

**Town and Country Planning (Environmental Impact Assessment) Regulations 2011**

**Request for a "Screening Opinion" in respect of the following development:**

**Proposed Development:**

**Erection of a detached factory building together with associated offices, delivery, storage and despatch facilities and associated lorry, visitor car parking, security gatehouse and sprinkler tanks, associated drainage, bunding and structural landscaping**

**Waterloo Farm, Uttoxeter Road, Beamhurst, Uttoxeter, Staffordshire, ST14 5DY**

**Introduction:**

The Council has received a planning application in relation to the above, and is required due to the site area and associated floor-space is required to adopt a screening opinion as to whether the above development is EIA development requiring the submission of an Environmental Statement.

**Schedule 1:**

**Schedule 2:**

The development proposed does not fall within Schedule 1 of the Regulations where an assessment is mandatory. However, the development falls within Schedule 2, Category 4 (f) as facility for the manufacture of motor vehicles. The proposal exceeds the 1000 square metre floor area threshold laid down by the above regulations beyond which an Environmental Statement may be required.

**Town and Country Planning (Environmental Impact Assessment) Regulations 2011:**

In respect of Schedule 2 development, an assessment will only be required if the development is likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

Town and Country Planning (Environmental Impact Assessment) Regulations 2011 require regard to be had to Schedule 3 of the Regulations when considering whether an Assessment should be required.

1. Characteristics of the development – size of the development, cumulative effects with other development, use of natural resources, production of waste, pollution and nuisances, risk of accidents with regard to substances or technologies utilised.

2. Location of the development: the environmental sensitivity of geographical areas likely to be affected must be considered, in particular
- a) the existing land use,
  - b) the relative abundance, quality and regenerative capacity of natural resources,
  - c) the absorption capacity of the natural environment, with particular emphasis 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
    - (vi) where environmental quality standards have been laid down in Community legislation and have been exceeded
    - (vii) densely populated areas
    - (viii) landscapes of historical, cultural or archaeological importance.
3. Characteristics of the potential impact, with regard to :
- a) The extent of the impact
  - b) Transfrontier nature of the impact
  - c) Magnitude and complexity of the impact
  - d) Probability of the impact
  - e) Duration, frequency and reversibility of the impact

**Circular 2/99:**

In respect of Schedule 2 development, an assessment will only be required if the development is likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

Paragraph 33 of Circular 02/99 indicates that the Secretary of State's view is 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 (e.g. wide ranging environmental effects);
- b. for developments which are proposed for particularly environmentally sensitive or vulnerable locations (paragraphs 36-40); and
- c. for developments with unusually complex and potentially hazardous environmental effects.

Circular 02/99 Annex A comments on indicative thresholds and criteria for identifying Schedule 2 development requiring an Environmental Statement. Paragraph A16 states:

New manufacturing or industrial plants of the types listed in the Regulations, may well require EIA if the operational development covers a site of more

than 10 hectares. Smaller developments are more likely to require EIA if they are expected to give rise to significant discharges of waste, emission of pollutants or operational noise.

**Assessment:**

In assessing the proposal in the context of the above, the Council's view is that while the development is of a significant scale, it is a major development of local importance. The site area is 12.7ha of existing agricultural land between the A50 and A522, adjoining the existing JCB World Parts and Heavy Products factories. The site is on the outskirts of the urban area of Uttoxeter and adjoins the hamlet of Beamhurst. The application proposes the following: -

- 32,000m<sup>2</sup> of factory facility building
- 560 associated staff car parking spaces including 12 disabled bays
- 50 associated visitor car parking spaces including 3 disabled bays
- Covered Motorcycle shelter for 21 motorcycle spaces
- Covered cycle shelter for 30 bicycle spaces
- Ecological and aboricultural enhancements

The physical scale of such developments and the potential increase in traffic, emissions and noise are particular considerations. In this instance it is considered that these issues can be adequately covered by the comprehensive documentation submitted with the application and an EIA is therefore unnecessary.

All built development is sited within flood zone 1; however the development has scope to impact on flooding given increased surface water run-off and associated drainage. However any flood related issues will be assessed as part of the application process, and again it is considered that any adverse impacts to be mitigated will be localised in nature.

On the basis of the information available the site does not fall within or near to a 'sensitive' area as described by Regulation 2 of the 2011 Regulations or that any significant environmental effects are likely, having regard to the relative abundance, quality, regenerative capacity and absorption capacity of natural resources and natural environment in the area. Additionally, on the basis of the information provided, it does not appear that there are likely to be any significant environmental effects in terms of use of natural resources, production of waste or risk of accidents.

There are obvious impacts on the landscape and ecology arising from the development most notably the loss of trees and hedgerows and the necessary relocation of a Badger Sett. The impacts of the development however cannot be considered to be of more than local importance.

The Regulations require the cumulative effects of the development to be considered. The existence of the JCB Heavy Products and World Parts

Centre adjoining the site are noted, and the cumulative impacts of these uses are noted and the cumulative impacts of the new factory, associated with the existing units could result in an increase in traffic using the local and strategic highway network, this however is adequately covered by the application documentation and does not merit the need for an EIA.

It is considered that the environmental effects of the development will not add significantly to the current position. The Council is of the view that the development is not likely to have significant effects on the environment in this area, and therefore a formal Environmental Statement will not be required.

**Recommendation:**

**A formal screening opinion be adopted that Environmental Assessment is not required**

**Team Leader/Planning Manager comments:**

**The following decision is made by the undersigned in accordance with powers delegated to the undersigned under the provision of S101 of the Local Government Act 1972.**

**A formal Environmental Statement is not required in respect of the development as proposed.**

**Signature** 

**Planning Manager**

**Date** 31<sup>st</sup> January 2014