

## DELEGATED REPORT

<b>Application No:</b>	22/P/2963/EA1	<b>Target date:</b>	26.10.2022
<b>Case officer:</b>	Jessica Harper	<b>Extended date:</b>	
<b>Proposal:</b>	Request for a formal screening opinion as to whether an Environmental Impact Assessment is required to be submitted with an application for a proposed development comprising up to 280 new residential dwellings, associated access, landscaping and infrastructure. THIS IS NOT A PLANNING APPLICATION		
<b>Site address:</b>	Land To North Of Rectory Farm, Chescombe Road, Yatton, BS49 4EU		

### EIA SCREENING OPINION

#### Classification and the need for screening

The proposed development falls within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 - Column 1, Part 10 **Infrastructure Projects (b) urban development projects** and **(ii) the development includes more than 150 dwellings**, therefore exceeds the thresholds in Column 2. A formal screening opinion is therefore required.

#### Consultation summary

The Council has no statutory obligation to consult on EIA screening requests. It does however undertake nominal consultation including the local Parish Council and it can carry out further consultation if required. The following comments comprise summaries only. For the full comments, please refer to the website:

Environment Agency No comments received

#### Natural England

It is Natural England's advice, on the basis of the material supplied with the consultation, that there are potential likely significant effects on statutorily designated nature conservation sites or landscapes and further assessment is required.

The proposed development is located within or has the potential for adverse effects on the following designated sites:

- Biddle Street, Yatton Site of Special Scientific Interest (SSSI)
- Tickenham, Nailsea and Kenn Moors Site of Special Scientific Interest (SSSI)
- King's Wood and Urchin Wood Site of Special Scientific Interest (SSSI)
- Brockley Hall Stables Site of Special Scientific Interest (SSSI)
- Severn Estuary Site of Special Scientific Interest (SSSI)
- North Somerset & Mendip Bats Special Area of Conservation (SAC)
- Severn Estuary Ramsar
- Severn Estuary Special Protection Area (SPA)

- Severn Estuary / Môr Hafren Special Area of Conservation (SAC)

Natural England has not assessed the significance of any impacts on these designated sites or landscapes. The proposed development may therefore be likely to have significant effects on the interest features for which these sites are notified or the purposes of designation and we advise you to consider further whether an Environmental Impact Assessment (EIA) is required.

Should you decide that an EIA is not required, Natural England advises that sufficient information on the potential impacts of this proposal upon these designated sites/areas is submitted with any subsequent planning application. We would be pleased to discuss this further with the applicant through our [Discretionary Advice Service](#).

Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this proposal is likely to affect protected species to such an extent as to require an Environmental Impact Assessment (EIA). The developer must provide sufficient information for your authority to assess whether protected species are likely to be affected and, if so, whether appropriate avoidance, mitigation or compensation measures can be put in place. Further information is included in Natural England's [standing advice](#) on protected species.

Should you determine that an EIA is not required in this case, you should ensure that the application is supported by sufficient biodiversity, landscape and other environmental information in order for you to assess the weight to give these material considerations when determining the planning application.

#### Historic England

We consider that there appears to be minimal impact on the historic environment and therefore an EIA may not be required in relation to the historic environment. We recommend, however, that the applicant seeks confirmation from the relevant local authority Historic Environment staff for an informed local opinion of need.

#### Highways England

Our comments relate to matters arising from our responsibilities to manage and maintain the safe operation of the strategic road network (SRN), in this case the M5 motorway and specifically M5 J21.

#### **Location specific considerations**

- The Transport Assessment should consider the impact of the development on the operation of the strategic road network, in line with national planning practice guidance and DfT Circular 01/2022 'Strategic Road Network and the Delivery of Sustainable Development'. Where the proposals would result in severe congestion or an unacceptable safety impact, necessary infrastructure/mitigation will be required in line with current policy. The assessment should consider the development impact on M5 J21.
- The effects of the proposed development should be assessed cumulatively with other schemes, and we would expect the applicant to agree an appropriate list of schemes, including committed development in the area, with the local planning authority and National Highways.
- The Transport Assessment should consider the traffic impact through both the construction and operational phases of development.

#### **Assessment criteria**

In considering whether the proposal is 'EIA development' the key is whether it is likely to have 'significant' environmental effects. Criterion for Screening 'Schedule 2' development is set out in 'Schedule 3' of the EIA Regulations and it says proposals should be screened according to the:

- Characteristics of the development (e.g. size, use, pollution and waste);
- Location of the development; and
- Types and characteristics of potential impact (magnitude and duration)

EIA development will usually apply where the proposals are:

- More than local importance
- Development proposed in particularly sensitive or in vulnerable locations
- Development with unusually complex or hazardous consequences

The **screening checklist** attached alongside this report is provided so that consideration can be given to potential impacts and whether these are likely to have 'significant' environmental effects. Further information is provided below.

## 1. Characteristics of the Development

Schedule 3 of the Regulations sets out that the characteristics of the development must be considered having regard, in particular, to the size of the development; the cumulation with other development; use of natural resources; production of waste; pollution and nuisances and the risk of accidents, having regard in particular to substances or technologies used.

The proposal is outlined as a scheme of up to 280 dwellings, on a site of approximately 13 hectares in size. This comprises nine fields currently in agricultural use, separated by field boundaries including rhynes, with trees/ hedgerows forming the northern boundary of the site. To the west of the site is the strawberry line cycling and walking pathway. There are no Public Right of Way through the site. The site is 450 metres west of Yatton High Street.

The land is not classified as Grade 1 or 2 Agricultural Land Classification and is therefore less likely to be of Best and Most Versatile quality. Although this may need to be confirmed.

When considering the potential for cumulative effects of this scheme, particular attention should be paid to the number of schemes in the vicinity of the proposal site. There are nine residential-led schemes that are under construction, have planning permission/online consent, are currently in the planning application system and are allocated for residential development in Yatton. There are two additional schemes in nearby Claverham.

- Under construction:
  - Land at North End, Yatton – 154 dwellings
  - Former UTAS site, Claverham Works, Claverham – 77 dwellings
  - Total = **231** dwellings
- Full planning permission:
  - Moor Road, Yatton – 60 dwellings
  - Total = **60** dwellings
- Outline consent:
  - Rectory Farm, Yatton – 100 dwellings
  - Total = **100** dwellings
- Planning application under consideration:
  - Northern field at Claverham Works, Claverham – 24 dwellings
  - Land off Stowey Road, Yatton – 34 dwellings
  - Land at Box Bush Farm, North End Road, Yatton – 35 dwellings
  - Yatton Rugby Club, North End Road, Yatton – 87 dwellings
  - Total = **180** dwellings
- Allocated for residential development

- Land to the east and west of Wemberham Lane, Yatton – 24 dwellings
  - Yatton Station – 21 dwellings
  - Oxford Plasma Technology, North End Road, Yatton – 55 dwellings
- Total = 100 dwellings

Grand total = 671 dwellings

When this is added to the proposal number of dwellings associated with this proposal, this totals 951 dwellings.

#### Size and cumulative impact - landscape

The site is at least 6km distance from The Mendip Hills AONB and has no landscape designations. The North Somerset Landscape Sensitivity Assessment classifies the land of 'Low' landscape sensitivity to housing, except for the fields bordering the Strawberry Line path, which are of medium sensitivity. The land is for the generally well contained by dense vegetation along the Strawberry line cycle/pedestrian path, which separates it from the wider and more sensitive part of the Moors landscape.

Given the above it is considered that EIA is not warranted on landscape grounds.

Any future application will need a Landscape Visual Impact Assessment (LVIA) to inform the local impacts and mitigation.

#### Size and cumulative impact - highways and transportation:

It is considered most likely that the highways and transport impacts of the proposal can all be dealt with as part of a full planning application and therefore does not warrant an EIA on these grounds.

However, the Highways Agency and the Council's Transport Team have confirmed that the effects of the proposed development should be assessed cumulatively with other schemes.

A Transport Assessment (TA) and a separate Travel Plan will be required. Plans must consider pedestrian and cyclist movements in the vicinity of the site, including any impact on the Strawberry Line cycle and pedestrian route.

#### Natural resources, waste, pollution and hazards:

The site is within Tidal Flood Zone 3a and is also at risk of flooding from reservoirs. The site is identified by the Environment Agency as susceptible to ground water flooding, defined as <25%. It is important to note that whilst not shown on national scale mapping, the site is in an area known for waterlogging. Water lies on the on the ground during the winter period and does not drain away, this is particularly prevalent at the Shiners Elms end of the site. Flooded properties were recorded in Grace Close and Lodge Close in 2012.

It should be noted that the site drains into to the Biddle Street SSSI. This rhyme is noted for its flora and fauna, and therefore high-quality pollution control measures must be in place with any infiltration of water must be treated and clean.

Drainage requirements will include that site layout respects the natural drainage pattern across the site and provide space for water. Any open watercourses or ponds should remain open and the impacts of environmental change e.g., culverting sections for access should be assessed for changes in direction, which could affect the flows or the water level in the SSSI. As watercourse banks form corridors of biodiversity, these should be evaluated and enhanced. To maintain these into the future, a minimum of 5 metres should be allowed, as set out in North Somerset Biodiversity and Trees SPD.

There must be no interruption to the surface water drainage system of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage

systems continue to operate effectively and that land owners upstream and downstream of the site are not adversely affected.

Flood and Drainage Risk Assessment will need to examine the full range of sources of flood risk and potential impacts from/ to drainage.

The proposal is in close proximity to commercial uses, a train station, train line and Bristol Airport. A Noise Assessment and indeed an Air Quality Assessment will be required.

## **Cumulative impacts**

The proposed development, when considered cumulatively with other 'existing or approved' developments, as outlined above, totals: **951 dwellings**. This is not far short from the 1,000-dwelling indicative EIA threshold set out within Planning Practice Guidance. It is considered therefore, that it is not possible for significant cumulative effects to be ruled out.

The applicant outlines that the principal environmental effects from the proposed development would relate to traffic movements with associated noise and air quality emissions, flood risk and ecological impacts. These identified effects will also relate to other nearby schemes and therefore the cumulative implication of these should be explored. We recommend that you agree the scope of work on cumulative impacts with us at an early stage.

The Highways Agency and the Council's Transport Team have confirmed that the effects of the proposed development should be assessed cumulatively with other schemes.

The screening report details that Construction Environment Management Plans of this scheme and other nearby consented residential schemes will ensure that mitigation measures are implemented to ensure that there are no significant impacts from these developments. However, it is our opinion that because there is the potential for a wide range of cumulative impacts – including traffic, flooding/ drainage, character of existing settlement – historic landscape and character, healthcare/ school provision, noise and air quality this warrants detailed investigation.

It is considered necessary therefore, that the cumulative effects of these schemes on environmental receptors should be assessed and it is advised that a Cumulative Impact Assessment is provided with any future planning application.

## **2. Location of Development**

Schedule 3 of the Regulations states that the environmental sensitivity of geographical areas likely to be affected by development must be considered, having regard, in particular, to the existing land use; the relative abundance, quality and regenerative capacity of the natural resources in the area and the absorption capacity of the natural environment, particularly in relation to the relationship to wetlands, coastal zones, mountain and forest areas; nature reserves and parks; designated wildlife nature conservation areas; areas with a poor environment; densely populated areas; and landscapes of historic, cultural or archaeological significance.

The Planning Practice Guidance states that the more environmentally sensitive the location, the more likely it is that the effects will be significant and will require an assessment. Certain designated sites are defined in regulation 2(1) as sensitive areas. All developments in, or partly in, such areas should be screened. These are:

- Sites of Special Scientific Interest and European sites.
- National Parks, the Broads and Areas of Outstanding Natural Beauty; and
- World Heritage Sites and scheduled monuments.

Natural England say that the proposed development has the potential to impact the following designated sites:

- Biddle Street, Yatton Site of Special Scientific Interest (SSSI)
- Tickenham, Nailsea and Kenn Moors Site of Special Scientific Interest (SSSI)
- King's Wood and Urchin Wood Site of Special Scientific Interest (SSSI)
- Brockley Hall Stables Site of Special Scientific Interest (SSSI)
- Severn Estuary Site of Special Scientific Interest (SSSI)
- North Somerset & Mendip Bats Special Area of Conservation (SAC)
- Severn Estuary Ramsar SSSI
- Severn Estuary Special Protection Area (SPA)
- Severn Estuary / Môr Hafren Special Area of Conservation (SAC)

Whilst the site itself is not subject to international or national designations, it is adjacent to the Biddle Street, Yatton SSSI (rhyme network) and would drain into this, therefore having the potential to impact upon this and interconnecting SSSI networks. The SSSI is designated due to its wide range of flora and fauna associated with it. The Tickenham, Nailsea and Kenn Moors SSSI is 680m North of the site. Potential for impacts upon these and other sensitive sites will need to be assessed and where necessary mitigation measures reported upon.

The site is also within Consultation zone B of the North Somerset and Mendip Bats SAC, with the Horseshoe Bat SAC just over 2km from the site. The North Somerset and Mendip Bats SPD requirements for sites within Consultation zone B will need to be followed. This includes details for seasonal bat surveying, and this will need to be agreed with the Council's ecologist.

The applicant confirms that Ecological Appraisal and accompanying protected species survey, Biodiversity Net Gain Assessment and Arboricultural Assessment will be submitted alongside a future planning application.

#### Built heritage/ archaeology:

There are no scheduled monuments or listed buildings on the site. Historic England state that there is likely to be minimal impact on the historic environment from the proposal and this is agreed. It is therefore considered that the proposal in terms of heritage impacts can be dealt with through planning application process.

### **3. Characteristics of Potential Impact**

Schedule 3 of the Regulations states that the potential significant effects of development must be considered in relation to criteria set out above (characteristics and location) and having regard in particular to the extent of the impact (geographical area and size of the affected population); the transfrontier nature of the impact; the magnitude and complexity of the impact; the probability of the impact; the duration, frequency and reversibility of the impact.

For the reasons set out above, the proposed development is considered most likely to have localised impacts only, which can be addressed through the planning application process. These will not give rise to significant environmental effects and are not of a scale or type that is likely to give rise to complex or hazardous consequences. On this basis, the proposal does not constitute EIA development.

#### **Screening checklist**

None of the Questions posed that were answered, 'yes' likely to have an adverse effect were additionally answered that these effects had the potential to be 'significant.' However, it is considered that further assessment is required to confirm this.

#### **Summary and Conclusions**

For the reasons set out above, the proposal is unlikely to have significant effects on the environment having regard to the characteristics, location or potential impact of the development. The proposed development does not, therefore, constitute EIA development.

### **Recommendations**

Issue a **NEGATIVE SCREENING OPINION** - The proposal does not constitute EIA development for the following reasons:

It is considered likely that the proposal is most likely to have localised impacts only, which can be addressed through the planning application process. However, to confirm this, the following assessment will be required as part of the planning application process:

- **Cumulative Impact Assessment** – to include potential impact on existing traffic movements, flooding, drainage, ecology, existing character of settlement, noise and air quality, historic landscape character and healthcare/school provision
- Surveying requirements for sites within Zone B of the Mendip and North Somerset Bats Consultation Zone. Set out in the North Somerset and Mendip Bats SPD

**NORTH SOMERSET COUNCIL:**

**EIA Screening Checklist**

<b>Planning reference Number:</b> 22/P/2963/EA1					
<b>Site address:</b> Land at Rectory Farm, Yatton, North Somerset					
Questions to be considered:/P/	Likely to have an adverse effect?		If <b>yes</b> , is this likely to be significant?		If <b>yes</b> , consider whether: 1) Likely to be of more than local importance? 2) Is within a sensitive area? 3) Likely to have unusually complex/ hazardous effects?
1. Will construction, operation or decommissioning <b>cause physical change</b> in the locality (topography, land use, changes in waterbodies etc?)	Yes	No	Yes	No	To be determined.
	x				
2. Will construction or operation use <b>natural resources, such as land, water, materials or energy</b> especially any resources which are non-renewable or in short supply?	Yes	No	Yes	No	
		x			
3. Will the Project involve use, storage, transport, handling or production of <b>substances or materials which could be harmful to human health or the environment?</b>	Yes	No	Yes	No	
		x			
4. Will the project produce <b>solid wastes</b> during construction or operation or decommissioning?	Yes	No	Yes	No	Will need to be controlled through CEMP.
	x			x	
5. Will the project release <b>pollutants or any hazardous, toxic or noxious substances</b> to air?	Yes	No	Yes	No	
		x			
6. Will the project cause <b>noise and vibration or release of light, heat or electromagnetic radiation?</b>	Yes	No	Yes	No	
		x			
7. Will the project lead to <b>risks of contamination of land or water</b> from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	Yes	No	Yes	No	
		x			
8. Are there <b>any areas on or around the location which are already subject to pollution or environmental damage</b> e.g. where existing legal environmental standards are exceeded, which could be affected by the project?	Yes	No	Yes	No	
		x			
9. Are there any areas on or around the location which are <b>protected under international or national or local legislation</b> for their ecological, landscape, cultural or other value, which could be affected by the	Yes	No	Yes	No	Adjacent to the Biddle St. SSSI and in proximity to other sensitive designations, including the Bats SAC. The Bats SPD guidance must be followed with level of surveying to be agreed.
	x			x	



project?					
10. Are there any other areas on or around the location which are <b>important or sensitive for reasons of their ecology</b> e.g. wetlands, watercourses or other waterbodies, the coastal zone, mountains, forests or woodlands, which could be affected by the project?	Yes	No	Yes	No	Adjacent to the Biddle St. SSSI and in proximity to other sensitive designations. Ecological Assessments will be required.
	x				
11. Are there any areas on or around the location which are used by <b>protected, important or sensitive species of fauna or flora</b> e.g. for breeding, nesting, foraging, resting, overwintering, migration, which could be affected by the project?	Yes	No	Yes	No	Adjacent to the Biddle St. SSSI and in proximity to other sensitive designations, including the Bats SAC. Appropriate surveying will need to be agreed as part of the planning application process.
	x			x	
12. Are there any <b>inland, coastal, marine or underground waters on or around the location</b> which could be affected by the project?	Yes	No	Yes	No	
		x			
13. Are there any areas or <b>features of high landscape or scenic value</b> on or around the location which could be affected by the project?	Yes	No	Yes	No	Mendip Hills AONB is some distance from the proposed site.
		x			
14. Is the project in a location where it is likely to be <b>highly visible</b> to many people?	Yes	No	Yes	No	The site is adjacent to an existing built up area, so less likely to be significant upon the wider landscape.
		x			
15. Are there any areas or <b>features of historic or cultural importance</b> on or around the location which could be affected by the project?	Yes	No	Yes	No	
		x			
16. Are there <b>existing land uses</b> on or around the location e.g. homes, gardens, other private property, industry, commerce, recreation, public open space, community facilities, agriculture, forestry, tourism, mining or quarrying which could be affected by the project?	Yes	No	Yes	No	Impacts will need to be managed through the planning application process.
	x			x	
17. Are there any areas on, or around, the location which are <b>occupied by sensitive land uses</b> e.g. hospitals, schools, places of worship, community facilities, which could be affected by the project?	Yes	No	Yes	No	Impacts will need to be managed through the planning application process.
	x			x	
18. Are there any areas on or around the location which contain important, <b>high quality or scarce resources</b> e.g. groundwater, surface waters, forestry, agriculture, fisheries, tourism, minerals, which could be affected by the project?	Yes	No	Yes	No	
		x			
19. Is the project location susceptible to <b>earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic</b>	Yes	No	Yes	No	There are flood/ waterlogging risks presented, but these have the potential to be overcome through scheme design.

<b>conditions</b> , which could cause the project to present environmental problems?		x			
20. Are there any <b>plans for future land uses</b> on or around the location which could be affected by the project?	Yes	No	Yes	No	
		x			
21. Is there potential for <b>cumulative impacts with other existing or planned activities</b> in the locality?	Yes	No	Yes	No	To be determined through <b>cumulative impact assessment.</b>
	x				
<b>Screening Decision</b>					
Through answering the above, is it judged that the project is likely to have a significant effect on the environment?	<b>Yes</b>				<b><u>No</u></b>

Signed: Jessica Harper