

Ref: VV/P14-2519



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**Horsham District Council  
Planning Department  
Park North,  
North Street,  
Horsham, West Sussex,  
RH12 1RL**

Vail Williams LLP  
Carriage House  
Walnut Tree Close  
Guildford  
Surrey  
GU1 4TX

**Planning Portal Ref:** pp-03705372, pp-03705525

Tel 01483 446800  
Fax 01483 446801

[Info@vailwilliams.com](mailto:Info@vailwilliams.com)  
vailwilliams.com

Dear Ms Lowe,

**Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2011 -Request for screening opinion**

**Abingworth Nursery, Storrington Road, Thakeham, RH20 3EY**

On behalf of my Client, Vanilla Thakeham Ltd c/o Abingworth Developments Ltd, I am writing to seek a formal Screening Opinion from the Council in accordance with Regulation 5(1) of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011.

This letter refers to the history, to the earlier planning permissions and the circumstances of the site in context of the proposed planning application.

The application description is as follows:

*A hybrid application consisting of a full planning application for the revised layout of the football and cricket pitches and associated changing rooms, pavilion, village hall and shop, and an outline application for the approval of the layout and access of the 21 dwellings surrounding the pitches following with all other matters served.*

This hybrid application relies on the earlier approved applications (DC/10/1314 and DC/12/0841) and reports, and information available at that stage of the permissions being issued. The applications had been subject to a Judicial Review and it was confirmed that the larger proposal (enabling development, i.e. the residential element) is not EIA development.

This application is the result of communications with the Parish Council following the withdrawal of the Town and Village Green application. It relates to a revised layout of the approved application for the area to the north of the Abingworth Nursery site only, as shown on the accompanying red line plan.

As mentioned above there is an extant permission for three football pitches and a cricket pitch including a pavilion, changing rooms for the football pitches, a potential scout hut and 21 detached dwellings located north of the stream. It is our view that the proposal to revise the layout does not constitute an EIA development for which an Environmental Statement would be required.

**Leading Real Estate Advisors**

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This request for a screening opinion should be read in conjunction with the following submitted application documents:

- Site Plan;
- Location Plan;
- Design & Access Statement;
- Planning Statement;
- Transport Statement Addendum;
- Residential Travel Plan;
- Ecological Assessment;
- Arboricultural Report;
- Statement of Community Involvement (contained within the Planning Statement);
- Flood Risk Assessment/Drainage Strategy;
- Landscape Report Addendum and Landscape Strategy Plan.

A number of pre-application meetings have been held with Council officers with regard to the proposed application and also the Parish Council. The revised layout is submitted in response to these consultations and therefore proposes to provide for the intention of the withdrawn TVG application, i.e. to retain the existing football pitches whilst preserving the integrity of the planning permissions.

#### **The site**

The application site is located to the east of Storrington Road and has an area of 9 ha. The site has existing pedestrian and vehicle access from Storrington Road. It is mainly vacant land with two football pitches.

The site is located close to the village centre of Thakeham. Thakeham village has a church, a village hall (which will be replaced within these proposals), primary school, a pub/restaurant.

The site is generally surrounded by agricultural land with some rear gardens of dwellings on Duke Hill forming part of the northern boundary of the site. The site is accessed from Storrington Road via one way entry and exit point.

Additionally, the site is adjacent to existing bus stops giving access to most major towns in the area. Trains can also be accessed from Horsham and Billingshurst.

#### **An Environmental Impact Assessment**

Whether an EIA is required rests in the consideration of whether the development is:

- Schedule 1 development; or
- Schedule 2 development, in which case EIA is necessary only if the development is likely to have significant environmental effects as referenced in Schedule 3 of the Regulations.

The proposed development does not fall within any of the categories of development in Schedule 1 of the Regulations for which EIA is mandatory. The proposed development, for which this Screening Opinion is sought, is plainly not Schedule 1 development in terms of the Regulations.

In Schedule 2 of the Regulations, for the proposal to be deemed 'Schedule 2 development' for the purposes of the Regulations, it would then be necessary to consider whether it would be likely to have significant environmental effects.



The application for this area of Abingworth Nursery is submitted in response to discussions held with the Parish Council to adjust the layout of the area currently used for football pitches and therefore used by the community.

The proposed layout consists of the following alterations to the approved application DC/10/1314:-

- Two football pitches will replace the approved cricket pitch situated to the north west of the site.
- The cricket pitch has been enlarged and is now located to the north east of corner of the site.
- The village hall is proposed adjacent to the football pitches and the cricket pitch.
- The village shop and the village hall have been separated into two separate buildings. The village shop will be retained by the developer as proposed in the original application.
- The allotments previously located along the southern boundary of the approved scheme, has been relocated to the far eastern side of the application site boundary.
- The former LEAP has been relocated to the south of the proposed football pitches.
- The football pitches as shown on the plans are in the same location as the existing football pitches.
- A number of parking spaces are also provided as part of this alteration and these are located adjacent to the football pitches, the village hall and the village shop. 44 spaces are located along Storrington Road next to the football pitches, 16 spaces next to the LEAP, 52 spaces are provided to the front of the village hall and 24 spaces alongside the village shop. 44 spaces are also located adjacent to the cricket pavilion and 20 parking spaces are provided with the 23 proposed allotments.

It is therefore considered that that any potential impacts associated with the altered layout of the approved scheme are not so significant that they need to be dealt with outside the normal planning application process. We are therefore of the opinion that a formal Environmental Impact Assessment is not necessary.

### **Schedule 2 Thresholds and Criteria**

Relevant thresholds and criteria for categories of development listed in Schedule 2 are contained in the second column of the Schedule. The use of the site and the proposed replacement of the some of the buildings on site are not listed under Schedule 2 and therefore fall outside the scope of the regulations.

Irrespective of the above, it is clear that the proposed alterations on site would improve the current situation thereby reducing existing adverse environmental impacts i.e. the former Mushroom Farm. An EIA would only be required if the project is likely to have a significant effect on the environment.

In our view, a level of judgement needs to be applied to determining whether significant effects from a development are likely. It is our submission that the proposal would only generate beneficial impacts, and there would be no significant adverse effect on the environment. In any event, all of the potential environmental effects that have been identified have been considered during the Judicial Review and the subsequent granting of planning permissions.

### **Significant Environmental Effects**

As presented at length during the Judicial Review (Case no: CO/6530/2013) and as issued by the Judgment, it is often not possible to make a screening opinion based on full information, and thus it is the likelihood of significant effects arising which is relevant and in context of the local area, i.e. Storrington is clear that there is significant benefit to the community with limited environmental impact. The improvements on site, associated with the enabling argument which formed the basis of the planning permissions would improve the current character of the site and significantly reduce the adverse effects on the environment, as per the enabling argument of application DC/12/0841 and DC/10/1314.



**Schedule 3 Selection Criteria**

In considering whether EIA is required, regard should be had to the following criteria set out in Schedule 3 to the Regulations:

- Characteristics of the development;
- Location of the development; and
- Characteristics of the potential impact.

The *Characteristics* and *Location of the Development* has been discussed in detail in the Design and Access Statement and the Planning Statement, submitted in support of the hybrid application.

Please refer to the below table with regard to the characteristics of the potential impacts.

<b>Characteristics of the potential impact:</b> The potential significant effects of development must be considered in relation to criteria set out under 1 & 2, having particular regard to	
a) the extent of the impact (geographical area and size of the affected population)	The proposed development site is relatively small in scale and is close to an existing population. Development is related to a revised layout of an approved scheme with the principle and quality of development remaining unchanged.
b) the transfrontier nature of the impact	The proposals will not have any significant transfrontier impacts.
c) the magnitude and complexity of the impact	The key impacts that could arise from the proposal have been considered in earlier proposals. Consideration has been given to the air quality (impact in Storrington) as part of the approved permissions. A revised Transport Assessment supports this application. Whilst earlier conditions could remain in situ.
d) the probability of the impact	Development on the site would have limited impact due to the nature of the proposal and the location of the altered layout in context of the larger site, and the extant permissions. The impacts would therefore be limited in this instance. A Landscape Assessment Addendum and Flood Risk Assessment support this application.
e) the duration, frequency and reversibility of the impact	The demolition and construction phase impacts would be temporary. The development is intended to provide significant community benefits and would be permanent for the life of the scheme.

**The character of the development is not considered likely to raise any significant effects sufficient to warrant an EIA.**

**Traffic and Transportation**

The traffic impact of the development is not considered to be significantly different to the traffic impact assessment approved as part of the earlier schemes.

A full Transport Assessment and Travel Plan are submitted in support of this application.

Further to the above, alternative vehicular access arrangements would form part of the planning submission for this site on the Abingworth site. The cumulative effects of the proposals at the Abingworth site and the



Chesswood site were assessed within a Transport Assessment prepared in support of both applications (DC12/0841 and DC/10/1314), and found to have a negligible effect upon the operation of the local highway network with respect to road capacity.

#### **Air Quality**

The impact of proposed development is similar to the permissions highlighted in the preceding sections. Considering that the proposal only relate to a revised layout with no increase in dwelling numbers it is unlikely to have a potentially significant effects on air quality.

#### **Ecology and trees**

Full ecology assessments formed part of the earlier permissions referred to in the preceding sections and further addendums are provided as part of this proposal. No protected species will be adversely impacted by the revised layout. Please refer to the supporting information.

The site includes mature trees, and had been considered during the earlier applications. An addendum to the Arboricultural report is submitted in support of this proposal.

#### **Conclusion**

It is our submission that the proposal would only generate beneficial impacts, and there would be no significant adverse effect on the environment. In any event, all of the potential environmental effects that have been identified in association with the development (both individually and cumulatively with the Abingworth and former Chesswood proposals) approved already have been the subject of detailed studies and reports.

The proposed development, the subject of this Screening Opinion request, has been considered against the regulations that address the need for an Environmental Impact Assessment. Furthermore, we are of opinion that the proposal, providing for an altered layout for a small area of the approved scheme, would improve the current character of the site and significantly reduce the adverse effects on the environment (as part of the approved enabling argument).

The planning submission is accompanied by a detailed series of reports, addendums to the approved reports, which will comprehensively address the environmental aspects, such that an Environmental Statement should not be required for this proposal.

We trust you have all the information required, however should you require anything in addition please do not hesitate to contact me.

Yours faithfully,

A handwritten signature in black ink, appearing to read "Vincint Verster".

Vincint Verster BSc (Hons) MRTPI  
Associate Planner  
Vail Williams LLP  
DDI: 01483 446800  
E-mail: [vverster@vailwilliams.com](mailto:vverster@vailwilliams.com)