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Senior Planning Officers
South Cambridgeshire District Council
South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

13 December 2017

Our ref: 16-1023

BY EMAIL ONLY

Dear Alison & Lydia,

PLANNING APPLICATIONS FOR:

S/3566/17/FL CONSTRUCTION OF A NEW GRAIN STORE ON LAND EAST OF FOWLMERE ROAD, FOXTON

S/3567/17/FL DEMOLITION OF EXISTING BARN AND RELOCATION OF CAR REPAIR WORKSHOP, NEW BARN, BROOK ROAD, THRILOW

S/3591/17/FL DEMOLITION OF EXISTING AGRICULTURAL BUILDINGS & CONSTRUCTION OF 36 DWELLINGS AND ASSOCIATED ACCESS, LODGE ROAD, THRILOW

We see from a letter dated 9 November 2017 from Richard Buxton Environmental & Public Law, that there is a suggestion that individually, the applications for residential development and the construction of a grain store should be the subject of screening exercises to determine if they are EIA development. In addition to this, as the applications have been submitted together, there is a view that the environmental impacts of the three parallel applications should be considered cumulatively and a screening request made to the local planning authority.

Taking each of the applications in turn.
Residential Development

Residential developments are considered under Schedule 2, Category 10 (b) of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (‘the Regulations’).

The scheme before the local planning authority is for the construction of 36 dwellings on a site area of 1.8 ha.

National Planning Practice Guidance (paragraph 061 Reference ID 4-061-20170728) sets out that where sites are wholly outside sensitive areas (as defined in Part 1, Section 2 of the 2017 Regulations) and do not exceed the screening thresholds, they are not Schedule 2 development and should not be screened by the local planning authority.

Given that the proposed development is not within a defined sensitive area and that it falls well below the thresholds as set out in Schedule 2, Category 10 (b), a request has not been made to the local planning authority for them to provide a screening opinion for this development in line with national guidance.

New Car Repair Workshop

Reviewing Schedule 2 of the Regulations it is considered that the proposed development does not fall within any of the descriptions of development set out in column 1. Should the local planning authority consider it to fall within Category 10 (a), then the site area of the proposed development falls well below the threshold set out in Schedule 2, Category 10 (a) and for the reasons set out above a request has not been made to the local planning authority for them to provide a screening opinion for this development in line with national guidance.

New Grain Store

It has been suggested that this application falls within Schedule 2, paragraph 1(a) of the EIA Regulations 2017. This states that where projects are for the use of uncultivated land or semi-natural areas for intensive agricultural purposes and have a development area that exceeds 0.5 ha they should be screened to ascertain if an Environmental Assessment should be undertaken.

The site is cultivated and does not form part of a semi-natural area. While the Regulations do not set out the definition of a semi-natural area within the interpretation section of the legislation, reference is made to such an area within the Environmental Impact Assessment (Agriculture) (England) Regulations 2017.

Here it sets out that semi-natural land includes priority habitats, heritage or archaeological features or protected landscapes. As set out in the accompanying reports to the planning application, the site does not include a priority habitat, nor does it contain any heritage or archaeological features. While it is accepted that the site is located within the Green Belt, this is not a protected landscape feature, which is confined to National Parks, The Broads and Areas of Outstanding Natural Beauty.

For this reason, it is not considered that the proposed application falls within the description of development as set out in Schedule 2, Category 1 (a) or indeed any other category and as such, a request for a screening opinion by the local planning authority is not required.
Another point to take into consideration is that two of the applications, the car repair workshop and the grain store are seeking to relocate development which already exists within the immediate locality.

**Cumulative Impact of Applications**

Each of the three applications are not considered to warrant a request for a screening opinion in accordance with the type of development and thresholds set out in the The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

The letter from Richard Buxton Environmental & Public Law suggests that the environmental impacts arising from the three applications should be considered also on a cumulative basis.

At paragraph 24 of the National Planning Practice Guidance, it details when cumulative effects should be assessed:

> There are occasions, however, when other existing or approved development may be relevant in determining whether significant effects are likely as a consequence of a proposed development. The local planning authorities should always have regard to the possible cumulative effects arising from any existing or approved development.

However, it is recognised that the applications are for the clients inter-related projects and the Council may wish to consider the cumulative impact of these three applications.

The grain store does not fall within the description of development set out in Schedule 2 for agricultural projects; the housing development which could be regarded as an ‘urban development project’ falls well below the thresholds for both the number of dwellings and site area as set out in Category 10 (b), i, ii and iii; and the new employment unit which if regarded as an industrial estate project falls below the threshold set out in Category 10 (a).

If the developments are considered together as a mixed-use scheme it should be noted that the total site area is 4.7ha.

In our view, the proposals clearly do not require screening opinions on their own merits as set out above or in combination.

**Conclusion**

In our view, the applications provide adequate information to enable the Council to consider all potential environmental impacts and where necessary proposed mitigating measures. The statutory consultees have provided you with feedback and to date they have recommended approval subject to conditions. Where requested we have provided further information. Furthermore, none of the statutory consultees suggested in their comments that any of the schemes should be the subject of a screening opinion.

We hope that the Council are of the same view and understand that this will be addressed in your reports to Committee in the new year. However, should you require any further information or take an alternative view to the one set out in this letter then please do not hesitate to contact me so that we can address this appropriately.

Yours sincerely
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