

Monday 27<sup>th</sup> October 2025

658/A3/JJA

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**By Email Only**

Dear Sirs

**Re Proposed Development of Land at LVS Hassocks, London Road, Sayers Common, comprising demolition of existing school buildings and redevelopment of site so as to accommodate a new SEN school with associated access, car parking, landscaping and drainage works; and up to 210 houses with associated access, car parking, landscaping, play areas, informal outdoor space and drainage works. Issues for consideration when undertaking a Screening Opinion. Town & Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 (the EIA Regulations').**

I am writing on behalf of Wates Developments Limited and LVS Hassock in respect of their proposals to submit a hybrid application for:

- a) Full planning permission for the development of part of Land at LVS Hassocks so as to accommodate a new SEN School with associated access, car parking, landscaping and drainage works; and
- b) Outline planning permission for the development of part of land at LVS Hassocks so as to accommodate up to 210 dwellinghouses (including affordable housing) with associated access, car parking, landscaping, play areas, informal outdoor space and drainage works

The latter includes the demolition of all the existing school buildings, bar the existing chapel, and resulting in a net gain of 208 dwellings given the demolition of the staff dwellings on the London Road frontage.

In accordance with Regulation 6 of the EIA Regulations I am writing to request the Council's formal opinion as to whether an Environmental Impact Assessment (EIA) will be required.

## 1 Requirement for EIA

- 1.1 This statement considers whether or not the proposed development of the above site by way of the demolition of the existing school buildings and erection of new SEN School together with up to 210 dwellinghouses with associated access works, car parking, landscaping, play areas, informal outdoor space and drainage works would be likely to have a significant effect upon the environment, by reason of matters such as its nature, size or location, so as to require an EIA.
- 1.2 EIA development is defined by the EIA Regulations as:  
*"schedule 1 development; or Schedule 2 development likely to have significant effects on the environment by virtue of factors such as its nature, size or location".*

1.2 EIA development falls into two Schedules of the EIA Regulations. EIA is mandatory for developments listed within Schedule 1. The proposed development is not of a type listed in Schedule 1.

1.4 Schedule 2 developments require EIA if they would lead to likely significant effects on the environment. In deciding whether a Schedule 2 development is EIA development, Regulation 5(4) states:

*'Where a relevant planning authority ... has to decide under these Regulations whether Schedule 2 development is EIA development, the relevant planning authority ... must take into account in making that decision -*

(a) *Any information provided by the applicant;*

(b) *The results of any relevant EU environmental assessment which are reasonably available to relevant planning authority...; and*

(c) *such of the selection criteria set out in Schedule 3 as are relevant to the development.'*

1.5 If the development proposed is of a type listed in Schedule 2 then it may be classified as EIA development if it is within a sensitive area or it meets any of the relevant thresholds or criteria in Column 2 in Schedule 2.

1.6 Sensitive Areas are defined in the EIA Regulations as:

- Sites of Special Scientific Interest and European Sites;*
- National Parks, the Broads, and Areas of Outstanding Natural Beauty; and*
- World Heritage Sites and Scheduled Monuments.*

1.7 In certain cases, local designations which are not included in the definition of sensitive areas, but which are nonetheless environmentally sensitive, may also be relevant in determining whether an assessment is required.

1.8 The proposed development falls within category 10 of Schedule 2, 'Infrastructure Projects', sub-section (b) 'Urban Development Projects'. The site is not located in a Sensitive Area and therefore the thresholds below should be applied:

- i) The development includes more than 1 hectare of urban development which is not dwelling house development; or
- (ii) the development includes more than 150 dwellings; or
- (iii) the overall area of the development exceeds 5 hectares.

1.9 With a total site area of 14.63 ha and the number of dwellings proposed at up to 210, the thresholds set out in the EIA Regulations are exceeded. Accordingly, this screening assessment has been prepared to assist in the determination of whether the proposed development would be likely to result in significant environmental effects. In order to achieve this, Schedule 3 of the EIA Regulations and the NPPG need to be taken into account and are considered below.

1.10 Schedule 3 of the EIA Regulations sets out selection criteria which relate to specific matters including: the characteristics of the development; the location of the development; and the characteristics of the potential impact. These factors should be taken into account as part of the screening process and are set out below.

1.11 Paragraph 057 the National Planning Policy Guidance ('the NPPG') provides guidance to help determine whether significant effects are likely. In general, the more environmentally sensitive the location, the lower the threshold will be at which significant effects are likely. Table 1 in the Indicative Screening Thresholds Annex gives indicative criteria and thresholds for assessing whether urban development projects are EIA development projects. The indicative criteria and threshold guidance for urban development projects on sites that have not previously been intensively developed are:

- (i) *area of the scheme is more than 5 hectares; or*
- (ii) *it would provide a total of more than 10,000 m<sup>2</sup> 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).*

1.12 Key issues to consider are according to the Annex:  
*'Physical scale of such developments, potential increase in traffic, emissions and noise'*

1.13 In determining whether the proposed development is 'EIA development', regard should be had to both the EIA Regulations and the NPPG. It should therefore be noted that:

1.13.1 the proposed development does not, at up to 210 dwellings, exceed the threshold for development in the NPPG in terms of the number of proposed dwellings which would have significant urbanising effects. However, while the quantum of residential development itself would not exceed the development threshold in the NPPG, cumulative effects still need to be considered as set out below.

1.13.2 the proposed replacement SEN School does not at circa 2,100sqm exceed the indicative threshold for development in the NPPG.

1.13.3 at a gross area of 14.63 ha, which includes a residential development area of circa 4.82 ha, the site does exceed the area threshold in both the EIA Regulations and the NPPG.

1.14 In order to assist the Council's consideration as to whether this development would require an EIA, we have adopted the approach to screening set out in Regulation 6 of the EIA Regulations, namely to provide:

- (a) A plan sufficient to identify the land;
- (b) A description of the development, including in particular:
  - (i) A description of the physical characteristics of the development;
  - (ii) A description of the location of the development, with particular regard to the environmental sensitivity of geographical areas likely to be affected;
- (c) A description of the aspects of the environment likely to be significantly affected by the development;
- (d) A description of any likely significant effects of the proposed development on the environment resulting from:
  - (i) The expected residues and emissions and the production of waste, where relevant; and
  - (ii) The use of natural resources, in particular soil, land, water, and biodiversity; and
- (e) Such other information or representations we believe may assist.

1.15 Schedule 4 of the EIA Regulations requires an Environmental Statement of a proposed development to consider that development cumulatively with other existing and/or

approved development. Guidance on the consideration of cumulative effects in the EIA screening process is set out in the NPPG, which echoes the requirements of the EIA Regulations:

*“Each application (or request for a screening opinion) should be considered on its own merits. There are occasions where other existing or approved development may be relevant in determining whether significant effects are likely as a consequence of a proposed development. The local planning authorities should always have regard to the possible cumulative effects arising from any existing or approved development.”*

1.6 Nearby committed developments with the potential to result in cumulative effects with the proposed development are considered below. It is expected that MSDC will consider the potential cumulative effects of the proposed development alongside any other relevant committed developments when forming its Screening Opinion.

## **2 The Proposed Development**

### **2.1 Site Description**

2.1.1 The existing site consists of 7 parcels of land that comprise a mix of permanent grassland used for grazing sheep and managed parkland surrounding LVS Hassocks School. A number of these parcels are separated by mature trees and hedgerows.

2.1.2 The site benefits from two points of access with the B2118 London Road which provides direct vehicular connection to the primary and strategic road network. It also has a public right of way running through it which enables the site to be well connected with established modes of sustainable travel, as well as providing connectivity for existing residents of the local community.

2.1.3 The site includes a number of trees, none of which are subject to a Tree Preservation Order (TPO). As set out in section 3.4 below, the intention is that the proposed development retains the majority of the existing trees, provides adequate space between them and the proposed built form, and provides for their protection and integration into the new landscape.

2.1.4 The overall site area is 14.63 ha, however, as set out below the residential development covers only circa 4.82ha, with the replacement school falling within 1.84ha and over 5ha being set aside as open space comprising Amenity Green Space, Natural and Semi-Natural Space, Parks and Gardens, Equipped Play Areas and Landscape Buffers.

### **2.2 Characteristics of Development**

2.2.1 The proposed development looks to demolish the existing school buildings, bar the chapel, and redevelop the site so as to accommodate a new SEN school with associated access, car parking, landscaping and drainage works; and up to 210 dwellings with associated access, car parking, landscaping, play areas, informal outdoor space and drainage works.

2.2.2 Vehicular access to both the new school and proposed dwellings will be provided from the B2118 London Road in the form of the existing simple priority junction, with the existing secondary access onto the B2118 converted to a ped/ cycle access only. The development will also provide enhancement to local sustainable travel opportunities

through the delivery of a Mobility Strategy – this is likely to include the implementation of a Green Travel Plan, the provision of Car Club vehicles on site and improvement to local walking and cycling routes.

- 2.2.3 The proposed development will be a mix of 1 – 5 bed dwellings and has been designed to respect the character and appearance of the surrounding area and respect the local vernacular. It will for the most part does not exceed 2 storeys in height. Some 2½ storey buildings will be placed at focal points to act as way finders. To this extent it would not be significantly different in terms of height, or type to the adjacent dwellings. 30% of the proposed dwellings will be affordable. To this end it should be noted that the proposed development will be designed to reflect the aims and objectives of policy DPSC7 of the Reg 19 Submission Draft Mid Sussex District Local Plan 2021- 2039, and the associated policies contained within this plan.
- 2.2.4 The proposed replacement SEN school would be a part single/ part two story building of circa 2,100 sqm with associated outdoor space, play area and parking facilities.
- 2.2.5 Over 5ha is to be set aside as publicly accessible open space, equipped children's play areas (around 0.09ha), natural and semi-natural amenity space (around 3ha), amenity green space (over 1.5ha), Parks and Gardens (over 0.5ha) and extensive landscape buffers (over 1ha), there being some overlap with the latter typologies, all of which will reflect and respect the semi-rural character of the area.
- 2.2.6 An illustrative Masterplan (drawing 24125 – SK24) is attached – this looks to demonstrate the potential layout of the development and associated accessing arrangements.

### 2.3 Site Location

- 2.3.1 The site is located adjacent to the built up area boundary of Sayers Common, to the northwest of the village.
- 2.3.2 The surrounding area is primarily residential in nature to the south and east, with a newly constructed residential development (Nuthatch Lane, Goldcrest Drive, Heron Court) effectively extending the northern edge of the village northwards to the other side of the stream that bounds the south of the site. There is also a caravan park (Hickstead Park) to the northeast of the site, separated by an area of agricultural land, and there are further employment uses and Hickstead Showground to the north and east of the site

### 2.4 Environmental Sensitivity

- 2.4.1 The site does not have any particular features, and its land, soil, water and biodiversity are of no specific interest above the normal for such sites. To this end we note the site is not located in a sensitive area (it is not located within a SSSI, National Park, European Site, or Special Landscape (former AONB)).
- 2.4.2 No ecological designations are located within the site. The nearest statutory designation is Wolstonbury Hill Site of Special Scientific Interest (SSSI), which is located approximately 4.5km to the south-east of the site. The SSSI comprises a mixture of chalk grassland and deciduous woodland which support a diverse range of species, including Sheep's Fescue, Bee Orchid, Fly Orchid and Round Headed Rampion. The next nearest

statutory designation is Bedelands Farm Local Nature Reserve (LNR), located approximately 5.1km to the north-east of the site. The LNR supports wildflower grassland, grazed meadows, wetlands, ancient hedgerows and woodland.

- 2.4.3 The nearest European designation is Castle Hill Special Area of Conservation (SAC) located approximately 15.1km to the south-east of the site. Castle Hill is designated for its semi-natural dry grassland and supports the priority habitat type “orchid rich sites”, with species including Early Spider Orchid and Burnt Orchid.
- 2.4.4 A Designated Road Verge is located approximately 1.2km to the north-east of the site. Otherwise, no other non-statutory designations are located within 2km of the site.
- 2.4.5 The site is not situated in a location susceptible to earthquakes, subsidence, landslides, erosion, or extreme /adverse climatic conditions, which could cause the proposed development to present an environmental problem.
- 2.4.6 Whilst the site itself is not the subject of any planning policy designations or heritage designations, it lies to the north of the built up area boundary of Sayers Common and the Grade II Listed Kingscot lies c.85m to the southeast of the site.

### **3 Those aspects of the environment likely to be affected by the development.**

#### **3.1 Pollution and Nuisances**

- 3.1.1 The proposed development would cause short term nuisance (during the build programme) - this will be kept to a minimum through good environmental management. In this context it should be noted that Wates are members of the Considerate Contractors Group and will submit a Code of Construction Practice prior to any development commencing. This and other planning conditions will ensure that appropriate measures are in place to keep any potential nuisance to a minimum and to prevent any pollution.
- 3.1.2 Documents will be submitted with the planning application to demonstrate that the proposed development will not lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater etc.
- 3.1.3 During the operation of the development, the effects on pollution and nuisance will be minimal, with every opportunity taken to reduce pollution generation by occupants' vehicles through the provision of EV charging facilities, and the use of travel plans which will look to encourage modal shift away from the car. Likewise, the proposed houses will be designed to ensure the efficient use of natural resources, such as water, and make use of renewable energy sources to enhance the proposed development's energy efficiency, thus according with the policies of the Reg 19 Submission Draft Mid Sussex District Plan 2021- 2039

#### **3.2 Production of Waste**

- 3.2.1 Whilst the proposed development will result in the generation of household waste, once occupied, the level of waste will be minimal and the proposed development will include measures to try and encourage recycling - details of these measures will be set out in the Design and Access Statement to be submitted as part of any future planning application.

### 3.3 Sustainability – the efficient use of natural resources

- 3.3.1 The site lies within the brick clay (Weald) Mineral Safeguarding Area, as defined in the West Sussex Joint Minerals Local Plan 2018 (Partial Review March 2021). The planning application which will be prepared following this screening process will include a minerals assessment that will consider the effect of the proposals upon this mineral safeguarding area.
- 3.3.2 It is envisaged that a Sustainability Report will accompany any future reserved matters application. This will demonstrate how the proposed development will ensure the efficient use of natural resources, such as water, and make use of renewable energy sources to enhance the proposed development's energy efficiency, thus according with the policies of the Reg 19 Submission Draft Mid Sussex District Plan 2021- 2039.

### 3.4 Use of Natural Resources:-

- i) Loss of Agricultural Land
- 3.4.1 Following an Agricultural Land Classification and Soil Resources Assessment the whole site has been classified as grade 3b and/or non-agricultural land. As such it does not fall within the definition of Best and Most Versatile (B&MV) agricultural land in the Agricultural Land Classification. As such, and as no commercial farm relies on the site for its viability, the loss of the site to an alternative use would have no significant impact on an existing farm holding. That said a detailed Agricultural Land Assessment will be submitted with any future application.
- ii) Landscape and Visual Impact
- 3.4.2 The majority of the site comprises an existing school and associated infrastructure and open spaces, however the northern extent comprises a pastoral field and on the eastern edge are two residential dwellings.
- 3.4.4 The site is located within policy DP12 of the Mid Sussex District Plan 2014-2031 'Protection and Enhancement of Countryside'. The South Downs National Park lies at approximately 2.5km to the south-east of the site, and the High Weald National Landscape is over 3km to the north of the site. It has been determined that the site is not located within the setting of either of these designations.
- 3.4.5 Public bridleway 9Hu extends through the site, east to west, along the access track and public footpath 10Hu is located immediately north of the site.
- 3.4.6 The site is located on the northern edge of Sayers Common and immediately west of the B2118. To the north and west of the site is a primarily rural landscape dominated by agricultural land uses.
- 3.4.7 The mature hedgerows and trees that are positioned on the site's boundary, as well as within the site, would be retained where possible and enhanced where necessary. In addition, further tree planting would be proposed within the site. The proposed development would therefore retain the site's mature landscape structure and sense of enclosure.

- 3.4.8 The proposals would focus housing within the central, southern and eastern extents of the site; ensuring that built form respects the more sensitive northern and western boundaries.
- 3.4.9 Whilst the introduction of new homes would cause a noticeable change to the character to the site itself, focusing development in the central, southern and eastern extents, retaining much of the existing mature hedgerows and trees, and proposing further structural planting will mean that the landscape and visual effects of the proposals would be highly localised and focused upon the site itself and its immediate context.
- 3.4.10 A Landscape and Visual Appraisal (LVA) will be carried out in accordance with best practice guidelines (Guidelines for Landscape and Visual Impact Assessment (GLVIA, 3rd edition, 2013). This will identify the effects of the proposed development on the landscape and visual resource including impacts on landscape character and views towards the site from a range of receptors, according to their sensitivity, including residents and recreational users of public footpaths. The LVA will demonstrate that most visual receptors have their current views contained by either the mature vegetation, existing settlements or undulating landform.
- 3.4.11 Effects on landscape and visual receptors within the South Downs National Park and High Weald National Landscape would be negligible.
- 3.4.12 The LVA will, together with the Design and Access Statement, demonstrate how the proposed development is compatible with the surrounding land uses and how the new residential areas can be integrated onto the site and surrounding landscape.

iii) Impact on Trees

- 3.4.13 The site encompasses a number of mature trees. Most are located within the existing hedgerows/ along field boundaries. A full arboricultural survey and inspection of the site has been completed.
- 3.4.14 An Arboricultural Implications Report (AIR), based on the survey data and an impacts assessment of the relevant parameters, highway and masterplans will be submitted with the future application. The intention is that the proposed development retains the majority of the existing trees and hedgerows within the open space network, provides adequate space between them and proposed built forms and provides for their protection and integration into the new landscape. In addition, further tree and hedgerow planting, and positive management is proposed to promote their continued ecological function, as part of a comprehensive landscape strategy for the site. The LVA will assess the impact of the proposals on landscape features which is likely to be beneficial both through the proposed additional planting of trees, orchards, woodland, and hedgerows but also through the management of these and other features such as meadows, water courses and ponds, resulting in long term benefits to the landscape and biodiversity.
- 3.4.15 Given the above we consider that this site could be developed in a way that is sympathetic to the existing tree stock and enhances the existing tree population on the site.

iv) Ecology

3.4.16 A number of ecology surveys of the site have been undertaken between 2022 and 2024. These are set out in the table below:

<b>Survey Date</b>	<b>Survey Date</b>
Ecological Feasibility Appraisal (including Phase 1 Survey)	30.05.2024
Biodiversity Net Gain Condition Assessment	29.08.2024
Bats – Internal Inspections of Onsite Buildings	30.05.2024 02.09.2024
Bats – Activity Survey	28.05.2024 23.07.2024 19.09.2024
Bats – Automated Static Detector Survey	28.05.2024 – 04.06.2024 25.06.2024 – 02.07.2024 23.07.2024 – 30.07.2024 16.08.2024 – 23.08.2024 19.09.2024 – 26.09.2024 17.10.2024 – 24.10.2024
Bats – Emergence Survey	04.07.2024 15.07.2024 05.08.2024 12.08.2024 19.08.2024 21.08.2024 28.08.2024 02.09.2024 04.09.2024 16.09.2024 17.09.2024 19.09.2024
Bats – Ground Level Tree Assessment	29.08.2024
Bats – Climbed Tree Surveys	03.07.2025 01.08.2025 22.08.2025
Hazel Dormouse – Nest Tube Survey	24.07.2024 20.09.2024 27.11.2024
Great Crested Newt eDNA surveys	30.05.2024
Reptile Survey	20.08.2024 27.08.2024 03.09.2024 12.09.2024 17.09.2024 20.09.2024 17.10.2024

Breeding Bird Surveys	15.04.2025 13.05.2025 11.06.2025
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3.4.16 As a result of these surveys it is noted that:

Designated Nature Conservation Sites

3.4.17 No statutory ecological designations are located within or bounding the site. The nearest statutory designation is Wistonbury Hill Site of Special Scientific Interest (SSSI), which is located approximately 4.5km to the south-east of the site. The next nearest statutory designation is Bedlands Farm Local Nature Reserve (LNR), located approximately 5.1km to the north-east of the site. These designations are well separated from the site and are not likely to be subject to significant effects as a result of the proposed development.

3.4.18 The nearest European designation is Castle Hill Special Area Conservation (SAC) located approximately 15.1km to the south-east of the site. The site lies well outside of the identified 5km core recreational catchment in relation to this designation.

3.4.19 A Designated Road Verge is located approximately 1.2km to the north-east of the site. Otherwise, no other non-statutory designations are located within 2km of the site. This designation is well separated from the site by roads and open countryside, and as such are unlikely to be impacted by proposed development at the site.

3.4.20 No areas of Ancient Woodland are located within or adjacent to the site, with the closest area located approximately 0.4km to the south.

Habitats

3.4.21 The site itself comprises a school compound at its centre, with buildings, ponds, an orchard, allotments, an area of woodland and several areas of grassland present. Two grassland fields are present to the north and north-east of the school compound. The northern field is bounded by hedgerows, a tree line and an off-site woodland and is managed through sheep grazing. The field also contains small areas of Bramble scrub with longer sward grassland recorded at the south of the field. The north-eastern field is also bounded by hedgerows and comprises a grassland field with an area of hardstanding utilised as a car park.

3.4.22 Two residential buildings associated with the school are present in the south-east of the site, bound to the east by the B2118 London Road, with associated gardens, hedgerows and hardstanding access. Three further short-sward grassland fields are present to the south and south-east of the school compound. The south-eastern field has a short sward height and is partially bound by a tree line to the south, with tall ruderal vegetation, woodland and a hedgerow beyond. The central southern field is bound by woodland to the south and hedgerow to the west whilst the south-western field is bound by hedgerow, Bramble scrub, mixed scrub and tree lines. A number of semi-mature and mature individual trees are also present throughout the fields.

### Grassland

3.4.23 The site is dominated by a number of grassland fields which are largely bordered by hedgerows, tree lines and woodland. The fields appear to be grazed on rotation by sheep and are also subject to regular mowing, with a uniform sward height across the site of 5 – 20cm. Additionally, a further grassland area is present within the school compound which is also managed through regular mowing to a height of 5cm.

3.4.24 The grassland fields are all relatively species-poor and categorized as modified grassland and are not characteristic of any Priority Habitat types. Accordingly, these do not form an important ecological feature.

### Hedgerows, Tree Lines and Scattered Trees

3.4.25 The site contains numerous hedgerows which are largely associated with the site boundary, although several form internal hedgerows. The hedgerows throughout the site vary in height, width, age, species present and management. A number are considered to be species-rich, whilst nearly all hedgerows are native and therefore qualify as the 'Hedgerow' Priority Habitat, forming an important ecological feature.

3.4.26 Several semi-mature and mature standard trees are located throughout the site and are considered to be of elevated ecological value.

### Woodland

3.4.27 An area of woodland is present within the centre of the site, with two further areas located adjacent to the southern boundary. These woodlands form the Priority Habitat type lowland mixed deciduous woodland and accordingly form an important ecological feature.

### Scrub and Tall Ruderal Vegetation

3.4.28 Small areas of scrub and tall ruderal vegetation were recorded within the site, mostly associated with the area of buildings in the central western part of the site, with smaller areas also present along field margins and hedgerow bases. These areas were largely dominated by common and widespread species. Scrub and tall ruderal vegetation does not form an important ecological feature.

### Ponds

3.4.29 The site contains three ponds, two of which are located within the central school compound with the third located along the southern boundary within an area of woodland. The southern pond (P5) is shaded by the surrounding woodland vegetation, whilst pond P1 is partially shaded by adjacent trees. Pond P2 comprises an ornamental pond with marginal vegetation and a water feature present. Given the presence of Common Toad (a Priority Species) recorded within ponds P1 and P2, these qualify as Priority Habitat and are therefore considered to form important ecological features.

### Orchard

3.4.30 Two areas of orchard are present within the school compound, largely dominated by Apple trees with occasional Pear and Plum species also present. The orchards are considered to qualify as the Priority Habitat 'Traditional Orchard' and therefore form an important ecological feature.

### Buildings, Vegetated Gardens and Hardstanding

3.4.31 A number of buildings are present within the central and eastern parts of the site, comprising various school buildings in addition to two residential buildings. The buildings are associated with hardstanding access roads and parking areas.

### Allotment

3.4.32 An allotment is also present within the school compound and does not form an important ecological feature.

### Summary

3.4.33 Given the above, the important ecological features that exist on site comprise the Priority Habitat ponds, traditional orchard, hedgerows, woodlands and mature trees.

3.4.34 Priority Habitats are a material consideration in the making of planning decisions. Accordingly, the retention of the hedgerow network, woodlands, ponds and mature trees will be prioritised under the masterplan. Aside from some minor hedgerow and tree losses to accommodate road access and development, such habitats can likely be readily accommodated under the layout. In the event of any loss, mitigation and / or compensation will be provided to address habitat losses in the form of additional planting and careful management of retained landscape features.

3.4.35 Accordingly, no significant adverse effects are anticipated in terms of habitats. The proposed development will include extensive green infrastructure provision, allowing for enhancement and improved management of retained features and new habitat creation. Such measures will look to provide an overall biodiversity net gain.

### Faunal Species

3.4.36 Phase 2 surveys have recorded a number of faunal species at the site, as detailed below:

#### Bats

3.4.37 The activity surveys, including transects and static monitoring surveys, have shown that the site is utilised by a number of bat species with Common Pipistrelle and Brown Long-eared Bat roosts recorded within two buildings within the site. Noctules have also been recorded roosting within one of the on-site trees. As such, a mitigation licence from Natural England will be required to allow works to proceed lawfully.

3.4.38 The proposed masterplan seeks to retain all habitats of elevated value for bats where practicable. This includes woodland and woodland edges, mature trees, hedgerows, and

tree lines; however, some minor hedgerow, tree line and tree losses are anticipated for access and development purposes.

- 3.4.39 Additionally, a sensitive lighting strategy will also be designed to reduce light disturbance to commuting and foraging bats across the whole site with particular attention given to areas of elevated value such as the boundary features and internal commuting habitat. Grassland enhancement, and hedgerow, tree and scrub planting will provide improved foraging resources. Bat boxes will be integrated into the proposals and installed on mature trees within the dwellings and proposed open space to provide additional roosting opportunities.
- 3.4.40 The proposed green infrastructure provides an opportunity to deliver biodiversity gains for bats by increasing the extent, diversity, and connectivity of their habitats.
- 3.4.41 On the basis of the above, no significant effects are anticipated in relation to the bat assemblage.

#### Dormouse

- 3.4.43 The site provides suitable habitat to support Dormice in the form of onsite woodland and hedgerows and connects to several areas of woodland within the wider landscape. No Dormouse have been recorded within the site during the survey work undertaken to date and are therefore considered unlikely to be present within the site. Nevertheless, a precautionary method of working will be employed should any suitable Dormouse habitat be affected (e.g. removal of hedgerows for road access). There are substantial opportunities for new hedgerow planting to enhance Dormouse habitat under the proposals.

#### Great Crested Newt

- 3.4.44 The results from the eDNA surveys returned negative results for the three on-site ponds, albeit a Great Crested Newt was recorded within the northern field during a reptile survey at the site. As the site contains suitable terrestrial habitat in the form of grassland, woodland and hedgerows, appropriate mitigation and licensing will need to be implemented in relation to Great Crested Newt. Accordingly, the site will join the Great Crested Newt District Level Licensing scheme provided by NatureSpace.

#### Reptiles

- 3.4.45 Low numbers of Slow-worm have been recorded during surveys. The reptile population within the developed sections of the site will be safeguarded through a habitat manipulation exercise, whilst new opportunities will be provided within the areas of open space proposed under the scheme. Additional enhancements in the form of hibernacula and log pile creation will be incorporated to provide foraging and sheltering resources.

### Birds

3.4.46 During the habitat survey completed in May 2024, common species including Blackbird, Chiffchaff and Magpie were recorded within the site. During the breeding bird surveys carried out at the site between April and June 2025, a very modest assemblage of breeding species were recorded, the vast majority of which were associated with the boundary hedgerows and trees which are largely retained under the proposals.

3.4.47 Overall, the breeding bird assemblage using the site is made up of largely common and widespread species.

3.4.48 Most breeding bird habitat will be retained within the woodlands and hedgerows. The proposals include the provision of grassland enhancement, additional tree, hedgerow and shrub planting and the creation of ponds / SuDs features, which together with residential garden creation will provide foraging and nesting resources for a range of bird species. Bird boxes will also be installed to provide additional nesting opportunities.

3.4.49 It is therefore considered that the proposed development has the potential to provide additional foraging and nesting resources that will enhance the site for the local bird assemblage.

### Other Fauna

3.4.50 Other mammal species are likely to utilise the site on occasion, such as the Priority species Hedgehog. However, Hedgehog are unlikely to form a significant constraint to development and can be safeguarded using standard mitigation methods. No suitable habitat is present for Water Vole or Otter.

### Summary

3.4.51 The surveys undertaken to date suggest that the proposed development is unlikely to cause a significant negative effect on the conservation status of any notable, rare, or protected habitats or species following the implementation of appropriate avoidance, mitigation and compensation measures that can be incorporated as part of proposals. Habitat creation within the proposed areas of open space, and subsequent management of existing and new habitats will have a positive effect on local wildlife, including bats, reptiles, and birds.

### Conclusion on ecological impacts

3.4.52 Having regard to the above, whilst an Ecological Appraisal and required reporting and associated surveys will form part of a future application, it would appear that it is possible for the proposed development of the site to avoid significant effects on ecology and take place in accordance with the nature conservation related legislation and planning policy. There are also opportunities to deliver biodiversity enhancements on site which would support local and national biodiversity policy.

#### v) Flood Risk

3.4.53 Whilst the site falls within Flood Zone 1, i.e., an area where all land uses are acceptable in principle, the scale of the proposed development site, which exceeds 1 ha, requires

that a Flood Risk Assessment (FRA) be submitted as part of the planning application to detail the flood risk and to demonstrate that not only will the proposed dwellings not be at risk, but that the proposed development will not increase the risk of flooding elsewhere.

3.4.54 Surface water discharge from the site will be limited to that of the pre- development greenfield runoff rate, thus ensuring there is no increase in post-development peak discharge flow rates. In order to manage the flow, SuDS features such as surface water attenuation areas and swales (designed to accommodate all storms up to and including the 1 in 100 year event + 45% climate change) will be utilised.

3.4.56 The FRA and Drainage Strategy reporting will also explain that foul water from the dwellings will be collected by adoptable gravity drains and delivered to the existing foul sewerage network by a combination of gravity drains and rising mains. Southern Water have confirmed in a letter dated 24 December 2024 that there is sufficient capacity in the existing foul sewerage network to accommodate the additional flow of 1.81 litres per second.

vi) Archaeology and Cultural Heritage

3.4.57 With regards to archaeology, the site does not lie within an Archaeological Notification Areas as defined by West Sussex County Council.

3.4.58 There are no HER sites or finds recorded within the site. The site is considered to have a high potential for the remains of 19th century farm buildings of low (local) significance and for evidence related to Post-Medieval and modern agricultural activity of low/no (Local/Negligible) significance. A low/uncertain archaeological potential is identified for all other periods. Pre-application consultation with the archaeological officer at Place Services confirmed that any archaeological requirements can be secured following the grant of planning permission via a suitably worded condition.

3.4.59 There are no designated heritage assets located within the bounds of the Site, nor is the Site located within a Conservation Area. There are 17no. designated heritage assets within 1km of the site – all Listed Buildings - the nearest of which is the Grade II Listed Kingcott, a c.17th-century dwellings situated on the western side of the B2118 c.85m from the Site at its closest point.

3.4.60 A review of archival sources has not identified any historic associative or functional connections between the Site and designated heritage assets within its environs, including the Grade II Listed Kingcott. Onsite assessment has concluded that there are no visual connections between the Site and the above heritage assets, be that intervisibility or co-visibility, and the Site does not contribute to the overall understanding, experience or appreciation of the assets.

3.4.61 It is therefore concluded that due to a lack of visual connections, spatial relationships and historic connections, the site does not form part of the 'setting' of the above designated heritage asset that contributes to its overall heritage significance. Accordingly, it is anticipated that the proposed development would not result in a change that would impact upon the overall heritage significance of this asset. It is not anticipated that any further designated heritage assets within the 1km, or beyond, would be sensitive to the development of the site.

3.4.62 Taking account of the above, no significant effects on archaeological remains, or designated heritage assets are anticipated, although potential impacts would be fully assessed in a Heritage Statement which will accompany the application. As such, matters relating to heritage are not considered to warrant being scoped into the ES.

vii) Accessibility

3.4.63 It is proposed that there will be a single point of vehicular access from the site onto the B2218, comprising a simple priority junction, which will be formed by the repositioning and closure of the existing access to LVS. The access will also provide a route for non-vehicular traffic to access the existing public highway.

3.4.64 The access road will extend into the site in the form of a spine road. Currently, access to LVS is achieved along Bridleway 9Hu. As part of the development proposals, this route will no longer provide access to the school and all traffic will be routed along the spine road to parking / drop-off within the school grounds.

3.4.65 Public Right of Way Bridleway 9Hu provides a connection between Twineham Lane (to the west of the site) and the B2118. This PRoW will be retained and, consistent with the policies set out in DPSC7, enhanced. The removal of traffic from this route will also enhance conditions for users of Bridleway 9Hu. It will provide an alternative point of access to the site for school, residents and visitors by sustainable modes of travel.

3.4.66 An assessment of the facilities that can be found within a reasonable distance of the site will be included within the Transport Assessment that will be submitted with any future TA. Sayers Common provides access to a range of everyday facilities, a number of which are within a comfortable and attractive walking distance of the site, including primary education, convenience retail, a range of leisure facilities and employment opportunities.

Service/Facility	Within 2km Walking Distance	Within 5km Cycle Distance
Mailspeed Marine	✓	✓
King Business Centre	✓	✓
AvTrade Global Headquarters	✓	✓
Ernest Doe Power	✓	✓
Isabello's Pre-School	✓	✓
Albourne C of E Primary School	-	✓
VIM Health Physiotherapist	✓	✓
Hurst Dental Practice	-	✓
Mid Sussex Health Centre	-	✓
Sayers Common Community Shop	✓	✓
Little Waitrose	-	✓
Hurstpierpoint Post Office	✓	✓
Oakhurst Play Area	✓	✓

Service/Facility	Within 2km Walking Distance	Within 5km Cycle Distance
Berrylands Farm Play Area	✓	✓
Hickstead Park	✓	✓
All England Show Jumping Course	✓	✓
Albourne Equestrian Centre	-	✓

3.4.67 These services and facilities will be further supplemented by the on-site infrastructure that will be delivered as part of the wider DPSC2 development.

3.4.68 The TA will demonstrate good connectivity between the site and local services/ facilities and that the site is a sustainable site for development. This will be enhanced through the delivery of a Mobility Strategy the opportunities for new and existing residents of Sayers Common to access sustainable modes of transport.

viii) Cumulative Impacts

3.4.69 The Mid Sussex District Plan 2021 – 2039 – Submission Draft Version (Dec 2023) looks to allocate the site for the development of 210 homes and a replacement SEN School. It is however acknowledged that the site is one of five sites allocated in the Mid Sussex District Plan 2021 – 2039 by way of proposed policies DPSC 3-7, which cumulatively propose approximately 2,543 additional dwellings and associated facilities in Sayers Common.

3.4.70 Having regard to the above Leading Counsel's advice was sought as to whether any Environmental Impact Assessment accompanying any planning application submitted by Wates would need to consider the wider sites allocated in the Mid Sussex District Plan 2021 – 2039 – Submission Version by way of proposed policies DPSC3-6 in terms of the wider cumulative impacts under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 which apply the relevant EU Directive into English law. Said advice confirmed that in considering whether the proposal should be screened on its own or cumulatively with the wider allocations Counsel was the view that the screening opinion should only consider the proposal which falls within Policy DPSC7 for the following reasons:

a) Policies DPSC3-7 need careful scrutiny because it is noteworthy that the plan in identifying a series of sites, includes them as 5 distinct allocations expressed not in one policy, and that the LPA has determined they should form separate and independent policies in the emerging development plan which indicates a degree of independence in terms of implementation.

b) Policy DPSC 7 is a stand-alone allocation. The sole requirement of policy is that it *“demonstrates a coordinated approach and collaboration with the other housing allocations in the Plan within Sayers Common to deliver high quality placemaking which supports the 20-minute neighbourhood principles, with direct enhanced active/sustainable travel connections, and includes the enabling the viability of new public transport services”* but that is the extent of relationship expressed in policy. There is no phasing indicated, or any other physical connection sought or required.

- c) It is also relevant that the NPPG expressly states that each application or request for a screening opinion should be considered on its own merits<sup>1</sup>.
- d) The NPPG goes on to say that an application should not be considered in isolation if, in reality it is an integral part of a more substantial development (Judgement in *R v Swale BC ex parte RSPB* [1991] 1 PLR 6).
- e) In other cases, it is appropriate to establish whether each of the proposed developments could proceed independently – *R (Candlish) v Hastings Borough Council* [2005] All ER (D) 178 and *Baker v BANES Council* [2009] All ER 169.
- f) Therefore, in this case it is clear that the development is not part of a more substantial development although it is part of a more comprehensive range of allocations, but there is a distinction, and an important one, between a development and a series of allocations in counsels judgment.
- g) Additionally, it is clear that the proposed development by Wates of the LVS site can proceed independently and has no physical dependency on any of the other allocated sites.
- h) For those reasons and in accordance with the guidance in the NPP, Counsel was of the view that the proposal should be screened on its own and there was no requirement in law or policy for it to be screened in combination with the other 4 allocations in the emerging Local Plan for Sayers Common.

3.4.71 In the context of the above we note that whilst the planned growth in Sayers Common has been assessed cumulatively in the Council's Sustainability Appraisal, and that the Plan is supported by a transport evidence base which assesses the cumulative impact of planned development using the Mid Sussex District Transport Model and develops a strategy for mitigating the effects of cumulative traffic impacts; the Statement of Common Ground entered into between MSDC and the promotes of DPSC3 – 7 in July 2024 acknowledges that the submission of the planning applications for DPSC4 – 7 may be ahead of the adoption of the Local Plan and that said SoCG does not place any restriction on those sites coming forward independently of each other and/or DPSC3. To this end we note that Antler have submitted a full application for 27 dwellings and associated works on Land Rear of Chesapeake, Reeds Lane, Sayers Common - DM/25/1434 (DPSC4) refers; that Welbeck have submitted an outline application with all matters reserved except for access, for comprising 'a residential development of up to 210 dwellings (Use Class C3); with associated access; landscaping; amenity space; drainage and associated works' on land at Coombe Farm, Sayers Common – DM/25/2661 (DPSC5) refers<sup>2</sup>; and that Reside have submitted an application for screening for 80 dwellings and associated works on West of King Business Centre, Reeds Lane, Sayers Common - DM/25/2637 (DPSC6) refers.

3.4.72 Furthermore whilst policy DPH2 of the Submission Draft Local Plan allows for the expansion of settlement outside the defined built up area boundaries in certain circumstances, and policy DPH1 provides for a windfall allowance within the overall housing supply, such that further development – albeit of an unknown quantity and location could take place in Sayers Common over the plan period, this is only likely to be small scale and unlikely to lead to any significant cumulative effects being identified. Likewise, whilst small scale development has occurred of late in the village this too is

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<sup>1</sup> Paragraph 024, reference ID: 4-024-20170728.

<sup>2</sup> The council we note have previously confirmed following an application for screening (DM/25/1934 refers) that said development is not EIA development

such that when coupled with the proposed development there would not be any significant cumulative environmental, economic or social effects.

3.4.73 Given the above and whilst we note and acknowledge that planned development could cumulatively impact on the local highway network/local infrastructure, a Transport Assessment and Infrastructure Statement will be submitted with any future application to address these points i.e. demonstrate that the existing highway network has sufficient capacity to accommodate the traffic likely to be generated by the proposed development, without any significant adverse effects; and that the impact of the proposed development on local infrastructure can be accommodated through improvements to existing facilities, via S106 contributions or direct works<sup>3</sup>. Likewise, whilst potential cumulative construction effects could occur if another scheme came forward in Sayers Common at the same time as that planned for at LVS Hassocks, it is not likely that there would be any cumulative effects in terms of construction. To this end, it is expected that the delivery of the wider strategic site would be phased, and that this would reduce the potential for overlap of construction phases. Nevertheless, any construction activities would be subject to control through a Construction Traffic Management Plan, enabling impacts to be managed and, where necessary, mitigated to alleviate any potential cumulative impacts. Similarly, it is unlikely that any other environmental matters would materially be affected by any other development in close proximity to the site as each application would look to mitigate its effects and be assessed having regard to other recent developments by the Council.

3.4.74 These points aside, the development of the land at LVS Hassocks, can be undertaken independently of the other sites currently being promoted in Sayers Common in terms of land ownership and infrastructure, with no significant cumulative environmental impacts.

#### **4 Characteristics of Potential Impacts: -**

##### **4.1 Extent of the impacts:**

- 4.1.1 During the construction period the potential impact would be limited and controlled by a Construction Environmental Management Plan as required by a condition of any future planning permission.
- 4.1.2 During the construction and operational phases of the development the permanent landscape and visual effects of the proposed development would, be localised and largely focused on the site itself and its immediate context/ immediate neighbouring occupiers. Both landscape and visual effects would become increasingly focused on the site once proposed new landscaping has started to reach semi-maturity.
- 4.1.3 The principal impact of the proposed development beyond the site is that of increased traffic on the local highway network. Given the scale of development however, the effect of the proposed development on the local highway network will, whilst permanent, not

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<sup>3</sup> It is noted that Wates were party to the Statement of Common Ground of July 2024 signed by all those promoting development in Sayers Common, which in section 5 looks specifically at the issue of the housing trajectory and infrastructure delivery; and that all parties recognised and agreed that the infrastructure requirements associated with the proposed growth of Sayers Common were such that there will be a requirement for the cost and delivery of the infrastructure required to support the development to be shared equitably between the allocations where this is necessary; and that the planning applications for DPSC4 – 7 will, in the main, be making financial contributions in accordance with the Council's Development Infrastructure and Contributions SPD (as amended), which will/can be pooled.

be significant, even when taking on board the cumulative impact with other recent and planned developments and will be addressed in the TA. The same is true of the proposed developments' impact upon local infrastructure and service, which will be addressed through the S106 agreement.

4.2 Transfrontier Impacts:

4.2.1 There are no transfrontier impacts.

4.3 Magnitude and complexity of impacts.

4.3.1 The proposed development is for the demolition of existing school buildings, bar the chapel, and redevelopment of site so as to accommodate a new SEN school with associated access, car parking, landscaping and drainage works; and up to 210 houses with associated access, car parking, landscaping, play areas, informal outdoor space and drainage works. The, the majority of the proposed dwellings will be 2 storeys high with occasional elements of 2½ storey development, whilst the new school will be part single part two storeys. The visual impacts of the proposed development, whilst permanent, will not be significant and will be ameliorated/reduced over time as a result of the landscape measures proposed. As such, as with the other impacts referred to above, the visual impact of the proposed development, whilst permanent, will not be significant.

4.4 Risk of Accidents:

4.4.1 A full and detailed assessment of historic collision injury accidents will be included within the Transport Assessment.

4.4.2 However, the proposed development will not give rise to the potential for a higher than average number of accidents either during construction or when in operation. The site access arrangement will be subject to a Stage 1 Road Safety Audit, consistent with the adopted WSCC Road Safety Audit Policy, with all matters suitably addressed and will be subject to further auditing at the relevant design gateways.

## 5 Conclusions

5.1 We are of the opinion that the impact of the scale of development proposed will be restricted to matters of local interest and will not result in any significant effects upon the environment. Even if any significant effects are identified, these are likely to be very localised and would not have an effect on a wide area or a significant population. The site itself does not have any significant qualities and can accommodate the development without harming any special soils, water or air. Consequently, the proposed development does not amount to EIA development and an EIA is not justified in this instance. We acknowledge that certain assessments will need to accompany the planning submission to assist the MSDC in their determination of the planning application.

5.2 To this end we can confirm that in addition to the planning application drawings and Design and Access Statement, any future application will be accompanied by a Planning Statement, Transport Assessment, Stage 1 Safety Audit, Travel Plan Statement, Flood Risk Assessment and Associated Drainage Strategy, Infrastructure Statement, Minerals Assessment, Ecological Impact Assessment (which will include details of the associated

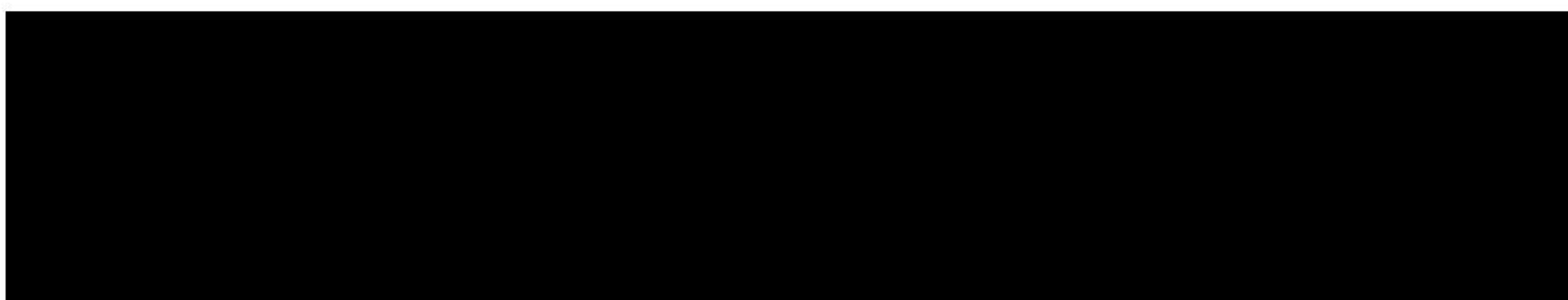
flora and fauna surveys), Arboricultural Impact Report, Landscape and Visual Appraisal, Indicative Landscape Strategy, Outline Landscape Management Plan, Desk Top Archaeological Appraisal; Heritage Statement, Agricultural Land Impact Assessment, Statement of Community Involvement, Sustainability Statement, Affordable Housing Statement, and draft Heads of Terms of a S106 Agreement.

Could you please formally acknowledge receipt of this submission and provide me with notification of the expiry date of the statutory period. Please also confirm that the decision maker has authority to provide the screening opinion, or alternatively whether the opinion is to be made by committee. Also, please confirm that the screening opinion will be placed on the Planning Register in accordance with the EIA Regulations.

In order to assist you in your considerations, enclosed at Appendix 1 is a plan identifying the site, and at Appendix 2 is an Illustrative masterplan that demonstrates the potential building blocks of the development, and the proposed associated accessing arrangements for providing access to the site/the proposed development.

Please advise if you require any further information to inform your decision.

Yours sincerely

A large black rectangular redaction box covering the signature area.

Enclosures:

- (i) Site Location Plan – 24125 – S101A
- (ii) Illustrative masterplan 24125 – SK24

C.c. Alice Cameron / Jordan Van Laun – Wates Developments Limited  
Martha and Adam Covell – ECA for LVS