

## **SCREENING OPINION**

### **THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017**

**Screening Opinion reference:** NH/23a

**Applicant:** Biffa Waste Services Ltd.

**Contact:** Paul Foster – AECOM (Agent)

**Date Received:** 18 May 2023

**Site:** Biffa Waste, Brookhurst Wood, Langhurstwood Road, Horsham, RH12 4QD.

**Proposal:** Installation of an open windrow composting facility.

#### **Classification of the Proposed Development**

The proposed development is for an open windrow composting facility that would also provide for the recycling of wood. It would have a capacity of approximately 90,000 tpa, of which it is estimated 60,000tpa would be green waste and 30,000 tpa wood waste.

The site would be some 2.4 ha in size, on land currently comprising a mixture of hardstanding and compacted materials. It would fall within the wider Brookhurst Wood site, that contains a number of waste management facilities (some of which are also operated by the applicant) and a brickworks.

In terms of physical development, the proposals would require new/revised hard surfaces and access tracks, drainage provision (including a new surface water/water management lagoons), containment bays/walls for materials, weighbridges and office, and an open sided screening/separation plant building (40m x 10m and 10.1m in height). Additional ancillary infrastructure would include a spares workshop unit, rainwater tank and fuel tank.

Green waste would be received, shredded and placed into open piles (windrows). Plans indicate that some 17 windrows could be present on site. Windrows would then be periodically turned over a period of some 5-15 weeks, after which they would be screened/graded into compost for re-use. Wood waste would be shredded and bulked for onward transfer.

The proposal does not comprise Schedule 1 development, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ('the EIA Regulations').

The proposed development is considered to fall within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment (England) Regulations 2017 (the EIA Regulations), namely Part 11(b) 'Installations for the disposal of waste'.

Whilst it noted that the applicant considers that composting is a recycling operation outside of the scope of 'disposal' and thus Part 11(b), the County Planning Authority notes caselaw suggests interpretation of Schedule 2 developments are given 'wide scope and broad purpose' (as confirmed by

National Planning Practice Guidance), supporting indicative screening thresholds include wider waste management facilities, and the proposals would involve the receipt and processing of disposed wastes. On balance, it is therefore considered that this is the closest and an appropriate category under which EIA screening should be undertaken.

Accordingly, consideration needs to be given, with reference to Schedule 3 to the EIA Regulations, as to whether the development would have the potential to result in 'significant environmental effects' which require an EIA.

<b>Characteristics of Development</b>	
Development Area	Site area – approximately 2.4 hectares in area (albeit does not include access to the public highway that will use an established access within the applicant’s control).
Development Nature / Scale	<p>Estimated throughput of green/wood waste approximately 90,000 tpa. Processing of green waste in open windrows to create compost. Various plant and machinery required. Wood waste also would be shredded and bulked for onward transfer.</p> <p>Site levels may need to be reprofiled in some areas to facilitate use of the site. Proposals involve the creation of hardstanding’s and lagoons.</p> <p>Some built features of a largely industrial nature, the largest being a screening/separation plant building (40m x 10m and 10.1m in height).</p>

<b>Screening Criteria</b>	<b>Applicable (and explanation of reasons)?</b>	<b>Is a significant effect likely (and explanation of reasons)?</b>
<b>Natural Resources</b>		
<b>1.</b> Will construction, operation or decommissioning of the project involve actions which will cause physical changes in the topography of the area?	Yes. Some minor changes to topography resulting from addition of new hardstanding, new drainage/pond, and ancillary structures.	No. Any changes in topography very minor and not significant in the context of immediate environs (which include a raised landfill).
<b>2.</b> 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?	<p>Yes. Construction and operational HGVs and plant would use fossil fuel.</p> <p>The site is situated in an area of serious water stress, as identified by the Environment Agency Water Stressed Areas Classification.</p> <p>Some water use would be</p>	<p>No. HGVs and plant fuel use is unlikely to be in significant quantities given the nature of the proposals.</p> <p>Whilst the proposal will require waster use, this is not likely to be in significant volumes (noted process water is re-used in the composting process and the collection and use of rainwater is proposed.</p> <p>A position statement from</p>

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	<p>likely be required for operational/staff purposes (e.g. dust suppression/cleaning).</p> <p>However, such uses are not likely to require significant volumes of water (noted that the composting process will not require water abstraction and would involve the reuse of wastewater. Further, the collection and use of rainwater is proposed).</p>	<p>Natural England (Oct 2021), sets out it cannot be concluded that water sourced from within the Sussex North Water Supply Zone is not having an impact on the Arun Valley Habitat Sites which include a Special Protection Area, Special Area of Conservation, and Ramsar site.</p> <p>Development proposals that would lead to a material increase in water demand will need to demonstrate 'water neutrality' at the planning application stage (i.e. no increase in water consumption) in order to pass Appropriate Assessment to be eligible for approval, as required by 'The Conservation of Habitats and Species Regulations 2017',</p> <p>In the event it does not, it would not be possible to grant permission contrary to the Habitat Regulations.</p> <p>Subject to the demonstration of water neutrality, to be assessed separately by WSCC through a Habitats Regulation Assessment, the proposal would not result in the abstraction of water significantly affecting the integrity of the Arun Valley habitat sites.</p>
<p><b>3.</b> 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?</p>	<p>No. Albeit see Q2 also. Site is previously developed land on the site of a former brickworks.</p>	<p>No.</p>
<p><b>Waste</b></p>		
<p><b>4.</b> Will the project produce solid wastes during construction or operation or</p>	<p>Yes. Some waste likely to be produced during construction. Operations would involve the processing/treatment of</p>	<p>No. Limited potential for waste production during construction. The proposals are for a facility for the management of waste.</p>

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decommissioning?	green/wood waste to produce compost and shredding of wood for bulking for onward reuse/recycling.	
<b>Pollution and Nuisances</b>		
<p><b>5.</b> Will the project release pollutants or any hazardous, toxic or noxious substances to air?</p>	<p>Yes. Odour emissions likely from composting of green waste in the open.</p> <p>Potential for creation of dust arising from stockpiled materials, screening/shredding processes.</p> <p>Also potential for elevated concentrations of bioaerosols (airborne micro-organisms).</p>	<p>No. Whilst some odour is inevitable, operations are subject to typical operational controls/odour management (as would be regulated by the Environment Agency under an Environmental Permit) thereby minimising potential for impacts.</p> <p>Typical dust control measures would minimise the potential for dust.</p> <p>Given some workplaces would fall within 250m of the site, any application would be supported by a bioaerosol and air quality assessment that would need to fully demonstrate appropriate management of emissions is possible.</p> <p>Noting typical operational odour and dust control practices, the requirement to adhere to environmental permit requirements (which would also require bioaerosols be managed to appropriate levels), the limited number of sensitive receptors proximate to the site, separation distances involved, no significant effects from emissions are considered likely.</p>

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<p><b>6.</b> Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?</p>	<p>Yes. Some noise likely during construction, albeit temporary in nature.</p> <p>Some noise likely during operation including from additional HGV movements to, from and within the site. Further, operations would require the use of screening/shredding plant and mobile machines (e.g. loaders/shovels).</p> <p>Some lighting may be required, albeit restricted hours of use consistent with neighbouring land uses.</p>	<p>No. Significant impacts are unlikely during construction given limited physical works required, and prefabricated/industrial nature of structures proposed.</p> <p>Some plant would be part contained within a building. Significant noise emissions are unlikely given existing background noise environment, operational hours proposed (which would be in line with existing neighbouring land uses), and proximity to nearest sensitive receptors.</p> <p>Given the context of the locality adjacent to several industrial/waste uses no significant lighting impacts envisaged.</p>
<p><b>7.</b> 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?</p>	<p>Yes. Green waste has a high organic content, and the composting process would produce leachate.</p> <p>Fuel storage is proposed, albeit not in significant volumes.</p>	<p>No. The proposed development would require typical drainage systems to ensure any potential for polluted water/leachate was suitably contained and managed.</p> <p>Fuel storage could be subject to typical bunded storage to ensure any potential for spillage is minimised.</p> <p>The facility would also require an Environmental Permit (regulated by the Environment Agency) that would require appropriate measures to regulate any potential harm to the water environment.</p>
<p><b>8.</b> 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?</p>	<p>Yes. The site is next to existing large scale, potentially polluting industrial uses including a landfill, railway, brickworks, and waste management facilities.</p> <p>The site was formally occupied by an industrial scale brickworks and may</p>	<p>No. Whilst there are potentially polluting industrial/waste uses in proximity, there is no evidence of environmental standards being exceeded and the neighbouring developments are subject to planning/regulatory controls limiting their potential for impacts on the environment.</p> <p>Experience of adjacent sites and similar composting</p>

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	contain some residual land contamination.	developments within West Sussex, suggests the potential for risks associated with any underlying contamination is low.
<b>Population and Human Health</b>		
<b>9.</b> Will there be any risk of major accidents (including those caused by climate change, in accordance with scientific knowledge) during construction, operation or decommissioning?	No. Risk of accidents low and likely to centre around typical use of plant and HGV traffic.  Limited potential for fire risk.	No. The site is not within a highly populated area and the risk of accidents is considered relatively low.  The facility would also require an Environmental Permit (regulated by the Environment Agency) that would review appropriate fire prevention measures.
<b>10.</b> 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)	Yes. See Q5 also.	No. See Q5 also.  The site is not within a densely populated area.  The facility would also require an Environmental Permit (regulated by the Environment Agency) that would control emissions to acceptable limits.
<b>Water Resources</b>		
<b>11.</b> 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?	Yes. Boldings Brook watercourse is to the east alongside railway corridor.  Site in Flood Zone 1 (low risk of flooding). Site not in a groundwater Source Protection Zone.  Outline drainage proposals provide for catchment/management of surface/operational water.  See Q2 also.	No. Outline drainage proposals consistent with similar facilities. The nature/scale of the proposals, and controls required by other regimes are such that they are unlikely to result in potential for significant effects on water resources or flood risk.  See Q2 also.
<b>Biodiversity (Species and Habitats)</b>		
<b>12.</b> Are there any protected areas which are designated or classified for their terrestrial, avian	Yes. Ancient woodland/Local Wildlife Site at the north-eastern margins of the wider Brookhurst Wood Site.	No. The proposals would unlikely have any direct or significant impacts on these features.

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<p>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))).</p>	<p>Warnham Local Nature Reserve approximately 1.1km to the south of the site. See Q2 also.</p>	<p>See Q2 also.</p>
<p><b>13.</b> 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?</p>	<p>Yes. There are ponds on the neighbouring landfill site which are known to contain great crested newts. Some trees/scrub vegetation present to the east of the site that would be lost, albeit not subject to any designation. Some potential for nesting birds in scrub to be removed.</p>	<p>No. Given the previously developed nature of the site (including large areas of hard standing, material stockpiles etc), limited potential habitat present on site. Trees/scrub to be lost not of particularly high quality/maturity. Ecological appraisals/assessment of trees/scrub to be required as part of any future planning application. Given limited potential for impacts, suitable typical mitigation/compensation could be secured as part of the planning process.</p>
<b>Landscape and Visual</b>		
<p><b>14.</b> 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</p>	<p>No. The site distant from AONBs/SDNPA, although there is countryside in relatively close proximity to the north and west.</p>	<p>No significant effects anticipated.</p>

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which could be affected by the project? Where designated indicate level of designation (international, national, regional or local).		
<b>15.</b> 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?)	No. The application site is within a wider industrial complex with commensurate uses, and with limited views into the site. Few nearby visual receptors.	No. The site is well contained by existing vegetation/trees along boundaries.
<b>Cultural Heritage/Archaeology</b>		
<b>16.</b> 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).	Yes. Graylands Moat Scheduled Monument some 430m south-east.  Listed Buildings within wider locality (nearest being Coxs Farmhouse 350m west of the site).  Site already largely disturbed, and most former brick works buildings demolished.	No.  The contained nature of the site and scale/nature of the proposed development is such that the setting of Listed Building unlikely to be significantly affected  Limited potential for archaeological features to survive below ground albeit to be subject of detailed review by WSCC Archaeologist at application stage.
<b>Transport and Access</b>		
<b>17.</b> 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?	No. Whilst PROW lie to the north, east and south of the wider Brookhurst Wood Site, they are distant from the proposals (the nearest being some 300m to the east), the proposals would not restrict or prevent any use of PROW, and the site is generally well screened.	No significant effects anticipated.
<b>18.</b> Are there any transport routes on or around the location which are susceptible to congestion or which cause environmental	Yes. The proposed access to/from the site would be from the A264 via Langhurstwood Road which is subject to considerable HGV movements from	No. Although the proposals could result in additional HGV movements, in the context of existing/consented vehicular movements to/from the wider Brookhurst Wood Site (an



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problems, which could be affected by the project?	neighbouring industrial and waste uses within the wider Brookhurst Wood Site.  The proposals could result in up to 76 additional HGV movements a day (38 in and 38 out).	established route for HGV traffic), it is not considered that the potential uplift in HGV movements would have the potential for significant effects within the meaning of the regulations.
<b>Land Use</b>		
<b>19.</b> 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.	Yes. A number of isolated dwellings fall proximate to the wider Brookhurst Wood site, including dwellings along Langhurstwood Road (the access to the site).	No. The site is located outside the built-up area, is relatively distant from densely populated areas/the nearest receptors, and is within a wider site with established waste management/industrial uses.
<b>20.</b> Are there any plans for future land uses on or around the location which could be affected by the project?	Yes. The North of Horsham mixed use/housing site (a strategic development site) is located to the east of Langhurstwood Road and will introduce new residential areas/community open spaces in relatively close proximity. Later stages of this development result in the closure of part of Langhurstwood Road and provision of a new access route from Brookhurst Wood to the A264.  A planning permission (live application) is currently being sought on a site immediately to the south for MBT by-product storage.  The former Wealden Brickworks (in close proximity to the south) has planning permission (recently implemented) for an energy-from-waste	No. Neighbouring waste use permissions are largely consistent with the proposed use.  Any waste safeguarding/allocation matters and policy acceptability would form part of consideration of any future planning application.  Although the North Horsham development would bring large scale residential development closer to site than is currently the case, the potential risk to people and the environment would be limited by separation distances and other regulatory regimes, including Environmental Permitting.  Significant impacts within the meaning of the regulations are not anticipated.

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	<p>facility.</p> <p>The site is allocated for non-inert landfill in the Waste Local Plan, and adjacent land for built waste management uses.</p>	
<b>Land Stability and Climate</b>		
<b>21.</b> 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?	No. None identified.	No.
<b>Cumulative Effects</b>		
<b>22.</b> Could this project together with existing and/or approved development result in cumulation of impacts together during the construction/operation phase?	<p>Yes. During construction, potential for development to coincide with other large-scale development in the locality.</p> <p>During operation there is potential for any impacts associated with odour emissions and HGV movements to act cumulatively or in combination with other existing and future waste management/industrial development within the wider Brookhurst Wood Site.</p>	<p>No. Whilst there is potential for cumulative impacts with the neighbouring developments, the scale and nature of the proposal, the context of existing surrounding uses/environs, and mitigation/controls that could be secured via planning and environmental permitting regimes is such that it is not considered the development would be likely to result in significant effects within the meaning of the regulations.</p> <p>See also 'Pollution and Nuisances' and 'Transport and Access' sections above.</p>
<b>Transboundary Effects</b>		
<b>23.</b> Is the project likely to lead to transboundary effects?	No. Any impacts likely to be localised.	No.

### **Conclusion**

Planning Practice Guidance (PPG) on Environmental Impact Assessment (2015) sets out 'Indicative screening thresholds' for considering whether EIA is necessary. For Installations for the disposal of waste (Part 11(b)) thresholds suggest EIA may be more likely for proposals with a new capacity of over 50,000 tonnes per annum, or on a site of 10Ha or more. The key issues to consider noted

in these thresholds, are the scale of the development and the nature of the potential impact in terms of discharges, emissions, or odour.

In this case, the proposals are for a maximum capacity of up to 90,000 tonnes per annum (exceeding the 50,000tpa indicative threshold), however, on a site of some 2.4Ha in area (significantly below the 10Ha indicative threshold). The proposals are of an intermediate scale, however, involve a modest extent of physical built development, that is low-level and within a well contained, previously developed, site surrounded by commensurate large scale waste management uses and within/adjacent to land allocated for waste management uses.

There is potential for discharge of leachate to the water environment associated with the storage and processing of green waste. However, the proposals provide for catchment, containment, and management of surface/operational water, with leachate reused to irrigate windrows or sent offsite for treatment re-use. This is consistent with similar facilities (including other sites outside of the County operated by the applicant) that typically ensure any discharges are managed without resulting in significant environmental impacts. Such controls would also be regulated by the Environmental Permitting regime (the regulator for which is the Environment Agency), thereby minimising the potential for significant effects from discharges.

There is potential for other emissions, in particular odour, dust and bioaerosols. Noting typical operational odour and dust control practices, the requirement to adhere to environmental permit requirements, the limited number of sensitive receptors proximate to the site, separation distances involved, and context of existing neighbouring waste facilities, it is not considered emissions have the potential for significant effects within the meaning of the regulations.

The proposals clearly have the potential for environmental impacts. However, the scale, nature and location of the proposed development is such that, within a wider site with already established waste management/industrial uses, it is considered that these are unlikely to be of a magnitude that would lead to significant environmental effects.

The applicant proposes further detailed environmental surveys/assessments in accordance with relevant guidance, and mitigation measures typical of a development of this nature, all of which would accompany any future planning application. It is considered that such measures would reduce the probability of impacts, and/or likely be capable of suitably reducing or offsetting them.

The nature of the works would require further consent under other regulatory regimes administered by the Environment Agency to minimise and limit emissions. It can be assumed that these regimes will operate effectively thus further minimising the probability of any environmental impacts.

Considering the findings set out above and having regard to the selection criteria in Schedule 3 of the EIA Regulations, it is considered that the proposed development does not have the potential for significant effects on the environment within the meaning of the EIA Regulations 2017.

### **Screening Opinion**

In the opinion of the County Planning Authority the development **would not require** an Environmental Impact Assessment.

**Approved by:** 

**Head of Planning Services**

**Date: 12 June 2023**

**Case Officer: James Neave (Principal Planner)**