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April 2014



**Former Kingstone School,  
Broadway, Barnsley**

**Request for an Environmental Impact Assessment  
Screening Opinion for a Full Planning Application  
for the Erection of 163 Dwellings**

On behalf of

Taylor Wimpey

Prepared by

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## 1.0 Introduction

- 1.1 A planning application has been submitted to Barnsley MBC on behalf of Taylor Wimpey seeking full planning permission for residential development on land at the former Kingstone School, Broadway ("the site") for 163 dwellings.
- 1.2 Having due regard to the provisions of the Town and Country Planning Environmental Impact Assessment Regulations 2011, the Local Planning Authority ("LPA") could request an Environmental Impact Assessment ("EIA") on the likely impact of the scheme.
- 1.3 This report sets out the applicant's view in relation to the need for an EIA and is based on the regulations themselves and on the associated Circular 02/99, Environmental Impact Assessment. It is maintained there is no requirement for a formal EIA and a formal Screening Opinion is requested from Barnsley MBC in relation to the development proposed.

### Site Description

- 1.4 The site is approximately 4.83ha in size and was previously part of Kingstone School. The site is bordered to the north and east by residential and commercial development. Grassland lies to the west of the site.
- 1.5 Vehicular access to the site is currently from Broadway.

### Proposed Scheme

- 1.6 As referred to above, this is a full application for residential development for 163 dwellings. The Design and Access Statement and submitted plans show how the site will be developed in a manner which has regard to surrounding developments and policy requirements.
- 1.7 The layout shows a variety of house types of varying sizes, all with parking facilities and private gardens.
- 1.8 In total the layout shows 163 dwellings which would provide a mix of house types. The dwellings would respect the existing dwellings in the locality in terms of design.

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## 2.0 Approach

- 2.1 We have adopted the approach set out in Circular 02/99 which essentially requires 2 questions to be answered:
1. Does the proposal constitute Schedule 2 development in the meaning of the regulations? and;
  2. If so, is it likely to have “significant effects” on the environment having regard to Schedule 3 of the Regulations?
- 2.2 In determining the likelihood of significant effects, we have used a standard checklist of topics derived from the regulations in accordance with current EIA practice having regard to Schedule 3 of the Regulations.

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## 3.0 Schedule 2 Development

- 3.1 In determining whether the proposal constitutes Schedule 2 development, the following questions must be answered:
1. Is the development of a type listed in Schedule 1?
  2. If not, is it listed in Schedule 2?
  3. If so, is it located in a “sensitive area”? and/or;
  4. Does it meet any of the relevant thresholds and criteria set out in Schedule 2 and the relevant circular?

### Schedule 1

- 3.2 EIA is mandatory for projects listed in Schedule 1 of the regulations. The development is not of a type listed in Schedule 1 which relates to national infrastructure projects such as railways or power stations.

### Schedule 2

- 3.3 Schedule 2 includes, under Section 10, infrastructure projects, (b) “urban development projects including car parks or leisure centres”. The total site area extends to around 4.83 hectares. The site is located within the urban area of Barnsley close to good public transport provision and local services and facilities, and therefore due consideration is given to the nature of the proposal which is for residential development.
- 3.4 When interpreting Schedule 2 the Department of Communities and Local Government (DCLG) have provided a Note on the EIA Directive for Local Planning Authorities. This highlights that the wording of the Directive or the EIA Regulations should be interpreted widely. The fact that a particular type of development is not specifically referred to does not necessarily imply that it does not apply. The categories of projects listed in Schedule 2 are illustrative, not exhaustive. DCLG advise that they should be read in a purposive manner to include similar types of projects. It is therefore the case that as this proposed development could broadly be defined as an urban development project on a site over 0.5 hectares, the project could be deemed to fall within this category.

### Sensitive Areas

- 3.4 If a project is located within or close to a “sensitive area” it must automatically be screened for the need for an EIA, regardless of its scale. The regulations define sensitive areas as including SSSI’s, AONB’s, Sites of International Conservation Value and scheduled monuments.
- 3.5 DETR circular 02/99 advises that “urban locations may also be considered sensitive”. However, it is unlikely, given the nature of the proposed development (for residential and retail/health centre use) and having due regard to the proposed site context and layout, that the location should be considered as sensitive. The site is located in the urban area of Barnsley,

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does not lie within a Conservation Area or within or adjacent to a site of ecological importance designated on the Barnsley UDP Proposals Map. On this basis the site is not considered to be in a 'sensitive' location.

### **Threshold and Criteria**

- 3.6 Schedule 2 of the regulations identifies a number of "applicable thresholds and criteria", most of which reflect the scale of the development. If these criteria are met or exceeded, the proposal must be screened for the likelihood of significant effects on the environment by virtue of factors such as its nature, size or location. The threshold for urban development projects is 0.5 hectares. The site area for the proposal is approximately 4.83 hectares. Therefore, under the definition, the development is considered to fall within the remit of Schedule 2.
- 3.7 Schedule 3 of the regulations identifies a list of assessment criteria for the screening of Schedule 2 developments. In particular the characteristics of the development, location and potential impact should be considered in the screening.

### **Summary**

- 3.8 The development is within the threshold of a Schedule 2 development, as set out within the regulations, by virtue of its size, as under 10 (b) an 'urban development project' over 0.5 hectares in size. However, even if it falls within the category of a Schedule 2 project, the regulations state that it should only be subject to EIA if the proposal would be likely to have significant effects on the environment.

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## 4.0 Likelihood of Significant Effects

- 4.1 When screening every application for Schedule 2 development in order to determine whether or not EIA is required, Circular 02/99 (paragraph 32) highlights that the basic question to be asked is **'Would this particular development be likely to have significant effects on the environment?'**
- 4.2 In answering this question Schedule 3 of the Regulations sets out the selection 'criteria' which must be taken into account in determining whether a development is likely to have significant effects on the environment. Circular 02/99 highlights that not all of the criteria will be relevant in every case. Schedule 3 identifies three broad criteria which should be considered as follows;
- Characteristics of development (eg size, use of natural resources, quantities of pollution and waste generated);
  - Location of development (eg the environmental sensitivity of the location; and
  - Characteristics of potential impact (eg magnitude and duration).

- 4.3 In light of the Schedule 3 criteria, Circular 02/99 advises that an application is likely to be subject to EIA for "major developments of more than local importance", "for developments which are proposed for particularly environmentally sensitive or vulnerable locations" and "for developments with unusually complex and potentially hazardous environmental effects."

### **Would the proposed development be a major development of more than local importance?**

- 4.4 Whether the proposal is a "major development of more than local importance" depends on how "major" and "local" are defined. Clearly the proposed development is of local importance, especially for the surrounding community as it will provide additional housing choice in the area. However, a development comprising circa 163 dwellings would not be regarded as being of more than 'local' importance in the context of the location of the application site.
- 4.5 In considering what should be regarded as "major" Annex A of Circular 02/99 provides some assistance on indicative criteria and thresholds which indicate the types of case in which, in the Secretary of State's view, EIA is more likely to be required. In the case of urban development projects Annex A indicates development proposed for sites which have not previously been intensively developed are more likely to require EIA if the development would have significant urbanising effects in a previously non-urbanised area (e.g. residential developments of over 1,000 dwellings). Reference to locations which have not previously been intensively developed suggests expansion of settlements into open countryside or Green Belt.
- 4.6 It is not considered that the proposed development of the site located within the urban area of Barnsley would constitute 'major' development of more than 'local' importance. Developments of this type are commonplace within urban environments and in this case it falls on a site which is within an established residential area and is proposed as a future residential allocation.

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**Is the development one which is proposed for a particularly sensitive or vulnerable location?**

- 4.7 The site is located in a predominantly residential and urbanised area. Existing residential uses adjoin the site. In terms of nature conservation designated sites, there are no statutory designated sites within 2km of the proposed development site. The site is therefore not located in an area covered by national or international sites/designations of ecological, biological or landscape importance or buildings of special interest proximate to the site. The upcoming Proposals Map shows the site is allocated for development within a residential area. It is not considered that the site is located in a particularly sensitive or vulnerable location.

**Would the development be likely to have unusually complex and potentially hazardous environmental effects?**

- 4.8 The proposed development seeks to deliver residential development. Given the nature of the proposed development and its intended use it is not considered the development would have unusually complex and potentially hazardous environment effects.

**Indicative Thresholds and Criteria in Circular 02/99 (Annex A)**

- 4.9 Circular 02/99 (paragraph 43) indicates it is possible to provide a broad indication of the type or scale of development which is likely to be a candidate for EIA. This is set out in Annex A which states that an EIA is unlikely to be required for the development 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 advises "particular consideration" should be given to the "physical scale" of the development and to "potential increase in traffic, emissions and noise".
- 4.10 Scale thresholds are also suggested, including a threshold of 1,000 dwellings. However, the application would be for up to 163 dwellings, substantially below the indicative threshold.
- 4.11 Given the site's location in an urban area and having regard to matters set out below relating to the characteristics of any potential impacts, it is considered the hybrid application should not be subject to an EIA.

**Air Quality**

- 4.12 The proposed development is for up to 163 residential units along with associated works. Given the nature and scale of development proposed, the site context and its location, and the likely level of traffic generation anticipated, it is considered the proposed development would not have a 'significant' effect on air quality in the locality. The proposed use is very much in keeping with surrounding uses.
- 4.13 Potential impact on air quality from dust during the construction phase arising from implementation of the proposed development could be fully mitigated by employing best practice guidelines.

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### **Archaeology / Built Heritage**

- 4.14 The site is not located within an area of archaeological significance and as such it is considered there is no requirement for further archaeological investigation of the site. Furthermore, the site does not lie within a conservation area nor are there any adjoining listed buildings. There is therefore no effect on archaeology or built heritage.

### **Daylight and Overshadowing**

- 4.15 Given the topography of the site and the scale and height of the proposed elements in the overall development, it is considered there will be no day lighting or overshadowing issues as a result of this development proposal. The proposed site layout has been prepared in accordance with appropriate standards set by the local planning authority and it is considered the proposal would not result in significant effects on the environment in the context of daylight and overshadowing.

### **Electronic Interference**

- 4.16 Given the location of the proposed development, scale of the proposed new buildings and local topography, the proposed development is unlikely to have a marked effect upon, for example, television reception for existing local residents although remedial measures can be secured if problems are identified.

### **Micro Climate**

- 4.17 Given the scale of the buildings and the topography of the site, it is unlikely the development will result in significant changes to ground level conditions.
- 4.18 The precise effects in any one case are relatively complex, reflecting factors such as wind patterns, building height, shape, orientation and roughness, and the design of the external spaces. It is considered the proposed landscaping and the height and orientation of buildings will not result in detrimental micro climatic conditions. The application site is in an urban area with similar uses on adjoining land and the proposed land use will not alter this.

### **Noise and Vibration**

- 4.19 Given the nature of the proposed development, and its location in an urban area, it is not considered that the proposed development would lead to significant noise effects on the environment.
- 4.20 The construction impacts of the development, including noise, dust, vibration and traffic movements, can be managed and mitigated during the construction phases through implementation of appropriate measures. In this context, there are no noise and vibration issues which would warrant the request for an EIA.

### **Socio-Economic**

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- 4.21 The proposed development comprises up to 163 dwellings. The development will therefore enhance social inclusion by providing an attractive and well laid out development in a sustainable location.
- 4.22 The site is adjacent to an existing residential area and commercial uses within Goldthorpe. As such its relationship with the nearby urban area makes it an appropriate and sustainable location for the proposed uses. The provision of an element of affordable housing is also a material consideration which meets the objectives of social economics. These will be looked at as part of the overall proposal. The scheme delivers social gain by enhancing housing choice in Barnsley district in a sustainable location.

### **Transport**

- 4.23 A Transport Assessment is submitted with the application and includes comprehensive analysis and modelling of the traffic impact of the proposed development on the local highway network. The results of the junction assessments suggest that all junctions will operate in capacity with the addition of development traffic in the design year of 2018.
- 4.24 The location of the site close to the centre of Barnsley means the site has very good access by bus and foot from the surrounding residential area and provides an opportunity for many trips to be made on foot or by bicycle.
- 4.25 The Transport Assessment for the site concludes the traffic generated by the proposed development will have no material adverse impact upon the operation of the highway network and will operate in a safe and secure manner. As a consequence, there are no highway related matters which would generate the requirement for an EIA and the anticipated traffic impact would not result in significant effects on the environment.
- 4.26 To promote the use of modes of transport other than the private motor car, a draft travel plan is also being prepared. The travel plan will provide a description of the accessibility of the site and the availability of public transport. The document sets out the travel plan measures to be promoted as part of the future development of the site, the management of the travel plans in the short and long term together with monitoring and enforcement.

### **Waste**

- 4.27 The disposal of waste will be handled in accordance with the statutory requirements of Barnsley Council. Waste collection facilities will be incorporated into the design, construction and use of the development. Given the nature of the proposal it is not considered that the type of waste produced or its disposal would result in significant effects on the environment.

### **Contaminated Land/Groundwater/Drainage/Flood Risk and other Geotechnical Considerations**

- 4.28 A Geo-environmental Site Assessment has been prepared by RSK Environmental Limited in order to assess the ground conditions at the Former Kingstone School.

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- 4.29 In summary that report makes the following recommendations;
- A clean topsoil cover with a minimum thickness of 600mm to be placed within garden areas.
  - Further assessment of the proposed pipe zoning and routing in order to assess and determine which different grade of pipe materials can be used across the site;
  - Further assessment of ground gas to be undertaken; and
  - Further assessments to determine shallow coal seams.
- 4.30 Above all, the site is considered suitable and there are no issues associated with the conditions of the site that would preclude its development.
- 4.31 With regard to flood risk, the submitted Flood Risk Assessment concludes the site is in Flood Zone 1 and flood risk from all sources is low. Notwithstanding this the document states floor levels should be set typically 150mm above existing ground levels to mitigate against flood risk from overland flows from extreme events.
- 4.32 In terms of drainage, the report states there are existing public sewers crossing the site with development restrictions and easement and access requirements. The adjacent surface water drainage system in the Ben Bailey development was designed and constructed to cater for unrestricted flows from the application site and stub pipes have been provided for the future connections.
- 4.33 Barnsley Council, the Environment Agency and Yorkshire Water have agreed in principle to the surface water drainage strategy.
- 4.34 In light of the above, it is therefore concluded that there are no issues with respect to flooding and therefore the proposed development would not result in a significant effect on the environment as a result of flooding issues or surface/foul water disposal.

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## 5.0 Conclusions

- 5.1 In conclusion, the development falls within the threshold of a Schedule 2 project in the meaning of the regulations, purely by virtue of its site size. However, based on the information available it is concluded the proposed development would not result in significant effects on the environment such that an application does not need to be subject to an EIA.
- 5.2 This reflects the character of the site, the character of the surrounding area, and the opportunity for mitigation to be built into the design and construction of the development as necessary. In addition to this, it is important to note the site is shown as a proposed residential allocation and has a history of similar proposals being granted planning permission. The LPA would have therefore considered the environmental impacts of development on this site in the past.
- 5.3 The application is supported by the following documents:
- Location Plan;
  - Masterplan;
  - Design and Access Statement;
  - Draft Section 106 Heads of Terms;
  - EIA Screening Request;
  - Flood Risk Statement;
  - Site Investigation Report;
  - Statement of Community Involvement;
  - Transport Assessment (including Travel Plan) and
  - Noise Assessment
- 5.4 Having regard to the matters set out in this Screening Report, it is considered the application does not need to be subject to an EIA.