From: Planning
Sent: 05 March 2024 16:29
To: Emma.Parkes
Cc: Charlotte Arundell; Mandy.Smith
Subject: EIA/24/0001*FW: Request for EIA Screening Opinion - Land at Hilland House, New Road, Billingshurst
Attachments: Billingshurst - Screening Opinion Request March 2024.pdf

Hi Emma,

I am sending you the attached for your info, I have already sent this on to Nic P, not sure if at this stage it needs to be registered.

Thanks
Nicky

NicolaGooch
Planning Support Assistant

Telephone: 01403 215244
Email: Nicola.Gooch@horsham.gov.uk

Horsham District Council

Horsham District Council, Parkside, Chart Way, Horsham, West Sussex RH12 1RL
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From: Robert Collett <robcollett@lukenbeck.com>
Sent: 05 March 2024 10:05
To: Nichola.Pettifer@horsham.gov.uk
Cc: Planning <planning@horsham.gov.uk>; Graham Beck <GrahamBeck@lukenbeck.com>
Subject: Request for EIA Screening Opinion - Land at Hilland House, New Road, Billingshurst

Dear Nichola

Request for a Screening Opinion - Town and Country Planning (Environmental Impact Assessment) Regulations 2017
Land at Hilland House, New Road, Billingshurst

I write further to your recent discussions regarding the above site to attach a request that Horsham District Council adopts a Screening Opinion in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, to determine whether the development of up to 150 dwellings, open space (including play area and public access to part of the woodland area), landscaping and associated infrastructure, accessed via a new access off New Road, with retention of the existing dwelling on around 9.7 hectares of land at Hilland House, New Road, Billingshurst is likely to have any significant environmental effects and as such if it is EIA development.

I trust that the attached document provides the necessary information to allow the Council to adopt a Screening Opinion, but if there are any queries or you wish to discuss this further then please do not hesitate to contact me.

Kind regards

Rob

Rob Collett BA(Hons) MTP MRTPI PIEMA
Associate Director

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Land at Hilland House, New Road, Billingshurst, West Sussex

Request for Screening Opinion under Reg.6 of the TCPA (EIA) Regulations 2017 (As amended)

March 2024

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Management | Development | Planning

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Contents

Executive Summary		i
Introduction	1	
Site Description	2	
Development Proposals	3	
Relevant Planning History		4
The Screening Process	5	
Potential Environmental Effects	9	
Conclusion	15	

Appendices

1 Site Location Plan
2 EIA Checklist
3 Aerial Photograph
4 Draft Site Masterplan

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Ref: 23061

Date: March 2024

Ver.: RC / 1

Executive Summary

i. This is a formal request for Horsham District Council to adopt a Screening Opinion under the Town and Country Planning (Environmental Impact Assessment) Regulation 2017 to determine whether the proposed development is likely to have significant environmental effects and as such if it is EIA development.

ii. The proposed development is the erection of up to 150 dwellings, open space (including play area and public access to part of the woodland area), landscaping and associated infrastructure, accessed via a new access off New Road, with retention of the existing dwelling on around 9.7 hectares of land at Hilland House, New Road, Billingshurst, West Sussex.

iii. The proposals have been assessed against the EIA Regulations, with specific reference to Schedule 2 and Schedule 3 and advice within the National Planning Policy Guidance.

iv. Having regard to the nature, scale and location of the development it is concluded that no significant environmental effects are likely to arise and consequently the proposed development is not EIA development.

1. INTRODUCTION

1.1 This report has been prepared by Luken Beck on behalf of Northgate Properties and is submitted to Horsham District Council under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the "EIA Regulations"), to request that the Council adopts a formal Screening Opinion to determine whether the development of around 9.7 hectares of land at Hilland House, New Road, Billingshurst, West Sussex with the erection of up to 150 dwellings, open space (including play area and public access to part of the woodland area), landscaping and associated infrastructure, accessed via a new access off New Road, with retention of the existing dwelling is likely to have a significant effect on the environment and as such if it is EIA development (as defined by the EIA Regulations).

1.2 A site location plan identifying the land is attached at **Appendix 1**.

1.3 In accordance with the procedures set out in Section 6(2) of the EIA Regulations, this request for a Screening Opinion includes the following information:

(a) a plan sufficient to identify the land;
(b) a description of the development, including in particular—
  i. a description of the physical characteristics of the development and, where relevant, of demolition works;
  ii. a description of the location of the development, with particular regard to the environmental sensitivity of geographical areas likely to be affected;
(c) a description of the aspects of the environment likely to be significantly affected by the development;
(d) to the extent the information is available, a description of any likely significant effects of the proposed development on the environment resulting from—
  i. the expected residues and emissions and the production of waste, where relevant; and
  ii. the use of natural resources, in particular soil, land, water and biodiversity; and
(e) 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.

1.4 To assist the Council with this process, the checklist used by the National Planning Casework Unit and the Planning Inspectorate when screening for EIA is attached at Appendix 2 to this document.

2. SITE DESCRIPTION

2.1 The site measures around 9.7 hectares and is located on the north-eastern edge of Billingshurst, adjacent to the defined settlement boundary; Horsham is situated approximately 9km north east of the site. To the west of the site is Billingshurst Trade Park, which is a recently constructed commercial development comprising a supermarket, fuel station with retail use, hot food takeaway, trade counter retail and other commercial/ light industrial uses, accessed by a roundabout off Stane Street (which also accesses New Road). To the south of the site is Hilland Road (A272), with residential properties beyond.

2.2 The site is accessed in the north -western corner off New Road, which currently accesses an existing dwellings (Hilland House), with its associated out-buildings and tennis court. The northern boundary of the site with New Road is marked by existing hedgerow and trees. The site comprises largely open land laid to grass that has been in agricultural use, with vegetated field boundaries comprising hedgerows and trees. The eastern part of the site comprises a woodland area, with a, east-west vegetated corridor. A public right of way (Footpath 1942) is routed along the site's western boundary.

2.3 The site gently slopes downwards from west-east and satellite imagery indicates the changes in elevation to be approximately 13m along the northern boundary of the site and approximately 7m along the southern boundary.

2.4 An aerial photograph is attached at **Appendix 3**.

3. DEVELOPMENT PROPOSALS

3.1 The proposed development comprises the erection of up to 150 residential dwellings (mainly 2, but up to 2.5 storeys with the possibility of some single storey bungalows), open space (including play area and public access to part of the woodland area), landscaping and associated infrastructure, accessed via a new access off New Road, with retention of the existing dwelling.

3.2 The dwellings will likely comprise a mix of detached, semi-detached and terraced houses and flats and it is anticipated the design approach will comprise traditional, pitched roof properties with an approximate ridge height of between 8m and 12m above finished floor level. Substantial landscaping is also proposed which will ensure the development is not intrusive within the wider landscape.

3.3 A draft site masterplan is included within **Appendix 4** of this report.

4. RELEVANT PLANNING HISTORY

4.1 Planning The site has no relevant planning history to the current proposals. There is however planning history within the immediately surrounding area that is of relevance; none of which was EIA development.

Application Ref: DC/18/2122
Site: Land North of Hilland Farm, Stane Street, Billingshurst
Proposal: A Hybrid Planning application comprising: Detailed planning permission for up to 4,998sqm of B1c,B2 and B8 use floorspace, roundabout access junction from the A29, access, parking, servicing areas and associated landscaping (phase 1). Outline planning permission for up to 14,075sqm of B1c, B2 B8 use floorspace, petrol filling station with ancillary retail offer and drive through coffee unit, with all matters reserved except for access (phase 2)
Decision: Approved
Decision Date: 10th June 2019

Application Ref: DC/21/0748
Site: Land to the south of Hilland Farm, Stane Street, Billingshurst
Proposal: Outline Application for up to 9,825m2 of Class E (Industrial Processes), B2, and B8 use floorspace with all matters reserved except for access
Decision: Application refused / Appeal dismissed
Decision Date: 24th September 2021 / 14th February 2023

Application Ref: DC/20/2607
Site: Land at Duckmoor, East of Billingshurst
Proposal: Outline application for the development of 83 residential units, landscaping, access, parking and associated infrastructure with all matters reserved except access
Decision: Appeal allowed
Decision Date: 18th January 2023

5. THE SCREENING PROCESS

5.1 The EIA Regulations are applied to specific types of development that may have significant effects on the environment. Development types are categorised in the EIA Regulations as Schedule 1 or Schedule 2 developments; the nature of the proposals, their location, and their scale being the determining factors, as to whether they are likely to have significant environmental effects.

5.2 Developments within Schedule 1, and those developments described in Schedule 2 that are likely to have significant environmental effects, are termed 'EIA developments'. Planning applications for such developments must be accompanied by an Environmental Statement (ES) prepared in accordance with the EIA Regulations.

5.3 Screening is the term applied to determining if a development is an EIA development.

5.4 The first stage of the screening process is to determine whether the development falls within Schedule 1 or Schedule 2 of the EIA Regulations. Development listed under Schedule 1 are considered to have likely significant environmental effects and where EIA is mandatory. Development described under Schedule 2 may be EIA development, depending on whether it is likely or not to have significant effects on the environment.

5.5 In the case of Schedule 2 projects, it is necessary to determine if the site is in a 'sensitive area' as defined by the EIA Regulations, which includes areas such as SSSIs, National Parks, National Landscapes (formerly AONBs), World Heritage Sites and Scheduled Ancient Monuments. If the Site is within a 'sensitive area' (as defined) then the requirement for an EIA is more likely.

5.6 If the development is not located in a sensitive area, as is the case here, the next stage is to assess whether the development proposals exceed or meet any of the applicable thresholds and criteria for that particular type of development. These thresholds and criteria are related to the attributes (e.g. size of the site, production / output, capacity of a facility) of a type of development, however, if they are exceeded it does not follow that an EIA is required as it is also necessary to consider the selection criteria within Schedule 3 of the Regulations and whether the development proposed is likely to have significant effects on the environment. The purpose of these thresholds is to illustrate the circumstances where development may be more likely to have significant effects and therefore be EIA development. The PPG reinforce this message and Paragraph: 018 Reference ID: 4-018-20170728 confirms;

Only a very small proportion of Schedule 2 development will require an Environmental Impact Assessment... 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

5.7 This report follows the above screening process as it applies to the proposed development, to assist the Council in determining whether it is an EIA development, and consequently would require the preparation of an ES to accompany the planning application.

EIA REGULATIONS – SCHEDULE 1 DEVELOPMENT

5.8 The Proposed Development is not listed under Schedule 1 of the EIA Regulations. Therefore, the requirement for EIA is not mandatory.

EIA REGULATIONS – SCHEDULE 2 DEVELOPMENT

5.9 The proposed development is not specifically listed within Schedule 2 of the EIA Regulations, however, Section 10 Infrastructure Projects, and specifically, section 10(b) Urban development projects, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas, would be the nearest Schedule 2 category in terms of the proposed process and potential effects.

5.10 Where development is of a type described in Schedule 2, an EIA is more likely to be required if the site is located in a sensitive area, or the scale of the development meets or exceeds the applicable threshold which, are set out below;

i. The development includes more than 1 hectare of urban development which is not dwellinghouse development; or
ii. The development includes more than 150 dwellings; or
iii. The overall area of development exceeds 5 hectares.

5.11 Sensitive areas defined in the EIA Regulations include:

- Sites of Special Scientific Interest (SSSIs) and their consultation areas
- Land under nature conservation orders and international conservation sites
- National Parks (including the Broads)
- Areas of Outstanding Natural Beauty (now termed National Landscapes)
- World Heritage Sites
- Scheduled Monuments

5.12 The site does not therefore lie within a sensitive area for the purpose of the EIA Regulations.

5.13 The potential number of dwellings proposed also does not exceed the 150 dwelling threshold, however the site area is around 9.7 hectares and as such exceeds the indicative 5 hectare threshold. However, this is not determinative, and as stated above, it is necessary to consider **Schedule 3 - Selection Criteria for Screening Schedule 2 Development**. This is considered further below.

EIA REGULATIONS SCHEDULE 3

5.14 The National Planning Practice Guidance advises with respect to Screening Schedule 2 development (our emphasis in bold);

When screening Schedule 2 projects, the local planning authority must take account of the selection criteria in Schedule 3 of the 2017 Regulations. Not all of the criteria will be relevant in every case. ***Each case should be considered on its own merits in a balanced way****. When the local planning authority or Secretary of State issues its opinion they must state the main reasons for their conclusion with reference to the relevant criteria listed in Schedule 3. 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, significant adverse effects on the environment.*

It continues;

Only a very small proportion of Schedule 2 development will require an Environmental Impact Assessment*. 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. See the indicative thresholds and criteria. 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.

(Extracts from National Planning Practice Guidance Paragraph: 018 Reference ID: 4-018-20170728)

5.15 Schedule 3 provides a number of selection criteria to assist as to whether EIA is required, and these are set out below.

Characteristics of development

1. The characteristics of development must be considered with particular regard to —

(a) the size and design of the whole development;
(b) cumulation with other existing development and/or approved development;
(c) the use of natural resources, in particular land, soil, water and biodiversity;
(d) the production of waste;
(e) pollution and nuisances;
(f) the risk of major accidents and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with scientific knowledge;
(g) the risks to human health (for example, due to water contamination or air pollution).

Location of development

2. The environmental sensitivity of the geographical areas likely to be affected by development must be considered with regard to;

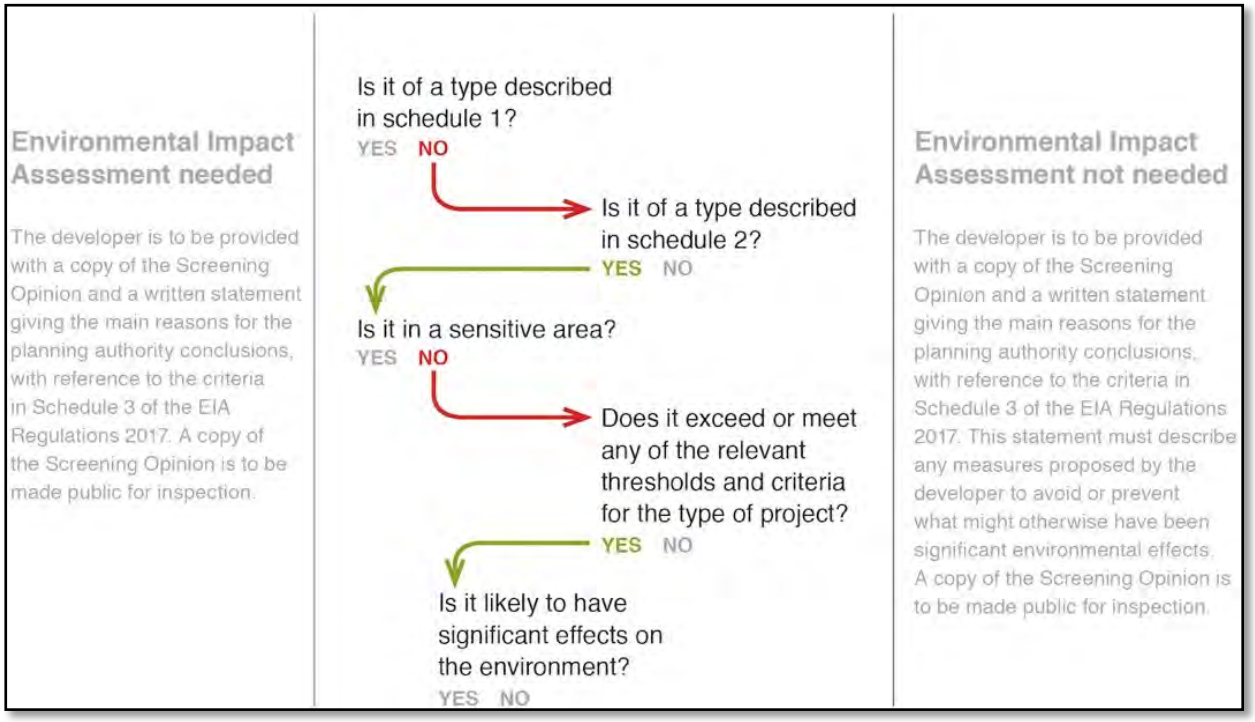
(a) the existing and approved land use;
(b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground;
(c) the absorption capacity of the natural environment, paying particular attention to the following areas—
    i. wetlands, riparian areas, river mouths;
    ii. coastal zones and the marine environment;
    iii. mountain and forest areas;
    iv. nature reserves and parks;
    v. European sites and other areas classified or protected under national legislation;
    vi. areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the project, or in which it is considered that there is such a failure;
    vii. densely populated areas;

viii. landscapes and sites of historical, cultural or archaeological significance.

Types and characteristics of the potential impact

3. The likely significant effects of the development on the environment must be considered in relation to criteria set out in paragraphs 1 and 2 above, with regard to the impact of the development on the factors specified in regulation 4(2), taking into account—

(a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);
(b) the nature of the impact;
(c) the transboundary nature of the impact;
(d) the intensity and complexity of the impact;
(e) the probability of the impact;
(f) the expected onset, duration, frequency and reversibility of the impact;
(g) the cumulation of the impact with the impact of other existing and/or approved development;
(h) the possibility of effectively reducing the impact.



Extract from EIA Screening Guidance

6. POTENTIAL ENVIRONMENTAL EFFECTS

6.1 The National Planning Practice Guidance provides guidance on assessing the potential for Schedule 2 development to result in significant environmental effects.

6.2 With respect to section 10(b) of Schedule 2, the guidance suggests that EIA 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'.*** For sites that have not previously been intensively developed (as is the case for the site), as advised above, the additional indicative criteria suggest that EIA is more likely to be required where:

- The area of the scheme is more than 5 hectares; or
- It would provide a total of more than 10,000 m2 of new commercial floorspace; or
- The development would have significant urbanising effects in a previously non-urbanised area (e.g. a new development of more than 1,000 dwellings).

6.3 The guidance also indicates that key issues to consider with respect to the potential for EIA to be required are the physical scale of development and the nature of potential impacts in terms of traffic, emissions or noise. These are considered below along with other potential impacts.

Traffic and Highways

6.4 During the construction phase, the development will increase the number of daily traffic movements, however these will be temporary and over a short period of time. The magnitude of construction traffic flows is likely to be within daily variation on surrounding roads and as such is not considered to have the potential for significant impacts on the local road network.

6.5 Once operational, the development will generate additional vehicular movements and has the potential to increase the demand for public transport. An initial assessment has been undertaken to assess the proposed development quantum on the operation and capacity of New Road and the wider highway network. This has concluded that the site can be accessed from a simple priority junction off New Road and that the New Road, Billingshurst Trade Park and A29 south arms of the roundabout to the west will work within capacity in the AM and PM peak hours, with an increase in RFC of only 0.01 on the A29 northern arm, which is so low and as such inconsequential. No significant impacts on highway capacity or safety are therefore predicted.

6.6 A Transport Assessment and residential Travel Plan will be prepared and submitted as part of the planning application for the site, and the methodology for determination of trip generation/distribution would be agreed in advance with the Highway Authority. It is envisaged that a Construction Management Plan (CMP) would also be produced under a planning condition for the development. As a result, it is considered that no significant highway impact will arise to New Road or the wider network as a result of traffic generation both during construction and once occupied from the development.

Landscape and Visual Impact

6.7 The site is located outside of the South Downs National Park, which is around 5.5km to the west. Due to the proximity and intervening development, it is not considered that the development would have any significant visual impacts on this sensitive area. The site is also located outside of any National Landscape (formerly known as Area of Outstanding Natural Beauty).

6.8 The development, like most, has the potential to give rise to environmental effects on landscape and visual amenity during the construction and operational phases through the introduction of new development. The site is however currently fairly well screened by existing vegetation which will be retained and enhanced as part of the proposed development and the development also relates well to existing development to the west and south, which will help to screen and reduce any impacts of the scheme.

6.9 The development will seek to retain existing landscape features on site where possible, including the woodland to the east and include a range of landscaping proposals to reduce any adverse impacts and as a result, the development is not predicted to alter the key characteristics of the landscape in the area. Once the new landscaping has matured, the effect on landscape character will be negligible and not significant. Long term residual effects to the local area and immediate context are not considered to be significant.

6.10 The development has the potential to change views from public footpath 1942, that runs along the site's western boundary. The development however can be suitably and appropriately designed with the retention of existing good quality landscaping and the implementation of a suitable planting scheme to ensure that there are no significant impacts on users of this public right of way.

6.11 A Landscape and Visual Impact Assessment will be submitted with the planning application that will assess and propose suitable landscaping measures to ensure any impacts will be suitably mitigated consequently, it is not considered significant impacts will arise.

Ecology and Biodiversity

6.12 The site does not lie within any statutory or non-statutory sites for nature conservation. The closest SSSI to the site is Coppedhall Hangar SSSI, which is located around 1.76km to the north-west and the closest internationally designated site is The Mens SAC, around 5.5km to the west of the site. The site does however fall within the Impact Risk Zone for The Mens SAC and the Sussex North Water Supply Zone.

6.13 The site is located within the Key Conservation Area of The Mens SAC impact zone as defined by the Sussex Bat Protocol, where habitats in this zone are considered critical for sustaining populations of bats within the SAC. The site is considered to support high suitability for foraging, commuting and roosting bats in the form of the broadleaved woodland, hedgerows, watercourse, scrub and field edges. The site however can be appropriately designed to retain features of importance, with a landscaping scheme designed to include suitable features for bat foraging, commuting and roosting and an appropriately sensitive lighting scheme, to ensure that there are no significant impacts on species of importance to the SAC designation.

6.14 The site is also located within the Sussex North Water Resource Zone, where there is potential for water abstraction for drinking water to have a negative effect on the Arun Valley Natura 2000 sites. In order to address impacts, the proposal aims to achieve water neutrality through private boreholes taken from an on-site aquifer. Preliminary survey work has indicated that the aquifer is not connected to the protected sites, is sufficiently charged and the proposals can draw the required water supply. Further to the preliminary desk top reports, an application for consent to investigate a ground water source under section 32 of the Water Resources Act 1991 was approved by the Environment Agency and permits the construction of two boreholes (reference: S/2023/328). Theses boreholes are now complete and yielding water. A planning application will be accompanied by necessary assessments and survey work to demonstrate that the appropriate volume and quality of water is available to achieve water neutrality. As the development can achieve water neutrality then the will be no significant impacts of the development on the protected Aun Valley Natura 2000 sites.

6.15 Any planning application will include a range of appropriate ecological baseline assessments and several ecological surveys have been undertaken. The ecological baseline surveys have determined that the site is not of significant ecological value, with the site comprising largely grassland that is easily replaceable and of local botanical value. Surveys have identified however that the site supports a small population of reptiles (grass snakes, common lizard and slow worm), foraging and commuting bats, breeding birds, the presence

of dormice, one outlier badger sett and the likely presence of hedgehog. The surveys have identified that Great Crested Newts are absent from the waterbodies.

6.16 Significant impacts on any protected species can however be avoided through the implementation of an ecological management plan, including the retention of existing site features where possible, areas for translocation of reptiles and reptile habitat enhancement, a landscaping scheme that promotes biodiversity and sensitive timings of any works. If the development results in the loss of the outlier badger sett or dormouse habitat, then a protected species licence will be required from Natural England.

6.17 The application will be supported by an Ecological Impact Assessment which will identify any biodiversity features or species affected and appropriate mitigation and enhancements will be recommended and secured via a Biodiversity Enhancement Plan. Furthermore, as the development will be required to secure mandatory Biodiversity Net Gain, then the development is likely to result in biodiversity enhancement.

6.18 The development is therefore not likely to have significant ecological effects and as such should not require EIA.

Flood Risk and Water Management

6.19 The site is located within Flood Zone 1 (Low Risk) and is therefore considered to be suitable for residential development in flood risk terms. There are localised surface water flooding issues nearby and across the site which will require a suitable site design to ensure the flood risk from the development does not increase flood risk elsewhere and a detailed levels strategy will be required to inform the pre and post development overland flows.

6.20 During the operational phase there will be an increase in non-permeable surfacing and a surface water management strategy will be implemented, incorporating Sustainable Drainage Systems (SuDS). The local geology is clay so a SuDS solution is likely to be based on attenuation of surface water flows with a discharge to a local watercourse. There is a nearby spring which also suggests that the water table level is high so any SuDS features will need to be shallow. The developer of the adjacent development to the west is installing a filter drain to capture and distribute the surface water flows that enter their site from the east. This indicates that infiltration methods are not suitable methods of disposal and that overland flows across the proposed development need to be carefully designed and dealt with.

6.21 In accordance with the requirements under the National Planning Policy Framework and its supporting guidance a Flood Risk assessment (FRA) and drainage strategy will be submitted as part of the planning application for the development.

6.22 Taking the above into consideration, it is therefore envisaged there will be no significant effects in relation to flood risk and water management.

Noise and Vibration

6.23 The construction phase of the development will create a source of noise, although this will be temporary over a relatively short period of time. The site is however discreetly located and there are no significant sensitive receptors close to the site that are likely to be significantly affected by construction noise.

6.24 Construction noise impacts can be appropriately controlled using best practice construction techniques, and planning conditions (e.g. limiting hours of working and the requirement for a Construction Environmental Management Plan (CEMP)). For these reasons, significant construction noise impacts are not considered likely.

6.25 The nature of the operational phase of the proposed development is such that it is not considered likely to generate significant noise, although additional road traffic has the potential to increase noise levels, but any increases are unlikely to be significant.

6.26 It is not considered therefore that there would be any significant any noise impacts to require EIA.

Air Quality

6.27 The site is not located within an Area Quality Management Area and whilst the proposed development has the potential to change air quality on and in the vicinity of the site through increases in traffic movements during the construction and operational phases and through dust emissions during construction. Given the nature of the development, it is not expected that there will be any significant effects during the operational phase with regards to dust emissions.

6.28 During the construction phase of the development, the impact of dust emissions will be mitigated through the implementation of measures described in the Institute of Air Quality Management (IAQM) construction dust guidance. The implementation of a Dust Management Plan will reduce the residual dust effects to a level as categorised as not significant. This will be part of the submitted CMP for the site.

6.29 Taking into account the scale and nature of the proposed development, significant effects on air quality are considered to be unlikely.

Contamination and Ground Conditions

6.30 The proposed development of the site for dwellings (many of which will have gardens) represents a high sensitivity end-use. The known use of the site is largely agricultural and a desk based assessment has identified any risks as low, with the greatest risk presented by historical on-site construction and demolition works and infilling ponds with unknown material. It is anticipated that ground conditions will comprise a veneer of Made Ground and/or topsoil over bedrock deposits of the Weald Clay Formation comprising sandstone and mudstone.

6.31 Due to the low risk rating for the site a contamination risk assessment is not considered necessary and instead contamination screening should be carried out, comprising the collection of three or four soil samples for analysis of a generic contamination suite. Ground gas and groundwater monitoring wells should also be installed.

6.32 The nature of the Proposed Development is such that end users are not likely to significantly contaminate the site during the operational phase therefore no significant effects are considered likely.

6.33 It is not considered that the development will have any significant ground conditions/contamination impacts and as such EIA should not be required.

Cultural Heritage & Archaeology

6.34 The site is not located within or adjacent to a conservation area and does contain/ is adjacent to any listed buildings, Schedule Monuments or World Heritage Sites, with the closest listed building is located the Grade II garden building associated with Summers Place, around 240m north. As such it is not considered that the proposed development would affect any identified heritage assets. A preliminary desk top assessment has been undertaken that shows very little archaeological potential, with the site 'informally' regarded as an historic farmstead.

6.35 The archaeological investigations of the retail/industrial park to the west did not produce any finds of significance, although Stane Street is located close-by so there will be a requirement for a desk-based assessment.

6.36 During the construction phase, the activities associated with the ground disturbance have the potential to result in the complete or partial removal of any sub-surface archaeological remains. A desk-based assessment will inform the layout of the development and will be submitted as part of the planning application. It is likely that there will be a pre-commencement condition requiring the agreement of a Written Scheme of Investigation

and subsequent implementation of a programme of archaeological investigation / recording. With this mitigation, there would be no likely significant effects to archaeology.

Socio-economic

6.37 The development may have a number of direct and indirect effects on the neighbouring community as a result of the Proposed Development, primarily through changes in population and demand for community services such as education, health care and community facilities. By virtue of the modest scale of the development and the envisaged requirement for appropriate provision / financial contribution to community facilities through Community Infrastructure Levy and/or a Section 106 Agreement, no significant effects are predicted.

6.38 The development will provide local employment opportunities during its construction and will result in increased local expenditure once complete. Whilst all employment generation is beneficial, the likely scale of change when compared to baseline unemployment levels is not likely to be significant in EIA terms.

6.39 The provision of 30% of dwellings as affordable housing, will result in a positive social benefit to the wider area, helping to reduce the Council's current shortfall.

Human Health

6.40 As the potential impacts relating to transport, air, emissions and noise as a result of the development are not considered to be significant and taking into consideration the scale and nature of the Proposed Development, no potential for significant human health effects are anticipated. Furthermore, the likelihood of major accidents is not significant having regard to the scale and nature of the development.

Climate

6.41 The scale and residential nature of the development is such that there will be no significant climate effects as a result. In keeping with best practice, allowances for climate change will be taken into account within the Flood Risk Assessment and consideration will be given to renewable forms of energy and reducing reliance on motorised means of transport.

Agricultural Land

6.42 The site has previously been in agricultural use, the proposed development however would lead to the loss of land for this purpose. Although no detailed assessment of agricultural land quality has been undertaken, mapping on the Government's Magic website has identified that the area includes a mix of Grade 3 and Grade 4 agricultural land. It is not considered however that a development of the proposed scale would have a significant impact on agricultural land and as such should not require EIA.

Minerals

6.43 The site is located within the Weald Clay Formation including 250m buffer minerals safeguarding area for brick clay in the adopted West Sussex Joint Minerals Local Plan (reviewed 2023), where Policy M9 states that non-minerals development will not be permitted unless minerals sterilisation will not occur, it is appropriate and practical to extract the mineral before development takes place or the need for the development outweighs the safeguarding of the mineral.

6.44 Any minerals extraction would require suitable buffer zones to site features such as trees and boundary hedgerows, which will constrain the workable area for the winning of any minerals and in any event a site of this size and scale is unlikely to be commercially viable for a mineral operator. An incidental approach to mineral extraction would be the most appropriate approach, involving the extraction of any minerals encountered through preparation and earthworks required for the construction of the proposed development. It is considered therefore that the proposed development would not have any significant impacts on minerals.

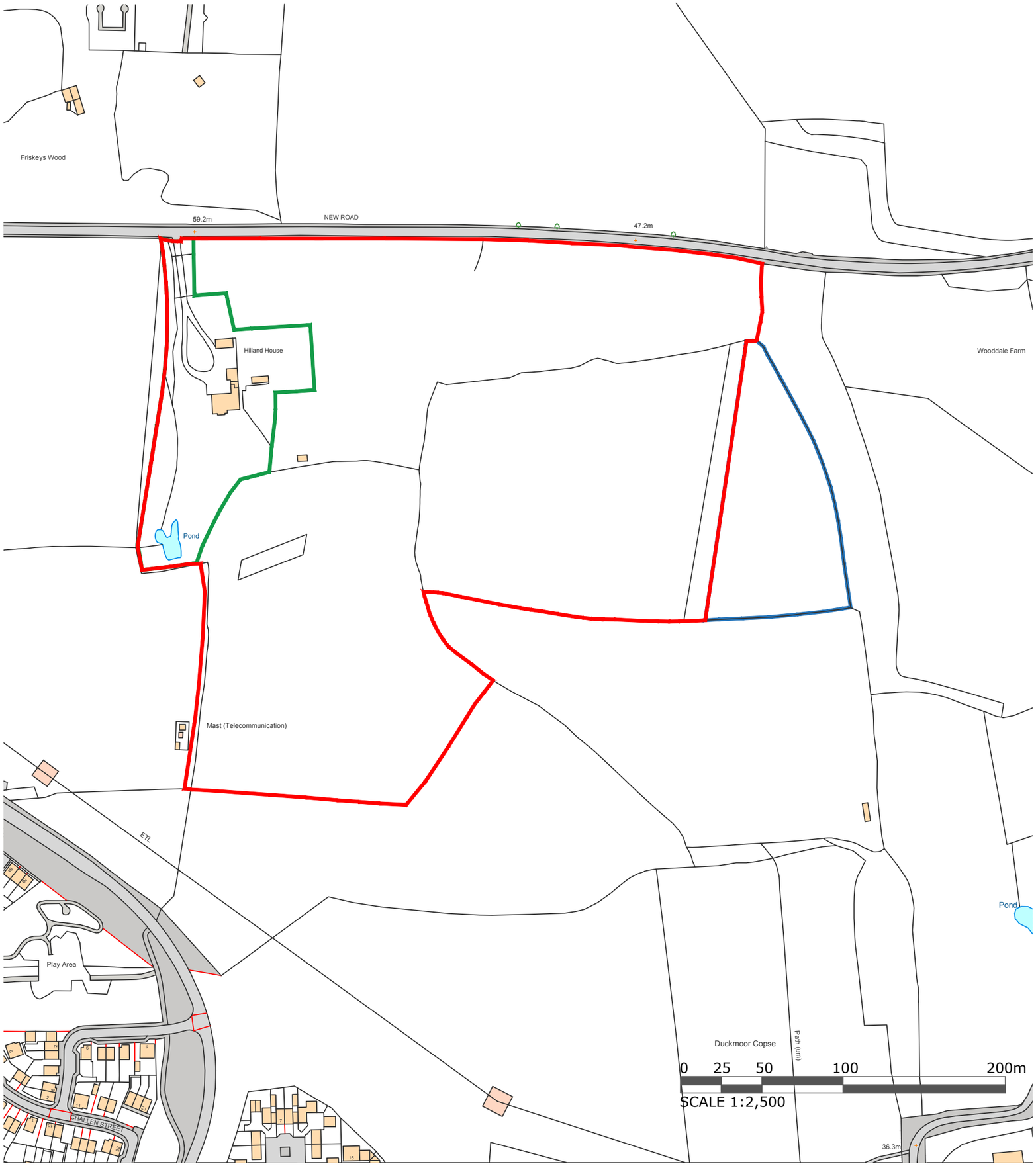
7. CONCLUSION

7.1 Luken Beck is formally requesting, on behalf of Northgate Properties, that Horsham District Council adopts a Screening Opinion in accordance with the EIA Regulations to determine whether the Proposed Development constitutes EIA development. The site has been identified to be relatively free of constraints and is not a 'sensitive site' for the purposes of the Regulations. Moreover though, the proposed land use is, in relative terms, benign and predictable especially during its operational phase. Such a use does not give rise typically to effects that are complex in type or large scale in magnitude. The Proposed Development has therefore been assessed in accordance with the screening process set out in the EIA Regulations and this has concluded that:

- The Proposed Development is Schedule 2 Development;
- The Application Site is not located within a sensitive area;
- That having regard to Schedule 3 – Selection Criteria for Schedule 2 Developments, the Proposed Development is not considered to cause significant environmental effects;
- The Proposed Development does not require an EIA.

7.2 It is our view that having regard to the checklist, the relevant criteria from the EIA Regulations and guidance from the PPG, there will be no significant environmental effects arising from the proposed development and as such it is not EIA development and a planning application would not need to be accompanied by an Environmental Statement.

APPENDIX 1
Site Location Plan



KEY

Red Line Application Boundary

Hilland House and Gardens

Additional Land Within Applicant Ownership

Rev	Date	Details	By

\\DLACLOUDSVR\Data\Server DATA\PROJECT FILES\2198 Hilland House\Landscape\Drawings\Sketch\DLA.2198.L30 Red Line Application Boundary\DLA.2198.L30.00.dwg

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CLIENT: Northgate Properties

PROJECT: Hilland House

TITLE: Red Line Application Boundary

STATUS: Draft

NUMBER

Project	Origin	Volume	Level	Type	Discip	Number	Rev
2198	DLA	XXX	XXX	DR	L	30	00

Job Number 2198 Date: Feb 2024 Size A3

Scale 1/2500

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APPENDIX 2
EIA Checklist

THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 SCREENING MATRIX

1. CASE DETAILS			
Case Reference		**Brief description of the project / development**	
Appellant			
LPA			
2. EIA DETAILS			
Is the project Schedule 1 development according to Schedule 1 of the EIA Regulations?			
If YES, which description of development (THEN GO TO Q4)			
Is the project Schedule 2 development under the EIA Regulations?			
If YES, under which description of development in Column 1 and Column 2?			
Is the development within, partly within, or near a 'sensitive area' as defined by Regulation 2 of the EIA Regulations?			
If YES, which area?			
Are the applicable thresholds/criteria in Column 2 exceeded/met?			
If yes, which applicable threshold/criteria?			
3. LPA/SOS SCREENING			
Has the LPA or SoS issued a Screening Opinion (SO) or Screening Direction (SD)? (In the case of Enforcement appeals, has a Regulation 37 notice been issued)			
If yes, is a copy of the SO/SD on the file?			
If yes, is the SO/SD positive?			
4. ENVIRONMENTAL STATEMENT			
Has the appellant supplied an ES for the current or previous (if reserved matters or conditions) application?			

WHEN COMPLETING THIS DOCUMENT IN RELATION TO AN ENFORCEMENT APPEAL, THE UNDERSIGNED OFFICER HAS HAD REGARD TO THE PROJECT AS ALLEGED IN THE RELEVANT ENFORCEMENT NOTICE WHEN REFERING TO THE PROJECT / DEVELOPMENT.

A Screening Criteria Question	**B** Response to the Screening Criteria Question in Column A (Yes/No and explanation of reasons)		**C** Is a Significant Effect Likely? (Yes/No and explanation of reasons (nb if the answer in Column B is 'No', Column C is not applicable))	
	Briefly explain reasons and, if applicable and/or known, include name of feature(s) and proximity to site(s)		Is a significant effect likely, having regard particularly to the magnitude and spatial extent (including population size affected), nature, intensity and complexity, probability, expected onset, duration, frequency and reversibility of the impact and the possibility to effectively reduce the impact? If the finding of no significant effect is **reliant on specific features or measures** of the project envisaged to avoid, or prevent what might otherwise have been, significant adverse effects on the environment **these should be identified in bold**.	
5. NATURAL RESOURCES				
5.1 Will construction, operation or decommissioning of the project involve actions which will cause physical changes in the topography of the area?	Yes / No / N/A	Reasons	Yes / No / N/A	Reasons
5.2 Will construction or operation of the project use natural resources above or below ground such as land, soil, water, materials/minerals or energy which are non-renewable or in short supply?				
5.3 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, e.g. forestry, agriculture, water/coastal, fisheries, minerals?				
6. WASTE				
6.1 Will the project produce solid wastes during construction or operation or decommissioning?				

A Screening Criteria Question	B Response to the Screening Criteria Question in Column A (Yes/No and explanation of reasons)		C Is a Significant Effect Likely? (Yes/No and explanation of reasons (nb if the answer in Column B is 'No', Column C is not applicable))	
7. POLLUTION AND NUISANCES				
7.1 Will the project release pollutants or any hazardous, toxic or noxious substances to air?				
7.2 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?				
7.3 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?				
7.4 Are there any areas on or around the location which are already subject to pollution or environmental damage, e.g. where existing legal environmental standards are exceeded, which could be affected by the project?				
8. POPULATION AND HUMAN HEALTH				
8.1 Will there be any risk of major accidents (including those caused by climate change, in accordance with scientific knowledge) during construction, operation or decommissioning?				
8.2 Will the project present a risk to the population (having regard to population density) and their human health during construction, operation or decommissioning? (for example due to water contamination or air pollution)				

A Screening Criteria Question	B Response to the Screening Criteria Question in Column A (Yes/No and explanation of reasons)		C Is a Significant Effect Likely? (Yes/No and explanation of reasons (nb if the answer in Column B is 'No', Column C is not applicable))	
9. WATER RESOURCES				
9.1 Are there any water resources including surface waters, e.g. rivers, lakes/ponds, coastal or underground waters on or around the location which could be affected by the project, particularly in terms of their volume and flood risk?				
10. BIODIVERSITY (SPECIES AND HABITATS)				
10.1 Are there any protected areas which are designated or classified for their terrestrial, avian and marine ecological value, or any non-designated / non-classified areas which are important or sensitive for reasons of their terrestrial, avian and marine ecological value, located on or around the location and which could be affected by the project? (e.g. wetlands, watercourses or other water-bodies, the coastal zone, mountains, forests or woodlands, undesignated nature reserves or parks. (Where designated indicate level of designation (international, national, regional or local))).				
10.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, e.g. for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?				

A Screening Criteria Question	B Response to the Screening Criteria Question in Column A (Yes/No and explanation of reasons)		C Is a Significant Effect Likely? (Yes/No and explanation of reasons (nb if the answer in Column B is 'No', Column C is not applicable))	
11. LANDSCAPE AND VISUAL				
11.1 Are there any areas or features on or around the location which are protected for their landscape and scenic value, and/or any non-designated / non-classified areas or features of high landscape or scenic value on or around the location which could be affected by the project?[1] Where designated indicate level of designation (international, national, regional or local).				
11.2 Is the project in a location where it is likely to be highly visible to many people? (If so, from where, what direction, and what distance?)				
12. CULTURAL HERITAGE/ARCHAEOLOGY				
12.1 Are there any areas or features which are protected for their cultural heritage or archaeological value, or any non-designated / classified areas and/or features of cultural heritage or archaeological importance on or around the location which could be affected by the project (including potential impacts on setting, and views to, from and within)? Where designated indicate level of designation (international, national, regional or local).				

[1] See question 8.1 for consideration of impacts on heritage designations and receptors, including on views to, within and from designated areas.

A Screening Criteria Question	B Response to the Screening Criteria Question in Column A (Yes/No and explanation of reasons)		C Is a Significant Effect Likely? (Yes/No and explanation of reasons (nb if the answer in Column B is 'No', Column C is not applicable))	
13. TRANSPORT AND ACCESS				
13.1 Are there any routes on or around the location which are used by the public for access to recreation or other facilities, which could be affected by the project?				
13.2 Are there any transport routes on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?				
14. LAND USE				
14.1 Are there existing land uses or community facilities on or around the location which could be affected by the project? E.g. housing, densely populated areas, industry / commerce, farm/agricultural holdings, forestry, tourism, mining, quarrying, facilities relating to health, education, places of worship, leisure /sports / recreation.				
14.2 Are there any plans for future land uses on or around the location which could be affected by the project?				
15. LAND STABILITY AND CLIMATE				
15.1 Is the location susceptible to earthquakes, subsidence, landslides, erosion, or extreme /adverse climatic conditions, e.g. temperature inversions, fogs, severe winds, which could cause the project to present environmental problems?				

A Screening Criteria Question	B Response to the Screening Criteria Question in Column A (Yes/No and explanation of reasons)	C Is a Significant Effect Likely? (Yes/No and explanation of reasons (nb if the answer in Column B is 'No', Column C is not applicable))
16. CUMULATIVE EFFECTS		
16.1 Could this project together with existing and/or approved development result in cumulation of impacts together during the construction/operation phase?		
17. TRANSBOUNDARY EFFECTS		
17.1 Is the project likely to lead to transboundary effects?[2]		

[2] The Regulations require consideration of the transboundary nature of the impact. Due to the England's geographical location the vast majority of TCPA cases are unlikely to result in transboundary impacts.

18. CONCLUSIONS – ACCORDING TO EIA REGULATIONS SCHEDULE 3		
19. SCREENING DECISION		
If a SO/SD has been provided do you agree with it?		
Is it necessary to issue a SD?		
Is an ES required?		
20. ASSESSMENT (EIA REGS SCHEDULE 2 DEVELOPMENT)	**OUTCOME**	
Is likely to have significant effects on the environment	ES required	
<u>Not</u> likely to have significant effects on the environment	ES not required	
More information is required to inform direction	Request further info	
21. REASON FOR SCREENING		

NAME	
DATE	

APPENDIX 3
Aerial Photograph



APPENDIX 4
Draft Site Masterplan



LUKEN BECK

Management | Development | Planning

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