

13 April 2015

**Delivered by post**

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**P/15/00565**

Dear Jim

**Proposed residential development, land south of Ashbrook Lane, Abbots Bromley – Request for a Screening Opinion pursuant to Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011**

We write on behalf of our client Hallam Land Management in respect of the proposed residential development on land south of Ashbrook Lane, Abbots Bromley.

Under the terms of Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, we hereby formally request a Screening Opinion from the Council as to whether the proposed development constitutes EIA development as defined in the Regulations, thereby requiring the submission of an Environmental Statement (ES).

In accordance with Regulation 5(2) we enclose a site location plan and set out below a brief description of the nature and purpose of the proposed development and its possible effects on the environment to enable the Council to issue its screening opinion.

**The Site**

The site extends to 4.83 hectares and is located to the south east of the village of Abbots Bromley. The site comprises land to the south of Ashbrook Lane and east of High Street. The site is currently in agricultural use, including a number of agricultural buildings associated with Ashbrook Lane Farm.

**Description of development**

The development proposals are for a residential development of up to 80 dwellings and associated access, landscaping and amenity space. The application will be submitted in outline with all matters except access reserved for later consideration.

It is envisaged that a mix of house types and sizes will be provided on the site, although the exact details will be determined through future reserved matters applications.

9 Colmore Row  
Birmingham  
B3 2BJ

It is proposed that a new access will be created off Ashbrook Lane in the current location of vehicular access to Ashbrook Lane Farm House.

## **Determining whether EIA is required**

In accordance with the EIA regulations it needs to be determined whether the development is:

- Schedule 1 development – in which case EIA is necessary; or
- Schedule 2 development – in which case EIA is necessary if the development is likely to have significant environmental effects.

The proposal does not represent any of the categories of development in Schedule 1 of the Regulations for which EIA is always required. It does, however, fall within the description of development in Schedule 2 of the Regulations; namely Category 10(b) 'Urban Development Projects' and exceeds the site area threshold of 0.5 hectares.

Accordingly, it is necessary to consider whether the development is located in a 'sensitive area' as defined by the Regulations and whether it is likely to have significant environmental effects.

## **Sensitive Area**

The Regulations define sensitive areas as being:

- Sites of Special Scientific Interest;
- National Parks;
- World Heritage Sites;
- Scheduled Ancient Monuments;
- Areas of Outstanding Natural Beauty; and
- Designated European Sites.

## **Potential Significant Effects on the Environment**

Although the site is not located within a 'sensitive area' as set out above, to enable the Council to come to a decision based on robust information, the proposals have been considered against the criteria for a screening Schedule 2 development set out at Schedule 3 of the Regulations.

## **Schedule 3 Selection Criteria**

The Criteria can be broadly summarised as:

1. The characteristics of the development (e.g. its size, use of natural resources, quantities of pollution and waste generated);
2. The location of development (e.g. the existing use and the environmental sensitivity of the location);
3. Characteristics of the potential impacts of development (e.g. extent of any impact, its magnitude and its duration or frequency).

### ***The characteristics of the development***

The proposed development is for a residential development of up to 80 dwellings with access off Ashbrook Lane. Whilst the site is currently undeveloped, it lies at the edge of an established residential area. Having regard to adjacent uses, it is considered that the current proposals would not introduce new or different types of environmental effects to the area.

Residential uses do not result in any significant emissions or waste, and do not involve processes which will introduce new or different types or environmental effects to the area.

All potential impacts of the development which include traffic, ecological, and drainage are discussed below and will be assessed in full as part of the normal planning application process with measures defined, where necessary to mitigate any adverse impacts arising.

The Planning Practice Guidance (PPG) provides indicative screen thresholds and suggests that EIA is more likely to be required if the site area for new development exceeds 5 hectares or results in a development of more than 1000 dwellings.

It is therefore our view that the characteristics of the development will not give rise to any likely significant effects on the environment.

### ***The location of the development***

Schedule 3 of the Regulations indicates that when assessing the environmental sensitivities of an area, particular regard must be had to:

- Existing land use;
- Relative abundance, quality and regenerative capacity of natural resources in the area;
- Absorption capacity of the natural environment.

### **Existing land use**

The existing use of the site is open agricultural land. The surrounding land uses include residential development immediately to the north and west and agricultural land to the east and south. As the site is currently in agricultural use, the majority of the site is not considered to be environmentally sensitive. However, the site contains well established hedgerows along existing field boundaries which may be of nature conservation interest. It is proposed to retain the existing hedgerows wherever possible or provide replacement planting within the proposed landscaping and open space provision on the site.

### **Natural resources**

The proposed development would result in the loss of Grade 3b agricultural land. It is considered that the proposals would not have materially adverse impacts on natural resources in the area and therefore should not require an EIA on that basis.

### **Natural Environment**

Schedule 3 lists a number of natural environments, the absorption capacity of which should be paid particular attention:

- (i) Wetlands – there are no wetlands in the immediately surrounding area
- (ii) Coastal Zones – not applicable
- (iii) Mountain and forest area – not applicable

- (iv) Nature reserves and parks – not applicable
- (v) Classified areas – not applicable
- (vi) Areas where environmental quality standards are exceeded – not applicable
- (vii) Densely populated areas – the site is located adjacent to residential areas and the proposed development will be of a character and density that is in keeping with the pattern and density of surrounding land uses. The characteristics of the likely impact on nearby residential uses are considered further below.
- (viii) Landscapes of historical, cultural or archaeological significance – the site is not within a Conservation Area and there are no listed structures on the site. An archaeological desk based assessment has been carried out which concludes that there are no designated or non-designated heritage assets within the proposed development site and there will be no impact upon any Scheduled Monuments, Registered Parks and Gardens or Registered Battlefields within the wider area. The report indicates that the study site has a low potential for evidence of significant, i.e. non-agricultural, evidence of all periods and it is highly unlikely to contain any significant archaeological remains. A Heritage Assessment has also been undertaken. It considers the impact of the proposed development on Town End Farm house and the Abbots Bromley Conservation Area. The report concludes that the proposals will have less than substantial harm on the setting of Town End Farmhouse and will not have an adverse effect on views to and from the Conservation Area.

***The characteristics of any potential impact***

Schedule 3 of the Regulations requires potentially significant effects to be considered having regard to:

- The extent of the impact (geographical area and size of the affected population)
- Any transfrontier effects
- The magnitude and complexity of the impact
- The probability of impacts
- The duration, frequency and reversibility of the impacts.

We consider that a residential development of up to 80 homes is of a scale which can only be considered to be local in nature. The development is similar in nature to the surrounding uses and will not have any complex, hazardous or significant environmental effects which would mean the site and the area is not suitable for this type of development in environmental terms. There will be no transfrontier effects arising from the development and the nature of effects likely to arise are considered further below.

We consider the following matters to be relevant to the environmental considerations of the proposals and the characteristics of any potential impact on these matters are set out below.

- Landscape;
- Ecology;
- Highways and transportation;

- Archaeology; and
- Flood risk and drainage.

## **Landscape**

The site immediately adjoins the built up area of the village and is bounded by residential uses to the north and west. The proposal will retain and in some cases enhance existing trees and hedgerows along the boundaries of the development providing a soft green edge to the development limiting the impact of the proposals on the character and appearance of the adjoining countryside. It is therefore considered that an appropriately designed scheme is unlikely to give rise to significant effects on the environment.

## **Ecology**

A Phase 1 Ecological Appraisal of the site has been carried out. It acknowledges that there is a European Designated site within 8km of the site – Cannock Chase Special Area of Conservation (SAC). Policy 11 of the East Staffordshire Local Plan refers to the SAC and states that *'development will only be permitted where it can be demonstrated that it will not be likely to lead directly or indirectly to an adverse effect upon the integrity of the Cannock Chase Special Area of Conservation (SAC). All development that results in a net increase in dwellings within 15km of Cannock Chase SAC is likely to have an adverse impact upon the SAC and therefore suitable mitigation proportionate to the significance of the effect will be required.'*

The Appraisal confirms that any residential development at Abbots Bromley should include appropriate/proportionate mitigation to ensure no adverse impacts on the Cannock Chase SAC. These will be agreed with the Local Planning Authority. It is therefore considered that with appropriate mitigation, the proposed development is unlikely to give rise to significant effects on the SAC.

The Appraisal confirms that there are no statutorily designated sites for nature conservation interest within the application site or abutting it. The closest statutory site lies over 1km to the south west – Blithfield Reservoir SSSI. The Appraisal confirms that the application site does not contain any of the habitat for which the SSSI is designated and is considered to be unlikely to be of value to the wildfowl using the SSSI. Given the distance of the site from it and the presence of other similar habitat to the site in the intervening distance, it is considered unlikely that there would be any significant effects from the re-development of the site on this SSSI during or post construction on the designated site or its features of interest.

The site supports no non-statutory designations for nature conservation interest. There are two non statutory designated sites in the vicinity of the site. The report confirms that with appropriate mitigation and the use of best practice techniques the proposed development will not impact upon these sites. The site is not sensitive in ecological terms as it is used for agricultural purposes dominated by sheep grazed grassland and improved and semi improved fields.

The field boundaries are formed by hedgerows. The scheme design will include the retention, where possible, of habitats that are potentially of greater value including the existing hedgerows and trees. In terms of protected species, the site is considered to generally be of low suitability for bats and no great crested newts were recorded in any of the ponds surveyed. No evidence of badgers was found on the site and there are no known setts in the local area. Evidence of otter was recorded in the vicinity of the site and the appraisal recommends that appropriate mitigation be introduced as part of the development to protect any otters which may commute along the river.

The proposed development will incorporate new habitats as part of the wider landscaping scheme, open space and garden areas.

No species have been identified which would prevent development coming forward on the site.

Given the lack of sensitivity of the site and the potential for ecological enhancement through new habitat creation, the proposed development is not expected to have any significant impacts on ecological interests.

## **Highways and transportation**

The development is well located to take advantage of local facilities used by residents on a day-to-day basis, and offers good opportunities for access by alternative modes of transport, including walking, cycling and public transport. The design and layout of the scheme will seek to encourage alternative transport modes and a Travel Plan will be submitted with the application.

Initial highways assessment work has been undertaken and has concluded that the impact of the proposal in traffic and highways terms is not considered to be significant, and can be accommodated within the context of current traffic levels.

Therefore, highways and transport considerations are unlikely to give rise to significant effects on the environment.

## **Archaeology**

As noted earlier, there are no listed buildings, conservation areas or scheduled monuments on the site and there will be no impact upon any Scheduled Monuments, Registered Parks and Gardens or Registered Battlefields within the wider area. An Archaeological Desk based Assessment undertaken for the site indicates that the study site has a low potential for evidence of significant i.e. non-agricultural, evidence of all periods and it is highly unlikely to contain any significant archaeological remains.

## **Flood risk and drainage**

The Environment Agency Flood Map confirms that the large majority of the site lies within Flood Risk Zone 1 and is therefore considered to be at low risk of flooding. Ash Brook runs along the eastern boundary of the site. The brook and a small element of land adjoining it are classed as being within Flood Zone 3. An extract of the Environment Agency Flood Map is provided overleaf. The design of the scheme will avoid any built development being brought forward on land which is deemed as being within Flood Zone 3.

A Flood Risk Assessment has been carried out and demonstrates that the proposed development is at an acceptable level of flood risk, subject to a number of recommended flood mitigation strategies being implemented. The site has been sequentially arranged so that the development falls entirely within Flood Zone 1. The site also lies outside the area at risk of flooding from surface water, tidal, canal, reservoir failure, groundwater and sewers.

The proposals are therefore unlikely to have significant effects in terms of flood risk.

## **Conclusions**

Having regard to the Regulations, it is evident that the proposed development is not a Schedule 1 development, but is considered to fall within those developments listed in Schedule 2 of the Regulations.

The site is not considered to be sensitive, and a review of the characteristics of the site and location indicates that the proposed development is unlikely to have significant effects on the environment. The proposal has similar characteristics to adjacent land uses. Sensitive receptors, including nearby residents, the water and its environment and ecology, are all either not affected by, or can be protected from, adverse effects using standard and commonly employed mitigation techniques.

The effects, which are likely to arise from the proposed development, have been considered and it is concluded that none of the likely effects are considered to be significant enough to warrant EIA. It is our contention that the impact of the proposed development is unlikely to be significant or give rise to any effects of an unusually complex nature. Any effects will be of local significance only and could be addressed in supporting information to accompany the planning application. They do not individually or cumulatively warrant the preparation of an Environmental Statement.

For the reasons set out above, the proposals are not considered to be of a scale or character that would be likely to have significant environmental effects on the environment.

Further assessments will be carried out to fully assess the potential impacts of the proposed development and relevant information will be submitted with the planning application. Normal planning controls and tried and tested mitigation measures can be employed to address any potential impacts.

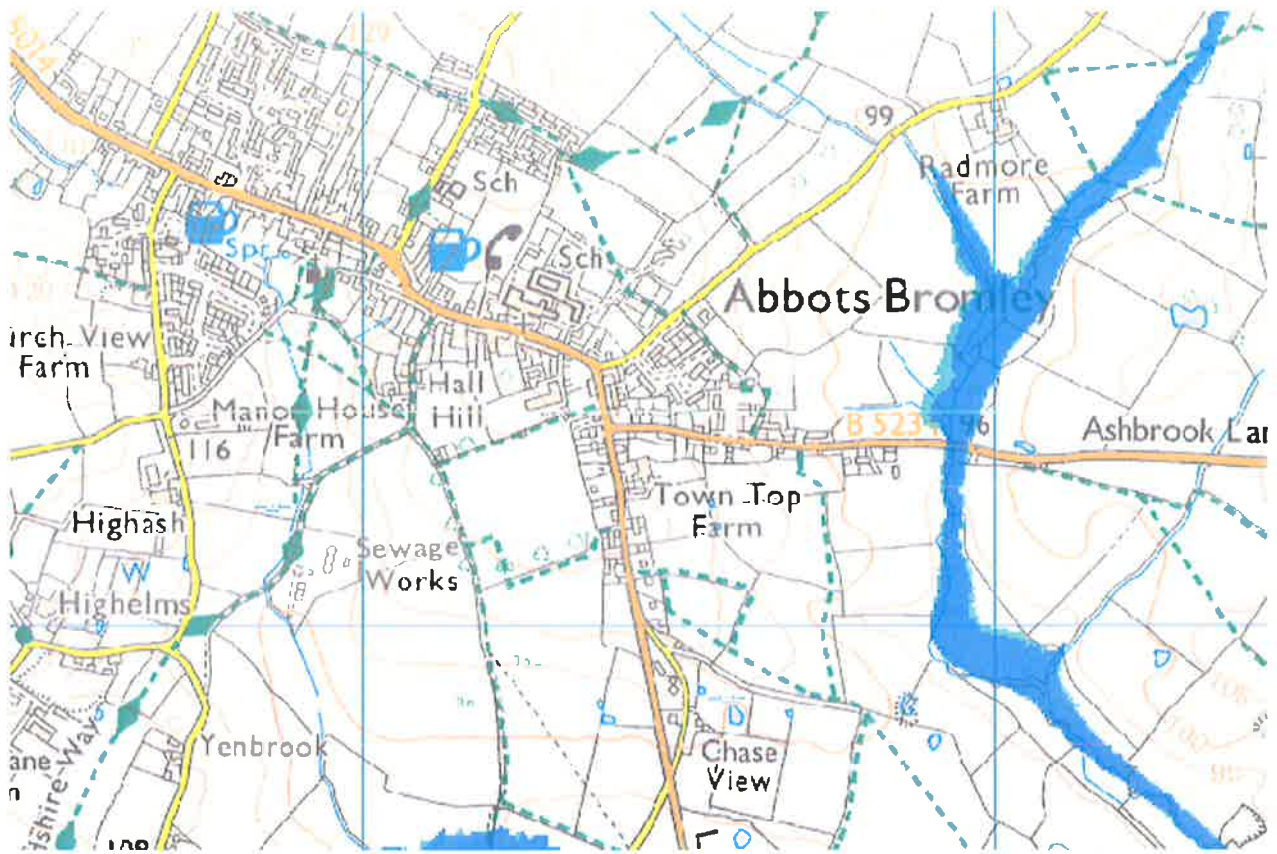
This letter takes into account the construction and operational phases of development. In accordance with Regulation 5(5) we look forward to hearing from you within the statutory period.

If you need any further information or assistance, please do not hesitate to contact myself or Kathryn Young of this office.

Yours Sincerely

Diane Bowers  
**Senior Planner**

## Environment Agency Flood Map for Planning (Rivers and Sea)

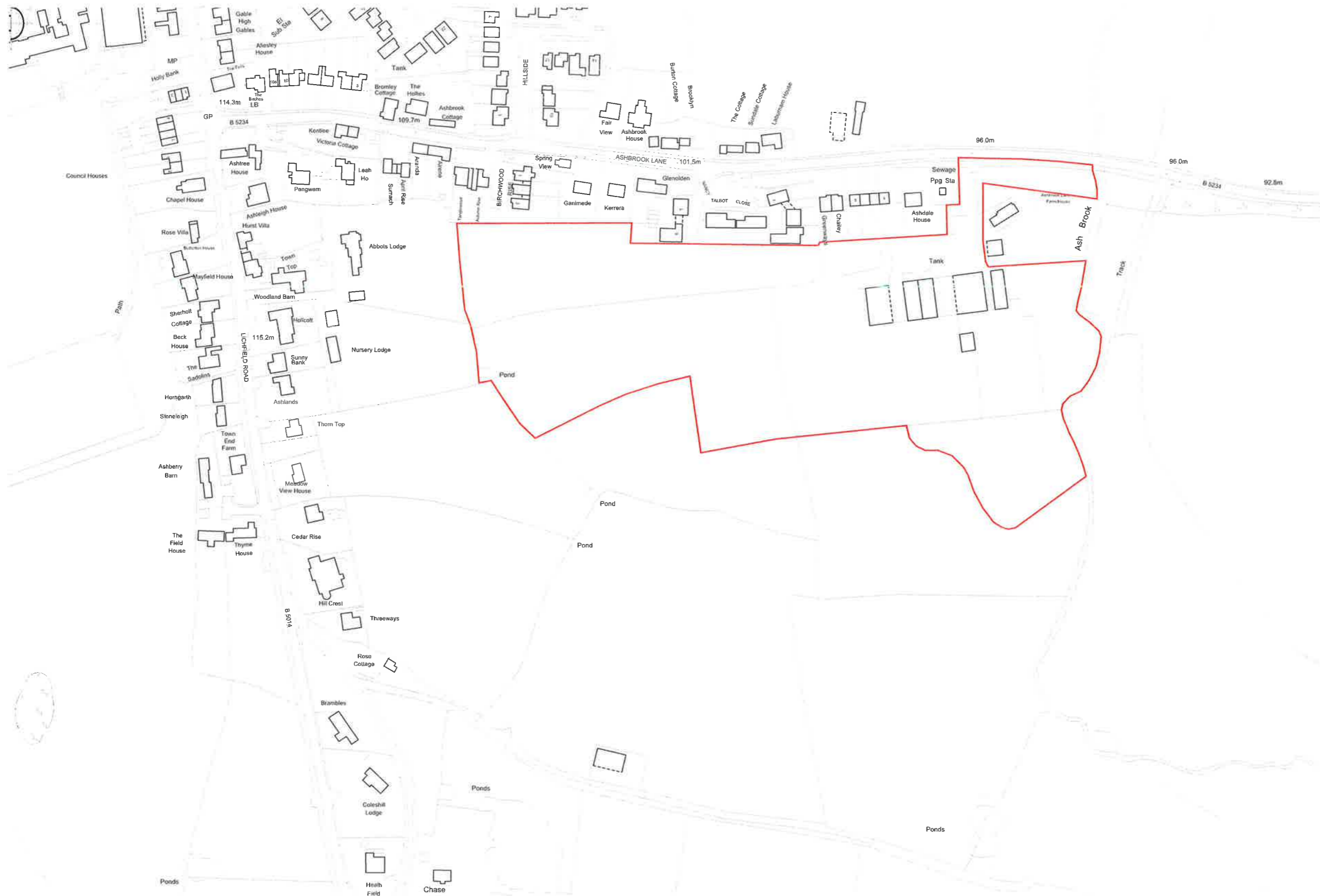


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0 metres 100  
(1:2,500)



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 Site boundary

Client:  
**Hallam Land Management**

Project:  
**Land at Ashbrook Lane,  
Abbotts Bromley**

Drawing:  
**Redline Plan**

Scale:  
**1:2,500 (A3)**

Status:  
**Final**

Project Number:  
**HALQ2007**

Drawing Number:  
**1000**

Date:  
**07/04/2015**

Revision:  
**03**



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