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Dear Sir/Madam

Reference: DM/25/3129

Proposal: Outline planning application for the erection of up to 117 dwellings, together with the provision of landscaping, open space, and associated development works, with access from Balcombe Road. All matters reserved except for access. (Amended plans and supporting statements received 15th April reducing the number of proposed dwellings to up to 117 and reducing the size of the proposed roundabout). (Additional ecology information received 19/05/2026). (Additional highways information received 12/06/2026).

Location: Land At Borde Hill Lane Haywards Heath West Sussex

I am writing with regard to the above application.

The Council is required to determine whether the application should be accompanied by an Environmental Impact Assessment in accordance with Regulation 8 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

To determine whether the proposed development constitutes 'EIA development', regard must be had to the EIA Regulations, as well as the supporting Planning Practice Guidance (PPG). The EIA Regulations define 'EIA development' as development which is 'likely to have significant effects on the environment by virtue of factors such as its nature size or location'. The Regulations indicate that EIA development falls within two 'Schedules'. Schedule 1 concerns development projects for which EIA is a mandatory requirement.

Proposals that fall within Schedule 2 only require EIA if they would lead to likely significant effects on the environment. Development proposals that fall within Schedule 2 must therefore be assessed against a number of relevant thresholds and criteria, set out in Regulation 5(4).

This screening opinion relates to a proposed residential development of up to 117 houses together with the provision of landscaping, open space, and associated development works, with access from Balcombe Road. The site area is in excess of 9 hectares. As such the proposal is above the threshold set out in Part 10, Schedule 2 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 relating to (b) Urban development projects, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas.

The Local Planning Authority (LPA) has considered the application against the selection criteria in Schedule 3 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

The site is adjacent to the built up area boundary of Haywards Heath, as defined in the District Plan (DP). The site area for this screening opinion is some 9.4 hectares. It is proposed to be allocated for 60 dwellings in the Mid Sussex District Plan 2021 – 2039, which is currently undergoing its Examination by the Planning Inspector. During the course of the Examination of the District Plan, the Local Planning Authority has stated that the yield from the site can be increased to 117 units. Should the site be allocated for residential development, the built up area boundary in the District Plan will be revised so that the site will be within the built up area.

The site is not subject to national designation. The boundary of the High Weald National Landscape is to the west on the opposite side of Borde Hill Lane.

The Planning Practice Guidance (PPG) provides guidance on the EIA Regulations. Paragraph: 018 Reference ID: 4-018-20170728 Revision date: 28/07/2017 provides a table containing indicative thresholds to aid LPAs to determine whether significant environmental effects are likely. For Urban Development projects, the table states that the indicative threshold for sites such as this which have not been previously intensively developed is if the area of the scheme is more than 5 hectares or the development would have significant urbanising effects in a previously non-urbanised area (e.g. a new development of more than 1,000 dwellings).

Whilst the proposal exceeds the site area threshold, it is considered that the key issue is whether the proposal would have significant urbanising effects in a previously non-urbanised area. It is noted that a fairly significant proportion of the site would be used for open space, rather than being developed with new buildings.

The development is well below the indicative threshold of 1,000 dwellings. It is also the case that the site is bounded by residential development to the south and east. The site adjoins the existing built up area of Haywards Heath to the east and south. In light of these factors, it is not considered that the proposal would have significant urbanising effects in a previously non-urbanised area.

Schedule 3 of the EIA Regulations sets out the Selection Criteria for Screening Schedule 2 Development as follows:

'Characteristics of development'

1. The characteristics of development must be considered with particular regard to—
 - (a) the size and design of the whole development;
 - (b) cumulation with other existing development and/or approved development;
 - (c) the use of natural resources, in particular land, soil, water and biodiversity;
 - (d) the production of waste;
 - (e) pollution and nuisances;
 - (f) the risk of major accidents and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with scientific knowledge;
 - (g) the risks to human health (for example, due to water contamination or air pollution).'

Taking these in turn:

- (a) The site of the proposed development is on the edge of Haywards Heath, which is categorised as a category 1 settlement in the District Plan (Settlement with a comprehensive range of employment, retail, health, education leisure services and facilities. These

settlements will also benefit from good public transport provision and will act as a main service centre for the smaller settlements). A well-designed scheme could come forward on the site, which would be appropriate to the character of the area. The numerical size of the development would assimilate with the town and would not be an overly large addition to the town.

(b) The development will change the character of part the site itself from a greenfield site to a housing development. Part of the site adjoins the existing built up area of Haywards Heath. Whilst the character of the site would change, given the extensive amount of space for landscaping that is proposed, it is not considered that the proposal would have a significant urbanising effect in EIA terms on the wider locality.

(c) The proposal would use land that is currently laid to grass. The site does not contain important, high quality or scarce resources. The scheme will result in the consumption of water during the construction phase and subsequent occupation of the dwellings. There are no reasons to suggest that this would have significant environmental effects. There are no protected areas which are designated or classified for their terrestrial, avian and marine ecological value, or any non-designated / non-classified areas which are important or sensitive for reasons of their terrestrial, avian and marine ecological value, located on the site. Whilst there are both protected species on the site and trees and hedgerows, the impacts on these can be mitigated and compensated for. It will be a requirement for the scheme to provide a minimum 10% gain in biodiversity. As such, no significant effect is likely.

(d) The development would produce waste during the construction phase and then normal domestic refuse once the dwellings are occupied. No significant effect is likely from this.

(e) Pollutants will be released to air from exhaust emissions from the vehicles moving to, from and within the application site during construction and there will be exhaust emissions from vehicles belonging to future occupiers of the dwellings and those visiting the dwellings. There are no Air Quality Management Areas in the locality of the site, and no significant effect is likely.

There will also be temporary noise impacts during the construction phase, possible dust emissions and possible pollution of the adjacent watercourse. However, these risks can be controlled by appropriate construction management procedures, and no significant effects are likely.

With regards to the operational phase, the proposed development would be subject to a Travel Plan to effect modal shift away from the private car. The new dwellings will also be required to provide EV charging points.

With such mitigation in place there should be no significant cumulative effects in relation to air quality from this development.

(f) The risk of accidents during the construction phase can be managed through appropriate construction management procedures. No significant effect is likely.

(g) The risks to water contamination can be managed through appropriate construction management procedures. There are no air quality management areas in the immediate locality of the site, and no significant effect is likely.

'Location of development'

2.—(1) The environmental sensitivity of geographical areas likely to be affected by development must be considered, with particular regard, to—

- (a) the existing and approved land use;
- (b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground;
- (c) the absorption capacity of the natural environment, paying particular attention to the following areas—
 - (i) wetlands, riparian areas, river mouths;
 - (ii) coastal zones and the marine environment;
 - (iii) mountain and forest areas;
 - (iv) nature reserves and parks;
 - (v) European sites and other areas classified or protected under national legislation;
 - (vi) areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the project, or in which it is considered that there is such a failure;
 - (vii) densely populated areas;
 - (viii) landscapes and sites of historical, cultural or archaeological significance.’

Taking these in turn:

- (a) The land is currently laid to grass. It is bounded by residential development to the south and southeast and adjoins the built up area boundary of Haywards Heath to the south and east. The land is not within a nationally designated landscape. As such whilst there will be a change on the site from a greenfield to a housing development, this would not have a significant urbanising effect given the close proximity of other urban development.
- (b) The land is not subject to any national designation. There are no areas in the site which contain important high quality or scarce resources which could be affected by the project.
- (c) i) there is a watercourse located to the north the site, but no significant effect is likely on this watercourse.
 ii) The site is not in a Coastal zone, so this is not applicable.
 iii) The site is not a Mountain or Forest area, so this is not applicable.
 iv) The site does not include a Nature Reserve or Park so this is not applicable.
 v) The closest European site is the Ashdown Forest, which is some 1.8km away from the edge of the Zone of influence.
 vi) The site is not within an area that has failed to meet environmental quality standards in Union legislation.
 vii) The site is adjacent to the town of Haywards Heath. The proposed development would be of a scale and proportion that would be appropriate to the surrounding urban development in the locality, and no significant effect is likely.
 viii) The site is not within a landscape of historical or cultural significance. The West Sussex Historic Environment Record (HER) shows that the proposed development has the potential to contain significant archaeological remains. The impact of this can be suitably managed through planning conditions.

‘Types and characteristics of the potential impact’

3. The likely significant effects of the development on the environment must be considered in relation to criteria set out in paragraphs 1 and 2 above, with regard to the impact of the development on the factors specified in regulation 4(2), taking into account—

- (a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);
- (b) the nature of the impact;
- (c) the transboundary nature of the impact;
- (d) the intensity and complexity of the impact;
- (e) the probability of the impact;
- (f) the expected onset, duration, frequency and reversibility of the impact;

(g)the cumulation of the impact with the impact of other existing and/or approved development;

(h)the possibility of effectively reducing the impact.'

Taking these in turn:

a) The impact of the development will be localised. During construction, the effect on the population will be limited to those that are close to the site and these construction impacts can be mitigated through a Construction Management Plan.

b) There should be no significant impacts as a result of the development on population and human health. The proposal for up to 117 dwellings adjacent to the town of Haywards Heath would not result in a change to the size of the town that would have significant effects, with regards to the factors set out in section 4(2) of the Regulations.

The site is not nationally designated in relation to its ecological value or landscape value and no significant effect in EIA terms is likely in relation to biodiversity or landscape. There is a requirement for biodiversity enhancements through the planning process, with a minimum 10% gain in biodiversity being a requirement in legislation. The site does not contain scarce resources in relation to water, air and climate and there are no likely significant effects. Borde Hill Gardens lies to the west of the site. This is a registered as a Parks and Gardens of Special Interest.

Sugworth Farmhouse is a grade 2 listed building come 230m to the north of the site. The low rise nature of the proposed development and separation distance and boundary screening means that there should be no significant impact in EIA terms on these heritage assets.

c) The development will not lead to any transboundary effects.

d) The proposal is not a complex development. It is a normal residential development.

e) There are not likely to be significant effects from the development. During the construction phase there will be localised impacts, but these can be mitigated through a Construction Management Plan.

f) Subject to a planning permission being granted, the development would need to commence within three years of the consent being granted. The scheme would take several years to build out, with the precise timings dependent on the developer and market conditions.

The frequency of different construction works will depend on the stage of works within the site. The scheme will result in irreversible impacts as the site will change from being a greenfield site to a housing development.

g) During the construction phase, the impact of the development with other schemes that could be approved in the locality could be mitigated through a Construction management Plan.

h) The scheme would need to obtain planning permission. There would be a requirement within the planning application for the development to provide infrastructure and/or make contributions towards infrastructure to mitigate the impact of the development (for example, contributions to provide infrastructure to serve the development, such as towards school

places, library provision, leisure and play space facilities). There would also be a requirement to mitigate the impact on air quality, which can objectively be assessed and provided for by a damage cost calculation, with the monies generated going towards projects such as interventions to change behaviour, for example, cycle storage facilities, cycle route contributions, EV charging points. There would also be a requirement for a minimum 10% gain in biodiversity.

All of these mitigations can be secured by way of planning conditions or through a section 106 legal agreement attached to the planning permission.

Conclusion

Whilst the area of the site is greater than 5 hectares, a significant proportion of the site would be landscaping rather than physical development. The number of units would be significantly below the indicative threshold of 1,000 units in paragraph 57 of the PPG, which is provided as an example of a proposal that would have significant urbanising effects in a previously non-urbanised area.

Having regard to the selection criteria in Schedule 3 of the EIA Regulations, it is considered that the scale and nature of the development, would not have significant effects on the environment within the meaning of the EIA Regulations.

Accordingly, the Local Planning Authority directs that the development above for which planning permission is sought is not EIA development. Consequently, no Environmental Impact Assessment is required to be submitted with this planning application.

Accordingly, the Local Authority directs that the development for which planning permission is sought by the application reference number DM/25/3129 is not EIA development.

Consequently, no Environment Impact Assessment is required to be submitted with the planning application.

Yours faithfully



Eric Owens
Interim Assistant Director Planning and Sustainable Economy