

SCREENING OPINION

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

Screening Opinion reference: GR/19a

Applicant: Mr. Pearce

Agent: Fluid Planning Ltd.

Date Received: 6 August 2019

Site: Evergreen Farm, West Hoathly Road, East Grinstead, RH19 4NE

Proposal: Restoration of the former Standen Landfill site with a woodland and pasture landfill cap system.

Classification of the Proposed Development

Evergreen Farm contains the former ‘Standen Tip’, a historic inert landfill site, completed in the early 1990s and restored to rough pasture and equestrian use. The applicant’s recent surveys/investigation suggest that the restoration quality is poor and the site contains contaminated material making the land both unsuitable for equestrian use and having the potential to pose a high risk to human health from landfill gas and groundwater leachate emissions to controlled waters.

The proposals are for the importation of some 150,000m³ (225,000 tonnes) of waste clay soils/material to create a ‘landfill cap system’ minimising any emissions to air, water or soil, and securing a high quality restoration to a mixture of native broadleaf woodland and native grassland. The proposed land raising would take place over a period of some 80 weeks on an area of land some 4.4 hectares in size.

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 development falls within Part 11(b) of Schedule 2 to the EIA Regulations as it relates to an ‘installation for the disposal of waste’, and relates to a development area of more than 0.5 hectare, within a ‘sensitive area’ (AONB), and within 100m of controlled waters.

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 – 4.4 hectares
Development Scale	Based on the submitted plan provided, it is expected that the proposal would (in places) raise existing ground levels by up 4.5m.

	Likely/Unlikely – briefly describe	Is this likely to result in a significant effect? Yes/No – why?
1. Will the development involve actions which will cause physical changes in the locality (topography, land use, changes in waterbodies etc)?	Likely. The development would involve the deposit of inert soil/material onto land, raising its levels.	No. In places land would be raised by up to 4.5m representing a significant change in topography, However, this would be on areas where the landform is already 'man-made' and the change is not considered to have the potential for significant effect, particularly as it would be tapered to represent the surrounding landform as far as practicable.
2. Will the development use natural resources such as land, water, materials, or energy, especially resources which are non-renewable or in short supply?	Unlikely. The land would be restored to woodland/grassland once completed. Significant amounts of energy and water would not be used.	No. The amount of non-renewable resources used is not expected to be significant.
3. Will the development involve the use, storage, production of substances or materials which could be harmful to people or the environment?	Unlikely. Assume fuels required for vehicles and plant but storage could be controlled by condition and Health & Safety requirements.	No. Amount of harmful substances stored likely to be minimal, and subject to standard controls beyond the planning system.
4. Will the development give rise to significant noise, vibration, light, dust, odours? <ul style="list-style-type: none"> - during construction - during operation 	Likely during construction when there would be movements of plant and machinery around the site depositing material, and HGV deliveries.	Significant effect, within the meaning of the Regulations, not anticipated with imposition of appropriate conditions to control the phasing of the development, vehicular movements, hours of operation, lighting, dust mitigation measures, and restriction of processing on site,. A Noise Survey has been submitted concluding noise impacts would not be significant subject to careful timing/phasing of activities where in close proximity to sensitive receptors and

	Likely/Unlikely – briefly describe	Is this likely to result in a significant effect? Yes/No – why?
		management of plant/activities.
5. Does the proposal have the potential to release pollutants to air, land, or water?	<p>Pollutants unintentionally imported to the site as part of an inert load could lead to pollution of controlled water.</p> <p>Potential for disturbance of former landfill, which although apparently inert, evidence provided suggests contaminated materials resulting in leachate and methane emissions are present.</p>	<p>The proposals seek to manage and mitigate emissions to air, land and water that are currently occurring on site.</p> <p>Significant effect not anticipated with imposition of conditions to ensure the specification of the proposed capping system is fit for purpose i.e. controlling/reducing any leachate from the site, management of surface water, a gas collection/venting system (and subsequent monitoring/review if appropriate), and controls through Environmental Permitting process.</p>
6. Are there areas on or around the location which are already subject to pollution or environmental damage – e.g. where existing environmental standards are exceeded, which could be affected by the project?	<p>Likely. Evidence provided suggests contaminated materials resulting in leachate and methane emissions are present within the site which pose a high risk to human health from landfill gas and groundwater leachate emissions to controlled waters</p>	<p>No. The proposals seek to manage and mitigate emissions to air, land and water that are currently occurring on site.</p> <p>Significant effect not anticipated with imposition of appropriate conditions and controls ensuring contaminated material and water is managed and contained appropriately, and through Environmental Permitting process which will ensure containment/controlled emissions fit for purpose.</p>

	Likely/Unlikely – briefly describe	Is this likely to result in a significant effect? Yes/No – why?
7. Is there a high risk of accidents during construction or operation of the development which could have effects on people/the environment?	<p>Unlikely. Project would involve movement of heavy vehicles, potentially on steep gradients, but potential for risk of accident not considered to be exceptional.</p> <p>HGV movements to the site pose some risk to highway and PROW safety.</p>	<p>No. Proposals seek to minimise/mitigate risk arranging from existing emissions.</p> <p>Usual health and safety measures (PPE, reversing alarms, safe working practices for plant etc.) would ensure risk low.</p> <p>If required, number and routing of HGVs could be satisfactorily managed by condition /legal agreement.</p>
8. Will the project result in social changes e.g. demography, traditional lifestyles, employment?	Unlikely. No changes to demography or employment anticipated.	No significant effects anticipated.
9. Are there areas on or around the location which are protected under international, national or local legislation for their ecological, landscape, cultural or other value which could be affected by the project?	<p>Likely. The site falls within the High Weald AONB. Wierwood Reservoir, 1.6 km to the south, is designated a SSSI.</p> <p>The proposed earthworks lie immediately adjacent to ancient woodland (East and North East). This may include Ghyll Woodland that would be sensitive to potential pollution and overland flows.</p>	<p>No. The proposals seek to manage and mitigate emissions to air, land and water that are currently occurring on site which is affecting adjacent woodland and watercourses. Final restoration seeks to provide net landscape /ecological gain which could be secured by condition.</p> <p>Land raising has potential to result in a significant change in topography, however, this would be on areas where the topography is 'man-made', would be tapered to represent the landform as far as practicable, and the site is generally well screened from the surrounding road network and residential properties (with the exception of neighbouring care home and fields in agricultural use, impacts upon which would be temporary).</p>

	Likely/Unlikely – briefly describe	Is this likely to result in a significant effect? Yes/No – why?
10. Are there any other areas around the location which are important for their ecology e.g. wetlands, forests, coastal zone which could be affected by the project?	<p>Likely. Wierwood Reservoir, 1.6 km to the south, is designated a SSSI.</p> <p>The proposed earthworks lie immediately adjacent to ancient woodland (Rockinghill Wood). This may include Ghyll Woodland.</p>	<p>No. The proposals seek to manage and mitigate emissions to air, land and water that are currently occurring on site.</p> <p>Significant effect not anticipated with imposition of appropriate conditions ensuring noise and dust impacts are minimised and water managed appropriately, and controls through Environmental Permitting process which will ensure containment/controlled emissions fit for purpose.</p>
11. Are there any areas on or around the location which are used by protected or sensitive species of fauna or flora which could be affected by the project?	<p>Likely. Proposed earthworks lie immediately adjacent to ancient woodland (Rockinghill Wood).</p> <p>Phase 1 habitat survey suggests limited protected species present on site and potential for impacts upon those in proximity is limited.</p>	<p>No. Potential impacts upon ancient woodland will need to be carefully considered given its proximity to proposed land raising. Conditions could be imposed ensuring root protection areas are maintained and construction undertaken in a way which protects the woodland and its soils.</p> <p>Final restoration seeks to provide net landscape/ ecological gain.</p>
12. Are there any inland, coastal, marine or underground waters on or around the location which could be affected by the project?	<p>Likely. The site is bounded to the west by a series of small ditches which seemingly flow north toward the River Medway.</p> <p>The site is not in area at an increased risk of flooding or a source protection zone (SPZ).</p> <p>Wierwood Reservoir is some 1.6 km to the south.</p>	<p>No. The proposals seek to manage and mitigate emissions to watercourses that are currently occurring on site.</p> <p>Significant effect not anticipated with imposition of appropriate conditions to ensure any contaminated water is disposed of appropriately, and drainage is installed to ensure there is no increased risk of flooding, and controls through Environmental Permitting process which will ensure containment/controlled</p>

	Likely/Unlikely – briefly describe	Is this likely to result in a significant effect? Yes/No – why?
		discharges.
13. Are there any areas or features of high landscape or scenic value on or around the location which could be affected by the project?	Likely. The site falls within the High Weald AONB the protection of which is afforded a great weight in landscape terms.	No. Land raising has potential to result in a significant change in topography, however, this would be on areas where the topography is 'man-made', would be tapered to represent the landform as far as practicable.
14. Is the project in a location where it is likely to be highly visible to many people?	Unlikely. The site is generally well screened, with the exception of neighbouring care home and fields in agricultural use. The HGV entrance/access into the site, for a small section would be shared with a public footpath (29EG).	No significant effects anticipated. There would be some change in visual effect for a limited number of people, for a temporary period.
15. Are there routes on/around the location which are used by the public for access to recreation or other facilities which could be affected by the project?	Likely. The HGV entrance/access into the site, for a small section would be shared with a public footpath (29EG). This small section the access route is also shared with Standen House (National Trust) which lies approximately 400m to the south. Rockinghill Wood also (in part) includes accessible areas as part of the National Trust Land.	No significant effects anticipated taking into account the limited availability of views, small section of track/PROW affected, and temporary nature of land raising proposals.
16. Are there any routes on or around location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	Likely. The site would be accessed via West Hoathly Road and then track which also serves Standen House. The proposed development would result in some 40 HGV deliveries per day for a temporary period.	No significant impacts anticipated within the meaning of the regulations. If required, number and routing of HGVs could be satisfactorily managed by condition /legal agreement.
17. Are there any features of historic or cultural importance on or	Likely. Standen House (a National Trust Grade II Listed property) lies	No significant impacts anticipated because the site is not readily visible

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around the location which could be affected by the project?	<p>approximately 400m to the south. Further, Standen House is surrounded by a Grade II Registered Park and Garden which extends up to West Hoathly Road.</p> <p>With regard to buried archaeology, work will be infill (i.e. covering any historic features rather than removing them).</p> <p>The western part of the site sits within a Historic Parkscape (Beechcroft Tawse). Previous land raising/tipping activities are such that any remaining historic landscape interest is likely to be limited.</p>	<p>from any areas/buildings protected for cultural heritage reasons.</p> <p>Access to the site through a small section of the Registered Park and Garden is characterised by a tarmacked road.</p>
18. Will there be any loss of Greenfield land?	Unlikely. The site is a former tip site (restored) and now used for equine purposes.	No significant impacts anticipated.
19. Are there existing land uses around the location which could be affected by the project?	Likely. Beechcroft Care Centre falls in close proximity to the west of site and would likely be affected by earthmoving operations and have views of the final landform.	No significant effects anticipated given the temporary nature of earthmoving operations and ability to control potential impacts by conditions, as set out above.
20. Are there areas on or around the location which are densely populated or built-up, which could be affected by the project?	Unlikely. Site is situated within the countryside.	No significant impacts anticipated.
21. Are there areas on or around the locations which are occupied by sensitive land uses e.g. hospitals, schools, community facilities which could be affected by the project?	Likely. See 19 above.	See 19 above.
22. Are there any areas in or near the	Likely. Standen House (National Trust Trust	No significant effects identified, particularly

	Likely/Unlikely – briefly describe	Is this likely to result in a significant effect? Yes/No – why?
application site which contain high quality or scarce resources which could be affected by the development, e.g. groundwater resources, forestry, agriculture, tourism, minerals?	Grade II Listed surrounded by a Grade II Registered Park and Garden, is a well visited tourist site. Ancient woodland immediately to the east.	given typical controls or operational restrictions which could be secured by condition, and limited potential for impact upon Standen House/Gardens.
23. Is the location susceptible to earthquakes, subsidence, landslides, erosion, flooding, or adverse climatic conditions which could cause the project to present environmental problems?	Unlikely. No such risks known in area.	No significant effects identified.
24. Are there plans for future land uses on or around the site which could be affected by the project?	Unlikely. No known proposed development likely to be affected.	No significant effects identified.
25. Is there a potential for transboundary impacts?	Unlikely.	No significant effects identified.
26. Will any effects be unusual in the area or particularly complex?	Likely. The proposed development seeks to address emissions which currently pose a risk to human health and the water environment and as such containment specification and emission management will be need to be engineered to appropriate technical/environmental standards.	Significant effect not anticipated with imposition of appropriate conditions and controls through Environmental Permitting process which will ensure containment/controlled discharges fit for purpose.

Conclusion

The proposal involves the importation of some 150,000m³ (225,000 tonnes) of waste soils/material and gas/leachate collection infrastructure to create a 'landfill cap system' minimising any emissions and securing a high quality restoration to a mixture of native broadleaf woodland and native grassland. The proposed land raising would take place over a period of some 80 weeks on an area of land some 4.4 hectares in size.

The indicative criteria for 'installations for the disposal of waste' (Part 11(b) of Schedule 2 to the EIA Regulations 2017), as set out in the Annex to the Planning

Policy Guidance: EIAs, states that EIA is more likely where new capacity would be created to hold more than 50,000 tonnes/year, or to hold waste on a site of 10 hectares or more. It further notes that sites taking smaller quantities of these wastes, or seeking only to accept inert wastes are unlikely to require EIA. However, the annex also notes that the key issues to consider are the scale of the development and the nature of the potential impact in terms of discharges, emissions or odour.

In this instance, the waste soils imported would be wholly inert, a requirement which could be secured by planning condition and through the Environmental Permitting process. The site is less than 10 hectares in area, and the site is not wholly greenfield owing to previous tipping activities which have not be restored to appropriate standards. More importantly, however, the proposals seek to mitigate and minimise existing emissions which at present pose a risk to human health and the waster environment. In this regard in is understood that any operation would also be subject to controls through Environmental Permitting process which would ensure containment/controlled discharges and betterment achieved.

Potential impacts upon people's amenity and the environment during filling operations would be temporary in nature and (approximately 80 weeks) and could be moderated / mitigated by planning conditions, as set out above, to ensure any impacts would not be significant within the meaning of the EIA regulations.

It is recognised that the proposed development has potential to give rise to changes to the landscape which falls within an AONB; however, given the context of the existing landform having already being modified through tipping activities, and limited open views of the site, such impacts are not considered significant within the meaning of the regulations.

Therefore, having regard to the selection criteria in Schedule 3 of the EIA Regulations, and the matters set out above, it is considered that the proposed development would not have the potential for significant effects on the environment within the meaning of the EIA Regulations 2017.

Screening Opinion

In the opinion of the County Planning Authority the development **does not require an Environmental Impact Assessment.**

Signed:



James Neave
Principal Planner

Date: 09/08/2019

Reviewed by:



Jane Moseley
County Planning Manager

Date: 09/08/2019

On behalf of the Head of Planning Services.