

SCREENING OPINION

Town and Country Planning (Environmental Impact Assessment) Regulations 2011

- Site:** Bates site, south of Blyth Estuary, Blyth, Northumberland.
- Description:** Bates Local Development Order.
- Proposal:** The Local Development Order (LDO) will grant planning permission exclusively for land use, buildings and ancillary facilities; and associated development in Use Classes B1, B2, B8 and ancillary A1 and A3 uses¹ provided that they are linked to the manufacture, maintenance and servicing of plant, machinery, equipment, parts and vessels for off shore industries; or advanced manufacturing and technology; or port and logistics related business; or storage and distribution linked to off shore industries. The permission is subject to various conditions.
- Screening:** I am of the view that, in part, the development to be permitted would fall under part 10a of Schedule 2 development of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 i.e. 'Industrial estate development projects'.
- Column 2 of Schedule 2 requires that 'industrial estate development proposals', which meets or exceed 0.5 hectares must be screened to establish whether the proposal is EIA development. Overall the consent granted by the LDO exceeds the 0.5 hectare threshold and additionally is within close proximity to sensitive sites. The LDO must therefore be screened.
- An assessment of the Local Development Order has been undertaken with reference to Schedule 3 of the Regulations in order to identify if the development would be likely to have significant effects on the environment.
- Characteristics:** Schedule 3, Paragraph 1 of the Town and Country (Environmental Impact Assessment) Regulations 2011 (the Regulations) states that the characteristics of development must be considered.
- Annex A of Circular 02/99 Environmental Impact Assessments 1999 (the Circular) states that EIA is more likely to be required if the site area of the new development is more than 20 hectares. The site to which the LDO relates is well below this indicative threshold, at around 8 hectares.

¹ As defined in the Town and Country Planning (Use Classes) Order 1987

Development may take a range of forms including office buildings, research and development light industrial workshop buildings and large scale industrial sheds.

Facilities may include large outdoor areas of hard-standing for moving or assembling large components and/or parts.

Cumulative considerations are relevant, in the context of other sites at East Sleekburn, Dun Cow Quay and Commissioners Quay all within around 2.5km of the site. Local Development Orders are similarly being pursued for the East Sleekburn sites.

It is not anticipated industrial processes in the sectors being targeted will result in hazardous substances or emissions, however, there is scope for pollution and nuisance in respect of increased traffic movements and resulting impacts on air quality; and potential noise from operations, particularly outdoor operations.

There is likely to be waste produced during the remediation and construction stage. However, there is considered to be potential for construction waste to be used for cut and fill balance within the site boundary to address a small area of flood risk.

The risk of accidents or risks to human health as a result of the development permitted by the LDO are considered to be low. The site falls partly within the middle and outer zones of a Health and Safety Executive Consultation Zone however the forms of development permitted are not highly vulnerable and therefore unlikely to be advised against.

Location:

Schedule 3 Paragraph 2 of the Regulations states that the environmental sensitivity of geographical areas likely to be affected must be considered.

The site is situated on the Northern edge of Blyth town centre. It is largely vacant although a small Port related operation remains which has an extant planning permission for bulk handling and loading of coal and which has most recently been used for loading glass for recycling. The town of Blyth has a population of around 36,000 and, in addition to the Port, has a relatively extensive industrial area running approx 2.5km along the South Bank of the river.

An area of housing, the Hodgson's Road Estate, is located to the south of the site, within 30m of the southern boundary at its closest point. Immediately to the south west of the site is a newly constructed primary school and an area of currently vacant land that has an extant outline planning permission for housing.

Adjacent to the site's western boundary is a mine water treatment facility consisting of settling ponds and reed beds that

treats contaminated water pumped from the former Bates Colliery prior to discharge into the river Blyth.

The wider estuary area is an intensively developed landscape. There are significant areas of derelict land and large scale industrial development, including highly visible structures such as storage silos and wind turbines.

There are no nature conservation designations within the site but the Northumbria Coast Special Protection Area (SPA) and Ramsar Site, are within 435m, whilst the Northumbria Coast Site of Special Scientific Interest (SSSI); and Blyth Estuary Local Wildlife Site are immediately to the north.

There are no landscape designations within the site boundary. In addition there are no AONBs or National Parks within 20km of the site. Northumberland National Park is located approximately 30km North west of the site and the North Northumberland Heritage Coast is located approximately 10km north of the site.

The nearest listed buildings/structures are the coal staithes on the northern side of the Estuary around 275m north and the cemetery and crematorium around 540m south west. Archaeological interests are not fully known but are to be investigated further before development.

Potential Impact:

Paragraph 3 of Schedule 3 to the Regulations requires that the potential significant effects of a development must be considered.

The key potential impacts are considered to be as follows:

- 1) Highways – There are two arterial routes into Blyth Town Centre and to the site, which are known to be heavily congested. Construction vehicles are likely to exacerbate congestion in the immediate area and potentially in the wider town centre area. During operation there may also be more heavy good vehicles and car based traffic from employees. The magnitude and complexity of the impact will depend upon the nature of the end user. Given the site's port access and the sectors being targeted it may be that more ship based movements are used, taking traffic off the roads. It may also be that the operations are run on a shift basis having limited impact at peak times of congestion and thereby reducing the frequency, duration and probability of impacts. The Order includes conditions to require highway impacts to be fully assessed and sustainable transport options to be facilitated.
- 2) Pollution / Nuisance – The LDO permits uses which could be detrimental to nearby residential properties by way of noise, smell, fumes and dust. However, there is a mound running along the periphery of the site and modelling has been undertaken to suggest noise would not be at such levels to cause disturbance. Furthermore the conditions and environmental protection regulations outside the planning

system can control these impacts, were they to arise.

- 3) Nature Conservation – The LDO site is within close proximity of a number of sites designated for their nature conservation importance at a European, National and local level. The potential impacts of development of the site alone and in combination have been assessed through a Nature Conservation and Ecological Assessment which includes a Habitat Regulations screening exercise. The assessment which explores characteristics of potential effects concludes that there will be ‘no likely significant effects’ on these sensitive areas. In addition there are no related transfrontier impacts.
- 4) Economic Growth - South East Northumberland suffers high levels of deprivation and unemployment. The development of the Bates site as part of wider initiatives to create the conditions for economic growth could have positive economic outcomes. The magnitude of the positive impacts will depend upon a range of factors including the required level of staff skills. The sectors being targeted are likely to need to attract employees from the wider north eastern area and potentially from other parts of the country or Europe. The socio-economic benefits for the local area may therefore be indirect benefits achieved in the long term rather than the short term – e.g. through investment in the area and potential for supply chain growth and associated jobs.
- 5) Physical changes to the locality – the LDO permits potentially large scale industrial developments. The sectors being targeted may have specific requirements e.g. for moveable cranes and may involve the construction or assembly of large parts / components. An initial visual impact assessment has been undertaken suggesting the impact of development would be unlikely to be significant given the existing industrial landscape.

It is considered that, due to the size of the site concerned, the proposed development would have only a local impact that would be limited in its extent beyond the site boundary.

The conditions attached to the LDO will provide acceptable mitigation against the anticipated impacts of the development proposed.

The cumulative impact of the development needs to be considered as part of the screening exercise. The site is adjacent to the existing development at the Port of Blyth and near the recently constructed renewable energy test facility within the Port at Wimbourne Quay. On the opposite side of the river, a wind farm consisting of 6 turbines with a 80m hub height and a 90m rotor diameter and one turbine with a 100m hub height and 126m rotor diameter are currently under construction. There is a current application for a 100MW biomass power station at Battleship Wharf under consideration by the Planning Inspectorate.

Within the context of the current committed developments it is not considered that due to the size of the site and the nature of the development proposed that the cumulative impact of the development would give rise to any significant environmental impacts.

Conclusion: As set out above, as the development permitted by the Local Development Order, at least in part falls within Schedule 2 part 10a of the Regulations. The development has been considered against the criteria within Schedule 3 to determine if an Environmental Impact Assessment is required. It has also been considered against the advice in the Circular.

Whilst the development will have some impact on the environment in terms of the potential scale of the buildings; increased traffic generation, particularly during construction; and potential to generate noise, these are mitigated by conditions included in the Order and none of these impacts is considered to be so significant in scale that an Environmental Impact Assessment would be required.

Additionally, although the site, is in relative proximity to a number of designated ecological areas, ecological assessments have concluded that there will be no likely significant effects on these areas.

Screening Opinion: The Local Planning Authority has considered the proposed development in the context of the Regulations and the advice contained in the Circular and considers that the impact of the Local Development Order at the Bates site **would not** be so significant to require an Environmental Impact Assessment for the reasons set out above.

Signed:



John Dowsett
Authorised Officer on behalf of Northumberland County Council

Date: 3rd September 2012