development would alter the wind environment in the surrounding area to such an extent that it would result in significant environmental effects.

4.102 For these reasons, wind environment can be scoped out.

ITEMS FALLING OUTSIDE THE SCOPE OF THE ENVIRONMENTAL STATEMENT: HEALTH

4.103 It is expected that any potential health effects linked to the proposed development would be considered as part, and in the context, of the above chapters in the ES. Such chapters include noise, air quality and water resources.

4.104 An assessment of the effect of the proposed development on health infrastructure and other local facilities (e.g. GPs, dentists and schools) would be included within the socio-economic ES chapter.

4.105 The increased population may result in effects to the local population concerning the availability and capacity of public health services resulting from the introduction of additional residential properties which may increase demand for public health services. However, as noted above, these effects will be assessed as part of the socio-economics chapter.

4.106 It is therefore considered that the likely effects on human health will be adequately assessed within other applicable areas of the ES and therefore it is not deemed necessary to provide a standalone chapter.

ITEMS FALLING OUTSIDE THE SCOPE OF THE ENVIRONMENTAL STATEMENT: ACCESS, RECREATION AND GREEN INFRASTRUCTURE

4.107 Access matters shall be addressed within the scope of the Transport and Accessibility Chapters of the ES. Recreation and Green Infrastructure will be considered in both the Socio-Economic Chapters and Landscape and Visual Impact assessment.

4.108 On the basis of the above, these topics will be adequately covered through the relevant sections in the ES. Therefore, a specific chapter on Access, Recreation and Green Infrastructure will not be required.

CUMULATIVE IMPACTS

4.109 The Environmental Statement 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 availability of information):

- i. Existing completed projects
- ii. Approved but uncompleted projects
- iii. Plans or projects for which an application has been made and which are under consideration by the consenting authorities
- iv. 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

4.110 Paragraph 4.21 of the Scoping submission outlines that discussions with the other developers involved in the delivery of the Strategic Allocation will continue and, should applications be submitted during the process of the EIA, these will be considered as part of the EIA.

4.111 The LPA considers, in reference to (iv) above, that the entirety of the strategic allocation should be considered as part of the EIA based on the evidence available at the time of submission. The LPA requires this to be Scoped into the report when determining in-combination effects.

4.112 The main applications and proposals have been identified within the Scoping Report and are agreed to form the baseline evidence base. However, additional schemes may arise after this Opinion is issued may also need to be added into the cumulative impacts.

SUMMARY & CONCLUSIONS

I trust the above provides you with sufficient information of the requirements for the form of Environmental Statement submission. However, if you require any further information please feel free to contact me on the details provided below.

Yours sincerely



Neil Crowther

