

VOLUME 4: APPENDICES

APPENDIX A2 – EIA SCREENING REQUEST



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31st August 2017

Head of Development Control,
Fareham Borough Council,
Civic Offices,
Civic Way,
Fareham
Hampshire,
PO16 7AZ

Dear Sirs,

REQUEST FOR AN EIA SCREENING OPINION AND A MEETING WITH THE DEVELOPMENT MANAGEMENT AND PLANNING POLICY OFFICERS RELATING TO THE PROMOTION OF LAND TO THE SOUTH OF ROMSEY AVENUE FOR UP TO APPROXIMATELY 250 DWELLINGS TOGETHER WITH ASSOCIATED PARKING, AMENITY SPACE PROVISION, LANDSCAPING AND ACCESS

REGULATION 2(6) OF THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017

Introduction

We refer to the above site located to the south of Romsey Avenue and write on behalf of our clients Foreman Homes to request the following:

- (i) **A formal screening opinion** in relation to the potential development of the site for up to approximately 250 dwellings together with associated parking, amenity space provision, landscaping and access.
- (ii) **A meeting with officers (development management and policy)** in relation to a potential outline planning application for development of the site as well as in relation to the timescales for and status of the emerging Local Plan. The aim is to discuss the draft framework masterplan proposal (see Plan SK07 attached) together with detailed policy matters (existing and emerging) including in relation to affordable housing, dwelling mix, highways, ecology and flood/drainage arrangements.

Information relating to the site is contained in the plans and particulars, enclosed with this letter as follows:

- Site Location Plan No. 16.140.01/A
- Opportunities and Constraints Plan Rev A (Aug 2017)
- Opportunities Plan
- Illustrative Proposed Site Plan No. SK07
- Transport Summary Note (SMA) (Aug 2017)

The Site and Context

The site, edged red on Plan No. 16.140.01/A attached and extends to approximately 8ha. It is currently in agricultural use and is bounded by existing dwelling in Romsey Avenue to the north and the approved scheme for 120 dwellings on land to the east (LPA Ref: P/15/0260/OA).

The site is not located within or adjoining a Conservation Area. In addition, there are no listed buildings in or adjoining the site and it is not located within a local gap.

The wider area is characterised by residential development and there is no one dominant form of dwelling type or design.

As set out above, the context within which the site is located is now to be influenced by the recent grant of planning permission at appeal (14 Aug 2017) for up to 120 dwellings on land to the east of the subject site, accessed from Cranleigh Road (PINS Ref: APP/A1720/W/16/31563 and LPA Ref: P/15/0260/OA)

Paragraph 65 of the appeal decision states as follows:

“I conclude in this case that the limited harm in terms of the loss of B&MV agricultural land and landscape character and visual impact would not significantly and demonstrably outweigh the benefits of this scheme in making a material contribution to the significant shortfall in housing land. Accordingly, having regard to Framework paragraph 14, I consider the proposed development represents sustainable development.”

The merits of the proposal, including the significant economic and social benefits associated with developing the scheme for up to approximately 250 dwellings are to be seen in this context.

Planning Policy Considerations

Five Year Housing Land Supply

On the basis of the housing requirement set out in the PUSH Spatial Position Statement (June 2016) and the accompanying Objectively Assessed Housing Need Update (April 2016), the Council is unable to demonstrate a five year supply of deliverable housing land¹ such that the principle of developing the site for approximately 250 dwellings is acceptable subject to development not having any adverse impacts that would significantly and demonstrably outweigh the benefits.

¹ As confirmed in the recent Cranleigh Road appeal decision (APP/A1720/W/16/31563) (14 Aug 2017)

On the basis of the foregoing, the test to be applied in appraising the merits of the site for housing, including the acceptability of the illustrative masterplan proposals, is whether any adverse impacts would significantly and demonstrably outweigh the benefits.

The NPPF

In these circumstances, paragraph 14 of the NPPF makes it clear that for decision decision-taking, the presumption in favour of sustainable development should be applied meaning that where the development plan is absent, silent or relevant policies are out-of-date:

“...planning permission should be granted unless any adverse impacts of doing so would not just materially, but significantly and demonstrably outweigh the benefits of the proposal.”

Paragraph 49 makes it clear that:

“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be consider up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.”

Development of the subject site for housing benefits from the presumption in favour of sustainable development. This is represents a principal determinant in assessing the suitability of the site for housing.

Technical Considerations

General

A number of technical reports have been prepared which assess the suitability of the site for housing, which matters are summarised below and include in relation to, inter alia, ecology, trees, highways and flood/drainage.

Based upon the technical team’s thorough contextual appraisal of the site and surrounding area, we are of the view that the site represents an appropriate location for development, including in relation to meeting the current identified shortfall in the Council’s five year housing land supply position to be advanced either through a future planning application and/or as potential housing allocation to be promoted through the emerging Local Plan.

A draft Illustrative Masterplan has been prepared (Plan No. SK07), the content of which has been informed by a number of technical studies.

The content of these technical assessments is summarised below.

Highways and Transportation

The site is located in an accessible location, within walking and cycle distance from services and facilities in Portchester, including frequent bus services to and from Fareham.

The vehicular means of access to serve development of the site is proposed from Romsey Avenue to the north and a full Transport Assessment and Residential Travel Plan will be submitted in support of the planning application.

Additional highways and sustainability information is included in the attached summary note prepared by SMA.

Ecology

An extended phase I walkover survey was undertaken by Ecosupport staff during April 2017 which identified the key habitat types as arable field, hedgerow, poor semi improved grassland, tall ruderal and woodland.

Based on the identification of suitable habitats / features, further surveys were undertaken to establish the presence or likely absence of:

- Common reptile species;
- The bat assemblage using the site for foraging and commuting;
- Any Badger (*Meles meles*) setts on site;
- The use of woodland / hedgerow habitats on site by Birds of Conservation Concern; and
- Dormice.
- SPA overwintering birds.

The bat activity transect work and Dormice tube checks are currently still on-going (and will be completed in October) though the other surveys have identified a **Moderate** population of Slow Worms (*Anguis fragilis*) and an inactive Badger sett in the south western corner. The site was not shown to support any SPA birds during overwintering surveys carried out during 2016 – 17 though HBIC hold records of 300 Brent Goose (*Branta bernicla*) on site (when the management involved the management of a winter wheat crop rotation).

Mitigation measures on site will involve the retention of a 2 m grassland buffer around most of the site to accommodate the reptile populations *in situ*, a sensitive lighting strategy to minimise impacts to bats, a native species planting scheme to enhance the use of the site by BoCC and the management of a (circa) 4 ha section of the site for use by Brent Geese (i.e. a winter wheat crop rotation).

Landscape and Visual Appraisal (including Tree Assessment)

In terms of the landscape assessment undertaken to date, the findings of which have informed the Illustrative Masterplan, a review has been undertaken of the The Hampshire Integrated Character Assessment (2012).

The Site is identified in this document as being located within Landscape Character Area (“LCA”) 9f: Gosport and Fareham Coastal Plain within the Coastal Plain Open Landscape Character Type. LCA 9f is generally described as (site and context relevant features underlined for emphasis): “*A low lying landscape gently sloping north to south.... Land use is very mixed in the non-built up areas and there are few rural characteristics. The field patterns are broken and a large proportion of the remaining boundaries have no hedges or hedges which are gappy and non woody, while many of the fields have been amalgamated and enlarged. The non-built coastal plain landscape has suburban and military related uses such as amenity grasslands, playing fields, airfield, golf courses and horse grazing... The area is strongly influenced by the large scale development and defence related uses.*”

Key characteristics noted for LCA 9f, of relevance to the Site and its context, include its low lying landscape which physically forms part of the coastal plain but is isolated from the coastline; the presence of large arable fields with no significant boundary vegetation; strongly influenced by the adjoining urban areas including Fareham; numerous small parks; a landscape rich in historic naval defences; and varied coastal views including across Portsmouth harbour and the city skyline.

Ways in which the site and surrounding context differs from the outlined key characteristics include: a lack of influence from the shallow valleys of the River Alver and Wallington and by small streams running into the Meon; and the mention of grassland pasture, which both relate more so to the area of the LCA which extends towards Gosport.

The landscape surrounding the site is already densely developed which is visually apparent in the existing context of the site. Additionally a number of detractors are present within the sites locality, including the presence of electricity towers and ancillaries associated with the recreation ground to the south-west.

With the above in mind, and the mostly undesignated landscape, the Landscape Character Area 9f: Gosport and Fareham Coastal Plain and the Coastal Plain Open Landscape Character Type ("LCT") in the vicinity of the site is considered to be of low sensitivity, capable of change without fundamentally changing the characteristics of the LCA or LCT.

As to trees, vegetation is confined to the site boundaries and will be protected during the construction phase of the development, and supplemented by proposed boundary planting.

The draft masterplan has also been informed by a landscape character appraisal, with networks of green spaces to be interspersed within the site, to include a circuitous pedestrian footpath along the boundaries to the site framed within a green setting.

Flood/Drainage

A technical assessment has been undertaken in order to identify relevant flood and drainage considerations, which may be summarised as follows:

Geology - the geology of the Site comprises Lewes Nodular Chalk Formation, overlain by River Terrace Deposits. Soilscape information indicates that soil freely drains to the groundwater and rivers.

Hydrogeology - the Site lies primarily within a Major Aquifer High, with the south western portion lying within a Major Aquifer Intermediate.

Watercourses - there are no watercourses on the Site and Portsmouth Harbour lies 400m south west of the Site.

Fluvial/Coastal flooding - The Site lies within Flood Zone 1 and is therefore at low risk of fluvial or coastal flooding.

Surface water flooding - The Site lies within an area considered to be at very low risk of surface water flooding.

Groundwater Flooding - Within the PUSH region, the key areas at risk of groundwater flooding are areas where highly permeable geology meets lower permeability geology, or along watercourses. Therefore the Site is considered to be at low risk of groundwater flooding.

Surface Water Drainage - Due to the low density of the bedrock, and as the chalk is a vitally important aquifer, it is not proposed to use infiltration measures in this instance. It is proposed to discharge surface water into Portsmouth harbour via a connection into the existing Southern Water surface water sewer to the south of the proposed development.

Foul Water Drainage - There is an existing 225 diameter foul water sewers crossing the Site. It is proposed to connect into this sewer.

Given the location of the site within Flood Zone 1, and in relation to the guidance set out in the NPPF, the site has already been deemed to pass the required Sequential Test. As such a standard site specific FRA only would be required to be prepared in support of a future planning application.

The Masterplan

The Masterplan has been informed by the detailed technical considerations set out above and provides for up to approximately 250 dwellings at a density of 31dph.

The scheme also provides for a defensible landscaped boundary to the west and south of the site together with the provision of recreational amenity areas and a circular walking route.

The scheme includes an appropriate mix of house types and can be designed in order to assimilate the site into the wider urban area, whilst care is also given to ensure satisfactory back to back separation distances are maintained to properties in Romsey Avenue to the north of the site.

Environmental Screening: Further Considerations

Residential development of the site does not fall under Schedule 1 of the EIA Regulations and hence there is no mandatory requirement for undertaking an EIA. Accordingly, the need or otherwise for an EIA to accompany an application for development of the site for housing is to be considered under Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

As an urban development project (development type 10(b)), the scheme is listed in the first column in Schedule 2.

Indicative screening thresholds are set out at Paragraph: 058 Reference ID: 4-058-20150326 of the Planning Practice Guidance

Column 3 from this indicative screening table states, in relation to urban development projects, as follows:

“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.

Sites which have not previously been intensively developed:

- (i) area of the scheme is more than 5ha; or**
- (ii) it would provide a total of more than 10,000sqm of new commercial floorspace; or**
- (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)”**

Guidance set out at paragraph 059 ID:4-059-20150326 of the National Planning Practice Guidance (“NPPG”) states that “Only a very small proportion of Schedule 2 development will require an EIA assessment.”

Although the site is in excess of the 5ha threshold indicated in the above excerpt, the overall quantum of proposed development (up to 250 dwellings) is substantially below the 1,000 dwelling threshold specified in the text.

In addition, and having regard to the assessment criteria set out in the NPPG, the scale of development proposed is not major development and is of no more than **local** importance. Moreover, the development proposed is not unusually complex and/or potentially hazardous and the site’s location is not environmentally vulnerable or sensitive. Moreover, there are no greater cumulative/in-combination effects that would otherwise require an EIA.

As is the case with an application for a scheme of this size, it would be accompanied by a raft of supporting technical documents to include, but not limited to, an ecological assessment, flood risk assessment (“FRA”) and drainage strategy, ground conditions survey, transport assessment, tree survey, archaeological DBA as well as a landscape impact assessment.

Against the above background, we would be grateful if you could issue a Screening Opinion confirming that development of the site for up to approximately 250 dwellings does not constitute EIA development either in isolation or in combination with other projects which has regard to the cumulative effect.

In accordance with Part 2 (6(6)) of the 2017 EIA Regulations, we welcome receipt of the LPA’s opinion within 3 weeks from the date of this letter.

Pre-Application Process

We welcome an opportunity to meet with officers as part of the pre-application process in order to discuss the evolution of the scheme design, to include the approach to the masterplan, and to agree the scope of assessment work required for the application particulars.

It is anticipated that the following matters would be discussed at a pre-application meeting:

- Principle of Developing the Site for Housing (in the content of the adopted and emerging Local Plan)
- The Illustrative Masterplan
- Highways
- Flood/Drainage
- Ecology
- Housing Mix (including affordable housing)
- EIA

- The Local Validation Checklist for Applications
- Public Consultation
- Planning Obligations/CIL
- Timescales (possible future application and Local Plan promotion)

Summary

With the site extends to 8ha and is in excess of the 5ha threshold indicated in the above exert from the EIA Regs, the overall quantum of proposed development (up to approximately 250 dwellings) is significantly below the 1,000 dwelling threshold specified in the text.

Development of the site for up to approximately 250 dwellings is unlikely to give rise to significant effects on the environment of the location concerned and guidance set out at paragraph 059 ID:4-059-20150326 of the National Planning Practice Guidance (“NPPG”) states that “Only a very small proportion of Schedule 2 development will require an EIA assessment.”

A number of technical documents will be submitted in support of a future application for development of the site for housing, to include, but not limited to:

- Ecological Appraisal
- Flood Risk Assessment and Drainage Strategy
- Ground Conditions Survey
- Landscape and Visual Impact Appraisal
- Transport Assessment
- Tree Survey

We are of the view that the preparation and submission of an EIA would not bring anything further to the consideration of a planning application to that which would be assessed in the technical reports to be prepared in any event.

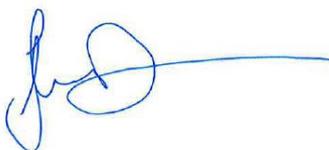
In conclusion, we would be grateful for receipt of an expedient response in the form of a screening opinion within 3 weeks from the date of receipt of this letter confirming that development of the site in the manner proposed does not constitute EIA development (including in relation to cumulative/in-combination effects with other known projects).

We look forward to meeting with officers at a mutually convenient date in the next 2-3 weeks in order to discuss the site in the context of the matters set out herein.

Please do not hesitate to contact the writer should you wish to discuss any matters arising.

We look forward to hearing from you.

Yours faithfully,



Steven Brown BSc Hons DipTP MRTPI
Enc.