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Your Ref:  
Date: 11th April 2022

Dear Ms Parry,

**Town & Country Planning Act 1990 (as amended)**  
**Town & Country Planning (Development Management Procedure) (England) Order 2015 - Article 5**

**Application for Outline Planning Permission**

**Development:** Outline application with access for up to 73 No. new dwellings (but retaining Oak Trees & Little Meadow dwellings), 405 sqm of new light industrial buildings as part of an enlarged employment site & Public Open Space. The existing junction of Grevatts Lane West & Bilsham Road will be closed & Grevatts Lane West diverted to a new access point to the South. This application may affect the setting of Grade II Listed Buildings & is a Departure from the Development Plan.

**Location:** Land At Little Meadow And East Of Bilsham Road Yapton BN18 0JY

I refer to the above application which was accepted on 25th May 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 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 whilst the number of dwellings does not exceed the applicable threshold of 150, your site area of 5.56 hectares does exceed the 5ha threshold.

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, your site is not within any of the named or otherwise 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."

I consider that the majority of the site area has not previously been intensively developed. The area of

the existing industrial estate and the two dwellings is an exception however these are proposed to remain. Therefore, 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 m<sup>2</sup> 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 of the Regulations.

#### (1) Location of the Development

The site is partly land associated with a dwelling known as Little Meadow and a large shallow pond; partly an industrial compound (comprising a dwelling, Oak Trees, three buildings in a mix of B1(c) & B8 uses with hardstanding, storage containers, open storage); and partly grassland used for the keeping of horses. The latter includes a detached field to the south of GLW. The land is noted as being grade 2 agricultural land but is understood to not have been used for such in the last 13 years. The site is outside of the defined Built-Up Area Boundary for Yapton but does adjoin with existing residential properties on the western side.

There are sporadic trees in the wider site as well as a line of Leylandii trees alongside the access from Grevatts Lane West (GLW). The site is flat and so is highly visible in the landscape and from public viewpoints such as the east/west footpath situated approximately 280m to the north of the main part of the site (YAP/144/1). There is an ordinary watercourse running along the eastern boundary of the main site area and a pond within the western area of the site.

The site is not affected by any wildlife designations although the land does provide some wildlife habitat. There are no statutory nature conservation designations within 2km of the site with the closest being the Arun Valley Impact Risk Zone at around 2.55km to the east.

The site does not include any listed buildings but there are two locally listed non-designated heritage assets adjoining the western site boundary (84/85 Bilsham Road) and the site is also in close proximity to a Grade II Listed Building (Hobbs Farmhouse) with further Grade II Listed buildings (within Hobbs Court) formerly part of the curtilage of Hobbs Farmhouse which lies west and north of Hobbs Farmhouse.

Overall, it is not considered that this is an environmentally sensitive site.

#### (2) Characteristics of the Development

The proposed development is for up to 73 new dwellings, 405 sqm of new light industrial buildings, new allotments, and Public Open Space. The application proposes to create a new access onto the B2233 Bilsham Road and then to close GLW east of Bilsham Cottage to the approved crematorium site to prevent through traffic. A section of new road will link GLW to the new access through the part of the site that is south of GLW.

The application is in outline with only access details to be considered at this time. An illustrative masterplan has been provided which indicates that the existing light industrial estate will be extended to the east with the other areas proposed as either housing, allotments, or open space. There would also be

new SuDs drainage features.

The development will generate additional traffic movements within the local area; however, it is not considered that this will be significant in respect to the EIA regulations having regard to the characteristics of the location including existing nearby development and proximity to the road network. The proposal does seek to close an existing road, but it is likely that pedestrian and cycle movements will still be allowed along this route. The transport impact will be assessed as part of the proposal where consideration will be given to the cumulative impacts of existing and other proposed developments.

The site is not located within any designated site or site of ecological value. The application is supported by an ecology survey that will be assessed by the Council's ecologist. The development will impact on the local landscape and result in a change to the character of what is presently a rural location, but this will be assessed through the application process.

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.

It is not considered likely that the development will result in any significant harm to ecological interests and that any harm can be mitigated through conditions or other mitigation measures to be 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 current flooding whilst only the part of the site that is to the south of GLW is at risk from flooding in the future. The development will also offer 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 heritage assets but there are some adjoining and in close proximity to the site. However, those directly affected are non-designated heritage assets with the nearby Listed Buildings further away beyond existing buildings (including the existing industrial buildings). The impact on heritage assets will be considered through the application process including assessment by the Council's heritage advisor. Mitigation measures such as landscaping or specific materials may be required. It is not considered likely that the level of harm will be significant to the point where an EIA would be necessary.

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, should permission be granted that the new development will become accepted by the local population and the impacts will therefore soften and fade. Any reserved matters application will be required 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 in the vicinity of the village of Yapton. 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".

A new Crematorium has been allowed on land to the east of the site however this will be accessed from the eastern end of GLW directly onto the A259. There have also been a number of recent major residential approvals within the Yapton area. The cumulative effect of these 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 73 houses and new industrial floorspace, when considered alongside the existing approved developments, 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 if permission were to be granted, mitigated in accordance with standard methods including legal agreements and conditions. As such, it is considered that the proposed outline application does not constitute EIA development and as such an Environmental Statement is not required in this instance.

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**

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