East Staffordshire Borough Council

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Head of Regulatory Services

Date : 04 November 2013

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Our Ref: P/2013/01221
(please quote this reference on all correspondence with us)

John Acres
Turley Associates
9 Colmore Row
Birmingham
B3 2BJ

Dear Sir

Re: Request for a Screening Opinion, Roycroft Farm
Bramshall Road
Uttoxeter
Staffordshire
ST14 7PF

I refer to your request for a Screening Opinion relating to the above site, which was received on 18th October 2013.

I confirm that the Local Planning Authority has considered the information submitted, and in accordance with Regulation (5) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 has concluded that the development does not constitute EIA development and as such a formal Environmental Statement will not be required in this instance.

Yours faithfully

Jim Malkin

Jim Malkin
Interim Principal Planner
Planning Delivery

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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 140 dwellings)

Land at Roycroft Farm, Uttoxeter, Staffordshire

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 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 require 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

Circular 2/99:

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.

Paragraph 33 of Circular 02/99 indicates that the Secretary of State's view is that, in general, EIA will be needed for Schedule 2 developments in three main types of case:

a. for major developments which are of more than local importance (e.g. wide ranging environmental effects);
b. for developments which are proposed for particularly environmentally sensitive or vulnerable locations (paragraphs 36-40); and
c. for developments with unusually complex and potentially hazardous environmental effects.

Circular 02/99 Annex A comments on indicative thresholds and criteria for identifying Schedule 2 development requiring an Environmental Statement:

Urban Development Projects

A19. Development proposed for sites which have not previously been intensively developed are more likely to require EIA if:

- the site area of the scheme is more than 5 hectares; or
- it would provide a total of more than 10,000 m^2 of new commercial floorspace; or
- the development would have significant urbanising effects in a previously non, urbanised area (e.g. a new development of more than 1,000 dwellings).

Assessment:

The proposal would be situated adjacent to an urban area on predominantly undeveloped land. Whilst the site is relatively large at 8.01 hectares, it is not considered that the development would have an urbanising effect sufficiently significant to warrant an Environmental Statement. The proposal does not include significant commercial floorspace and involves the erection of significantly less than 1000 dwellings. It therefore falls significantly beneath two of the three thresholds set out in Circular 02/99 beyond which an Environmental Statement is 'more likely' to be required.

The site does not fall within or adjacent to a 'sensitive area' as defined by Regulation 2 of the 2011 Regulations.

On the basis of the information available the development is of local importance only, and no significant environmental effects are likely, having regard to the relative abundance, quality, regenerative capacity and absorption capacity of natural resources and natural environment in the area. Additionally, on the basis of the information provided, it does not appear that there are likely to be any significant environmental effects in terms of use of natural resources, production of waste or risk of accidents.

The above Regulations require the cumulative effects of the development together with other proposals to be considered. The Secretary of State advised recently on a larger scale proposed development in Burton that less weight should be afforded to the cumulative effects of other proposals subject to applications which have yet to be determined, since there can be no certainty that they will receive planning permission. There are no significant similar schemes in the area other than the site at the West of Uttoxeter, which is subject to a current planning application. It is not therefore considered that the proposal will contribute to unacceptable cumulative impacts.

In conclusion, it is considered that the impact of the proposal is limited in extent. The impact would be localised rather than transfrontier. It is not considered that the proposal would generate complex or unusually hazardous environmental effects. The Council is therefore of the view that a formal Environmental Statement will not be required in this instance.

Recommendation:

A formal screening opinion be adopted that an Environmental Assessment will not be required 31/10/13

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.

~~**Planning Team Leader / Planning Manager**~~ INTERIM PRINCIPAL PLANNER

Signature ... .

Date ..... 4/11/13 .....