



Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

CHERWELL DISTRICT COUNCIL SCREENING OPINION

*TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)
REGULATIONS 2017*

Site D And E, Graven Hill, Circular Road, Ambrosden (20/02345/LDO)

This statement constitutes Cherwell District Council's Screening Opinion in respect of its proposal to make a Local Development Order granting planning permission for the erection of up to 276 dwellings and associated outbuildings (Phase 1 reserved matters approval pursuant to 11/01494/OUT as varied by way of a Section 73 application ref: 19/00937/OUT). This Screening Opinion is made in accordance with Regulations 32 and 6(6) of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 – hereafter referred to as the EIA Regulations.

The draft Local Development Order is not a subsequent application and so cannot be assessed as such under Regulation 9 of the EIA Regulations. Nevertheless, it proposes granting planning permission for development that already benefits from outline planning permission under application ref: 11/01494/OUT as varied by way of a Section 73 application ref: 19/00937/OUT.

The development permitted under application ref: 11/01494/OUT as varied by way of application ref: 19/00937/OUT is an urban development project including the development of up to 1900 homes. It is EIA development under criteria 10(b) of Schedule 2 to the EIA Regulations, and the application for outline planning permission was accompanied by an Environmental Statement. An earlier variation (18/00325/OUT) was also accompanied by an Addendum to the Environmental Statement. The draft Local Development Order proposes granting planning permission for the erection or construction of up to 276 dwellings and associated outbuildings pursuant to the outline planning permission. The transport and open space infrastructure required to serve those dwellings is not included in the draft Order, and so approval of these matters would remain subject to conditions applications and reserved matters applications pursuant to the outline planning permission.

Planning Practice Guidance in respect of Environmental Impact Assessment provides indicative criteria and thresholds for assessing whether proposed development is likely to give rise to significant environmental effects. In respect of Urban development projects, the development proposed by the draft Local Development Order exceeds the threshold of 150 dwellings specified in Schedule 2 to the EIA Regulations. However the indicative criteria and thresholds suggest that Environmental Impact Assessment is unlikely to be required for the redevelopment of land: *unless the new development is on a significantly greater scale than the previous use, or the types of impact are of a markedly different nature or there is a high level of contamination*. Furthermore in respect of sites which have not previously been developed it suggests that Environmental Impact Assessment is more likely to be required for: *development that would have significant urbanising effects in a previously non-urbanised area (e.g. a new development of more than 1,000 dwellings)*.

The development that would be permitted by the draft Local Development Order is significantly below the indicative threshold of 1,000 dwellings and involves the redevelopment of part of an MoD logistics base. The development is not considered to be materially different in scale or use to that which is permitted by the outline planning permission, and is not considered to give rise to materially different or significantly greater impacts than the approved development. As such, and given that the effect of the draft Order would be to grant detailed permission for up to 276 dwellings pursuant to the outline planning permission, the draft Order is not considered to give rise to significant environmental effects above and beyond those which have already been assessed in the outline planning application.

Planning Practice Guidance in respect of Environmental Impact Assessment states that: *Where a consent procedure involves more than one stage (termed a 'multi-stage consent'), for example, a first stage involving a principal decision (such as an outline planning permission) and the other an implementing decision (such as reserved matters), the likely significant effects of a project on the environment should be identified and assessed at the time of the procedure relating to the principal decision.* This being the case, and having regard to the conclusions in the preceding paragraph, the Environmental Statement submitted to support the outline planning application 11/01494/OUT and the addendum supporting 18/00325/OUT are considered adequate to assess the environmental effects of the development that would be permitted by the draft Local Development Order, and a new Environment Impact Assessment is not required.

The environmental information submitted with the outline planning application 11/01494/OUT and the addendum submitted with 18/00325/OUT will be taken into consideration by Cherwell District Council in determining whether to adopt the draft Local Development Order (Third Revision) 2020.

Signed: Caroline Ford

pp. David Peckford – Assistant Director Planning and Development

Dated: 16.10.2020