PLANNING APPLICATION FOR PROPOSED RESIDENTIAL DEVELOPMENT
ROYD MILL, CHAMBER ROAD, OL8 4PT

TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2011

Under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011, "EIA development" means development which is either Schedule 1 development or Schedule 2 development that is likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

Schedule 2 development is development of a type listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 which:-

(a) is located wholly or in part in a 'sensitive area'; or
(b) meets one of the relevant criteria or exceeds one of the relevant thresholds listed in the second column of the table in Schedule 2.

Part 10 ‘Infrastructure Projects’ of the Schedule 2 of the Regulations includes:-

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

Annex A of the Regulations provides an indicative threshold and criteria for identification of Schedule 2 development requiring EIA. Paragraph A18 in respect of urban development projects states:-

“In addition to the physical scale of such developments, particular consideration should be given to the potential increase in traffic, emissions and noise. EIA is unlikely to be required for the redevelopment of land unless the new development is on a significantly greater scale than the previous use, or the types of impact are of a markedly different nature or there is a high level of contamination”.

The threshold for falling within Part 10 is development that exceeds 0.5 hectares.

The site area is approximately 1.05 hectares and so is considered to be Schedule 2 development. A detailed assessment of the proposal in the context of relevant statutory considerations follows.

The question that must be asked is:-

“Would this particular development be likely to have significant effects on the environment?”

1. The starting point to determine whether the development is likely to have significant effects on the environment are found in Schedule 3 of the Regulations. Schedule 3 sets out the ‘selection criteria’, which must be taken into account.

The Secretary of State’s view is that EIA will be needed for Schedule 2 developments in three main types of case:-

1. for major developments which are of more than local importance; and
2. for developments which are proposed for particularly environmentally sensitive or vulnerable locations; and
3. for developments with unusually complex and potentially hazardous environmental effects.

The fundamental test to be applied in each case is whether the particular type of development and its specific impacts are likely, in that particular location, to result in significant effects on the environment.

SCREENING OPINION

The EIA Regulations 2011 Schedule 3 Selection Criteria assist Local Planning Authorities and developers in their consideration of each application to ensure that the characteristics of the development and its location are taken into account. This criterion has been used as a basis on which to determine whether an EIA is required.

The application seeks planning consent for the erection of No. 52 Dwellings. The site area exceeds 0.5 hectares. The application would therefore be classed as an 'urban infrastructure project' falling within Schedule 2 of the EIA regulations.

1. Characteristics of the development

Size of the development

The site is 1.05 hectares. Paragraph A17 of Circular 02/99 states that an EIA is likely to be required if the site area of the new development exceeds 20 hectares. The application site is significantly below this threshold.

Characteristics of development

The application site comprises previously developed land. Access is from Chamber Road on the southern boundary of the site. Existing housing developments bound the north, east, south and west of the site.

The site is currently vacant.

The site is unallocated in the Oldham LDF Joint DPD

Cumulative impact with other development

The surrounding area is predominantly residential. The applicant has submitted a range of documents including layout plans and a design and access statement. These documents will inform the decisions making process in conjunction with the relevant consultees.

The use of natural resources

The proposal will result in the redevelopment of a previously developed site. The proposal will require energy and water but it is not predicted to be sufficiently unusual or complex to warrant an EIA.

The production of waste

A Site Waste Management Plan has been submitted as part of this application. This indicates that of the total construction waste produced it is estimated that just 1% will
go to landfill with 91% of the waste from construction being reused onsite. The proposal is considered sustainable in terms of construction waste management and not considered to warrant an EIA.

**Pollution and Nuisances**

The Council’s Contaminated Land section is currently assessing the Phase 1 & Phase 2 Geo- Environmental reviews submitted as part of this application. Site investigations and remediation will be carried out if required in line with the council’s Contaminated Land SPD.

The Council’s Highway section is currently assessing the impact on highways safety. However given that the site was previously in use as a mill the proposal is not considered to be significantly worse than the previous use.

The Council’s Environmental Health section has been consulted as part of the planning application process and will assess the impact of noise during construction.

Given that the proposal is unlikely to cause any additional impacts to the environment an EIA is not necessary.

**The risk of accidents**

The development is not considered to be unusually complex or potentially hazardous in terms of environmental effects.

Whilst inevitably there are risks during any construction project, it is not considered that these risks will be at an unacceptable level, given the health and safety protocols that will be adhered to.

**2. Location of Development**

**Existing Land Use and natural resources in the area**

The site is currently vacant but was once occupied by a Mill. There are no designated sites in the immediate vicinity and the site is not an environmentally sensitive area as defined by Circular 2/99. EIA not required.

**Absorption capacity of the natural environment**

The EIA regulations states that particular attention should be paid to wetlands; coastal zones; mountain and forest areas; nature reserves or parks; areas designated under EU directives on the conservation of wild birds, natural habitats, flora and fauna; areas in which environmental standards have been exceeded; densely populated areas; or landscapes of historical, cultural or archaeological significance. The site possesses none of these characteristics and is therefore considered to possess sufficient absorption capacity to allow development to proceed.

In addition the site does not fall within or adjacent to any sites of National or Regional importance or within a 2km radius of the site.
3. Characteristics of the potential impact

The impacts associated with the construction phase can be easily controlled by good practice. Any effects will be limited to the site and immediate surrounding area. The scheme has been designed to minimize the impact on existing landscape features and adjacent residential properties. Impacts linked to the construction period will be short term or temporary in nature. The impacts are not considered to warrant an EIA.

Conclusion

I am satisfied that the development would not be likely to have significant effects on the environment by virtue of factors such as nature, size and location. Accordingly the Authority has adopted the opinion that the development does not warrant the submission of an EIA as required by the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

Documents referred to in this opinion:

Town and Country Planning (Environmental Impact Assessment) Regulations 2011
Circular 02/99 Environmental Impact Assessment

Signed: ................................................ Date: 17. March 2014

Mr J Bridgwater
Head of Planning and Infrastructure
SCREENING OPINION OF OLDHAM COUNCIL IN RESPECT OF THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (ENGLAND AND WALES) REGULATIONS 2011 – ERECTION OF 52 DWELLINGS AT ROYD MILL, CHAMBER ROAD, OLDHAM, OL8 4PT

A planning application was received on 25TH February 2014.

It is considered that the proposed development is Schedule 2 development by reason of being an urban development project that exceeds 0.5 hectares in area. However, the Local Planning Authority, having taken into account the criteria set out in Schedule 3 to the 2011 regulations, is of the opinion that the development would not be likely to have significant effects on the environment by virtue of factors such as its nature, size or location. Further details of the Screening Opinion are detailed below.

Under the provision of the requisite Regulations, Oldham Council therefore conclude that the proposal would not require an Environmental Impact Assessment.

Signed: [signature]

Mr J Bridgewater

Dated 17 March '14