Dear Mr Jones

Gateways to Oldham PFI Project – Site at Keswick Avenue, 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 Keswick Avenue site is located approximately 2.3km to the southeast of Oldham Town Centre. The area is residential in character, with housing directly adjacent to the north, south, and western perimeters of the site. The site covers an area of 2.53 hectares.

The site until relatively recently accommodated the former Fitton Hill Junior School. The school has now been demolished, and though hard standing remains, the site itself appears as an area of green scrubland, with a wooded area towards the north-eastern section of the site. The site slopes gradually in a north-easterly direction before reaching a sharp fall, and change in site levels.

The site is accessed via an access road between two houses that face onto Keswick Avenue, with their rear gardens adjacent to the western site boundary. Beyond the north eastern perimeter of the site lies Snipe Clough, a large open area which is partly occupied by sports pitches. Kings Road, which is a small access road splits the site and Snipe Clough.

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 the existing vehicular access point from Keswick Avenue and a new access point from Thatcher Street on the site’s northern edge. The proposal, which seeks to create a place with a distinctive character inspired by its existing naturalistic setting, will accommodate family housing.

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 78 new units together with 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 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 vacant. 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 existing access will be remodelled so that there are no significant adverse highway impacts. Further detail relating to this will be submitted in support of the application.

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 2.53 hectares and located within close proximity to Oldham Town Centre. This development comprises the construction of 78 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 Impact Assessment, 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 Keswick Avenue.

<table>
<thead>
<tr>
<th>Site</th>
<th>Approximate distance from Keswick Avenue</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>
<tr>
<td>Crossley</td>
<td>3.1 km</td>
<td>423</td>
<td>450</td>
<td>+27</td>
</tr>
<tr>
<td>Primrose Bank</td>
<td>1.37 km</td>
<td>359</td>
<td>290</td>
<td>-69</td>
</tr>
<tr>
<td>Dew Way</td>
<td>2.57 km</td>
<td>0</td>
<td>47</td>
<td>+47</td>
</tr>
<tr>
<td>North House</td>
<td>2.55 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.

In addition, the absence of any significant development projects in the immediate vicinity of the site dictates that any cumulative impacts during both the construction and operational phases of the development will be minimal.
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 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 or 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 ground conditions and contamination, air quality, noise, waste management and drainage strategy.

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 Secured 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 development will be accessed via both an existing enhanced access from Keswick Avenue, and a second new access point from Thatcher Street. Whilst the development will inevitably lead to an increase in trips, the impact in terms of the broader highway network will be limited.

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

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 the improvement of public, and recreational areas leading to an overall improvement in terms of landscape and visual impact.

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 Keswick Avenue site, a significant proportion of which is previously developed, does not currently include any land that is of significant ecological value and impact will therefore be very limited.

A small wooded area is located towards the eastern boundary of the site. As was confirmed in the Tree Survey commissioned by Oldham MBC in May 2009, the quality of trees present is variable. Whilst some of this part of the site will be developed, a good proportion of trees are to be retained within greenspace and along the periphery of the site. The proposals will seek to enhance this area, and any adverse ecological impacts will be mitigated against.

Full details relating to ecological conservation will be submitted in support of the 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 Circuler 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 Oldham will be beneficial, in terms of the temporary employment generated by the proposals during the construction stage of the development.

The proposal would be consistent with the character and density of development already established within this area. The development will provide important family housing in a predominantly residential area which is within reasonable proximity to Oldham Town Centre.

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 new build residential development on a previously developed site with no known contamination issues. 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 (0151 247 7341).

Yours sincerely

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