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Dear Jason,

Request for an EIA Screen Opinion

Former Novartis Site, Parsons Road, Horsham, West Sussex – 'Phases 1 & 2'

Introduction

One behalf of our client Lovell Partnerships ("The Applicant"), Nexus Planning has been instructed to prepare a planning application for the redevelopment of 'Phases 1 & 2' of the former Novartis Research Site, Parsonage Road, Horsham.

We are writing to request a formal Screening Opinion from the Council under Regulation 6 (3) of the Environmental Impact Assessment Regulations 2018 ("the EIA Regulations"), to confirm whether or not there is a requirement for an Environmental Impact Assessment ("EIA") in respect of the Proposed Development. For the reasons set out below, our conclusion is that no EIA is required.

Background Information

An Outline planning application was submitted in December 2018 for:

> *The erection of up to 300 dwellings (C3) including the conversion of existing offices buildings 3 and 36) up to 25,000sqm of employment (B1) floorspaces and provision of 618sqm of flexible commercial/community space (A1 A2 A3 D1 Creche) use classes) within the ground floor of converted building 36. Improvements to existing pedestrian and vehicular accesses from Parsonage Road and Wimblehurst Road, new cycle and pedestrian accesses from Parsonage Road, together with associated parking and landscaping. All matters reserved except for access.*

The application was given the reference DC/18/2687 and was heard by Horsham District Council's Planning Committee in August 2019. Subsequently, planning permission was granted by the Local Planning Authority in February 2020.

The development that was granted planning permission in 2020 can no longer come forward for the reasons that we have discussed. Instead, two full planning applications will be submitted for residential development. One of these will relate to 'Phases 1 and 2' and the second will relate to 'Phase 3'. It is the earlier to which this Screening Opinion request relates.

The Phase 1 Reserved Matters Application was validated on the 30th of January 2023 for:

Phase 1 - Reserved Matters application (covering appearance, landscaping, layout and scale) pursuant to outline permission DC/18/2687, proposing the erection of 123 residential units (with associated infrastructure); and including the details required by outline Condition 21 (the scheme of noise and vibration attenuation) and outline Condition 24 (Cedar Tree Reports).

The Phase 2 Reserved Matters Application was validated on the 3rd of February 2023 for:

Phase 2 - Reserved Matters application (covering appearance, landscaping, layout and scale) pursuant to outline permission DC/18/2687, proposing a total of 137 residential units (of which 40 units will be new-build, and 97 units will be delivered as part of the conversion of the Central Buildings 3 and 36) and the provision of 618 sqm (GIA) of flexible commercial /community space at the ground floor of Building 36; and including the details required by outline Condition 21 (the scheme of noise and vibration attenuation).

Need for EIA Screening

Regulation 6(3) of the EIA Regulations states the following:

- (3) A request for a screening opinion in relation to development where a subsequent application has been or is proposed to be submitted must be accompanied by-

  (a) a plan sufficient to identify the land;

  (b) sufficient information to enable the relevant planning authority to identify any planning permission granted for the development in respect of which a subsequent application has been made;

  (c) the information described in paragraph (2) (c) and (d) 2, but only to the extent that this relates to likely significant effects on the environment not previously identified; and

  (d) such other information or representations as the person making the request may wish to provide or make, including any features of the proposed development or any measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment.

On 20 September 2018, a Request for an EIA Screening Opinion was submitted by Savills on behalf of WSCC **(Appendix 1)**, including a location plan **(Appendix 2)**. This confirmed that the outline scheme falls within the description in Schedule 2 Part 10(b) 'Urban Development Projects'. The proposed development is not located within a sensitive area but would exceed the relevant criteria in Schedule 2 and therefore comprises Schedule 2 development. As such, the proposed development would constitute EIA development if it were likely to have significant environmental effects.

October 2018, Horsham provided a formal Screening Opinion stating that the overall scale and nature of the impacts that would arise from the scheme do not require an EIA, and that the environmental issues arising from the development can be dealt with as part of the usual planning application process.". This opinion is provided at **Appendix 3**.

On 26 August 2022 Nexus Planning submitted a Request for an EIA Screening Opinion **(Appendix 4)** which also concluded that the Proposed Development should not be considered EIA development.

On 8 September 2022 Horsham District Council provided a formal response **(Appendix 5)** which included the note that *"Since the original screening opinion was given in 2018, development within the Sussex North Water Resource Zone is*

now subject to water neutrality restrictions as a result of biodiversity impacts. The proposed development is within the zone, with potential impacts to Arun Valley Special Area of Conservation, Special Protection Area and Ramsar site. The submitted screening states that proposed reserved matters applications will be supported by Water Neutrality Statements to address this impact".

The response concluded that there would be no likely significant effects in terms of noise, air quality, contamination, water resources, ecology, landscape and visual, cultural heritage, or traffic and would not be an EIA development.

Requirement for an EIA

As with the previously screening request, the Proposed Development does not fall within any category listed under Schedule 1 of the EIA Regulations. However, it does fall within the description of 10(b) of Schedule 2 of the EIA Regulations as an "Urban Development Project" comprising more than 150 dwellings.

This does not mean that an EIA is automatically required. Instead, the EIA Regulations require that an EIA be undertaken where the development is "likely to have significant effects on the environment by virtue of factors such as its nature size or location". The National Planning Policy Guidance ("NPPG") (ID 4-018-2014306) states that "only a very small proportion of Schedule 2 development will require an assessment".

It should be noted that the EIA Regulations require EIAs for qualifying developments where there are likely significant environmental impacts, and not solely where there would be likely environmental impacts that could be mitigated.

Where likely impacts have been identified and potential mitigation is known to be capable of reducing such impacts to less than "significant", then such environmental considerations would be sufficient to conclude an EIA is not required.

In order to assess any significant environmental effects, the selection criteria contained in Schedule 3 of the EIA Regulations should be applied. These are:

a) The characteristics or development (having regard to size and design, cumulative impacts, use of natural resources, production of waste pollution and nuisances, risk of major accidents and risk to human health);

b) The location of development by reference to the environmental sensitivity of the area; and

c) The type and characteristic of the potential impact (having regard to the magnitude and spatial extent, nature, transboundary, intensity and complexity, probability, expected onset, duration frequency and reversibility, cumulative impact and the possibility of effectively reducing the impact).

Possible effects on the environment

The following information has been prepared with reference to the selection criteria for screening Schedule 2 development, provided in Schedule 3 of the EIA Regulations:

1. Characteristics of development (a) – (g) (of the Regulations)

2. Location of development (a) – (c) (of the Regulations)

3. Types and characteristics of the potential impact (a) – (h) (of the Regulations)

The below is our response to the key criteria.

Flood Risk and Hydrology

The site is within Flood Zone 1 and has a low probability of flooding from rivers and the sea.

Since the outline application was granted, there has been a change in circumstances in relation to Water Neutrality. Horsham District Council is supplied with water by Southern Water from its Sussex North Water Resource Zone (WRZ). A new development total water use in the Sussex North Water Supply Zone after the development must be equal to or less than the total water use in the region before the new development.

For those applications that will create demand for mains water from the Sussex North Supply Zone, the applicant must submit a Water Neutrality Statement setting out the existing and proposed water consumption figures and a scheme for how water neutrality will then be achieved. The requirement for a Water Neutrality Statement is now a local validation requirement. A future Reserved Matters submission will be supported by a Water Neutrality Statement(s), to be drafted in accordance with the guidance set out on the Horsham District Council website.

Given the above, it is concluded that subject to mitigation identified with the Water Neutrality Statement, impacts will not be significant.

Ecology

A Preliminary Ecology Appraisal undertaken on the site in July 2018 concluded the site was of low overall ecological value. There was found to be low population of slow worms and common lizards on site. A new ecology report will be submitted as a part of the new planning application but as there has been no major changes to the site since 2018 the results are not anticipated to be significantly different.

The Cedar trees which are under the Tree Preservation Order are located in Phase 1 and 2. Since the original application the Cedar trees at the site has diminished notably, two of the trees are now classified as 'Category U', whereby the recommendation is that they are removed from the site.

Mitigation measures will be implanted on site during the construction phase to limit any adverse effects on the species on site. Through the mitigation measures and the limited significant biodiversity on site the proposal is considered to have a very limited effect on the overall ecology value.

Air Quality

The proposed residential use on site is not considered to negatively impact the air quality on site when considering the previous and current permitted use of employment. There will be potential air quality impact during the construction phase will be addressed in the Construction Management Plan submitted to the Council prior to commencement of development.

An Air Quilty Assessment will be submitted as a part of the application and will determine in detail the levels of impact of the proposal and any mitigation measures required.

Noise

There would be some construction noise anticipated during development construction associated with machinery and traffic, but this would be considered insignificant and is standard of any development of this scale. Mitigation measures would be implemented to ensure the level of noise would be controlled and would no significant impacts to the surrounding residents.

A Noise Report will be submitted along with the planning application and it is anticipated that a Construction Management Plan would be requested via a standard planning permit condition to ensure these mitigation measures.

Contamination

A previous Land Quality Investigation was undertaken in March 2016 by KDC Contractors Ltd which conducted a series of ground investigations including 100 trial pits and boreholes and chemical testing. These tests concluded that there were some areas of contamination that resulted in remediation works being undertaken. These remediation works which were detailed in the KCD Land Quality Interim Report dated November 2016 which states the works included delineation and off-site removal of contaminated soils in area where risk has been identified. The groundwater assessment concluded that, following the removal of contaminated soils and groundwater there was a low risk to the wider environment.

Mitigation measures will be put in place to limit any potential risks that may arise during the construction phase. Overall the contamination risk on site is considered to be low and wouldn't warrant a Environmental Impact Assessment.

Landscape

A full and detailed landscape plan will be submitted as a part of the planning application designing the street tree planting throughout the site and open greenspace in the southern section of the site, resulting in vibrant, biodiverse green space on the site that is useable for the entire community.

The site is not located within any landscape designations and the proposal will not impact the landscape of any of the surrounding sites on both public and private land.

Cultural Heritage

On Phase 2 the existing building is included in the Horsham Town Local List 2011 of locally important historic buildings. The scheme has been carefully designed to perverse and enhance the existing heritage assets and the proposed works would result in no alteration to the rhythm of the northeast façade, which is the main façade related to the entrance drive, the primary element in its setting. The previously submitted Heritage Assessment undertaken by Orion in January 2023 concluded that the works to the heritage asset might, at the most, exert the very lowest level of less than substantial harm. However, this must be offset against the very significant benefit to the retention and refurbishment the building, together with other public benefits set out elsewhere in this application.

Other heritage assets within the surrounding area include Collyers Sixth Farm College Hurst Road Horsham which is a Grade II Listed Building located approximately 350 metres away from the closest edge of the site. Others heritage sites include Horsham Park and Woodstock Close Park which are 900 metres and 2.3 kilometres from the site. None of these heritage sites will be impacted by the proposal.

There will be no negative impact on any heritage assets surrounding the site by the proposed development.

Transport

The site is well located approximately 1.3km from the town centre with opportunities for residents to travel by sustainable transport modes. Horsham Train Station is located 1.2km from the access way of Phase 3, connecting the

site to London and the bus stops on North Neath Lane connects the site to the train station, town centre, colleges, hospital and public open space.

Access to and from the site off Wimblehurst Road with both vehicle and pedestrian access to ensure the site is as well connected to the surrounding area as possible with the railway line boarding the site on two boundaries.

Conclusion

Based on the above, we conclude that the Proposed Development should not be considered EIA development, and therefore an Environmental Screening is not required. In line with the EIA Regulations 2018, it is noted that the Council has 21 days from the date of receipt to issue a Screening Opinion.

We trust that you have sufficient information to determine whether the Proposed Development is EIA development under the EIA Regulations. However, should you need any further information or clarification, please do not hesitate to get in touch.

Yours sincerely

Nexus Planning

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- Appendix 1 - The original Request for an EIA Screening Opinion (20 September 2018)
- Appendix 2 - Location Plan
- Appendix 3 - Horsham DC formal Screening Opinion (17 October 2018)
- Appendix 4 – EIA Screening Request (26 August 2022)
- Appendix 5 – Horsham DC formal Screening Response (8 September 2022)