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Savills
Unex House
132-134 Hills Road
CAMBRIDGE
CB2 8PA

17 June 2014

Your ref: CAPL/237361/A3/GH/MW

Our ref: UTT/14/0266/SCO

[REDACTED]

Dear [REDACTED]

**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)
REGULATIONS 2011 (SI 2011/1824)
SITE AT LAND TO WEST AND EAST OF B184 THAXTED ROAD, SAFFRON WALDEN
SCREENING OPINION**

I write further to the request for a screening opinion in respect of a development proposal on the above site, and I apologise for the delay in responding. The land comprises the proposed development would amount to approximately 20.20 Hectares (49 acres). This would equate to land parcel 1 to the north of Thaxted Road forming 11.83 hectares and parcel 2 to the south of Thaxted Road forming approximately 7.84 hectares. The proposal relates to a residential development of 300 dwellings to the north of Thaxted Road involving open space, landscaping designated play areas and associated roads; and an extension to the skate park adjacent to the Lord Butler Leisure Centre, also the provision of open space both to the south of Thaxted Road, and the option of a new primary school covering an area of 2.4ha, within parcel 2. This letter provides a screening opinion for the above proposal under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (the EIA Regulations) under Regulation 5 of the stated Regulations.

Circular 02/99 - Environmental Impact Assessment provides guidance in regards to procedures which are required in establishing whether an EIA is required. This guidance requires the Local Planning Authority (LPA) to consider whether the proposed development is described in Schedule 1 or 2 of the Regulations.

Schedule 1 identifies 20 different categories of development of which none relate to the proposed development in the LPA's opinion.

Schedule 2 identifies 13 different categories, of which Class 10 is 'Infrastructure Projects' and the development proposed falls within the description of sub section - (b) 'Urban development projects'. The proposal exceeds the thresholds. The proposal is not, however located in wholly or partly within a 'sensitive area' as defined by the Regulations.

I conclude that the proposal does constitute a Schedule 2 form of development as defined by the Regulations. Under these circumstances it is necessary to establish whether or not the

proposal is likely to give rise to 'significant effects' on the environment by virtue of its nature, size or location.

Schedule 3 of the Regulations sets out selection criteria which must also be taking into account in determining whether the development is likely to have significant effects on the environment.

These criteria are identified under 3 separate headings and I shall deal with each in turn.

1) Characteristics of development

The proposals would introduce a significant element of built form on land currently used for agricultural purposes on the edge of the urban form of Saffron Walden. The site is located outside the development limits but the site identified for residential development lies in close proximity to existing residential development. The proposals would have an impact on the character of the area, particularly given the scale of the proposed development. The area of land identified for the skate park extension, open recreation space and the site identified as an option for a school lies outside the development limits and would be extending existing leisure facilities and built form into the open countryside.

The land identified for residential development is set within the valley and has existing residential development to the north and south. The school site which is also located within the foot of the valley would be immediately opposite existing built form of the Kilns, its recent granting of planning permission to construct 52 dwellings (UTT/131937/OP). Adjacent to the Kilns planning permission has also recently been granted for the erection for retail warehouse units and a café with associated works (UTT/13/0268/OP). The built form to the north of Thaxted Road extends beyond the application site boundary on land to the south of Thaxted Road. It is not overtly clear from the screening opinion request as to whether or not new landscaping would be introduced in order to mitigate potential impacts; however there is an indication on the accompanying plan that this would be the case. Nonetheless, this can be controlled through conditions should planning permission be granted and it is considered to be necessary. The proposed access to the school is proposed to go through the single point of access and proposed to the south of Thaxted Road. There is nothing to indicate from this that it would cause any detrimental harm in the form of highway impact.

It is considered that even though the scheme exceeds the thresholds on balance the size of the proposal, the accumulation of it with other developments and its surroundings, 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, this is considered particularly the case as the traffic associated with the proposed development and the proposed school would be to a large degree mitigated and/or directed away from the main contentious junction of Radwinter Road Thaxted Road which has current capacity and air quality issues. However, this would be further justified and demonstrated through the applications submission of specialist reports, refer to section below on Characteristics of Potential Impact.

2) Location of Development

The environmental sensitivity of geographical areas likely to be affected by the development must be considered and in particular with reference to the following.

The site for residential and the school development is located outside the development limits in close proximity to existing residential development, and other built form which is either existing or has been recently granted planning permission. The proposed school is likely to be single storey. To a large degree it is likely that it would be screened and mitigated from certain public vantage points through landscaping, and fundamentally it would be subject to further approval of details, in term of design, siting layout and appearance should outline

planning permission be granted. The site for the skate park extension is located outside the development limits and extends the leisure activities into existing agricultural land.

The proposed development would result in change of visual appearance from an area that appears sub-urban and rural to one that is more urbanised and built, together with the possible creation of new and transferred habitats as part of a landscaping scheme, new water features/wetland creation and possible removal of trees. There is a change in ground levels across the site.

The subject area in itself falls within a sensitive area by reason of the following;

The site falls within Flood Risk Zone 1 which has a low risk of flooding. The area falls within a ground water protection zone and any works would need to adhere to British Standards.

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

The area falls within the open countryside. Due to the sites rural farm complex appearance the site would appear to form part of the wider countryside. The proposed development is likely to have a visual impact upon the countryside and the approach towards Swards End, west to east and possibly the site viewed across the fields from the south.

The site lies within 500m of the Health and Safety Executive consultation zone relating to high pressure pipes.

The application site lies east of a designated Air Quality Management Area (AQMA).

Neither of the sites is statutorily designated for protection.

In summary, it would be unreasonable, therefore, on the evidence available at this stage to suggest that the likely affect on the environment would be 'significant' enough to justify the requirement of an EIA taking into account the location of the development.

3) Characteristics of the potential development

The Council has in making the above professional judgments, assessed the potential significant effects of the development having regard in particular to:

- a) the extent of the impact
- b) the transfrontier nature of the impact
- c) the magnitude and complexity of the impact
- d) the probability of the impact
- e) the duration, frequency and reversibility of the impact.

There are recognised sensitive areas of the site and of the proposed development. There would be possible wildlife habitats as a result of trees and hedges on site's margins, the changing ground levels. The associated intensification as a result of the proposed development is likely to have impact in terms of noise and disturbance, 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.

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. This has been submitted as part of the application and would need to be assessed as part of the determination of the application process.

The site is located adjacent to an accessible town; however, the proposed scheme would still result in the creation of additional traffic within the locality due to the new dwellings, the option for a school and open space/recreation use being proposed. 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 and safety. One of the main concerns that would need to be addressed is the level of predicted vehicle movement as part of the proposed development, junction capacity and the related air quality impact, particularly on the adjoining Air Quality Management Area. Long term the mitigation of the predicted vehicle movement could be achieved through the creation of an alternative road route either through securing the link road proposed as part of the Draft Local Plan or an alternative route in order to by-pass sensitive key junctions. However, this is subject to the whole of the draft allocated site coming forward. In the submitted information indicates that there would be a redistribution of vehicle movement as a result of the proposed school. This combined with the highway mitigation works proposed is likely to mitigate any predicted vehicle movement and possibly result in better in certain areas. A Transport Assessment would need to be submitted as part any application to demonstrate and satisfy that the proposed development would not result in significant adverse impact both on its own and accumulatively taking into account other developments.

In terms of air quality within the planning submission it is stated that there would be negligible impact resulting from the development. Even with the proposed school use and redistribution of vehicle movement it is still likely to be the case, with a possible element of betterment from the initial proposal. Due to the scale of the proposed development this would need to be demonstrated through an Air Quality Assessment, both in terms of construction works and daily vehicle movement resulting from this development and the accumulative impact from other committed developments. An Air Quality Assessment has been submitted as part of the application submission and would also need to be assessed as part of the determination of the application.

Both the Transport and the Air Quality Assessment would need to take into account the accumulative impact of other committed developments.

With regards to any visual impact as a result of the development a **Design and Access Statement**, that would tie into the visual impact assessment, this would need to be submitted as part of any application submitted and is an aspect that would be assessed as part of any application determination. A Design & Access Statement has been submitted as part of the application submission.

A **Site Waste Management Plan** has been submitted which should outline methods of reducing, re-using and recycling waste in accordance with national legislation, together with a **Sustainability Statement** outlining various energy saving features that have been adopted within the design and proposed to be used. This should outline how it would reduce the developments carbon footprint in line with Council Policy and national legislation. This statement has been submitted as part of the application and would need to be assessed as part of the application.

A **Flood Risk Assessment** has been submitted as part of the planning submission due to the size of the site area. It would need to be demonstrated that the proposed scheme would create a neutral affect or betterment and that it would not increase the risk of flooding to other areas, which could also be achieved through proposed mitigation measures.

The area falls within a ground water protection zone and any works would need to adhere to British Standards, particular care would need to be taken near any watercourses.

Due to the agricultural use of the site and the neighbouring commercial activities there is the potential for contamination on the subject site. An investigation of the site has been undertaken and submitted as part of **Phase 1 Desktop Study**.

The proposed development falls within building height restrictions, however relevant air authority bodies may need to be consulted of any landscaping scheme so as to not impact upon airstrikes.

It is considered that the noise level would be higher, although with regards to the housing aspect this may not vary from the type of existing noise levels and would generally blend with existing background noise. The proposed recreational open space use plus the school site would be set away from existing and proposed residential properties.

It would need to be demonstrated through a **Noise Impact Survey** that the level of noise from the proposed development would not be an issue for the existing surrounding neighbouring residential properties and the proposed residential dwellings. A Noise Assessment has been submitted as part of the application and would need to be assessed.

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

The subject area does not fall within an environmentally sensitive area as outlined in paragraph 36 of Circular 2/99. The proposed development is not one with particular complex and potentially hazardous effects and hence is not considered that it would not have complex, long term or irreversible impacts as outlined in paragraph 41/42 of Circular 2/99.

The potential impact of the development has been considered taking into account of 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**

On the basis of the above it is considered that an Environmental Statement is not required to be submitted with any planning application for the proposed development. Notwithstanding this, it is noted that the following documents have been submitted to support the application and the submission of these documents formulates the basis of this opinion:

- Planning Statement (Inc. justification of development within countryside both in terms of housing and industrial development);
- Five Year Housing Land Supply Assessment;
- Design and Access Statement;
- Arboricultural Impact Assessment (Tree Report);
- Landscape Assessment;
- Flood Risk Assessment;
- Affordable Housing Statement;
- Air Quality Assessment;

- Archaeological Statement;
- Ecological Statement;
- Services and Utilities Assessment;
- Site Waste Management Plan;
- Sustainability Statement;
- Transport Assessment;
- Statement of Community Involvement;
- Draft Heads of Terms for S106 Agreement;
- Noise Impact Survey;
- Education contribution provision (to be discussed with Essex County Council);
- Lifetime homes/wheelchair accessible housing;
- Groundwater pollution control statement;
- Designing out crime/crime prevention measures;
- Plus any proposed External lighting and lighting pollution statement, more so the case with regards to the proposed footpaths and roads;

With regards to the above I have the following comments:

- The Air Quality Assessment would need to have an assessment of all of the AQMA areas within Saffron Walden.
- The ecological survey should be fully detailed. If further surveys are recommended these must be undertaken prior to the submission any application. Failure to do so will result in the application being refused.
- Based on the size and scale of the proposed development a Flood Risk Assessment will need to be undertaken.
- I am of the opinion that a Contaminated Land Survey is also required. Our records indicate that historic land uses have been carried out on the site which may have resulted in contamination.
- The proposed development falls within building height restrictions, however relevant air authority bodies may need to be consulted of any landscaping or built form scheme so as to not impact upon airstrikes.

Please do not hesitate to contact Mrs. M Shoesmith if you have any questions regarding above.

Yours sincerely,



Andrew Taylor
Assistant Director of Planning and Building Control