3 May 2013
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Dear Sir/Madam

THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2011

PRIOR NOTIFICATION APPLICATION FOR PROPOSED DEMOLITION OF RUGBY MILL, GORSE STREET, CHADDERTON

We write on behalf of The Casey Group and in accordance with the terms of Regulation 5 of the Environmental Impact Assessment (EIA) Regulations 2011 to request an EIA Screening Opinion from Oldham Metropolitan Borough Council with regards to the proposal at the above site.

In compliance with Regulation 5 (2), this Screening Request is accompanied by a site location plan and brief description of the proposal and any possible effect it may have on the environment. The letter concludes that the proposed demolition of Rugby Mill does not constitute EIA development and therefore an Environmental Statement is not required.

Site Location

The building footprint is approximately 0.47ha and the wider site, also owned by The Casey Group but outside the demise of these proposals is approximately 4.36ha in size. The site is located to the south west of Chadderton local centre.

The site is bound to the north by overgrown greenfield land; to the east by a pond, to the south by existing warehouse units and other mill buildings off Gorse Street and to the west by further greenfield land.

The site comprises a four storey former textile mill. It is in significant disrepair and no longer suitable for occupancy and has remained vacant for a prolonged period of time.

Proposed Development

In addition to the submission of this screening request to the Council, a prior notification application for the demolition of Rugby Mill has been submitted to
the Council.

The mill is no longer in use and its demolition is proposed to allow the site to be cleared to provide a cleared site available for future development. At this time no proposals other than demolition have been put forward.

EIA Screening

The proposed development falls within Class 10(b) (Urban Development) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) EIA Regulations 2011, as the site exceeds the 0.5ha threshold.

In order to identify the type and scale of Schedule 2 development which is likely to be a candidate for EIA and, equally, an indication of the type of development for which an EIA is likely to be unnecessary, we refer to Annex A of Circular 02/1999. Annex A of Circular 02/1999 lists criteria to assist in the screening process. The criteria presented in the Circular is only guidance and highlights there is no presumption in favour of an EIA being required should development fall above or below the levels set out.

In regards the Schedule 2 Class 10(b) (Urban Development), paragraph A.19, of the circular advises:

"Development proposed for sites which have not previously been intensively developed are more likely to require EIA if:

- the site area of the scheme is more than 5 hectares; or

- it would provide a total of more than 10,000m² of new commercial floorspace; or

- the development would have significant urbanising effects in a previously non-urbanised area (e.g. a new development of more than 1,000 dwellings)."

Regulation 4(5) of the Regulations states that the 'selection criteria' set out in Schedule 3 should be applied when determining whether Schedule 2 development is EIA development. Local Planning Authorities must take account of the relevant 'selection criteria'. The Schedule 3 selection criteria relates to the 'characteristics of development', the 'location of development', and the 'characteristics of the potential impact' as set out below:

"1. The characteristics of development must be considered having regard, in particular, to—

(a) the size of the development;

(b) the cumulation with other development;

(c) the use of natural resources;"
(d) the production of waste;

(e) pollution and nuisances;

(f) the risk of accidents, having regard in particular to substances or technologies used.

2. The environmental sensitivity of geographical areas likely to be affected by development must be considered, having regard, in particular, to—

(a) the existing land use;

(b) the relative abundance, quality and regenerative capacity of natural resources in the area;

(c) the absorption capacity of the natural environment, paying particular attention to the following areas—

(i) wetlands;

(ii) coastal zones;

(iii) mountain and forest areas;

(iv) nature reserves and parks;

(v) areas designated by Member States pursuant to Council Directive 2009/147/EC on the conservation of wild birds(1) and Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora(2);

(vi) areas in which the environmental quality standards laid down in EU legislation have already been exceeded;

(vii) densely populated areas;

(viii) landscapes of historical, cultural or archaeological significance.

3. The potential significant effects of development must be considered in relation to criteria set out under paragraphs 1 and 2 above, and having regard in particular to—

(a) the extent of the impact (geographical area and size of the affected population);

(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."

**Characteristics of Development**

**Size of development**

The site subject to the proposed demolition works measures approximately 0.55ha, although the wider site owned by the applicant extends to some 4.36ha. No new floor space is proposed as part of the demolition works, with all existing floor space to be removed.

**Accumulation with other developments**

There are no known proposals within the local area which would create a cumulative impact in association with the proposed works.

**Use of natural resources**

In terms of natural resources, as no new development is proposed, the use of natural resources will be limited to energy and fuel.

**Production of waste**

As the proposal comprises the demolition of an existing mill building, there will be large quantities of rubble produced. Some of which will be used to regularise the levels of the site and form hardstanding, the rest will be removed from the site. No development is proposed following the demolition works and as such no waste will be produced moving forward. As such, this should not be considered sufficient as to require an EIA.

**Pollution and nuisances**

Whilst demolition is taking place there will be some increase in noise levels with some potential dust from the site. However the Demolition Method Statement has put in place measures to mitigate this. Additionally the site is not within an Air Quality Management Area and no sensitive land uses are located adjacent to the site. The nearest residential properties are located some 190m away and are separated from the site by existing warehouses and factories.

**Risk of accidents, having regard in particular to substances or technologies used**

Similarly in terms of the risk of accidents, the Demolition Method Statement put forward provides significant information pertaining to health and safety. As such, the site will be secured in a manner which will not result in the increase of accidents.

Furthermore, any other potentially hazardous substances (e.g. asbestos) will be
removed in accordance with statutory guidelines.

Location of Development

Existing land use

The site is located within an area predominately characterised by industrial uses. There are four other existing mill buildings located adjacent to Rugby Mill and a number of more modern industrial buildings in close proximity. Greenfield land is located directly to the north and west of the site, with a sewage works located further north.

The nearest residential properties are located approximately 190m away and further residential properties are located on the opposite side of Broadway.

Rochdale Canal (SSSI) IA located approximately 180m away from the site, however it is separated from the site by a large area of wooded greenfield land.

The relative abundance, quality and regenerative capacity of natural resources in the area

The site is a brownfield site and the mill building is an existing structure which has occupied the site for many years. Its demolition will not impact upon relative abundance, quality and regenerative capacity of natural resources in the area.

Absorption capacity

The site is not occupied and has been vacant for a longer period of time. As such, all services at the site have been disconnected.

The proposal is for a demolition, removing the building, with no proposed further development. As such, any absorption capacity is likely to be minimal to non-existent.

Characteristics of Potential Impact

The extent of the impact (geographical area and size of the affected population)

The extent of the impact of the proposed demolition is localised and can be satisfactorily mitigated against.

The extent of any pollution and nuisance effects identified will be limited to those properties which directly border the site, none of which are recognised as sensitive land uses. The production of rubble will be temporary and as outlined previously will be mitigated through the proposed re-use and removal of materials.

The transfrontier nature of the impact

Transfrontier impacts will be limited to the transportation of material from the
site and the arrival and departure of demolition staff. These movements will result in immaterial effects on the local highway network and be temporary (approximately 12 weeks) in nature.

The magnitude and complexity of the impact

The proposals only relate to the demolition of the existing mill building with the programme anticipated to take 12 weeks to complete. Site operations have been programmed to ensure minimal effects to the local environment, particularly any nearby residents and the SSSI. Any impacts will be limited to the locality and be minor in nature due to the limited time they will take place.

The probability of the impact

The probability of the impact is known, however is limited to the short time period of the demolition programme.

The duration, frequency and reversibility of the impact

Whilst it likely that some air and noise pollution will occur, such impacts are temporary in nature, their duration and frequency has be coordinated in a manner, within the Demolition Method Statement, as to ensure the least disruption to any neighbouring properties and the SSSI.

The demolition of the mill building will remove a derelict vacant building and create a cleared site suitable for development. Whilst the removal of the building will be permanent, any impacts of the demolition will be temporary.

Conclusion

Having examined the three criteria for assessing development proposals in light of the Regulations, it is considered that the proposals do not constitute 'EIA development'.

The proposal for demolition will create a cleared site available for future development. The site is located an adequate distance away from any environmentally sensitive areas.

It is considered that adherence with the controls and mitigation measures identified within the Demolition Method Statement will ensure that no significant environmental effects will occur throughout the temporary course of the demolition works. Similarly as noted throughout this letter, the proposals are temporary and are been programmed in a way as to cause limited impact to both residential properties and to the Rochdale Canal.

The information outlined above and enclosed with this letter is sufficient for the Council to assess the impact of the proposed development and to confirm that it is not EIA development. In accordance with Regulation 5(5) we await notification of the Council's Screening Opinion within three weeks of the date of receipt of this request (03 May 2013). As required by Regulation 4(7)(a), the
Opinion should clearly state the full reasons for the Council’s decision.

We trust that the enclosed is to your satisfaction, however, should you require any further information in support of this matter then please do not hesitate to contact us.

Yours sincerely

Siobhan Sweeney

Enc: Site Location Plan