Dear Mr Jones

Gateways to Oldham PFI Project – Site at Primrose Bank, 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 refurbishment and 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 also provide a background to the application and set out what is being proposed and our consideration of the potential environmental effects associated with this.

2. Background

Outline planning permission, with all matters reserved, for the site in question was granted on 1 February 2007 (REF: PA/052306/06). The description of development read:

"Outline planning permission for demolition of existing properties and replacement with new residential development, associated access, infrastructure and landscaping works, and provision of on-site recreational open space and replacement community centre. All matters reserved."

The officer's planning Report to Members which recommended approval of the outline planning permission stated the following in terms of EIA:

"In respect of this particular application, the LPA are required to make a formal determination of whether or not EIA is required in the form of a 'screening opinion'. The Council's screening opinion in respect of this application concludes that the residential development would not be on a significantly greater scale than existing, is not in a location defined as a 'sensitive area' and that the types of impact on the environment would not be of a markedly different nature to warrant the submission of an EIA."

This letter seeks a further screening opinion prior to the submission of a detailed application for the site which is consistent with this description of the outline planning permission.
3. **Description of the Site**

Primrose Bank is located approximately 400 meters to the south of Oldham Town Centre, and covers an area of 7.2 hectares. The site currently accommodates a post-war housing estate comprising a mixture of houses and flats. A significant portion of this estate has now been vacated and the units boarded up.

Beyond the northern and eastern perimeters of the site, the land is predominantly utilised for commercial and industrial uses. The immediate perimeters to the west and south are predominantly residential areas consisting of a mixture of terraced, post-war, and modern flats and houses. Access by motor car is possible all around the site from Ashton Road, Primrose Bank, and Lee Street particularly. Internally, motor car access is more difficult with limited permeability.

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

4. **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.

Primrose Bank has a number of physical problems which ultimately have led to its decline in recent times. The design of walkways, public spaces, vehicular accesses, and the relationship between the residential units, their respective streets, and the broader area has created an impenetrable hostile housing estate, that lacks legibility.

The proposed development has been designed to address these issues via the following measures:

- creation of a clear network of streets that reunites the neighbourhood, and provides stronger linkages to the broader Oldham south area;
- to provide a linked sequence of fully overlooked public spaces, with specific purposes;
- to utilise the topography of the site, creating a strong urban environment, reinforcing its close proximity to the surrounding landscape;
- to exploit the gateway status of the site, with appropriately high quality landmark building design;
- reinforce the role of Lee Street as a key lateral route, reinforcing the street line via the design of development sites; and
- to link the heritage buildings at the bottom of Primrose Bank into the new street network.

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

The proposals will involve the demolition of 261 units, the refurbishment of 51 units and the construction of 192 new units together with required infrastructure, landscaping, and recreational open space. Minor alterations to a further 47 units are also proposed, however these works do not fall within the ambit of planning control.
5. **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.

6. **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. The site is previously developed and consists of housing that is of a poor aesthetic and/or physical quality. At present the site does not make a positive contribution to the visual amenity of the area. The proposed scheme will introduce a regenerative residential-led development of a high quality design, which is contextually responsive.

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 the dominance of housing in this area.

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 7.2 hectares and located within close proximity to Oldham Town Centre. It is an existing housing area that is to be improved and partially redeveloped. There is an overall net reduction in housing (refurbished and new versus existing) of 69 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 Primrose Bank.

<table>
<thead>
<tr>
<th>Site</th>
<th>Approximate distance from Primrose Bank</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>1.78 km</td>
<td>423</td>
<td>450</td>
<td>+27</td>
</tr>
<tr>
<td>Keswick Ave</td>
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<td>0</td>
<td>78</td>
<td>+78</td>
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<tr>
<td>Dew Way</td>
<td>1.29 km</td>
<td>0</td>
<td>47</td>
<td>+47</td>
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<tr>
<td>North House</td>
<td>1.4 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. Prior to refurbishment and demolition, a re-use and recycling target will be set for specific materials. The minimum average target by weight will be 80%, to ensure that targets are reached.

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 and an EcoHomes 'Good' rating will be achieved for the 51 refurbished Housing Renewal Area units.

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 waste during the demolition and construction phases and that will be recycled and re-used where possible, as a requirement of the Construction Management Plan. Due to the reduction in dwellings numbers, there is likely to be a net reduction in the overall production of household waste. 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

Whilst there will be alterations to the internal road layout of the Primrose Bank Estate, and alterations to the existing accesses from Primrose Bank, Lee Street and significant changes to Chamber Road, 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 refurbishment of residential units and 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 significant built heritage. There are however several buildings located just outside the north-eastern site boundary which are of local value. The proposals have been mindful of these buildings, so as to visually incorporate them into the development.

Ecology

The Primrose Bank Estate does not currently include any land that is of significant ecological value and impact will therefore be very limited.

In addition to an Ecological Assessment, a Bat Assessment of the Primrose Bank site has been undertaken. This Assessment concluded that the Estate is generally not suitable for supporting roosting bats and no evidence of bat use was identified on the buildings or trees. Subsequently, there is no requirement for a licence from Natural England to permit the redevelopment of the estate.

The above assessments 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 unusually 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. Following completion, small scale employment creation and retention, particularly with regard to the community facility, will be evident as a result of the successful implementation of the proposals.

The proposal would be consistent with the character and density of development already established within this area. The scheme involves the continuance of an existing use with a significant amount of existing infrastructure being improved and reused. A new internal street pattern, much of which is designed to prioritise pedestrian movement will improve pedestrian connectivity, permeability and the quality of public realm, within and through the area.

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 part-newbuild part-refurbished residential-led development on a site with no known significant environmental constraints. Furthermore, the proposals seek to renew an existing use, which will operate at a similar intensity to the status quo. 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

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for DRIVERS JONAS LLP

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Encs: Site Location Plan