Dear Mrs Vine

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Environmental Impact Assessment) Regulations 2011
Screening Opinion

Proposed Local Development Order for Enterprise Bognor Regis

The Assistant Director of Planning Services and Housing Strategy has determined under delegated powers that the above proposal does not require the submission of an Environmental Impact Statement, as any impacts as there are on the environment are not likely to be of a magnitude to be covered by the Regulations. The following environmental issues are considered relevant to this proposal and have been considered in coming to this decision:

1. Characteristics of the Development;
2. Location of the Development;
3. Characteristics of Potential Impacts;
4. Cumulative Impact

Proposal

The Local Development Order (LDO) will grant planning permission exclusively for land use, associated highways, buildings and ancillary facilities, and associated development in Use Classes B1, B2, and B8. In addition, for complementary activities in Use Classes A1, A2, A3, and D2, which can be up to a maximum of 150 sq.m.per unit. Development permitted by the LDO is subject to various planning conditions being satisfied.
Screening

It is considered that, in part, the development to be permitted would fall under part 10a of Schedule 2 development of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 “Industrial Estate Development Projects”. These Regulations have been amended by the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015 that came into force on 15th April 2015. These Regulations raise and amend the thresholds at which certain types of development project will need to be screened in order to determine whether an environmental impact assessment is required. Column 2 of Schedule 2 (as amended) requires that “Industrial Estate Development Proposals”, which meet or exceed 5 hectares must be screened to establish whether the proposal is EIA development. Overall the consent granted by the LDO exceeds the 5 hectare threshold and additionally is within close proximity to sensitive sites. The LDO must therefore be screened.

An assessment of the Local Development Order has been undertaken with reference to Schedule 3 of the Regulations in order to identify if the permitted development would be likely to have significant effects on the environment.


Characteristics

Schedule 3, Paragraph 1 of the Town and Country (Environmental Impact Assessment) Regulations 2011 (the Regulations) (as amended) states that the characteristics of the development must be considered.

The site to which the LDO relates is 22.9 hectares and is split into three component areas each under separate ownerships.

Development permitted by the LDO could potentially take a range of forms including office buildings, research and development light industrial workshop buildings and large scale industrial sheds and warehouses.

Facilities may include large outdoor areas of hard-standing for storing, moving or assembling large amounts of components and parts.

The considerations of cumulative effects at Felpham and Bersted are relevant. These locations are currently seeing construction for large scale housing developments, and are within 2 kilometres of the LDO Site. The potential of the cumulative effects with the Bognor Regis Relief Road which is directly adjacent to the LDO Site and currently under consideration is also relevant.

Given the primary uses to be permitted by the LDO are B1, B2 and B8, it is not anticipated that significant industrial processes which result in hazardous substances or emissions are likely. However, there is scope for pollution and nuisance in respect of increased traffic movements and resulting impacts on air quality; and potential noise from operations particularly outdoor operations.
It is not anticipated that there is significant land contamination on the LDO Site so the potential for hazardous waste during the remediation and construction stage is not likely to be significant. However, there are some known pollution sources on Oldlands Farm and Rowan Park including electrical transformers, agricultural materials storage, and liquid petroleum gas storage.

The Environment Agency Flood Map shows parts of the LDO Site to be located within Flood Zones 1, 2 and 3 with the majority being within Flood Zones 2 and 3. The development permitted by the LDO of B1, B2 and B8 uses are classified in the National Planning Policy Framework (NPPF) Technical Guidance as “Less Vulnerable” development. Less vulnerable development types are appropriate in Flood Zones 1, 2 and 3a, subject to demonstrating that flood risks are appropriately and suitably managed over the lifetime of the development permitted by the LDO accounting for the effects of climate change without increasing flood risk elsewhere. Development, permitted by the LDO, in the absence of a suitable flood risk assessment and suitable mitigation strategy will be required to demonstrate that the proposal does not present an increased danger of flood risk.

The risks of accident or risks to human health as a result of the development permitted by the LDO are considered to be low due to the proposed uses of the site.

Location

Schedule 3 Paragraph 2 of the Regulations states that the environmental sensitivity of geographical areas likely to be affected must be considered.

The LDO Site is situated to the north of Bognor Regis. Salt Box is greenfield and in agricultural use. Oldlands Farm is designated, within the Arun District Local Plan (2003) for employment use (Sites 5 and 6). Part of the land outside the boundary of the LDO is currently being developed for Rolls Royce to create 2 No. detached industrial/distribution units (land use B1c/B2/B8) (Planning Reference: BE/73/14/PL) with the remainder of the land reserved to help manage flood risk. Rowan Park is currently a caravan park.

Land to the north of the Bognor Regis Northern Relief Road, outside the LDO area, is currently subject to the creation of a flood compensation area to deal with the “Rolls Royce” site and future development at Oldlands Farm (Planning References: BE/73/14/PL and BE/61/13).

Greater Bognor Regis including the neighbouring parishes of Middleton-on-Sea, Felpham, Aldwick and Pagham have a combined population of approximately 60,000 people. The LDO area is generally open land lying to the north of the town adjacent to one of the primary access roads the A29. The land immediately to the south is primarily industrial and commercial in nature.

There are no nature conservation designations within the LDO Site but the Bersted Brooks Local Nature Reserve is directly adjoining the LDO Site to the South West.

Three European designated sites and a further two statutory designated sites designated for ecology and nature conservation reasons have been identified within 10km of the LDO Site. These are:

• Pagham Harbour Special Protection Area (SPA) and Ramsar site (7km);
- Chichester and Langstone Harbour SPA and Ramsar site (10km);
- Solent Maritime Special Area of Conservation (SAC) (10km);
- Bognor Reefs Site of Special Scientific Interest (SSSI) (2.7km); and
- The Bersted Brooks LNR (adjacent)

The LDO Site comprises suitable habitat for the following legally protected species or species of conservation concern:

- Dormice;
- Bats;
- Widespread reptiles;
- Water vole;
- Otter;
- Great crested newts; and
- A bird community including species of conservation concern

The LDO Site does not contain any nationally designated heritage assets including listed buildings or registered parks and gardens and none have been identified close to the LDO Site. The North Bersted Conservation Area is approximately 780m west of the Salt Box and the Shripney Conservation Area approximately 110m to the north of the Salt Box. No part of the LDO Site is recognised locally for its historic landscape character, which has been confirmed with English Heritage.

There are no landscape designations with the LDO Site boundaries. In addition there are no AONBs or National Parks within 5km of the LDO Site. The South Downs National Park is located approximately 5.5km to the north.

**Potential Impact**

Paragraph 3 of Schedule 3 of the Regulations requires that the potential significant effects of a development must be considered.

The key potential effects are considered to be as follow:

1) **Pollution/Nuisance** – the LDO permits uses which could be detrimental to nearby residential properties by way of light, noise, smell, fumes, and dust. However, the proposed conditions and environmental protection regulations outside the planning system can control these impacts, where they arise.

2) **Ecology and Nature Conservation** – these designations are:

   a) Sites of Special Scientific Interest, any consultation areas around them (where these have been notified to the local planning authority under article 10(u)(ii) of the GPDO), land to which Nature Conservation Orders apply and international conservation sites; and

   b) National Parks, the Broads, Areas of Outstanding Natural Beauty, World Heritage Sites and scheduled monuments.
There are no areas which have an ecological designation (as listed above) on or around the LDO Site. The LDO Site is within reasonable proximity to a number of sites designated for the nature conservation importance at a European, National and local level. The potential effects of development in the LDO Site have been assessed through a series of Ecological Surveys. These will assess the potential effects upon Dormice, Great Crested Newts, wintering birds, bats (foraging and roosting), water vole, breeding birds, and reptiles. The LDO proposes a number of conditions requiring ecological protection and enhancement.

3) Economic Impact – The introduction of an LDO for Enterprise Bognor Regis is one of a number of initiatives to regenerate and improve the economic prosperity of Bognor Regis. The proposal will help create suitable conditions for economic growth and could have positive outcomes in terms of providing sites for the relocation of existing businesses and for new business premises. This will have a positive economic effect in terms of creating jobs, reducing out commuting from the District and providing a flagship site which promotes economic development and growth in the District and wider sub-region. The magnitude of the proposed effects will depend on a range of factors including business interest, employee availability and skills. The development permitted by the LDO can be expected to bring socio-economic benefits for the local area in the short term and in the longer term through investment in the area and potential for supply chain growth and other economic positive multipliers.

4) Physical Changes to the Locality – the LDO if adopted will permit potentially large scale industrial developments up to 13.5 metres in height and highway access roads. The LDO Site is not covered by any national landscape designation. There are no significant heritage assets in close proximity that the development would detrimentally affect the setting of. The location of the LDO Site on the northern edge of Bognor, the relatively flat topography and the pattern of vegetation and outlying settlements all combine to limit the potential visual effects of development to a relatively localised area. The effects would be most significant on nearby housing to the south of the LDO Site. The Council has identified that there could be some effect upon the wider landscape but that this could largely be mitigated through a detailed landscaping scheme, a building heights zoning plan to direct taller buildings close to the existing urban area, green buffer zones, appropriate controls and conditions are set out to achieve this in the Draft Local Development Order.

5) Accessibility – the LDO Site is located adjacent to the built up area of Bognor Regis, and has reasonable access to public transport where network and frequency could be increased to meet additional demand arising from new development. A highway infrastructure viability study for Enterprise Bognor Regis, completed by the Council in 2014, indicates that the capacity of the current highway network is sufficient to support any intensification of highway use posed by new development in the short to medium term. This high level strategic study is being supplemented in detail with a transport impact assessment to identify the mitigation measures, if any, that are required. Ultimately the sufficiency of the highway network will depend upon the magnitude and complexity of end user occupation(s). It is proposed therefore that the LDO should include a condition requiring prospective occupiers to produce a travel plan in support of their proposed occupation, and what sustainable transport options can be facilitated.

It is noted that part of the Oldlands Farm and the whole of the Salt Box have been screened previously. Both of these opinions identified that an EIA was not required
subject to information being submitted with any subsequent planning application. The screening request under consideration combines these along with Rowan Park, and the land controlled by Asda within the Oldlands Farm boundary.

It is appreciated that the screening opinion request under consideration covers the larger combined area of Oldlands Farm, Salt Box and Rowan Park. Notwithstanding this it is considered that development permitted by the LDO would have only a local impact that would be limited in its extent beyond the LDO Site boundaries and that there would be no significant detrimental effect upon identified ecological, historical or other assets. Whilst the setting would be altered, this would not have a detrimental or substantive effect upon any designated landscape nor affect the setting of any designated heritage asset which is situated in the area.

The conditions attached to the LDO can provide acceptable mitigation against the anticipated effects of the development permitted by the LDO.

**Cumulative Effect**

The cumulative effect of the development permitted by the LDO needs to be considered as part of the screening exercise. The LDO Site is adjacent to existing built development and greater Bognor Regis. The Bognor Regis Relief Road is under construction directly adjacent to the LDO Site while a number of residential development sites are currently under construction in reasonable proximity to the LDO Site. At Oldlands Farm, part of the land outside the boundary of the LDO is currently being developed for 2 No. detached industrial/distribution units (land use B1c/B2/B8) (Planning Reference: BE/73/14/PL) for “Rolls Royce” with the remainder of the land reserved to help manage flood risk. The area subject to the “Rolls Royce” development was previously in the LDO red line when it was subject to a screening, dated 27th February 2014, which concluded that an EIA was not required.

Within the context of the current committed developments it is not considered that, due to the size of the LDO Site and the nature of the development proposed, the cumulative effect of the development permitted by the LDO would give rise to any significant environmental effects.

**Conclusion**

As set out above, the development permitted by the Local Development Order falls within Schedule 2 part 10a of the Regulations. The development permitted by the LDO has been considered against the criteria within Schedule 3 to determine if an Environmental Impact Assessment is required. It has also been considered against the advice in the National Planning Policy Guidance.

Whilst the development permitted by the LDO will have some effect upon the environment in terms of the potential scale of the buildings; increased traffic generation, particularly during construction; and potential to generate noise, these are mitigated by conditions included in the Order and none of these effects is considered to be so significant in scale that an Environmental Impact Assessment would be required.

Additionally, although the LDO Site is in relative proximity to a number of designated ecological areas, preliminary ecological assessments have been undertaken identifying that there will be no likely significant effects on these areas.
The Local Planning Authority has considered the development to be permitted by the LDO in the context of the Regulations and the advice contained in the National Planning Policy Guidance and considers that the effect of the Local Development Order at Enterprise Bognor Regis would not be so significant to require an Environmental Impact Assessment for the reasons set out above.

It is considered that the proposed Local Development Order should be accompanied by the following information:

- Transportation Assessment
- Flood Risk Assessment, to include drainage impact assessment (including groundwater monitoring during winter months)
- Assessment of Landscape and Visual Impact effects
- Noise Impact Assessment
- Arboricultural Assessment
- Archaeological Assessment
- Ecological Appraisal

Yours sincerely

[Signature]

Karl Roberts
Assistant Director and Planning and Economic Regeneration