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Dear Robin

Hove Gardens Phase 2, Bus Depot Car Park, Ellen Street Request for an EIA Screening Opinion

I write on behalf of our client, Watkin Jones Group (WJG), to request a formal Environmental Impact Assessment (EIA) Screening Opinion in accordance with Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended 2018) ('the EIA Regulations'). The proposed development to which this EIA Screening Opinion request relates comprises:

- buildings of up to 14 storeys in height;
- up to 370sqm (GIA) of commercial floorspace (Use Class E);
- up to 88 residential units (Use Class C3);
- basement level car parking;
- outdoor and indoor amenity space for residents; and
- public realm landscaping.

As you know, in October 2020 the Council granted full planning permission to WJG for the comprehensive redevelopment of the neighbouring site, 1-3 Ellen Street, for a mixed-use development referred to as 'Hove Gardens' (LPA Ref. BH2020/00917). This permission includes the following:

- 1,662sqm (GIA) of employment floorspace (Use Class B1);
- 341sqm (GIA) of flexible employment and community floorspace (Use Classes B1 / D1 / D2);
- 216 Build to Rent homes (Use Class C3); and
- buildings up to 18 storeys.

The extant permission has been implemented and WJG are now on site undertaking pre-commencement works.

The proposals initially included the bus depot car park site but due to ongoing land ownership discussions this development option was paused in favour of what has now been granted planning permission on the 1-3 Ellen Street site. Nonetheless, the development at 1-3 Ellen Street has been designed so that a future phase of development could take place at the bus depot car park site. Following positive land ownership discussions WJG now has the opportunity to deliver an extension to the Hove Gardens development on the bus depot car park site comprising further employment floorspace and Built to Rent homes. These proposals are being referred to as Phase 2 of the Hove Gardens development.

In the context of Phase 1, the Council issued a formal Screening Opinion on 28th February 2020 confirming that an EIA was not required for the proposed development (LPA Ref. PRE2019/00230).

This request seeks confirmation from the Council that an EIA will not be required for the proposed Phase 2 development. In accordance with Regulation 6(2) of the EIA Regulations, this letter contains the following information for your consideration:

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

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- A description of the development, including the physical characteristics and location of the development;
- A description of the aspects of the environment likely to be significantly affected by the development. It should be noted that the anticipated environmental effects set out in letter comprise that of Phase 1 and Phase 2 cumulatively;
- Where information is available, a description of any likely significant effects of the proposed development on the environment; and
- A plan sufficient to identify the land (Appendix A).

1. Description of the Site and Proposed Development

The Site

The site is broadly rectangular in shape and measures approximately 860sqm in area. The site currently comprises hardstanding used as car parking for the neighbouring bus depot. The site is bound by Conway Street to the north, Ellen Street to the south and Goldstone Street to the west. To the east of the site is 1-3 Ellen Street on which the Council has granted planning permission for 'Phase 1' of the Hove Gardens development as mentioned above.

The surrounding area comprises a mix of land uses, characters and typologies. Broadly speaking there are four main areas:

- commercial to the north and west of the site;
- mid to late 20th Century residential development to the south and southeast of the site;
- terrace housing to the south of the Site (beyond the mid to late 20th Century development); and
- the Hove Station Conservation Area to the east of the Site.

With regards to heritage, the site does not contain any statutorily or locally listed buildings, it is not located within a Conservation Area, and it is not located within an Archaeological Notification Area. The Site is in close proximity to the Hove Station Conservation Area which lies to the east of the Site. The nearest statutory and locally listed buildings are the Grade II listed Railway Station (approximately 160m to the northeast of the Site) and the locally listed The Station public house (which lies opposite the Railway Station at 100 Goldstone Villas).

With reference to the Environment Agency's online Flood Map for Planning, the site is located within Flood Zone 1 (indicating the lowest probability of river and/ or sea flooding).

Planning Context

Development Plan

The general thrust of national and local planning policy and guidance is to secure sustainable patterns of development and regeneration through the efficient re-use of previously developed urban land, and through concentrating development in accessible locations. This is encapsulated in the presumption in favour of sustainable development set out in the NPPF.

Policy SS1 of the City Plan Part One states that, when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained within the NPPF. In this regard, the Council has adopted a strategy whereby the majority of new housing, employment and retail development will be located on brownfield sites within the City's built-up area, and directed to eight specific Development Areas. Additional areas of the City are identified as Special Policy Areas requiring effective partnership working and a comprehensive and coordinated policy approach to managing future development and change.

The site is located within the Hove Station Development Area (DA6). Policy DA6 of the CPP1 states that the strategy for this area is to secure the long term regeneration opportunities around the Station area and to enable its development as an attractive and sustainable mixed-use area focussed on employment. The aim is to secure the creation of a high quality employment environment that will attract investment and new employment opportunities for the city and promote the efficient use of land through, predominantly employment and residential, mixed-use developments.

To achieve this, Part B of Policy DA6 states that provision will be made by 2030 for the following minimum amounts of development within the Development Area:

- 525 residential units;
- Within Conway Street Industrial Area – retention / replacement of 12,000sqm employment floorspace; and
- Outside the Conway Street Industrial Area – retention / replacement of existing with an additional 1,000sqm employment floorspace.

This this will be achieved, in part, through the Strategic Allocation of Conway Street Industrial Area (which includes the site). Part C of Policy DA6 allocates this wider site for comprehensive mixed-use redevelopment to deliver more effective use of the under-used land and buildings, requiring the retention / replacement of 12,000sqm of employment floorspace with a shift into high quality flexible office / business (B1) floorspace, the provision of 200 residential units and enhancements to the streetscape.

Planning History

With reference to the Council's online planning application register, there has only been one application for the comprehensive redevelopment of the site. On 9th May 2017 a detailed planning application was submitted to the Council for the erection of a three storey office building on the site (LPA Ref. BH2017/01176). On 22nd September 2017 the application was refused for two reasons: 1) underdevelopment within an identified Development Area and Strategic Allocation; and 2) lack of adequate car parking resulting in likely overspill outside the local Controlled Parking Zones.

In October 2020 the Council granted full planning permission to WJG for the comprehensive redevelopment of the neighbouring site, 1-3 Ellen Street, for a mixed-use development referred to as 'Hove Gardens' (LPA Ref. BH2020/00917). This permission includes the following:

- 1,662sqm (GIA) of employment floorspace (Use Class B1);
- 341sqm (GIA) of flexible employment and community floorspace (Use Classes B1 / D1 / D2);
- 216 Build to Rent homes (Use Class C3); and
- buildings up to 18 storeys.

The extant permission has been implemented and WJG are now on site undertaking pre-commencement works.

In the context of Phase 1, WJG submitted a similar request to the Council for an EIA Screening Opinion in February 2020 (LPA Ref. PRE2019/00230). This set out a range of parameters as follows:

- buildings of up to 18 storeys in height;
- up to 230 residential units (Use Class C3);
- up to 2,100sqm (GIA) of commercial floorspace (Use Class B1);
- basement level car parking;
- outdoor and indoor amenity space for residents; and
- public realm landscaping.

The Council issued its formal Screening Opinion on 28th February 2020 confirming that an EIA was not required for the proposed Phase 1 development.

The Proposals

The proposed development comprises:

- buildings of up to 14 storeys in height;
- up to 370sqm (GIA) of commercial floorspace (Use Class E);
- up to 88 residential units (Use Class C3);
- basement level car parking;
- outdoor and indoor amenity space for residents; and
- public realm landscaping.

2. EIA Screening Process

As set out within the EIA Regulations, development that falls within Schedule 1 of the Regulations always requires an EIA and is referred to as ‘Schedule 1 development’. Development listed in Schedule 2 that is located within a ‘sensitive area’ (as set out in Regulation 2(1)) or exceeds one of the relevant criteria or thresholds set out at Schedule 2 is referred to as ‘Schedule 2 development’. Not all ‘Schedule 2 development’ will require an EIA, only ‘*development likely to have significant environmental effects due to its size, location or nature*’. Development that requires EIA is referred to as ‘EIA development’.

As set out in Table 1 below, the Phase 2 development is not Schedule 1 development and does not fall within the description in Schedule 2 Part 10(b) ‘Urban Development Projects’ on its own. However, if considered with Phase 1 the wider development would fall within the description in Schedule 2 Part 10(b) ‘Urban Development Projects’ as the two would include more than 150 dwellings. For the avoidance of doubt a formal EIA Screening Opinion request has been submitted to the Council in relation to Phase 2 solely due to the potential of cumulative effects with Phase 1 (which was deemed non-EIA by the Council in February 2020).

It is considered that the proposed development is not likely to result in significant environmental effects. Therefore, it would not constitute EIA development. In addition to the evidence and information presented below, the Planning Practice Guidance (PPG) provides indicative thresholds to assist in the determination of whether a project is likely to have significant environmental effects. For developments such as this, the PPG indicative criteria and threshold states that Environmental Impact Assessment is unlikely to be required “*unless the new development is of 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.*”

This is also in line with relevant EIA guidance provided in the PPG which states that “*only a very small proportion of Schedule 2 development will require an Environmental Impact Assessment*” (Paragraph: 018 Reference ID: 4-018-20170728).

Table 1: Applicable EIA Thresholds

Application Thresholds	
i. Does the Proposed Development fall within Schedule 1 (Y/N)?	No
ii. If yes, what is the applicable description?	N/A
If yes, the proposed development automatically requires EIA	
iii. Does the proposed development fall within Schedule 2 (Y/N)?	No
iv. If yes, what is the applicable description?	N/A

v. Is any part of the proposed development to be carried out in a defined Sensitive Area (see Regulation 2(1))	No
vi. What is the applicable threshold/criteria in Schedule 2?	(i) The development includes more than 1 hectare of urban development which is not dwellinghouse development; or (ii) the development includes more than 150 dwellings; or (iii) the overall area of the development exceeds 5 hectares.
vii. Does the proposed development meet/exceed the applicable threshold (Y/N)?	Not in isolation.
If yes to (iii) and then (v) or (vii) the proposed development will require EIA if it is likely to have significant effects on the environment.	

3. Screening Assessment

Table 2: Possible Effects on the Environment

Possible effects on the environment
<p>The following information has been prepared with reference to the selection criteria for screening Schedule 2 development, provided in Schedule 3 of the EIA Regulations:</p> <ul style="list-style-type: none"> ▪ Characteristics of development (a) – (g) (of the Regulations) ▪ Location of development (a) – (c) (of the Regulations) ▪ Characteristics of the potential impact (a) – (h) (of the Regulations) <p>Features of the proposed development and any measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment have been identified as per the PPG guidance at Paragraph 023 Reference ID: 4-023-20170728.</p> <p>The applicant has a good understanding of the possible environmental effects of the proposed development given their experience with Phase 1. The design of the development will reflect this experience and, as such, environmental mitigation is inherent in the proposals. In the absence of inherent and additional mitigation and in advance of any judgments of the significance of individual effects, the possible environmental effects of the proposals are as follows:</p> <ul style="list-style-type: none"> ▪ Wind and microclimate – local impacts on air flow and microclimate. ▪ Overshadowing – local impacts on surrounding human receptors through the introduction of a tall building. ▪ Air quality – from emissions and dust generated during the demolition and construction phases and emissions resulting from the occupancy of the building, including vehicular emissions. ▪ Noise and vibration – from the demolition and construction operations and from the use of the building. ▪ Townscape and visual effects – near and far-field views of the building from the road network, public open space, residential properties and effects on the settings of heritage assets. ▪ Hydrology, ground conditions and flood risk – the risk of contamination from the demolition and construction phases and from the operation of the proposed development. The risk of flooding

Possible effects on the environment

caused by the development and the management of flood risk both within the Site and beyond its boundaries.

- Social and environmental effects – including the creation of new employment through the demolition, construction and operational phases.
- Transport – the introduction of additional traffic on the local road network as a result of the demolition, construction and operational phases.
- Biodiversity and ecology – the effects on existing biodiversity and ecology from the demolition of the existing building and construction and operation of the proposed development.
- Cultural heritage – the effects of the proposals on the setting of nearby heritage assets and non-designated heritage assets.
- Risks to human health – the risk of accidents or disasters resulting from the demolition, construction and operational phases of the proposed development.

Table 3: Response to the relevant matters set out in Schedule 3(1) of the EIA Regulations

Characteristics of Development

1. The characteristics of development must be considered with particular regard to—

<p>(a) the size and design of the whole development</p>	<p>The proposed development site comprises an area of approximately 860sqm.</p> <p>The proposed development will include up to 88 Built to Rent apartments (comprising a mix of studios, one, two and three bedroom apartments) as well as up to 370sqm (GIA) of ground floor commercial floorspace.</p> <p>The development is proposed as a north-south orientated building rising to part 10, part 14 storeys in height containing car and cycle parking at basement level.</p> <p>The scale and uses of the development is considered to be appropriate for the location, reducing the likelihood of significant effects arising as a result.</p>
<p>(b) cumulation with other existing development and/or approved development;</p>	<p>In respect of potential cumulative effects with other development, PPG advises that <i>“each application (or request for a screening opinion) should be considered on its own merits. There are occasions, however, when other existing or approved development may be relevant in determining whether significant effects are likely as a consequence of a proposed development.”</i> (ID 4-024-201740728).</p> <p>Consideration has been given as to whether there is potential for likely significant effects to occur through the combination of the proposed development with other existing or approved developments. This has most notably included Phase 1 to the immediate east of the site (LPA Ref. BH2017/01176). The Phase 1 development was deemed non-EIA development by the Council in February 2020 ((LPA Ref. PRE2019/00230) and was screened for the purposes of EIA for a higher quantum of development than was eventually approved. Taken together, it is not considered that Phases 1 and 2 will result in significant effects for Phase 2 to be deemed EIA development.</p> <p>Within the immediate vicinity of the site (200m radius) there are no other known consented schemes of a scale sufficient to give rise to cumulative impacts in EIA terms (for the purpose of preparing this letter taken to be 80+ residential units).</p>
<p>(c) the use of natural resources, in</p>	<p>The use of natural resources will be typical for an urban development project such as that proposed. Overall, given the scale and nature of the proposed development,</p>

<p>particular land, soil, water and biodiversity;</p>	<p>it is not considered that it will result in any significant environmental effects related to the use of natural resources, as no unusual or excessive use would occur on any resources that are considered to be in short supply.</p> <p>Water</p> <p>During the construction phase, some activities involve the consumption of water including some common mitigation measures used to control potential construction impacts, such as the dampening down of dust. During the operational phase water will be consumed by the occupants of the apartments and within the commercial space proposed. However, taking into account the scale and nature of the proposed development, significant effects related to water consumption are considered unlikely to arise.</p> <p>Soil</p> <p>The site is located within a built up urban environment and as such is not currently in, nor is it suitable for, agricultural use. The site has not been identified or allocated for mineral extraction and is not situated within a mineral safeguarding area, therefore re-development will not sterilise this resource or have a significant impact on the region's mineral provisions.</p> <p>Overall, given the scale and nature of the proposed development, it is considered unlikely that the proposed development will result in significant environmental effects related to the use of natural resources.</p>
<p>(d) the production of waste;</p>	<p>The nature of the proposed development is such that excessive or abnormal waste generation is unlikely to occur during either the construction or occupation phases. During the construction phase, best practice construction methods will be adopted, controlled via a Construction Environmental Management Plan (CEMP), to ensure that construction waste is appropriately managed. It is anticipated that the implementation of the CEMP will be a condition on any planning permission granted.</p> <p>Waste production during occupation will be typical of a residential and commercial development of this scale and will be collected on site and removed at regular intervals as would be anticipated for a development of this nature.</p>
<p>(e) pollution and nuisances;</p>	<p>The use of the site for residential accommodation and ground floor commercial is highly unlikely to cause significant incidents of pollution and any potential for nuisance will be ordinarily mitigated through the assessment of technical reports submitted to support the planning application.</p> <p>Traffic</p> <p>During the construction phase, a higher number of HGV's will be required to access the site and use the surrounding road network to remove and import materials. Vehicle movements can be controlled through a routing agreement with restrictions imposed over timings, as appropriate. A temporary impact could arise on local traffic which could affect people who live and work in the area. However, given the temporary nature of these impacts, the location of the development around well-established road and travel infrastructure, and through the implementation of standard controls methods, significant environmental effects are not considered likely.</p>

	<p>The proposed development will be a low-car development due to its high level of connectivity, thereby reducing the need to travel by the private car and in turn reducing traffic emissions.</p> <p>The number of proposed car parking spaces is minimal and will not result in any significant traffic volumes. The proposed development is anticipated to generate no more than one inbound servicing vehicle movement per hour. This is considered low.</p> <p>It is therefore considered unlikely that effects related to vehicle movements will be substantial in EIA terms. Notwithstanding this, a Transport Assessment will be submitted as part of the future planning application at the site to assess the impact of the proposed development on the local highways network.</p> <p>Emissions & Air Quality</p> <p>Potential construction phase air quality impacts from fugitive dust emissions and construction traffic could occur as a result of earthworks, construction and trackout activities. During this phase, the implementation of mitigation measures will reduce the dust emissions to ensure they are kept within acceptable limits and all legislative requirements will be met. It is therefore considered that the impact on human health will not be significant.</p> <p>With regards to potential air quality impacts on receptors (i.e occupants) of the proposed development, it is considered that the existing sources of air pollution in the area are unlikely to cause significant effects on residents at the site therefore making it suitable for the proposed development. The site is not located within a AQMA and given the proposed residential and small-scale commercial uses, emissions are not considered to represent a particular feature of the development that would require specific management beyond adherence to legislation and applicable guidance during the operational phase.</p> <p>It is therefore considered unlikely that effects related to emissions and air quality will be significant in EIA terms.</p> <p>Noise & Vibration</p> <p>Since the effect on vehicular traffic generated by the proposed development is not anticipated to be significant, any changes in road traffic noise is likely to be minimal.</p> <p>The proposal comprises the provision of residential and commercial uses and as such the operation of the proposal is highly unlikely to significantly affect the living conditions of future neighbouring residents through additional noise and disturbance.</p> <p>Noise and vibration is likely to result from the construction of the proposed development but this is unlikely to be a significant effect and will be temporary in nature and minimised throughout the development of the site by compliance with relevant environmental protection legislation.</p> <p>As such, significant effects associated with noise and vibration are considered to be unlikely.</p>
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	<p>Daylight, Sunlight and Overshadowing</p> <p>A detailed Daylight, Sunlight & Overshadowing Assessment will be undertaken in support of the new proposals in accordance with the BRE Guidance, to ensure that there are no significant adverse impacts on surrounding properties. The project will be designed with regard to its relationships with surrounding properties in both the interim and future conditions.</p> <p>Wind</p> <p>Any potential wind impacts would be typical of a development of this height and scale and not incapable of being mitigated against in the detailed design of the development and implementation of screening methods.</p> <p>An assessment of the wind impacts of the development on the pedestrian environment will be undertaken prior to submission of a planning application and any necessary measures implemented in the detailed design of the proposal.</p> <p>Following occupation, the use of the proposed development for residential and commercial purposes is highly unlikely to present any significant risks to human health.</p>
<p>(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;</p>	<p>The site's location within the UK is such that natural disasters, including those caused by climate change, do not present a likely risk to the proposed development.</p> <p>Whilst it is recognised there is always a potential risk that an accident, fire or natural disaster could result in a significant environmental impact, this risk can be appropriately mitigated through embedded design measures and through compliance with statutory design guidelines. Therefore, significant effects are considered to be unlikely.</p> <p>Workers involved in the construction of the proposed development would be exposed to the normal risks associated with construction. The risk of accidents and harm to human health and the environment is considered to be insignificant given the nature of the proposed development.</p> <p>Flood Risk & Drainage</p> <p>The Environment Agency's flood maps identify that the site is wholly located within Flood Zone 1, meaning the land has low probability of flooding.</p> <p>Any potential impacts associated with surface water flooding will be mitigated through the implementation of a drainage strategy to manage the flow of water across the site.</p> <p>It is not considered that the site or the proposed development present any significant matters of concern in relation to flood risk and drainage in EIA terms.</p> <p>Climate Change</p> <p>The proposed development will result in greenhouse gas emissions from both vehicles and plant, during both the construction and occupation phases. In line with current and emerging guidance and standards, such emissions will be minimised through the adoption of best practice working and construction methods. Such measures would be delivered through a detailed CEMP (during construction). These</p>

	<p>measures will help to reduce the carbon footprint of the development which aims to achieve a reduction in carbon emissions. Taking into account the above, and the nature and size of the proposed development, significant effects related to climate change are considered unlikely.</p>
<p>(g) the risks to human health (for example, due to water contamination or air pollution).</p>	<p>Risks of accidents will exist during demolition and construction, however, these would not be beyond what would typically be anticipated for a development of this nature and will be insignificant in EIA terms.</p> <p>Land & Water Contamination</p> <p>The history of industrial uses on the site is such that the site has the potential for contamination, however, any contamination is unlikely to be unusually complex and hazardous and not be significant in EIA terms.</p> <p>A Phase 1 Geo Environmental Desk Study will be prepared prior to submission of a planning application and if required, intrusive testing and any necessary remediation works will be undertaken at an appropriate stage in the development, prior to its occupation.</p> <p>As the proposed development involves the redevelopment of previous hard standing, the extent of non-permeable surfaces will not change to any material degree. As such, adverse impacts on water quality through surface runoff are unlikely as a result, reducing the associated risk on human health. Through the implementation of a sustainable drainage strategy, which accompanies the planning application, it is considered that any water contamination risk, that could affect human receptors, can be effectively managed and eliminated.</p>
<p>Location of Development</p>	
<p>2. The environmental sensitivity of geographical areas likely to be affected by development must be considered, with particular regard, to –</p>	
<p>a) the existing and approved land use;</p>	<p>The site's location is not considered to be a contributing factor in relation to the requirement to undertake an EIA, given the site is a previously developed land parcel located within a dense urban area, well removed from any sensitive natural environment.</p> <p>Within this context, the proposed use of the land for residential and commercial purposes are highly unlikely to give rise to any significant environmental impacts, particularly given the site's existing and historic use for commercial purposes.</p> <p>There is sufficient absorption capacity within the local environment to accommodate the proposed development and this will be ordinarily demonstrated through the submission and consideration of a planning application, accompanied by the relevant technical reports.</p>
<p>(b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and</p>	<p>In relation to criteria 2 (b) and (c), the site is not subject to any statutory environmental, landscape or heritage designations. Consideration is given below to potential environmental impacts by virtue of the site's location. Consideration has been given to any high quality and scarce resources on and around the site which could be impacted by the development.</p>

<p>biodiversity) in the area and its underground;</p> <p>(c) the absorption capacity of the natural environment</p>	<p>Socio-Economic</p> <p>Given the current use of this brownfield site (i.e. a private car park), the land is currently under used in terms of economic activity. The proposed development would result in economic benefits during the construction period and operational phase, including the creation of jobs and growth of the local and city wide economy.</p> <p>The proposed development comprises Build to Rent residential accommodation and so could be expected to create demand on primary and secondary schools in the local area. Additional demand places on healthcare services from the development may also impact on nearby GP surgeries. The applicant would expect that an appropriate financial contribution could be secured, through Section 106 obligations or Community Infrastructure Levy (CIL), to address such impacts. Mitigation appropriate to the proposed development is not considered to give rise to substantial effects as the uplift would be catered for through the anticipated s106 obligations or CIL.</p> <p>There are likely to be some short term employment benefits during the construction period, as well as long term employment opportunities during the operational phase arising from the proposed commercial floorspace. Furthermore, direct and indirect jobs will be created from residential use, which are likely to be beneficial in the local context. The provision of new employment opportunities on the development site are considered to not give rise to significant effects.</p> <p>As such, significant effects associated with society and economics are considered to be unlikely.</p> <p>Ecology</p> <p>The majority of the site is covered by hardstanding. The project site is within an urban setting and is of low ecological value. The site does not lie within or in close proximity to a 'sensitive area' as defined under the EIA Regulations.</p> <p>There is one tree on the site, located at the north-western extent of the site, which has already been earmarked for removal as part of the approved Phase 1 development.</p> <p>Overall it is considered that through the future comprehensive landscaping of the proposed communal outdoor amenity space and public domain improvements associated with the development, the proposal will result in a net gain in ecological value.</p> <p>The introduction of a tall structure on the site increases the likelihood of bird strike. However, given the context of the site in a highly urbanised area amongst existing tall buildings, the proposed development is not considered to give rise to any significant effects in this regard. Furthermore, given the urban character of the area and low ecological value for birds, it is unlikely that any significant impacts on bird populations will occur. The design and materials of the proposed development will consider the likelihood of bird strike and, where possible, take measures to reduce this impact through the limiting of reflective materials.</p>
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	<p>Heritage, Townscape and Visual Amenity</p> <p>The site is not within a conservation area and does not comprise any listed buildings. It is located near to the 'Hove Station Conservation Area', the Grade II listed Railway Station and the locally listed The Station public house. Due consideration will be given to the massing and design of the proposed development to ensure that its impact on the surrounding built environment will be acceptable.</p> <p>It is not considered that the impact on heritage, townscape and visual amenity will be substantial, nor will any impact be considerably different to the impact caused by the consented Phase 1 development.</p> <p>Noise</p> <p>Background noise levels on the site are principally characterised by road traffic noise. During the evening/night time hours, noise might also be influenced by the evening leisure economy. However, as described above the nature of the proposed development is such that it is not considered likely to materially alter background noise levels, therefore no significant impacts are considered likely.</p> <p>Air quality</p> <p>The proposed development is not within or directly adjacent to an AQMA, and as previously stated the level of traffic generated by the proposed development is not considered to give rise to significant environmental effects, and therefore it is also considered that air quality impacts will not be significant.</p>
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Types and Characteristics of the Potential Impact

3. The likely significant effects of the development on the environment must be considered in relation to [the above] criteria 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);	Due to the urban nature of the site and the surroundings and the limited sensitivity of the local environment to such a proposal, the magnitude and spatial extent of the impact will be local in nature both geographically and in terms of the population that could potentially be affected. The site is considered to have the capacity to accommodate the level of development proposed.
(b) The nature of the impact;	As discussed above, the site and proposed development are such that significant effects are unlikely to result. The proposed development is of a scale that the local highway network can sustain and mitigation and safeguarding measures mean that no significant ecological impacts are likely to be realised.
(c) The transboundary nature of the impact;	Impacts are unlikely to be transboundary, given the scale and nature of the proposed development.
(d) The intensity and complexity of the impact;	The overall impact of the proposed development is predicted to be of a normal intensity and complexity for a scheme of this size and nature. As discussed above, the anticipated developmental effects can be managed effectively through the implementation of standard mitigation measures to be secured through planning conditions.
(e) The probability of the impact;	All of the potential impacts and their probability are understood and predictable. With the relevant mitigation measures discussed above, none of the potential impacts are considered likely to result in significant effects.

<p>(f) The expected onset, duration, frequency and reversibility of the impact;</p>	<p>The potential for temporary impacts to arise during the construction phase have been outlined above. However, these will be minimised through adherence to best working practices. The duration and reversibility of some proposed impacts, particularly in relation to landscape, would be considered permanent (but not significant) as the proposed development is intended to be a high quality, sustainable, long-term construction and there is no expectation with regards to decommissioning. Once the development is operational, the impacts of the development will not be significant in the context of other land uses in the immediate area.</p>
<p>(g) The cumulation of the impact with the impact of other existing and/or approved development</p>	<p>The possibility of cumulative impacts has been considered in association with selection criteria 1(b). There are no known consented schemes within the vicinity of the site, other than the neighbouring Phase 1 development, which would give rise to cumulative impacts.</p>
<p>(h) the possibility of effectively reducing the impact.</p>	<p>As no adverse significant effects are considered likely to arise, consideration of the probability of effectively reducing impacts is not determinative in this case. Nevertheless, as discussed above, the potential impacts associated with the proposed development can be mitigated through the use of best practice construction methods and the implementation of typical mitigation measures (details of which can be found in the technical assessments submitted with the planning application). During the construction phase such measures would be controlled through a CEMP. The technical reports that will accompany the planning application will identify appropriate mitigation measures for operational impacts that can be secured as part of the application submission, subsequent planning conditions and legal agreements.</p>

4. Summary

the Phase 2 development is not Schedule 1 development and does not fall within the description in Schedule 2 Part 10(b) 'Urban Development Projects' on its own. However, if considered with Phase 1 the wider development would fall within the description in Schedule 2 Part 10(b) 'Urban Development Projects' as the two would include more than 150 dwellings. For the avoidance of doubt a formal EIA Screening Opinion request has been submitted to the Council in relation to Phase 2 solely due to the potential of cumulative effects with Phase 1 (which was deemed non-EIA by the Council in February 2020).

To determine whether the proposed development comprises EIA development, it is necessary for the local planning authority to consider whether it is likely to have significant effects on the environment, taking account of the selection criteria in Schedule 3 of the Regulations.

Our assessment concludes that the characteristics and location of the development are unlikely to give rise to significant environmental effects, alone, or in accumulation with other developments. Furthermore, as set out in this letter, with the implementation of suitable design alongside mitigation and avoidance measures, drainage design and best practice construction methods, it is considered that significant environmental effects are unlikely to arise and therefore the proposal would not constitute EIA Development under the EIA Regulations.

Any effects, whether local or otherwise, can be satisfactorily addressed through supporting information accompanying the planning application, which can be controlled by condition, such that significant effects are unlikely and any environmental considerations and constraints can be suitably addressed. It is envisaged that the planning application will be supported by a series of technical reports.



I would be grateful for confirmation of receipt of this letter and prompt receipt of the Council's Screening Opinion in accordance with statutory timescales. Please feel free to contact me or my colleague, Oliver Milne (on 020 7299 3074), if you have any queries or would like to discuss in more detail.

Yours sincerely

Nick Green
Director

enc. As above

cc. Kenny Oke, Watkin Jones Group
Emer Cunningham, Watkin Jones Group
Laura Pennington, Watkin Jones Group