

14 August 2018  
L 180814 - Screening Letter



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Dear Sir / Madam,

**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017  
REQUEST FOR AN ENVIRONMENTAL SCREENING OPINION  
PROPOSED OUTLINE PLANNING APPLICATION FOR RETAIL AND LEISURE USES AT WORCESTER  
WOODS  
LAND BOUND BY NUNNERY WAY, NEWTOWN ROAD AND CHARLES HASTINGS WAY, WORCESTER  
CONSOLIDATED PROPERTY GROUP**

**Introduction**

We write on behalf of Consolidated Property Group ('CPG') to request that Worcester City Council adopts a formal Screening Opinion for an outline planning application for the proposed development of a new retail and leisure park at the above site, in order to identify whether the application constitutes development requiring an Environmental Impact Assessment (England and Wales) Regulations 2017 (the 'EIA Regulations').

We enclose a plan (Drawing Ref: 15169-016 – 'Proposed Site Layout'), sufficient to identify the application site, and set out a brief description of the site location, the planning history, the nature and purpose of the development and its possible effects on the environment. The enclosed plan is an indicative layout of the proposal as details are being finalised and is therefore stamped 'Draft', but it is sufficient for the purposes of considering a Screening Request.

**Proposal Site**

The site is located approximately 2km to the east of Worcester City Centre, adjacent to the M5 motorway, and comprises land bound by Nunnery Way (A4440), Newtown Road (B4636), and Charles Hastings Way. It measures approximately 9.96 hectares and the boundaries are illustrated by the red line on Drawing Ref: 15169-016 – 'Proposed Site Layout'.

Given its location, the Council has identified the site as a strategic location suitable for large format commercial land uses.

The site is currently undeveloped grassland and is bisected by a hedgerow running north to south. The site also includes three surface water features, including a drain and a balancing pond along the northern boundary and a small watercourse.

**Planning History**

On 23 June 2016, planning permission was refused for the creation of new retail units (36,496 sq. m), petrol filling station and associated works including landscaping, ecological and ground works (App Ref: P14Q0562) (the 'previous application'). The reasons for refusal of the application were; failure to satisfy the requires of the sequential test, and the potential for the proposal to cause a significant adverse impact upon the vitality and

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viability of Worcester city centre. Accordingly, there are no objections to the proposed development of the site on environmental grounds.

A request for an EIA Screening Opinion was submitted in relation to the above application and the Council confirmed, on 12 June 2014, that an EIA would be required in order to enable further consideration of potential impacts of the proposed development on a scheduled ancient monument. It follows that the extent of the Council's concerns in relation to the application site was limited solely to heritage matters.

In addition, the site benefits from outline planning permission for the creation of 55,000 sq. m office floorspace (Class B1) pursuant to Planning Permission: P10Q0276. The permission remains extant until 4 October 2019. The redevelopment of the site for office floor space is not considered to be viable and therefore, an alternative scheme is being prepared to realise investment and generate economic growth and job creation.

### **Proposed Development Description**

The application will be submitted in outline and the proposed development will be for a new retail and leisure park development comprising:

- A total ground floor plate of approximately 15,000 sq. m of retail floorspace (Class A1). Flexible mezzanine floorspace may be included in some units. However, this floorspace will exclusively be internal;
- Approximately 1,000 sq. m of cafe / restaurant / takeaway floorspace (Classes A3 and / or A4);
- A petrol filling station;
- A hotel (Class C1);
- Approximately 1,197 new car parking spaces;
- New vehicular access points from Nunnery Way, Newtown Road, and Charles Hastings Way; and
- A comprehensive scheme of high quality hard and soft landscaping.

### **Legal Context**

The EIA Regulations implement European Council Directives on the assessment of the effects of certain public and private projects on the environment.

The regulations set out two categories of development, which are:

1. Schedule 1 development; for which an Environmental Statement is required in every case; and
2. Schedule 2 development; for which an EIA is only required if the proposal is likely to give rise to 'significant environmental effects'.

The proposed development does not fall under the description of a Schedule 1 development in the EIA regulations, as defined by the EIA Regulations, which would automatically require an EIA.

Schedule 2 development means development mentioned in the table in Schedule 2 which is either;

1. Where any part of the development is to be carried out in a 'sensitive area'; or
2. Development that meets one of the relevant criteria or exceeds one of the relevant thresholds listed in the second column of the table in Schedule 2.

'Sensitive area' means:

- a) Land notified under Section 28(1) (sites of special scientific interest) of the Wildlife and Countryside Act 1981;
- b) A National Park within the meaning of the National Parks and Access to the Countryside Act 1949;
- c) The Broads;

- d) A property appearing on the World Heritage List kept under Article 11(2) of the 1972 UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage;
- e) A scheduled monument within the meaning of the Ancient Monuments and Archaeological Areas Act 1979;
- f) An area of outstanding natural beauty designated as such by an order made by Natural England under Section 82(1) (areas of outstanding natural beauty) of the Countryside and Rights of Way Act 2000 as confirmed by the Secretary of State;
- g) A European site.

The Multi-Agency Geographic Information for the Countryside ('**MAGIC**') online database was used to confirm that the application site is not located within or in the immediate vicinity of a 'sensitive area', as defined by Section 2(1) of the EIA Regulations.

Descriptions of development and applicable thresholds and criteria for the purposes of the definition of Schedule 2 development are set out in Schedule 2 of the Regulations. The proposed development is best defined as falling within *Category 10(b): Urban Development Projects, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas.*

Schedule 2 of the Regulations states that, within Category 10(b), development which meets certain thresholds is to be regarded as Schedule 2 development. The relevant thresholds are:

- 1. more than 1 hectare of urban development, which is not dwellinghouse development; or
- 2. the development includes more than 150 dwellings; or
- 3. the overall area of the development exceeds 5 hectares.

Given that the application site is approximately 9.96 hectares, it follows that the proposal is Schedule 2 development. However, this does not necessarily mean an EIA is required.

### Screening Requirements

Under Part 2, Regulation 6(3) of the EIA Regulations, a request for a Screening Opinion in relation to a site, which has previously been the subject of a development application, requires the following:

- a) A plan sufficient to identify the land (enclosed as per the above);
- b) A description of the development (included above), 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) To the extent that it relates to likely significant effects not identified under the previous application, a description of the aspects of the environment likely to be significantly affected by the development;
- d) To the extent that it relates to likely significant effects not identified under the previous application 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.

## **Preliminary Environmental Review**

As outlined above, an EIA Screening Request was submitted under the previous application for the site, which proposed retail and leisure uses similar to the current proposal. The key difference between the previous application and the current proposals are that the latter represents a reduced proposal in terms of proposed retail floorspace and developed area.

Although the scope of the Council's concerns were limited to heritage matters, the submission documents for the previous application included a comprehensive Environmental Statement ('**ES**'), undertaken by Ramboll. The ES considered, in full, all environmental aspects of the development proposed at that time, including:

1. Transport & Access
2. Air Quality
3. Noise & Vibration
4. Ecology
5. Water Environment
6. Archaeology & Cultural Heritage
7. Socio-Economics
8. Waste Management
9. Landscape & Visual Impact Assessment

The ES confirmed that development of the site under the terms of the previous application would not result in any severe environmental impacts. Whilst the previous application was refused, there was no objection to the development on grounds of adverse environmental impact, or any of the technical matters set out above, including heritage matters. Most notably, whilst the Council required an EIA on grounds of potential impact on a heritage asset, the Council's Archaeological Officer confirmed no objection to the application. There were no adverse impacts on the sole matter that the Local Planning Authority required an ES on.

It follows that the Council was satisfied that the ES properly considered all of the environmental impacts of the proposal, and these were found to be acceptable.

In terms of environmental characteristics, the site remains in the same physical condition as it was in June 2016, when the previous application was determined. All relevant surveys of the site, including those relating to ground contamination, ecology, air quality, noise, landscaping & archaeology, will be updated and provided with the submission documents.

As stated above, the current proposal represents a reduction in development intensity from that proposed under previous application, by way of reduced retail floorspace. The effects of the current proposal can therefore only be described as lower than those which have previously been assessed by the Council and found to be acceptable.

An assessment of the proposal under the criteria contained at Schedule 3 of the EIA Regulations is therefore not required as, in accordance with the provisions of Regulation 6(3) listed above, the current proposal will not result in any likely significant effects not previously identified under the previous application. It follows that an EIA is not required to support the forthcoming application.

## **Conclusion**

The application site is above the threshold of 5 hectares outlined in Column 2 of Schedule 2 to the EIA Regulations (Category 10 (b)), and is therefore Schedule 2 development.

As shown above, the site has previously been the subject of an application for a much greater development of retail and leisure uses. That application was confirmed by the Council to require an EIA, and an ES was



submitted, which comprehensively assessed the environmental impacts. The ES concluded, and the Council agreed, that the effects of the proposal would give rise to any severe environmental impacts. The ES was only required on heritage grounds and it was concluded that the larger proposal did not raise any heritage concerns, nor any environmental concerns which did not form the basis for the request for the previous ES.

As the current proposals will not result in any additional effects to those previously assessed and there were, we conclude that the proposal is not development requiring an ES to support the forthcoming planning application. All matters can be dealt with and considered under the terms of technical reports required by the Local Planning Authority application validation list.

We kindly request the Council confirms that the proposal is not Schedule 2 development requiring an Environmental Statement.

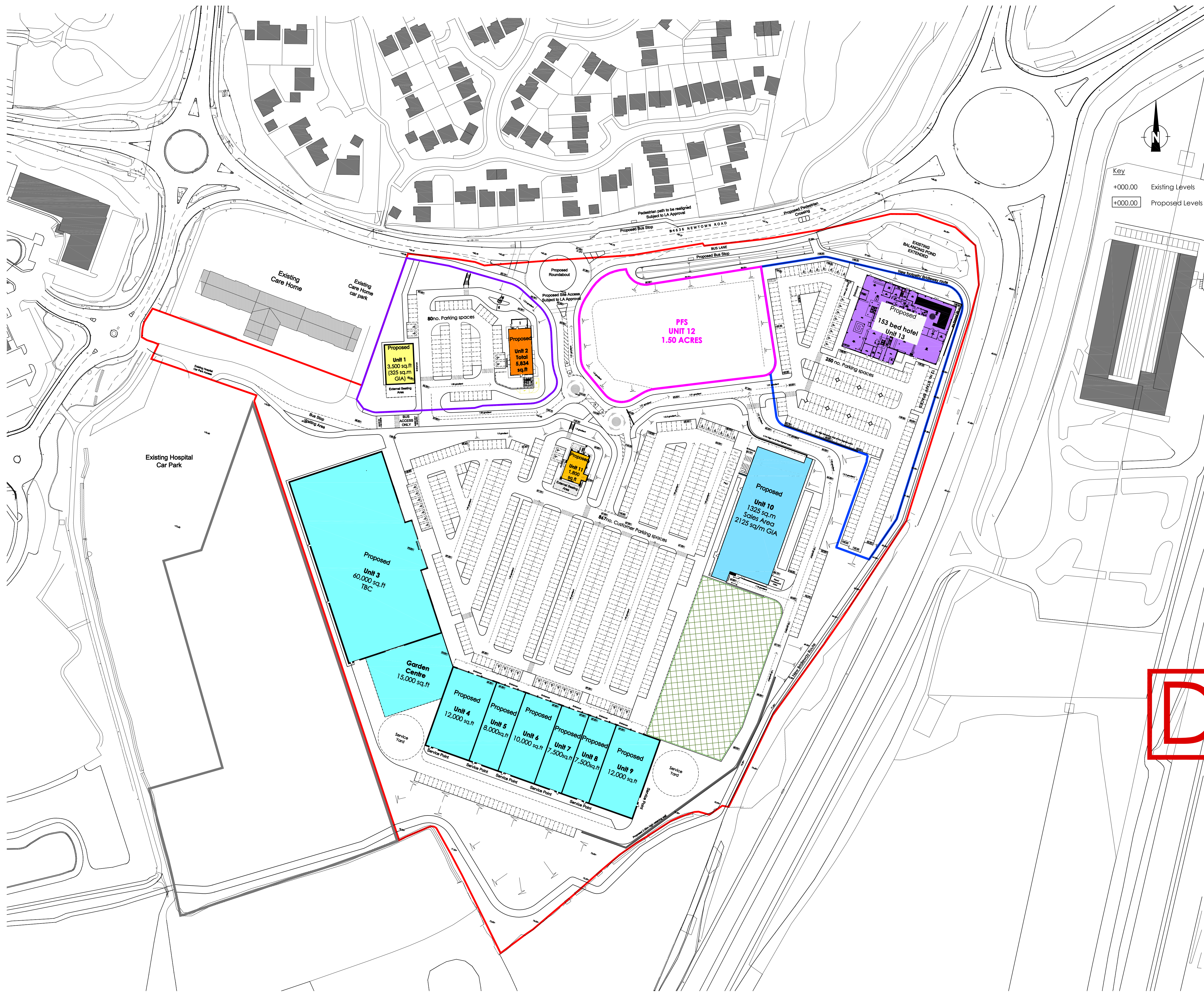
Yours sincerely,

A handwritten signature in black ink that reads "Savills".

**Savills (UK) Limited**  
Planning



**NOTE:**  
 INFORMATION IS BASED ON OS MAP AND RECEIVED INFORMATION AND IS SUBJECT TO FULL TOPOGRAPHICAL SURVEY, ASSUMED SITE BOUNDARY AND SITE CONSTRAINTS SUBJECT TO CONFIRMATION. ALL LEGAL EASEMENTS AND EXTENT OF EXISTING UNDERGROUND SERVICES LOCATIONS ARE SUBJECT TO CONFIRMATION.



**DRAFT**

Rev	Date	Description	Rev By	Chk'd By
00.00.00				
Project Title: Proposed Mixed Development Newtown Road, WORCESTER WOODS				
Client: CPG				
Status: Feasibility				
Scale: 1:1000		Drawing Size: A1		
Date: 05.2018	Drawn By: LJ	Checked: NJC		
Drawing Title: Proposed Site Layout				
Job-Dwg No:	15169-018			Rev:

- 2 St. Johns North, Wakefield, WF1 3QA t. 01924 291800
- Carvers Warehouse, 77 Dale Street, Manchester, M1 2HG t. 0161 2388555
- The Old Rectory, 79 High Street, Newport Pagnell, MK16 6AB t. 01908 211577
- 101 London Road, Reading, RG1 5BT t. 0118 9507700
- 10 Gues Court, St Christophers Place, London, W1U 1JJ t. 0207 4091215

