

Anastasia Fleming/ Dr Chris Lyons
WYG

Our Ref: GEN/20/00343
Direct Line: (023) 92 446263
Ask For: Mr L Oliver
Email: planning.development@havant.gov.uk

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TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (SI 571/2017) ('THE EIA REGULATIONS') SCREENING OPINION REQUEST IN RESPECT OF THE DEVELOPMENT OF Land west of Hulbert Road, Havant

PROPOSED DEVELOPMENT - Outline planning application for the development of up to 120 dwellings, the provision of open space and landscaping, SUDs, footpath and means of access.

Having considered the proposals as detailed in your letter, Havant Borough Council is of the opinion that the application does not fall within Schedule 1 Development of the Environmental Impact Assessment Regulations 2017 but within Schedule 2 Development, Part 10, Infrastructure Projects (b) – Urban development projects. However, Havant Borough Council has also given consideration to the characteristics of the development, its location and potential impact as set out in Schedule 3 of the Environmental Impact Assessment Regulations 2017 and Planning Practice Guidance. Planning Practice Guidance indicates the types of case in which, an EIA is more likely to be required. It states:

'Environmental Impact Assessment is unlikely to be required for the redevelopment of land unless the new development is on a significantly greater scale than the previous use, or the types of impact are of a markedly different nature or there is a high level of contamination.'

EIA is more likely to be required where:

'(i) the area of the scheme is more than 5 ha; or (ii) it would provide a total of more than 10,000m² of new commercial floorspace; or (iii) the development would have significant urbanising effects in a previously non-urbanised area (e.g. a new development of more than 1,000 dwellings).'

'Account is also to be taken of the physical scale of such developments, potential increase in traffic, emissions and noise.'

(Reference: National Planning Practice Guidance, Environmental Impact Assessments, Annex A: Indicative Screening Threshold)

It is noted that red line site area, which includes the adjacent highway, has a site area of approximately 7.25ha. However, it is clarified in the Planning Design & Access Statement Including Affordable Housing Statement & Statement of Community Involvement, in paragraph 2.2, that the main development site excluding the area for the footpath measures approximately 5ha.

Taking into account the schemes scale, nature and location, associated proposed assessments to accompany a planning application and likely mitigation measures it is not anticipated it will result in significant environmental effects. Therefore, the Local Planning Authority considers that the forthcoming application for this site **is not EIA development**.

Statement of Reasons:

- The site does not lie within an environmentally sensitive area.
- The built area of the scheme is less than 5 ha.
- The development would not result in development of more than 150 dwellings
- The characteristics of the development result in the retention of significant areas of undeveloped land with residential development.
- The impact on water resources, flood risk and pollution can be managed through the planning application process.
- The site itself is not considered to include specific characteristics that would mitigate against development in principle in ecological terms.
- Potential impacts in relation to adjacent Ancient Woodland and Site of Nature Conservation Interest can be considered, managed and mitigated through the planning application process.
- The impact of the proposed development on protected species can be effectively reduced through the planning application process through appropriate avoidance and mitigation measures being secured.

Finally during the consideration of the pre-application Natural England provided the following consultation response which should inform and guide the form of any formal planning application.

Natural England

It is Natural England's advice, on the basis of the material supplied with the consultation, that there are potential likely significant effects on statutorily designated nature conservation sites or landscapes and further assessment is required.

Schedule 3(2) of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 requires consideration of the selection criteria for Schedule 2 EIA development and identification of environmental sensitivity.

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:

- Solent SPAs for water quality and recreational disturbance
- Langstone Harbour SSSI/Chichester Harbour SPA/Ramsar
- Chichester Harbour SSSI/Chichester and Langstone Harbours Ramsar/SPA/Solent Maritime SAC.

Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. This development proposal may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land or on local landscape character that may be sufficient to warrant an EIA. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission standing advice.

We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the proposed development before determining whether an EIA is necessary.

Should you determine that an EIA is not required in this case, you should ensure that the application is supported by sufficient biodiversity, landscape and other environmental information in order for you to assess the weight to give these material considerations when determining the planning application.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

Water quality and resources

- The waste water from the new development will introduce an additional source of nutrient loading (Total Nitrogen) to the Chichester and Langstone Harbours SPA, Ramsar catchment.

There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some designated sites.

- An Integrated Water Management Study for South Hampshire was commissioned by the Partnership for Urban South Hampshire (PUSH) Authorities to examine the delivery of development growth in relation to legislative and government policy requirements for designated sites and wider biodiversity. This work has identified that there is uncertainty as to whether housing development in the later stages of the plan period would require mitigation.

- In light of this uncertainty, Natural England advises that a nutrient budget is calculated for this development. For confidence that the development will be deliverable, Natural England recommends that the proposals achieve nutrient neutrality.

- Natural England encourages all new development to adopt the higher standard of water efficiency under the Building Regulations (which equates to 110 litres /head/day including external water use) and re-use in line with best practice. Consideration should be given to the use of grey water recycling systems and efficient appliances.

Please note that this response relates only to the EIA screening consultation. Natural England may wish to provide advice should your authority consult us on any subsequent planning application and associated environmental assessments.

This letter should be taken as the Local Planning Authority's screening opinion under the Regulations.

Yours Sincerely



Simon Jenkins
Director of Regeneration and Place
Havant Borough Council and East Hampshire District Council