

Ref: RW/EW/03716/L0011

7 September 2018

Horsham District Council
Development Management
Parkside
Chart Way
Horsham
West Sussex
RH12 1RL

Dear Sirs

**Town & Country Planning (Environmental Impact Assessment) Regulations 2017
Regulation 6 - Request for Screening Opinion
Proposed Mixed Use Development on Land to the North of Hilland Farm, Billingshurst, RH14 9HN**

On behalf of our client Dunmoore, I write to formally request a Screening Opinion from the Council in accordance with Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, in respect of proposals for a mixed use development at the above site comprising a petrol filling station, a drive through coffee shop and business units.

The proposal is of a type listed in Schedule 2 (10(b)) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 in that it comprises an urban development project on a site of more than 1 hectare which is not dwellinghouse development. As such it must be screened to determine whether an Environmental Statement (ES) is required.

In making this request we set out below our consideration of the Regulations and our professional view that the proposal, both on its own and in cumulation with other committed development does not represent an Environmental Impact Assessment (EIA) development and therefore does not require the submission of an ES.

1. Required Information

In accordance with paragraph 2 of Regulation 6 the following information is enclosed within this request:

- A plan sufficient to identify the land (**Plan 1** below);
- A brief description of the development including physical characteristics of the development and a description of the location of the development, with particular regard to the environmental sensitivity of geographical areas likely to be affected;
- A brief description of the aspects of the environment likely to be significantly affected;
- A brief description of likely significant effects from the development; and
- Such other information or representations as the person making the request may wish to provide.

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2. The Site and Surroundings

Site Description

Land North of Hilland Farm, Billingshurst, the extent of which is identified on **Plan 1** below, comprises some 8.29ha of grassland located to the north east of the settlement boundary immediately to the east of the A29 Stane Street and to the south of New Road.



Plan 1 – Site Location Plan

There are six existing residential properties located to the immediate south as well as neighbouring properties to the north and east. To the west is open countryside beyond the A29. A Public Right of Way (reference 1942) runs along the eastern boundary of the site. An electricity pylon route passes north-west and south-east through the site.

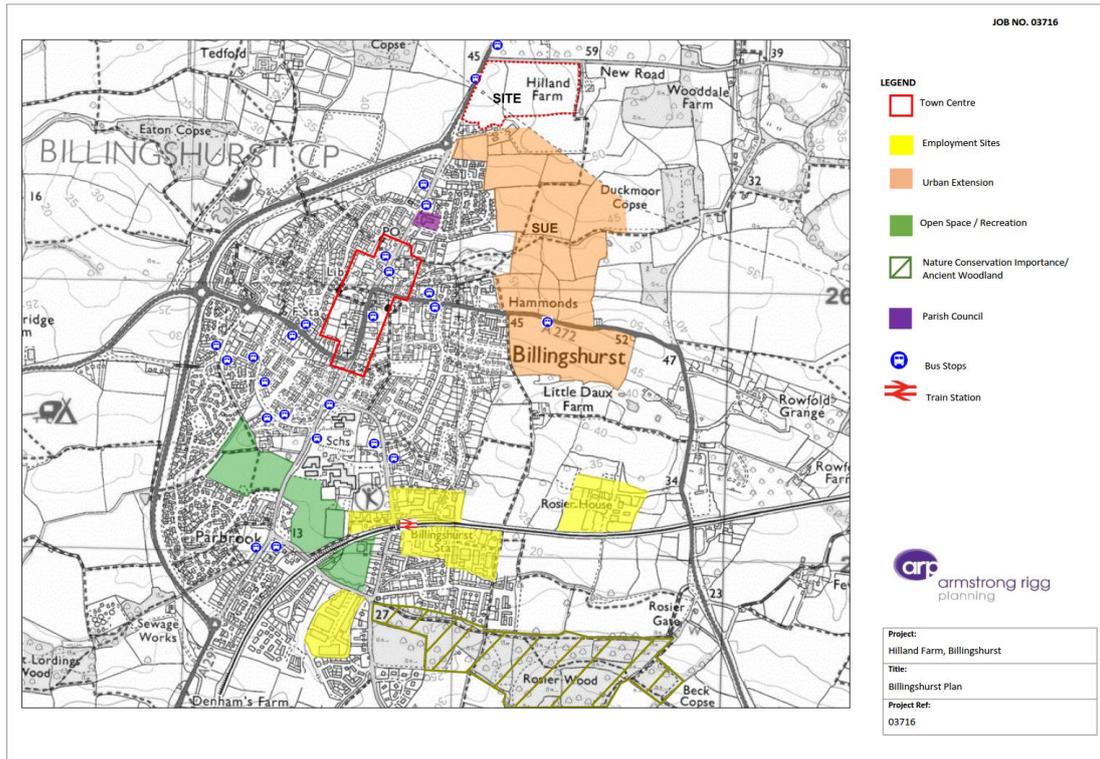
The site is not subject to any environmental or heritage designations. The nearest designated heritage assets are the Grade II listed buildings at Summers Place 500m to the north and the Grade II listed Manor House some 550m to the south of the site, the curtilage of which marks the northern boundary of the Billingshurst Conservation Area. These designated heritage assets are substantially visually separated from the site. The site lies within flood zone 1 (i.e. low risk) and is therefore suitable for all types of development. The site contains no protected trees and is not the subject of any landscape designation.

The site is well located in relation to the facilities and services available in Billingshurst including primary schools, the Weald secondary school, dentist and doctor's surgeries, convenience and comparison shopping, leisure facilities, pubs and restaurants. The centre of Billingshurst is around 600m to the south of the site.

The site is also well served by public transport with bus stops on either side of the A29 carriageway in close proximity to the site. In addition, a mainline rail station is located in Billingshurst, less than 2km from the site providing direct services to Horsham, Gatwick Airport and London.

Planning History

The site itself has no planning history, however, as shown on **Plan 2** below, it is closely related to land to the south which is being developed as a Strategic Urban Extension for 475 dwellings, land to accommodate a new primary school, an extension to an existing doctors' surgery, a new dentist's surgery and creche with associated access and play space in accordance with outline planning permissions granted under references DC/13/0735 and DC/15/0059. The site is located closest to Parcel H2 of the urban extension which was granted Reserved Matters approval for 93 dwellings in December 2016 (references DC/16/1422). The approved development will significantly urbanise the area immediately to the south of the site.



Plan 2 – Context Plan

Planning Policy Background

The site has been previously assessed as being relatively free from constraints and confirmed as 'developable' in the Horsham District Council SHELAA 2016 (Site reference SA118).

The site has been continually promoted to Horsham District Council on behalf of Dunmoore as part of the Local Plan Review with submissions made in support of its allocation for mixed uses in May 2016, May 2017 and May 2018. The latest published version of the Local Plan Review (Issues and Options) indicates a need to plan for a minimum of 47ha of employment land in the period to 2036 (excluding existing allocations and other sites with permission for employment development). The document confirms that new employment sites will be required to meet projected needs and identifies a list of sites identified as having potential for development, one of which being Land north of Hilland Farm. The assessment of the site confirms that:

- Due to extant permissions for housing to the south, the site will become more urbanised in the future;
- The site is well related to services and facilities within the centre of Billingshurst;
- The site has good access to the strategic road network;
- The site is unconstrained and has potential for future employment growth.

In addition to the promotion of the site, high level pre-application advice was sought in June 2017 in respect of a commercial led mixed use development (LPA Ref. PE/17/0128). Following a positive response from officers, this was followed up by a more detailed subsequent pre-application submission in April 2018 (LPA Ref. PE/18/0086) and a subsequent meeting which was accompanied by an illustrative layout plan and a number of technical supporting documents from specialists in their respective fields which confirmed the suitability and deliverability of the draft proposals. A third pre-application submission was made in July 2018 which provided an update on the progress made with the scheme and provided a response to comments raised previously.

Recognising the emergence of the Billingshurst Neighbourhood Plan, the site has also been promoted through the call for sites consultation for the same commercially led mixed use development which has been positively received by the Parish Council.

3. Nature of the Development

The forthcoming planning application will be made as a hybrid, with full planning permission sought for the means of access from Stane Street and Phase 1 of the development and outline consent sought for Phase 2 as detailed below:

Phase 1 (to be made in full)

- Vehicular access to the site directly from the A29 at the north-west corner of the site via a new four arm roundabout junction
- Approximately 4,998sqm of B1/B2/B8 employment floorspace in a flexible range of unit sizes
- Parking to meet adopted standards
- Associated landscaping

Phase 2 (to be made in outline)

- Petrol filling station (PFS) with ancillary retail offer;
- Drive through A1/A3/A5 coffee shop;
- Approximately 14,075sqm of B Class employment floorspace with units ranging in size to suit occupier demand

The proposals have been informed by previous pre-application planning advice, feedback from the highway authority, consultation feedback from the emerging Billingshurst Neighbourhood Plan and the technical studies which have been undertaken of the site.

4. Likely Environmental Impacts of the Proposed Development

The environmental issues upon which the proposals could impact are as follows:

1. Land and Soil
2. Landscape
3. Biodiversity
4. Cultural Heritage
5. Climate
6. Material Assets
7. Water
8. Population and Human Health

5. Summary of Likely Effects

1. Land and Soil

The site comprises approximately 8ha of grazing land. Natural England's Provisional Agricultural Land Classification (ALC) (England) shows that the site is Grade 3 (Good to Moderate). The site is therefore not high quality land when considered in the local context and by reason of its size its development would not impact on agricultural land as either a national, regional or local resource. Furthermore, its development would not affect land holdings, farm estates or adjacent agricultural land in their agricultural use. It is therefore considered that there would be no significant effects arising from the proposed loss of the land.

2. Landscape

A Landscape and Visual Appraisal has been prepared by Davies Landscape which evaluates the existing landscape and assess how the proposals will affect its landscape character and visual amenity. The Appraisal confirms that there are no national, regional or locally designated landscapes or features within or immediately adjoining the site. It notes that the rural nature of the site is compromised by its proximity to the northern fringe of the built up area of Billingshurst, the large pylons which cross the site and the busy A29 adjoining the western boundary. It also confirms that the site lies on the southern tip of both County and District LCAs which heavily reduces the sites contribution to a number of the key aesthetic and perceptual influences of the wider context.

The Appraisal indicates that the main constraints which a redevelopment of the site would need to respect and respond to comprise the electricity pylons, the footpath which runs along the eastern edge of the site; noise impacts from the A29 and a number of mature trees which exist on-site. Nevertheless, these constraints while needing to be accommodated and responded to only affect relatively small parts of the site and will not inhibit the development of the remainder of the site in a comprehensive manner.

Overall the site is considered to be of low landscape value due to its lack of high quality features and the suburban influences in and around the site. In addition to the urban development of Billingshurst which restricts views from the south, from other directions views are screened by intervening woodland blocks.

In this context it is concluded that there is no reason why the site should not accommodate a commercial employment scheme of the type proposed which would have some localised visual effects, but which can be appropriately mitigated through design and landscape enhancement.

In summary, it is considered that the site and receiving environment have the capacity to accommodate a sensitively designed development that will respond to the localised context and will not result in significant harm to the landscape character or visual environment. With the more urbanised nature of the surroundings as the urban extension to the east of Billingshurst comes forward, the site will form a natural expansion of the built-up area of Billingshurst. As such, it is considered that the proposed development can be successfully integrated in this location without significant landscape and visual impact effects.

3. Biodiversity

Ecology

A preliminary ecological assessment of the site has been undertaken by All Ecology. It confirms that no statutory or non-statutory designated sites exist within 1km of the site. The appraisal summarises the habitats present on-site and the flora and fauna they support. It finds that the only habitats on site which qualify as NERC Priority Habitat are the hedgerows along the north, east and west boundaries. The remaining habitats do not qualify as NERC Priority Habitat and are confirmed as being of common or low to moderate ecological value. Any impacts as a result of loss/changes to these habitats are considered to be negligible.

The site is covered by a Biodiversity Opportunity Area (BOA) within the Horsham District Green Infrastructure Strategy. Recommendations are included in the appraisal to mitigate any impacts and enhance bio-diversity on the site. With these measures in place there is no reason in ecological terms why the site should not be brought forward for development. Indeed, by implementing recommendations for enhancement there is opportunity to deliver net gains in biodiversity. These could be secured pursuant to a Landscape and Ecology Management Plan for the development to ensure existing features and wildlife areas are appropriately managed into the future.

The site is approximately 6km in distance from the Mens Special Area of Conservation (SAC) within Chichester District which forms part of the European Network of Natura 2000 sites. As such a Habitats Regulations Assessment will be submitted under Regulation 61 of the Conservation of Habitats and Species Regulation 2010 (as amended) to consider the effect on the SAC in terms of the impact on the flight lines and foraging areas of Barbastelle Bats. Should any impact be identified, it is considered that mitigation is possible through reducing habitat loss, additional appropriate planting and a lighting strategy for the site.

With regard to the need for EIA in this respect, it is of relevance that the Council has determined that EIA is not required for employment proposals at Chichester College's Brinsbury Campus (application references DC/16/2963 and DC/17/0177) which is some 4km in distance to the Mens SAC and therefore closer than this site.

Having regard to the above, it is predicted that any potential significant adverse effects from the proposed development upon specific protected species or habitats can be mitigated through the retention of key natural features and a net increase in biodiversity can be achieved through the provision of amenity space, new tree and shrub planting. Based upon the work undertaken to date it is considered therefore that there would be no significant effects upon protected species and that the proposals would be in conformity with relevant legislation and policy.

Trees

A Tree Report has been prepared by Tim Pursey which identifies and comments on the quality and condition of existing trees on the site. This shows the majority of the trees are to the site boundaries and can be retained. Furthermore, space exists at the site boundaries and at the eastern end of the site capable of accommodating significant new tree planting, which will offset any isolated losses, assimilate the new development into its surroundings and enhance biodiversity. The tree survey provides an accurate up to date record of trees present on-site and shows that the limited number of trees within the site do not represent a constraint to the commercial redevelopment of the site.

4. Cultural Heritage

An Archaeology and Heritage Assessment has been produced by ACD. This confirms that none of the extant field boundaries is of any historical interest and there are no other extant heritage features within the site. Furthermore, no designated heritage assets have a relationship with the site such that their setting would be adversely affected by redevelopment of the site. Listed buildings at Summers Place to the north within a Victorian 'parkscape' are screened from the site by the woodland and the site was never part of the park. The tower of St Mary's church can be seen from the site but intervening development, including that under construction to the south, influence these views and the site is not visible from the churchyard. Listed buildings in the historic core of Billingshurst to the south lie within a conservation area, but neither would be adversely affected as they are surrounded by more recent development and have no historical relationship with the site.

With regard to potential sub-surface remains the assessment indicates that the eastern half of the site is an Archaeological Notification Area, suggesting high archaeological potential, but this designation does not appear to reflect the results of archaeological investigations which have taken place south of the site. Geophysical survey, artefact collection and trial trenching completed by Archaeology South East identified only one area of high potential and this lay several hundred metres south of the site. On this basis the assessment finds that those results suggest much of the site has low potential. Nevertheless, it is considered likely that the Council's

archaeological advisor will recommend the site be evaluated ahead of planning permission being granted to protect any archaeological interest. This would not however prevent development going ahead and as such archaeology and heritage considerations do not impose a constraint on the delivery of the proposed scheme.

In light of the above, it is considered that development on the site can be accommodated without significant effects on heritage assets.

5. Climate

The energy and climate change effects of the development will be related to minimising carbon emissions and ensuring the impacts of future climate change can be accommodated on the site. The level of impact is related to the scale of the development and the relatively small scale will have a limited effect on climate change adaptation requirements. These matters can in any event be appropriately dealt with through individual assessments submitted as part of the planning application.

6. Material Assets

Transport

An appraisal of the site from a transport perspective has been undertaken by Motion. This identifies that the site is able to be accessed via the creation of a new roundabout on the A29, just south of the junction of the A29/New Road, which would be closed with New Road diverted through the site. The study also provides details of how new sections of footway/cycleway could be created as part of the development including improved access to the nearby bus stop on the A29 and upgrading of the existing bus stop to encourage sustainable modes of transport and link with the existing network.

The study undertakes a high level review of the impact of likely traffic flow increases following the development of the site together with existing committed development and concludes these can be accommodated on the local highway network without any undue significant impact on existing traffic conditions. A pre-application response received from the Highway Authority, confirms that while a more detailed study would be required to support any application, it can be seen from the information presented that the local highway would continue to operate with minimal delay. The Highway Authority notes that the site is served by an hourly bus service between Horsham and Pulborough. In addition, the potential exists for improvements between the site and the nearby bus stops and measures for improving pedestrian and cycle links between the site and the centre of Billingshurst. Overall it concludes that the site is unlikely to generate any significant concerns that could not be resolved via additional technical work/mitigation.

Utilities

With respect to utilities infrastructure, record plans of existing services have already been obtained from Utility Companies owning assets in the vicinity of the site. Preliminary inquiries have also been sent out to confirm if sufficient capacity exists within existing infrastructure, or if any reinforcement is required, to serve the site. The electricity lines will be grounded where necessary.

Based on the above, it is considered therefore that there will be no significant effects arising from the proposals on material assets.

7. Water

Flood Risk and Drainage

An appraisal of the site from a flood risk and drainage perspective has been undertaken by Motion. This confirms that the site is in Flood Zone 1 which is classified as having a low probability of flooding and is suitable for all types of development.

The site has localised areas susceptible to surface water flooding but this can be designed out as part of a positive drainage strategy for the site in association with the proposed development. The site's characteristics provide ample opportunity to incorporate a multi-functioning SuDS system that will reduce flood risk on and off site. The most appropriate solution has yet to have been determined but could include either Infiltration Basins, Soakaways, Swales or Infiltration Ponds.

In conclusion, falling within Flood Zone 1, the site is appropriate for development from a flood risk and drainage perspective and can be drained for surface water to comply with current guidelines. It is therefore considered that effects on Water would not be significant as a result of the proposed development.

8. Population and Human Health

Noise

The construction phase will generate some temporary noise from the construction of buildings on the site as well as from traffic, however the significance on local residential properties would be medium. The operation phase could generate noise from the proposed uses however these would be limited to day time operation and no industrial uses will take place outside of the premises. There will be some noise generated by traffic however this is expected to be negligible and would not be significantly greater than the current background noise levels. A Noise Assessment will accompany the planning application.

Contaminated Land

Given the undeveloped agricultural use of the land, the risk to future users of the site as a result of land contamination is expected to be low. Having regard to the proposed scale of the development in the local context of the site, it is considered the proposed development would not have a significant effect on the environment in relation to contaminated land. The use of conditions to secure the completion of any required reports and works is standard practice and as such it is considered that no significant environmental effects should arise which would require the need for an EIA.

Air Quality

The site is not located within an Air Quality Management Area (AQMA). Furthermore, the site is not within close proximity of land uses that may be a source of air pollution. A Framework Travel Plan which will accompany the planning application will set out measures to reduce the dependency on the use of the private car by encouraging increased use of more sustainable forms for transport. In this respect, the development of the site is highly unlikely to have a significant impact on air quality. An Air Quality Assessment will accompany the planning application.

6. Determining Whether EIA is Required

Having established that the proposal is Schedule 2 development it is necessary to consider whether the effects likely to result from the development are significant and therefore whether the proposal warrants an EIA. Schedule 3 of the Regulations provides guidance on the selection criteria for screening Schedule 2 development. These comprise the characteristics of the development, the location of development and its environmental sensitivity and the characteristics of the potential effects having regard to these. These are dealt with in turn below:

Characteristics of Development

We have set out above a description of the proposed development and its likely effects. We have demonstrated that by reason of scale and nature the proposed residential development would not result in anything other than local impact, and where impacts would result these can be satisfactorily mitigated as part of the usual planning application process. The proposal will not give rise to pollution or waste issues and does not involve natural resources above and beyond usual building practices.

Location of Development

Schedule 3 guides the decision maker in assessing whether the development site is within a sensitive location. The existing land use is not environmentally sensitive, the site is not within or in close proximity to any site of special scientific interest, European site or a National Park, is not within close proximity any listed buildings.

Characteristics of Potential Impact

Given the scale and nature of the proposals, we consider that it is reasonable to conclude that the effects arising from them will not in themselves be significant. Schedule 3 of the Regulations guides the decision maker to consider the geographical extent, the magnitude and complexity, probability and duration, frequency and reversibility of the effects. In this respect the main effect of the development would be the loss of a greenfield site, impact on landscape and ecology, noise from the uses and traffic generation.

The site is not designated for its landscape impact and in EIA terms the effect on the landscape would be low. The effect of the change in the character of the site will be mitigated through careful design and landscaping and the loss of agricultural land is not significant when considered in the local context and by reason of the site's size its development would not impact on agricultural land as either a national, regional or local resource. Uses would be limited to day time operation and within the premises therefore, meaning the impact on noise would be low to moderate. In terms of ecology, it has been demonstrated that any potential significant adverse effects from the proposed development upon specific protected species or habitats can be appropriately mitigated. Finally, it has been confirmed that the traffic generated from the proposed development can be accommodated on the local highway network without any undue significant impact on existing conditions.

We therefore conclude that the characteristics of the impacts cannot be defined as significant.

Cumulative Impact

Schedule 3 of the Regulations also guides the decision maker to consider "the cumulation of the impact with the impact of other existing and/or approved development". In this respect, as outlined above, there is a considerable urban extension committed to the south of the site which has been through the planning process and found to be acceptable. The current site, while above the threshold of 1 hectare is demonstrated above to result in no significant effects in its own right. We therefore consider that the characteristics of the impacts in cumulation with other development cannot be defined as significant. Furthermore, any assessments undertaken in support of the proposals as part of the application will have regard to the committed scheme and as such cumulative effects will be dealt with without the need to submit an ES.

7. Conclusion

Sufficient information has been provided to allow the Council to formally screen the proposed development in accordance with the EIA Regulations and the guidance set out in the PPG. The site is proposed for a mixed use development comprising commercial units, a petrol filling station and a drive through restaurant. It is considered that having regard to the characteristics of the proposed development, the size of the site, the location and sensitivity of the site, characteristics of the potential impacts and the mitigation measures built into the development, the proposed development will not give rise to any significant environmental effects. **As such the proposal does not constitute EIA development and warrants a negative screening opinion.**

It is worthy of note that the Council has issued a negative EIA screening opinion in respect of a much larger proposed employment development of up to 26,942 sq m at Nowhurst Business Park, Guildford Road, Broadbridge Heath (application reference DC/17/2131) which has a resolution to grant planning permission.

I look forward to receiving your screening opinion within the statutory 21 day period. However, please do not hesitate to contact me should you require any further information to reach your decision in this regard.

Yours faithfully

Geoff Armstrong
Director
Armstrong Rigg Planning