

## Uttlesford District Council

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESMENT) (ENGLAND AND WALES) REGULATIONS 2011

DETR CIRCULAR 02/99, ENVIRONMENTAL IMPACT ASSESSMENT

SCREENING APPLICATION: UTT/13/3168/SCO

**PROPOSAL:** Residential development for up to 70 dwellings.

**LOCATION:** Land at Pines Hill, Birchanger, Essex

### SCREENING OPINION

Under Regulation 5 of the above Regulations the authority is required to adopt an opinion (a **SCREENING OPINION**) as to whether an Environmental Impact Assessment (an **EIA**) is required in relation to the above planning application that has been submitted to it.

The Local Planning Authority (LPA), Uttlesford District Council, has considered the proposal and its **SCREENING OPINION** is that:

### An EIA IS NOT REQUIRED

The considerations, in coming to this decision are as follows:

#### **Schedule 1**

The proposal does not fall within Schedule 1 of the Regulations that would require mandatory Environmental Impact Assessment (EIA).

#### **Schedule 2**

The proposed site area for housing development plus the associated works for the proposed development in terms of public open space, parking, landscaping, vehicular access and possible footpath links covers a total area of 2.54 hectares. As such, the proposal does constitute a 'Schedule 2' development that is one which falls within Schedule 2 of the above Regulations (Class 10 (b) urban development project where development exceeds 0.5 hectare). Thereby the proposed development would be required to be screened to assess whether the development would lead to significant impacts..

#### **Schedule 3 – Criteria for Column 2 of Schedule 2**



In relation to the selection criteria the Local Planning Authority has concluded as follows.

### **Characteristics of Development**

The proposed scheme would involve the erection of up to 70 dwellings on a site area of 2.54 ha on what is described as previously developed land where it is stated that the scheme would contribute to the housing needs of Birchanger/Stansted and Uttlesford District in general to meet its shortfall in deliverable housing supply. It is not known from the submission whether an existing large dwelling on the site would be demolished or whether this would be retained/converted, although the scheme would involve the cessation of an existing commercial/industrial use on the site and removal of associated buildings and works.

The size, scale, design and format of the development has not been indicated and a schematic layout plan has not been submitted. Similarly, the number of car parking spaces and levels of public/private amenity space for the development has not been indicated. However, it is stated that the proposed residential units would be of similar height to surrounding properties. The scheme would make provision for all necessary enabling works, including de-contamination and remediation. Additionally, vehicular access to serve the development has not been indicated.

It is further stated that no significant physical changes to the site would occur where the development would involve only minor regrading of site topography to ensure the proposed dwellings would be built on level plots and that any trees of high amenity value on the site and along the site boundaries would be retained.

Working hours (both construction and operational) do not appear to be specified. However, these can be controlled through conditions should a planning application be submitted and planning permission be granted.

Based upon the submission, it is considered that on balance given the site's location and surroundings, the size of the proposal, the accumulation of it with other local development schemes, the use of natural resources, the production of waste, the likelihood of significant additional pollution or other nuisances and the risk of accidents are such that there will not be a significant effect on the environment. However, this would be further justified and demonstrated through the submission of specialist reports, referred to in the section below on Characteristics of Potential Impact.

### **Location of Development**

The proposed development site is located outside village development limits to the south of the village centre within the Metropolitan Green Belt. The site is fronted on its west side by the B1383, a busy north-south local connector road running through Stansted Mountfitchet and on its north side by Stoney Common Road, a narrow unadopted road with sharp bend leading off Pines Hill down through to established housing development to the east of the site. The main London to Cambridge railway line forms the rear (east) boundary of the site. A pair of semi-detached houses lie adjacent to the north-west corner of the site at the junction of Pines Hill and Stoney Common Road, whilst a further dwelling lies on the south-west corner of the site along Pines Hill itself.



The site contains a large detached dwellinghouse situated within landscaped grounds towards the front of the site, a commercial yard containing three to four established buildings situated in the south-east corner and a large area of uncultivated land containing mature conifers on the site's east side leading back up to Stoney Common Road. The status of the large dwelling is not known, although it is assumed it is not listed. The site falls gently to the south and east and is surrounded by mature vegetation to the extent that it represents enclosed land and therefore not readily appreciated within the public domain. It was noted that the uncultivated section of the site contains a considerable amount of tree debris which could provide habitat for wildlife.

The proposed development would result in a change in its internal visual appearance from current part greenfield/part brownfield to housing where a 70 unit housing development would result in a density of 27.5 dwellings per hectare. However, its visual impact on the principal site frontage along Pines Hill is likely to be mitigated if continuous frontage hedgerow is retained where this could be controlled by condition, whilst any opening up of the site onto Stoney Common Road on the north side would not be visually damaging in the wider visual context given that commercial and residential development lies opposite. It is stated that the development would not result in a significant change in ground levels.

The subject area exceeds the applicable exemption threshold of 0.5 hectares for Schedule 2, Column 1 development (Class 10 (b)) although is not located within or adjacent to a defined sensitive area as defined in Part 1 of the regulations. Schedule 3 provides selection criteria for screening Schedule 2 development, which includes three broad categories for consideration; the characteristics of the development, the environmental sensitivity of the location, and the characteristics of potential impacts. In addition to this, for Schedule 2 development, paragraph 33 of Circular 02/99 states that generally an EIA will be required in three main types of case, namely:

- 1 For major developments which are of more than local importance;
- 2 For developments which are proposed for a particularly environmentally sensitive or vulnerable location and;
- 3 For developments with unusually complex and potentially hazardous environmental effects.

The site is located within an area of Metropolitan Green Belt (MGB) where the principal aim of this national planning policy as reinforced by the NPPF is to keep land within green belts permanently open by preventing inappropriate forms of development. Medium to large scale housing developments would normally be contrary to this policy unless specific exceptions existed. However, it should be noted that the MGB is not specifically defined as a sensitive area for the purposes of the regulations. In terms of impact assessment, the proposal site is presently physical enclosed on all sides and where impact on openness resulting from the proposed development is likely to be confined to within the site itself without any wider impacts where views into the site would be restricted mainly from inside the adjacent built-up area. It should be noted that the site has been the subject of a Strategic Housing Land Availability Assessment (SHLAA) (STA8) where it has been previously assessed that the impact of residential development at this site on the local landscape is "amber" (O)..



The site is not classified as a SSSI site or situated within 2km of a SSSI site.

The site falls within Flood Risk Zone 1 which has a low risk of flooding where ground levels fall away from Pines Hill towards Stansted Brook on the east side of the site beyond the railway line. Flooding is therefore unlikely to be an influencing factor.

The area does not fall within a ground water protection zone (GPZ).

The site as a whole falls within building height restriction zones due to flight paths for Stansted Airport.

There are a number of trees that are covered by Tree Preservation Orders at the south end of the subject site.

There is no agricultural activity on the site.

The large dwelling on the site is believed to be of the Modern Movement period and it would need to be demonstrated that the demolition of this dwelling if this is the case would not result in the loss of a heritage asset.

### **Characteristics of Potential Impact**

There are recognised site constraints and wider impacts associated with the proposed development.

There would be possible wildlife habitats as a result of the existence of extensive trees and hedges on the site. Changes to ground levels could alter water flows through the site with possible associated problems for foul sewerage systems. The associated intensification of use as a result of the proposed development is likely to have impact in terms of noise and disturbance and possible litter/pollution.

As part of any application submission a ***Tree survey, arboriculture implication assessment and method statement, also a visual impact assessment*** has to be undertaken and submitted. The tree survey would have to show how trees would be either retained or protected on the site where these form an important characteristic along the site boundaries and within the site itself.

An ***Ecological Phase 1 Assessment*** would need to be submitted as part of any planning application submission. This would need to identify whether there are any nesting birds within the existing trees, also possible amphibians and/or reptile species within grassland, margins and standing water, also roosting bats and nesting birds etc. This should identify any further surveys and mitigations measures that need to be undertaken. Any field surveys will be required to be undertaken at the appropriate times of the year depending upon species studied.

The site is located adjacent to an accessible main settlement. However, the proposed scheme would still result in the creation of additional traffic within the locality due to the new housing. A ***Transport Assessment*** would need to be carried out as part of any application submission to assess whether the scheme is acceptable and if there would be a detrimental impact in terms of highway safety. This is particularly important at this selected location if vehicular access is to be



gained to the development via Pines Hill (B1383) and in view of the presently difficult intersection of Pines Hill with Stoney Common Road at the top of the site where the present junction arrangement is blind and hazardous and where any new development submission would need to show how this situation would not be made more hazardous through the introduction of up to 70 dwellings where this would lead to increased pressures on the local highway network. In this context, it is considered that the proposal scheme could provide an opportunity to improve on the current situation. Essex County Council Highways would be consulted on the scheme.

With regard to any visual impact as a result of the development a **Design and Access Statement** would need to be submitted as part of any application submission which would link in with any visual impact assessment and is an aspect that would be assessed as part of any application determination.

A **Site Waste Management Plan** would be required to be submitted outlining methods of reducing, re-using and recycling waste in accordance with national legislation, together with a **Sustainability Statement** outlining various energy saving and renewable energy features that have been adopted within the design proposed to be used. This would reduce the development's carbon footprint in line with Council Policy and national legislation.

A **Flood Risk Assessment** (FRA) would be required as part of any planning submission due to the size of the site area, notwithstanding that none of the site has been identified as being within a Flood Zone 2/3 area. The Environment Agency would be consulted on any FRA submitted.

Whilst Council records do not show that the site is subject to areas of contamination, it is advised that investigation of the site is undertaken together with the submission of **Phase 1 Desktop Study** to ensure that contamination (i.e. leaching) has not occurred in the past at the commercial/industrial premises at the site and how this would not occur through the removal of the buildings.

The proposed development falls within building height restrictions given the distance of the site from Stansted Airport. Relevant air authority bodies may need to be consulted of any landscaping scheme so as to not impact upon air strikes.

It is considered that noise levels arising from the development given its residential nature are unlikely to vary from the type of existing noise levels experienced within the general vicinity and would blend in with existing audible background noise levels where this is likely to be either traffic borne noise on the B1383 or on the main railway line to the rear. However, it is considered that a **Noise Impact Survey** would be required to be submitted in terms of the impact that the adjacent railway line is likely to have on occupants of the proposed development itself where it would need to be shown that the existence of this transport corridor would not have a detrimental impact and where the dwellings could be designed in such a way as to mitigate against any harmful impact in this respect.

In terms of air quality, it is stated that there would be minimal to no significant impact resulting from the development. The site is not within a defined poor air quality zone and it is considered that it would not be a requirement to submit an **Air Quality**



**Assessment** in this respect.

Historical impact, ecology, nature conservation, noise, traffic, sustainable drainage including flooding and sustainable construction would need to be assessed and will need to be further assessed and monitored during the course of assessing the application and possible works. There are a number of points which could be suitably addressed through the imposition of conditions should planning permission be granted in the future.

It is considered that the proposed development will not be more of local importance as its scale and nature is not likely to have more wide-ranging effects. The proposal would not include any commercial floorspace, the site is less than 5 ha, the site is not in or adjoining an environmentally sensitive area and the proposed development is not one with particular complex and potentially hazardous effects and hence it is considered that the development would not have complex, long term or irreversible impacts as outlined in paragraph 41/42 of Circular 2/99, notwithstanding that the development would be permanent by its very nature.

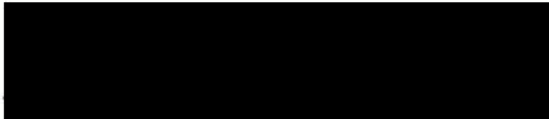
The overall potential impacts of the development have been considered taking into account planning policy requirements which would mitigate the environmental impact. After considering the above factors, it is the Council's opinion that the development does not require an EIA provided the measures listed above are undertaken during the designing and construction of the proposed scheme.

The Local Planning Authority has considered the 'selection criteria' in Schedule 3 of the Regulations and has concluded that the proposal **would not be likely to have a significant effect on the environment** following the evaluation of the information submitted by the applicant and the Council's knowledge of the local area. Notwithstanding this, the following documents should be submitted to support the submission of any application:

- Planning Statement (including justification of siting of development on land within the Metropolitan Green Belt (MGB));
- Design and Access Statement;
- Five Year Housing Land Supply Assessment;
- Statement of Community Involvement;
- Indicative Masterplan layout;
- Proposed elevations/artists impressions/streetscenes
- Affordable housing provision;
- Landscape /Visual impact Assessment;
- Flood Risk and Drainage Assessment;
- Transport Assessment (including access assessment);
- Heritage Statement;
- Arboricultural Survey and Assessment;
- Sustainability Statement;
- Ecology Report- encompassing phase 1 survey and detailed survey work;
- Noise Impact survey;
- Utilities (including reference to impact on sewerage capacity);

- Education and highway contribution provision (to be discussed with Essex County Council);
- Lifetime homes/wheelchair accessible housing;
- Site waste management plan;
- The site also falls within BAA safeguarding zone, therefore you will need to check that the height of the scheme is not an issue;
- Groundwater pollution control statement;
- Designing out crime/crime prevention measures (Secured By Design);
- Plus any proposed external lighting and lighting pollution statement, more so the case with regards to any proposed footpaths.
- Planning Obligations Heads of Terms for legal agreement

Signed:.



Dated: 30/1/14.....