Dear Mr Jones

Gateways to Oldham PFI Project – Site at Dew Way, Oldham
Request for Environmental Impact Assessment (EIA) Screening Opinion
Regulation 5 Town and Country Planning EIA Regulations 1999

1. Introduction

We are writing on behalf of our client, Inspiral, in accordance with Regulation 5 of the Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999 (as amended) (the Regulations), to seek clarification from the Local Planning Authority about whether an Environmental Impact Assessment will be required in respect of proposals for a new build residential development at the above location as part of the Gateway to Oldham PFI initiative.

Under Part II, Clause 5 of the Regulations, please treat this letter as a formal request for a “Screening Opinion”. We believe that it would be useful to establish at this stage that none of the elements either individually or cumulatively, qualify under Schedule 2 as development requiring an Environmental Impact Assessment (EIA).

To aid your assessment of the proposal, we enclose a site location plan which identifies the land in question. Within this letter, we set out what is being proposed and our consideration of the potential environmental effects associated with this.

2. Description of the Site

The Dew Way site is located within the Clarkwell area, less than a kilometer from Oldham Town Centre and covers an area of 1 hectare. The topography of the site is complex due to the man-made raised element to the east. This is due to the site having previously accommodated a reservoir, evident now only by a substantial retaining wall part of which aligns Hilda Street, and constitutes the southern perimeter of the site. Hilda Street provides access to four parallel streets that are aligned by red brick terraced housing.

Access is possible via Dew Way which is positioned in the north-west of the site. Dew Way also provides service access to a Tesco supermarket. The supermarket’s service yard is adjacent to the northern perimeter of the site. Beyond fencing that encloses the eastern perimeter of the site lies a foot/cycle path, which itself is separated from the parallel-running dualled A627 Oldham Way.

To the west of the site lies the Anchor Mill, and its car parking area. This Grade II listed Mill which was constructed in 1881, is in the process of being refurbished to provide a conference and banqueting venue.

There are no site-specific allocations or policies in the saved version of the Oldham Unitary Development Plan.
3. **Description of the Proposal**

The proposal is a housing-led neighbourhood regeneration project which will deliver a greater mix and choice of new, high quality housing to meet the needs of the local community. Development will be concentrated on previously developed land in a sustainable location, and within close proximity to public transport, local services and Oldham Town Centre.

The site once completed will be accessed via an existing vehicular access point from Dew Way and from a new access point in the south eastern corner of the site onto Hilda Street. The proposal will be dominated by family housing, with an apartment block located adjacent to the new south eastern access point.

The scheme will seek to achieve high levels of sustainability, including the use of solar thermal technology which will see the development comply with the Code for Sustainable Homes Level 3 standard.

The proposals will involve the construction of 47 new units together will required infrastructure, landscaping, and recreational open space.

4. **Assessment of Whether an EIA is Required**

Residential development is not identified explicitly in the Regulations as falling within Schedule 1 or Schedule 2. However, the proposals do constitute an 'urban development project' and it can therefore be concluded that the proposals sit within Schedule 2 of the Regulations under Section 10(b):

"...Urban development projects, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas...."

Circular 02/99 Environmental Impact Assessment states that development listed in Schedule 2 requires EIA if it is likely to have significant effects on the environment by virtue of factors such as its size, nature or location. It also identifies that as a starting point, authorities should study Schedule 3 of the Regulations which sets out the ‘selection criteria’ which must be taken into account in determining whether a development is likely to have significant effects on the environment. Three broad criteria which should be considered are identified:

- the characteristics of the development (e.g. its size, use of natural resources, quantities of pollution and waste generated);
- the environmental sensitivity of the location; and
- the characteristics of the potential impact (e.g. its magnitude and duration).

In terms of residential development, the site is of a relatively small, 'infill' scale at 1 hectare. Despite this, three quarters of the site formerly accommodated a reservoir and following its decommissioning was filled in. This may require some remediation work, and comprehensive ground contamination studies will accompany the planning application.

In addition, the EIA Regulations and associated guidance require that development be considered in conjunction with other developments coming forward in the vicinity in terms of potential cumulative effects.

5. **Matters Material to the Determination of the Screening Opinion**

It is our view that the proposal does not require an EIA for the following reasons:

1. The development does not give rise to environmental issues of more than very local significance, as set out within the remainder of this letter.

2. Despite its proximity to Oldham Town Centre, the site remains derelict. The proposed scheme will introduce a sustainable regenerative residential development of a high quality design, which is contextually appropriate in this popular residential area.
3. The proposal is not located within an environmentally sensitive area such as a SSSI or SBI and will have no significant effect upon ecology on or near the site.

4. The relationship of the development with surrounding land uses will be compatible given that this area is predominantly residential.

5. The highway effects of the development are acceptable.

6. There will be no significant detrimental impacts relating to the risk of flooding.

7. The proposed use is not a significant noise generator and will not lead to an unacceptable increase in noise in the area.

Taking into the account the selection criteria for screening our view is that the proposal does not require an EIA taking into account the following observations.

**Characteristics of the Development**

The site is 1 hectare and located within close proximity to Oldham Town Centre. This development comprises the construction of 47 residential units. New housing units are designed to a scale which complements the existing environment. This is a point that will be confirmed within the Design and Access statement prepared in support of the application.

The proposals will involve consequential development works with regard to highways and utilities; however, the potential effects will be picked up and fully assessed within technical documentation to support the application e.g. Transport Statement, utilities and energy statements. It is not considered that the consequential development works will lead to significant environmental effects.

**Cumulative Impact**

The Gateways to Oldham HRA PFI Project relates to the delivery of five sites of varying sizes but of a similar brief, namely the refurbishment and/or development of new housing. The table below identifies the existing and proposed residential development within each of the sites and their relative proximity to Dew Way.

<table>
<thead>
<tr>
<th>Site</th>
<th>Approximate distance from Dew Way</th>
<th>Existing units (including any units to be refurbished)</th>
<th>Proposed units (including any units to be refurbished)</th>
<th>Net change</th>
</tr>
</thead>
<tbody>
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<td>1.27 km</td>
<td>423</td>
<td>450</td>
<td>+27</td>
</tr>
<tr>
<td>Primrose Bank</td>
<td>1.29 km</td>
<td>359</td>
<td>290</td>
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<td>Keswick Ave</td>
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<td>78</td>
<td>+78</td>
</tr>
<tr>
<td>North House</td>
<td>0.47 km</td>
<td>0</td>
<td>28</td>
<td>+28</td>
</tr>
</tbody>
</table>

In short, the characteristics of the proposed developments, their relative lack of proximity, their location in non-sensitive areas and the consideration of potential impacts associated with each site (please refer to the four concurrently submitted EIA Screening Letters) are such that we do not consider that there will be cumulative effects.

In addition, our research has indicated that there are no significant committed development projects in the immediate vicinity of the site.
Use of Natural Resources

The impact of the design, construction, and operational management of the scheme in terms of natural resources has been considered as part of a holistic approach to sustainability. Upon occupation, the aim is to achieve recycling and composting rates that are significantly higher than the Borough average, thereby minimising waste sent to landfill.

The usage of solar thermal technology, in addition to A-rated gas boilers, will ensure that the Authority’s 10% target for carbon emissions to be met by on site renewable energy sources, is achieved for new properties. Code for Sustainable Homes Level 3 will therefore be reached for all new-build properties.

The proposed development will not result in the use of any natural resources that are considered to be in short supply.

Further detail will be provided in the supporting planning application documentation including the Sustainability Statement.

Production of Waste

The proposed development will of course generate some waste during the construction phase which will be recycled and re-used where possible, as a requirement of the Construction Management Plan.

There will also be additional household waste as a result of the construction of new housing; however, that is not considered significant in the context of existing residential areas. In addition, the proposed household refuse management strategy will create a design suitable for present day recycling requirements.

Waste / Refuse Management Strategies detailing how construction and household waste are to be handled will form part of the application documentation.

Pollution and Nuisances

The construction and operational phases of development will not create unusually high levels of vehicular traffic and the proposed uses are not generally associated with noise generation or significant levels of waste products. Construction phase mitigation measures to prevent pollution and nuisance will be put in place, in accordance with current environmental standards.

Overall, potential sources of pollution and nuisance will be managed and a number of reports will be submitted with the application to address the relevant issues – including air quality, waste management and drainage strategy.

Ground Conditions and Contamination

Part of the site previously accommodated a reservoir which following decommissioning was filled in with ‘made ground’. Accordingly appropriate investigation and remediation works will be undertaken, as part of the planning process. In addition, a ground conditions and contamination assessment will be submitted with the application for planning permission, which will confirm the extent of any contamination and will provide an remediation scheme.

Noise and Vibration

In June 2008 a noise assessment was carried out on behalf of Oldham MBC in order to consider the proximity of parts of the site to either the adjacent supermarket service yard or the A627 to the east. The Assessment concluded that a suitable sound insulation scheme would mitigate against any unacceptable noise levels, and also proposed a buffer zone between the supermarket and nearest row of proposed housing.

A further Assessment was undertaken in November 2008 which identified the glazing requirements for properties in this location to ensure that noise levels were in line with the appropriate guidance.
The above information will be submitted in support of the application.

Risk of Accidents

The development will not abnormally increase the risk of accidents having regard, in particular, to substances or technologies used. Whilst inevitably there are risks during the construction phase of any project, we do not consider that these risks will be at an unacceptable level, given that appropriate health and safety protocols will be adhered to. Similarly, the risk of accident to the general public or the environment during construction and upon occupation is of an acceptable level.

In addition, the development will not involve the use, storage, transport, handling or production of substances or materials which could be harmful to people or the environment.

Flood Risk

A Flood Risk Assessment and drainage strategy is currently being prepared in support of the proposals and will be submitted in support of the application for planning permission. The work concludes that the site can be safely developed in accordance with PPS25 subject to the implementation of a scheme for the disposal of surface water from the site.

Secure By Design

The design process has taken into account the need to embrace Secure by Design principles and pre-application consultation with the Greater Manchester Police Architectural Liaison Unit has taken place. A Crime Impact Statement will be submitted in support of the application for planning permission.

Traffic and Transport

The residential units will be accessed via the existing Dew Way, and via a new access point which connects the development to Hilda Street. Whilst this will inevitably lead to an increase in trips, the impact in terms of the broader highway network will be limited.

Dew Way currently provides servicing access to an adjacent supermarket. The transport strategy has been mindful of this during the formulation of the proposals, and no adverse impacts will be evident, due in part to the introduction of the second access to the site from Hilda Street.

A thorough assessment of the transportation issues will be submitted in support of the application for planning permission in the form of a Transport Statement.

Socio-economic

The proposals will create beneficial impacts in terms of job creation (construction), associated skills training, meeting housing need and regeneration.

Landscape / Visual Impact

In addition to the construction of new residential housing to a high design quality, the development also proposes an overall improvement in terms of landscape and visual impact, via the introduction of high quality public realm.

Architectural Heritage

The site does not contain any buildings of any architectural merit, and there will therefore be no adverse impact in terms of heritage conservation.
Ecology

The Dew Way site does not currently include any land that is of significant ecological value and impact will therefore be very limited as was confirmed in an Ecological Assessment undertaken in May 2009.

The above assessment along with further detail will be provided in support of the planning application.

Location of Development

The proposals for residential development will not adversely affect surrounding land uses and are compatible.

The proposals involve the re-use of previously developed land.

The site is not located within an environmentally sensitive location, as defined by Annex B of Circular 02/99, or Schedule 3, Section 2, part (c) of the 1999 EIA Regulations.

There are no areas on or around the location which contain important, high quality or scarce resources which could be affected by the development.

Characteristics of the Potential Impact

The extent of the impact is local. The overall impact of the scheme would not be complex, great, raise any sensitive land use issues, or extend beyond the immediate area within which the site lies.

The economic impact of the proposal for this site will be beneficial, in terms of the temporary employment generated by the proposals during the construction stage of the development.

The proposal is consistent with the character and density of development already established within this area and will utilise a vacant, dilapidated site which currently only provides opportunities for miscreant activity and fly-tipping.

There would be no transfrontier effects as a result of the development.

Circular 02/99 states 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;

B) For developments which are proposed for particularly environmentally sensitive or vulnerable locations; and

C) For developments with unusually complex and potentially hazardous environmental effects.

The proposed development is for a newbuild residential development on a site which may require some remediation work due to its former use. We do not consider that this in itself warrants an EIA, particularly as this issue is not likely to be complex.

Furthermore, the proposals are for a use consistent with the surrounding area which is predominantly residential. Neither criteria A, B, or C are therefore appropriate for this development. It can be concluded that there will be no cumulative impacts of significance as a result of the proposed development.
7. Conclusion

Taking into account the above, we would be grateful for the Council's formal consideration of whether an EIA is required in respect of this development proposal. Please note that this letter should set out the reasons for the screening opinion adopted and be placed on the public register.

I look forward to hearing from you. In the meantime, if you have any queries please do not hesitate to contact me or my colleague Diane Beaumont (0161 247 7341).

Yours sincerely

[Signature]

John Cooper
for DRIVERS JONAS LLP

johncooper@driversjonas.com
Tel: 0161 247 7316 Fax: 0161 236 8420