

Our ref: MP/SR/ST19258/SD-001

Date: 8th February 2022

Your ref:

Department for Levelling Up, Housing & Communities
Planning Casework Unit
4th Floor
23 Stephenson Street
Birmingham
B2 4BH

Dear Sirs,

Town & Country Planning (EIA) Regulations 2017

**Request for Screening Direction on behalf of: Richborough Estates and Lone Star Land Ltd
in relation to Cherwell District Council Screening Opinion (Reference 21/04193/SO)**

We write in relation to the EIA Screening Opinion (enclosed) in respect of an outline planning application for the construction of up to 230 new residential dwellings at land north of Camp Road, Upper Heyford (reference 21/04193/SO) submitted to Cherwell District Council (CDC) as the relevant planning authority on behalf of Richborough Estates and Lone Star Land Ltd (the Applicant).

CDC concluded within their Screening Opinion that *“the proposed development cumulatively with other surrounding developments is likely to have significant effects on the environment and therefore Environmental Impact Assessment is required, and an Environmental Statement is required to be submitted with any future planning application.”* However, we disagree with this conclusion and consider that an EIA is not required.

Under 5(6) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (S.I. 2017/571) ("the 2017 Regulations") we would request the Secretary of State's screening direction on the matter of whether or not the development proposed is 'EIA development' within the meaning of the 2017 Regulations.

The following letter sets out the grounds on which we make this request.



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The Proposals

The proposals fall within Schedule 2, section 10(b) of the EIA Regulations. The development is proposed to include 230 dwellings on a site of 11.69ha, as such the applicable thresholds in column 2 of Schedule 2 are exceeded and the development must be considered against Schedule 3 criteria.

The Screening Opinion Request (Walsingham Planning, 17th December 2021, enclosed) concludes that an EIA is not required. CDC's Screening Opinion states that *"based on the scale of the development and the fact that the site is not within an overly sensitive area, the Local Planning Authority would agree that the proposal, if viewed independently, would be unlikely to have significant impacts"*.

Further to the above, the environmental assessments referenced within the Screening Opinion Request have now been undertaken, all of which conclude that environmental impact from the development would be negligible providing relevant suggested mitigation be implemented.

As such, the requirement for EIA relies solely on potential cumulative effects, as set out below.

Cumulation with other development

CDC's Screening Opinion has requested an EIA on the basis of potentially significant environmental effects cumulatively with developments which form part of the Cherwell Local Plan 2011 – 2031, namely Policy Villages 5 for the development of a settlement of approximately 1,600 dwellings and supporting infrastructure at Former RAF Upper Heyford.

Whilst the site does border this allocation, it does not lie within it and is a separate development, not allocated within the Local Plan. As stated within the EIA Planning Practice Guidance:

"An application should not be considered in isolation if, in reality, it is an integral part of a more substantial development (Judgment in the case of R v Swale BC ex parte RSPB [1991] 1PLR 6). In such cases, the need for Environmental Impact Assessment must be considered in the context of the whole development. In other cases, it is appropriate to establish whether each of the proposed developments could proceed independently (R (Candlish) v Hastings Borough Council [2005] All ER (D) 178 (Jul); Baker v Bath & North East Somerset Council [2009] All ER (D) 169 (Jul))."

Paragraph: 025 Reference ID: 4-025-2017072



CDC's Screening Opinion states that it *"is considered that this development cannot be considered in isolation as it would form an integral part of a new settlement area and would be reliant on it for essential facilities and therefore would be an integral part of a more substantial development."* However, the development is not an integral part of the wider development as it does not form part of the Local Plan allocation. In addition, there are existing facilities to support the development in the area, which, as constructed, form part of the baseline. As such, the development is capable of proceeding independently and can be considered in isolation.

As acknowledged by CDC's Screening Opinion, the development in isolation does not require an EIA.

Cumulative Environmental Effects

Although, as evidenced above, the development can be considered in isolation, for completeness we have set out below why we do not consider that significant cumulative effects are likely and therefore an EIA is not required on these grounds.

Environmental assessments have already been undertaken in support of the proposed development, which considered (where relevant) potential cumulative effects in combination with the following schemes:

- Heyford Park, South of Camp Road (reference: 16/02446/F). Status: permitted (under construction).
- Land East of Larsen Road Heyford Park (reference: 15/01357/F). Status: under consultation (received resolution to grant permission subject to the signing of a S106).
- Heyford Park, Camp Road (reference: 18/00825/HYBRID). Status: under consultation (received resolution to grant permission subject to the signing of a S106).

The above list is limited to approved schemes in accordance with Schedule 4, 5(e) of the EIA Regulations.

A summary of each of the reports is given below:

Archaeology

It is stated in the archaeology desk based assessment that there are no designated heritage assets within the site and that there will be no impact from the site to designated archaeological assets within the wider area. Discussions with the lead archaeologist for the local authority Oxford County Council recommend evaluation trenching prior to work commencing to confirm the geophysical survey results.



As such any cumulative effects both to the site and to surrounding developments would be negligible.

As stated in the Built Heritage Statement the assessment concludes that the site forms a small part of the setting of the RAF Upper Heyford Conservation Area and the south-eastern group of Hardened Aircraft Shelters but is a neutral element that makes no contribution to their respective significance.

The development will result in a small visual change within its setting, but this will be seen within the context of nearby residential areas and will not compete or change the visual and spatial relationships found within the formal extent of the former airbase.

Consequently, the proposed development will result in no harm on the significance of the RAF Upper Heyford Conservation Area and non-designated built heritage assets.

The proposed development of the site is therefore in accordance with the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990. The development is in line with the requirements of the NPPF and the tests of paragraphs 201 and 202 are not engaged.

Ecology

The Ecological Impact Assessment undertaken for the site reports that there would be no significant impacts upon the designated sites as a result of the proposed development. It states that whilst the site is located within the impact risk zone of two SSSI sites (Bestmoor and Ardley Cutting and Quarry) the type of development is unlikely to have an impact on the designated sites. If the designs are amended to a stage where discharge water or liquid waste exceeds 20m³/day to ground or to surface water such as a stream this would need to be assessed further. At present outflow from the site is proposed to route to the stream on site, however, the watercourses on site are not linked to any designated areas.

The proposals were assessed as having a potential effect on the biodiversity conservation objectives for red kites, water voles and GCN. However, a mitigation licence for GCN, water vole surveys and red kite surveys are recommended following detailed design in order for the proposed development to be compliant with relevant national and international legislation and policy relating to ecology, which will ensure the effect on these species is likely to be low. The biodiversity net gain metric calculations also resulted to a habitat net gain of above 10% and with a significant hedgerow net gain.

It is not considered that the site will pose any cumulative impacts to the biodiversity or natural vegetation outside of the development area and as such any impact in the wider context would be considered negligible.



Overall, it is considered that the proposed development would offer an improvement of more than 10% biodiversity net gain.

Landscape and Visual Impact Assessment

A high-level analysis of the site as a part of a Landscape and Visual Analysis concluded that the site does not lie within an area with a statutory landscape designation.

The proposal is not uncharacteristic with regards to landscape character within the receiving landscape given the position of the proposed site on the edge of the settlement and the published characteristics of the wider plateau landscapes.

The site is visually well contained with the presence of mature trees and hedgerows within the site, combined with tree belts and woodland blocks within the surrounding landscape.

A site-specific assessment of the sensitivity of the site has been undertaken that considers the susceptibility and value of the landscape in order to determine its sensitivity to the proposed development.

The site-specific landscape character and features are considered to be of a medium/low sensitivity to change.

The scale of the change is considered to constitute a minor alteration to few elements, features qualities or characteristics and affects the site and immediate setting only. Although the change will be long-term and permanent; this part of the landscape is identified as having capacity to accommodate change and the proposed development has sought to provide a strong landscape framework. A low magnitude of change has been identified at year 15 where the addition of new planting will be established and assimilate the development into the wider plateau landscapes.

The LVIA concludes that there would be no major cumulative landscape or visual effects.

Land Conditions

Following sampling and testing of the soils at the proposed site it is determined that 75% (9ha) of the site is of ALC grade 3b and 25% (3ha) of the site is ALC grade non-agricultural land due to landscaped garden and mature trees. Due there being no land of Best and Most Versatile (BMV) quality within the site, potentially significant effects on land conditions are unlikely.

Air Quality

An air quality impact assessment was undertaken for the proposed development.



A detailed road traffic emissions assessment was undertaken to consider the impact of development-generated road traffic on local air quality at identified existing receptor locations. Road traffic emissions were modelled using the dispersion model ADMS-Roads and concentrations of NO₂, PM₁₀ and PM_{2.5} were predicted at identified sensitive receptor locations. The modelling assessment was undertaken in accordance with Defra Local Air Quality Management Technical Guidance. The traffic data utilised considered other developments in the area listed above, and therefore the assessment considered potential cumulative effects.

The development was not predicted to result in any new exceedances of the relevant air quality objectives and the impact of the development on local air quality was predicted to be 'negligible' in accordance with IAQM and EPUK guidance.

Pollutant concentrations were also predicted across the proposed development site. Concentrations of NO₂, PM₁₀ and PM_{2.5} were all predicted to be below the relevant air quality objectives and therefore the site was considered to be suitable for the proposed residential use with regard to air quality.

Mitigation measures will be incorporated into the site to minimise emissions associated with the operation of the proposed development.

Arboriculture

A preliminary Arboricultural Assessment was conducted which concluded that the proposed development, as presented in outline, demonstrates that important arboricultural features will remain unaffected by the development parameters and illustrative layout. No high or moderate value trees require removal, and the remaining boundary tree cover and hedgerow will be retained and protected within public open space. No TPO's, Conservation Area tree cover or Ancient Woodland will be harmed by the development.

The strategy for new tree planting across the site's green spaces and internally within the development areas suggest that a net gain in tree cover is achievable. The proposed scheme is therefore, considered to demonstrate accordance with national and local planning policy as it relates to trees, including ESD10 and ESD13.

Whilst the limited quantum of vegetation loss and the extent and nature of proposed replanting is considered acceptable on balance at this outline stage, further work would take place through the detailed design stage to include arboricultural liaison and the adoption of tree protection measures throughout the construction stages to maintain the limited arboricultural impacts resulting from the proposed layout, including the preparation of an Arboricultural Method Statement and Tree Protection Plan which could be secured by a suitably worded planning condition.



Summary

CDC agreed that the proposals in isolation do not require an EIA, but have adopted a Screening Opinion that an EIA is required on the basis of potentially cumulative effects. However, as set out above, the proposals do not form an integral part of the wider scheme, is capable of proceeding independently, and therefore should be considered in isolation. Further to this, no significant cumulative effects have been identified within the environmental assessments undertaken.

On the basis of the above and having taken into account the selection criteria in Schedule 3 to the 2017 Regulations, the proposal is not likely to have significant effects on the environment and we consider that an EIA is not required in support of the proposals and we request that the Secretary State make a Screening Direction confirming this in accordance with the powers conferred on him by regulation 5(3) of the 2017 Regulations.

We trust that the above information and enclosed documents provide sufficient information, however if you require anything please do not hesitate to contact us.

Yours faithfully

for Wardell Armstrong LLP

Susan Raine

Associate Director

sraine@wardell-armstrong.com

Encl.

Screening Opinion Request (Walsingham Planning, 17th December 2021)

Screening Opinion (Cherwell District Council, 7th January 2022, ref: 21/04193/SO)

Our ref. TE/B00114/21

17 December 2021

Planning Department
Cherwell District Council
Bodicote House
Bodicote
Banbury
Oxfordshire
OX15 4AA

By email only

Dear Sir/Madam

Environmental Impact Assessment Regulations Screening Opinion

Land north of Camp Road, Heyford Park

Construction of up to 230 dwellings including affordable housing; provision of public open space; new access roads; hard and soft landscaping; enabling works.

On behalf of my clients Richborough Estates and Lone Star Land Ltd, I write to request an EIA Screening Opinion in respect of a detailed outline planning application for the construction of up to 230 new residential dwellings at land north of Camp Road, Upper Heyford. Proposals will be submitted in the form of an outline planning application.

Please find enclosed red line plan location plan and the latest Framework Masterplan. The scheme has been the subject of a separate pre-application enquiry which you have seen, and for which a meeting with Mr Andrew Lewis was undertaken but a written response has yet to be received.

We write to establish whether or not these development proposals should, in the Local Planning Authority's opinion, be treated as EIA Development. An "Urban Development Project" on a site exceeding 0.5 hectares could potentially be classed as EIA development under Section 10(b) of Schedule 2 of the Regulations.

I enclose herewith the following drawings in respect of the above proposals:

- Red Line Location Plan (ref: L01)
- Latest Framework Masterplan (ref. P06)



This screening opinion request provides the relevant information for the authority to adopt a screening opinion in line with Regulation 6(2) of the EIA Regulations, namely:

- a) *a plan sufficient to identify the land*
- b) *a description of the development, including in particular:*
 - i. *a description of the physical characteristics of the development and, where relevant, of demolition works;*
 - ii. *a description of the location of the development, with particular regard to the environmental sensitivity of geographical areas likely to be affected;*
- c) *a description of the aspects of the environment likely to be significantly affected by the development;*
- d) *to the extent the information is available, a description of any likely significant effects of the proposed development on the environment resulting from:*
 - i. *the expected residues and emissions and the production of waste, where relevant; and*
 - ii. *the use of natural resources, in particular soil, land, water and biodiversity; and*
- e) *such other information or representations as the person making the request may wish to provide or make, including any features of the proposed development or any measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment*

Accordingly, this letter sets out details of the site concerned, the nature and purpose of the proposed development and an assessment against the screening criteria set out in Schedule 3 of the Regulations and expanded in the NPPG.

We consider that any impact of the development can be successfully mitigated and would not have a significant effect on the environment. It is our view that the development does not constitute EIA development and therefore an Environmental Statement is not required to accompany any subsequent application.

Site Location and Context

The application site lies to the north of Camp Road, on the eastern edge of Upper Heyford. The site is 11.69ha in area, and is currently in agricultural use. It is not publicly accessible.

To the west of the site lies a field which has a resolution to grant planning consent for 79 dwellings. To the north-west lies Letchmere Farm, and north-east of the site is the RAF airfield. To the south the site is bounded by an arable field, woodland, and some static park homes.

The site is greenfield land and sits outside the conservation area.

Proposed Development

The scheme was discussed in a pre-application meeting with the Council on 24 June 2021.

For completeness, we also resubmit information previously seen by the Council at the May 2021 pre-application enquiry, albeit the proposals have been developed further since then as an application is prepared.

The current proposal is for the erection of up to 230 residential dwellings, with a provision of public open space and affordable housing. The proposal includes new access roads and all other enabling works.



The proposed layout of the site reflects the historic character and its history as an airbase.

The development will consist of a mix of housing densities and tenures, and affordable housing will make up approximately 35% of the development.

EIA Screening Requirement

The proposal does not comprise Schedule 1 development.

The site has a site area of 11.69ha and the proposal is for up to 230 new homes.

Since the site area is more than 0.5 hectares, it could potentially fall within Section 10(b) of Schedule 2 of the Regulations, namely an “Urban Development Project”.

The proposals therefore need to be considered against the selection criteria in Schedule 3. The criteria are 1) the characteristics of the development, 2) the location of the development, and 3) the characteristics of the potential impact.

However, the guidance states that only a very small proportion of Schedule 2 development will require an assessment. The NPPG Annex states:

“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.”

Assessment

It is necessary for the development proposals to be assessed against the following criteria in order to determine whether the application proposals are EIA development:

- i. The characteristics of the development;
- ii. The location of the development; and
- iii. Any potential impacts

Characteristics of the development

The whole site is approximately 11.69ha in area, however the developable area is significantly smaller than this due to the proposed landscaping and areas of public open space.

The scheme is a landscape-led wholly residential development providing up to 230 new homes across a mix of dwellings and apartments in both market and affordable tenures.

Given the location of the site on the edge of Upper Heyford, physically adjoining the former RAF base, and against the context of the wider aspirations for the settlement to provide an additional 1,600 dwellings, it is considered that the scale of development and the proposed dwelling mix – coupled with the landscape-led masterplan featuring open space, pedestrian routes and circular walks, and a wet landscape corridor – will be in keeping with the surrounding area and an EIA would not be required.

The layout has been designed around landscaping, green spaces, linkages and the wet corridor running north-south along the entire western edge of the site.



Residential development is focused in central and eastern parts of the site, with access roads running north from Camp Road.

The site is vacant greenfield land which lies adjacent to a built up area including the former military airfield. The development will not generate significant levels of pollution or waste beyond that expected of the redevelopment of a typical greenfield site for housing.

Location of Development

The site is located on the southern and eastern edge of the former RAF military base, and represents the development of a greenfield site physically adjoining the built up area.

The Former RAF Upper Heyford is designated as a new settlement to provide an additional 1,600 dwellings (over and above the 761 that have already secured planning permission). This designation also includes the provision of supporting infrastructure such as schools, recreational space and community facilities.

The policy includes the allocation of greenfield sites in order to fulfil the designation, such as the site that is the subject of this EIA Screening Opinion.

The site's northern boundary is defined by the edge of the former RAF base. The western edge of the site is a field that forms part of the strategic allocation. Beyond this is the existing former military base. The eastern boundary of the site is defined by Chilgrove Drive, a single track country lane which provided access to the airfield. The southern edge of the site is formed by Camp Road.

Agricultural fields extend east and south. To the north and west is previously developed land, being redeveloped as part of the new strategic allocation.

It is a sustainable location which is with walking distance of local shops and services, all newly constructed as part of the new settlement being created. The site's sustainability credentials will continue to grow as more shops, services, and public transport links are provided. It enjoys direct vehicular access to Camp road, which in turn links up with the B430 and the M40.

Characteristics of the potential impacts

Any impacts of the development are considered to be minor in nature and localised, and would be part of the wider development of the Heyford Park masterplan.

(i) Heritage and Conservation Area Impact

The site does not lie in a conservation area. The RAF Upper Heyford Conservation Area borders the site to the north and west.

From all parts of the site the former air base is described by the Conservation Area Appraisal as having a high visual and landscape impact – the airbase is a dominant visual element.

There are no listed buildings on the site or near to the site. There are a number of “non-listed buildings of local significance” located near to the northern boundary of the site within the former air base, these are aircraft hangers.



The layout of the site and scale and massing of the development including extensive landscaping buffers and green links ensures it would have no adverse impact on long range views towards the site. It will be read as part of the wider allocation for a new settlement and the new development associated with this growth. There is an area of woodland providing significant vegetation and screening immediately to the south east of the site, which the proposed development will sit 'behind'.

However, for the purposes of this Screening Opinion request, no development is proposed within a conservation area or affecting any listed buildings.

Therefore, although there are constraints associated with the statutory designations adjacent to the site, these should not mean that the development would need EIA.

(ii) Transport and Parking

The proposed development will increase trips by private car to and from the site, increase pedestrian trips, and increase bus trips. However this impact should be considered within the context of the wider masterplan for the local area and the new settlement being created.

A Transport Assessment and Travel Plan will be submitted with the application to demonstrate that the proposed access would be safe, and that there would be no adverse impact on traffic or highway safety, particularly having regard to the sustainable location of the site that will be within walking distance to the new local service centre.

(iii) Ecology

The masterplan shows how significant areas of the site are retained as ponds, watercourses, and green linkages. Existing habitats are retained and enhanced, and these will be integral to the landscape-led design approach towards the masterplan that has been adopted. Development is set 50m back from existing ponds to avoid impact upon protected species.

The application will be accompanied by a Phase I Ecological Survey which will set out the ecological issues associated with the site. Any mitigation measures required can be covered by appropriately worded planning conditions.

(iv) Flooding and Drainage

The site lies within Flood Zone I, the lowest risk of flooding.

The planning application will be accompanied by a Flood Risk Assessment (only required due to the size of the site being more than 1ha) and a separate Outline Drainage Strategy which will include details of sustainable urban drainage which will be integrated with the wider landscaping and green infrastructure across the site.

(v) Ground Conditions

The planning application will be accompanied by a Phase I Site Investigation Report, however there are no known contamination risks at the site. It is a green field site that is not publicly accessible.



Conclusion

Having regard to the information set out in this letter and the key criteria for assessing whether development proposals should be subject to EIA, it is not considered the proposal will have significant effects on the environment.

There is therefore no requirement for an EIA.

In accordance with Regulation 6(6)(a) we await notification of your Screening Opinion within 21 days of the date of this request.

It is acknowledged that the proposed outline application will need to be accompanied by a suite of documents dealing with a range of issues, and these have been agreed with the Council at the conclusion of the pre-application enquiry.

If you require any further information or have any queries in respect of this letter, please do not hesitate to contact me.

I look forward to hearing from you.

Yours sincerely



Alan Divall BA (Hons) MRTPI
Director - BOURNE END OFFICE
alan.divall@walsingplan.co.uk
Mobile: 07464 925105





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DISCUSSION

— Site boundary (11.69ha)

Rev.	Date	Description
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Land north of Camp Road
 UPPER HEYFORD

Location Plan

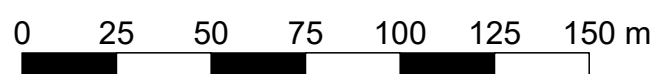
Job ref: 167	Drawing number: L01	Revision: -
Scale: 1:2,000 @ A3	Date: Oct 2021	



part of
edge Placemaking Group Ltd
 Company Reg No: 11447550 VAT No: 299072069

Suite 2
 7 Buttermarket
 Thame
 Oxfordshire
 OX9 3EW

01865 522395
 enquiries@edgeUD.co.uk
 www.edgeUD.co.uk





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PLANNING

- Site boundary (71.68ha)
- ▨ Hybrid/mixed application for upto 1,235 dwellings; retail; medical centre; employment; schools; community use buildings; indoor sports provision; energy facilities; 30m high observation tower with zip-wire; changes of use and demolition to existing buildings; open space; sports facilities; green infrastructure; and upgrades to Chilgrove Drive and the junction with Camp Road
(18/00825/HYBRID)
 Status: Outline Approval
- 1 Full application for 89 dwellings
(15/01357/F)
 Status: Undetermined
- 2 Outline application application for up to 31 dwellings
(21/03523/OUT)
 Status: Undetermined

Rev.	Date	Description
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Land north of Camp Road
 HEYFORD PARK

Illustrative Masterplan

Job ref: 374	Drawing number: P06	Revision: -
Scale: 1:2,000 @ A3	Date: December 2021	



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edge Placemaking Group Ltd
 Company Reg No: 11447550 VAT No: 299072069

Suite 2
 7 Buttermarket
 Thame
 Oxfordshire
 OX9 3EW

01865 522395
 enquiries@edgeUD.co.uk
 www.edgeUD.co.uk



Planning and Development

David Peckford, Assistant Director – Planning and Development



Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

Walsingham Planning
Alan Divall
Bourne House
Cores End Road
Bourne End
SL8 5AR

Bodicote House
Bodicote
Banbury
Oxfordshire
OX15 4AA

www.cherwell.gov.uk

Please ask for: **Andrew Lewis**

Direct Dial: **01295 221813**

Email: **andrew.lewis@cherwell-dc.gov.uk**

Your Ref: **TE/B00114/21**

7th January 2022

Dear Sir/ Madam

TOWN AND COUNTRY PLANNING ACT 1990

Application No.: 21/04193/SO

Applicant's Name: Richborough Estates & Lone Star Land Ltd

Proposal: Request for an EIA Screening Opinion in respect of a detailed outline planning application for the construction of up to 230 new residential dwellings at land north of Camp Road, Upper Heyford

Location: OS Parcel 1570 Adjoining and West of Chilgrove Drive and Adjoining and North of Camp Road
Heyford Park

Parish(es): Heyford Park

I write with regard to the above screening application, received on 17th December 2021, which 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 the Local Planning Authority's Screening Opinion of the proposal.

Summary of Determination

The Local Planning Authority considers that the proposal represents an 'Urban Development Project' that falls within Schedule 2, section 10(b) of the Regulations. The site area and number of dwellings proposed would exceed the applicable thresholds in column 2 of Schedule 2, although the development proposed is not within a sensitive area. For the development to be considered 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 also been taken into account. In this case, the site is unallocated for development but adjacent to a site allocated by Policy Villages 5 of the approved Cherwell Local Plan 2011-2031 Part 1

Given the scale of the site proposed to be developed, significant environmental effects are likely to result when considered against the EIA Regulations and when considering the development as a whole. The Local Planning Authority considers that this proposal cannot be considered in isolation, therefore the cumulative impact of this development alongside the remaining development planned through the proposed allocation under Policy Villages 5 means that it is considered that this proposal does constitute EIA Development.

Reasons for Determination

The land subject of this request is located on the eastern edge of Heyford Park (not Upper Heyford). It fronts Camp Road on its southern boundary, its eastern boundary is Chilgrove Drive, its northern boundary is the edge of the former RAF Upper Heyford, and its western boundary appears to run along Sor Brook then to Heyford Grange and Letchmere Farm. It appears to consist of 4 separate field parcels measuring in total approximately 11.69 hectares in size. The land is effectively green field and appears to be primarily agricultural in use, with several groups of trees, established hedges and wetland.

The land to the west of the site is allocated in The Cherwell Local Plan 2011 - 2031 (Part1) as part of the strategic development site which under Policy Villages 5 - Former RAF Upper Heyford, "*will provide for a settlement of approximately 1,600 dwellings (in addition to the 761 dwellings (net) already permitted) and necessary supporting infrastructure, including primary and secondary education provision and appropriate community, recreational and employment opportunities, enabling environmental improvements and the heritage interest of the site as a military base with Cold War associations to be conserved, compatible with achieving a satisfactory living environment.*" Currently, the immediate fields to the west are subject of an application for 89 dwellings (Ref: 15/01357/F), having previously had a resolution to grant planning permission for 79 dwellings, and the land to the north is subject of a separate outline application for residential development with 31 additional dwellings proposed (Ref: 21/03523/OUT). Beyond those immediate fields, the Council is also processing a masterplan application (Ref: 18/00825/HYBRID) on the former base for an additional 1,175 dwellings (not 1,235 as shown on the illustrative masterplan - PO6) together with employment, retail, a school, social and physical infrastructure. The land to the north of the screening request is shown on the masterplan for employment use. This land and the rest of the flying field would be accessed by a new entrance road approximately on the line of Chilgrove Drive.

The land to the east of Chilgrove Drive is currently agricultural in use but has been the subject of a recent Scoping Opinion on 424.52ha for a nationally significant infrastructure proposal - Oxfordshire Strategic Rail Freight Interchange (Ref: 21/02008/SCOP, which proposes a new rail freight interchange and 6.5m square feet of storage and distribution warehousing.

Land to the south of the application site comprises a mobile home park, agricultural land and an ancient woodland.

It is stated in the accompanying application documentation that "*The scheme is a landscape-led wholly residential development providing up to 230 new homes across a mix of dwellings and apartments in both market and affordable tenures...The layout has been designed around landscaping, green spaces, linkages and the wet corridor running north-south along the entire western edge of the site. Residential development is focused in central and eastern parts of the site, with access roads running north from Camp Road.*"

The land identified within this Screening request is unallocated for development. It is not within a sensitive area as defined by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, but it has a number of site constraints including potentially ecology, contamination and archaeology, as well as several trees and hedgerows of importance across the wider site, a location on a groundwater vulnerability aquifer and the likelihood of future residents being impacted by environmental issues such as noise. It abuts the RAF Upper Heyford Conservation Area, the Ardley and Heyford Conservation Target Area, and an Archaeological Alert Area and is in close proximity to a Major Accident Hazard.

When viewed in isolation, the development proposal for up to 230 dwellings on agricultural land could be considered relatively modest. But this scale of development would have landscape and visual impacts and would lead to an increase in traffic, which might affect air quality. There would also be subsequent impacts upon existing biodiversity, natural vegetation and archaeology present on site.

However, based on the scale of the development and the fact that the site is not within an overly sensitive area, the Local Planning Authority would agree that the proposal, if viewed independently, would be unlikely to have significant impacts beyond localised impacts that would result in the development being considered EIA development.

The NPPG makes clear that *“Each application (or request for a screening opinion) should be considered on its own merits.”* However, *“there are occasions when other existing or approved development may be relevant in determining whether significant effects are likely as a consequence of a proposed development. The local planning authorities should always have regard to the possible cumulative effects arising from any existing or approved development.”*

Development of the site is of a significant size and would likely have significant environmental effects. In addition, the combined impacts of the development sites allocated by Policy Villages 5 of The Cherwell Local Plan 2011-2031 (Part1) would also be significant and within proximity to the subject site. The effects of those impacts cannot be avoided by the submission of this relatively contained phase of development that when viewed alone may not have such an impact, but which cumulatively would be significant. In this respect, it is considered that this development cannot be considered in isolation as it would form an integral part of a new settlement area and would be reliant on it for essential facilities and therefore would be an integral part of a more substantial development. The need for Environmental Impact Assessment has therefore been considered in the context of the whole development planned for by the allocations in the Cherwell Local Plan 2011-2031 Part 1.

Schedule 3 of the EIA Regulations makes it clear that the size of the proposed development and its consequent potential impact needs to be considered cumulatively with other existing and/or approved development.

The Annex to the PPG sets out indicative thresholds as guidance for when a proposed development would be likely to result in significant environmental effects such that it amounts to EIA development. In this respect it regards this as developments having a significant urbanising effect in a previously non-urbanised area and includes developments of over 1,000 dwellings. These thresholds are indicative only as the specifics of the proposed development as well as site circumstances may make significant environmental effects either more or less likely. While the characteristics of the development (the construction of up to 230 dwellings and associated infrastructure and open space) on its own does not exceed the 1,000-dwelling threshold, the development must be considered cumulatively with other development. An application should not be considered in isolation if, in reality, it is an integral part of a more substantial development.

The site, although not specifically allocated by Policy Villages 5 of the Cherwell Local Plan 2011-2031 Part 1, when taken together as a cumulative development with Policy Villages 5 would significantly exceed the indicative threshold of 1,000 units given the total number of dwellings to be provided as well as other development, which is proposed, to include community and social infrastructure, together with road infrastructure.

The land is currently agricultural and given the scale of development proposed by these sites, there is likely to be significant urbanisation in this area and there are likely to be significant impacts including increases in traffic which may affect air quality, impacts during the construction phases, ecological impacts and impacts upon the local landscape. The extent of the impact as well as the duration, frequency and permanent result of the impacts has meant that the Local Planning Authority concludes that the likely significant environmental effects of the development can only be properly assessed through Environmental Impact Assessment.

Conclusion

Whilst the proposal is for development of 230 dwellings on an unallocated development site, the cumulative impact of this proposal in combination with other development proposed with other sites in close proximity must be considered. For these reasons, it is considered that the proposed development cumulatively with other surrounding developments is likely to have significant effects on the environment and therefore Environmental Impact Assessment is required, and an Environmental Statement is required to be submitted with any future planning application.

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.

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. The Local Planning Authority would encourage the submission of a formal scoping opinion to agree the scope and level of detail of the information to be provided in the Environmental Statement.

If you have any questions or queries regarding the above, please contact the Case Officer using the details provided above.

Yours faithfully

Andrew Lewis
Principal Planning Officer

Agreed By: Andy Bateson, Team Leader – Major Development