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**My Ref:** AB/DC/19/62668  
**Please ask for:** Mrs Alison Bishop  
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**Date:** 26th February 2019

Dear Sir or Madam,

**Town and Country Planning Act 1990 (as amended)**  
**Town and Country Planning (Environmental Impact Assessment)**  
**Regulations 2017**  
**Screening Opinion for Environmental Impact Assessment**  
**At: Land Adjacent Former Sportsground (The Gower Tip) Lower City Road**  
**Tividale Oldbury**

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This letter informs you of our formal screening opinion under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

An Environmental Impact Assessment (EIA) would only be required if the development is likely to have a significant effect on the environment by virtue of its size, nature and location.

In considering the description of development within Schedules 1 and 2 of the above Regulations, it is accepted that this proposal is not Schedule 1 but falls within Schedule 2 Part 13 'Changes and Extensions'.

Part 13 of Schedule 2 refers to 11b 'installations for the disposal of waste' and includes the thresholds of:-

- (i) The disposal of incineration; or
- (ii) The area of the development exceeds 0.5 hectare;
- (iii) The installation is to be sited within 100 metres of any controlled waters;

You have confirmed that (ii) and (iii) above apply to this development and hence the environmental effects of the project must be screened against Schedule 3 of the Regulations which states:-

- Characteristics of the development
- Location of the development
- Types and characteristics of the potential impact

I have considered each of these matters below and have given due regard to the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

### **Characteristics of the development**

In assessing the characteristics of the development, the Regulations direct that the focus of assessment should be to ascertain whether or not the proposed development is of more than local importance and would therefore be liable to have wide-ranging environmental effects that would justify EIA.

According to Schedule 3 of the Regulations, characteristics fall to be considered against the following criteria:-

- (a) the size of the development;
- (b) the cumulation with other development;
- (c) the use of natural resources;
- (d) the production of waste;
- (e) pollution and nuisance; and
- (f) the risk of major accidents and/or disasters relevant to the development concerned;
- (g) including those caused by climate change, in accordance with scientific knowledge;
- (h) the risk to human health (for example, due to water contamination or air pollution).

The scale of the development would give rise to impacts which are primarily of a type and scale which are local in nature. Taking in to account the existing urban context and other nearby developments, the impact on natural resources, waste, pollution and risk of accidents, climate change and human health would be able to be assessed within

the planning application submission and would not require an Environmental Statement.

### **Location of development**

In assessing the location of the development, the Regulations state that the environmental sensitivity of geographical areas likely to be affected by development must be considered, having particular regard to:-

- (a) the existing land use;
- (b) the relative abundance, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground;
- (c) the absorption capacity of the natural environment, paying particular attention to the following areas – wetlands, riparian areas, river mouths, coastal zones and the marine environment; mountain and forest areas; nature reserves and parks; European sites and other areas classified or protected under natural legislation; areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the project, or in which it is considered that there is such a failure; densely populated areas; landscapes and sites of historical, cultural or archaeological significance.

It is accepted that the proposal will not alter the existing use of the land and that the completed project will result in minimising risk of future effects on natural resources and is not within a sensitive area. Whilst the proposal may have some effect on natural resources, these can be assessed as part the application submission through ecological appraisals, air quality, landscape and visual, noise and vibration, traffic, hydrological assessments and a ground investigation report and relevant planning conditions, where necessary, imposed.

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

The potential significant effects of development must be considered in relation to criteria set out above, and having regard to:-

- (a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);
- (b) the nature of the impact

- (c) the transboundary nature of the impact
- (d) the intensity and complexity of the impact
- (e) the probability of the impact
- (f) the expected onset, duration, frequency and reversibility of the impact;
- (g) the cumulation of the impact with the impact of other existing and/or approved development;
- (h) the possibility of effectively reducing the impact.

With regard to (a) to (h) of Schedule 3 it is considered that the proposal would not have an impact that could be regarded as significant, subject to appropriate mitigation which will be identified through the various assessments outlined above.

## **Conclusion**

The impacts of the proposed development can be demonstrated within the robust supporting documents submitted as part of the planning application, in accordance with the Council's published Validation checklist guide to submitting a planning application'.

**Decision : The proposal would not be EIA development and an Environmental Statement is not necessary.**

This decision is made in accordance with powers delegated to me by the Planning Committee. A copy of this letter has been placed on the planning register.

Yours faithfully,



**Amy Harhoff**

**Director of Regeneration & Growth**