

013\_MSG\_CoventryCC\_BIR.4240\_170718

17 July 2018

Mr Mark Andrews  
Planning Services  
PO Box 15  
Council House  
Coventry  
CV1 5RR

Dear Mr Andrews

**BIR.4240 - Land off Phoenix Way/ Wilsons Lane, Exhall, Coventry – Site EMP2**

Under Regulation 6 of the Town and Country Planning Environmental Impact Assessment (EIA) (England and Wales) Regulations 2017, my client Gallagher Estates request a Screening Opinion in relation to the above site in Exhall.

The site is located to the south of the M6 Junction 3 interchange and is bounded by the dual carriageway A444 to the west, the B4133 which forms the sites northern boundary and Wilsons Lane to the east, with existing employment development off Silverstone Drive located to the south of the site. The site is located on the southern boundary of Nuneaton and Bedworth with a small part of the site off Wilsons Lane to the east falling within the Coventry City boundary as shown on the attached Site Location Plan (**Drawing BIR.4240\_02C**).

In relation to proximity to services, the site is located approximately 900m to the north of Arena Park Shopping Centre, a District Centre which includes a wide range of services and facilities. Coventry Arena Train Station and the Ricoh Arena Station are located just to the north of the Arena Park Shopping Centre which are approximately 800m to the south of the site. The site is also within 700m of local facilities contained on Longford Road to the south east which is a Local Centre, whilst further services and facilities are within 1.6km of Bedworth Town Centre where there are a substantial range of facilities and existing employment development. There are a number of employment business parks located in the surrounding area, including Gallagher Business Park immediately to the south of the site off Silverstone Drive which serves a number of other large commercial developments.

Land off Phoenix Way/ Wilsons Lane is a proposed Strategic Employment site known as Site EMP2 within the emerging Nuneaton and Bedworth Local Plan. The Borough Plan has been the subject of a Local Plan Examination which closed at the end of March 2018. The Local Plan will be subject to proposed Main Modifications in summer 2018 and is anticipated that the Plan will be adopted by the end of 2018.

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The site subject to this screening request extends to circa 23 hectares and comprises of seven field enclosures defined by a number of hedgerows. Three of the fields are currently in arable use and four are improved grassland fields bounded by hedgerows and trees, with a section of the River Sowe within the south west of the site and a complex of farm buildings to the north-east of the site before diverting beneath the A444. There is mature tree cover along the A444 and B4113 road corridors and elsewhere on the site vegetation generally comprise of a network of hedgerows and hedgerow trees. A line of electricity pylons pass across the northern part of the site. There are two public right of way (footpaths) that follow the southern and western boundaries of the site, and one that passes through the centre of the site. The site and its immediate context are influenced by the urban edge of Coventry to the south and east, Bedworth to the north alongside the major transport interchange of the M6 Junction 3 and the A444 and B4113 road corridors to the north and west.

The topography of the site generally rises to the north-east and reaches c. +100m AOD at its boundary with the rear curtilage of properties along Wilsons Lane; falling gently to the north-west where it lies at c. 90m AOD at its boundary with the A444. The majority of the site is located in Flood Zone 1, a section of the south-western corner of the site is located within Flood Zone 3a, set within an area of low-high risk of flooding from surface water. The majority of the site falls within the West Midlands Green Belt, however the north-eastern part of the site which lie within Coventry does not fall within the designated Green Belt.

The site includes land that is proposed to be allocated by Nuneaton and Bedworth Borough Council as a strategic employment site for up to 18ha of employment land and circa 73 dwellings (Site EMP2) alongside land that falls within the adjoining built up area of Coventry.

It is the intention of Gallagher Estates to submit an outline planning application with access not reserved on the above site for up to 59,000sqm of employment land (circa 13 ha) and up to 70 dwellings with green infrastructure and associated infrastructure to be reviewed as the masterplan evolves.

Regulation 6 of the EIA Regulations states that a request for a screening opinion shall be accompanied by:

- 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.*

This information is set out within this letter.

## **Proposed Development**

The proposals are continuing to develop as preparation for the outline application progresses, however the proposed development is to be employment led and is likely to include up to 59,000sqm of B1 and B8 Development and up to 70 dwellings with open space and associated infrastructure. The development would be accessed from two access points, the primary vehicular access being off the B4113 serving the employment development envisaged to be to the northern part of the site and an extension of Old Farm Lane to the east to serve the proposed residential development and ensuring segregated employment and residential movements.

It is considered that the northern part of the site has the greatest capacity for employment development with access immediately off the B4113 whilst the south-eastern part of the site is more suitable for residential development. The proposals would provide a landscape buffer between the proposed employment and existing and proposed residential development.

## **EIA Requirement**

The proposed development can technically be categorised as a Schedule 2 development within the EIA Regulations, specifically fallings within section 10 'Infrastructure Projects', and due to the mixed-use nature of the proposals, it can be considered that both subsection (a) 'Industrial Estate Development Projects' as well as subsection (b) 'Urban Development projects' are relevant.

The site is not considered to lie within a sensitive area as defined by the EIA Regulations, (i.e. within a Site of Special Scientific Interest or European site, National Park, Area of Outstanding Natural Beauty, World Heritage Site or Scheduled Monument) and therefore the applicable thresholds/criteria for defining a development as Schedule 2, in this instance section 10a and 10b, should be referred to.

It is recognised the applicable threshold for defining category 10a (Industrial Estate Development Projects) is currently where "*the area of development exceeds 0.5ha*", however following amendments to the EIA Regulation 2017 which were laid before Parliament in June 2018, this is due to be increased to 5ha; this threshold will come into force on the 1<sup>st</sup> October 2018. Regardless, the proposal exceeds both of these site size thresholds.

With respect to section 10b (Urban Development projects) which is also applicable to refer to, the thresholds/criteria are:

- i) "the development includes more than 1ha of urban development which is not dwellinghouse development; or
- ii) the development includes more than 150 dwellings; or
- iii) the overall area of the development exceeds 5 hectares".

The proposal exceeds the thresholds identified within i) and iii), however, the development does not exceed 150 dwellings in that the proposal includes up to 70 dwellings.

Given the above, it is therefore appropriate to request a Screening Opinion from the Local Planning Authority to determine whether it is considered that there are any significant effects likely to arise from the proposed development.

Schedule 2 developments only require an EIA to be completed if it is considered that they are 'likely to have significant effects on the environment by virtue of factors such as its nature, size or location' (Part 1-2b). As discussed further below, we do not believe that the proposed development will result in significant environmental impacts in EIA terms and therefore will not require an ES to accompany any outline application.

Schedule 3 (Regulation 4(6)) of the EIA Regulations identifies the 'selection criteria for screening Schedule 2 development', which are categorised under three general headings: characteristics of development; location of development; and types and characteristics of the potential impact. The relevant criteria within each of these headings (and subsequent subheadings) is discussed below.

### **Characteristics of development**

Size and design and development: The proposals constitute employment development up to 59,000sqm and up to 70 dwellings. The residential element of the development for up to 70 dwellings is unlikely to result in 'significant impacts' which is acknowledged by the Schedule 2 10b screening threshold criteria, set out within the EIA Regulations which provides the threshold of 150 dwellings (as discussed previously).

The EIA Regulations are also supported by the NPPG which includes a table accompanying paragraph 4-057-2070720 entitled 'Thresholds and Criteria for the identification of Schedule 2 development requiring EIA and indicative values for determining significant effects'. This table provides guidance on the issues important to consider in determining whether significant effects are likely in a given proposal. For section 10 (a) development (Industrial Estate), this guidance provides an indicative threshold of the site area of the new development being more than 20 hectares. Whilst the site is over 20 hectares, being circa 23 hectares in extent, not all of the site will be developed; the work that has been undertaken to date suggests that the employment coverage is likely to be circa 13 hectares.

For section 10(b) development, the Schedule 2 screening threshold guidance contained in the NPPG states EIA is more likely to be required for sites which have not previously been intensively developed if:

- 1) "area of the scheme is more than 5 hectares; or
- 2) it would provide a total of more than 10,000m<sup>2</sup> of new commercial floorspace; or
- 3) the development would have significant urbanising effects in a previously non-urbanised area (e.g. a new development of more than 1,000 dwellings)"

Whilst the site is over 5 hectares in size, not all of the site will be proposed for built development, with large areas set aside for green infrastructure and public open space, particularly to the north, west and south west of the site. The employment development

would provide more than 10,000m<sup>2</sup> of new commercial floorspace however as set out above, in relation to 10 (a) developments, the indicative criteria within the table accompanying paragraph 4-057-2070720 of the NPPG refers to an indicative threshold of new development being over 20 hectares. The site area will exceed 20 hectares however the quantum of employment development will be substantially less than 20 hectares and is likely to be in the region of 13 hectares. Furthermore, under the indicative criteria for 10 (b) development it is not considered that the size of the proposed development would have a significant urbanising effect given its location adjacent to the existing built form of Coventry and the sites close proximity to the M6 and transport corridors.

The careful consideration of the design of the development, specifically the siting of open space and built form parcels, will ensure that effects are avoided or mitigated as far as possible and hence not significant. An initial landscape and visual appraisal has been undertaken which has assisted in defining an appropriate development area which is setback from the northern, western and south-eastern boundaries, retaining existing landscape features and allowing for extensive landscaping, in particular along the A444 which will assist in integrating the site within the local landscape. The proposals for green infrastructure and landscaping will deliver a number of enhancements to the physical landscape.

The proposed development will also seek to retain the hedgerow infrastructure on site, where possible and along the site boundaries. Furthermore, an appropriate landscape corridor along the northern and western edge will be proposed to accommodate increased landscape planting infrastructure. The Rover Sowe corridor in the south west of the site and adjacent to the sites southern and western boundaries offers an opportunity to create a more varied landscape infrastructure.

Cumulation with other developments and/or approved developments: According to Schedule 3 (the Selection Criteria for Schedule 2 Development), it is noted that consideration should be given to "*cumulation with other existing development and/or approved development*". This is further noted in the NPPG at Paragraph 024, reference 4-024-20170728, which states "*Each application (or request for a screening opinion) should be considered on its own merits. 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.*"

Whilst there are no known approved developments of relevance to cumulative impact matters, the below listed planning applications and/or allocations are acknowledged. It is however important to note that none of the developments are existing or approved, nor are they considered to be interlinked with the proposed development subject to this screening request; for the purpose of EIA they are considered independent of one another. Furthermore, the Local Plan has yet to be adopted and therefore there is no certainty the draft allocations will be brought forward.

- Faultlands, Nuneaton (Application Reference: 034901). This is an outline planning application for up to 92,904 sqm of B2 and B8 floorspace on 26 hectares of land at Faultlands. A Screening Request was submitted to Nuneaton and Bedworth Borough Council in advance of the submission of the application. The Screening Opinion provided set out that the development was not EIA Development on the basis having been considered not to be so significant to warrant an EIA. The site is located to the north of Gipsy Lane and the east of the B4113 Coventry Road on

the southern side of Nuneaton which is a significant distance away from the Phoenix Way site (approximately 5.5km). The application has yet to be determined by the Local Planning Authority. This site is proposed as a Strategic Employment allocation – **Site EMP1** in the emerging Nuneaton and Bedworth Borough Plan for up to 26ha of employment land. At the time of writing this screening request, whilst this application is acknowledged, it is important to note that it is neither “existing or approved” as per the EIA Regulations.

- **EMP7** – Bowling Green Lane. This site is identified as proposed Strategic employment development of circa 26ha of employment land. The site lies to the north west of the M6 Junction 3 on the southern edge of the Borough. At the recent Local Plan Examination Hearing, Warwickshire County Council (as the Local Highway Authority), raised concerns regarding the feasibility (and impact) of proposed highway access arrangements to serve the planned allocation for 26ha of B1, B2 and B8 employment. The Examination Inspector sought further clarification on the mix of uses envisaged which is likely to form part of a Main Modification to Policy EMP7. At the time of writing this screening request, no planning applications have been submitted on the site and it is important to note that it is neither “existing or approved” as per the EIA Regulations.
- **HSG6/EMP6** – School Lane. This site is proposed in the emerging Borough Plan for circa 388 dwellings and 2ha of employment land and lies to the northern side of the M6 Junction 3 interchange. The site was the subject of objections by the landowner at the Local Examination and will result in the capacity of the residential element of the proposals reducing to 170 dwellings which is to be proposed as a Main Modification to Policy HSG6. At the time of writing this screening request, no planning applications have been submitted on the site and it is important to note that it is neither “existing or approved as per the EIA Regulations.

Use of natural resources/production of waste/pollution and nuisances/risk of accidents/risk to human health: It is not considered the proposal for up to 59,000sqm of employment development and 70 residential dwellings would result in significant effects in relation to these issues. There are no significant pollution risks directly associated with the site or its proposed land use that could not be managed with standard mitigation measures and construction best practice. The proposals are not unusually complex and so are unlikely to pose potentially hazardous environmental effects, high risk of accidents or risk to human health.

Within any application, supporting documentation will be produced to consider such issues including transport and highways, ground conditions, archaeology and heritage, flood risk and drainage.

### **Location of the development**

Sensitivity of existing areas likely to be affected/ existing and approved land use and absorption capacity of the natural environment: The agricultural nature of the site itself is not considered to be particularly sensitive due to its pasture and arable use, although there is field boundary vegetation including hedgerows and hedgerow trees, the site is also not considered to be particularly sensitive in landscape terms.

There are no statutory designated wildlife sites covering any part of the site. No national statutory designated wildlife sites have been identified within 3km of the site. The nearest statutory designation is Ensor's Pool SAC, a statutory European designation c. 5.2km north of the site. The Ensor's Pool SAC is an area of c. 3.9 ha which comprises 1ha of standing water and was previously known to support a very large population of the European Protected species white-clawed crayfish. Surveys by Natural England in 2014 failed to identify any crayfish within the Pool with the likely cause being attributed to a crayfish plague. The SAC is also isolated from the local river systems which made the pool an important refuge site for the protected species. Ensor's Pool SAC is over 5km from the site, located to the south-eastern side of Nuneaton and separated from the site by substantial development to the southern side of Nuneaton as well as the built-up area of Bedworth and significant transport infrastructure. As such no impacts are anticipated to occur as a result of the development.

There are two Local Nature Reserves with 2km of the site, namely Wyken Slough LNR approximately 1.7km south east of the site which is known to attract wintering birds. The distance of the site from the LNR and its continued management is such that a small increase in likely visitors to the LNR from the proposed mixed-use development is unlikely to result in a significant adverse effect on the designated site. Bedworth Slough LNR is approximately 2.1 km to the north of the site and consists of a lake and marginal habitats and a small meadow area which has a good range of breeding birds and important wetland plant communities. A small increase in local residents from the proposed development is considered to be unlikely to lead to any significant adverse effects on this designated site.

In relation to non-statutory designated sites, the River Sowe and its tributaries are designated in parts as Local Wildlife Sites and Potential Local Wildlife Sites. A section of the River Sowe runs along the south-west boundary of the site. The River Sowe and its tributaries support a variety of bird species and aquatic, emergent and bankside vegetation. The design of the proposals will incorporate a generous buffer providing room to enhance the corridor as part of the scheme's green infrastructure strategy, as such direct impacts to the River are not anticipated.

Rowley Green Open Space Local Wildlife Site is located off site being adjacent to the southern boundary of the site. The site comprises semi-improved grassland, plantation woodland, reedbed swamp and a variety of aquatic and marginal flora associated with the River Sowe corridor. Existing public rights of way link the site to the LNR and the surrounding residential area. The proposed development is likely to increase the recreational use of this area and accordingly consideration will be given to the potential to improve access, management and/ or the visitor experience within this LWS. There are a further 18 non-statutory designations located within the surrounding area and it is considered unlikely that these sites will be subject to any adverse effects from development proposals.

The proposed development site is characterised by an existing urban edge and significant transport infrastructure where urban form is part of the overall local character of the area. The proposed development intends to adjoin the emerging built form and has been designed to be integrated appropriately with this urban form with a set back of development to the north, west and southern boundaries as part of the landscape led approach. Enhancing connectivity is a key tenet of the proposals, ensuring the development is well connected with the surrounding facilities within the permitted scheme.

There are no listed building on or adjacent to the site and the site is not within or adjacent to a Conservation Area. In terms of heritage assets within the surrounding area, St Giles Church a Grade II Listed Building and associated Grade II Listed chest tombs, former font and sundial is approximately 360m to the north west of the site. The site is physically separated from this heritage asset by existing vegetation at the churchyard and intervening field boundaries, existing residential development and the A444. In addition to this physical separation the site does not make a contribution to the significance of the assets through setting. Furthermore, it is considered that the proposed development would not have a detrimental effect on the significance of the heritage assets given the context of the surrounding built form which includes large electricity pylons and the Ricoh Arena Stadium.

Exhall Hall Scheduled Moated sites, a Grade II Listed house, barn and bridge lies 330m to the north of the site. The large built form of the M6 junction and associated vegetation is such that the site does not contribute to the significance of these assets through setting. Furthermore, as development would be set behind the modern transport interchange it is considered that it would not significantly impact on the significance of the assets.

### **Types and characteristics of potential impact**

Consideration to potential impacts have been noted in the above commentary, however it is not considered that the magnitude, spatial extent, nature, intensity, complexity, duration, frequency or reversibility of impacts would be significant given the nature of the development and location of the site. As noted, and listed at the end of this letter, technical assessments will be provided alongside any outline application submission and assist in identifying any further required mitigation measures to avoid potential impacts where at all possible.

As the scheme has developed, a number of potential mitigation measures have been identified and will sought to be included within the final proposals. The careful consideration of the design of the development, specifically the retention of green infrastructure and siting of built form parcels, will ensure that effects are avoided or mitigated as far as possible and hence not significant. These include, but are not restricted to:

- Siting and quantum of built form and open space has been concluded through the identification of key constraints and opportunities, specifically with consideration to landscape and visual matters, local topography, existing green infrastructure, the existing urban edge including transport and energy infrastructure and the presence of the River Sowe;
- Comprehensive approach to proposals for areas of green infrastructure allowing for additional tree planting along the boundaries of the site and the retention of existing public rights of way, where possible;
- Retention and integration of existing hedgerows and hedgerow tree where possible, so to enhance key green linkages and biodiversity benefits;
- The introduction of earth mounding and additional tree planting along the sites western boundary to provide visual containment;



- The set back of development from northern boundary allowing for the retention of the existing public right of way, where possible and new structural planting;
- The inclusion of open space along the River Sowe corridor on the south western corner eastern site boundary to include habitat enhancements to retain an and enhance the ecological value of the River corridor;
- Reinforced and enhanced landscape elements through additional landscaping, planting and improved management throughout the proposals, which will (at the reserved matters stages) consider location, function and also biodiversity objectives;
- Best practice construction measures and strategies will be adopted which can be secured by condition where deemed necessary; and
- The utilisation of Sustainable Drainage Systems (SuDS) to deal with the surface water network, which will improve water quality of run-off.

It is acknowledged that landscape and visual issues and any required mitigation are key in the development of the proposals. A landscape and visual assessment will therefore accompany any outline application, along with other supporting documentation as listed at the end of this letter. Specific landscape mitigation has been integral to the design of the development at this stage, as noted above.

### **Accompanying documentation**

As with all development, it is acknowledged that there is the potential for less than significant impacts or changes to affect the environment. Our client and project team have sought and will continue to seek to minimise these through careful design and the masterplanning process. Furthermore, as mentioned throughout this letter, supporting surveys and reports will be submitted alongside the application, to ensure that any minimal potential environmental effects are given appropriate consideration. These supporting studies are likely to include a Design and Access Statement; Planning Statement; Transport Assessment; Flood Risk Assessment and Outline Drainage Strategy; Ecological Impact Assessment; Landscape and Visual Assessment, Heritage Assessment, Tree Survey, Noise Assessment, Air Quality Assessment, Ground Investigation Report and Utilities Report.

We believe these supporting documents will provide the Local Authority with all the necessary information concerning the effects of the development, without the need for an EIA, so to enable them to make an informed decision concerning the proposals.

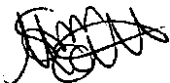
### **Summary**

In conclusion, with reference to the above EIA Regulations and guidance, we do not believe that the proposed development on the site will result in significant environmental impacts in order to warrant an EIA, and respectfully request the planning authority to conclude that the site would not require the production of an Environmental Statement (ES) to be submitted with any outline planning application.

We look forward to receiving the Council's response to this Screening request within the designated 3 weeks timeframe on receipt of this request, as stated in the EIA Regulations (Part II-6(6)). I confirm that a Screening request has also been submitted to Nuneaton and Bedworth Council where the majority of the proposed development will fall within.

I trust this letter and enclosures provides all the information you require, however should you have any queries, please do not hesitate to contact me.

Yours sincerely



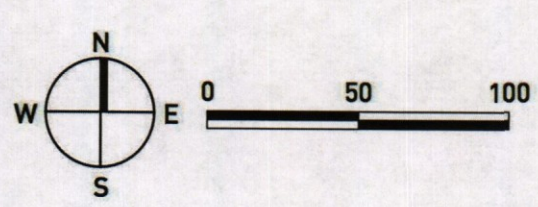
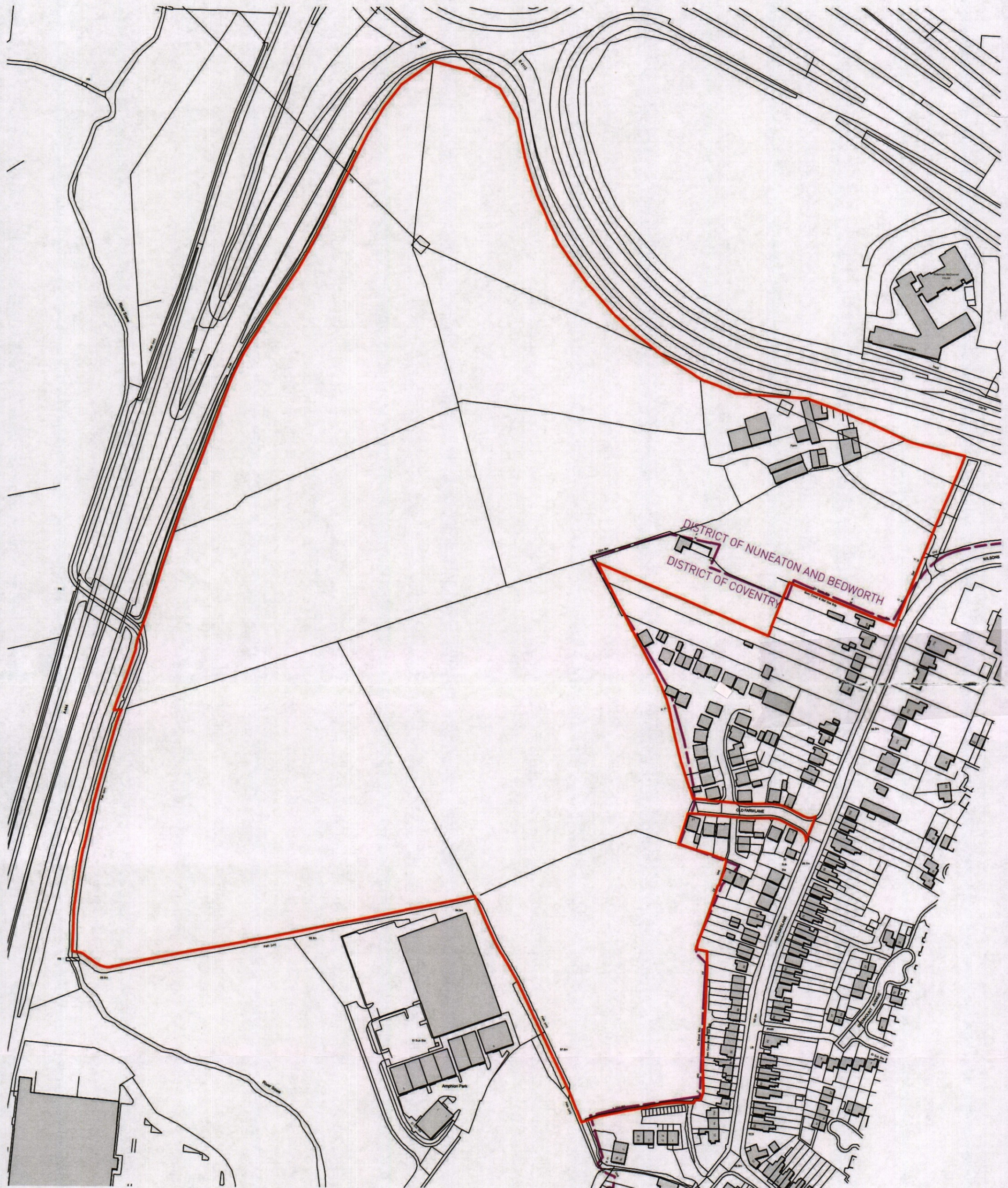
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Enc. Site Location Plan

cc Sarah Griffiths Gallagher Estates





LEGEND

 SITE BOUNDARY  
22.77 HA / 56.27 ACRES

# LAND OFF WILSONS LANE, COVENTRY SITE LOCATION PLAN

