

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

Application Number: Y/49/21/RES

Description: Approval of reserved matters following Y/92/17/OUT for 300 No. dwellings covering landscape, layout, scale & external appearance (resubmission following Y/78/20/RES). This application affects the setting of listed buildings, affects the character & appearance of the Main Road/Church Road, Yapton Conservation Area & affects a Right of Way. This site falls within Strategic Site SD7 (Zero Rated).

Date Accepted: 19th April 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:

Further to receipt of your reserved matters application Y/49/21/RES, I write to provide you with our Screening Opinion. I acknowledge that a Screening Opinion was previously carried out in respect of Y/92/17/OUT however, we are required to screen all applications in Schedule 1 and 2 including subsequent applications.

The Council considers that the proposal is an "Urban Development Project" as found within section 10(b) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended).

Regarding the Schedule 2 relevant criteria and thresholds, it is noted that the site area of approx. 13.1 hectares exceeds the applicable threshold of 5ha and that the number of proposed dwellings also exceeds the applicable threshold of 150.

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 also states that "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". However, the site is not within any such designations.

Paragraph: 017 (Reference ID: 4-017-20170728) of the PPG states that "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 therefore 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 proposed development is also likely to have significant effects on the environment.

It is therefore necessary to consider the proposal against Schedule 3 of the Regulations which outlines the criteria to consider in determining whether development falling within Schedule 2 will require 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).

In addition, it is noted that the paragraph 018 (reference ID: 4-018-20170728) of the online Planning Policy Guidance (PPG) states that:

"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 that "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). Our Screening Response now continues regarding the headings given within Schedule 3.

(1) Location of the Development

The site was formerly in an agricultural use (grades 1 & 2) but is presently unused grassland. The site is bordered on one side by a row of mature trees which are protected by a Group Tree Preservation Order. The site itself is crossed by a Public Right of Way (PRoW) and there are further rights of way running alongside the south eastern and north western boundaries. The site is also flat and so is highly visible in the landscape and from public viewpoints. There are existing drainage ditches on part of the south eastern boundary, however, the site lies entirely within Flood Zone 1. The site also part adjoins the urban edge of Yapton and is solely within the Built-Up Area Boundary set by the Arun Local Plan.

The site is not affected by any wildlife designations although the land does provide some wildlife habitat. It is also noted that there are no statutory nature conservation designations within 2 km of the site. The closest designated sites are as follows: (a) Climping Beach Site of Special Scientific Interest (SSSI) - 4.37 km to the southeast; (b) Felpham SSSI - 4.28km to the southwest; (c) Bognor Regis SSSI - 5.65km to the southwest. The site is within 3.10km of the South Downs National Park but is not within either the 5km buffer of the Pagham Harbour Special Protection Area (SPA) / Special Area of Conservation (SAC) or within the 12km notification zone for the Singleton and Cocking Tunnels SAC. There are Sussex Biodiversity Opportunity Areas within 2km of the site, but these are not directly affected.

The site does not include any listed buildings but there are heritage assets within the site namely a dry section of the former Portsmouth to Chichester Canal and the remains of an old bridge. Part of the site (including the canal) is located within the Yapton Main Road Conservation Area. There are 5 listed buildings on Main Road to the northeast of the site. It has also been established that Drove Lane itself is a non-designated heritage asset being part of an ancient drove route between Felpham and the Weald.

It is not considered that this is an environmentally sensitive site.

(2) Characteristics of the Development

The proposed development consists of 300 dwellings associated parking, road/footway provision, foot/cycle paths, public open space, play provision, landscaping, drainage features and ancillary works.

As per the approved outline permission ref Y/92/17/OUT, the site will have a vehicular access onto Main Road in the northern corner of the site achieved by upgrading the existing Drove Lane/Main Road junction. This also has the benefit of a standalone planning permission under ref Y/127/20/PL. In addition, the site is to be developed as one half of a larger strategic allocation (ref SD7), the south eastern edge will adjoin a separate site of up to 250 dwellings and there will be numerous ways to cross between including a road, cycle path, formal footpaths, and over open grassland.

The majority of building will be two storeys with no roof accommodation shown. The exceptions will be the four apartment buildings (2.5 storeys) with two sited centrally and the other two towards the eastern edge. The layout includes five main areas of public open space (POS) totalling 2.5 hectares and including several linked areas around the perimeter of the site which also include wet

SuDS pond features.

The development will generate additional traffic movements within the local area; however, it is not considered that this will be significant within the EIA regulations having regard to the extent of existing residential development to the north and east of the site. In addition, planning permission already exists for the access arrangements and the outline permission has accepted the principle of up to 300 dwellings on the site.

The proposal does not seek to divert the PRow that crosses the site, but it is acknowledged that there would be some impact on the route should the development be approved, whereby the route changes from a semi-rural path to part of a built-up area.

It is not considered that the characteristics of the development are likely to be significant in the context of the EIA regulations.

(3) Characteristics of the Potential Impacts

It is not considered that 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. The site has been allocated through the local plan process and also has the benefit of outline planning permission.

It is not considered likely that the development will result in any significant harm to ecological interests and that any harm will be mitigated through the conditions set by the outline permission and through the layout of the site (such as by the areas of open space and drainage features). Furthermore, the site is not at risk of flooding and the development represents a potential opportunity to improve the existing surface water drainage system and reduce the discharge rates to local watercourses.

The site does not include any listed buildings but there are heritage assets within the site namely a dry section of the former Portsmouth to Chichester Canal, Drove Lane itself and part of the Yapton Main Road Conservation Area. However, the proposed layout demonstrates that the part of the site within the Conservation Area (including the line of the canal) will be left as public open space with no development in the area. The only development affecting the canal route and Drove Lane is a slight change to the alignment of Drove Lane/creation of access from Drove Lane into the site. The harm to the heritage assets were considered through the outline permission and it was considered that the benefits of the development would outweigh any harm to designated assets and that the harm to non-designated assets would be minimal.

Although the increase in vehicular and other modes of traffic will be noticeable within the local area, it is not considered that this impact will be significant (in the context of the EIA Regulations) or long lasting. It is likely that over time, the new development will become accepted by the local population and the impacts will therefore soften and fade. The reserved matters application will be required to provide new cycle and footpath links to encourage the use of sustainable transport to access local facilities, shops, and services.

It is not considered that landscape impacts will be significant in the context of the EIA regulations. The surrounding landscape is flat, and forms developed countryside with the village of Yapton to the north/east and nearby Barnham to the west. Landscaping and/or woodland planting to the boundaries of the site which adjoin with open countryside are likely to be sufficient to ensure that there is no significant or long-lasting impact on the wider landscape.

Finally, although the construction phase of the site will result in some impacts (such as noise and 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 that the PPG paragraph 024 (Reference ID: 4-024-20140306) states with regard to cumulative effects that "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".

I note that the proposal was previously screened in July 2017 together with the adjoining site (so a screening opinion was given for up to 600 houses in total) and at that time it was stated that there were no other existing or approved developments nearby which should be considered when assessing cumulative effects. It is not therefore reasonable to reconsider the impact of the proposed 250 houses on the adjoining site. However, there have been a number of additional major residential approvals within the Yapton area since July 2017. These consist of:

- (1) The adjoining Stakers Farm & Land North of Yapton Primary School sites on North End Road (70 & 38 dwellings);
- (2) Clays Farm on North End Road (33 dwellings);
- (3) Land At Street Buildings on North End Road (45 dwellings);
- (4) Land to the south of Ford Lane & East of North End Road (100 dwellings);
- (5) Land at Bonhams Field, Main Road (56 dwellings); and
- (6) Land off Burndell Road (108 dwellings).

The above all have outline and reserved matters permission and some of them have now been commenced. In particular, the Bonhams Field site lies immediately opposite this site. It is acknowledged that there was already permission for development on land north of the primary school when the previous screening opinion was given but this then lapsed and was re-approved by a later application.

It is considered that the cumulative effect of new residential development in Yapton will alter the character of the area, result in greater impacts on the highway and greater pressure on existing infrastructure. However, it is not considered that the proposed 300 houses, when considered alongside the existing approved development, will result in any significant impacts and that any harm will be purely local in nature.

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 small-scale and localised and will be mitigated in accordance with standard methods including by the agreed s106 legal agreement. As such, it is considered that the proposed reserved matters application does not constitute EIA development and as such an Environmental Statement is not required in this instance.