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Our Ref: 18/00062/SO

22nd August 2018

Dear Sirs

Application Ref **18/00062/SO**

Location **Land Opposite Hanwell Fields Recreation Adjacent to Dukes Meadow Drive, Banbury**

Proposal **Screening Opinion – Proposed Development of up to 400 Dwellings**

I write with regard to the above application, received on 8th August 2018, which represented a formal request for a Screening Opinion under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, as to whether the proposal set out in your submission requires an Environmental Impact Assessment (EIA). This letter constitutes a Screening Opinion of the Local Planning Authority of the proposed development under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Summary of Determination

The Local Planning Authority considers that the proposal is Schedule 2 development by virtue of the proposed development being an Infrastructure Project (Schedule 2, section 10(b) urban development projects greater than 5ha and more than 150 dwellings). For the development to be considered an EIA development, it would be likely to have significant effects on the environment by virtue of factors such as its nature, size or location. The Local Planning Authority considers that the proposal in combination with other developments in the locality **is likely** to have significant environmental effects for the purposes of the EIA Regulations and that the proposal **is therefore EIA Development** and **does require** an Environmental Statement to be submitted for the reasons set out below.

Reasons for Determination

In determining whether the proposal is likely to constitute EIA development, consideration has been given to the selection criteria for screening Schedule 2 developments in Schedule 3 of the Regulations 2017. Government guidance relating to EIA as set out in the Planning Practice Guidance (PPG) is also a material consideration and has been taken into account. As specified above, the proposals exceeds the thresholds and criteria in column 2 of the table.

The aim of EIA is to protect the environment by assessing whether or not a project is likely to have any significant effects on the environment, either individually or cumulatively in conjunction with

other proposals. The Regulations advise that EIA is only likely to apply to a small number of projects.

The site extends to approximately 19.5ha of agricultural land, which lies to the north of Dukes Meadow Drive and the existing Hanwell Fields development and is currently open countryside. Two public footpaths cross the western edges of the site; FP 120/107/20 and 120/107/30.

The proposal seeks to develop the site with up to 400 dwellings with associated infrastructure, open space and landscaping. An assessment of the sites' planning constraints has revealed that the site is within close proximity to Neithrop Fields Cutting SSSI site, and there are records of Eurasian Badgers a legally protected species in the locality and further your assessment of site has identified ragged robin and common frog also protected and notable species within the site. There is also a record of naturally occurring Arsenic Chromium Nickel within the site along with a minor aquifer. The site is grades 2 and 3 agricultural land. When viewed alone, the development would be a relatively small proposal on agricultural land although it would have landscape and visual impacts, lead to increase in traffic which may affect air quality and have impacts upon the existing biodiversity on the site. However, based on the scale of the development and the fact that it is not located within a sensitive area, the proposal on its own merits would be unlikely to have significant impacts beyond localised impacts that would result in the development being considered EIA development.

Schedule 3 of the Regulations makes it clear that the size of the proposed development and its consequent potential impact however, must also be considered cumulatively with other development. In this respect the PPG states in ID: 4-024-20140306 that 'local planning authorities should always have regard to the possible cumulative effects arising from any existing or approved development'.

The Local Planning Authority also considers, that the net effect of the impacts of the development which is not on a site allocated for development in the adopted Cherwell Local Plan 2011-2031, considered cumulatively, with approved development in the immediate locality, notably the strategic allocations at Policy Banbury 5, North of Hanwell Fields, Policy Banbury 2, Southam Road, Banbury and Policy Banbury 18 at Drayton Lodge Farm, Banbury, will have significant environmental impact on the locality, in particular in respect of loss of natural resources, this being grades 2 and 3 agricultural land, biodiversity, landscape impact, urbanising impact and traffic impact. This will lead to a large change in environmental conditions over a larger area. The Local Planning Authority therefore agrees with your assessment that the cumulative impacts are sufficient to warrant an EIA.

This opinion has been made by an appropriately authorised officer at the Local Planning Authority. In accordance with the 2017 Regulations, a copy of this screening opinion has been placed on the Planning Register.

If you have any further queries, please contact the Case Officer Linda Griffiths (Principal Planning Officer).

Yours sincerely

R Duxbury
For Assistant Director for Planning Policy and Development