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Our ref. TE/KN0087/16

21 July 2017

Chris Gomm  
Bath & North East Somerset Council  
Planning Services  
Lewis House  
Manvers Street  
Bath  
BA1 1JG

Dear Mr Gomm,

**HARTWELL GARAGE, NEWBRIDGE ROAD, BATH BA1 2PP**

**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017: REQUEST FOR SCREENING OPINION PURSUANT TO REGULATION 6**

I am writing under the terms of Regulation 6 of the Town and Country Planning (EIA) Regulations 2017 ("the Regulations") to request an EIA Screening Opinion in respect of a detailed planning application for a mixed-use development of residential, commercial and student accommodation at the Hartwell Garage site, Newbridge Road, Bath.

Please find enclosed red line plan and draft design statement. The scheme has been the subject of a separate pre-application enquiry which you have seen, and which was recently concluded.

We write to establish whether or not these development proposals should, in the Local Planning Authority's opinion, be treated as EIA Development. An "Urban Development Project" on a site exceeding 0.5 hectares could potentially be classed as EIA development under Section 10(b) of Schedule 2 of the Regulations.

**Please treat this screening opinion as strictly confidential and not for publication on the Council's website.**

This screening opinion request provides the relevant information for the authority to adopt a screening opinion in line with Regulation 6(2) of the EIA Regulations, namely:

- a) *a plan sufficient to identify the land*
- b) *a description of the development, including in particular:*
  - i. *a description of the physical characteristics of the development and, where relevant, of demolition works;*
  - ii. *a description of the location of the development, with particular regard to the environmental sensitivity of geographical areas likely to be affected;*
- c) *a description of the aspects of the environment likely to be significantly affected by the development;*
- d) *to the extent the information is available, a description of any likely significant effects of the proposed development on the environment resulting from:*



- i. the expected residues and emissions and the production of waste, where relevant; and*
  - ii. the use of natural resources, in particular soil, land, water and biodiversity; and*
- e) such other information or representations as the person making the request may wish to provide or make, including any features of the proposed development or any measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment*

Accordingly, this letter sets out details of the site concerned, the nature and purpose of the proposed development and an assessment against the screening criteria set out in Schedule 3 of the Regulations and expanded in the NPPG. For completeness, we also resubmit information previously seen by the Council at the recent pre-application enquiry.

We consider that any impact of the development can be successfully mitigated and would not have a significant effect on the environment. It is our view that the development does not constitute EIA development and therefore an Environmental Statement is not required to accompany any subsequent application.

We have previously submitted a Screening Opinion for this site in May 2014, when it was determined that an EIA was not required. For the reasons set out below, we consider the same conclusion should be reached this time.

### **Site Location and Context**

As you are aware, the site has an area of 1.68ha and comprises previously developed brownfield land within an urban area. At present the site accommodates a car showroom, orientated north to front Newbridge Road. A workshop is also present on site.

The surrounding area is predominantly residential and suburban in nature, however industrial buildings extend southwards towards the river. Immediately adjacent to the site to the west is a concrete batching plant.

The Bath Conservation Area covers part of the site in the east, up to Osborne Road. The main built up section of the site west of Osborne Road does not lie within the conservation area.

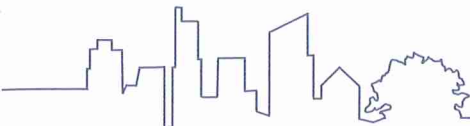
There is a significant height differential across the site, dropping down approx. 7 metres in elevation from the northern boundary with Newbridge Road to the southern boundary of the site.

### **Proposed Development**

It is proposed to demolish the existing buildings on the site and create a residential-led mixed-used development within a series of buildings set within a wider landscape masterplan context. 99 residential units are proposed comprising a mix of studios, 1-bed and 2-bed apartments, and 170 units of student accommodation arranged as 'cluster bedrooms' is proposed.

A retail unit fronting Newbridge Road is proposed, in addition to a small A3 unit within the car park on the west of the site accessed directly from Newbridge Road.

New vehicular access to the rear of the site will be created from Newbridge Road, via a new access ramp dropping down to a lower level along the southern boundary.



## EIA Screening Requirement

The proposal does not comprise Schedule 1 development.

Since the site area is more than 0.5 hectares, it could potentially fall within Section 10(b) of Schedule 2 of the Regulations, namely an "Urban Development Project".

The proposals therefore need to be considered against the selection criteria in Schedule 3. The criteria are 1) the characteristics of the development, 2) the location of the development, and 3) the characteristics of the potential impact.

However, the guidance states that only a very small proportion of Schedule 2 development will require an assessment. The NPPG Annex states:

*"Environmental Impact Assessment is unlikely to be required for the redevelopment of land unless the new development is on a significantly greater scale than the previous use, or the types of impact are of a markedly different nature or there is a high level of contamination."*

## Assessment

It is necessary for the development proposals to be assessed against the following criteria in order to determine whether the application proposals are EIA development:

- i. The characteristics of the development;
- ii. The location of the development; and
- iii. Any potential impacts

### Characteristics of the development

The whole site is approximately 1.68ha in area, which includes the former railway line and cutting in the eastern part of the site. However, the developable area of the site lies to the west of Osborne Road.

Whilst the scheme is mixed use, it is predominantly a mix of residential units and student accommodation. Both types of accommodation are cluster apartments, flats, or maisonettes. In total the proposed development will provide accommodation comprising 99 residential units and accommodation for 170 students.

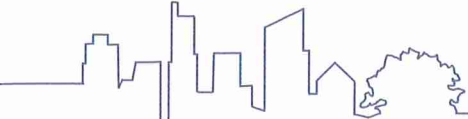
Given the location of the site within the established urban area of Bath, it is considered that the scale of development and the proposed mix of uses will be in keeping with the surrounding area and an EIA would not be required.

The layout has been designed with east-west linkages along the former railway line to accommodate the shared cycle lane and footway.

The site is previously developed brownfield land, and the development will not generate significant levels of pollution or waste beyond that expected of the redevelopment of a typical site within an urban area.

### Location of Development

The site is situated within the western suburb of Newbridge and represents the redevelopment of a brownfield site within an urban area. The whole site is 'washed over' by the Bath World Heritage Site designation, and the eastern extreme of the site (beyond the Osborne Road bridge) lies within the Bath Conservation Area.



The site's northern boundary and frontage is defined by Newbridge Road, an A-road arterial route (the A4) into and out of Bath for the north side of the river; to the south is an industrial estate; to the west is a concrete batching plant, beyond which lies residential dwellings; and to the east (and the wider surrounding area) are more houses.

It is a sustainable location which is with walking distance of local shops and services, and which benefits from frequent buses into the city Centre. It also enjoys direct vehicular access to the A4.

#### Characteristics of the potential impacts

Any impacts of the development are considered to be minor in nature and localised.

##### *(i) Heritage and Conservation Area Impact*

The site lies within Bath World Heritage Site, as does most of the District. The scale and massing of the proposal ensures it would have no adverse impact on long range views into the World Heritage Site, as shown in the pre-application documents previously seen by the Council and included in this Screening Opinion Request.

There are no listed buildings on, adjacent to, or near to the application site. The eastern part of the site - to the east of Osborne Road - lies within the Bath Conservation Area. No development is proposed within this part of the site, only the creation of the shared cycle way / footway on the bed of the old railway line. This would not adversely affect the character or appearance of the Bath Conversation Area.

Therefore, although there are constraints associated with the site's statutory designations, these should not mean that the development would need EIA.

##### *(ii) Transport and Parking*

The proposed development is expected to reduce trips by private car to and from the site, and increase pedestrian and bus trips.

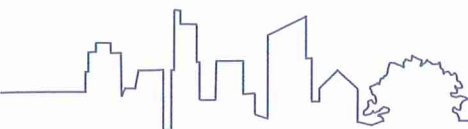
A Transport Assessment and Travel Plan will be submitted with the application to demonstrate that the proposed access would be safe, and that there would be no adverse impact on traffic or highway safety, particularly having regard to the sustainable location of the site.

##### *(iii) Ecology*

The application will be accompanied by a Phase 1 Ecological Survey which will set out the ecological issues associated with the site. Any mitigation measures required can be covered by appropriately worded planning conditions.

##### *(iv) Flooding and Drainage*

The site lies within Flood Zone 1, the lowest risk of flooding. The planning application will be accompanied by a Flood Risk Assessment (only required due to the size of the site being more than 1ha) and a separate Outline Drainage Strategy which will include details of sustainable urban drainage which will be integrated with the wider landscaping and green infrastructure across the site.



*(v) Ground Conditions*

The planning application will be accompanied by a Phase 1 Site Investigation Report. Whilst a previous report commissioned for the site has previously identified evidence of some contamination present on the site due to past uses, these can be properly addressed by targeted mitigation measures following a Phase 2 Environmental Site Assessment, which can be the subject of appropriately worded planning conditions.

**Conclusion**

Having regard to the information set out in this letter and the key criteria for assessing whether development proposals should be subject to EIA, it is not considered the proposal will have significant effects on the environment.

There is therefore no requirement for an EIA.


It should also be emphasised that in a Screening Opinion submitted for this site in May 2014 the Council determined that there was no requirement for an EIA.

In accordance with Regulation 6(6)(a) we await notification of your Screening Opinion within 21 days of the date of this request.

It is acknowledged that the proposed outline application will need to be accompanied by a suite of documents dealing with a range of issues, and these have been agreed with the Council in email correspondence at the conclusion of the pre-application enquiry.

If you require any further information or have any queries in respect of this letter, please do not hesitate to contact me.

Yours sincerely,



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Enc.