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Please ask for: James Cross
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Telephone: 01903 737784
Our Ref: BN/153/20/PL
Your Ref:
Date: 12th February 2021

Dear Mr Cleveland,

Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order 2015

Application for Planning Permission

Development: 44 No. dwellings & associated infrastructure. This site falls within the BEW Strategic Site, CIL Zone 1 (Zero Rated).
Location: Warwick Nursery Barnham Road Eastergate Barnham PO203RT

I refer to the above application which was accepted on 13th January 2021.

The Group Head of Planning has determined under delegated powers that although the application falls within Schedule 2 of the above Act and Regulations an Environmental Statement is **not** required for the above proposal. The following environmental issues are considered relevant to this proposal and have been considered in coming to this decision:

The above Screening Opinion was requested in writing as part of the submission of planning application LPA ref: BN/153/20/PL which was submitted on 17 December 2020. The development to which this Screening Opinion relates comprises:

"44 no. dwellings & associated infrastructure. This site falls within the BEW strategic site, CIL Zone 1 (zero rated)."

This response is provided subject to an extension of time agreement lapsing on 08 February 2021.

The Council considers the above proposal to exceed the thresholds set out in Section 10(b) of the of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

With regard to the stated Schedule 2 criteria and thresholds, it is noted that the site forms part of the wider BEW Strategic Development site where the area comprises greater than 150 dwellings (ii) of the 2017

Regulations and the overall development of the area exceeds 5 hectares (iii) of the 2017 Regulations.

In respect of the above, this individual application is the first phase of this wider development and solely proposes 44 dwellings on a 1.72 hectare parcel which forms part of this wider site. Notwithstanding this, this development comprises part of a wider development which exceeds the thresholds as set in Schedule 2 of the 2017 Regulations.

For completeness, it is therefore necessary to consider the proposal against Schedule 3 of the Regulations. This schedule outlines the criteria to consider in determining whether development falling within Schedule 2 will require an EIA. The criteria include the characteristics of the development (e.g. its size, use of natural resources, quantities of pollution and waste generated); the environmental sensitivity of the location; and the characteristics of the potential impact (e.g. its magnitude and duration).

Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 states where it is determined that the proposed development is not Environmental Impact Assessment development, the authority must state any features of the proposed development and measures envisaged to avoid, or prevent what might otherwise have been, significantly adverse effects on the environment; This will usually be through planning conditions or planning obligations, enforceable by the local planning authority which has the powers to take direct action to ensure compliance. (NPPG Paragraph: 018 Reference ID:4-018-20170728)

This Screening Response now continues regarding the Schedule 3 Headings.

(1) CHARACTERISTICS OF THE DEVELOPMENT

A. SIZE OF THE DEVELOPMENT

The application site comprises one of a number of parcels within the strategic allocation SD5 BEW which is allocated for 3,000 dwellings; though envisaged to deliver 4,300 homes through support of the endorsed Framework Masterplan.

The proposed development will comprise a maximum of 2.5 storeys, with a dominance of 2 storeys throughout, and would therefore not be out of scale with the existing developments surrounding the site. The assessment of design within the application process will provide sufficient control to avoid any significantly adverse effects on the environment.

Therefore, the scale and nature of the proposed development is considered appropriate to the existing development.

B. ACCUMULATION WITH OTHER DEVELOPMENT

Surrounding parcels of land currently comprise a mixture of both residential, horticultural and agricultural uses. These adjacent parcels have also been allocated for future development. The land subject of this is allocated within strategic development site SD5 BEW and an indicative timetable for the development, with phasing TBC, has been agreed between the landowners and the Local Planning Authority as part of the ongoing master planning work.

Whilst it is acknowledged that much of the surrounding area will be subject to change as a result of the SD5 BEW allocation, these parcels fall outside the scope allowed for consideration within the NPPG guidance.

The parcel of land does not comprise an integral parcel of land as defined by the NPPG and could

proceed independently. Current discussions with the landowners and their agent confirm this approach and land ownership would permit delivery in this manner. All infrastructure requirements (drainage etc) are able to be delivered independently of the wider strategic allocation.

In addition to accumulation of development within BEW, consideration within the application documents will need to be given to other windfall development within the area, in respect of technical matters, including but not solely, transport etc.

The delivery of the site will need to accord with the wider master planned area, subject to Policy H SP2, H SP2a and other Local Plan requirements. Such requirements will include consideration being given to the cumulative impacts relating to matters including traffic impacts and mitigation. The Local Planning Authority acknowledges that the development of this site could be delivered independently and it is the intention of the applicant, owing to separate landownership, to proceed with development as part of the first phase of the wider site.

C. USE OF NATURAL RESOURCES

The development would not use natural resources such as land, water, material or energy in excess of that reasonably considered to be associated with the construction of a residential development. None of these comprise non-renewable sources or are in short supply.

Your submission should take into account the use of soils and biodiversity with the submitted supporting documents. The supporting documents should demonstrate how the use of soils has been taken into account and how net gains in biodiversity will be achieved.

Adequate controls exist within the planning process and use of conditions to control such measures to limit/reduce the use of non-renewable resources.

D. PRODUCTION OF WASTE

The development will produce wastes predominantly through the construction phases of development. Arun District Council are able to control construction phases of development through the use of appropriately worded conditions.

Further, Arun District Council also have a separate set of requirements regarding the disposal of operational waste which the operations of the development, post-construction, would be subject to.

E. POLLUTION AND NUISANCES

The development will likely result in the release of pollutants but is unlikely to result in any hazardous, toxic or noxious substances to the air. These will primarily be involved in the construction phases of the development. The pollutants released are not anticipated to be significant or exceed limits reasonably associated with the construction of a residential development of this nature.

The Local Planning Authority can control such impacts associated with the construction phases, including dust emissions, in accordance with best practice by imposing conditions relating to the submission of a Construction Environmental Management Plan (CEMP). Such an approach accords with that advocated by NPPG guidance which advocates controls via conditions and obligations.

F. RISK OF MAJOR ACCIDENTS AND/OR DISASTERS, INCLUDING THOSE CAUSED BY CLIMATE CHANGE AND ALSO HAVING REGARD IN PARTICULAR TO SUBSTANCES OR TECHNOLOGIES USED

Risk of major accidents and/or disasters comprise a risk during the construction phases of the development. The applicant will be required, under separate legislation, to implement measures in accordance with best practice Health and Safety legislation.

Storage of any hazardous materials used in the construction phases of the development will be governed by separate Health and Safety legislation and the Local Planning Authority are able to control such risks through the imposition of a CEMP condition.

G. RISKS TO HUMANA HEALTH

Risks to human health would only occur through the construction phases of development and such risks would derive from dust and emissions generated during the construction phase of development. Such risks could be mitigated through the CEMP.

The site's former use is not known to be at any risk of any former contamination. The initial searches provided by the applicant within the Screening/application submission do not indicate otherwise.

The application submission should take into account air pollution from traffic, particularly having regard to both this development, the wider BEW development and predicted housing development from windfall sites. Cumulative impacts on air pollution from traffic will need to be considered in the supporting documentation of your application. Mitigation measures and/or controls in place to reduce such impacts identified should be provided where applicable.

In the event that more detailed surveys were undertaken, controls relating to contamination remediation would be sufficient, for a site of this size, to provide adequate controls. Such controls could be mitigated by way of a condition, as advocated by NPPG guidance.

H. OTHER CHARACTERISTICS

Transport impacts, for the purposes of Screening, should be considered in the context of NPPG guidance on committed development, as set out above. The submission of the Transport Assessment will provide sufficient consideration and controls to ensure no wider highways impact will result.

In providing a Transport Assessment as part of more detailed design proposals, NPPF guidance will require the cumulative highways impacts to be given consideration. The subsequent Transport Assessment should take into account impacts on the Strategic Road Network (SRN) in addition to localised junction improvements as identified by ongoing WSCC work and the trigger points for when these capacities require upgrading. This should take into account the wider BEW development.

Owing to the proposed size of the development, impacts upon the above aspects of the SRN are likely to be limited, in principle. However, the cumulative impacts in the context of the wider delivery of BEW will need to be considered within the subsequent Transport Assessment. This therefore provides adequate consideration and control over transport issues.

(2) LOCATION OF THE DEVELOPMENT

A. EXISTING AND APPROVED LAND USE

The site is mostly surrounded by existing residential land. The site falls within a WSCC identified Sharp Sands and Gravel Safeguarding Area designation. The submission of a Sharp Sand and Gravel Assessment as part of the application, which will be scrutinised by WSCC (the Minerals Authority), will be sufficient to provide adequate safeguards, if deemed necessary.

B. RELATIVE ABUNDANCE, AVAILABILITY, QUALITY AND REGENATIVE CAPACITY OF NATURAL RESOURCES IN THE AREA AND ITS UNDERGROUND

The application submission should also take into account soil resources and how any access to this and/or extraction could be safeguarded, if appropriate. Further information supporting the application should also provide information on any groundwater protection zones. The Ecology Statement that supports the application should also take into account all ecological designations and provide for appropriate mitigation, where required. Further, any application should take into account any protected trees, including a full assessment on their health and contribution to the wider amenity area and any protection measures required.

C. ABSORPTION CAPACITY OF THE NATURAL ENVIRONMENT

The potential impact of the proposal upon features of nature conservation interest and opportunities is able to be addressed within the Habitats and Ecology Reports in accordance with the Guidelines for Ecological Impact Assessment, developed by the Chartered Institute of Ecological and Environmental Management (CIEEM).

The site is known to suffer from a high groundwater table and has subsequently resulted in localised issues. Notwithstanding this, a Flood Risk Assessment and Drainage Strategy, which will be required as part of the application process, in agreement with Arun District Council and Southern Water, is able to address any potential impacts.

A number of Public Rights of Way cross along the boundaries of the site. These will be safeguarded in perpetuity and upgraded where appropriate.

Construction phases of the development could give rise to changes in traffic movements; however, these could be controlled by way of CMEP condition and in consultation with the Local Highway Authority. Transport movements associated with the development would be addressed through a Transport Assessment to ensure no adverse impacts would result. The Transport Assessment should take into account the proposed development, cumulative impact including the BEW development and committed windfall development as defined within the 2017 EIA Regulations.

However, in principle, it is likely that vehicle movements associated with 44 dwellings could be accommodated within the wider road network, subject to improved access points and highways improvements. Such improvements would be secured by the Local Planning Authority by way of obligation which accords with the NPPG guidance on such matters.

There are no long ranging sensitive views into, out of, or across the site. The sensitivity of the site comprises general landscape impact which an adequate Landscape Strategy can sufficiently address. Furthermore, general design considerations and negotiations within the application process would control impacts on such receptors.

It is not considered that there are any nearby heritage assets, designated or otherwise, which would be impacted as a result of the proposed scale of development. It is noted that in delivering the wider SD5 BEW allocation that a degree of change will occur, cumulatively.

The construction and occupation of the development is unlikely to give rise to any unacceptable noise impacts. Construction phases of the development are likely to result in the largest source of noise. However, a CEMP would mitigate any such impacts by way of planning condition.

The site is now known to be susceptible to earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse conditions such as temperature inversions, fogs or severe winds that would present environment problems.

(3) CHARACTERISTICS OF THE POTENTIAL IMPACTS

A. EXTENT AND NATURE OF THE IMPACT

The site comprises a total are of 1.72 hectares which is surrounded in part by existing residential development and agricultural land. Areas of sensitivity comprise PROWs and cycle paths. These receptors would namely be affected through the construction phases of the development through noise and dust generation. These impacts could be controlled adequately via CEMP condition.

B. TRANSBOUNDARY NATURE OF THE IMPACT

The development would not result in any transboundary impacts that would require the Secretary of State to check Environmental Standards.

C. MAGNITUDE AND COMPLEXITY OF THE IMPACT

The development would result in a change from greenfield land to residential land; however, such a change is not considered to be unusual owing to the Local Plan process and subsequent Strategic Site allocation.

The development will influence receptors including businesses and facilities; however, such effects are considered to be positive and would not result in any negative impacts.

No valuable or scarce features or resources will be affected; nor would the development result in the breach of any environmental standards.

D. PROBABILITY OF IMPACT

The impacts described and anticipated above can be clearly established and predicted. The probability of any effects can be determined with reasonable confidence and therefore the controls that can be secured by planning conditions and obligations would be sufficient.

E. EXPECTED ONSET, DURATION, FREQUENCY AND REVERSIBILITY OF THE IMPACT

The expected and onset of the associated impacts would be incurred following the discharge of pre-commencement conditions attached to any planning permission. The most severe impacts would only last throughout the construction phases of the development and would be intermittent in nature. The operational impacts associated with the development would be continuous but of a limited nature, as detailed above.

Noise, dust and emissions arising from the construction phases would comprise reversible impacts. All other impacts that could result in impacts that could be irreversible are able to be adequately controlled to ensure their nature is reversible (i.e. storage of waste and hazardous materials in accordance with separate legislation).

F. POSSIBILITY OF EFFECCTIVELY REDUCING THE IMPACT

The likely impacts arising from the development are commensurate with the quantum of development proposed. Most impacts will arise from construction taking place on site ¿ for example, the undertaking of groundworks on the site (such as HGV vehicle movements, deliveries of goods onto site, excavation of earth etc). These are unlikely to be effectively reduced if the proposed development were to be reduced

as they do not follow economies of scale.

Notwithstanding this, your Transport Assessment should include an assessment on the cumulative impact with other existing and/or approved development within the local area. This should include both development anticipated to come forward as part of BEW, predicted Local Plan growth over the Plan period and any windfall development that comprises committed development as defined by the 2017 EIA Regulations.

The Transport Assessment should also take into account any mitigation measures required in to reduce the impact of such measures. This should take into account both localised and strategic highways improvements and wider connectivity.

CONCLUSION

The above Environmental Impact Assessment Screening Opinion has been undertaken in accordance with Schedules 2 and 3 of the Town and Country (Environmental Impact Assessment) Regulation 2017 and has concluded that an Environmental Impact Assessment is not required.

In accordance with Regulation 5(b) of the above 2017 Regulations this Screening Opinion has set out several measures to avoid, or prevent, what might otherwise have been, significant adverse effects on the environment.

If you require any further information, please do not hesitate to contact me on the below details at your convenience.

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

Yours sincerely



Neil Crowther
Group Head of Planning

For details of how the Council will deal with your data please refer to our privacy notices on the website www.arun.gov.uk/planning-privacy-statements

If you have provided an email address, all correspondence including the decision notice will be sent by email. It is therefore important that you keep us informed if this changes during the course of this application.

To register to receive notification of planning applications in your area, please go to <https://www.arun.gov.uk/planning> and click into Local Planning Application Finder.