

1. CASE DETAILS			
Case Reference	DM/25/2765	Brief description of the project / development	Hybrid planning application for residential development of up to 210 dwellings with associated access, car parking, landscaping, play areas, informal outdoor space and drainage works (outline) and a new SEN school with associated access, car parking, landscaping and drainage works (full) at LVS Hassocks, London Road, Sayers Common.
Agent	Judith Ashton Associates		
LPA	MSDC		
2. EIA DETAILS			
Is the project Schedule 1 development according to Schedule 1 of the EIA Regulations?		No	
If YES, which description of development (THEN GO TO Q4)		Click here to enter text.	
Is the project Schedule 2 development under the EIA Regulations?		Yes	
If YES, under which description of development in Column 1 and Column 2?		10(b) Urban Development Projects	
Notes			
Is the development within, partly within, or near a 'sensitive area' as defined by Regulation 2 of the EIA Regulations?		No	
If YES, which area?		Click here to enter text.	
Are the applicable thresholds/criteria in Column 2 exceeded/met?		Yes	
If yes, which applicable threshold/criteria?		10 (b) (ii) exceeds 150 dwellings; and (iii) The area of the development exceeds 5 hectares	
Notes		The site area measures approximately 14.63 hectares	
3. LPA/SOS SCREENING			
Has the LPA or SoS issued a Screening Opinion (SO) or Screening Direction (SD)? (In the case of Enforcement appeals, has a Regulation 37 notice been issued)		No	
If yes, is a copy of the SO/SD on the file?			
If yes, is the SO/SD positive?			
4. ENVIRONMENTAL STATEMENT			
Has the appellant supplied an ES for the current or previous (if reserved matters or conditions) application?		N/A	

WHEN COMPLETING THIS DOCUMENT IN RELATION TO AN ENFORCEMENT APPEAL, THE UNDERSIGNED OFFICER HAS HAD REGARD TO THE PROJECT AS ALLEGED IN THE RELEVANT ENFORCEMENT NOTICE WHEN REFERING TO THE PROJECT / DEVELOPMENT.

Question	Likely or unlikely		Likely to have a significant effect or not.	
1. NATURAL RESOURCES				
1.1 Will construction, operation or decommissioning of the project involve actions which will cause physical changes in the topography of the area?	Yes	Likely, the Proposed Development will result in development taking place that would result in localised changes to topography.	No	No significant effects identified – Whilst there will be some changes to the site levels, the proposal would not result in significant changes to the topography of the area.
1.2 Will construction or operation of the project use natural resources above or below ground such as land, soil, water, materials/minerals or energy which are non-renewable or in short supply?	Yes	Likely, energy and materials will be used in construction and once built there will be ongoing use of energy and water in the houses by future residents and school users.	No	No significant effects identified – energy and material use would not be significant and the resources identified are not in locally short supply. Mitigation can also be secured through sustainable design and construction
1.3 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, e.g. forestry, agriculture, water/coastal, fisheries, minerals?	Yes	Likely, the site is located on a brick clay Mineral Safeguarding Area and the Applicant's Agricultural Land Classification and Soil Resources Assessment classifies the site as grade 3b and/or non-agricultural land.	No	No significant effects identified – the mineral resources identified are not scarce and the agricultural land classification does not fall within the definition of Best and Most Versatile.
2. WASTE				
2.1 Will the project produce solid wastes during construction or operation or decommissioning?	Yes	Likely, waste will be produced during the construction phase of the project. During operation, the proposed development will produce waste from the occupation of the houses (household refuse) and school.	No	No significant effects identified – the waste produced will not be significant. In the construction phase this will be normal construction waste mitigated through a site waste management plan. During the occupation of the dwellings this would be normal household refuse to be disposed of appropriately. The new school will replace an existing school on site and waste will be disposed of in accordance with normal commercial procedures.
3. POLLUTION AND NUISANCES				
3.1 Will the project release pollutants or any hazardous, toxic or noxious substances to air?	Yes	Likely, pollutants will be released into the 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, those visiting the dwellings and users/visitors at the school.	No	No significant effects identified – the pollutants produced will not be significant.
3.2 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	Yes	Likely, temporary noise impacts during Construction and some noise/light post completion.	No	No significant effects identified – the pollutants produced will not be significant or long lasting or could be controlled with appropriate conditions and/or mitigation.

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3.3 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	Yes	Likely, the proposal could result in contamination of the watercourse to the south of the site from water runoff during the construction phase.	No	No significant effects identified – risk of contamination low and can be controlled and mitigated, if required, using appropriate construction management procedures to prevent surface water from the construction site flowing into the watercourse.
3.4 Are there any areas on or around the location which are already subject to pollution or environmental damage, e.g. where existing legal environmental standards are exceeded, which could be affected by the project?	Yes	Likely, there are some areas of land that could be contaminated by past land uses such as agricultural use.	No	No significant effects identified – any existing land contamination will need to be remediated as part of the development.
4. POPULATION AND HUMAN HEALTH				
4.1 Will there be any risk of major accidents (including those caused by climate change, in accordance with scientific knowledge) during construction, operation or decommissioning?	No	Unlikely.	No	No significant effects identified.
4.2 Will the project present a risk to the population (having regard to population density) and their human health during construction, operation or decommissioning? (for example due to water contamination or air pollution)	No	Unlikely.	No	No significant effects identified.
5. WATER RESOURCES				
5.1 Are there any water resources including surface waters, e.g. rivers, lakes/ponds, coastal or underground waters on or around the location which could be affected by the project, particularly in terms of their volume and flood risk?	Yes	Likely, there are ponds and/or surface water drainage routes within the site and/or surrounding it.	No	No significant effects identified – risk of water contamination low and can be controlled using appropriate construction materials, impact on surface water drainage and flood risk can be controlled using appropriate design/mitigation measures.
6. BIODIVERSITY (SPECIES AND HABITATS)				
6.1 Are there any 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 or around the location and which could be affected by the project? (e.g.	No	Unlikely as the site is in educational use/agricultural and is not designated or classified for its terrestrial, avian and marine ecological value. There are no areas of Ancient Woodland located within or immediately beyond the site boundaries.	No	No significant effects identified.

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wetlands, watercourses or other water-bodies, the coastal zone, mountains, forests or woodlands, undesignated nature reserves or parks. (Where designated indicate level of designation (international, national, regional or local))).				
6.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, e.g. for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?	Yes	Likely, the Application Site and its surrounding area are likely to be used by various species. Trees, vegetation and ponds within and around the site are likely to support biodiversity.	No	No significant effects identified. Through avoidance and mitigation, impacts on protected, important and sensitive species can be avoided.
7. LANDSCAPE AND VISUAL				
7.1 Are there any areas or features on or around the location which are protected for their landscape and scenic value, and/or any non-designated / non-classified areas or features of high landscape or scenic value on or around the location which could be affected by the project? ¹ Where designated indicate level of designation (international, national, regional or local).	Yes	Likely, whilst the site is not considered to be a high value landscape, views of the site from within the South Downs National Park (which is approximately 2.5 km to the south) are possible.	No	No significant effects identified and the application will be expected to be accompanied by a Landscape and Visual Impact Assessment to assess key viewpoints and visual changes.
7.2 Is the project in a location where it is likely to be highly visible to many people? (If so, from where, what direction, and what distance?)	No	Likely, public rights of way cross the site. 9Hu (bridleway) runs through the site in a west/east direction whilst to the immediate north of the site boundary, 10 Hu runs in a similar direction. The B2118 is located to the immediate east of the site.	No	No significant effects identified. Whilst the development will likely be visible, it will not be highly visible to many people.
8. CULTURAL HERITAGE/ARCHAEOLOGY				
8.1 Are there any areas or features which are protected for their cultural heritage or archaeological value, or any non-designated / classified areas and/or features of cultural heritage or archaeological importance on or around the location which could be affected by the project (including potential impacts on setting, and views to, from and within)? Where	Yes	Likely. There are also some listed buildings in the vicinity of the Application Site, the nearest of which is Kingscot which is located on the western side of London Road just to the south of the existing site access.	No	No significant effects identified and the Proposed Development will be supported by a heritage statement setting out the impacts of the proposal on the identified heritage assets and any non-designated heritage assets. Any archaeological mitigation/requirements will also be secured through the Application process.

¹ See question 8.1 for consideration of impacts on heritage designations and receptors, including on views to, within and from designated areas.

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designated indicate level of designation (international, national, regional or local).				
9. TRANSPORT AND ACCESS				
9.1 Are there any routes on or around the location which are used by the public for access to recreation or other facilities, which could be affected by the project?	Yes	Likely, public rights of way cross the site. 9Hu (bridleway) runs through the site in a west/east direction whilst to the immediate north of the site boundary, 10 Hu runs in a similar direction. The B2118 is located to the immediate east of the site where a footway is located along its western side.	No	No significant effects identified. The Applicant has not identified access to, or alignment of, the bridleway through the site will be affected by the development.
9.2 Are there any transport routes on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	No	Unlikely.	No	No significant effects identified. It would be expected that all transport matters stemming from the development would be considered as part of a transport assessment.
10. LAND USE				
10.1 Are there existing land uses or community facilities on or around the location which could be affected by the project? E.g. housing, densely populated areas, industry / commerce, farm/agricultural holdings, forestry, tourism, mining, quarrying, facilities relating to health, education, places of worship, leisure /sports / recreation.	Yes	Likely, there are residential properties adjacent to the Site.	No	The proposed development would be seen from the houses adjoining the site although the Application will be designed to avoid significant harm in amenity terms. There would be some impact on existing residents adjoining the site during the construction phase. However these impacts will be temporary and can be mitigated by the use of a Construction Management Plan to control aspects of the construction process.
10.2 Are there any plans for future land uses on or around the location which could be affected by the project?	No	Unlikely	No	No significant effects identified.
11. LAND STABILITY AND CLIMATE				
11.1 Is the location susceptible to earthquakes, subsidence, landslides, erosion, or extreme /adverse climatic conditions, e.g. temperature inversions, fogs, severe winds, which could cause the project to present environmental problems?	No	Unlikely, no such risks are known in the area.	No	No significant effects identified.

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12. CUMULATIVE EFFECTS		
12.1 Could this project together with existing and/or approved development result in cumulation of impacts together during the construction/operation phase?	<p>Yes</p> <p>Likely, this project could potentially be built alongside a number of other developments. Policies DPSC3, DPSC4, DPSC5, DPSC6 and DPSC7 of the Mid Sussex District Plan 2021-2039 Submission Draft (Regulation 19) sought to allocate residential development across five separate sites at Sayers Common. The Plan has not been made however and these policies do not constitute development plan policies. The Proposed Development subject to this Screening request is known as site DPSC7 (LVS Hassocks). There is a current planning application currently pending consideration with the Council for 27 residential units on DPSC4 (Chesapeake) under reference DM/25/1434. There is also a current planning application currently pending consideration with the Council for up to 210 residential units on DPSC5 (Coombe Farm) under reference DM/25/2661. It is likely that other residential development applications will come forward on land on the remaining sites known as DPSC3 and DPSC6 (a screening request has been made on this site under reference DM/25/2637) from the draft District Plan.</p> <p>As set out in their submissions under the screening request, the Applicant has stated that they obtained Counsel's advice as to "<i>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 Draft 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.</i>" The legal advice obtained confirmed that "<i>in considering whether the proposal should be screened on its own or cumulatively with the wider allocations Counsel was of the view that the screening opinion should only consider the proposal which falls within Policy DPSC7.</i>" A number of reasons are given for this in the Applicant's supporting</p>	<p>No</p> <p>No significant effects identified although each of the proposed developments will be assessed on their own merits. The cumulative effects, whether through construction (traffic, noise) or operational (visual impacts, noise) would be considered under each planning application with appropriate mitigation considered and secured where necessary.</p>

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		information and the Council is in agreement with such a position.		
13. TRANSBoundary EFFECTS				
13.1 Is the project likely to lead to transboundary effects? ²	No	Unlikely.	No	No significant effects identified.

² The Regulations require consideration of the transboundary nature of the impact. Due to the England's geographical location the vast majority of TCPA cases are unlikely to result in transboundary impacts.

5. CONCLUSIONS – ACCORDING TO EIA REGULATIONS SCHEDULE 3

The Application Site is situated on the northern edge of the village of Sayers Common. It measures 14.63 hectares in area. It comprises 7 parcels of land that include 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 and a public right of way runs through the site.

The built up area of Sayers Common is to the south of the Application Site where newly constructed residential development is located. The site has two points of access with the B2118 London Road which is to the east. Agricultural / greenfield land is located to the west and north with there being a caravan park located a little further to the north east.

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 dwellinghouses with associated access, car parking, landscaping, play areas, informal outdoor space and drainage works. 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 pedestrian /cycle access only.

The Proposed Development is of a type described in Schedule 2, and would exceed the thresholds set out within the Schedule.

The National Planning Practice Guidance on Environmental Impact Assessment, Annex: Indicative Screening Thresholds (Paragraph 057 Reference ID: 4-057-2070720 Revision Date: 20 07 2017 and paragraph 058 Reference ID: 4-058-20150326 Revision Date: 26 03 2015) give indicative criteria and thresholds to consider for EIA screening. For part 10 (b) development (Infrastructure Projects: urban development projects), the indicative criteria and thresholds states that "*Environmental Impact Assessment is unlikely to be required for the redevelopment of land unless the new development is on a significantly greater scale than the previous use, or the types of impact are of a markedly different nature or there is a high level of contamination. Sites which have not previously been intensively developed:*

- (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)."*

In this case, the Proposed Development is for up to 210 homes and the relocation as such falls well below the threshold of "*a new development of more than 1,000 dwellings*" which may have a significant urbanising effect in a previously non-urbanised area. The school will be replacing an existing facility on the same site which means any urbanising effects are minimised.

As such, the indicative thresholds do not confirm that this development would require EIA.

The guidance also advises that the key issues to consider are the "*Physical scale of such developments, potential increase in traffic, emissions and noise.*" These issues have been considered in the above checklist and the proposal is not considered to result in significant impacts on these issues.

The Proposed Development is not considered to have significant environmental effects.

Having regard to the selection criteria for screening schedule 2 development set out in Schedule 3 of the EIA Regulations, it is considered that given the scale and nature of the development, the Proposed Development would not have significant effects on the environment within the meaning of the EIA Regulations.

6. SCREENING DECISION

If a SO/SD has been provided do you agree with it?	N/A	
Is it necessary to issue a SD?	No	
Is an ES required?	No	
7. ASSESSMENT (EIA REGS SCHEDULE 2 DEVELOPMENT)	OUTCOME	
Is likely to have significant effects on the environment	ES required	
Not likely to have significant effects on the environment	ES not required	
More information is required to inform direction	Request further info	

NAME

Stuart Malcolm

DATE

17 November 2025