

Planning and Development

David Peckford, Assistant Director – Planning and Development



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Please ask for: **James Kirkham**

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Your Ref:

9th December 2019

Dear Sir/ Madam

TOWN AND COUNTRY PLANNING ACT 1990

Application No.: 19/02596/SO

Applicant's Name: JPPC

Proposal: Screening Opinion to 19/00185/PREAPP - Redevelopment of site in same uses (B1, B2 and B8 use and a community use)

Location: Hatch End Old Poultry Farm
Steeple Aston Road
Middle Aston
Bicester
OX25 5QL

Parish(es): Middle Aston

I write in relation to your Screening Opinion registered on 18th November 2019 regarding the above proposal. This represents 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 agrees with your assessment that the proposal falls under Schedule 2, Section 10 (a) "Industrial estate development projects". The site area would exceed the applicable threshold (0.5ha) in column 2 of Schedule 2 but the development is not within a 'sensitive area'.

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. In determining whether the proposals are likely to constitute EIA development, regard has been had to the criteria set out in Schedule 3 of the EIA Regulations 2017. Government guidance relating to EIA as set out in the Planning

Practice Guidance (PPG) is also material and has been taken into account. The Local Planning Authority considers that the proposal is unlikely to have significant environmental effects for the purposes of the EIA Regulations and that the proposal is therefore **not** EIA Development. An Environmental Statement is not required to be submitted with a future planning application for these proposals for the reasons set out below.

Reasons for Determination

Constraints

The site itself is not within a sensitive area as defined by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, although in terms of site constraints it is located within the setting of the Steeple Aston Conservation Area.

Proposal

The proposal to which this screening opinion relates to the redevelopment of the site for B1 uses and a community use. The new buildings will provide a total GIA of approximately 3,170sqm.

Appraisal

The proposed development does not fall under Schedule 1 development but is considered to fall under Section 10(a) of Schedule 2 of the Regulations which relates to 'industrial estate development projects' and it does exceed the associated threshold of 0.5ha in column 2 for this type of development.

In considering proposals for EIA development, an assessment as to whether the proposal will be 'likely to have significant effects on the environment' needs to be made having regard to the indicative criteria and thresholds set out in the PPG. The development is not within a 'sensitive area' as defined in the regulations (AONB, National Park etc.) and does not exceed the indicative threshold of 20 hectares in Column 3 of the Annex to the PPG. However, this on its own does not mean that the proposal is or is not EIA development and it should still be assessed in relation to Schedule 3 of the Regulations.

Schedule 3 of the Regulations requires the proposal to have regard to the 1) characteristics of the development, 2) the location of the development and 3) the type and characteristics of the potential impact.

Whilst the proposal will be relatively sizable in its context it replaces existing buildings and utilising previously developed land. It is not considered to give rise to significant issues relating to the use of natural resources, production of waste, pollution or risk of accidents or risks to human health.

There are a number of constraints affecting the site as set out above raising issues such as impacts on heritage assets, ecological impacts, landscaping and visual impacts. The proposal will also generate its own impacts such as traffic, noise and air quality. However, these impacts can all be addressed through the submission and assessment of specific reports through the normal planning and consultation process and are not considered to give rise to significant environmental impacts warranting the submission of an Environmental Statement.

Schedule 3 makes it clear that the size of the proposed development and its consequent potential impact needs to 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. There could also be circumstances where two or more applications for development should be considered together.....where the overall combined environmental impact of the proposals might be greater or have different effects than the sum of their separate parts".

It is not considered that there are any significant cumulative impacts in this case.

In conclusion, the development is listed in Schedule 2 of the Regulations but I am of the opinion that due to the scale of development, the site characteristics, its location and context and the nature of the development, the proposal is unlikely to give rise to significant environmental effects and hence an EIA is not required in this instance.

In reaching this opinion the Local Planning Authority has considered the factors above, the criteria to Schedule 3 to the EIA Regulations 2017 (as amended) and the Planning Practice Guidance together with the thresholds and criteria set out in the Annex.

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 questions or queries regarding the above please contact the Case Officer using the details provided above.

Yours faithfully

Assistant Director – Planning and Development