

Att: Jason Hawkes  
Horsham District Council – Planning  
Parkside, Chart Way  
Horsham  
West Sussex  
RH12 1RL

28<sup>th</sup> June 2019

Dear Mr Hawkes,

**The Town and Country Planning (Environmental Impact Assessment) Regulations 2017  
Request for an EIA Screening Opinion  
Abingworth Nursery, Storrington Road, Thakeham, RH20 3EY**

On behalf of my Client, Abingworth Homes Ltd, I am writing to seek a formal Screening Opinion from Horsham District Council in accordance with Regulation 5(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

**Background**

The development at Abingworth Nurseries (known as Abingworth Meadows) benefits from detailed planning consent, HDC reference DC/10/1314. Permission was granted for the demolition of existing buildings and redevelopment of the Abingworth Nursery site for 146 dwellings, comprising of open market dwellings, 51 dwellings for over 55's, 12 affordable dwellings, 20 key worker dwellings, village hall building (including shop and doctor's surgery), pre-school facility, community workshops/studio (957.5 sq. metres), sports pitches and changing rooms, cricket pitch and pavilion, children's play area, access roads, open space and landscaped areas (including footpaths).

Since the original permission, other consents have permitted variations including a slight increase to 158 dwellings, changes to the village hall and shop, the layout of the pitches. Alongside these changes, extensive public rights of way routes and upgrades have formed part of the overall site provisions that benefit the whole of the development area including the application area that is subject to this screening opinion request.

This request for a Screening Opinion has regard to DC/10/1314 and the most recently approved planning permission DC/16/0871, DC/16/2835, DC/16/2947 and DC/18/1838, and the provisions contained in the original S106 agreement and 9 Deed of Variations.

**Proposal**

The application seeks to alter the layout of the remainder of the development, known as Phase 3. The proposal is therefore:

*Revised layout for Phase 3 of the Abingworth Meadows development (Original application ref: DC/10/1314) to provide for 79no. 2, 3 and 4-bed dwellings including 27 affordable dwellings and community studio workshops.*

The forthcoming application is the result of communications with Horsham District Council (HDC), Thakeham Parish Council (TPC) and review of HDC's Housing Needs Assessment. It identified the need for smaller scale dwellings that would meet the current need for first time buyers and local demographics. The proposed application therefore responds to the Parish Council's request, the market demand and Horsham District Council current approach in seeking smaller family accommodation.

The proposed increase in residential units from 25 dwellings to 79 dwellings are all contained within the area that benefits from an earlier planning permission. This proposal also benefits from 27 affordable dwellings as part of the overall varied mix of dwellings.

It is the applicants view that the proposal to increase the overall number of residential units by 54 does not constitute an EIA development for which an Environmental Statement would be required. This request for a Screening Opinion should be read in conjunction with the following submitted application documents:

- Site Plan
- Location Plan
- Comparison Schedule of dwellings in the application area

The full planning application will be accompanied by the following documents and plans

- Site Plan
- Location Plan
- Layout and elevation plans
- Planning Statement
- Transport Assessment
- Report on Community and Stakeholder Engagement
- Arboricultural Statement
- Ecology Report
- Landscape Assessment
- Marketing report for the workshops
- Comparison Schedule of dwellings in the application area
- Flood Risk Assessment and Drainage Report
- Air Quality Report
- Construction Management Plan

Ongoing discussions had been held with the Local Planning Authority and the Parish Council in preparation of the planning application. In addition to the aforementioned public consultation was undertaken in May 2019 to present the proposed changes to the community. The revised layout is submitted in response to the consultation responses and the requests from the Parish.

### **The site**

The application site is located to the east of Storrington Road and has an overall area of 5.33ha and is contained within the overall development area approved by planning permission DC/10/1314. Phase 1 of the development is nearing completion and Phase 2 has commenced following the grant of planning permission (DC/16/2835).

Most of the community facilities have been provided ahead of schedule and includes the cricket pitch and football fields, village hall, changing rooms and cricket pavilion and the pre-school building has also been completed. Additionally, the SWAB had been completed and the Penn stone has been given an honourable setting in the heart of the development

As per the earlier variations the site has access to Storrington Road via two main entrances. Details regarding these entrances are set out in the Transport Statement that will accompany the full planning application.

**An Environmental Impact Assessment**

The Regulations set out whether an EIA is required and rests in the consideration as to whether the development is:

- Schedule 1 development; or
- Schedule 2 development, in which case an 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.

If a proposal is 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 proposed layout consists of the following alterations to the approved application DC/10/1314 as amended by planning permissions DC/16/0871, DC/16/2835, DC/16/2947 and DC18/1838, and the provisions contained in the original S106 agreement and 9 Deed of Variations:

- Revised layout for Phase 3 of the Abingworth Meadows development, the remainder of the area that was granted planning permission by DC/10/1314;
- The provision of 79no. 2, 3 and 4-bed dwellings, an increase of 54 dwellings including,
- 27 affordable dwellings;
- Provision of community studio workshops (reduced from the original approved workshops);
- Providing 2 electric car sharing vehicles for use by residents in Abingworth Meadows not just those in Phase 3;
- Relevant CIL contribution and potential local community bus contribution.

**Schedule 2 Thresholds and Criteria**

Descriptions of development and applicable thresholds and criteria for the purposes of the definition of ‘Schedule 2 development’ is set out in the 2017 EIA Regulations. The application seeks permission for 54 additional units above that which was approved for this area, i.e. 25 units. The relevant criteria for consideration if the development is Schedule 2 is set out in para 10 (b):

(b) Urban development projects, including the	(i) The development includes more than 1 hectare of urban development which is not
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construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas;	dwellinghouse development; or (ii) the development includes more than 150 dwellings; or
	(iii) the overall area of the development exceeds 5 hectares

In this instance only criteria 10(b)(iii) is met. The site area exceeds 5 hectares and the development will provide for only 79 dwellings; the development is therefore considered Schedule 2 development as per para 10(iii) of the Schedule.

An EIA would only be required if the whole development 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 the applicant's submission that the proposal would only generate beneficial impacts, and there would be no significant adverse effect on the environment.

This is derived from the marginal increase in dwelling numbers and the fact that all these are located within the area of the approved scheme. This application site forms part of the overall development of Abingworth Meadows and significant community benefits have been provided to benefit residents of the overall development as listed in the 'Background' section of this Screening Request.

In any event, the potential environmental effects that have been identified have been considered during the Judicial Review and the subsequent granting of planning permissions for the overall site.

### **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. Abingworth and Thakeham is clear that there is significant benefit to the community with limited environmental impact.

Several additional community benefits are proposed as part of the changes in the development proposal.

- Provision of 2 electrical vehicles for use by the whole of the Abingworth Meadows development as a carsharing facility. This will be managed by an online booking website.
- Additional contributions towards the local bus service to enable sustainable forms of transport.
- Each property will have the facility to enable an electric charging point should the resident be inclined to use an electric vehicle as the primary source of transport.

These benefits are additional to the community benefit and provisions highlighted, that has been provided on site. The improvements on site, associated with the enabling argument which formed the basis of the original planning permissions has already improved the current character of area and significantly reduced the adverse effects on the environment.

### **Schedule 3 Selection Criteria**

In screening a Schedule 2 development as to whether it is likely to have significant effects, consideration should be given to the criteria set out in Schedule 3 in the Regulations.

The Characteristics and Location of the Development has been discussed in detail in the Design and Access Statement and Planning Statement that will accompany the full planning application. All the reports and plans listed in the 'Proposal' section earlier in this document, will inform the full application.

The EIA Regulations 2017 provides the selection criteria for the screening of Schedule 2 development. The proposal that is subject to this Screening Request, Phase 3 of Abingworth Meadows has been assessed against the criteria and set out in the table below.

<b>1. Characteristics of development:</b> The characteristics of development must be considered with particular regard to the following	
<b>Characteristic</b>	<b>Description (include permanent / temporary impacts, positive and / or negative impacts / likelihood of impact as applicable)</b>
a) the size and design of the whole development;	This proposal relates to the remaining area of the approved development site and would increase the number of dwellings in this phase from 25 to 79 which includes 27 affordable dwellings and housing mix in accordance with HDC's Housing Need Assessment.
b) cumulation with other existing development and/or approved development;	The size of the overall residential site (circa 17ha) is subject to the original planning consent and was for 147 dwellings. This Phase forms part of the overall development area and has a site area of 5.3ha with significant green space, a buffer planting area and allotments. The density of Phase 3 circa 22dpha and the cumulative density of the overall site (Abingworth Meadows) is circa 18dpha.
c) the use of natural resources, in particular land, soil, water and biodiversity;	An increase in the number of dwellings would result in an increase in the use of water and energy but in the context of the total development this increase would be minimal. The same use of land is proposed as what had been consented in the original scheme. Ecology would be enhanced as per the Ecological Assessment.
d) the production of waste;	The construction phase is likely to result in the production of waste but would be controlled by a Construction Management Plan. The operational phases of the development will require refuse to be collected from the residential properties onsite. Horsham District Council's Acorn Scheme which operates in the area has resulted in high levels of recycling, and this would help reduce overall waste production in the operational phase of the development.

e) pollution and nuisances;	The demolition and construction phase impacts would be temporary. There is the potential for noise and dust during the construction phase and there are residential properties in the immediate vicinity. However, the additional dwellings will not increase these effects significantly above the construction that already has consent and where measures to reduce these impacts are already conditioned in the planning permission.
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;	The risk is considered low in context of the existing development on site.
g) the risks to human health (for example, due to water contamination or air pollution).	The risk is low in context of the existing development and original planning permission and the permitted development in this area of the site. All conditions associated with the permission has been complied with to date.

<b>2. Location of development:</b> The environmental sensitivity of geographical areas likely to be affected by development must be considered, with particular regard, to—	
<b>Characteristic</b>	<b>Description (include permanent / temporary impacts, positive and / or negative impacts / likelihood of impact as applicable)</b>
a) the existing and approved land use;	The larger development site subject to planning permission consisted of largely greenfield and the southern part of the site was a former Mushroom Nursery. Much of the approved dwellings have been completed and the remainder of the area is used in connection with the development.
(b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground;	The site is already subject to planning permission, so the loss of the greenfield land has already been accepted in the original consent.
(c) the absorption capacity of the natural environment, paying particular attention to the	

following areas—	
(i) wetlands, riparian areas, river mouths;	The site is located in Flood Zone 1 which indicates a low probability (less than 0.1%) of flooding
(ii) coastal zones and the marine environment;	N/A
iii) mountain and forest areas;	There are trees with an existing Tree Preservation Order within the part of the site which is subject to this application. It is noted that the proposed layout for the proposed dwellings ensures that there is a buffer between the development and the copse containing these trees and that this does not impinge on the Root Protection Zone agreed as part of the original consent. A full Arboricultural Report will be submitted in support of the application.
(iv) nature reserves and parks;	There are no designated nature reserves or parks adjoining the site and the site is not located within an environmentally sensitive area as defined by the EIA Regulations.
(v) European sites and other areas classified or protected under national legislation;	The proposal site does not constitute a 'sensitive area' as defined by the EIA Regulations. The closest SPA to the site is the Arun Valley and the nearest SAC is the Mens Woodland in Chichester District, however development in this location is not considered to adversely impact these sites.  The site is also not within in a Scheduled Ancient Monument Designation.
(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;	Residents from this development are likely to travel to Storrington or through Storrington to access facilities and services. Storrington has an existing Air Quality Management Area which has been designated due to transport related pollutants. Due to the provisions of an electric car club and contributions to the bus service, and the provision of age restrictive dwellings is likely to have a minimal impact on traffic movements as confirmed by the supporting Transport Assessment. S106 payments have already been towards the potential impact on the AQMA and an Air Quality Report supports the full planning application. Furthermore, a Low Emission Strategy was submitted as part of the original planning permission which seeks to reduce the number of trips by car.
(vii) densely populated areas;	The residents along the B2139 and those in Storrington could be affected by the development, through noise during the construction phase and traffic once the development is

	<p>completed. The supporting Transport Assessment will show that the increase in dwellings do not have a significant impact in the overall traffic flow. Additionally, all traffic calming measures have been constructed and in force. These aspects have been considered as part of this proposal. Additional safe routes are being built as part of the latest planning permission (DC/16/2385) that would further enhance the development access and benefit to the immediate area and wider area like Thakeham and Abingworth.</p>
<p>(viii) landscapes and sites of historical, cultural or archaeological significance</p>	<p>The landscape in the area of the development is not designated. There are Public Rights of Way both adjacent to and within the larger development site. These issues would have been considered as part of the original proposal and are not significantly affected by the additional dwellings. The buffer strip and additional footpath provisions form part of this last Phase of the development that would further benefit the local area and the wider context of the development.</p> <p>The Penn Stone has been given a dedicated position with the overall development an enhances the character of the development.</p> <p>There is a Conservation Area and Listed Buildings in the main part of the Thakeham 5km to the north of the larger development site. None of these would be significantly affected by the addition of dwellings.</p>

<p><b>3. Types and characteristics of the potential impact:</b> 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—</p>	
<p>a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);</p>	<p>The additional dwellings proposed as part of the change of the condition are unlikely to significantly increase the effect of the original development especially in light of consideration that greater open spaces are provided, the provision of allotments and sustainable travel options provided as part of the development which includes the improved Rights of Way. The over development density is lower than that of the existing community at 18dpha.</p>



(b) the nature of the impact;	The residential occupation of an area that has historical planning permission for development and it does not extend beyond the earlier consented redline area.
(c) the transboundary nature of the impact;	None
(d) the intensity and complexity of the impact;	The additional dwellings proposed as part of the change of the condition are unlikely to significantly increase the effect of the original development and is reflected in the supporting technical reports. Especially a development that has a density of only 22dpha and 18dpha for the whole Abingworth Meadows development.
(e) the probability of the impact;	Likely probability as construction is underway with the earlier phases and will continue considering the earlier planning permission for residential development.
(f) the expected onset, duration, frequency and reversibility of the impact;	Parts of the development is already established and occupied and therefore irreversible. The third Phase is also irreversible as permission has been granted for development in the area.
(g) the cumulation of the impact with the impact of other existing and/or approved development;	Given the constructed phases and extant permission the additional dwellings will have some impact, but in EIA terms not considered to be significant considering existing drainage strategies, buffer planting and enhanced landscape features. Some will be implemented during Phase 3.
(h) the possibility of effectively reducing the impact.	These are managed through the development design process and the benefits provided to the community and the local area like the improved mechanisms for sustainable forms of transport for example.

The applicant is there of opinion that the overall 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. The earlier transport reports considered a provision of up to 190 dwellings and the additional assessment of an addition 22 dwelling above the earlier assessment has limited impact in this regard.

A Transport Assessment are submitted in support of this application. This is to be mainly achieved through reduction of single occupancy car trips with a focus on the use of walking, cycling, car share and public transport than would otherwise be expected that is now more achievable then ever due to the Rights of Way improvements.

Further to the above, the established vehicular access arrangements and traffic calming measures along Storrington Road which forms part of the overall Abingworth Meadows development, contribute to the 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 marginally increases the number of vehicle movements, a comprehensive solution is provided to be incorporated as part of Phase 3.

An improved Low Emissions Strategy formed part of the original development proposal and will be continued as part of this development including the improved Bridleways and 'safe access routes' provided as part of the earlier Phases of the overall development. These have been secured through the 8<sup>th</sup> Deed of Variation resulting in acceptable air quality solutions due to improved routes for alternative means of transport.

### **Ecology and trees**

The approved development has already commenced on the northern part of the site and full ecology assessments formed part of the earlier permissions. No protected species will be adversely impacted by the revised layout that is contained within the area of the approved development proposal.

The site includes mature trees and had been considered during the earlier applications and the proposal does not extend beyond the parameters of the RPZ identified.

### **Conclusion**

It is the applicant's submission that the proposal would only generate beneficial impacts to the community and there would be no significant adverse effect on the environment. In any event, the potential environmental effects that have been identified in association with the approved development have already been the subject of detailed studies and reports of the approved applications.

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 of the approved scheme, would improve the current character of the site and provide for suitable family accommodation in this location in line with current housing demand in Horsham DC.

The planning submission is accompanied by a detailed series of reports, which will show minimal resultant impact on the immediate area. Considering the improved community benefits that includes footpaths and bridle way improvements and pedestrian footpaths along Storrington Road for use by the overall development as part the 8th Deed of Variation, the benefits for the community and immediate area far exceeds any potential environmental impact.

It is considered that the marginal increase in vehicle movements and the proposed development being contained within the parameters of the approved application boundary, collectively, will have no

significant impact that would warrant the need for an Environmental Statement for this last phase of the development.

I therefore commend this application to you and look forward to Screening Opinion.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Vincint Verster', is written over a light blue circular stamp.

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