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24th March 2020

Dear Sir/Madam,

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

Request for a Screening Opinion Pursuant to Regulation 6 **Land off Hempsted Lane, Gloucester**

We refer to land off Hempsted Lane, Gloucester ('the site') and formally request the adoption of a screening opinion pursuant to Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

In accordance with Regulation 6(2)(a) of the Environmental Impact Assessment (EIA) Regulations, we enclose a Location Plan (ref. GM10710-020).

Site location and description

The Site is 12.22 ha and is located off Hempsted Lane, Gloucester. The Site is situated immediately south of the village of Hempsted, approximately 1.5km to the south west of Gloucester City centre and the River Severn passes at a short distance to the west. The Site comprises of three arable fields, bordered by hedgerows. To the north is Hempsted Lane and residential development. To the south-east is the A430 highway and to the south-west and west are agricultural fields.

Development proposals

In accordance with Regulation 6(2)(b)(i), set out below is "*a description of the physical characteristics of the development and, where relevant, of demolition works*".

Outline planning permission, with all matters reserved except for access, will be sought for a proposed development comprising:

- Up to 250 residential (Class C3) dwellings, including 20% affordable housing;
- Access from Hempsted Lane;
- Public open space, including landscape planting, trim trail and play facilities;
- Engineering works to facilitate a sustainable drainage system (SuDS).

The proposed development would deliver a range of market and affordable housing types, with open space provided in the form of dedicated private and shared amenity space. Residential buildings will comprise a range of types and tenures, accessed via a hierarchy of estate roads and private drives.

The site could be brought forward for development quickly as no major infrastructure is required to facilitate development of the scale proposed.

Determining whether Environmental Impact Assessment (EIA) is required

Schedule 1 Development

The proposed development does not meet any of the categories of development in Schedule 1 of the EIA Regulations for which EIA is mandatory.

Schedule 2 Development

The proposed development falls within Category 10(b) of Schedule 2 of the EIA Regulations 'Urban Development Projects' as the overall area of the development exceeds 5 hectares and includes more than 150 dwellings.

Accordingly, it must be determined whether the site is located within a "sensitive area" as defined by the EIA Regulations 2(1) or meets the applicable thresholds and criteria.

Sensitive Areas

Having consulted the Multi-Agency Geographic Information for the Countryside (MAGIC) website¹ and Local Plan proposals map, it is confirmed that the site is not located within any of the "sensitive areas" as defined in the EIA Regulations, namely:

- (a) land notified under section 28(1) (sites of special scientific interest) of the Wildlife and Countryside Act 1981;
- (b) a National Park within the meaning of the National Parks and Access to the Countryside Act 1949;

¹ <http://www.magic.gov.uk/MagicMap.aspx> (last accessed 21/10/2019)

- (c) the Broads;
- (d) a property appearing on the World Heritage List kept under article 11(2) of the 1972 UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage;
- (e) a scheduled monument within the meaning of the Ancient Monuments and Archaeological Areas Act 1979;
- (f) an area of outstanding natural beauty designated as such by an order made by Natural England under section 82(1) (areas of outstanding natural beauty) of the Countryside and Rights of Way Act 2000(f) as confirmed by the Secretary of State;

Thresholds and criteria

The proposed development does meet the applicable thresholds and criteria set out for urban development projects as the overall area of the development exceeds 5 hectares and includes more than 150 dwellings.

In accordance with Regulation 5(4) of the EIA Regulations and paragraph 018 (Ref ID: 4-018-20170728) of the Planning Practice Guidance (PPG), the proposed development is therefore considered below against the selection criteria set out in Schedule 3 of the EIA regulations and having regard to the indicative screening thresholds in PPG paragraph 058 (Ref ID: 4-058-20150326).

PPG paragraph 018 makes clear that not all of the criteria will be relevant and each case should be considered on its merits in a balanced way. It does, however, state that *"only a very small proportion of Schedule 2 development will require an Environmental Impact Assessment"*.

The indicative screening thresholds have been produced to assist local planning authorities in determining whether a project is likely to have significant environmental effects. PPG sets out indicative screening thresholds in the table at paragraph 058. For sites which have not previously been intensively developed, the criteria and thresholds are:

- i. An area more than 5 hectares – this is applicable as the site is approximately 12.22 hectares;
- ii. More than 10,000 square metres of new commercial floorspace – not applicable in this case;
- iii. The development would have significant urbanising effects in a previously non-urbanised area (e.g. a new development of more than 1,000 dwellings) – not applicable because the proposed development is adjacent to an urbanised location, will not introduce new land uses to the area and is significantly below the 1,000-dwelling indicative threshold.

Schedule 3 Selection Criteria

Schedule 3 of the EIA Regulations provides a selection-criteria for screening Schedule 2 development, which includes three broad categories: the characteristics of the development; location of the development; and the characteristics of the potential impacts.

In considering the likelihood of effects arising, we consider it is appropriate at the screening stage to consider the potential effectiveness of mitigation measures and the likelihood that mitigation can result in an effect not being considered to be significant.

The characteristics of the development

The proposed development is for a residential development of up to 250 dwellings. Whilst the site is currently undeveloped, it is adjacent to Hempsted and the built up area boundary of Gloucester City. The proposal would not, therefore, introduce new or different types of environmental effects to the area.

With regards to potential cumulative impacts with other developments, there is 1 major developments pending in Hempsted which is for 33 dwellings (app ref: 19/00068/FUL) . Gladman does not consider that other major applications would result in cumulative impacts that should require an EIA.

Natural resources would be used during construction and operational phases. Significant effects are unlikely given the scale of the proposed development, which would be built and operated in line with current legislation and sustainability policy. Waste from general demolition and construction is expected but efforts to minimise and reduce this would accord with legislation and best practice.

Residential uses do not result in any significant emissions or waste and do not involve processes that would introduce new pollutants, significant noise or any hazardous materials to the area. Similarly, it is not anticipated that there will be a high risk of major accidents or disasters from the development concerned, nor risk to human health from the development. It is therefore our view that the characteristics of the development would not give rise to any likely significant effects on the environment.

Location of development

The site measures approximately 12.22 hectares in size and is located to the south of Hempsted Lane. The site is generally well contained by existing development, boundary hedgerows. The site is bound roads on the eastern and western boundaries the A430 carriage way and Rea Lane, additionally to the south the site borders a watercourse. The site is within walking and cycling distance of a range of services and facilities in Hempsted and has good access to public transport services to Gloucester City Centre.

Schedule 3 (2) of the Regulations indicate that when assessing the environmental sensitivity of an area, particular regard must be had to:

- (a) Existing and approved land use;

(b) Relative abundance, quality and regenerative capacity of natural resources; and

(c) Absorption capacity of the natural environment.

The proposed development would also consider the existing urban character near the site, to ensure that it can be suitably integrated. The site is not considered to be particularly sensitive given the proposed scheme would be compatible with the neighbouring uses. Through management of the construction process, no significant effects on the environment would arise.

Schedule 3 outlines that the absorption capacity of particular areas of the natural environment should be considered; these are outlined below, with commentary:

- i. Wetlands – not applicable.
- ii. Coastal zones – not applicable.
- iii. Mountain and forest area – not applicable.
- iv. Nature reserves and parks – not applicable.
- v. European sites and other areas classified or protected under national legislation – The Cotswold Beechwoods are a designated Special Area of Conservation (SAC).
- vi. Areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the project, or in which it is considered that there is such a failure – not applicable.
- vii. Densely populated areas – potentially applicable. The site borders Gloucester City Council built up area boundary and the proposed development would be of a character and density that is in keeping with the pattern and density of the surrounding land uses and which would not adversely affect the capacity of the urban area surrounding it. The characteristics of likely effects on nearby residential uses is considered further below.
- viii. Landscapes of historical, cultural or archaeological significance – not applicable. The site is not within a conservation area and there are no listed structures on the site. There is nothing intrinsically important or special about the quality of the landscape on or surrounding the site in historical or archaeological terms.

European Sites – The Cotswold Beechwoods SAC

The Cotswold Beechwoods are designated a Special Area of Conservation (SAC) in accordance with the EU Habitats Directive as transposed in the UK through the Conservation of Habitats and Species Regulations 2017 (as amended; Regulation 11). The SAC covers an area of approximately 586 hectares

(ha) and comprises several woodland blocks located to the southeast of Gloucester. The woodland is located on the sloping edge of the Cotswold escarpment. The site(s) is also notified at a national level as the Cotswolds Commons and Beechwoods Site of Special Scientific Interest (SSSI).

When the development proposals are considered alone they are not likely to have any direct significant effects on the Cotswold Beechwoods SAC, owing to the distance of separation, approximately 8km, and the absence of ecological linkages by which impacts resulting from activity within the Application Site could be transmitted to the SAC.

Robins Wood Hill Quarry SSSI

Robin's Wood Hill Quarry provides the best inland section of Lower Jurassic, Middle Lias strata in Britain; a complete section of the Upper Pliensbachian Stage is present.

Types and characteristics of the potential impact

Schedule 3 of the Regulations requires that particular regard should be had to:

- (a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);
- (b) the nature of the impact;
- (c) the transboundary nature of the impact;
- (d) the intensity and complexity of the impact;
- (e) the probability of the impact;
- (f) the expected onset, duration, frequency and reversibility of the impact;
- (g) the cumulation of the impact with the impact of other existing and/or approved development;
- (h) the possibility of effectively reducing the impact.

It is envisaged that any impacts from the development would be local in extent. The proposed development is similar in nature to surrounding land uses and would not have any complex, hazardous or significant environmental effects that would suggest, in environmental terms, that the area is not suitable for this type of development. There would be no trans-boundary effects arising from the proposed development.

The impact of the development in combination with other development

With regard to the potential cumulative impacts with other developments, local planning authorities should have regard to the possible cumulative effects with any existing or approved development. There are occasions where the existence of other development may be particularly relevant in determining whether significant effects are likely, or even where more than one application for development should be considered together to determine whether or not EIA is required.

The nature of the impact

The following matters are considered to be relevant to the environmental considerations of the proposed development, and the characteristics of any potential impact on these matters is set out below.

Potential increases in traffic, emissions and noise are set out first, as key issues to consider in accordance with the indicative screening thresholds within PPG paragraph 058:

- **Highways and transportation:** Taking into account the scale of the proposed development, it is not considered that the impacts of the proposal in traffic, transport and highways terms would be significant. Whilst the development will generate additional vehicular traffic, any required mitigation could be provided through the inclusion of standard conditions or planning obligations. The site occupies a sustainable location being within walking and cycling distance of shops, local schools, services and community facilities. The area is not sensitive to traffic-borne pollution and no significant effect is likely.
- **Noise and vibration:** Construction phases would likely result in noise and vibration from works and construction traffic at the closest sensitive receptors. The effects during the construction phase will be temporary and typical of construction sites and will cease once construction ends. Noise emissions can be controlled through an appropriate condition as is standard practice and other best practice measures, including restricted hours of working and proper maintenance of plant and machinery, would assist with ensuring that construction stage noise would not cause a nuisance. Once operational there would be some noise from residents and users but the proposed development is not of a scale or nature that would be out of keeping with an urban location.
- **Emissions:** During the construction phase, there would be the potential for dust generation but this could be managed in accordance with best practice measures to avoid or mitigate impacts on surrounding receptors. Details regarding potential contamination are dealt with above.
- **Arboriculture:** There are a number of trees and hedgerows around the periphery of the site, which, where possible, would be retained as part of the development. Any losses, such as breaches to allow vehicular access to the site, would be mitigated through new hedgerow and tree planting.
- **Archaeology and built heritage:** There are no known archaeological or heritage assets on the site. An initial assessment has concluded that neither issues relating to built heritage nor below-ground archaeology would be a major constraint to the development of the site.

- **Flood risk and drainage:** The Government's flood map for planning confirms that the majority of the site lies within Flood Zone 1 with a swathe of land along the watercourse to the south west is within Flood Zone 2. A site wide drainage system, utilising existing ditches and creating new ditches around the perimeter of the site, will be utilised to ensure that run-off rates and discharge were limited to the existing rates, with an allowance for climate change. As a matter of course, a Flood Risk Assessment will be submitted as part of the outline planning application
- **Air quality:** The site is neither within nor adjacent to an Air Quality Management Area (AQMA). A review of the DEFRA website² shows that there are currently three AQMA's declared within the Gloucester City Council District. The first is Barton Street AQMA which is an area encompassing Barton Street AQMA, Gloucester from its junction with Trier Way/Bruton Way to the north west and Upton Street to the south east. The second Priory Road AQMA an area encompassing the junction of St Oswalds Road and Priory Road. And finally, Painswick Road AQMA which is an area encompassing a number of properties on either side of Painswick Road, Gloucester. A full Air Quality Assessment will be carried out and a comprehensive report will be submitted with the planning application. It is considered that the site's sustainable location would facilitate a reduction in future emissions, while mitigation measures would control emissions during the construction and operational phases of the development.
- **Sustainability / energy:** The proposed dwellings would deliver high levels of energy efficiency, in accordance with building regulations and the requirements of the development plan.
- **Ecology:** The site comprises three arable field compartment which is of limited ecological value. There are no statutory or non-statutory designations for nature conservation on land affected by the proposed development. The site would provide new and extensive areas of public open space, including informal recreation routes and therefore undue recreational pressure is not expected from development at this location. On-site provision of open space would work to reduce the impacts of the proposed development, including ensuring that there would not be a significant effect on nearby designated ecological sites, either alone or in combination with other developments.

Having reviewed these environmental considerations, Gladman do not consider that any of the potential impacts are significant to warrant EIA.

Conclusion

It is evident that the proposal is not a Schedule 1 development but falls under Schedule 2 as the site is over the 5ha threshold. Having regard to the above consideration of the relevant criteria and thresholds set out and explained within Schedule 3 of the EIA Regulations and PPG, we conclude that:

² https://uk-air.defra.gov.uk/aqma/details?aqma_ref=172.


- The proposed development is only of local importance;
- The site and its environs are not environmentally sensitive or vulnerable; and
- There would be no unusually complex or potentially hazardous environmental effects arising from the demolition, construction or operational phases of the proposed development.

The characteristics of the proposed development would be very similar to adjacent land uses and receptors, including nearby residents, and the environments are either not affected by, or can be protected from, adverse effects through the implementation of commonly employed mitigation techniques. It is considered that the mitigation and avoidance measures proposed would ensure that there would be no adverse effects on any statutory designated sites. We will provide comprehensive, specialist environmental reports and assessments with the outline planning application, to satisfy the requirements of the Council and statutory consultees.

This consideration of the proposed development against the EIA Regulations has determined that it is unlikely to result in significant effects on the environment and it is the opinion of the applicant that an EIA is not required. We therefore invite Gloucester City Council to adopt a screening opinion to confirm that no Environmental Statement is required.

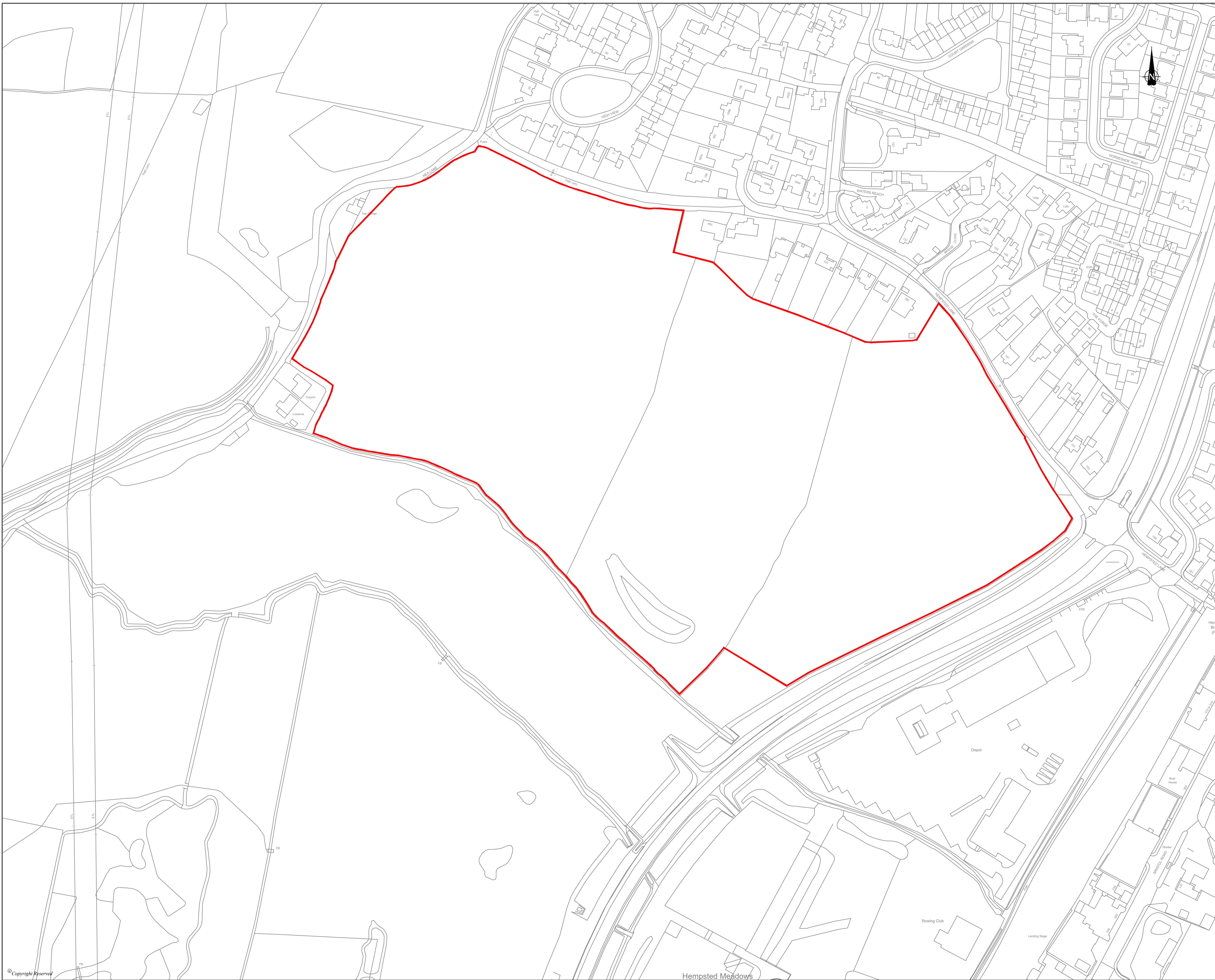
We look forward to hearing from you within the statutory 21-day period, in accordance with EIA Regulation 6(6). When replying, we would be grateful if you would confirm that you have the necessary authority to do so on behalf of Gloucester City Council and provide a summary of your reasons. Should you require any further information or clarification, please do not hesitate to contact us.

Yours faithfully,

A solid black rectangular box used to redact the signature of the sender.

Enclosed: Location Plan (ref. GM10710-020)

DO NOT SCALE FROM THIS DRAWING



REVISION	DETAILS	DATE	DRAWN	CHECKED	APPROVED

CLIENT
GLADMAN DEVELOPMENTS

PROJECT
HEMPSTED LANE, GLOUCESTER

DRAWING TITLE
LOCATION PLAN

DRG No. **GM10710-020** REV. **-**

DRG SIZE **A1** SCALE **1:1250** DATE **04.02.2020**

DRAWN BY **YK** CHECKED BY **KMS** APPROVED BY **KMS**

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