



The Old Vicarage

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RW/24.197/EIASR
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Dear Mr Brown

EIA Screening Request – Erection of up to 200 dwellings, potential community health hub and safeguarded land for education together with landscaping, open space, infrastructure and other associated works, at Land off Bosworth Lane, Newbold Verdon

Cerda Planning Ltd are instructed on behalf of Bloor Homes to request a formal Environment Impact Assessment (EIA) screening opinion from Hinckley and Bosworth Borough Council to determine whether the proposed development constitutes Environment Impact Assessment development.

The description of the development subject to this screening request is 'erection of up to 200 dwellings, a potential site for a community health hub and potential safeguarded land for education together with landscaping, open space, infrastructure and other associated works'.

The request for a screening opinion is made under the Town and Country Planning (Environmental Impact Assessment Regulations 2017 in accordance with Regulation 6(2) of the EIA Regulations, this letter is accompanied by:

- A plan sufficient to identify the land - see Site Location Plan
- A description of the development – see also Indicative Concept Plan
- A description of the aspects of the environment likely to be significantly affected by the development; and
- To the extent that information is available, a description of any likely significant effects of the proposed development on the environment.

This document provides a systematic review to aid the screening process and provide the local planning authority with the information required by the EIA Regulations:

- The first section provides a plan to identify the project site and a description of the nature and purpose of the proposal;
- The second section considered whether the proposed development is Schedule 1 or Schedule Development;
- The third section describes the EIA legal framework within which screening should be undertaken
- The fourth section sets out the matrix for consider the potential for significant effects on the environment
- The fifth section concludes the review

The Site and Project Description

Site Location Plan and Description

The Site extends to approximately 8.74ha, comprising a parcel of agricultural land located to the northwest of Newbold Verdon, adjoining the existing built edge of the settlement. The village lies approximately 4 miles to the east of Market Bosworth and approximately 10 miles to the west of Leicester.

The Site is bounded by Bosworth Lane (B585) to the northwest, further agricultural land to the southwest, and an existing hedgerow and tree belt adjoining Newbold Verdon Primary School playing fields to the south east. Trees and hedgerows border the Site to the northeast, beyond which lies existing residential development and a new area of development currently under construction.

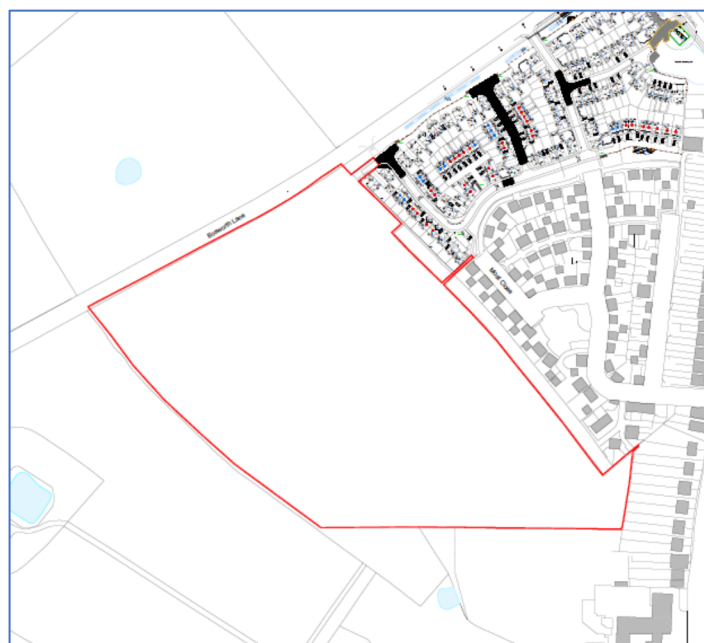


Figure 1: The Site

The Site benefits from a variety of facilities and services located within Newbold Verdon, with additional amenities located in Market Bosworth and Leicester City Centre. The following can be accessed within easy walking and cycling distance of the Site:

- Library
- Play areas
- Primary school
- Early years childcare
- Pharmacy
- Food and beverage offer
- Convenience shopping
- Sports club
- Post office

The Site is well located for public transport, with bus route 153 running regularly through the village from Desford to Market Bosworth. The nearest bus stops are located on Main Street and Dragon Lane. A Public Right of Way runs along the south west of the Site, providing convenient access to main street and access to facilities in the village.

The site is located within Flood Zone 1 as identified on the Environment Agency flood maps. The site is within a Sand and Gravel Mineral Safeguarding Area and comprises a mix of Grade 2 and 3a agricultural land.

There are no designated or non-designated heritage assets within the site. There are several listed buildings located in the vicinity of the site, notably the Grade I listed Newbold Verdon Hall and the Grade II listed The Church of St James. The site is located to the west of the Newbold Verdon Conservation Area. Additionally, there is one scheduled monument located to the southeast of the site, the Moated Site South of The Hall.

Project Description

The development proposed comprises residential development of up to 200 dwellings, a community centre/hub and safeguarded land for education. The development would include associated infrastructure including attenuation areas, open space. It is proposed to deliver the dwellings through an outline planning application and subsequent reserved matters.



Figure 2: Extract of Concept Plan

The development would be accessed by a primary vehicular access onto Bosworth Lane, with a secondary access onto Hall Lane.

The design proposals for the site has been carefully designed to take into consideration both the present and future context of the site. An area of open space along the southwest boundary will provide views towards the spire of the Church of St James and a further framed views to the Grade I Listed Verdon Hall.

Existing trees and hedgerows are retained, other than where removal is required to facilitate access from Bosworth Lane and into the existing Bloor Homes site to the northeast. The proposals will be capable of delivering a 10% biodiversity net gain on-site.

Areas of public open space are proposed around the site and include areas for play and walking routes. A surface water drainage strategy has also been designed, which will allow opportunities for environmental enhancements.

The new houses are likely to be of a “traditional” character and the proposals will include a choice of building materials informed by local character.

The outline planning application is proposed to be accompanied by the following documents:

- Plans
 - Site Location Plan (1:1250 or 1:2500)
 - Site/Block Plan (1:200 or 1:500)
 - Concept Plan
 - Site Access Plan
- Affordable Housing Statement
- Agricultural Land Classification Assessment
- Air Quality Assessment
- Arboricultural Impact Assessment
- Archaeological Desk-based Assessment
- Biodiversity Net Gain Assessment
- Design and Access Statement
- Flood Risk Assessment and Drainage Strategy
- Heritage Assessment
- Landscape and Visual Impact Assessment
- Mineral Safeguarding Assessment
- Noise Impact Assessment
- Planning Statement
- Preliminary Ecological Appraisal
- Site Investigation (Phase 1)
- Statement of Community Involvement
- Transport Assessment
- Travel Plan

Is the proposal defined as Schedule 1 or Schedule 2 Development?

Does the project fall within Schedule 1 – No

Does the project fall within Schedule 2, Column 1 – Yes, 10(b) Urban Development Project

Is the project located in a defined 'Sensitive Area' – No

What is the applicable threshold in Schedule 2, Column 2 – The development includes more than 150 dwellings (ii) and the overall area of the development exceeds 5 hectares (iii).

Does the project exceed the applicable threshold – Yes

The Legal Framework for EIA

Environmental Impact Assessment (EIA) is a statutory process governed by UK and European law. The requirement for EIA derives from European Directive 85/337/EEC as amended by 2011/92/EU on the effects of certain public and private projects on the environment. In England, the EU Directive is transposed into law through the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

In addition to the EIA Regulations and Directive, current Government guidance is provided by the National Planning Practice Guidance.

Case Law

Case law is an important factor in EIA, and screening in particular. There are a number of matters to be mindful of:

- The screening opinion must be robust and based on sufficient information. However, a balance must be struck on the amount of information necessary.
- Screening must be undertaken for all applications including retrospective applications, applications for demolition and reserved matters applications.
- Whilst a planning application must be considered on its own merits, consideration should be given as to whether it can be developed in isolation or is inevitably part of a larger project. An example would be considering a planning application for a power station without considering its associated power lines.
- When interpreting the types of projects set out in Schedules 1 and 2 of the Regulations, it should be remembered that they are intended to have a wide scope and broad purpose. The EU has provided further guidance on their interpretation.
- In certain circumstances it is appropriate to assume that planning conditions would be employed to mitigate significant effects and therefore for the project not to require EIA. Case law to date suggests the following test should be applied:
 - There must be a high level of confidence in the mitigation achieving the stated objective; and
 - It must not be controversial in any way; and
 - Must not itself lead to further potentially significant environmental effects

Schedule 2 Development – possible effects on the environment

The following assessment has been undertaken with full consideration of Schedule 3 of the Regulations.

The following assessments of the likely significant effects of the development on the environment have regard to the impact of the development taking into account the following.

- the magnitude and spatial extent of the impact;
- the nature of the impact;

- the transboundary nature of the impact;
- the intensity and complexity of the impact;
- the probability of the impact;
- the expected onset, duration, frequency and reversibility of the impact;
- the cumulation of the impact with the impact of other existing and/or approved development;
- the possibility of effectively reducing the impact.

Screening Criteria Question	Response to the screening criteria	Is a significant effect likely?
Will construction, operation or decommissioning of the project involve actions which will cause physical changes in the topography of the area?	Yes – Some alterations to topography to create residential plots, roads, parking and landscaping.	No – Owing to the site being relatively flat any earthworks are likely to be minor to create the development.
Will construction or operation of the project use natural resources such as land, water, materials, or energy, especially any resources which are non-renewable or in short supply?	Yes – Typical natural resources required for the construction of the development. Water and energy will be required during construction and then occupation of the development.	No – The resources required for the development (both during construction and occupation) are common and not specific to this site
Will the project involve use, storage, transport, handling or production of substances or materials which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health?	No – The development is a housing led proposal	No – It is unlikely that hazardous substances or materials would be utilised in the construction or operation of this development as a housing development.
Will the project produce solid wastes during construction or operation or decommissioning?	Yes – Construction waste and typical household waste on operation.	No – A site waste management plan and strategy can be secured alongside a construction environmental management plan (CEMP) via planning condition to mitigate any waste concerns. On occupation typical solid waste will be generated and disposed of in usual terms likely by Local Authority collection/disposal.
Will the project release pollutants or any hazardous, toxic, or noxious substances to the air?	No	No – A construction environmental management plan can be secured via planning condition to mitigate any pollution concerns.
Will the project cause noise and vibration or release of light, heat energy or electromagnetic radiation?	Yes – Temporary construction operations will generate a source of noise and vibration. During operation, background noise levels within the vicinity of the site will likely increase due to the increase in activity in the area and the rise in vehicular movements to and from the Site. The proposed development will include external lighting typical of a residential development	No – A construction environmental management plan can be secured via planning condition to mitigate any pollution concerns. On occupation the noise/vibration etc will be typical of a housing development as found in the local area and is not of a scale to be significant.

Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters, or the sea?	Yes – The Site is in agricultural use, and there is limited potential for the presence of contamination. Construction activities could result in release of contaminants to ground, for example from accidental spillages during of fuel/oil associated with mechanical plant.	No – Contamination issues can be assessed and mitigated via the results of a Phase I Ground Investigation report as part of a planning application. Construction impacts can be managed through a CEMP.
Are there any areas on or around the location which are already subject to pollution or environmental damage e.g., where existing legal environmental standards are exceeded, which could be affected by the project?	No – There are no known areas on or around the location which are subject to pollution or environmental damage.	No – The application site is not within or near a location that is already subject to pollution or environmental damage that are likely to be exacerbated by the development.
Will there be any risk of major accidents during construction or operation of the project which could affect human health or the environment?	No – the site's location is not at significant risk from major disasters.	No – Health and safety procedures will be in place.
Will the project result in social changes, for example, in demography, traditional lifestyles, employment?	Yes – The proposal will increase the village population and potentially alter the demography.	No – The development is not of a scale that would lead to significant social change
Are there any areas on or around the location which are protected under international or national or local legislation for their ecological, landscape, cultural or other value, which could be affected by the project?	Yes – The Site and its surroundings are not subject to any statutory or non-statutory landscape designations, and the Site and its immediate surroundings is not subject to any ecological designations. There are designated heritage assets within the vicinity of the site.	No – There are no areas adjacent to the development that are protected under international, national, or local legislation for their ecological, landscape, cultural or other value that is affected by this development, except for designated heritage assets, however, impact upon these will be considered and mitigated through good design. Additionally, any visual impacts can be addressed via a Landscape and Visual Impact Assessment as part of a planning application.
Are there any other areas on or around the location which are important or sensitive for reasons of their ecology e.g., wetlands, watercourses or other waterbodies, the coastal zone, mountains, forests, or woodlands, which could be affected by the project?	No	No – The application site is not near any wetlands, watercourses, waterbodies, the coastal zone, mountains, forests, or woodlands. Mitigation measures can be secured via planning condition if any protected, important, or ecological areas are likely to be affected by the project. These will be considered through an Ecological Appraisal submitted with the planning application.
Are there any areas on or around the location which are used by protected, important or sensitive species of fauna or flora e.g., for breeding, nesting, foraging, resting, overwintering, migration, which could be affected by the project?	Yes – Whilst the site is in agricultural use and therefore has limited ecological value, there are a number of hedgerows and trees bounding the site which could be used by protected species.	No – Ecological surveys and mitigation measures will be required and can be secured via planning condition if any protected, important, or sensitive species are likely to be affected by the project

Are there any inland, coastal, marine, or underground waters on or around the location which could be affected by the project?	No	No – The application site is not near any inland, coastal, marine, or underground waters.
Are there any areas or features of high landscape or scenic value on or around the location which could be affected by the project?	No – the Site and its surroundings are not subject to any statutory or non-statutory landscape designations.	No – Any landscape/scenic impacts can be assessed via a Landscape and Visual Impact Assessment as part of a planning application and the proposal is likely to provide mitigation.
Is the project in a location where it is likely to be highly visible to many people?	Yes – The key visual receptors with close open views towards and across the Site are from Bosworth Lane and along the existing Public Rights of Way to the south of the Site.	No – Any visual impacts can be assessed via a Landscape and Visual Impact Assessment as part of a planning application and the proposal is likely to provide mitigation.
Are there any routes on or around the location which are used by the public for access to recreation or other facilities, which could be affected by the project?	Yes – As above, there is a Public Right of Way to the south of the site.	No – The PRow will be retained but visual impacts will need to be assessed during the proposal.
Are there any transport routes on or around the location which are susceptible to congestion, or which cause environmental problems, which could be affected by the project?	No – There are no known congestion/environmental issues	No – A highway assessment will be provided as part of a planning application to fully assess the impact of the development
Are there any areas or features of historic or cultural importance on or around the location which could be affected by the project?	Yes – Within the vicinity of the site are designated heritage assets comprising listed buildings and the conservation area.	No – As part of the application, an archaeological desk-based assessment and built heritage assessment will be submitted to consider the effects and proposed mitigations for any potential effects.
Is the project located in a previously undeveloped area where there will be loss of greenfield land?	Yes – The development is on undeveloped land.	No – The site is not located in an area covered by any landscape designations. There will be a clear change in the character of the land but not to the extent that this would be significant.
Are there existing land uses 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 – The Site is currently in agricultural use which would cease and is in close proximity to residential properties to the north	No – Potential effects on adjacent uses during the construction phase can be managed and controlled through a CEMP. The proposed residential use on site is considered to be appropriate to the adjacent uses subject to design.
Are there any areas on or around the location which are densely populated or built-up, which could be affected by the project?	Yes – as above	No – As above
Are there any areas on, or around, the location which are	No	N/A

occupied by sensitive land uses e.g., hospitals, schools, places of worship, community facilities, which could be affected by the project?		
Are there any areas on or around the location which contain important, high quality or scarce resources e.g., groundwater, surface waters, forestry, agriculture, fisheries, tourism, minerals, which could be affected by the project?	Yes – The site is located on Grade 3 Agricultural Land	No – An Agricultural Land Classification Assessment can be prepared to establish whether the Grade 3 land is Best and Most Versatile or not, but regardless, the loss would be proportionately minor in the context of the extent of such land within the district and surrounding area.
Is the project location susceptible to earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions e.g., temperature inversions, fogs, severe winds, which could cause the project to present environmental problems?	No - The sites location is not susceptible to such risks.	No – The application site is in Flood Zone 1. Nevertheless, due to the size of the site, a Flood Risk Assessment and Drainage Strategy will be prepared to support any planning application.
Are there any plans for future land uses on or around the location which could be affected by the project?	No	No
Are there any other factors which should be considered, such as consequential development which could lead to environmental effects, or the potential for cumulative impacts with other existing or planned activities in the locality?	No – there is only one committed development, along Brascote Lane, for major development in the settlement.	No - the proposed development is not considered likely to result in any significant effects. Given the scale and nature of the proposed development and the limited number of committed developments in proximity of the site, significant cumulative effects are not considered likely.

Conclusion

The proposed development will seek outline planning permission for up to 200 dwellings, a community centre/hub and safeguarded land for education.

The proposed development does fall within Schedule 2, Column 1 – 10(b) Urban Development Project. The development is not located in a defined ‘Sensitive Area’ but does exceed the applicable threshold of more than 150 dwellings and the development exceeds 5 hectares. Therefore, the site has been subject to assessment in accordance with Schedule 3 of the EIA regs.

The characteristics of the development does not present any likely significant effects on the environment that cannot be mitigated through assessments accompanying the application.

The location of the development is adjacent to existing residential development with no designations covering the site and the site presenting no significant constraints to development that would elevate it above local importance. It is considered there are unlikely to be any significant effects on the environment.

In this context, our view is that EIA should not be triggered for the proposed scheme because the key tests about sensitivity of the receiving environment or the complexity or significance of the proposed development are not met. The effects of the scheme are likely to be limited and are not significant enough to justify EIA.

It is for these reasons; it is considered that an EIA is NOT required for the proposed development, but we respectfully request that, in accordance with the EIA Regulations, the Council provides a formal EIA Screening Opinion within the requisite three weeks.

If you require any further information or clarification please do not hesitate to contact me.

Yours sincerely

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RICHARD WEST BA (Hons) MRTPI
Director

[Redacted contact information]