



Tuesday 12th November 2024

658/A3/JJA

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By Email Only

Dear Sirs

Re Proposed Development of Land at Foxhole Farm Bolney, comprising demolition of existing barns and development of site so as to accommodate up to 200 houses with associated car parking, landscaping & community facilities including a circa 450sqm community building, encompassing land for education provision, together with separate play areas, informal outdoor space, allotments, a community orchard and 3.26 ha of countryside open space.
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 my client, Wates Developments Limited, in respect of their proposals to submit a hybrid application for the development of the land at Foxhole Farm Bolney. Said application would comprise full details of the proposed means of access to the site and the community building, and outline details for up to 200 houses with associated car parking, landscaping & community facilities including play areas, informal outdoor space, allotments, a community orchard and 3.26 ha of countryside open space.

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 barns, so as to accommodate up to 200 houses with associated car parking, landscaping & community facilities including a circa 450sqm community building encompassing land for education provision, separate play areas, informal outdoor space, allotments, a community orchard and 3.26 ha of countryside open space, 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”.
- 1.3 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 site area of 16.8 ha and the number of dwellings proposed at up to 200, 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 m² 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 200 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 at a gross area of 16.8 ha, and a residential development area of circa 7.12 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 - drawings FHF Location Rev A and P20074-RFT-XX-XX-DR-A-0101_S2_P04_Illustrative Masterplan
- (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 4 low grade agricultural fields which are set aside as pasture and separated by trees/ hedgerows with access achieved from Foxhole Farm/ Foxhole Lane.
- 2.1.2 The site benefits from direct frontage with the public highway to the south, east and west as well as a boundary with the Public Rights of Way Network to the north. This will enable the site to be well connected with established modes of sustainable travel, as well as providing connectivity for existing residents of the local community. The A272 Cowfold Road is situated to the south of the site enabling a direct vehicular connection to the primary and strategic road network.
- 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 16.8 ha, however, as set out below the larger part of this is comprised of outdoor space, allotments, orchard and countryside open space. Residential development covers a 7.12ha area within the wider site area, and the community facility 0.26ha.

Please refer to the Site Location Plan (Dwg. Ref. FHF Location Rev A).

2.2 Characteristics of Development

- 2.2.1 The proposed development looks to demolish the existing barns and develop the site so as to accommodate up to 200 dwellings with associated car parking, landscaping & community facilities including a community working hub, together with land for education provision, play areas, informal outdoor space, allotments, a community orchard and 3.26 ha of countryside open space.
- 2.2.2 Vehicular access will be provided from the A272 Cowfold Road in the form of a simple priority junction with associated right hand turn lane, and new pedestrian and cycle links will be provided to The Street. 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 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 DPA14 of the Reg 19 Submission Mid Sussex District Local Plan 2021- 2039, and the associated policies contained within this plan.

- 2.2.4 The proposed community building would be a single story building of circa 450sqm with associated outdoor space, play area and parking facilities.
- 2.2.5 Over 9 hectares is to be set aside as publicly accessible open space, which will encompass the countryside open space (3.26ha), equipped children's play areas (0.14ha), allotments (0.15ha), community orchards (0.89ha), natural and semi-natural amenity space (4.99ha), and extensive landscape buffers (2.22ha), 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 P20074-RFT-XX-XX-DR-A-0101_S2_P04_Illustrative Masterplan) 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 Bolney, to the west of the Village.
- 2.3.2 It is bounded by properties along The Street to the east, The Coach House, and the A272 Cowfold Road to the South, by Foxhole Farm and Foxhole Lane to the west and a public footpath and scattered residential properties/ farms to the north.

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 AONB).
- 2.4.2 No ecological designations are located within the site. The nearest statutory designation is Blunts and Paige's Wood Local Nature Reserve (LNR), which is located approximately 5.6km to the north-east of the site. The LNR comprises a mixture of deciduous woodland and meadows which supports a diverse range of species, including Black Poplar and Dormice. The next nearest statutory designation is Ashenground and Bolnore Woods LNR, located approximately 5.9km to the east of the site. The LNR supports a small area of ancient woodland.
- 2.4.3 The nearest European designation is Ashdown Forest Special Protection Area (SPA) and Special Area Conservation (SAC) located approximately 16km to the north-east of the site. Ashdown Forest is designated for its wet and dry heaths that support wide assemblages of rare and notable species including nationally important numbers of breeding Nightjar and Dartford Warbler.
- 2.4.4 A Designated Road Verge is located approximately 680m to the north-west of the site (see Plan 6481/ECO2). Otherwise, the nearest non-statutory designation is Seven Acre

Hanger Local Wildlife Site (LWS), which is located approximately 1.7km to the north-east of the site. The LWS supports ancient woodland.

- 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 west of the built up area boundary of Bolney and abuts the conservation areas situated along The Street to the east, which also include a number of listed buildings (these are separately designated and are additional constraints in addition to the conservation area constraint). Listed Buildings also abut the site to the east, including the Grade 1 Listed Church of St Mary Magdalene and the Grade II Listed Walnut and Well Cottage.

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 The site comprises 4 fields. These comprise a variety of grades of land ranging from grades 2 – 3b, the majority being grade 3b agricultural land, with pockets of grade 2 and grade 3a land; the majority of that identified as grades 2 and 3a i.e. Best and Most Versatile (B&MV) agricultural land in the Agricultural Land Classification is to be set aside as countryside open space / public open space/ amenity space i.e. not built upon. In addition, the land to the west is predominantly agricultural, with scattered houses. That to the north comprises woodland, and scattered houses, whilst to the east is the housing that runs along The Street. To the south is Cowfold Road (A272), beyond which are open fields and further scattered housing and woodland.

- 3.4.2 Given the above, despite its classification, the use of the land that falls within this site for its full grade 2 and 3a capabilities is currently constrained by the size and configuration of the field parcels, the site's topography, and its proximity to existing houses and heritage assets. 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

- 3.4.3 The site comprises pasture fields bounded by mature hedgerows, and it adjoins the built-up area boundary of Bolney along its eastern and southern edges. Cowfold Road (A272) runs along the southern edge of the site, and Foxhole Lane runs along the western boundary.
- 3.4.4 The site is not designated for landscape or landscape-related reasons. The High Weald National Landscape lies at a distance of approximately 460 metres to the east and north of the site. The South Downs National Park is over 6km to the south of the site.
- 3.4.5 Public footpath 44BO extends along the northern edge of the site, but there is no formal public access to the site itself.
- 3.4.6 The mature hedgerows and trees that surround the site would be largely retained and would be augmented by new woodland planting as well as orchards. The proposals will therefore retain the mature landscape structure and sense of enclosure within the site.

- 3.4.7 The proposals would place new homes in the lower parts of the site, that are enclosed by the mature hedgerows and trees around the boundaries of the site. The higher part of the site, around Foxhole Farm at the site's centre, would remain free from development and would become Public Open Space.
- 3.4.8 Whilst the introduction of new homes into the pasture fields would cause a noticeable change to the character of the fields themselves, the proposed placement of the new homes on the lower parts of the site, the retention of existing mature hedgerows and the addition of new native vegetation will mean that the landscape and visual effects of the proposals would be highly localised upon the site itself and its immediate context.
- 3.4.9 A Landscape and Visual Impact Assessment (LVIA) 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 LVIA will demonstrate that the majority of visual receptors have their current views contained by the mature vegetation adjacent to the settlement edge and containing public rights of way.
- 3.4.10 Effects on landscape and visual receptors within the High Weald National Landscape would be negligible
- 3.4.11 The LVIA 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 assimilated onto the site.

iii) Impact on Trees

- 3.4.12 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.
- 3.4.13 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 LVIA 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.
- 3.4.14 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

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

Survey Date	Survey Date
Ecological Feasibility Appraisal (including Phase 1 Survey)	04.04.2022
Biodiversity Net Gain Condition Assessment	27.09.2022, 30.07.2024
Bats – Activity Survey	02.08.2022, 15.09.2022, 25.04.2023, 11/12.05.2023, 13.06.2023, 10.07.2023
Bats – Automated Static Detector Survey	26.07.2022 to 01.08.2022, 15 to 21.09.2022, 18 to 23.04.2023, 11 to 17.05.2023, 13 to 19.06.2023, 04 to 09.07.2023
Hazel Dormouse – Nest Tube Survey	15.09.2022, 18.11.2022, 10.07.2023
Breeding Bird Survey	22.04.2023, 24.05.2023, 21.06.2023
Great Crested Newt eDNA surveys	18.04.2023, 17.06.2024
Reptile Survey	17.04.2023, 20.04.2024, 25.04.2023, 05.05.2023, 11.05.2023, 18.05.2023, 22.05.2023, 26.05.2023

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 Blunts and Paige's Wood Local Nature Reserve (LNR), which is located approximately 5.6km to the north-east of the site. The next nearest statutory designation is Ashenground and Bolnore Woods LNR, located approximately 5.9km to the 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 Ashdown Forest Special Protection Area (SPA) and Special Area Conservation (SAC) located approximately 16km to the north-east of the site. The site lies well outside of the identified 7km zone of influence in relation to this designation.

3.4.19 A Designated Road Verge is located approximately 680m to the north-west of the site. Otherwise, the nearest non-statutory designation is Seven Acre Hanger Local Wildlife Site (LWS), which is located approximately 1.7km to the north-east of the site. These designations are well separated from the site by roads, open countryside and existing built development, 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, the closest located approximately 150m to the west.

Habitats

- 3.4.21 The site itself comprises five main grassland fields bounded by established hedgerows, woodland and residential dwellings. Additionally, the northern boundary is adjacent to a public footpath. Within the site there are a number of internal boundary features including a treeline, hedgerows and a number of post and wire fences. A number of other habitats are present within the site including a single pond, scrub, tall ruderal vegetation, bare ground, hardstanding and buildings

Grassland

- 3.4.22 The site is dominated by a number of grassland fields which are largely bordered by hedgerows and internal post and wire fences. The fields appear to be grazed on rotation by livestock (sheep and horses), the fields currently being grazed maintaining a low sward height whilst the ungrazed fields have a sward height of approximately 30-50cm. Additionally, there are number of small grass areas associated with the surroundings of the farm / barn buildings which appear to be managed by mowing.
- 3.4.23 The grasslands 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, Treelines and Scattered Trees

- 3.4.24 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.
- 3.4.25 Several standard trees are located throughout the site, mostly associated with the hedgerows or adjacent to field boundaries. Mature trees are present along the western and northern boundaries, but elsewhere typically comprise only young or semi-mature specimens, not considered to be of elevated value.

Woodland

- 3.4.26 The northern site boundary is located adjacent to woodland which is largely offsite, however, the woodland canopy does encroach onto the site at the northwest boundary by approximately 5m. Additionally, two small parcels of woodland are located along the north western site boundary. These woodlands form the Priority Habitat type lowland mixed deciduous woodland and accordingly form an important ecological feature.

Scrub and Tall Ruderal Vegetation

- 3.4.27 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

- 3.4.28 The site contains a single small pond which is associated with a hedgerow at the north-western site boundary, measuring approximately 3m in width and 8m in length. The pond is shaded by a mature Oak and surrounding shrubby vegetation. The pond contained water during the initial Phase 1 survey in April 2022 and the update condition assessment in July 2024, although was dry during a visit in September 2022, indicating it is an ephemeral feature. No aquatic vegetation was noted associated with the pond. Given the pond is a low quality example of this habitat type, it is not considered to form an important ecological feature.

Buildings, Hardstanding and Bare Ground

- 3.4.29 A number of buildings are present within the central western part of the site, comprising large open barns in varying states of repair and a number of workshop, stable and greenhouse buildings. The buildings are associated with a hardstanding access track, whilst an area of bare ground is located to the north forming a horse ménage.

Summary

- 3.4.30 Given the above, the important ecological features that exist on site are hedgerows and woodlands.
- 3.4.31 Priority Habitats are a material consideration in the making of planning decisions. Accordingly, the retention of the hedgerow network and boundary woodlands will be prioritised under the masterplan. Aside from some minor hedgerow losses to accommodate road access, 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.
- 3.4.32 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

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

Bats

- 3.4.34 The activity surveys, including transects and static monitoring surveys, have shown moderate levels of bat activity. The analysis has shown that the site is utilised by bat species including Common Pipistrelle, Soprano Pipistrelle, Myotis sp., Nyctalus/Eptesicus sp., Long-eared bat sp. and Barbastelle.

- 3.4.35 The proposed masterplan seeks to retain all habitats of elevated value for bats where practicable. This includes woodland edges, hedgerows, and tree lines; however, some minor hedgerow losses are anticipated for access purposes.
- 3.4.36 Additionally, a 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, pond creation, and tree, scrub and woodland 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.
- 3.4.37 The proposed green infrastructure provides an opportunity to deliver biodiversity gains for bats by increasing the extent, diversity, and connectivity of their habitats.
- 3.4.38 On the basis of the above, no significant effects are anticipated in relation to the bat assemblage.

Badger

- 3.4.39 A disused Badger sett has been recorded at the southern site boundary together with several Badger latrines. However, no active setts have been recorded within or adjacent to the site. Accordingly, Badger is unlikely to form a constraint to the proposals.

Dormouse

- 3.4.40 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. Further survey has confirmed presence of Dormouse on site. Hedgerows and wooded vegetation is largely limited to the site boundaries such that suitable Dormouse habitat can largely be retained under the proposals, although a European Protected Species (EPS) mitigation licence will need to be obtained from Natural England should any suitable Dormouse habitat be affected (e.g. removal of hedgerows for road access). There are substantial opportunities for new woodland and hedgerow planting to enhance Dormouse habitat under the proposals.

Great Crested Newt

- 3.4.41 The results from the eDNA surveys have confirmed the presence of Great Crested Newts within a single pond approximately 100m to the north of 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 scheme will either acquire a European Protected Species Licence with provision of onsite habitat mitigation or join the Great Crested Newt District Level Licensing scheme provided by Naturespace. Given the large areas of green infrastructure to be provided, it is considered that mitigation requirements for this species can readily be incorporated under the proposals, including new pond creation, and enhanced terrestrial habitat provision

Reptiles

- 3.4.42 Moderate numbers of Slow-worm and low numbers of Grass Snake 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

- 3.4.43 The site supports a rather modest assemblage of breeding birds that is entirely typical of the 'urban edge' and farmland habitats that are present, with almost all breeding activity being associated with peripheral trees and shrubs, and a notable concentration of activity around the farm buildings.
- 3.4.44 Overall, the breeding bird assemblage using the site is made up of largely common and widespread species, with species of heightened conservation importance present in low numbers. This includes eight Birds of Conservation Concern (BoCC) recorded to be breeding or potentially breeding within the site, namely Amber-listed Stock Dove, Woodpigeon, Swallow, Wren, Song Thrush and Dunnock, and Red-listed House Sparrow and Greenfinch. Song Thrush, Dunnock and House Sparrow are also Section 41 species.
- 3.4.45 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.
- 3.4.46 Thus 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

- 3.4.47 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

- 3.4.48 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

- 3.4.49 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

- 3.4.50 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.
- 3.4.51 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 + 40% climate change) will be utilised.
- 3.4.52 The proposed surface water drainage design will allow an opportunity to improve the connectivity of drainage ditches across the site. These improvements will reduce the risk of flooding at the site, particularly in areas adjacent to the existing watercourses flowing across the southern part of the site.
- 3.4.53 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. Thames Water have already confirmed there is sufficient capacity in the existing foul sewerage network to accommodate the additional flow from up to 400 houses.

vi) Archaeology and Cultural Heritage

- 3.4.54 With regards to archaeology, the site does not lie within any defined Archaeological Notification Areas, with that covering the historic core of Bolney lying outside the site boundary to the south-east.
- 3.4.55 No significant archaeological remains are recorded within the site on the West Sussex Historic Environments Record. No features of potential archaeological interest are recorded on historic mapping of the site.
- 3.4.56 With regards to Built Heritage, assets in the vicinity comprise the Grade I Listed Parish Church of Mary Magdalene; the Grade II Listed Walnut and Well Cottage; and the Bolney Conservation Area.
- 3.4.57 The Grade I Listed church of St Mary Magdalene, which is medieval with later alterations, lies approximately 125m to the east of the site. The Grade II Listed Well and Walnut cottage, which is a 17th-century timber-framed residence which was once two cottages, lies approximately 50m to the east of the site. This church and Well and Walnut Cottage

lie within the southern part of the Bolney Conservation Area. This area has some intervisibility with the central area of the site.

3.4.58 The evolving masterplan has taken account of the setting of the assets noted above, specifically through the retention of the central area of the site which has greatest intervisibility with the assets as primarily open space. This will not only safeguard the open nature of the views in this direction in perpetuity but will open up new publicly accessible views to the Church and Conservation Area as a whole from the high ground to the west.

3.4.59 Taking account of the above, no significant effects on archaeological remains, Listed buildings or the Conservation Area 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

3.4.60 It is proposed that there will be a single point of vehicular access from the site onto the A272 Cowfold Road, comprising a simple priority junction with a ghost right turn lane. The arrangement will reposition the existing signalised pedestrian crossing.

3.4.61 In addition, multiple pedestrian / cycle accesses are to be provided in accordance with the Mid Sussex District Plan (ref: Policy DPA 9 criteria 6. 7 and 8):

a A pedestrian access adjacent to the vehicular site access to Cowfold Road.

b A potential pedestrian / cycle access to The Street via the car park on the eastern boundary of the site.

c A pedestrian / cycle access to The Street to the south of the property known as Westmeadow.

3.4.62 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 application. Bolney 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
Bolney C of E Primary School	✓	✓
Under 5s Pre-School	✓	✓
Bolney Nursery (Garden Centre)	✓	✓
Marylands Nursery (B8 Employment Site)	✓	✓
Village Hall (Rawson Hall) and Playing Fields	✓	✓
Community Cafe (Rawson Hall)	✓	✓
St Mary Magdalene Church	✓	✓

Service/Facility	Within 2km Walking Distance	Within 5km Cycle Distance
Nisa Express and Garage	✓	✓
Bolney Cricket Club	✓	✓
Bolney Wine Estate	✓	✓
The Bolney Stage Public House	✓	✓
Cowfold Surgery	-	✓
St Peters C of E Primary School	-	✓
Twineham C of E School	-	✓
The Complete Barber Shop	-	✓
The Co-Op Food – Cowfold	-	✓
Londis / Greggs / Esso – Jeremy's Corner	✓	✓
Fitz Gym	-	✓

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

viii) Cumulative Impacts

3.4.64 The Mid Sussex District Plan 2021 – 2039 – Submission Version (Dec 2023) looks to allocate the site for the development of 200 homes. 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.

3.4.65 In addition to the above policies DPH2 of the submission 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. Thus, further development – albeit of an unknown quantity and location is likely in Bolney over the plan period. This is however likely to be small scale and unlikely to lead to any significant cumulative effects being identified. There being nothing planned within the wider area that would give rise to significant cumulative effects. The implications of planned growth in Sayers Comon as identified in the Submission Local Plan and located some 3.75km to the south, having been assessed cumulatively in the Council's Sustainability Appraisal. Likewise, whilst small scale development has occurred of late in the village this too is such that when coupled with the proposed development there would not be any significant cumulative environmental, economic or social effects.

3.4.66 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. Likewise, whilst potential cumulative construction effects could occur if another scheme came forward in Bolney at the same time as that planned for at Foxhole Farm, as nothing has been submitted currently, any such development timescales would likely be different and even if they were aligned, unless another scheme was in very close proximity, is not likely that there would be any cumulative effects in terms of construction. Similarly, unless any future development were to take place in close vicinity to the site it is unlikely that any other environmental matters would materially be affected as each application would look to mitigate its effects and be assessed having regard to other recent developments by the Council.

- 3.4.67 These points aside, the development of the land at Foxhole Farm, can be undertaken independently of the other sites currently being promoted 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 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 up to 200 dwellings, the majority of which will be 2 storey dwellings with occasional elements of 2½ storey development. It also provides land for education provision, a community facility and community working hub, allotments, informal outdoor space and countryside open space. The proposed dwellings

will be seen in the context of their surroundings, which also encompasses 2 and 2½ storey properties. 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 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 proposal includes off-site improvements to walking and cycling infrastructure (details to be discussed and agreed with WSCC) with the aim to reduce vehicle speeds and provide a safer environment for all users. The site access arrangement has been subject to a Stage 1 Road Safety Audit 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 localized, 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 Impact Assessment, 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



JUDITH ASHTON
Judith Ashton Associates

Enclosures:

- (i) Site Location Plan
Dwg. Ref. FHF Location Rev A
- (ii) Illustrative masterplan
Drawing P20074-RFT-XX-XX-DR-A-0101_S2_P04_Illustrative Masterplan
- C.c. Rory Kemp/ Jordan Van Laun – Wates Developments Limited