

SCREENING OPINION

THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017

Applicant: Brighton & Hove City Council

Agent: Savills

Date Received: 2 September 2021

Site: Land at Hodshrove Lane, Moulsecoomb, Brighton, BN2 4SE

Proposal: Phased redevelopment of land at Hodshrove Lane to provide up to 240 residential dwellings, community floorspace, small-scale retail and associated public open space, external sports/leisure space and associated infrastructure

Classification of the Proposed Development

The proposal does not comprise Schedule 1 development, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ('the EIA Regulations').

The application site is not located within a 'sensitive area', as defined in regulation 2(1) of the EIA Regulations.

The development falls within Part 10(b) of Schedule 2 of the EIA Regulations which relates to 'Urban Development Projects'. For 'Urban Development Projects', the thresholds are listed as follows:

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

The proposal exceeds 1 hectare of non-dwellinghouse development and also proposes up to 240 dwellings, thereby exceeding thresholds (i) and (ii) as set out in Column 2 of Schedule 2.

Accordingly, consideration needs to be given, with reference to Schedule 3 to the EIA Regulations, as to whether the development would have the potential to result in 'significant environmental effects' which require an EIA.

Characteristics of Development	
Development Area	Site area – 4.54 hectares
Nature / Scale / Design of Development	<p>The proposed development comprises the following:</p> <p>Residential units – Up to 240 dwellings Non-residential floorspace – 3,000sqm of community floorspace (including GP surgery, pharmacy, library, youth and adult education and café) and 80 sqm of retail floorspace</p>

	<p>Expected building heights – new buildings between three and eight storeys</p> <p>Although the Leisure Centre and Health Centre are included in the red line area, these buildings and the existing uses will be retained. The primary accesses to the site are expected to be via the existing accesses off Hodshrove Lane. However, an additional access will be available off Hodshrove Lane where the existing MUGA is located. Emergency vehicles will also be able to access the site from the south off Hillside.</p> <p>The residential units will be delivered in several blocks across the site. The main non-residential floorspace (community and retail) will be situated around the existing Moulsecomb Hub South buildings and 67 Centre under the current emerging designs. A community “Hub” will be located approximately within the centre of the site (comprising GP surgery, pharmacy, library, youth and adult education and café). A play park, Skate Park and 3G sport pitches are also proposed, along with landscaping throughout. The Children and Family Centre and Boxing Club will be retained within the proposed development.</p>
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	Likely/Unlikely – briefly describe	Is this likely to result in a significant effect? Yes/No
<p>1. Will the development involve actions that will cause physical changes in the locality (topography, land use, changes in waterbodies etc.)?</p>	<p>The proposed development is set within a predominantly residential area. The new mixed use development is expected to range from three to eight storeys. Whilst the taller buildings on site will be higher than the existing buildings, this increased height is not considered likely to give rise to any significant environmental effects. The overall footprint and character of development is not considered to result in any significant urbanising effects, and the proposed uses are of a similar nature and considered to be compatible with their immediate surroundings so no significant effects are anticipated in this regard.</p>	<p>No significant effects anticipated given proposed urban development within existing urban area.</p>
<p>2. Will the development use natural resources such as land, soil, water, biodiversity, materials, or energy, especially resources that are non-renewable, in short supply or have low capacity to regenerate?</p>	<p>Redevelopment of the site would require the use of a range of common natural and man-made construction materials and resources to complete the build and fit-out of the scheme, and would make use of previously-developed land so the natural resource use is not considered to result in significant environmental impacts either during the construction or operational phases.</p>	<p>No significant effects anticipated given urban environment and relatively limited scale of project.</p>

	Likely/Unlikely – briefly describe	Is this likely to result in a significant effect? Yes/No
<p>3. Will the development involve the use, storage, production of substances or materials that could be harmful to people or the environment?</p>	<p>Unlikely but this matter would be addressed through other legislation including standard health and safety requirements, and the development would be expected to adopt best practice measures during the demolition, construction and implementation phase.</p> <p>The proposed end use will not involve the handling or processing of substances or technologies that are likely to have a significant impact on the environment.</p>	<p>No significant effects anticipated, given regulation via health and safety regulations.</p>
<p>4. Will the development produce significant volumes of wastes during construction, operation or decommissioning?</p>	<p>During the enabling works (including demolition) and construction phase, waste will be generated on-site with the highest quantities of waste typically generated during earthworks. Some of the materials that are brought to the site could also end up as waste due to over-ordering or damage.</p> <p>Construction and demolition on site can be controlled and implemented through a Construction Environmental Management Plan (CEMP) to be secured by condition on any future planning consent.</p> <p>It is anticipated that operational waste will mainly comprise household and commercial waste and recyclable material, but not on a scale that would result in significant environmental effects.</p>	<p>No significant effects anticipated with imposition of standard CEMP condition.</p>
<p>5. Will the development give rise to significant noise, vibration, light, dust, odours?</p> <ul style="list-style-type: none"> - during construction - during operation 	<p>During the demolition and construction phases, construction traffic and machinery will generate new sources of noise and vibration. The closest noise sensitive receptors to the site are Moulsecoomb Primary school which is located adjacent to the western boundary, and the residential properties to the east and south of the site. Construction noise, vibration, light, dust and odours could be minimised through the use of standard best practice measures and compliance with relevant environmental protection. These measures would be detailed within a CEMP which would be secured by planning condition on any future planning consent.</p> <p>Operational noise from external sound sources could be managed via a planning conditions restricting hours of use. Any changes in road traffic noise and vibration levels would be unlikely to have significant environmental effects. Any impacts considered to be a nuisance would be mitigated through regulation via the Environmental Protection Act.</p>	<p>No significant effects anticipated, within the meaning of the EIA Regulations, with imposition of standard conditions securing CEMP, hours of use for games area and controls over rooftop plant.</p>

	Likely/Unlikely – briefly describe	Is this likely to result in a significant effect? Yes/No
6. Does the proposal have the potential to release pollutants to air, land, or water?	During the construction phase the key air quality impacts would result from demolition and plant emissions. However the demolition and construction phase impacts could be controlled by a CEMP, including vehicle routing, which could be secured by planning condition on any future planning consent. The development is unlikely to result in a significant change in local traffic movements or in the vehicle composition on the local roads, so significant effects from these on air quality are not considered likely. During the construction phase of the proposed development, there will be a requirement for foundations to ensure structural integrity. This activity could mobilise any contaminants present, but given the previous uses of the site, and with the imposition of standard conditions, it is considered that the nature of any potential contaminants is not likely to be unusually complex or hazardous or would pose any significant environmental or health risk.	No significant effects anticipated given imposition of standard CEMP and contamination assessment conditions,
7. Are there areas on or around the location that are already subject to pollution or environmental damage – e.g. where existing environmental standards are exceeded, which could be affected by the project?	No, the site is not within an AQMA and is not expected to significantly affect those nearby, and it is not within or close to an area already subject to pollution or environmental damage.	No
8. Is there a high risk of major accidents and/or disasters, including those caused by climate change, during construction or operation of the development that could have effects on people or the environment?	Unlikely. Operations do not pose significant risk in terms of major accident or disaster, particularly given standard planning, building control, and health/safety controls. No significant carbon or other greenhouse gas emissions are anticipated to pose a significant risk to climate change.	No
9. Will the project result in social changes e.g. demography, traditional lifestyles, employment?	While new residential development is proposed, it is within an existing residential area, and given the scale of and nature of the proposed development, no significant effects in relation to social changes e.g. demography, traditional lifestyles, employment are anticipated.	No

	Likely/Unlikely – briefly describe	Is this likely to result in a significant effect? Yes/No
<p>10. Will the development pose significant risks to human health, for example due to water contamination or air pollution?</p>	<p>Water</p> <p>The site is located within an Environment Agency Source Protection Zone 2 and if not controlled, the groundworks and construction phase of the proposed development has the potential to interact with ground water, in particular through piling and excavation. However, as stated above, given the previous uses of the site, it is considered that the nature of any potential contaminants are not likely to be unusually complex or hazardous and would be unlikely to pose any significant health risk through interaction with the water table. Furthermore, the closest potable groundwater abstraction licences are recorded approximately 1.15km and 1.22km to the north east of the site so are located at a considerable distance from any potential source of contamination from the site.</p> <p>Noise</p> <p>Some noise impacts are anticipated during construction, but these could be controlled by standard CEMP conditions, and would be for a temporary period.</p> <p>Air Quality</p> <p>During the construction phase a CEMP condition could ensure emissions to air are satisfactorily controlled. Traffic impacts from the development are not anticipated to be so significant as to have significant environmental effects.</p>	<p>No significant impacts anticipated, within the meaning of the EIA Regulations, subject to imposition of standard CEMP and contamination assessment conditions.</p>

	Likely/Unlikely – briefly describe	Is this likely to result in a significant effect? Yes/No
<p>11.Are there areas on or around the location that are protected under international, national or local legislation for their ecological, landscape, cultural or other value that could be affected by the project?</p>	<p>The site is not designated for its nature conservation interest, although it lies within the UNESCO Brighton and Lewes Downs Biosphere Reserve. The South Downs National Park lies to the north, east and west, being c. 250m from the site at its closest point. Wild Park Local Nature Reserve (LNR) lies c. 250m east, Bevendean Down LNR lies to the south east and east, being c. 445m south east at its closest point, and Stanmer Park/Coldean LNR lies c. 1.1km north. Hodshrove Wood Local Wildlife Site (LWS) lies c. 67m east.</p> <p>The site is not within or adjacent to a Conservation Area. The closest listed building is Moulsecoomb Place (Grade II listed, reference 1381668), which is located circa 650m to the south-west of the Site. It does not contain any designated buried heritage assets (such as scheduled monuments).</p> <p>Stanmer Park is located approximately 860m north of the site and is a grade II registered park and Garden and a Local Nature Reserve (non-statutory designation). An area called Castle Hill is located approximately 3km east of the site. This is designated as a Special Area of Conservation (SAC), Site of Special Scientific Interest (SSSI), and national nature reserve.</p> <p>It is not considered that the proposed development would have any significant effects on the above designated sites due to its distance from these areas and due to the amount and scale of the development.</p>	<p>No significant effects anticipated, given the relatively limited scale of the development, and separation distance to designated sites.</p>
<p>12.Are there any other areas around the location that are important for their ecology e.g. wetlands, riparian areas, river mouths, mountains, forests, coastal zones, the marine environment, nature reserves and parks that could be affected by the project?</p>	<p>None identified other than those set out in response to question 11.</p>	<p>No</p>

	Likely/Unlikely – briefly describe	Is this likely to result in a significant effect? Yes/No
13. Are there any areas on or around the location that are used by protected or sensitive species of fauna or flora that could be affected by the project?	The site is located within a largely urban environment but initial surveys by the applicant indicate it may have some biodiversity value for protected and/or notable species, specifically roosting, foraging and commuting bats, reptiles, breeding birds and European hedgehogs. The proposed redevelopment would result in the loss of some potentially important ecological features currently present on site, specifically some buildings, scattered trees, scrub, poor semi-improved grassland and a species-rich hedgerow with trees. However, any development will be required to mitigate any loss and provide ecological enhancements on site which can be secured via planning conditions. Therefore significant adverse effects in respect of fauna and flora are not considered likely.	No significant effects anticipated given imposition of standard conditions securing biodiversity net gain.
14. Are there any inland, coastal, marine or underground waters on or around the location that could be affected by the project?	There are no waters on or around the site that are likely to be affected to any significant extent by the proposal. The site is located within a Source Protection Zone with regard to the protection of the quality of groundwater that is abstracted for potable supply but as noted in response to question 10 above, no significant effects are anticipated.	No significant effects anticipated, given imposition of standard conditions relating to CEMP and contamination assessment.
15. Are there any areas or features of high landscape or scenic value on or around the location that could be affected by the project?	The site is located some 250m from the South Downs National Park at its nearest point. The County Landscape Architect was consulted on this Screening Opinion request and has confirmed that in the context of the existing urban character of the site, the proposed development would be unlikely to have a significant adverse effect on the wider landscape or views, within the meaning of the EIA Regulations. However, any planning application would need to be accompanied by a Landscape / Townscape and Visual Impact Assessment prepared in line with Guidelines For Landscape and Visual Impact Assessment Edition 3, (Landscape Institute and IEMA). This would need to consider the impact on views from the South Downs National Park and the local built up area. The South Downs National Park Authority were also consulted and have responded that as the site is already in a mixed use and previously developed, the provision of residential development alongside community floorspace is unlikely to have any significant effects.	No significant effects anticipated given location within an urban environment.

	Likely/Unlikely – briefly describe	Is this likely to result in a significant effect? Yes/No
16. Is the project in a location where it is likely to be highly visible to many people?	Given the scale of the proposed development, it is likely to be highly visible to many people, but within an urban context the effect of the change resulting is not considered to be significant.	No
17. Are there routes on/around the location that are used by the public for access to recreation or other facilities that could be affected by the project?	The site includes a Leisure Centre and Boxing Centre, and there are public rights of way in the vicinity.	No significant effects on these routes anticipated.
18. Are there any routes on or around location that are susceptible to congestion or cause environmental problems, that could be affected by the project?	The development could increase vehicle movements on the A270 which has congestion issues, but the increase in movements is not considered to result in significant environmental effects.	No. The impact is not considered so severe as to result in significant environmental effects.
19. Are there any features of historic or cultural importance on or around the location that could be affected by the project?	Please see response to question 11.	No
20. Will there be any loss of Greenfield land?	No. The site comprises previously developed land.	No
21. Are there existing land uses around the location that could be affected by the project?	The site is bounded by existing residential development to the east and south, a primary school to the west and commercial development to the north. The Children and Family Centre, Boxing Club, Leisure Centre and Health Centre currently on the site will be retained. It is considered that the proposed uses are compatible with the retained uses on the site and the surrounding uses and hours of use for the proposed MUGA and skatepark could be managed and controlled by planning conditions.	No significant effects anticipated as urban development proposed within existing urban area.
22. Are there areas on or around the location that are densely populated or built-up, that could be affected by the project?	The surrounding area is suburban and residential in its character and so there would be a change in views and increased activity, but the impact is not considered to be significant, within the meaning of the EIA Regulations	No significant effects anticipated as urban development proposed within existing urban area.
23. Are there areas on or around the location that are occupied by sensitive land uses e.g. hospitals, schools, community facilities that could be affected by the project?	Please see the response to question 21.	No
24. Are there any areas in or near the application site that contain high quality or scarce resources that could be affected by the development, e.g. groundwater resources, forestry, agriculture, tourism, minerals?	As noted above, no significant impacts on groundwater are anticipated, and no other scarce resources are considered to be potentially significantly affected.	No

	Likely/Unlikely – briefly describe	Is this likely to result in a significant effect? Yes/No
25. Is the location susceptible to earthquakes, subsidence, landslides, erosion, flooding, or adverse climatic conditions that could cause the project to present environmental problems?	No	No
26. Are there plans for future land uses on or around the site that could be affected by the project?	There are a number of approved and proposed schemes in the area involving purpose-built student accommodation in particular, but the proposal is not considered to result in significant cumulative effects alongside these.	No significant cumulative impacts anticipated.
27. Is there a potential for transboundary impacts?	Unlikely. The site is not near any boundaries.	No
28. Will any effects be unusual in the area or particularly complex?	Unlikely. No complex effects anticipated.	No significant effects identified, given controls in place through planning and building control regimes.

Conclusion

This Screening Opinion relates to a proposal for the phased redevelopment of land at Hodshrove Lane to provide up to 240 residential dwellings, community floorspace, small-scale retail and associated public open space, external sports/leisure space and associated infrastructure.

Because the development falls within Schedule 2 to the EIA Regulations, and it exceeds two of the thresholds set out in column 2 to Schedule 2, consideration must be given to the need for EIA.

Guidance for determining whether a proposal is EIA development is provided in National Planning Practice Guidance: Environmental Impact Assessment (revised 28 July 2017) to aid local planning authorities to determine whether a project is likely to have significant environmental effects. This includes '[Annex: indicative screening thresholds](#)' which it states are "*indicative only and are intended to help determine whether significant effects are likely*".

For part 10(b) – 'Urban Development Projects', the Annex notes that:

"EIA 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)."*

The 'key issues to consider' are identified as "the physical scale of such developments, potential increase in traffic, emissions and noise".

In this case the proposed development would not exceed any of the above thresholds, and as noted in the table above, the potential increase in traffic, emissions and noise is not considered to result in significant environmental impacts, within the meaning of the EIA Regulations.

Taking into account the above and the criteria in Schedule 3 of the EIA Regulations, it is considered that the proposal does not have the potential for significant environmental impact within the meaning of the EIA Regulations.

Screening Opinion

In the opinion of the Local Planning Authority, the development **would not require an Environmental Impact Assessment.**

Signed: B.T. Daines

Reviewed by:



**Ben Daines
Principal Planning Officer**

**Jane Moseley
Planning Manager**

Date: 1 October 2021

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