

Martin Mew 21/00545/EIA 20th May 2021
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BY EMAIL ONLY

Dear Mr Johnson,

TOWN AND COUNTRY PLANNING ACT 1990

Screening Opinion under Part II Regulation 5 - Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017.

Screening opinion - commercial and high welfare, low impact and low intensity farming activity, the gradual development of a rural enterprise centre, a rural food and retail centre, equestrian centre, and glamping site.

Site: Crouchlands Farm, Rickmans Lane, Plaistow, Billingshurst, West Sussex, RH14 OLE

I refer to the above proposal which the Council has now assessed against the EIA Regulations. This letter now constitutes the Council's formal Screening Opinion.

The Proposed Development

The proposal consists of several elements which are detailed within the proposal document as follows:

- Farm Hub: A small scale, high welfare, low impact, low intensity livestock operation at the north of the existing farm site, supported by approximately 2,000 sqm of refurbished agricultural buildings for over-wintering of livestock;
- Rural Enterprise and Education Centre: The refurbished farm buildings to the south of the existing farm site would provide for a range of commercial and educational uses (approximately 3,630 sqm, use classes E and F1 together with the provision of approximately 130 sqm of accommodation for students or staff who are staying at the site (use class C1);
- Rural Food and Retail: This new building, to the south of the main access road, would provide up to 1,720 sqm of retail space (use classes E and F1), including the development of the West Sussex Food Hub, a café, and a cookery school;
- Equestrian Centre: This new building, also to the south of the main access road, would provide 40 livery boxes, indoor and outdoor arenas, a hay barn, circular horse walk, enclosed paddocks, a riding school, and club house covering approximately 6,695 sqm (use class F2);
- Glamping: This area would provide comfortable cabins and a serviced glamping site covering approximately 1050 sqm (use classes sui generis, and E); and
- Maintenance and improvements to the on-site PROWs: Notably the PROW 3519, 564, 633 and 643.

The Council's Screening Opinion

The Council is satisfied having looked at the Regulations that the proposal is not Schedule 1 development.

The proposal is considered to be development within category 10(b) (Infrastructure Projects) and 12(c) (Tourism and Leisure) of Schedule 2 to the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017. Given the area of development exceeds the 5 hectare threshold applicable to category 10(b) development (being 50.92ha), and the 0.5 hectare threshold applicable to category 12(c) development (being 1.3ha), the proposal needs to be screened by the local planning authority to determine whether significant effects on the environment are likely and hence whether an Environmental Impact Assessment is required.

Development listed in Schedule 2 requires EIA if it is likely to have significant effects on the environment by virtue of factors such as its size, nature or location. This is expanded within Schedule 3 of the Regulations, which provides selection criteria for screening Schedule 2 development. These must be taken into account in determining whether a development is likely to have significant effects on the environment. Not all of the criteria will be relevant in every case. Schedule 3 identifies three broad criteria which should be considered:

- 1) Characteristics of the development (e.g. its size, cumulative effect with other developments, use of natural resources, quantities of pollution and waste generated);
- 2) Environmental sensitivity of the location; and
- 3) Characteristics of the potential impact (e.g. its magnitude and duration)

1. Characteristics of the development

The area stated to fall under 10(b) Infrastructure Projects measures 50.92ha and therefore exceeds the indicative threshold for category 10(b) development of 5ha. The area stated falla under 12(c) measures 1.3ha and therefore exceeds the indicative threshold for category 12(c) development of 0.5ha.

The existing site and location is predominately agricultural in character and given the scale of the proposal and its sensitive location the proposal is considered significant.

With regard to the use of natural resources, in particular water, the site is located within the Sussex North water resource supply zone. After the submission of this Screening Opinion request and the associated consultation, the Local Planning Authority have received comments from Natural England relating to the Loxwood Neighbourhood Plan. The Parish of Loxwood is located approximately 1.8km to the east of the site and is also within the Sussex North water resource supply zone. The comments state that any developments in Chichester District which fall within the Sussex North water resource supply zone will need to be tested through an HRA. This is because the Sussex North area is supplied by a water extraction at Hardham, which Natural England have advised cannot with certainty conclude is not having an adverse impact on integrity on the Arun Valley SPA, SAC and Ramsar.

The Local Planning Authority considers that the proposals would likely lead to an increase in water consumption which is likely to have a significant effect upon European Designated Sites and this should be addressed in the Environmental Statement.

Material to pollution, the risk of major accidents and the risks to human health is the uncertainty associated with lagoon 3, located immediately adjacent to the south east of the development site and surrounded by land shown to be within the applicant's control. The area of lagoon 3 is not shown to be in the applicant's control.

The Council's Senior Environmental Protection Officer has commented that there are uncertainties associated with potential risks to human health, land and water quality from lagoon 3 resulting from the previous use of the site. Therefore an environmental impact assessment (EIA) should be undertaken covering land quality impacts from both on site and

off site locations. Potential contaminants from lagoon 3 include gaseous and liquid contaminants which if released, could affect the development land, including human and ecological receptors. A full detailed human health risk assessment should be submitted as part of an EIA for the site which should include risk assessment for both gaseous phase and liquid phase contaminants. Gaseous phase risk assessment should include explosive and asphyxiant hazards.

The Local Planning Authority considered that the impact with regard to pollution, the risk of major accidents and the risks to human health is unknown, and as such, further information to assess the impact of the development in this regard would be required in the Environmental Statement.

2. Location of the development

The site is within the SSSI Impact Zone for Chiddingfold Forest SSSI (Site of Special Scientific Interest) and also within the Zones of Influence of The Mens Special Area of Conservation (SAC) and Ebernoe Common SAC, both of which have been designated for their bat populations, particularly Bechstein and Barbastelle populations. There is extensive bat habitat and network in immediate proximity to the site, including Ancient Woodland directly to the south. The grassland and woodland to the West of the site has extensive bat records, including Bechstein and Barbastelle Bats records. The impact on the bat network and the integrity of the designated sites will need thorough investigation. The Council's Environmental Co-ordinator has been consulted and comments that EIA would be required.

Natural England have commented that the proposed development is located within/partly within or has the potential for adverse effects on the following designated nature conservation sites or designated landscapes:

- The Mens SSSI
- Ebernoe Common SSSI
- Chiddingfold Forest SSSI

Natural England has commented that they have not assessed the significance of any impacts on these designated sites or landscapes. The proposed development may therefore be likely to have significant effects on the interest features for which these sites are notified or the purposes of designation and we advise you to consider further whether an Environmental Impact Assessment (EIA) is required.

Given the above designations and the precautionary approach, further information to assess the impact of the development would be required in the Environmental Statement.

As identified in the above sections, the Local Planning Authority also considers that the impact on integrity on the Arun Valley SPA, SAC and Ramsar resulting from water extraction, and the impact with regard to pollution, the risk of major accidents and the risks to human health would be required in the Environmental Statement.

The Council's Archaeologist has commented that there should be a staged approach to archaeological conservation that should start with a detailed desk-based assessment of potential and lead on, where appropriate, to evaluation and preservation. However, it would be more appropriate for this process to be provided as part of a full planning application rather than, necessarily, in an EIA.

3. Characteristics of the potential impact

In terms of the magnitude and spatial extent of the impact the most significant impacts are expected to be the potential for ecological impacts, impact with regard to pollution, the risk of major accidents and the risks to human health as discussed above.

There would be no transboundary impact as the application site is entirely within Chichester District however site is located close the South Downs National Park, the boundary of which runs to the west and south of the site, at a distance of approximately 2.25km to the west and 3.5km to the south and the setting of the National Park would need to be considered.

There may be wider impacts associated with traffic generation, noise, air quality and lighting.

West Sussex County Council Highways were consulted and in terms of traffic generation they have commented that a fully comprehensive trip generation assessment of each use should be provided and this will determine the scope of junctions that require modelling. If additional traffic counts at other junctions are required then these should be factored up for pre-Covid levels. TRICs could be used for some of the more traditional uses though it is appreciated that farm shop/cafe, equestrian and glamping use may require a more bespoke trip assessment using similar sites/ previously approved planning applications or estimation from end user trips. It is also advised that worst case scenarios are assessed, including when a large equestrian event, weddings, glamping change-over etc. in addition to normal day-to-day trips, are taking place. This will allow the Local Highway Authority to assess the impact on the local road network when the most trips are expected (peak hours for different uses should be identified).

The Council's Senior Environmental Protection Officer has commented that given the scale of the development (rural enterprise centre, rural food and retail centre, equestrian centre and glamping sites) and the increased traffic and plant associated with the proposals, it is considered that the increase in noise level could be significant and therefore noise should be assessed as part of an EIA. It is also considered that the proposed land uses at the site will impact local air quality (increased traffic movements and plant/equipment used within buildings). An air quality assessment should be included within the EIA covering both impacts during the construction and operational phases. The air quality assessment should include an assessment of the off-site gaseous sources referenced above in the response on Land Quality.

Lighting has the potential to cause impact to the protected sites, setting of the nearby South Downs National Park and the wider rural area. The Council's Senior Environmental Protection Officer considers that there is potential for impacts from lighting to be significant, given the rural nature of the area. A lighting impact assessment should be included within the EIA in order that appropriate mitigation measures can be designed into the future development.

In terms of the built form, visually and in landscape terms, the extent of the impact is likely to be relatively localised. Nonetheless, further consideration should be given to landscape views.

Summary and Conclusion

This assessment has considered the nature, scale and location of the proposal and the particular environmental conditions of the site and surroundings. Overall, it is considered that the proposal does constitute EIA development and will require the submission of an

Environmental Statement (ES) with any planning application. The critical issues expected to be addressed in an ES would be:

- the impact of the development on biodiversity and protected species and designated sites;
- the impact on integrity on the Arun Valley SPA, SAC and Ramsar resulting from water extraction;
- the impact with regard to pollution, the risk of major accidents and the risks to human health
- the impact from traffic generation, noise and air quality
- the impact from lighting

If you would want further detailed advice about the content of the ES you should submit a full scoping request.

This screening opinion will be placed on the public register.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Fjola Stevens', with a large, sweeping horizontal stroke underneath the main text.

Fjola Stevens
Development Manager