

Town and Country Planning (Environmental Impact Assessment) Regulations 2011

Request for a "Screening Opinion" in respect of the following development:

Proposed Development:

Residential development (up to 235 dwellings) including a new primary school, infrastructure, open space and construction of a new vehicular access onto Turbury Road,

land situated off Tutbury Road, Burton upon Trent

Introduction:

The Council has received a request for a formal screening opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 in respect of the above proposals.

Schedule 1:

No

Schedule 2:

Yes

The development proposed does not fall within Schedule 1 of the Regulations where an assessment is mandatory. However on the basis of interpreting the Regulations as having "wide scope and broad purpose", I recommend a precautionary approach of assuming the development falls within Schedule 2, Category 10 (b) as an Urban development project, with the area of development, 68.8 hectares, exceeding the 0.5 hectare threshold.

Town and Country Planning (Environmental Impact Assessment) Regulations 2011

In respect of Schedule 2 development, an assessment will only be required if the development is likely to have significant effects on the environment by virtue of factors such as its nature, size or location. Town and Country Planning (Environmental Impact Assessment) Regulations 2011 requires regard to be had to Schedule 3 of the Regulations when considering whether an Assessment should be required.

1. Characteristics of the development – size of the development, cumulative effects with other development, use of natural resources, production of waste, pollution and nuisances, risk of accidents with regard to substances or technologies utilised.
2. Location of the development: the environmental sensitivity of geographical areas likely to be affected must be considered, in particular
 - the existing land use,
 - the relative abundance, quality and regenerative capacity of natural resources,

- the absorption capacity of the natural environment, with particular emphasis to the following areas:
 - (i) wetlands
 - (ii) coastal zones
 - (iii) mountain and forest areas
 - (iv) nature reserves and parks
 - (v) areas designated by Member states
 - (vi) where environmental quality standards have been laid down in Community legislation and have been exceeded
 - (vii) densely populated areas
 - (viii) landscapes of historical, cultural or archaeological importance.

3. Characteristics of the potential impact, with regard to :

- The extent of the impact
- Transfrontier nature of the impact
- Magnitude and complexity of the impact
- Probability of the impact
- Duration, frequency and reversibility of the impact

In assessing whether an Environmental Assessment will be required, Column 2 adds that in the case of changes or extensions to development listed in paragraphs 1 to 12 an EIA is more likely to be required if the development as changed or extended may have significant adverse effects on the environment: or in relation to development of a description in mentioned in column 1 of this table, the thresholds and criteria in the corresponding part of column 2 of this table applied to the change or extension are met or exceeded.

Assessment:

In assessing the proposal in the context of the above, the Council's view is that while the development is an urban development project relating to a site that is more than 0.5ha, it is nonetheless a development that would not result in significant environmental effects.

The 22ha housing and school site would be situated immediately adjacent to an urban area, enclosed on three sides by established housing that fronts Tutbury Road, Rolleston Road and Harehedge Lane. The development would not encroach further north than the existing housing to the east and west. In conclusion it is not considered that the site would have significant urbanising effects.

The physical scale of such developments and the potential increase in traffic, emissions and noise are particular considerations. In this instance it is considered that these issues can be adequately covered by the comprehensive documentation necessary to be submitted with the application, and an EIA is therefore unnecessary. The site is not located in an environmentally sensitive location (in terms of the Regulations) nor is the development proposed complex or potentially hazardous. The site is within Flood Zone 1 (low risk), but any flood related issues will be assessed by a Flood risk Assessment as part of the application process, and again it is considered that any adverse impacts to be mitigated will be localised in nature.

Issues in relation to noise and air quality can also be covered via the submission of specialist reports.

It is considered that the environmental effects of the development will not add significantly to the current position. The Council is of the view that the development is not likely to have significant effects on the environment in this area, and therefore a formal Environmental Statement will not be required.

Recommendation:

A formal screening opinion be adopted that Environmental Assessment will not be required

Team Leader/Planning Manager comments:

The following decision is made by the undersigned in accordance with powers delegated to the undersigned under the provision of S101 of the Local Government Act 1972.

A formal Environmental Statement is not required in respect of the development as proposed.

Team Leader/Planning Manager



Signature:

Date: 21st December 2011

Christina Farrer

From: Christina Farrer
Sent: 21 December 2011 14:50
To: 'graham@firstcity.co.uk'
Subject: RE: Screening Opinion - Housing and school off Tutbury Road, Burton (Our Ref: P/2011/01421/CLF)
Attachments: Screening Opinion - Tutbury Road.doc

Dear Mr Fergus,

Please find attached the Local Planning Authority's Screening Opinion regarding the above.

We have based the screening opinion on the whole development (dwellings, school etc) but please note that you may also need to get a Screening Opinion from the County Council if it would be the determining authority for part of the proposed development (e.g. if the school would be a Local Authority school rather than an academy).

Regards,

Chrissy Farrer

Christina Farrer
Planner

East Staffordshire Borough Council
The Maltsters
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DE14 1LS

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Please note that the Maltsters Car Park is only for use by members of ESBC staff who are issued with parking permits other than two visitor bays.

Philip Somerfield
Head of Regulatory Services
East Staffordshire Borough Council
The Malsters
Wetmore Road
Burton Upon Trent
Staffordshire
DE14 1LS



Our Ref : GBF/3370

25th November, 2011

Dear Mr Somerfield,

**3370 : STAFFORDSHIRE COUNTY COUNCIL
OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT (UP TO 325
DWELLINGS) INCLUDING A NEW PRIMARY SCHOOL, INFRASTRUCTURE,
OPEN SPACE AND CONSTRUCTION OF NEW VEHICULAR ACCESS ONTO
TUTBURY ROAD
LAND SITUATED OFF TUTBURY ROAD, ROLLESTON, BURTON UPON TRENT
TOWN & COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)
(ENGLAND & WALES) REGULATIONS 1999 SCREENING OPINION REQUEST**

We write to request a formal Screening Opinion regarding whether an Environmental Impact Assessment is required for the above property which is identified outlined in red on the attached plan.

In summary the planning application we are preparing for our Client, Staffordshire County Council, will comprise the following:

- 22 hectares (53.42 acres) site on the northern outskirts of Burton Upon Trent, surrounded by residential properties to the south, east and west. The site has capacity to accommodate up to 325 dwellings.
- The concept is for a new Primary School as the centre piece occupying a site of 5 acres.
- The balance of the site will be developed for a new Green Park and open space uses with a 26m wide landscaped buffer on the northern site boundary and guarantee that no other development can take place there.

The new development will consist entirely of energy-efficient homes with gardens with a mix of 2, 3, 4 and 5 bedroom houses to meet a wide range of existing housing needs.

P/11/01421

The scheme supports the Council's "place-shaping" agenda with the ambition to help meet the under supply of larger detached and semi-detached homes that will be attractive to employees who will then live in Burton avoiding unsustainable commuting and contributing to the town's economic prosperity.

Up to 30 percent of the new homes will be affordable homes. Within a total of up to 325 houses, that would mean around 100 affordable homes for local young families and other qualifying occupiers. These will be a mix of tenure ranging from market rent to shared ownership, allowing young local families a foot on the housing ladder without needing to move away from the community. At a time when there are restricted Government housing grants for Local Authorities and Housing Associations, this will mean financially accessible new homes which will not otherwise be available.

The development as proposed will allow the recreational facilities in the area to be expanded, with local people and clubs to decide how to use the extra land. The facilities in the school site will be easily accessible, affording the opportunity for community use.

The Primary School building will include green roofs that can be walked upon and will incorporate many sustainable features such as rain water harvesting, high levels of daylight and passive ventilation to save energy. Wildlife habitat areas will be created within the school site and in the wider open space and green buffers with the open countryside to the north of the site. Everyone will have a right of access and be able to reach this land via new footpaths and cycle ways created through the new development.

Significant new developer funding will become available much of it to be spent on local infrastructure. This position is proportionately much greater from such a comprehensive scheme than would result from small piecemeal developments.

We are proposing to include an area of fertile, well drained allotments to meet existing and future demand. A trust organisation can be set up for residents of the development to decide and manage many of their own affairs, independently but in harmony with the whole community and its institutions.

The design of the new development is vital to its successful integration within this area. It will be high in quality, low in density, while adopting energy efficient technology. It will use the styles and materials typical of the area, as well as showing the variation of house types, elevations and how they are arranged that is characteristic of an area that has grown organically over time.

The planning application we are co-coordinating will be supported by a number of technical reports to confirm the following matters that we consider are material to the development.

- Topographical survey of the site and surrounding road network;
- Visual and landscape assessment;
- Flood risk Assessment and preliminary drainage design;
- Transport Assessment and access design;
- Geo-environmental assessment
- Master plan
- Extended Phase 1 Habitat survey

- Design and Access Statement

Regulation 5 of the Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999 (SI 1999 No. 293) makes provision for a Screening Opinion to be sought by any person minded to carry out a development prior to the submission of a planning application.

It is our opinion that this type of development could fit within category 10(b) of Schedule 2. Having regard to the wording in the Regulations and Government Circular 02/99, particularly the selection criteria set out in Schedule 3 of the Regulations and the Indicative Thresholds and Criteria set out in Annex A of the Circular, is it your opinion that this scheme requires an EIA?

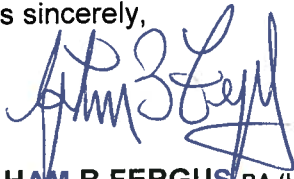
We look forward to receiving your formal written response from a duly authorised officer and would be grateful if you could set out the reasons for your decision. Please confirm that your formal screening opinion will be placed on Part 1 of the Planning Register.

We are anxious to ensure that we comply with the Regulations and therefore look forward to hearing from you by 16th December, 2011.

Please do not hesitate to contact me should you be unable to comply with my request or require any further information.

Thanking you in anticipation.

Yours sincerely,

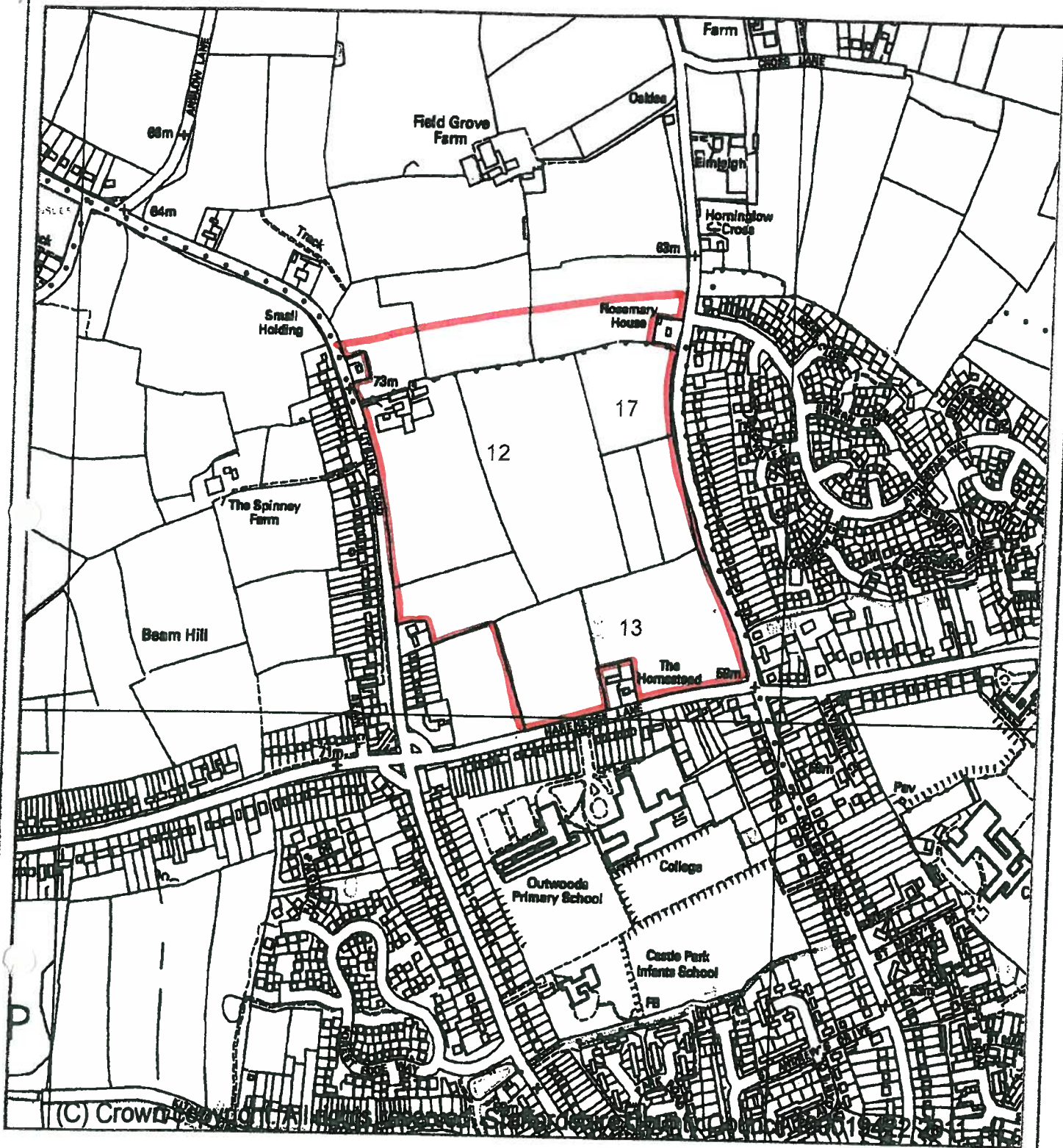


GRAHAM B FERGUS BA (Hons) MRTPI
PLANNING CONSULTANT

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Enc. Plan

Land at Rolleston



Staffordshire
County Council

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Map

Annotation (up to 1:5500)

OS MasterMap Area (up to 1:5500)

- Building
- Multi Surface
- General Surface
- Grassland
- Water
- Scrub
- Paths
- Rail
- Road or Track

- Roadside
- Structure

Scale 1:6752
(original print scale)



Red line for Development

P/11/01421