

EIA Screening Opinion

Town and Country Planning (Environmental Impact Assessment) Regulations 2011

Regulation 5(2) – Request for an Environmental Impact Assessment (EIA) Screening Opinion

Proposal

Development within the proposed Local Development Order (LDO) area for Milton Park for a period of 15 years

Site

Milton Park business site, Sutton Courtenay / Milton, Oxfordshire

Development type

Industrial estate development project under Class 10(a) of Schedule 2 of the EIA Regulations

Screening thresholds

The area of development exceeds 0.5 hectare

Description

The site comprises 96 hectares of office and industrial units (Use Class B1, B2 and B8). The site has a generally open appearance with grassed areas and hard standing separating many of the operational buildings.

The main character is of groups of individually designed buildings with ancillary parking areas. There are communal buildings at three locations within the overall business park providing complementary food outlets, nursery and sport facilities.

Designations

Milton Park lies within the Lowland Vale (local plan policy NE9) and the area is designated as a key site for business development (local plan policies E5 and E10). The north-east area of the proposed LDO (site MP9) lies within the area identified for landscape improvement (local plan policy NE11). Part of the site south of the railway line and A4130 (site MP5) is subject to an allocation as a trunk road (A34) service area (local plan policy TR10).

Land to the north-east and south-west of the site is identified as important open land between Didcot & Appleford and Didcot & Harwell respectively. There is a strategic housing development currently under

construction south of the site at Great Western Park, which lies within the administrative areas of both the Vale of White Horse and South Oxfordshire District Councils.

Land to the north-east of the site is identified as a scheduled ancient monument and has been subject to intrusive archaeological investigations which provided evidence of a prehistoric (Romano-British) 'ladder enclosure' and evidence of activity from the Iron Age through to the Anglo-Saxon period, together with evidence spanning the late Bronze Age to early Saxon, with some possible post-medieval remains.

Assessment

The principal test of a screening opinion is to determine, from the information available, whether or not the impacts of a development are likely to be significant, either in a negative or positive manner.

The Council as the local planning authority must screen every application for such development as referred to in Schedule 2 of the EIA Regulations even where there are permitted development rights that could be relied upon to undertake the works.

To be EIA development within Schedule 2, the development must be "*likely to have significant effects on the environment by virtue of factors such as its nature, size and location*".

In each case the basic test is:

"*Would this particular development be likely to have significant effects on the environment?*" (Circular 2/99, paragraph 32).

Annex B to Circular 2/99 provides the selection criteria for screening Schedule 2 development, which reproduces Schedule 3 of the Regulations. The selection criteria cover:

1. Characteristics of the development

This would have regard to the size, cumulative impact with other developments, use of natural resources, waste production, pollution and nuisances and the risk of accidents from substances or technologies employed.

2. The location of development

This would consider the environmental sensitivity of geographic areas likely to be affected taking into consideration the existing land use, the level and standard of the regenerative capacity of natural resources and the absorption ability of the environment.

3. Characteristics of the potential impact

Potential significant effects of the development, given the development's characteristics and the site's location when considering the extent of the impact, its trans-frontier nature, the magnitude and complexity, the probability of the impact, as well as the duration, frequency and reversibility.

The following technical studies have been considered in assessing the environmental effects of the proposed LDO:

- Air Quality Assessment, Resource and Environmental Consultants Ltd, 4 September 2012
- Baseline Ecology Survey for MP5 and MP9 (August 2012), Baseline Ecological Survey (August 2012), Great Crested Newt Survey (July 2012), Elizabeth Mackay
- Legally Protected & Notable/Rare Species Records, TVERC
- Flood Risk Assessment, Glanville Consultants, 16 August 2012

- Foul Drainage and Utilities Assessment, Glanville Consultants, 10 August 2012
- Landscape and Visual Appraisal, Terence O'Rourke Ltd, August 2012
- Land contamination – Phase 1 Environmental Review, Environ, August 2012
- Lighting Assessment, Resource and Environmental Consultants Ltd, 17 August 2012
- Noise Assessment, Resource and Environmental Consultants Ltd, 17 August 2012
- Assessment of Transport Issues, Halcrow Group Ltd, 3 September 2012
- Tree Management Report, James Barrell Tree Consultancy, 23 August 2012
- Heritage Statement, Terence O'Rourke Ltd, September 2012

In summation, the significance of the environmental effects of the proposed LDO have been assessed as being relevant to the following degree:

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|--------------------------------|--|
| • Scale / Visual impact | potentially relevant |
| • Transport / Highway traffic | potentially relevant |
| • Archaeology / Heritage | potentially relevant |
| • Ecology / Biodiversity | potentially relevant |
| • Landscape / Trees | potentially relevant |
| • Water resources / Flood risk | only limited / localised impact identified |
| • Topography / Setting | no obvious impact identified |
| • Land Contamination | only limited / localised impact identified |
| • Noise / Vibration | potentially relevant |
| • Air quality (dust) | potentially relevant |
| • Socio-economic | potentially relevant |

To properly consider these effects the following bodies have been consulted and their comments, where appropriate, included within this Screening Opinion:

- Environment Agency
- English Heritage
- Oxfordshire County Council Highways
- Oxfordshire County Council Archaeologist
- Vale of White Horse DC Environmental Protection Teams
- Vale of White Horse DC Ecologist
- Vale of White Horse DC Conservation and Design Officer
- Vale of White Horse DC Landscape Architect
- Vale of White Horse DC Arboriculturalist
- Vale of White Horse DC Drainage Engineer

Visual impact

Those developments permitted by the proposed LDO which will be seen from outside the business park, particularly on sites MP5, MP8 and MP9, will have a visual impact on the wider environment. However, the existing buildings located on the business park will provide a backdrop for the new developments permitted by the LDO, and the LDO will limit the height of any new buildings. No new buildings will exceed the height of the existing highest building on Milton Park. In addition, development permitted by the LDO will need to comply with approved design guidance. Therefore, the LDO will not give rise to any significant visual impact issues.

Landscape impact

The submitted Landscape and Visual Appraisal recommends early phase implementation of planting on the northern and western boundaries of that part of site MP9 proposed to be developed, and additional

planting to infill gaps in the existing planting along the northern boundary of site MP9. The phasing of this work will be important.

Advanced screening planting is recommended, but an unplanted buffer area will be required between the scheduled ancient monument and the new planting as English Heritage has stated that any planting must not cause potential problems with root penetration and damage to the site's hydrology.

Moors Ditch is classified as a main river, therefore new development should not take place within 9 metres of the top of the bank and any new development proposed within this 9 metre buffer will require the Environment Agency's consent.

The existing right of way on the western side of site MP9 needs to be accommodated. There are also permitted rights of way which form part of the Milton Park Health Walks which run east / west across the site.

Site MP5 should be developed with smaller units to limit any visual or landscape impact of developing this area.

Views of the existing development are restricted to distances less than 1km from the LDO area boundary. The level nature of views, distribution and scale of structural vegetation and other prominent landscape features (such as the Didcot Power Station and the A34 road corridor) result in a development that is well integrated into the landscape. Receptors of moderate to high sensitivity sharing inter-visibility with the LDO area are found on public rights of way to the north of the area boundary, from Pembroke Lane, Milton, residential properties on the southern edge of Sutton Courtenay and public rights of way within 1km of the southern boundary. Further views are possible from the A4130, Harwell Road and Milton Bridge. In considering the existing landscape character and the nature and extent of existing development within the LDO area, no significant landscape impact will result from future development in accordance with the parameters set out in the LDO. Furthermore, no part of the LDO area lies within a statutory designated landscape area. Accordingly, there is no requirement for an Environmental Statement on the grounds of landscape impact.

Ecology

The ecology plan recommends retention of features such as hedgerows and the ecological report says there should be a buffer alongside Moors Ditch and the site access should be from the east so as not to cross Moors Ditch. No evidence of Great Crested Newts was found in any of the ten lagoons in the LDO area, and no evidence of badger activity or bat roosts have been found.

The greater part of Kelaart's Field (site MP9) is an example of good quality neutral semi-improved grassland habitat. The majority of this type of habitat has been lost over the last 60 years mainly due to agricultural intensification and development. Survey evidence shows the central and northern sections of Kelaart's Field provides a nesting habitat for Skylarks. Semi-improved grasslands also typically contain a high invertebrate diversity, and can provide suitable habitat for reptiles.

Site MP5 is classified as a more disturbed rough grassland / ruderal habitat, and can also provide suitable habitat for reptiles. However, the site does not have the same habitat value as the neutral semi-improved grassland habitat of Kelaart's Field (site MP9).

The hedgerows surrounding both sites MP5 and MP9 are not especially diverse and so would not receive specific protection under the hedgerow regulations. However, they do provide nesting habitat for birds and foraging corridors for bats and other wildlife.

Moors Ditch is a tree'd stream corridor, providing bird nesting habitat as well as a valuable corridor for other wildlife, including foraging bats. There are also records for water vole.

To ensure the ecological baseline for the LDO area continues to be monitored, the ecological baseline surveys will need to be refreshed on a regular basis (biennial) over the 15 year time-span of the LDO. If there is found to be any change to the baseline conditions, surveys may need to be repeated. There is, therefore, no requirement for an Environmental Statement on the grounds of ecological impact. Should the baseline conditions change, there may be a requirement for a further screening exercise and review of the Order. These matters can be covered by a condition attached to the LDO.

Land contamination

The Phase 1 Environmental Assessment has identified sites MP5, MP8 and MP9 (i.e. the undeveloped sites outside the existing business park) to be of low risk of land contamination. However, the existing business park site has a potential for contamination arising from historic and recent industrial uses. However, many of the previous intrusive investigations for individual development plots across the site have only identified localised soil and groundwater contamination at levels that would not pose a significant constraint on future development.

Given the size of the existing business park, there is the risk of localised areas of contamination that have not been identified by the investigations carried out to date. Additional intrusive investigations should be undertaken, therefore, to investigate specific ground conditions for individual development sites on the existing business park. Attaching the standard contaminated land condition to the LDO is appropriate to ensure this is undertaken. Accordingly, there is no requirement for an Environmental Statement on the grounds of potential land contamination.

Noise and vibration

The suggested noise attenuation levels to ensure that any noise impact from M & E plant is not significant are considered acceptable, subject to a minor amendment to clarify the time bands and noise level maximums.

The proposed approach for protecting the internal noise environment of offices is appropriate and the internal noise environment target is the Good standard specified in BS8223:1999.

The developer will be required to seek the prior approval of the local planning authority before commencing demolition works and, depending on the scale of the works or their proximity to neighbouring uses, a demolition management plan may need to be agreed. There will be no whole-scale redevelopment of Milton Park.

The submitted report deals with noise from mechanical and electrical plant. It does not appear to deal with issues such as vehicle movements and other ancillary activities on specific sites and how these might have an impact on nearby noise sensitive premises. This matter could be addressed by including these matters within the limits proposed for M & E plant.

Site transport noise appears not to have been considered and routing agreements to direct site traffic and HGVs away from the nearby housing and villages may be needed, particularly at night-time. Overall, however, there will be no significant noise or vibration impacts arising from the proposed LDO.

Air quality (dust)

The submitted 'Air Quality Assessment Milton Park Local Development Order' report has considered

baseline air quality conditions in the vicinity of the proposed LDO site, potential construction phase dust impacts, and operational phase road vehicle exhaust emission impacts.

For dust impacts, sensitive receptor sites have been identified from a desk top study of the area up to 350 metres from the LDO site boundary. Sensitivity of the receiving environment to dust emissions was determined as 'medium' based on Guidance and Assessment of the Impacts of Construction on Air quality and the Determination of their Significance published by the Institute of Air Quality Management in 2011. Dust impacts from demolition works will be controlled by a condition on the LDO. The developer will be required to seek the prior approval of the local planning authority before commencing demolition works and, depending on the scale of the works or their proximity to neighbouring uses, a demolition management plan may need to be agreed. There will be no whole-scale redevelopment of Milton Park.

Baseline conditions for operational impacts have been predicted from the 2010 1km x 1km background pollutant concentrations produced by Defra. The 13 worst-case sensitive receptor locations in the vicinity of the LDO site were identified and used as the basis for modelling the impacts on air quality in 2030 with the LDO (do something scenario) and without the LDO (do minimum scenario).

The predicted impacts for both NO₂ and PM₁₀ are negligible at all sensitive receptor locations with only minor changes predicted between the two scenarios (i.e. with the LDO and without the LDO).

Predictions were made using ADMS-Roads model, based on traffic data provided by Halcrow Group. The Halcrow data was provided from the Central Oxfordshire Transport Model (COTM), updated to include latest housing, employment and infrastructure forecasts for 2030 including assumptions for the SVUK area.

The Halcrow strategic traffic assessment shows that the LDO development will not have a strategic traffic impact. The transport modelling shows that the highway network responds to the LDO development by re-routing trips, redistributing trips and switching trips to public transport. Additionally, the LDO is not predicted to significantly alter congestion issues at local junctions that would be used by Milton Park traffic. Overall, therefore, and subject to a condition attached to the LDO to control air quality impacts, there will be no requirement for an Environmental Statement on the grounds of air quality.

Water resources / Flood risk

The LDO area lies in flood zone 1, and so is at low risk flooding. SUDs will be required to be incorporated into new development proposals and surface water drainage strategies will need to demonstrate that there will not be an increase in run-off from development areas as a result of new development.

Transport

The highway and traffic impacts are directly linked to the nature of the business use activities within the Milton Park site. The Halcrow strategic traffic assessment shows that the LDO development will not have a strategic traffic impact. The transport modelling shows that the highway network responds to the LDO development by re-routing trips, redistributing trips and switching trips to public transport. Additionally, the LDO is not predicted to significantly alter congestion issues at local junctions that would be used by Milton Park traffic. However, the Halcrow report identifies the need for some local highways improvements.

Based on the information provided and the technical work carried out, and subject to conditions and some junction improvement works to be secured by a section 106 agreement, there are no significant impacts or concerns relating to transport arising from the proposed LDO.

Historic environment

The guidance provided in Circular 02/99 at Annex C, *Information to be included in an Environmental Statement* (at paragraph 3 of Part 1) lists the environmental factors that should be taken into account in the preparation of an Environmental Statement. The list includes architectural and archaeological heritage as an issue that needs to be addressed.

The submitted heritage statement addresses the issue of the scheduled ancient monument (OX250) on site MP9. English Heritage has confirmed that an Environmental Statement will not be required on archaeological grounds, provided no new building or planting is proposed on the area of the scheduled ancient monument on site MP9. Archaeological conditions will need to be attached to the LDO.

The updated heritage statement has also addressed the proximity of the Milton conservation area and adjacent listed buildings to the north-west corner of the LDO site. No part of the LDO site is included within the conservation area, and the building heights in zones B and D adjacent to the conservation area will be restricted to ensure there will be no adverse impact on the setting of the conservation area.

Accordingly, the proposed LDO will not have a significant impact on the built or archaeological historic environment.

Socio-economic

The proposed LDO will have a positive socio-economic impact through the creation of additional jobs.

Conclusion

In assessing the potential impacts of the proposed LDO, the relevant environmental impacts have been considered. Whilst these impacts may have some local significance, they can be suitably mitigated by imposing conditions on the LDO and completing a section 106 agreement to secure the means to carry out necessary highway improvement works.

Overall it is considered that the proposal represents development opportunities that would not generate the need for an EIA and, therefore, an Environmental Statement is not required.

The screening opinion of the Council, therefore, is that an Environment Statement is **not required** for the development permitted by the proposed LDO at Milton Park.

Date: 27 September 2012

Signed:	
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Major Applications Officer	Planning Development Manager