

Date: 19<sup>th</sup> October 2012  
Our Ref: 12.259/JW/LHS

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Dear Sir,

**Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999**  
**Request for Screening Opinion under Regulation 5 (1) and Scoping Opinion under Regulation 10 (1)**  
**Proposed Residential Development at Herbert Road, Newport**

Asbri Planning Ltd. are acting on behalf of Greenhill Construction in relation to the proposed residential development of land at Herbert Road, Newport.

Under Regulation 5 (1) of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulation 1999, I write to request a screening opinion as to whether the Authority consider an EIA is required to accompany a full planning application for the redevelopment of the site. In accordance with Regulation 5 (2), we provide the require information as follows:

1. The site edged in red on the attached plan;
2. An indicative site layout plan

Land at Herbert Road is allocated for residential purposes in the adopted Unitary Development Plan for 153 dwellings (housing allocation H1 (5)).

We are seeking your opinion on whether the development of the site for residential purposes will require an Environmental Impact Assessment. In considering this screening application I would be grateful if you could also take the following additional information and representations into account:

- The proposed development does not fall within Schedule 1 of the Regulation, for which Environmental Impact Assessment would be mandatory.
- The development by virtue of Regulation 2 (1) is a 'sensitive area' since it is located adjacent to River Usk (Lower Usk) Site of Special Scientific Interest
- The development of the site for housing would be considered as an 'urban development project' under the Infrastructure Project category defined in Schedule 2 of 1999 Regulations and therefore is a schedule 2 development. The threshold for Urban Development Projects potentially requiring an EIA is 0.5hectares or above.

- The development site is approximately 5.33 hectares in area and therefore would meet the threshold identified in Schedule 2 of the 1999 Regulations and is considered to be a Schedule 2 development.

Since the development meets the defined threshold for urban development projects, as described in Schedule 2, it is necessary to identify whether it is likely the development would have significant effects on the environment. Schedule 3 of the 1999 Regulations provides 'selection criteria' which outlines whether an EIA is required. The Secretary of State, in Circular 02/99 'Environmental Impact Assessment', defines the selection criteria in the following terms:

- ***Major development which are of more than local importance***
- ***Developments which are proposed for particularly environmentally sensitive or vulnerable locations***
- ***Development with unusually complex and hazardous environmental effects***

**Major development which are of more than local importance**

The proposed development of the site is large scale (allocated for up to 153 units in the Newport Unitary Development Plan). It could not, however, be considered strategic and therefore not more than locally important.

The site has been previously developed and Circular 02/99 states that an ***'EIA 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'***. It is intended that potential site contamination would be investigated as part of any application for planning permission.

**Developments which are proposed for particularly environmentally sensitive or vulnerable locations**

The development site is a Special Area of Conservation and, as identified above, is located immediately adjacent to the River Usk Site of Special Scientific Interest and therefore considered as an environmentally sensitive location. Circular 02/99 states that ***'for any Schedule 2 development, EIA is more likely to be required if it would be likely to have significant effects on the special character of any of the other types of 'sensitive area'***. It is not proposed that the development would encroach onto the banks of the River Usk.

**Development with unusually complex and hazardous environmental effects**

The proposed development is for residential use and therefore is neither complex nor hazardous. Furthermore, the site is located within a predominantly residential area and within the urban boundary, therefore, the development of the site for residential purposes is a compatible form of development and appropriate for the site and location.

In summary, the development of land at Herberts Road for residential use for the purposes of the EIA Regulation 1999 is a Schedule 2 development because it is an urban development project which is larger than 0.5hectares in area. The site is located adjacent to River Usk Site of Special Scientific Interest and Special Area of conservation and was previously a factory.

We trust that you find the above to be in order. We note that, in accordance with Regulation 5(4), your Authority has three weeks in which to adopt this screening opinion. If you require any further information please do not hesitate to contact me.

### **Scoping Opinion**

In anticipation of the positive “screening opinion” I am also writing to seek a formal “scoping opinion” in accordance with Regulation 10(1), to confirm the level of information to be contained within any Environmental Statement (ES).

Clearly, as yet the formal scope for the EIA has yet to be established but we have assumed that the main headings as set out in the Regulations will be required to be covered in any formal submission.

Schedule 4 of the Town & Country Planning (EIA) (England and Wales) Regulations 1999 (as amended), sets out the information to be included in an ES. The Directive and Regulations requires that an ES should include at least the following information:

- description of the development, comprising information about the site and the design and size of the project;
- outline of the main alternatives considered and an indication of the main reasons for the chosen scheme;
- data necessary to identify and assess the main effects which the project is likely to have on the environment;
- description of the likely significant effects of the project on the environment;
- description of the measures envisaged in order to avoid, reduce or remedy any significant adverse effects;
- indication of any difficulties encountered in compiling the required information; and
- Non-Technical Summary of the above information.

The Regulations state that a description of the likely significant effects of the development on the environment must include ‘direct, indirect, secondary, cumulative, short, medium and long term, permanent and temporary, positive and negative’ effects of the proposed development.

### *The Structure of the Environmental Statement*

The assessment described in the ES will relate to the design of the scheme as it stands in upon submission. The ES would be published in three volumes:

- Volume 1: Non Technical Summary
- Volume 2: Environmental Statement to Main Report
- Volume 3: Figures and Appendices to Main Report

A summary of the ES would be provided in Volume 1, the Non Technical Summary. Using non-technical language, this will provide a summary of the proposed development, the main likely environmental effects, the proposed mitigation measures and the predicted residual effects of the proposed development.

Volume 2 would contain preliminary chapters and technical chapters for all issues addressed in the EIA. The following displays the structure of this volume:

Chapter 1	Introduction
Chapter 2	The EIA Process
Chapter 3	Planning Policy Context and Need for Development
Chapter 4	Site Context
Chapter 5	Project Description
Chapter 6	Water Quality
Chapter 7	Foul & Surface Water Disposal
Chapter 8	Flood Risk
Chapter 9	Ground Conditions
Chapter 10	Ecology/Biodiversity
Chapter 11	Transport
Chapter 13	Noise
Chapter 14	Socio Economic & Community Assessment
Chapter 15	Conclusion and Summary

We note that, in accordance with Regulation 10(5), your Authority has five weeks in which to adopt the scoping opinion.

I trust the above level of initial information is sufficient in accordance with Regulation 10(2) for you to provide a detailed “scoping opinion” and I would be grateful if the above could be undertaken as soon as is practically possible in order that I may progress the required studies.

Should you require any further information please do not hesitate to contact me directly to discuss the matter further.

Yours Sincerely,

**Lowri Hughson-Smith**  
**Planner**  
**Asbri Planning Ltd.**



