

**DETERMINATION AS TO WHETHER OR NOT A DEVELOPMENT
PROPOSAL IS SUBJECT TO ENVIRONMENTAL IMPACT ASSESSMENT –
SCREENING OPINION**

[illegible]

Reference	SO/2016/014
Application no.	P/2016/1119
Date the decision due	02/01/2017
Address of site	LAND SOUTH OF BIG GREEN FARM ELLESMERE LANE PENLEY WREXHAM LL13 0LP (See location plan above)
Agents Name	BERRYS FAO MR MICHAEL LLOYD
Address	WILLOW HOUSE EAST

	SHREWSBURY BUSINESS PARK SHREWSBURY SY2 6LG
Proposed development	ERECTION OF 12 DWELLINGS
Schedule 1 category	NO
Schedule 2 category	<i>Infrastructure projects -</i> 10.(b) Urban development projects, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas
The reasons why it is Schedule 2 in the Regulations	The site area exceeds the thresholds of 0.5 Hectare

The proposed development is **not** categorised as any of the activities under Schedule 1 of the Regulations, for which the submission of an EIA is mandatory. As such, it is appropriate to consider the proposed development in the context of paragraph 10. (b) Urban development projects -under Schedule 2 of the Regulations. These thresholds determine whether a development falls within Schedule 2 of the regulations whereby an EIA may be required if the development has the potential to generate significant effects. For this development the applicable threshold and criteria to be taken into account when determining if the proposals fall within Schedule 2 is defined as 'the area of the development exceeds 0.5 ha'.

The general criteria for assessing **significance** are provided in paragraph 33 of the Circular. In applying the general tests of significance the LPA must assess whether a Schedule 2 project is likely to have impacts that are of 'more than local importance'. It is not sufficient that the development will have off-site local impacts. More than local importance means effects beyond their immediate locality, which give rise to substantial national or regional controversy, which may conflict with national policy on important matters. The fact that there are likely to be environmental effects beyond the site boundaries but within the general locality of the site does not therefore, in itself, constitute 'more than local importance'.

Schedule 3 of the Regulations raises certain selection criteria that must be taken into account:

- Characteristics of the development (it is more than local importance?);
- Location of development (is there a sensitive/vulnerable location involved?);
- Characteristics of potential impacts (would these be complicated or adverse?).

SECTION B

1. The Proposal

1.1 The project comprises of 12 houses on agricultural land (measuring approximately 6,800 square metres) outside of the defined settlement limit which lies to the north. The land shares a boundary with Big Green Farmstead with countryside to the north and west, highway to the east and south, and houses and countryside beyond.

1.2 Environmental sensitivity of the proposal

- Risk of flooding: The site is not located within flood risk zone.
- Ecological: Within an important pondscape with high potential for supporting large number of great crested newts. Regard has been given in the application submission for the favourable conservation status.
- Traffic Impact Assessment: Transport Assessment accompanies the planning application.

2. Characteristics of the Development

2.1 The size of the development

The direct effects of the erection of 12 no. units are limited to a relatively small area surrounding the site.

2.2 Cumulative effect

Housing development exists to the south. There is a proposal for 13 houses on the adjacent land north of the site at The Farmstead, Big Green Farm. The proposals when considered in combination are not considered to give rise to any significant environmental impacts and no adverse cumulative impact would occur.

2.3 The use of natural resources

There is no use or loss of natural resources beyond that associated with standard construction practices.

2.4 Waste

Normal waste associated this nature of development. Unlikely to be in quantities which would have significant environmental impacts.

2.5 Pollution and nuisance

Short term noise, emission and dust issues associated with normal construction practices which can be controlled by planning conditions. Longer term noise restricted to the normal use of the dwellings and associated increased traffic movements, and there would be no significant increases of more than local significance.

2.6 Risk of accident

Construction works would be controlled by Health and Safety legislation and good site management. Increase in traffic will be catered for by new access point with acceptable visibility for motorists and pedestrians.

3. Location of the Development

3.1 The existing land use

The project comprises of 12 dwellings. The development is on agricultural land (measuring approximately 6,800 square metres) outside of the defined settlement limit which is to the north. The land shares a boundary with Big Green Farmstead and countryside to the north and west, with highway to the east and south with houses beyond and countryside beyond.

3.2 The relative abundance, quality and regenerative capacity of natural resources in the area

There will be no significant loss of, or impact upon exceptional or unique natural resources.

3.3 The absorption capacity of the natural environment; (paying particular attention to wetlands, coastal zones, mountain and forest areas, nature reserves and parks, areas classified or protected under Council Directive 79/409/EEC on the conservation of wild birds and Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora; areas in which the environmental quality standards laid down in Community legislation have already been exceeded, densely populated areas and landscapes of historical, cultural or archaeological significance)

- The site is not wetland;
- The site is not coast land;
- The site does not sit within a mountain, forest or nature reserve or park;
- The site does not sit within an area classified or protected under Council Directive 79/409/EEC on the conservation of wild birds and Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora;
- The site does not sit within an area in which the environmental quality standards laid down in Community legislation have already been exceeded, a densely populated area or a landscape of historical, cultural or archaeological significance.

4. Characteristics of the potential impact

4.1 The extent of the impact

Direct effects are limited to the site and the immediate local area in terms of traffic, air quality, noise, scale and ecological issues.

4.2 The transfrontier nature of the impact

The proposed development is entirely within the WCBC area and will not give rise to impacts of this nature.

4.3 The magnitude and complexity of the impact

The nature of the development and potential impact on the sensitive site is unlikely to lead to complex impacts.

4.4 The probability of the impact

Likely effects are clearly definable and limited to the development. Impacts can be addressed and controlled effectively by planning conditions.

4.5 The duration, frequency and reversibility of the impact

Effects would be for the life of the development. Any effects of the development are predicted to be negligible in relation to its location.

SECTION C

Consideration has been given by the Local Planning Authority to the relevant selection criteria in Schedule 3 to the Regulations, the general guidance contained in EIA Circular 11/99, and any relevant indicative criteria in Annex A of the Circular and in the case of the Schedule 2 development, whether it is in a sensitive area under Regulation 2(1). The Local Planning Authority **hereby determines** that :

The proposed development as described in the submitted details would not give rise to significant adverse effects on the environment and therefore an Environmental Impact Assessment is not required.



Signed by Lawrence Isted
Head of Community Wellbeing and Development

Date of Determination: 21/11/16

References:

Town & Country Planning (EIA) (England and Wales) Regulations 1999 and in particular categories 1 – 10 of Schedule 2

Welsh Office Circular 11/99 and in particular Annex A

