Appendix 1
Scoping
Opinion
Request
Prepared by
Bilfinger GVA
Land at Dunstall Farm, Tamworth

Trustees of J B Aucott

Town & Country Planning (Environmental Impact Assessment) Regulations 2011

Environmental Impact Assessment Scoping Opinion

December 2014
1. **Introduction**

1.1 GVA is instructed by the Trustees of J B Aucott (Aucott) to provide town planning advice in respect of land at Dunstall Farm, Tamworth. The extent of the land is shown on the Site Location Plan at Appendix 1. Aucott owns the unencumbered freehold of the site.

1.2 The land, the subject of this Scoping Statement and of the Environmental Statement to be undertaken is approximately one kilometre to the southwest of Tamworth Town Centre.

1.3 The land is identified as the site of a Sustainable Urban Extension in the “Pre-Submission Draft” version of the emerging Tamworth Local Plan. The Plan will be submitted to The Secretary of State shortly and will be examined, in public, early in 2015.

1.4 In order to ensure that the Council is able to maintain a continuous supply of the land for housing following the adoption of the Local Plan, and in anticipation of the allocation of land at Dunstall Farm, this Scoping Opinion is an early first stage in a process which will culminate in the submission of an outline planning application for residential development at Dunstall Farm within the next twelve months.

1.5 In addition to residential uses the site will also support community areas comprising, amongst perhaps other facilities; convenience retailing; a primary school; formal and informal open spaces and recreation opportunities.

**The Need for an Environmental Impact Assessment**

1.6 Environmental Impact Assessments (EIA) seek to ensure that the likely impacts of major developments are considered and taken into account as part of the determination of planning applications. Once the impacts of the proposal are understood, appropriate measures for mitigation and optimising the environmental benefits of the scheme can be developed. In this way, the adverse impacts of the proposal are minimised.

1.7 The Statutory Instrument which establishes the circumstances in which an EIA is required, and the regulations for the preparation of Environmental Statements (ES), is the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (the Regulations).
1.8 Schedule 1 of the Regulations describes development which triggers the need for an EIA in all circumstances. The development proposed is not included in Schedule 1. Schedule 2 describes development which may trigger the need for an EIA, subject to certain thresholds and criteria.

1.9 The development proposed (housing and associated infrastructure) is not mentioned specifically in Schedule 2, but falls within category number 10 – Infrastructure Projects which includes:

“Urban development projects, which includes the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas.”

1.10 Schedule 3 specifies the criteria to be used for assessing whether a Schedule 2 development would necessitate an EIA. At a meeting with Tamworth Borough Council on 24 September 2014, to discuss the purpose and intention behind submitting a Scoping Report to the Council, it was decided by officers that given the scale of development proposed at Dunstall Farm an ES is required in support of an outline planning application.

**Purpose of this Report**

1.11 Part 4 of the Regulations provide for applicants to request a “Scoping Opinion” from the Local Planning Authority, on the information to be provided in an ES.

1.12 The purpose of this report is to summarise the results of the scoping exercise for the benefit of the Council and Statutory Consultees, in order that a strategy for the content and methodology of the ES can be established, by way of a “Formal Scoping Opinion”. The scoping report describes the intended structure and form of the Environmental Statement, the consultant team and the range of issues to be considered.

1.13 The main part of the report considers each topic in terms of the issues to be considered, methodology and information sources and likely impacts. It also highlights the potentially significant effects from the development which will be considered in greater detail as part of the EIA.
The Consultant Team

1.14 This report has been commissioned by the Trustees of J B Aucott. The ES will present the results of an EIA coordinated by GVA and involving technical contributions from a number of specialist consultants. The consultant team is likely to comprise the following:

- Town Planners - GVA
- Master Planners and Urban Designers - Building Design Group (BDG)
- Highways and Transportation Consultants - WYG
- Ecological Consultants - Middlemarch Environmental
- Flood Risk Engineers - Mott McDonald
- Archaeological and Heritage Consultants - TBC
- Ground Condition Consultants - Chmeil Overton and GIP
- Technical/Infrastructure Consultants, to consider noise, air quality and light - TBC
- Landscape Consultants (Responsible for preparation of L&VIA) - TBC
- Socio Economic Consultants - GVA
2. **Location of Development**

2.1 The land covers a total area of approximately 61 hectares (152 acres), of which approximately 23 hectares (53 acres) are developable and approximately 38 hectares (98 acres) are within the flood plain. The land and areas within it is shown on the plan attached at Appendix 1. It is possible that the developable area may be increased slightly and the ES will reflect and test the finalised figure. In addition, the shape of the site may change slightly as a result of adjustments to the flood plain. Again, the ES will reflect and test the finalised area.

2.2 The land is approximately a kilometre to the southwest of Tamworth town centre. It is bounded by the River Tame to the north and by Dunstall Lane, the “Focus” unit and the Birmingham and Fazeley Canal to the south. It comprises predominantly agricultural land, which is not of “best and most versatile” quality. Part of the land falls within Flood Zone 3; part is within Flood Zone 2. The balance is in Flood Zone 1. This is considered in more detail in subsequent chapters.
3. **Nature of Development**

**The Application Proposals**

3.1 The outline application to be submitted to Tamworth Borough Council by Aucott will proposed the following built development and land uses:

- a mix of residential dwelling types, including affordable housing;
- a total of approximately 725 units;
- a convenience retail store;
- a primary school;
- community areas;
- local and neighbourhood facilities for sport and recreation;
- a new access onto Hendon Road/Ventura Park Road and a new road system within the site;
- associated landscaping, green infrastructure and public realm works;
- flood mitigation works;
- potential conversion of some existing agricultural buildings on site; and
- pedestrian and cycle links through the site to allow access to local facilities.

3.2 The precise mix and quantum of these uses will be determined prior to commencement of the EIA process and will be finalised in the development framework plan to be submitted formally within the planning application. For the purposes of this Scoping Report we suggest that Dunstall Farm is capable of delivering a minimum of 725 dwellings. The site capacity could increase as the proposals evolve.

3.3 The primary vehicular access into the site will be from Ventura Park Road/Meadow Road, with a secondary/emergency access potentially taken from Dunstall Lane. The site will be designed to accommodate a local bus service. Cycling and walking links into surrounding countryside, adjacent retail parks and Tamworth town centre will be provided. Dunstall Lane will probably be utilised for these purposes.

3.4 The Council, in association with “MADE”, has produced a preliminary concept plan for the site, which indicates some options for how it would be developed. A detailed description of the evolution of the design process will be provided in the Design and Access Statement that will be submitted to accompany the planning application and summarised in the ES.
4. The Environmental Statement

General Structure

4.1 The Environmental Statement will take the following structure:

- non-technical summary
- the statement; and
- supporting technical appendices

4.2 The document will comprise the following chapters:

1. Introduction
2. The Application Site and Development Proposal
3. Consideration of Alternatives
4. Planning Policy
5. Traffic and Transportation
6. Air Quality
7. Noise
8. Light
9. Drainage and Flood Risk
10. Landscape and Visual Impact
11. Services and Utilities
12. Socio Economic Issues
13. Ecology
14. Archaeology and Heritage
15. Cumulative Impacts
16. Summary Effects Matrix
17. Conclusion

The chapters are considered in turn in the following sections.
5. **Introduction, Application Site/Proposals and Consideration of Alternatives**

**Introduction**

5.1 The introduction will provide a broad overview of the background to the project and the context for the development proposals. The main environmental effects will be identified alongside a brief description of the approach to assessing likely impacts.

**The Application Site and Development Proposal**

5.2 This section will comprise the following:

- description of strategic location of the site within Tamworth and site access;
- description of site context and the nature of the application site;
- description of the application proposal.

**Consideration of Alternatives**

5.3 The Regulations require that the applicant must consider alternatives to the development proposed on the site under consideration. In this instance that requires:

- Analysis of the process through which the S.U.Es were identified by Tamworth Borough Council;
- Consideration of alternatives to the Dunstall Farm S.U.E, including the release of land in Flood Zones 2 and 3, the release of Green Belt and cross-boundary growth in adjacent Boroughs and Districts to meet Tamworth’s needs; and
- Consideration of the implementation of the extant permission for employment development on the site.
6. **Planning Policy**

**Lead Consultant**

6.1 The lead consultant addressing planning policy issues will be GVA.

**Preliminary Scoping**

6.2 The emerging Local Plan complies with the principles of sustainable development established in the NPPF. Other topics covered by the NPPF have been discussed with the Council’s officers on a preliminary basis. These include; highways and transportation; ecology; design and flood risk.

6.3 The deliverability of the site and its compliance with development plan policy has been considered in the preparation of two sets of representations sent to the Council in support of the proposed allocation. Emerging Local Plan policies that have been considered in representations include:

- **SP1** - The Spatial Strategy for Tamworth
- **SP5** - Housing
- **SP6** - Strategic Urban Extensions
- **CP4** - Affordable Housing
- **CP5** - Housing Types
- **CP6** - Housing Density
- **SP8** - Environmental Assets
- **CP8** - Sports and Recreation
- **CP9** - Open Space
- **CP12** - Protecting and Enhancing Bio-Diversity
- **SP9** - Sustainable Tamworth
- **CP13** - Delivering Sustainable Transport
- **CP14** - Sustainable Development and Climate Change Mitigation
- **CP15** - Flood Risk and Water Management
- **CP16** - Community Facilities
- **CP17** - Infrastructure and Developer Contributions
- **EMP7** - Employment Allocation North of Bonehill Road
Issues to be Considered in the Planning Policy Chapter

- General adherence of the scheme to national, regional and local planning policy;
- Compliance with requirements for the S.U.E.s which are set out in Policy SP6 of the emerging Local Plan;
- Flood risk issues and the sequential test;
- Drainage issues and the provision of SUDS on site;
- Affordable housing provision and the impact of this on the viability of the scheme;
- Design issues including; the impact of the site on the wider landscape; the proposed layout for the site and the juxtaposition of various uses; character areas within the site; housing density and types;
- Ecological and biodiversity;
- Sustainability;
- Highways and transportation issues;
- Leisure and recreation, including the provision of facilities on site;
- Community facilities, including the provision of a new primary school;
- Planning obligations, including the provision of affordable housing; and
- Archaeology and heritage issues.

Approach

6.4 The scheme will be placed in its spatial planning context. The delivery of housing growth in the Borough and the wider sub-region will be assessed against the criteria outlined in all tiers of planning policy. At the national level the assessment will be made against the NPPF.

6.5 Consideration will be given to the scheme’s compliance with the emerging Local Plan for the Borough, including all of the policies identified above. This will cross-reference with subsequent chapters in the ES which consider technical and other issues in detail.
7. Traffic and Transportation

Lead Consultant

7.1 The lead consultant on matters relating to transportation and traffic will be WYG.

Preliminary Scoping

7.2 Two preliminary studies have been carried out. The first was prepared by GVA and submitted as part of representations made in support of the allocation of the site. The study took the form of a preliminary access strategy and appraisal. It identified key issues including; means of access into the site; the broad traffic impact of the proposals on the surrounding and wider network; the impact of “committed” development on the site (i.e. the commercial development scheme) and how this has been taken into consideration when modelling improvements to the surrounding network and transport sustainability.

7.3 The preliminary assessment carried out by GVA has concluded that the site is in a sustainable location, close to the town centre, and offers numerous opportunities to deliver pedestrian, cycle and public transport links into the town and the wider area. The report concludes also that traffic impacts of the scheme are unlikely to be significant or require the provision of either new infrastructure or major alterations to the existing highway network.

7.4 Transport consultants, WYG, carried out a second preliminary study on highways and transportation issues. The study was part of the due diligence exercise carried out prior to the purchase of the site by Aucott. WYG’s study supported the conclusions reached by GVA. It also identified additional work required in support of a planning application.

Issues to be Considered

7.5 The initial work has outlined the need for additional assessments which will include the following:

• Preparation of a detailed design for the access into the site;
• Further modelling work to assess the difference in impact of traffic generated by the site in residential use (as proposed) compared with the consented employment use;
- Impact of traffic from the scheme on the strategic highway network and in particular proposed improvement works at the A5/A453 Mile Oak and A5/B5080 Stoneydelph junctions;
- Reasonableness of financial contributions towards the above improvement works; and
- Sustainable transport proposals including means of enabling buses to access the site and pedestrian and cycle links into Tamworth Town Centre and adjacent areas.

**Approach**

7.6 The planning application will be accompanied by a Transport Assessment (TA) and Framework Travel Plan (FTP). The documents will be appended to the ES. The data used and the conclusions reached in the preparation of the TA and FTP will be used in the preparation of the Traffic and Transportation Chapter of the ES.

7.7 Scheme designs for walking and cycling routes will be advanced which identify easy and convenient access to key destinations. These will demonstrate to the Local Planning Authority that practical solutions can be achieved to satisfactorily mitigate the effects of the development and inform the probable Section 106 contributions.
8. **Air Quality**

**Lead Consultant**

8.1 The lead consultant on matters relating to air quality will be appointed shortly.

**Preliminary Scoping**

8.2 Air quality is a material planning consideration. The NPPF considers air quality in Chapter 11 – Conserving and Enhancing the Natural Environment. The guidance states that planning policies must sustain compliance with, and contribute towards, upper limit values and national objectives for limiting pollutants. The guidance establishes that development in Air Quality Management Areas will be scrutinised in particular.

8.3 The site is not within an Air Quality Management Area (AQMA).

**Assessment and Approach**

8.4 An Air Quality Assessment will be undertaken and will consider the potential long term air quality impacts that are associated with the proposed plans.

**Issues to be Considered**

8.5 Air Quality will form part of the ES.
9. Noise

Lead Consultant

9.1 The lead consultant on matters relating to noise will be appointed shortly.

Preliminary Scoping

9.2 The NPPF requires Local Authorities in England on the use of their planning powers to minimise the adverse impact of noise. It outlines the considerations to be taken into account in determining planning applications both for noise-sensitive developments and for those activities which generate noise. The proximity of Dunstall Farm to existing commercial development and to roads raises the issue of noise for the development site.

Assessment and Approach

9.3 A Noise Assessment for Dunstall Farm will be undertaken and will provide a description of the existing noise environment in and around the proposed development site.

9.4 Three dimensional noise modeling will be undertaken based on the monitoring data to predict noise levels at appropriate locations both horizontally and vertically. Noise modeling software will be used.

Issues to be Considered

9.5 Noise will form part of the ES.
10. Light

Lead Consultant

10.1 The lead consultant on matters relating to light will be appointed shortly.

Preliminary Scoping

10.2 Paragraph 125 of the NPPF establishes that good design, planning policies and development control decisions should be used to limit the impact of pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

Assessment and Approach

10.3 A Light Impact Assessment will be undertaken for Dunstall Farm in order to gain an understanding of current lighting levels and distribution. The assessment will establish baseline ambient light conditions and will provide an evaluation of potential impacts associated with the operational phases of the proposed development.

Issues to be Considered

10.4 Light will form part of the ES.
11. **Drainage**

**Lead Consultant**

11.1 The lead consultant on matters relating to drainage is Mott MacDonald.

**Preliminary Scoping**

11.2 The NPPF sets out Government policy on development and flood risk. Its aims are to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas of highest risk.

11.3 Parts of the site are within Flood Zone 2 and 3, i.e., are at high risk of flooding. The Environment Agency (EA) Flood Maps show the general extent of Flood Zones 2 and 3. However, the data used in the preparation of the EA’s maps cannot be relied upon when designing a scheme of development for the site.

11.4 A flood modeling exercise has been carried out by Mott MacDonald, the objective of which is to identify the precise extent of Flood Zones 2 and 3. The Flood Risk Map which summarises the results of the exercise is attached at Appendix 2.

**Assessment and Approach**

11.5 A flood risk assessment and drainage strategy will be prepared for the site and will be included within the ES. The assessment and strategy will be based upon the flood risk model for the site which has been prepared with the co-operation and support of the Environment Agency.

**Issues to be Considered**

11.6 The flood risk assessment and drainage strategy will be prepared in accordance with advice and guidance contained within the NPPF and the National Planning Practice Guidance and will consider the following:

- Information provided by the Environment Agency and Severn Trent Water, including gathering any further data that might be necessary;
- Identification of the most appropriate flood risk/drainage mitigation strategy, for example, whether it would be more appropriate to deliver mitigation on each development parcel or provide a single means of mitigation for all;
An overview of the site including identification of existing watercourses and the exact extent of Flood Zones 2 and 3;  
Consideration of proposed development densities within the site and the locations of different uses and their vulnerability to flooding;  
Detailed calculations of the existing flood risk situation at the site;  
An assessment of the flood risk for each individual area of development within the site;  
Surface water management calculations for each site, commensurate with the available information; and  
Appropriate surface water management methods.
12. Landscape and Visual Impact

Lead Consultant

12.1 The lead consultant on matters relating to landscape and visual assessment will be appointed shortly, with the advice of BDG, the urban designers/master planners.

Preliminary Scoping

12.2 The urban designers for the scheme have been engaged on the site for many years and have undertaken preliminary reviews of the surrounding landscape, including important views from and into the site.

Issues to be Considered

12.3 The initial assessment provides a robust baseline of landscape issues. However, it does not assess the impact of development.

Approach

12.4 A Landscape and Visual Impact Assessment needs to be prepared which will include the following stages:

Visual Appraisal / Baseline
- Identify and agree viewpoints with LPA;
- Describe views;
- Assess and quantify sensitivity; and
- Describe landscape resource.

Development Proposal and Mitigation Strategies
- Describe the key development parameters as set out in the Design and Access Statement, eg; Use, Amount, Layout, Scale, Landscaping, Appearance and Access.

Assess the Effects of Development
Judge the magnitude of the effects of development on the:-

- Physical landscape resource;
- Perception of landscape resource; and
- The landscape character in visual terms.

Summarise the Effects
Grade the effects of development in accordance with the overarching Environmental Statement methodology.
13. Services and Utilities

Lead Consultant

13.1 The lead consultant on matters relating to services and utilities will be appointed shortly.

Preliminary Scoping

13.2 Significant background information on services and utilities is held by the land owners (Aucott) and the urban designers, BDG, which has been engaged on the site for many years.

Assessment and Approach

13.3 A services and utilities report will be prepared, either by the urban designers, BDG, or by another firm using background data held by:

(i) National Grid and its infrastructure service providers;
(ii) BT and other internal service providers; and
(iii) Severn Trent Water and, if appropriate, the local Drainage Board.

Issues to be Considered

13.4 Services and Utilities will form part of the ES.
14. **Socio-Economic Issues**

**Lead Consultant**

14.1 The lead consultant on matters relating to socio-economic issues is GVA.

**Preliminary Scoping**

14.2 This section will focus in particular on demography, land use and property, the economy, community facilities and recreation opportunities.

14.3 Research will be undertaken to establish broad economic patterns, capacity of existing facilities such as school and health centres and local housing need within Tamworth.

**Issues to be Considered**

14.4 The following socio-economic issues will be considered in this chapter:

- the provision of affordable housing;
- the likely impact on existing services and facilities within the area; and
- the need for provision of new facilities.

**Approach**

14.5 A full assessment will be made of the baseline socio-economic condition within the Tamworth Urban Area. This will include:

- housing need;
- state of the economy, deprivation and employment patterns;
- access and proximity to community, sports and recreation facilities; and
- capacity of education and health services.

14.6 Effects will be assessed on a qualitative basis by assessing the demand for additional facilities within the framework of existing services. A strategy will be established for extra provision of facilities, if required.
15. **Ecology**

**Lead Consultant**

15.1 The lead consultant on matters relating to ecology is Middlemarch Environmental.

**Preliminary Scoping**

15.2 A Phase 1 Extended Habitat Survey has been prepared for the site. The Survey identified the following key issues:

- Nature Conservation sites and watercourses;
- Farm buildings and trees, which have the potential to support roosting bats;
- Mature trees and hedgerows within the site, as these have amenity value and provide suitable habitats for nesting birds and commuting/foraging animals; and
- Grassland and scrub which may support foraging terrestrial mammals and herpetofauna.

**Issues to be Considered**

15.3 A Phase 1 Survey provides basic audit techniques and valuable information. A Phase 2 Survey is required in order to gain more detailed and in-depth information about the development site.

**Approach**

15.4 The Phase 2 Survey will include the following information:

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<thead>
<tr>
<th>Additional Habitat Surveys</th>
<th>Additional Faunal Surveys</th>
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<tbody>
<tr>
<td>Trees</td>
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<td>Great Crested Newts</td>
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<td>Reptile</td>
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<td>Breeding Birds</td>
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<td>Wintering Birds</td>
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16. Archaeology and Heritage

Lead Consultant

16.1 The lead consultant on matters relating to archaeology and heritage issues will be appointed shortly.

Preliminary Scoping

16.2 Dunstall Farm is an undeveloped area of land with urban development around it. In addition, there are several designated and non-designated heritage assets nearby.

Issues to be Considered

16.3 A Heritage Assessment will consider the impact of the proposals on designated and other heritage assets, including in particular:

- The two listed bridges over the canal;
- The WW II pill box on adjacent land;
- The Hopwas Conservation Area; and
- The existing Dunstall Farm buildings.

Approach

16.4 An Archaeological Desk-Based Assessment will be prepared which will present information on the extent, character, date, integrity and state of preservation of archaeological deposits within the development area. It will also establish what impact future development might have on any archaeological remains.

16.5 In addition, a Heritage Assessment will consider the impact of the proposals on designated and other heritage assets.
17. Conclusion

17.1 This report has outlined the scope of the Environmental Statement for the proposed development at Dunstall Farm, in accordance with the requirements of Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

17.2 The topics to be covered within the ES have been established, in response to consideration of the likely anticipated impacts associated with the development. It is considered that a full and comprehensive ES will be prepared which will consider and mitigate against the potential impacts resulting from the proposed development.
Appendix 2
Scoping Opinion
Provided by Tamworth Borough Council
Robert Gardner
GVA
3 Brindleyplace
Birmingham
B1 2JB

Tamworth
Borough Council

TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)
(ENGLAND AND WALES) REGULATIONS 2011: REGULATION 13 SCOPING OPINION

PROPOSED DEVELOPMENT: RESIDENTIAL DEVELOPMENT, AND ASSOCIATED
DEVELOPMENT, LAND AT DUNSTALL FARM, TAMWORTH.

I refer to your e-mail received on the 11th December 201 and attachments requesting a
Scoping Opinion under the above Regulations. The scoping report has been the subject of
consultation in accordance with the Environmental Impact Assessment (EIA) Regulations and
copies of the responses received are attached to this Scoping Opinion.

To avoid unnecessary repetition, broad guidance and detailed comments provided by
consultees have not been duplicated in this letter. You will note the specific points which have
been made in the responses and you are required to have regard to these in the preparation
of the Environmental Statement (ES).

Planning Policy

Please note that the planning polices referred to in the submitted document are from the
withdrawn Local Plan and the references and names of these policies have changed as per
the comments of the Councils Development Plan and Conservation Officer.

The Planning obligations section will need to include an assessment including but not
restricted to the likely affordable housing requirements, sports contributions, education
contributions/requirements, open space provision/maintenance, and highway contributions.

In addition to the issues to be considered as outlined in Chapter 6 of your submission. This
section will also need to consider the impact of the development on mineral resources, as
outlined in the response received from Staffordshire County Council Minerals and Waste.

Traffic and Transportation

I understand that discussions have taken place with Staffordshire County Council (acting as
the Highway Authority) in order to establish the extent of the highway network that needs to
be considered as part of the proposals. Please also consider in detailed comments made by
the Highways Agency.

In addition, this section of the ES needs to consider the accessibility of the site by pedestrians
and cyclists, including links between the canal and river corridors and to the wider countryside
and how this will link to accessible green infrastructure within the development.

Air Quality / Noise / Light

All sections appear appropriate but please consider the comments attached in relation to the
issue of light pollution and the impact of illumination on nearby heritage assets.

Drainage

You will need to address the detailed comments of the EA and SCC in respect of ensuring the
robustness of the FRA. This should include a full hydrological and ecological assessment to
demonstrate the impact of development on the biodiversity value of the canal, River Tame
and tributaries.
As well as flooding from the Tame, there are also surface water floodplains associated with the ordinary watercourse that crosses the site. The surface water strategy should be developed in consultation with the Environment Agency and the Lead Local Flood Authority (Staffordshire County Council).

You should note that there is historic record of flooding of Dunstall Lane, which is the only access to the site, and the site is identified as a historical flooding hotspot within the County. And it is suggested that overflow water from the Birmingham and Fazeley Canal adds to the risk of flooding from this source.

**Landscape and Visual Assessment**

The Scoping Opinion does not mention a methodology for the assessment. This should follow current guidance ‘Guidelines for Landscape and Visual Assessment, Third Edition’ by The Landscape Institute with the Institute of Environmental management and Assessment, 2013. Conformity with the process outlined in this guidance should address all the correct landscape issues. The ES needs to refer fully, under existing character, to the Natural England Joint Character Area Profiles relevant to the area, and local Landscape Character Assessment work undertaken by Staffordshire County Council. Details of this assessment are available in “Planning for Landscape Change”.

The site straddles the boundary between two character types; Riparian Alluvial Lowlands and Lowland Village Farmlands, falling within the Trent Valley Washlands National Character Area. The policy objectives identified in “Planning for Landscape Change” indicate that these areas have suffered loss of characteristic features and condition of features to a greater or lesser degree. Nevertheless the District Council would be advised to seek retention of existing trees, hedgerows and characteristic vegetation as site assets on which to build new landscape structure and deliver landscape enhancement.

This assessment should jointly with the Archaeology and Heritage Section include an assessment of the impact of the development on nearby heritage assets.

**Services and Utilities**

The proposals for this section appears appropriate. However I would urge you to undertake detailed pre-application advice with the relevant bodies prior to the completion of this section.

**Socio-Economic Issues**

In addition, to the issues proposed to be covered in the ES please ensure that this section includes an assessment of the impact of the development on existing facilities such as sports, leisure and health services rather than simply and assessment of the accessibility of these facilities.

The Tamworth Joint Indoor and Outdoor Sports Strategy Update states a requirement for contributions towards a community leisure centre in an accessible location. There is also a need for additional playing pitches, one additional 3G pitch, a multi-pitch site of 5+ pitches, plus one additional pitch to mitigate against any future loss of academy sites. The western side of the borough is deficient in multi-use play areas, therefore consideration could be given to a potential location for such a facility on the development site.

Dual use of school sport and recreation facilities should be considered including indoor facilities as well as playing pitches, taking into account the requirement by the Staffordshire County Council’s Education Team that school sites should be sufficiently large to
accommodate dual use and future expansion. Some of the provision could be made within Flood Zones 2 and 3.

SCC School Organisation have identified that the development proposed would require the provision of a new 1 ½ form entry primary school (315 places) located within the development site to accommodate the additional primary school aged children by the development. The new primary school will need to be on a site of at least 2 hectares, located in a suitable position within the development to ensure reasonable access to the school by residents. Education contributions will also be necessary towards additional secondary school places to accommodate the additional secondary school aged children generated by the development.

The affordable housing requirement for this site as previously discussed is identified as 25% in the Local Plan.

Ecology

The assessment should take account the detailed requirements of Natural England (including the EIA Scoping Requirements provided at Annex A of their response), and the comments of Staffordshire Wildlife Trust and Staffordshire County Council in particular the need to ensure that the overall design, landscape, drainage, and ecology are developed as part of an overarching scheme for the site.

Hedgerows and trees, the canal and river corridors and Broad Meadow are important ecological features of the site and the ES should demonstrate potential impacts and mitigation including reference to appropriate Staffordshire BAP targets.

Archaeology and Heritage

The site lies within an area of high overall heritage significance according to the Tamworth Extensive Urban Survey. There is high potential for above and below ground archaeology to survive in the vicinity of Dunstall Farm and high potential for below ground archaeology and historic water meadow within the landscape to the north of Dunstall Lane, plus legible assets including WWII pill boxes. The ES should consider the potential impact of development/Foundations on all of these assets.

The assessment should include the impact of the development on the setting of the heritage asset listed but also include Tamworth Castle and the undesignated Birmingham and Fazeley Canal.

Consideration should also be given to the sympathetic restoration and re-use of the historic (undesignated) farm buildings. The proximity of these buildings to the canal offers a unique opportunity for leisure and tourism and this should be considered in the ES.

This section of the ES should also consider the potential for unknown above and below ground archaeological remains to survive alongside the consideration of the extent, character, date, integrity and state of preservation of any known heritage assets. The assessment should be carried out by appropriately qualified personnel to the Charted Institute for Archaeologists' (CIfA) 'Standard and Guidance for Historic Environment Desk Based Assessments' (revised November 2012).

Ground Conditions and Contamination Resources

The ES should assess the potential impacts of the development on the land. Baseline conditions should be assessed through the completion of a Geotechnical Desk Study (including a Preliminary Conceptual Site Model)
Rights of Way

The application documents don’t recognise the existence of Public Footpath No 5 Tamworth which runs east to west within the northern boundary of the proposed development site. This is a well-used pedestrian route and part of the forthcoming Tame Valley Way which is being promoted by the Central Rivers Initiative and the Tame Valley Wetlands Partnership.

It is important that users of the path are still able to exercise their public rights safely and that the path is reinstated if any damage to the surface occurs as a result of the proposed development.

I am happy to discuss any of these comments or responses with you.

Yours sincerely,

[Signature]

Richard Stewart BSc (Hons) MA MRTPi
Senior Planning Officer

Marmion House,
Lichfield Street,
Tamworth,
Staffs B79 7BZ.

Enquiries: 01827 709709
Facsimile: 01827 709271

www.tamworth.gov.uk
Richard
Can I add the following to the Archaeology and Heritage section:

The site lies within an area of high overall heritage significance according to the Tamworth Extensive Urban Survey. There is high potential for above and below ground archaeology to survive in the vicinity of Dunstall Farm and high potential for below ground archaeology and historic water meadow within the landscape to the north of Dunstall Lane, plus legible assets including WWII pill boxes. Statement should consider the potential impact of development/foundations on all of these assets. Useful references are found in the Extensive Urban Survey and Heritage Impact Assessment for the Pre-submission Local Plan (documents K8 and K9 in the core document list).

Thanks

Jane

Jane Parry
Development Plan and Conservation Officer
Tel: 01827 709278
Email: Jane-Parry@tamworth.gov.uk
Visit us at: www.tamworth.gov.uk

Tamworth Borough Council
Marmion House
Lichfield Street
Tamworth
B79 7BZ

One Tamworth, Perfectly Placed.

Hi Richard
I refer to your request for comments on the Scoping Opinion from GVA on behalf of JB Aucott.

A large proportion of the site indicated in Appendix 1 of the submitted document is covered by the Dunstall Lane allocation in the emerging Local Plan. Not all of the site shown will form part of the developable area, however, due to the presence of Flood Zones 2 and 3.

A number of different evidence base documents have informed the local plan and proposed allocation, namely the Sustainability Appraisal, Site Selection Paper and responses from technical consultees. The relevant sections of these documents have been extracted and placed in the following folder. The allocation was originally considered as three separate SHLAA sites which have the references 394, 528 and 529.

S:\Community\Environment\Communities Planning & Partnerships\Dvlp. Plans\DC consultations\Pre-Apps\2014\Dunstall Lane

Also contained in the folder are:
- workshop report and map from the SUE MADE workshop
- representations from the Draft and Pre-submission Local Plan consultations from relevant organisations, which are largely the same ones that responded to the technical consultations
- extract from heritage impact assessment for this site

I would like to make the following additional comments:
Traffic and transportation:
The County Council is keen to increase accessibility of the site by pedestrians and cyclists, in particular to Lichfield Road to the north. The environmental statement should include consideration on how these links could be made; it should also consider links between the canal and river corridors and to the wider countryside and how this will link to accessible green infrastructure within the development.

Light:
The assessment should include the impact of light on the setting of heritage assets including the listed canal bridges, Hopwas Conservation Area and the Birmingham and Fazeley Canal.

Drainage:
This should include a full hydrological and ecological assessment to demonstrate the impact of development on the biodiversity value of the canal, River Tame and tributaries.

Landscape and visual impact:
The site is located in an area of medium quality landscape where the policy objective is to enhance quality. The statement should demonstrate how this could be achieved, with reference to appropriate Staffordshire BAP targets (the technical response by Staffordshire County Council's Environmental Specialists is helpful on this subject). The visual impact of the development on the Hopwas Conservation Area, listed bridges should also be considered.

Socio-economic:
The Tamworth Joint Indoor and Outdoor Sports Strategy Update states a requirement for contributions towards a community leisure centre in an accessible location. There is also a need for additional playing pitches, one additional 3G pitch, a multi-pitch site of 5+ pitches, plus one additional pitch to mitigate against any future loss of academy sites. The western side of the borough is deficient in multi-use play areas, therefore consideration could be given to a potential location for such a facility on the development site.
Dual use of school sport and recreation facilities should be considered including indoor facilities as well as playing pitches, taking into account the requirement by the Staffordshire County Council's Education Team that school sites should be sufficiently large to accommodate dual use and future expansion. Some of the provision could be made within Flood Zones 2 and 3.
The affordable housing requirement for this site is set at 25% in the Local Plan. The Strategic Housing team should be consulted to understand how this should be split between shared equity and rental.

Ecology:
Hedgerows and trees, the canal and river corridors and Broad Meadow are important ecological features and the statement should demonstrate potential impacts and mitigation.

Archaeology and heritage:
Consideration should be given to the sympathetic restoration and re-use of the historic (undesignated) farm buildings. Proximity of these buildings to the canal offers a unique opportunity for leisure and tourism and this should be considered in the statement.
It is important that the statement considers the impact of the development on the setting of the historic assets. The undesignated Birmingham and Fazeley Canal should be added to the list in paragraph 16.3.

It should be noted that the Local Plan policy numbers quoted in paragraph 6.3 are those from the Draft Local Plan. The relevant policies from the pre-submission Local Plan are as follows:

- SS1 The Spatial Strategy for Tamworth
- HG1 Housing
- HG2 Sustainable Urban Extensions
- HG4 Affordable Housing
- HG5 Housing Mix
- HG6 Housing Density
- EN1 Landscape Character
- EN3 Green and blue links
- EN4 Protecting and enhancing biodiversity
- EN6 Protecting the Historic Environment
- SU1 Sustainable transport network
- SU2 Delivering sustainable transport
- SU3 Climate change mitigation
- SU4 Flood risk and water management
- SU6 Community facilities
- SU7 Sport and recreation
I hope that you will find these comments useful.

Kind regards

Jane

Jane Parry
Development Plan and Conservation Officer
Tel: 01827 709278
Email: Jane-Parry@tamworth.gov.uk
Visit us at: www.tamworth.gov.uk

Tamworth Borough Council
Marmion House
Lichfield Street
Tamworth
B79 7BZ

One Tamworth, Perfectly Placed.
Tamworth Borough Council
Marmion House Lichfield Street
Tamworth
Staffordshire
B79 7BZ

Our ref: UT/2014/113722/01-L01
Your ref: Dunstall Farm
Date: 05 January 2015

Dear Sir,

REQUEST FOR SCOPING OPINION FROM GVA ACTING ON BEHALF OF THE TRUSTEES OF JB AUCOTT FOR RESIDENTIAL DEVELOPMENT

DUNSTALL FARM, DUNSTALL LANE, TAMWORTH

I refer to the above consultation which was received 16 December 2014. Having reviewed the information we have the following comments to make:

**Drainage and Flood Risk**
We agree with the items to be included within the Environmental Statement around drainage and flood risk.

Any hydraulic modelling completed by Mott MacDonald will need to be reviewed and approved by the Environment Agency. If this is not provided, then we will maintain an objection to any development within the floodplain on the grounds of uncertainty concerning flood risk.


We would seek all development to be located outside the extent of the 1 in 100 year (1% chance of flooding in any given year) with allowance for climate change flood extent from the River Tame.

**Ecology**
We agree with the items to be included within the Environmental Statement around ecology. In addition to areas mentioned, reference should be made to the EU Water Framework Directive (WFD) and an assessment of the impact the development may
have on the WFD status of the River Tame from the development.

The sites falls within and has the potential to impact on the WFD water body 'River Tame from river Anker to River Trent' (GB104028047050) which is currently failing its WFD objectives being of Poor Ecological Status with the objective of Good by 2027.

Development on this site should look to incorporate measures that will improve riverine habitat for fish, invertebrates and macrophytes..

**Groundwater and Contaminated Land**
The applicant should undertake a preliminary risk assessment, based on the nature and design of the proposed development. The risk assessment is required to form part of a Conceptual Site Model, defining sources, pathways and receptors. The applicant should note the potential to mobilise any existing contamination during development. The applicant should note the presence of historic landfills, within 250m from the site boundary and the potential for historical contamination in relation to these. Licensed landfills are also present within 500m of the site area.

As a minimum the site information should include a detailed description of the site setting which will include provision of detailed plans, drawings and diagrams including;

**Soil and Geology**
Soil Types – description, extent and leaching potential
Drift Geology – description, extent
Solid Geology – description, extent

**Hydrogeology**
Aquifer Designation and description of Drift and Solid Geological Strata
Description of groundwater vulnerability and hydrogeology
Identify and describe licensed and exempt groundwater and surface water abstractions within 1.0 km of the site.
Identify and describe all Private Water Supplies within 1.0 km of the site.
Groundwater level and flow direction in Drift and Solid Aquifers

**Designated Features**
Identify and describe any designated features – source protection zones, drinking water protected areas, SSSI’s, SAC’s, SPA’s, Ramsar sites within 1.0 km of the site.

**Hydrology**
Identify and describe all surface water features within 1.0 km of the site.
Identify and describe natural and anthropogenic site drainage pathways
Identify and describe Flood Risk of site area and immediate environs.
Identify and describe all discharges to ground and surface water within 1.0 km of the site.

**Waste Activities**
Identify and describe historic and active Permitted Landfill sites within 1.0 km of the site.
Identify and describe any other waste activities Permitted under the Environmental Permitting Regulations 2010

**History**
Cont/d..
Site History, including Mining History (identify and shafts and adits on site and the vicinity of the site)

**Conceptual Model**
The above information will be used to produce a detailed conceptual description of the site. The conceptual model will be used to identify potential source, pathway, receptor linkages and any risks that exist to Controlled Water Receptors and linked features. The Conceptual Model will be used as a basis to decide if further more detailed information is required and as a basis for options appraisal and decision making.

The applicant should follow the process and develop a risk assessment for the site in accordance with the detailed process provided in the DEFRA and Environment Agency joint publication “Model Procedures for the Management of Land Contamination: CLR11”. This document defines a process aimed at identifying, making decisions on, and taking appropriate action to deal with land contamination in a way that is consistent with government policies and legislation in the UK.

**Further Works**
Depending on the findings of the Phase I Assessment, further works may be required to physically investigate any identified potential contamination and quantify any risks posed to controlled waters receptors.

**Water Resources**
We note that Sustainability and Design Issues will be considered in the Planning Policy Chapter. Water efficiency measures should be considered as part of this. Efficient use of water can make a contribution to conserving our existing water supplies and sustaining the water-based environment.

(For info only - There is an abstraction licence 03/28/22/0049 for this site for spray irrigation from the flood relief channel. No doubt if the development goes ahead the licence will be revoked.).

We look forward to receiving further information in due course.

Yours faithfully

Mrs Sarah Dawson
Planning Advisor (Sustainable Places Team)

Direct dial 01543 404880
Direct e-mail sarah.dawson@environment-agency.gov.uk
Mr Richard Stewart  
Tamworth Borough Council  
Marmion House  
Lichfield Street  
Tamworth  
Staffordshire  
B79 7BZ

Dear Mr Stewart

23 December 2014

ENVIRONMENTAL IMPACT ASSESSMENT (EIA) - SCOPING REPORT  
LAND AT DUNSTALL FARML, DUNSTALL LANE, TAMWORTH

Thank you for your e-mail of 16 December consulting English Heritage about the above EIA Scoping Report.

This development could, potentially, have an impact upon a number of designated heritage assets¹ and their settings in the area around the site. In line with the advice in the National Planning Policy Framework (NPPF), we would expect the Environmental Statement to contain a thorough assessment of the likely effects which the proposed development might have upon those elements which contribute to the significance of these assets.

We would draw your attention, in particular, to the following:

- Tamworth Castle (scheduled monument; List Entry no. 1002962)

We would also expect the Environmental Statement to consider the potential impacts on non-designated features of historic, architectural, archaeological or artistic interest, since these can also be of national importance and make an important contribution to the character and local distinctiveness of an area and its sense of place. This information is available via the local authority Historic Environment Record (www.heritagegateway.org.uk) and relevant local authority staff.

We would strongly recommend that you involve the Conservation Officer of Tamworth Borough Council and the archaeological staff at Staffordshire County

¹ A Designated Heritage Asset is defined in the National Planning Policy Framework as ‘A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation’.
Council in the development of this assessment. They are best placed to advise on: local historic environment issues and priorities; how the proposal can be tailored to avoid and minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

It is important that the assessment is designed to ensure that all impacts are fully understood. Section drawings and techniques such as photomontages are a useful part of this.

The assessment should also take account of the potential impact which associated activities (such as construction, servicing and maintenance, and associated traffic) might have upon perceptions, understanding and appreciation of the heritage assets in the area. The assessment should also consider, where appropriate, the likelihood of alterations to drainage patterns that might lead to in situ decomposition or destruction of below ground archaeological remains and deposits, and can also lead to subsidence of buildings and monuments.

If you have any queries about any of the above, or would like to discuss anything further, please contact me.

Yours sincerely

Bill Klemperer
Principal Inspector of Ancient Monuments
E-mail: bill.klemperer@english-heritage.org.uk
From: Kemp, Graham  
Sent: 05 January 2015 10:50  
To: Stewart, Richard  
Subject: 143227 RE: Land at Dunstall Farm, Dunstall Lane, Tamworth

Scoping Opinion from GVA acting on behalf of the Trustees of JB Aucott for the residential development of the above site

Dear Richard,

Environmental Protection has read the report relating to proposals for; 8. Air Quality, 9. Noise and 10. Light, within this opinion and have nothing further to add and believe that report is suitable for this development.

Graham Kemp  
Environment Protection Officer  
Tel: 01827 709 432  
Fax: 01827 709 434  
Email: graham-kemp@tamworth.gov.uk  
Visit us at: www.tamworth.gov.uk

Tamworth Borough Council is open  
Mon - Thur 8.45 - 5.10pm  
fri - 8.45 - 5.05 pm

Tamworth Borough Council  
Marmion House  
Lichfield Street  
Tamworth  
B79 7BZ

One Tamworth, perfectly placed.
Due to the timescales involved under the regulations I would be grateful for you comments within 21 days (by the 6th January 2015).

Please do not hesitate to contact me if you require any clarification, have any questions, or have an alternative e-mail address that I should be sending this information to.

Kind regards

Richard

Richard Stewart Bsc (Hons) MA MRTPI
Senior Planning Officer  |  Tamworth Borough Council
DD: 01827 709273  |  F: 01827 709277  |  E: richard-stewart@tamworth.gov.uk
Marmion House  |  Lichfield Street  |  Tamworth  |  Staffordshire  |  B79 7BZ

One Tamworth, perfectly placed
Dear Richard Stewart,

RE: OUTLINE ENVIRONMENTAL IMPACT ASSESSMENT SCOPING OPINION FOR A MIXED USE DEVELOPMENT FOR MINIMUM OF 725 RESIDENTIAL UNITS WITH RETAIL STORE, A PRIMARY SCHOOL, COMMUNITY AREAS, SPORT/RECREATION FACILITIES, NEW ROAD SYSTEMS, LANDSCAPING AND GREEN INFRASTRUCTURE.

LAND AT DUNSTALL FARM, DUNSTALL LANE, TAMWORTH, STAFFORDSHIRE

Thank you for forwarding me details of the above referenced Environmental Impact Assessment Scoping Opinion.

The Highways Agency (HA) is responsible for the operation and maintenance of the Strategic Road Network (SRN) in England, which includes all Motorways and major Trunk Roads. The SRN in the vicinity of the proposed development site includes the A5, M6 and M42 and the local roads A453 and A51 are close-by and interact with the SRN.

We understand the application seeks permission to erect a minimum of 725 dwellings and undertake associated works.

The HA has reviewed the Scoping Opinion and considers that further assessment needs to be undertaken. This will involve the scope of the Transport Assessment being agreed with the HA, consideration given to the issue of drainage and flooding on and in the vicinity of the site, detailed atmospheric dispersion modelling to establish anticipated level of vehicular pollution in the area, an assessment of the changes in the noise environment and determination of the scope of a Construction Management Framework Plan and Management Strategy to be agreed with the Highway Agency.

Please feel free to contact me on the details above if you wish to discuss this response in more detail.
Yours sincerely

Eiryl McCook
NDD Midlands Asset Development
Email: eiryl.mccook@highways.gsi.gov.uk
Introduction

1.1 This note provides a review of the Environmental Impact Assessment (EIA) Scoping Opinion prepared by GVA in December, 2014 for the preparation of an EIA in support of a Planning Application for a mixed use development to the west of Tamworth town centre (hereafter referred to as the ‘proposed development’).

1.2 Currently the proposed development land is open farmland covering approximately 61 hectares (Ha).

1.3 It lies within Staffordshire and is situated to the north of the A5, A453 and east of the A51. The A5, A38, M6 and M42 are part of the Highways Agency’s (the Agency) Strategic Road Network (SRN), as indicated in Figure 1.1.

1.4 The Outline Planning Application will likely seek consent for following use,

- a mix of residential dwelling types, including affordable housing
- a total of approximately 725 units
- a convenience retail store
- a primary school
- community areas
- sport and recreation facilities
- new access onto Hendon Road/Ventura Park Road and a new road system within the site
- pedestrian and cycle links through the site
- potential conversion of some existing agricultural buildings on site
- landscaping, green infrastructure and public realm works, and,
- flood mitigation works
1.5 It was highlighted within the GVA report that the exact mix and quantum of these uses will be determined prior to commencement of the EIA process and will be finalised in the development framework plan to be submitted formally within the planning application.

1.6 A key consideration in determining the suitability of the proposed development is how it will impact on the local environment and on existing flows on the SRN i.e. whether the number of trips generated will have a severe impact on the highway network.

1.7 This note provides a review of the information submitted in relation to the potential impact on the SRN and in particular air quality and traffic related noise aspects and the development context within a potential Environmental Impact Assessment.
Context

1.8 The Highways Agency (HA) sets out Interim Advice Notes that relate the requirements for an Environmental Impact Assessment (EIA) to legislation, design guidance and best practice.

1.9 For example:

- IAN126/09 EIA: Reporting of Determination and Publication of Notices;
- IAN133/10 Environmental Assessment and the Planning Act 2008
- IAN134/10 Operational Guidance for Highways Applications to the Infrastructure Planning Commission;
- IAN141/11 Assessment of Implications (of Highways and/or Roads Projects) on European Sites (Including Appropriate Assessment) and the Planning Act 2008;
- IAN170/12 Updated air quality advice on the assessment of future NO\textsubscript{x} and NO\textsubscript{2} projections for users of DMRB Volume 11, Section 3, Part 1 ‘Air Quality’;
- IAN174/13 Updated advice for evaluating significant local air quality effects for users of DMRB Volume 11, Section 3, Part 1 ‘Air Quality’ (HA207/07);

1.10 These documents are predicated on adherence to the following method for the determination of the nature of EIA that may be required and an understanding of the relationship between Planning and Highway Acts and European Law.

Figure 1.2 EIA Determination – Highways Agency

1.12 Public and private projects are defined in Annexes I and II of the Directive and these show the EIA requirements and scope as:

- Mandatory EIA - all projects listed in Annex I are considered as having significant effects on the environment and require an EIA (e.g. long-distance railway lines, motorways and express roads, airports with a basic runway length greater than or equal to 2100 m, installations for the disposal of hazardous waste, installations for the disposal of non-hazardous waste greater than 100 tonnes per day, waste water treatment plants);

- Discretion of Member States (screening) - for projects listed in Annex II, national authorities have to decide whether an EIA is needed. This is done by a "screening procedure", which determines the effects of projects on the basis of thresholds and criteria or a case by case examination. However, the national authorities must take into account the criteria laid down in Annex III. The projects listed in Annex II are in general those not included in Annex I (railways, roads waste disposal installations, waste water treatment plants), but also other types such as urban development projects, flood-relief works, changes of Annex I and II existing project etc).


1.14 The Directive of 1997 widened the scope of the EIA Directive by increasing the types of projects covered, and the number of projects requiring mandatory environmental impact assessment (Annex I).

1.15 It also provided for new screening arrangements, including new screening criteria (at Annex III) for Annex II projects, and established minimum information requirements.

1.16 Directive 2003/35/EC sought to align the provisions on public participation with the Aarhus Convention on public participation in decision-making and access to justice in environmental matters.


1.18 A ‘relevant project’ within the current Directive is one for constructing or improving a highway where the area of the completed works together with any area occupied during the period of construction or improvement exceeds 1 ha or where the area is situated in whole or in part in a ‘sensitive area’.

1.19 A ‘sensitive area’ is defined from:

- a site of special scientific interest (within the Wildlife and Countryside Act 1981) or adjacent land;
- a National Park (National Parks and Access to the Countryside Act, 1949);
The initial Directive of 1985 and its three amendments have been codified by Directive 2011/92/EU of 13th December, 2011.


The new approach pays greater attention to threats and challenges that have emerged since the original rules came into force some 25 years ago.

This means more attention to areas like resource efficiency, climate change and disaster prevention, which are now better reflected in the assessment process.

The main amendments are as follows:

- Member States now have a mandate to simplify their different environmental assessment procedures
- Timeframes are introduced for the different stages of environmental assessments: screening decisions should be taken within 90 days (although extensions are possible) and public consultations should last at least 30 days. Members States also need to ensure that final decisions are taken within a "reasonable period of time"
- The screening procedure, determining whether an EIA is required, is simplified. Decisions must be duly motivated in the light of the updated screening criteria
- EIA reports are to be made more understandable for the public, especially as regards assessments of the current state of the environment and alternatives to the proposal in question
- The quality and the content of the reports will be improved. Competent authorities will also need to prove their objectivity to avoid conflicts of interest
- The grounds for development consent decisions must be clear and more transparent for the public. Member States may also set timeframes for the validity of any reasoned conclusions or opinions issued as part of the EIA procedure
If projects do entail significant adverse effects on the environment, developers will be obliged to do the necessary to avoid, prevent or reduce such effects. These projects will need to be monitored using procedures determined by the Member States. Existing monitoring arrangements may be used to avoid duplication of monitoring and unnecessary costs.

1.26 Member States have to apply these rules from 16th May, 2017 at the latest. They also need to communicate to the Commission the national legislation adopted in order to comply with the Directive.

1.27 The current screening threshold for ‘urban development projects’ is 0.5 hectares, though the indicative thresholds differ for different types of development.

1.28 The guidance states that environmental impact assessment is ‘unlikely to be required for the redevelopment 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.

1.29 The indicative thresholds for sites which have not previously been intensively developed are:

- The site area of the scheme is more than five hectares, or it would provide a total of more than 10,000 square metres of new commercial floorspace, or
- The development would have significant urbanising effects in a previously non urbanised area (e.g. a new development of more than 1,000 dwellings).

1.30 Based on an average housing density of 30 dwellings per hectare, the new higher threshold will equate to housing schemes of around 150 units.

1.31 Directive 2011/92/EU has now been amended by Directive 2014/52/EU.

1.32 On 31st July, 2014, the Communities and Local Government Department (DCLG) initiated a ‘Technical Consultation on Planning’ to include the proposed EIA requirements.

1.33 The consultation closed on 26th September, 2014 and included proposals to amend the EIA screening process for housing developments and industrial estate proposals by,

- Increasing the threshold for housing projects from 0.5 ha to 5 ha, with up to 1 ha of commercial development;
- Increasing the Industrial Estate threshold from 0.5 ha to 20 ha.

1.34 A response on the findings of the ‘Technical Consultation on Planning’ is to be announced within three months of the closing of the consultation.
1.35 In setting the screening threshold, the Government must take into account the selection criteria listed in Schedule 3 of the EIA Regulations.

1.36 This includes,

- The size of the development;
- The absorption capacity of the existing environment;
- The extent, magnitude, probability, duration, frequency and/or reversibility of the impacts.

1.37 The consultation states that, ‘having considered the Schedule 3 criteria, we do not consider that housing schemes of this scale, which are outside of sensitive areas, are likely to give rise to significant environmental effects within the meaning of the Directive’.

1.38 For the HA, scale and sensitivity are the key and therefore some schemes may become the subject of an EIA because the works cover many kilometres of carriageway, others because they take third party land and others because there are protected species and habitats in the area of influence.

1.39 In context, the original 1980 Highways Act clearly pre-dates the EC regulations and refers to a whole host of road classifications that are ‘designated’ by the Highway Authority and these can relate to,

- Trunk Roads
- Classified Roads
- Metropolitan Roads
- Special Roads
- Creation of new highways, footpaths and bridleways
- Widening of highways
- Installation of Guard rails
- Construction, reconstruction and improvement of bridges
- Construction of bridges over and tunnels under navigable waterways
- Diversions of watercourses
- Provision of picnic sites and public conveniences
- Provision of areas for parking heavy goods vehicles
- Stopping up and diversion of highways
- New street byelaws and enforcement
- Acquisition of land for highway works and compensation
1.40 As amended, the Act does refer to ‘relevant’ projects and ‘designated sites’ where the one hectare threshold is applied and this is an initial measure of significance that can be applied to the likely need for an EIA.

1.41 A ‘Relevant project’ can be determined from Annex II of the EIA Directive – where the proposed works constitute an area of over 1 Ha in size.

1.42 Under such circumstance the significance of any likely environmental effects can be judged from the guidance contained in DMRB Volume 11, HD47/08.

**Proposed Development**

1.43 The Proposed Development comprises a mix of uses: a minimum of 725 residential dwellings, retail store, a primary school, community areas, sport and recreation facilities and new transport links.

1.44 The Proposed Development also consists of green infrastructure, landscaping and flood mitigation works.

1.45 The land covers approximately 61 hectares (Ha), of which approximately 23 Ha are developable and 38 Ha are within the floodplain.

1.46 A request was made to Tamworth Borough Council in December, 2014 by GVA acting on behalf of the Trustees of JB Aucott for an EIA Scoping Opinion in line with Regulation 5(1) the Town and Country Planning (Environmental Impact Assessment) Regulations, 2011 (SI 1824), (Regulation 13).

The Site is for predominantly residential led development and covers approximately 61 Ha With a development area of around 23 Ha.

**EIA Review Process**

1.47 The range of aspects that commonly affect Highways Agency Schemes or interventions and development in proximity to the Strategic Road Network (SRN) are often considered in the following level of detail:

- **Air Quality**
  - Existing and Baseline Knowledge
  - Value of the Environmental Resources and Receptors
  - Potential Effects
  - Proposed Level and Scope of Assessment
  - Proposed Assessment Methodology
• **Cultural Heritage**
  - Existing and Baseline Knowledge
  - Value of the Environmental Resources and Receptors
  - Potential Effects
  - Proposed Level and Scope of Assessment
  - Proposed Assessment Methodology

• **Landscape and Visual (see Travellers)**
  - Existing and Baseline Knowledge
  - Value of the Environmental Resources and Receptors
  - Potential Effects
  - Proposed Level and Scope of Assessment
  - Proposed Assessment Methodology

• **Ecology and Nature Conservation**
  - Existing and Baseline Knowledge
  - Value of the Environmental Resources and Receptors
  - Potential Effects
  - Proposed Level and Scope of Assessment
  - Proposed Assessment Methodology

• **Geology and Soils**
  - Existing and Baseline Knowledge
  - Value of the Environmental Resources and Receptors
  - Potential Effects
  - Proposed Level and Scope of Assessment
  - Proposed Assessment Methodology

• **Traffic Related Noise**
  - Existing and Baseline Knowledge
  - Value of the Environmental Resources and Receptors
  - Potential Effects
  - Proposed Level and Scope of Assessment
  - Proposed Assessment Methodology
  - Assessment of Significance of Effects
• **Effects on Travellers (including Visual Interference)**
  - Existing and Baseline Knowledge
  - Value of the Environmental Resources and Receptors
  - Potential Effects
  - Proposed Level and Scope of Assessment
  - Proposed Assessment Methodology

• **Community and Private Assets**
  - Existing and Baseline Knowledge
  - Value of the Environmental Resources and Receptors
  - Potential Effects
  - Proposed Level and Scope of Assessment
  - Proposed Assessment Methodology

• **Road Drainage and the Water Environment**
  - Existing and Baseline Knowledge
  - Value of the Environmental Resources and Receptors
  - Potential Effects
  - Proposed Level and Scope of Assessment
  - Proposed Assessment Methodology

• **Cumulative Effects**
  - Interactions between Topics
  - Interaction with Other Projects
  - Scope
  - Methodology

1.48 The GVA Scoping Opinion asks for clarification of the scope of an EIA, should this be required and then identifies the following matters that are considered to be key environmental considerations to be addressed through the planning application process:

- Socio-economics
- **Landscape and visual Impact**
- Ecology
- Traffic & Transport
HA Spatial Planning Framework Commission

TECHNICAL NOTE

- Flood risk and Drainage
- Archaeology and Heritage
- Air Quality
- Noise
- Light Services and Utilities

1.49 Neither Ecology or Nature Conservation would have any detrimental effect on the Strategic Road Network but Landscape and Visual Impacts may be relevant due to the proximity of the site to local roads A453 and A51.

1.50 Flood Risk and Surface Water Drainage may have a detrimental effect on the A453, subject to mitigation features being able to be considered at an early stage in the planning process and with all strategic partners, including the Highways Agency consulted due to the proximity of the A5.

1.51 Archaeology and Cultural heritage aspects would not have any likely detrimental effect on the Strategic Road Network.

1.52 Congestion and unreliability of journeys can add to the cost of business, undermining competitiveness particularly in towns where traffic is worst.

1.53 Therefore, socioeconomic implications of the proposed development in relation to population, employment, housing, community facilities and education have the potential to impact on the SRN and change the manner in which transport is needed and used in the area.

Changes in the SRN will also affect transport reliability, and it is recommended to consider this aspect in an EIA/ES.

1.54 The proposed development would generate a significant amount of construction materials. Therefore this matter should be considered and addressed through a Construction Management Framework Plan (to include consideration of the potential to re-use materials on-site) and a Waste Management Strategy.

Consultation with the HA in respect of routeing and vehicle volumes is essential in determining the scale of traffic impacts.
The proposed development may generate significant levels of vehicular movement associated with residential, non-residential and leisure uses though the potential for pollution and nuisances (such as noise) is considered by the applicant to be significant.

Two aspects of the Scoping Review document are therefore considered to be of direct relevance to the HA - air quality and traffic related noise aspects - along with the transport assumptions that feed these assessments. In addition, Flood Risk and surface water run-off and the influence of landscape quality at the site boundary should also be assessed for significance.

Transport and Access

It should be noted that the information required by the HA in respect of traffic impact for a Planning Application often requires greater detail than is required in an EIA. Therefore the HA will require a detailed Transport Assessment supported by a Travel Plan in accordance with Circular 03/2013 and the current DfT WebTag guidance. These can be used to inform the EIA.

The preliminary scoping studies indentified that the site will be accessed from Ventura Park Road/Meadow Road, with a potential secondary access from Dunstall Lane.

It was noted that the SRN and in particular the A5/A453 and the A5/B5080 Stoneydelph junctions will be affected by the traffic from the scheme thus additional assessment/modelling work needs to be undertaken to address this.

Moreover, the site will be accessed by sustainable transport and will be designed to accommodate a local bus service; cycle and walking links will be provided probably via Dunstall Lane.

The document noted that “a detailed description of the evaluation of the design process will be provided in the Design and Access Statement that will be submitted to accompany the planning application and summarised in the ES”.

The nearest rail station, Tamworth High Level, is located approximately 2 miles to the north east of the site.

Birmingham International Airport is situated approximately 18 miles to the south of the site.

Lighting, Services and Utilities

The site is located approximately 600m to the A5. Due to the site’s remote location to the SRN, it is expected that light pollution may not directly affect the Strategic Road Network.

Landscape and Visual

The site is located in vicinity to the River Tame, the Broad Meadow Island and it comprises predominantly agricultural land. Although it is anticipated that the proposed development will not impact the SRN directly, it is anticipated that it will affect local landscape and visual amenity.
1.66 It is recommended to submit a landscape and visual assessment within the EIA detailing how the proposed scheme affects landscape features, including its distinctive quality and substantial local diversity.

Ecology
1.67 The site is located in immediate vicinity to Broad Meadow Island, River Tame and the flood relief channel, which are habitats for Herons, Terns, Skylarks and Lapwings. There are also understood to be populations of snakes.

Although JMP considers that ecology will not affect the SRN detrimentally, it is recommended to undertake habitat and protected species survey to assess impact significance on the area’s characteristic flora, fauna and wildlife communities.

Flood Risk and Drainage
1.69 Due to the location of the proposed development site with parts of the site are within Flood Zone 2 and 3, there is a high risk of flooding.

1.70 It was noted in the document that a flood modelling exercise has been undertaken, which determined the precise extend of Flood Zone 2 and 3.

1.71 The SRN is located approximately 600m to the south of the Flood Zones thus it is consider unlikely that the A5 road will be impacted.

1.72 However, local roads such as A453 and A51 are situated in proximity to the flood plain hence appropriate flood risk assessment and drainage strategies should be required within the EIA.

1.73 The assessment should be carried out in accordance with the guidance contained in DMRB (HD45/09), which includes the use of the HA Water Risk Assessment Tool (HAWRAT) as an indicator of the likely impacts associated with routine runoff.

1.74 Also, the flood risk assessment should be carried out in line with the NPPF and should consider changes in peak runoff from the site before and after the proposed development.

Air Quality
1.75 Air quality in the area is mainly influenced by emissions from road transport.

1.76 There are existing industrial uses to the north and south of the proposed development such as Venture Park Road and Lichfield Road Industrial Estate.

1.77 The development is located in close proximity to Tamworth Town Centre with the north easterly boundary close to the Town.

1.78 The nearest Air Quality Management Area (AQMA) is located on Tamworth Road (A51) approximately 2.5km south east of the site. This area was designated as an AQMA in May, 2014.
due to a likely breach of the Nitrogen Dioxide (Annual Mean) Objective as specified in the Air Quality Regulations (England) (Wales) 2000.

1.79 The air quality assessment should require a review of the existing levels of pollutants to establish a baseline for the existing conditions within the area.

1.80 The development will lead to increased levels of traffic emissions pollution due to additional traffic along the A5 and local roads A543 and A51. Therefore it is suggested to consider sensitive receptors located along affected roads, which represent:

- Residential properties on Bonehill Road;
- Nature conservation sites: Broad Meadow located in immediate proximity to the site; Borrowpit Lake situated next to Riverdirve (A51);
- Other sensitive receptors such as Playground area: Skate Park, sport fields located in vicinity to Riverdirve (A51);

1.81 In conclusion, the following factors would need to be considered in the assessment in order to determine impact significance on the local air as a result of the proposed development:

- the scale and size of the development;
- the potential changes in traffic levels and composition as a results of the new development;
- the assessment should use baseline and future years traffic;
- traffic data should consider the ‘with’ and ‘without’ scheme scenarios;
- the location of the development to the sensitive receptors and the Tamworth Road AQMA.

1.82 Due to the location of the development, its size and proximity to the sensitive areas and AQMAs, it is recommended to undertake atmospheric dispersion modelling work to predict downwind concentration of air pollutants in the area.

1.83 The air quality assessment should be undertaken for both construction and site operation and should be undertaken in accordance with the current regulatory and policy framework for air quality (e.g. National Policy under the Environment Act 1995, The National Air Quality Strategy 2007 and planning and local policy).

| It is suggested that an air quality assessment is undertaken to establish levels of N0₂ and PM₁₀. |
| This should be undertaken in accordance with national and local guidance, Defra background pollutants and in alignment with the Transport Assessment. |

Traffic Related Noise

1.84 The noise environment at the site is expected to largely consist of traffic noise dispersed from nearby roads with the A453 to the south and the A51 to the south east, as well as the rail noise from the Cross Country Mainline.
1.85 The proposed development is located near two residential clusters: Coton Farm located to the north and The Leys situated north east of the site.

1.86 Existing industrial uses are located off Bonehill Road (A453) to the south and off Lichfield Road to the north of the proposed development. These would likely affect the noise climate for properties in the Coton Farm and proposed residential dwellings during night time.

Noise surveys should be undertaken to determine noise thresholds at the site and to inform the planning process and assist in identifying any requirement for mitigation on the SRN.

1.87 Anticipated traffic on the A453 and the A51 can be expected to present a significant change in traffic noise in the sensitive receptors located in proximity to local roads and the SRN.

1.88 Given the close proximity of the affected road, approximately 100m to the A453 Bonehill Road, to the development it is recommended to include the development site itself within the assessment, as it will comprise residential dwellings and a primary school. Other likely affected sensitive receptor should include the playground area (Skate Park, playground and a sport field), which is located on A51 approximately 600m east to the site.

1.89 It was noted that a noise modelling exercise will be undertaken based on the monitoring data to determine noise levels at appropriate locations. JMP recommend that the following activities should be undertaken in order to indicate potential significance of the noise impact on the vulnerable receptors:

- sensitive locations to be selected for noise monitoring based on location in close proximity to the affected roads e.g. residential dwellings, playground area;
- initial assessment of the existing noise environment to be undertaken in accordance with the World Health Organisation; Guidelines for Community Noise (WHO, 1999) using surveyed noise levels;
- traffic noise levels generated by roads in the vicinity of the site should be calculated at each receptor for the daytime period.

1.90 It is also recommended that the environmental effects associated with the construction period should be considered and any effects should be managed and mitigated.

1.91 The effects of construction noise on existing residents are particularly important in this location given the proximity to the residential dwellings located north of the proposed development. In addition, during the construction phase there is potential for increased HGV trips on the local roads (A51 and A453) and the SRN, particularly the A5.

Construction noise should be assessed in accordance with BS 5228 -1:2009 ‘Code of practice for noise and vibration control on construction and open sites – Part: Noise’.
Summary

1.92 The Applicant is committed to mandatory statutory consultation and has identified all of the key aspects that are likely to arise from the development and impact on the local area and the SRN.

1.93 Whilst the Applicant has addressed the likely impacts of the proposed development, cumulative impacts should also be considered within the EIA. Therefore the HA should require further information in relation to cumulative effects.

1.94 The environmental aspects to be considered cumulatively would be agreed with Staffordshire Council and assessed by considering the results of the individual technical considerations in the context of the cumulative capacity to accommodate the proposed development.

The HA would expect to be consulted on such matters, particularly where the applicant elects to use ‘professional opinion’ to assess such matters.

1.95 The proposed development falls within Schedule 2 of the Regulations though does not lie within a sensitive area. However, as a residential-led mixed use development comprising 725 houses, retail store, a primary school, as well as supporting infrastructure, it is anticipated that there will be impacts dispersed to the SRN.

1.96 With a declared AQMA close-by there is likelihood that the proposed development will have significant effects on the environment also.

The HA would agree that the environmental effects that may arise individually and cumulatively may be significant and have an effect on the SRN, primarily the A5, and therefore require, within an EIA, detailed consideration of transport, pollution and traffic noise aspects.

1.97 The key considerations are,

- Air Quality Assessment – It is recommended to consider detailed atmospheric dispersion modelling to predict and assess the concentration of air pollutants emitted from vehicular traffic. Detailed assessment is needed as the development is to be large and located close to an AQMA.

- Nose/Vibration – it is advised to assess how the generated traffic will impact on sensitive receptors in the vicinity of the site such as nearby residential areas and at the adjacent SRN.

- Socio-economic - changes to the road network can affect transport reliability and therefore it is recommended to consider this within an EIA/ES.

- Ecology – the proposed development may significantly affect local wildlife and sensitive habitats located in proximity to the site.
• Flood/drainage – the site is located within the flood plain thus it is advised to provide an appropriate flood risk assessment and drainage strategy.

• Landscape/visual – it is recommended to provide a full landscape and visual assessment within the EIA to assess impact significance.

• Cumulative impacts need to be included in the EIA/ES.

• Transport data needs to be collected to reflect the daily and weekly requirements of an EIA.

1.98 It should be noted that the information required by the Highways Agency in respect of traffic impact on the SRN often requires greater detail than is required in an EIA. Therefore the Highways Agency will require a detailed Transport Assessment supported by a Travel Plan in accordance with DfT Circular 02/2013 ‘The Strategic Road Network and the Delivery of Sustainable Development’ and current DfT Guidance on Transport Assessment (GTA). These could be used to inform the EIA. It is expected that the Applicant will provide a detailed Scope for the Transport Assessment for consideration by the Highways Agency before the document is prepared.

Comments from EM Highways

1.99 The Highways Agency is recommended to respond stating that from their perspective the ES Scoping Report is acceptable in principle subject to the following,

• Scope of the Transport Assessment is to be agreed with Highways Agency

• Consideration is given to the issue of drainage and flooding on and in the vicinity of the A5, and the local roads A453 and A51, to the proposed site

• Detailed atmospheric dispersion modelling to be undertaken to establish anticipated level of vehicular pollution

• Scope of the Construction Management Framework Plan and Waste Management Strategy to be agreed with the Highways Agency;
8 January 2015
By email only

Dear Richard Stewart,

**Development:** Sustainable Urban Extension including housing 725 units, convenience store, primary school, community areas, recreation facilities, GI, landscaping flood management etc.

**Location:** Land at Dunstall Farm, Tamworth

**Grid reference:** SK190039

**Area of site:** 61 hectares

Thank you for consulting Staffordshire Wildlife Trust on the above application, received on 16/12/2014. We have viewed the following documents:

- Environmental Impact Assessment Scoping Opinion report Dec 2014 by GVA

**ECOLOGY**

**Wider Ecological Network**

As the total area of the site is 61 hectares, with around 23 hectares being developable (subject to possible further increase) and approximately 38 hectares is within the flood plain, the site has good opportunities to contribute to local habitat, green infrastructure and flood management priorities.

**BIODIVERSITY ACTION PLAN (BAP) PRIORITIES**
Staffordshire Biodiversity Action Plan- The site is within the River Gravels Ecosystem Action Plan area, where priorities include Coastal & Floodplain Grazing Marsh, Purple Moor Grass & Rush Pasture and Lowland Meadow as well as ponds and reedbeds. The Rivers and Streams and Canals Action Plan is also relevant to this site. A number of wetland and farmland bird, mammal and amphibian species are key here. The EIA should refer to the Staffordshire BAP in terms of how the proposals will impact upon or provide opportunities for priority habitats and species.

**LIVING LANDSCAPE PROJECTS**
The site is within the Staffordshire Rivers, Tame Valley Wetlands Partnership and the Central Rivers Initiative boundaries. The EIA should refer to these strategies and their priorities for habitat restoration when planning mitigation, compensation and biodiversity gain within the proposal, and aim to work with the relevant projects.

Staffordshire Rivers –
AGRI- ENVIRONMENT SCHEMES
The site appears not to be covered by any Environmental Stewardship scheme as shown on MAGIC, and would not appear to affect any nearby agreements, although consideration should be given to any recent changes and any land upstream of watercourses on the site if changes to drainage will be made. Grants are not applicable for any mitigation or compensation measures required under planning obligations, but for any areas outside of the required actions, stewardship could be considered in future.

Statutory and Non-Statutory Wildlife Sites
The report states that Preliminary Scoping has identified Nature Conservation sites, but does not specify which have been searched for or at what distance, so we would like to ensure all relevant sites will be considered.

Cannock Chase SAC is approximately 12 miles from the proposal site and therefore an assessment regarding additional visitor pressure may be needed. Advice from Natural England should be sought.

Broad Meadow Site of Biological Importance or Local Wildlife Site is located to the east of the site, covering the island on the other side of the River Tame and the original river channel. This site is also in the process of being designated as a Local Nature Reserve, a statutory designation; however this does not yet appear on the MAgiC mapping website showing such designations, so up to date information should be gathered from Natural England. Any impact to the site such as potential increased visitor pressure should be included. Currently reprofiling work is planned for the site as part of a Tame Valley Wetlands project in conjunction with the Environment Agency, and so some spoil may be available for use elsewhere.

Coton House Farm (south of) Biodiversity Alert Site lies to the north of the site on the other side of the River Tame – no impacts expected however any opportunities to link habitats in this area would be beneficial.

An area of land adjacent to the river around 60m west of the site boundary has been identified as a potential Local Wildlife Site. It has yet to be surveyed and assessed against the current wildlife site criteria but supports marshy grassland. This is
downstream of the site and should be considered in terms of avoiding impacts and potential habitat linking opportunities.

**UK Habitats of Principal Importance for Conservation (Natural Environment and Rural Communities (NERC) Act 2006)**

Any Habitats of Principle Importance (HPI) should be identified on the site. These are likely to include Arable field margins, Hedgerows, Ponds and Rivers. The quality of any arable field margins and ponds would need to be assessed to establish whether they meet the habitat definitions.

Any opportunities to create new HPI should be considered – appropriate habitats here would include: Lowland meadows, Traditional orchards, Ponds, Floodplain grazing marsh, Reedsbeds and Wet woodland. These could link well with providing recreation, community and sustainable drainage features.

**Habitats on site, including Loss /Gain of habitats overall**

**River Tame**
Reprofiling the inside of the bend at the northern tip of the proposal site would be desirable. This may also help to contribute to flood management. Generally river bank habitat could be improved by creating lower marshy areas and backwater features. However there is a need to consider the existing footpath along the bank.

‘Bodnits drain’/ watercourse
The watercourse crossing the site should be surveyed in more detail for any flora of interest, fish, invertebrates and water quality. It should be buffered from any impacts by establishment of a corridor of natural vegetation alongside, and any restoration measures such as adding new meanders and wetland habitat considered.

**Birmingham and Fazeley Canal**
The site borders the canal for some 730m, with the towpath on this side, providing opportunities for access and recreation links as well as retaining and improving the area as a habitat corridor. Green space and SuDS features would help strengthen the ecological resource here.

In order for losses of farmland habitat to be adequately compensated, undeveloped areas of the site will need to be enhanced by creating and restoring habitats in line with local priorities, and clear figures for the loss and gain of habitat types overall on the site should be shown within the assessment.
**European protected species (Habitats Regulations 2010)**

Relevant EPS (Bats, Otter, Great crested newt) are included in proposed additional faunal surveys.

If a European protected species will be affected and therefore a licence required for the development, the LPA must actively consider the 3 tests within the Habitat Regulations 2010, which is required for the LPA to have due regard to the Habitats Directive. Derivations from the regulations should only be permitted:

1. For the purpose of preserving public health or public safety, or other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.
2. Where there is no satisfactory alternative.
3. Where the proposed action is not be detrimental to the maintenance of the species concerned at a favourable conservation status in its natural range.

Therefore, actions to minimise impacts and avoid the need for a licence are preferable in the first instance. If impacts are predicted to occur, adequate information for the LPA to fully consider the above 3 points should be included in the EIA.

**UK protected species, Species of Principal Importance for Conservation (NERC Act 2006) and other Notable Species**

The EIA should ensure that sufficient data on all notable species, not just legally protected species, is gathered through an up to date desk study. It should be born in mind that not all available data is as yet uploaded to the Staffordshire Ecological Record centre, and therefore any previous planning applications on or near the site should be referred to for any ecological surveys conducted.

Additional surveys for Badger, Watervole, Reptiles and breeding and wintering birds are proposed. These are appropriate, however we suggest some additions and other points to be included:

Barn owl and short-eared owl have been recorded in the area and so we recommend that nocturnal surveys are conducted, perhaps in conjunction with bat surveys in order to pick up any owl activity.

Any breeding birds listed on Schedule 1 of the Wildlife and Countryside Act will be particularly important to identify, as they are protected from disturbance, and could be relevant if works affect certain habitats. As well as barn owls, Kingfisher and Green sandpiper have been recorded in the area.
White-clawed Crayfish have not been mentioned as a potential species—no records are present for the area, but the potential for this species should be discussed and surveys conducted if suitable habitat is present or may be impacted.

Bird Species of Principal Importance (SPI)- There are existing records of skylark and lapwing on the site, with other SPI species such as reed bunting, snipe and oystercatcher nearby. There are likely to be a number of other SPI farmland birds using the site. A key impact is likely to be displacement of breeding birds of open farmland such as skylark, lapwing. The EIA must consider not only the legal aspect protecting breeding birds but compensation for the permanent loss of open fields—ideally by enhancing the capacity of remaining fields to maintain existing populations of breeding and wintering SPI birds, and attract others.

Mammal SPI
Harvest Mouse has been recorded on Broad Meadow and may be present in any areas of tall grass/reeds. This species should be surveyed for if suitable habitat is present.

Potential for other SPI mammals, namely Hedgehog, Brown Hare and Polecat to be present or impacted should be assessed and any signs/sightings noted, however specific surveys are probably not required.

Common Toad
Great crested Newt surveys will normally also record any amphibians found, but a more general Amphibian Survey would be a better survey to specify. Common Toad is an SPI and its conservation would need to be considered if found on site.

A number of fish are SPI, including European Eel, Spined loach, Atlantic salmon and Brown Trout—should suitable habitat be impacted appropriate surveys would be advisable.

There are many invertebrates listed as SPI; if habitats suitable for rarer species are present such as wetland areas, dead wood or flower-rich meadows then surveys may be appropriate.

Rare arable weed species may be a possibility on the site and should be searched for.

Any areas supporting or suitable for fungi, lichens or mosses should be investigated for further survey where necessary. Waxcap fungi particularly can appear in old pasture, undisturbed grasslands and old lawns and may not be obvious during the normal survey season.

A number of Staffordshire BAP species are not otherwise protected or listed and should be noted if present—those which might be relevant in this area include: Ground nesting solitary bees and wasps, White faced darter dragonfly, Dyer’s greenweed, Native Black Poplar (*Populus nigra var. betulifolia*) and Pink Waxcap fungi (*Hygrocybe calyptraeformis*)
DRAINAGE

The proposed studies appear appropriate. SWT would prefer to see development in the floodplain entirely avoided. Any information on water quality or current drainage problems should be considered in order to make improvements where possible.

We would encourage Sustainable Drainage Systems (SuDS) to be used and for these to be surface features incorporating habitat creation, landscape and recreational benefits. Green roofs and rainwater harvesting should also be considered on buildings where appropriate.

SOCIO-ECONOMIC ISSUES

The report states that access and proximity to community, sports and recreation facilities will be assessed.

We request that Natural England’s Accessible Natural Greenspace Standards are used to determine whether adequate natural areas are/will be available for residents.

Opportunities for natural play are important for children and young people, and are often missed from the design of green and shared spaces. Best practice guidance on good design for natural play spaces should be referred to, and SWT would be pleased to advise further on detailed design.

SUSTAINABILITY

There is no section specifically dealing with sustainability or wider environmental issues, and these are not dealt with strongly under other sections. The EIA needs to meet the latest guidance and requirements for sustainable construction, renewable energy generation and adaptation to climate change.

Staffordshire Wildlife Trust would like to be kept informed of progress with this application, and receive details of the final permission/refusal. The Trust would be pleased to assist in formulating any conditions or biodiversity advice on site. Please contact me if you have any queries regarding this response.

Regards,

Kate Dewey BSc (Hons) MCIEEM
Planning and Conservation Officer
Staffordshire Wildlife Trust
☎ 01889 880122
Dear Richard

Environmental Impact Assessment Scoping consultation (Regulation 15 (3) (i) of the EIA Regulations 2011): REQUEST FOR A FORMAL SCOPING OPINION – Dunstall Farm

Location: Land at Dunstall Farm, Dunstall Lane, Tamworth

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in your consultation dated 16 December 2014 which we received on 16 December 2014.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Case law\(^1\) and guidance\(^2\) has stressed the need for a full set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant planning permission. Annex A to this letter provides Natural England’s advice on the scope of the Environmental Impact Assessment (EIA) for this development.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. For any queries relating to the specific advice in this letter only please contact Eric Steer on 0300 060 0660. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Eric Steer
Senior Adviser

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\(^{1}\) Harrison, J in R. v. Cornwall County Council ex parte Hardy (2001)

1. General Principles

Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2011, sets out the necessary information to assess impacts on the natural environment to be included in an ES, specifically:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed development.
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen.
- A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the interrelationship between the above factors.
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium and long term, permanent and temporary, positive and negative effects. Effects should relate to the existence of the development, the use of natural resources and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment.
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
- A non-technical summary of the information.
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

It will be important for any assessment to consider the potential cumulative effects of this proposal, including all supporting infrastructure, with other similar proposals and a thorough assessment of the ‘in combination’ effects of the proposed development with any existing developments and current applications. A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

2. Biodiversity and Geology

2.1 Ecological Aspects of an Environmental Statement

Natural England advises that the potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/enhancement should be included within this assessment in accordance with appropriate guidance on such matters. Guidelines for Ecological Impact Assessment (Ecia) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM) and are available on their website.

Ecia is the process of identifying, quantifying and evaluating the potential impacts of defined actions on ecosystems or their components. Ecia may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal.

The National Planning Policy Framework sets out guidance in S.118 on how to take account of biodiversity interests in planning decisions and the framework that local authorities should provide to assist developers.

2.2 Internationally and Nationally Designated Sites

The ES should thoroughly assess the potential for the proposal to affect designated sites. European sites (eg designated Special Areas of Conservation and Special Protection Areas) fall within the scope of the Conservation of Habitats and Species Regulations 2010. In addition paragraph 118 of the National Planning Policy Framework requires that potential Special Protection
Areas, possible Special Areas of Conservation, listed or proposed Ramsar sites, and any site identified as being necessary to compensate for adverse impacts on classified, potential or possible SPAs, SACs and Ramsar sites be treated in the same way as classified sites.

Under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 an appropriate assessment needs to be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site.

Should a Likely Significant Effect on a European/Internationally designated site be identified or be uncertain, the competent authority (in this case the Local Planning Authority) may need to prepare an Appropriate Assessment, in addition to consideration of impacts through the EIA process.

Sites of Special Scientific Interest (SSSIs) and sites of European or international importance (Special Areas of Conservation, Special Protection Areas and Ramsar sites)

- Further information on the SSSI and its special interest features can be found at www.magic.gov. The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within any of the nearby Sites and should identify such mitigation measures as may be required in order to avoid, minimise or reduce any adverse significant effects.

- Natura 2000 network site conservation objectives are available on our internet site http://publications.naturalengland.org.uk/category/6490068894089216

2.3 Regionally and Locally Important Sites

The EIA will need to consider any impacts upon local wildlife and geological sites. Local Sites are identified by the local wildlife trust, geoconservation group or a local forum established for the purposes of identifying and selecting local sites. They are of county importance for wildlife or geodiversity. The Environmental Statement should therefore include an assessment of the likely impacts on the wildlife and geodiversity interests of such sites. The assessment should include proposals for mitigation of any impacts and if appropriate, compensation measures. Contact the local wildlife trust, geoconservation group or local sites body in this area for further information.

2.4 Protected Species - Species protected by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2010

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law, but advises on the procedures and legislation relevant to such species. Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, groups and individuals; and consideration should be given to the wider context of the site for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.

The conservation of species protected by law is explained in Part IV and Annex A of Government Circular 06/2005 Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System. The area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES.

In order to provide this information there may be a requirement for a survey at a particular time of
surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and where necessary, licensed, consultants. Natural England has adopted standing advice for protected species which includes links to guidance on survey and mitigation. The information in this may be of use to the applicants. 

https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals#standing-advice-for-protected-species

2.5 Habitats and Species of Principal Importance
The ES should thoroughly assess the impact of the proposals on habitats and/or species listed as ‘Habitats and Species of Principal Importance’ within the England Biodiversity List, published under the requirements of S41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 places a general duty on all public authorities, including local planning authorities, to conserve and enhance biodiversity. Further information on this duty is available in the Defra publication ‘Guidance for Local Authorities on Implementing the Biodiversity Duty’.

Government Circular 06/2005 states that Biodiversity Action Plan (BAP) species and habitats, ‘are capable of being a material consideration…in the making of planning decisions’. Natural England therefore advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the ES. Consideration should also be given to those species and habitats included in the relevant Local BAP.

Natural England advises that a habitat survey (equivalent to Phase 2) is carried out on the site, in order to identify any important habitats present. In addition, ornithological, botanical and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present. The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (e.g., from previous surveys);
- Additional surveys carried out as part of this proposal;
- The habitats and species present;
- The status of these habitats and species (e.g., whether priority species or habitat);
- The direct and indirect effects of the development upon those habitats and species;
- Full details of any mitigation or compensation that might be required.

The development should seek if possible to avoid adverse impact on sensitive areas for wildlife within the site, and if possible provide opportunities for overall wildlife gain.

The record centre for the relevant Local Authorities should be able to provide the relevant information on the location and type of priority habitat for the area under consideration.

2.6 Contacts for Local Records
Natural England does not hold local information on local sites, local landscape character and local or national biodiversity priority habitats and species. We recommend that you seek further information from the appropriate bodies (which may include the local records centre, the local wildlife trust, local geoconservation group or other recording society and a local landscape characterisation document).

3. Designated Landscapes and Landscape Character
Landscape and visual impacts
Natural England would wish to see details of local landscape character areas mapped at a scale appropriate to the development site as well as any relevant management plans or strategies pertaining to the area. The EIA should include assessments of visual effects on the surrounding area and landscape together with any physical effects of the development, such as changes in topography. The European Landscape Convention places a duty on Local Planning Authorities to consider the impacts of landscape when exercising their functions.
The EIA should include a full assessment of the potential impacts of the development on local landscape character using landscape assessment methodologies. We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA provides a sound basis for guiding, informing and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character, as detailed proposals are developed.

Natural England supports the publication *Guidelines for Landscape and Visual Impact Assessment*, produced by the Landscape Institute and the Institute of Environmental Assessment and Management in 2013 (3rd edition). The methodology set out is almost universally used for landscape and visual impact assessment.

In order to foster high quality development that respects, maintains, or enhances, local landscape character and distinctiveness, Natural England encourages all new development to consider the character and distinctiveness of the area, with the siting and design of the proposed development reflecting local design characteristics and, wherever possible, using local materials. The Environmental Impact Assessment process should detail the measures to be taken to ensure the building design will be of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. In this context Natural England advises that the cumulative impact assessment should include other proposals currently at Scoping stage. Due to the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application.

The assessment should refer to the relevant National Character Areas which can be found on our website. Links for Landscape Character Assessment at a local level are also available on the same page.

**Heritage Landscapes**
You should consider whether there is land in the area affected by the development which qualifies for conditional exemption from capital taxes on the grounds of outstanding scenic, scientific or historic interest. An up-to-date list may be obtained at [www.hmrc.gov.uk/heritage/lbsearch.htm](http://www.hmrc.gov.uk/heritage/lbsearch.htm) and further information can be found on Natural England’s landscape pages [here](http://www.hmrc.gov.uk/heritage/lbsearch.htm).

### 4. Access and Recreation

Natural England encourages any proposal to incorporate measures to help encourage people to access the countryside for quiet enjoyment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways are to be encouraged. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.

**Rights of Way, Access land, Coastal access and National Trails**

The EIA should consider potential impacts on access land, public open land, and rights of way in the vicinity of the development. Appropriate mitigation measures should be incorporated for any adverse impacts. We also recommend reference to the relevant Right of Way Improvement Plans (ROWIP) to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

### 5. Soil and Agricultural Land Quality
Impacts from the development should be considered in light of the Government's policy for the protection of the best and most versatile (BMV) agricultural land as set out in paragraph 112 of the NPPF. We also recommend that soils should be considered under a more general heading of sustainable use of land and the ecosystem services they provide as a natural resource in line with paragraph 109 of the NPPF.

6. Air Quality
Air quality in the UK has improved over recent decades but air pollution remains a significant issue; for example over 97% of sensitive habitat area in England is predicted to exceed the critical loads for ecosystem protection from atmospheric nitrogen deposition (England Biodiversity Strategy, Defra 2011). A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The assessment should take account of the risks of air pollution and how these can be managed or reduced. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk). Further information on air pollution modelling and assessment can be found on the Environment Agency website.

7. Climate Change Adaptation
The England Biodiversity Strategy published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development’s effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPPF requires that the planning system should contribute to the enhancement of the natural environment ‘by establishing coherent ecological networks that are more resilient to current and future pressures’ (NPPF Para 109), which should be demonstrated through the ES.

8. Cumulative and in-combination effects
A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

The ES should include an impact assessment to identify, describe and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment, (subject to available information):

- a. existing completed projects;
- b. approved but uncompleted projects;
- c. ongoing activities;
- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
- e. plans and projects which are reasonably foreseeable, ie projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.
EIA scoping opinion Dunstall Lane

The red line outlined site is within Flood Zones 2 and 3 of the River Tame (which is a main river under the supervision of the EA). So the development will require a full Flood Risk Assessment to address concerns about flooding from this source and to explain the surface water disposal plans for the site.

I am concerned that a large area of the site appears to be in the floodplain and this may threaten the viability of the site.

The attached plan shown in Appendix 2 appears to be an older version of the EA’s flood mapping for the site and may be redundant. It also only covers a portion of the outlined site shown in Appendix 1.

As well as flooding from the Tame, (which should be addressed through the EA), there are also surface water floodplains associated with the ordinary watercourse that crosses the site. And SCC will need to be consulted on this aspect of flood risk within the site as well as the surface water strategy for the site.

There is also historic record of flooding of Dunstall Lane, which is the only access to the site.

The site is identified as a historical flooding hotspot within the County. And it is suggested that overflow water from the Birmingham and Fazeley Canal adds to the risk of flooding from this source.

The development therefore presents an opportunity to address and solve these additional flooding problems. We would appreciate an early meeting with the developer, EA, SCC and Canals and Rivers Trust to ensure the developer is completely aware of all the flood risk sources for the site.

Please refer the developer to me direct to discuss.

Dave Hughes 16/12/2014
Dear Mr. Stewart,

Scoping Opinion – Land at Dunstall Farm, Dunstall Lane, Tamworth

Thank you for your request for comments on the above scoping opinion from the Environmental Advice Team.

Ecology

Tamworth BC has asked for comments as to the suitability of the scope of the proposed environmental issues and the method of assessment.

The land shown in Appendix 1 covers areas outside that identified for a sustainable urban extension in the Local Plan Submission Document. The Key Diagram identifies land along the River Tame corridor as countryside and the Central Rivers Initiative policy area. Several Submission Local Plan policies that are relevant to the site have not been considered in the Scoping Opinion consultation document:

Policy SS1 Indicates that the existing network of green and blue linkages should be enhanced through the provision of environmental and access improvements

EN3 Open Space and Green and Blue Links- supporting text identifies the following measures for the River Tame corridor: Landscape restoration & enhancement including hedgerow maintenance, habitat creation and tree/woodland planting

Cont/…
EN4 Protecting and Enhancing Biodiversity refers to taking opportunities to restore and re-create habitats, using the Tamworth Phase One Habitat Survey and biodiversity opportunity mapping as a guide. Reference should be made to policy supporting text which outlines the evidence base, strategic context and priorities for the Tame Valley such as restoration of wet grassland and riparian habitats. There is clear potential to restore non-developable flood zone land to wet grassland and other appropriate habitats.

Policy HG2 for Sustainable Urban Extensions requires these developments to protect, utilise and enhance existing and provide additional green and blue infrastructure linkages to the adjacent and surrounding green space and waterscape networks and the urban area. Where appropriate new habitats should be created and links made to existing sites of high biodiversity value. All developments should positively contribute towards meeting the objectives of the Water Framework Directive.

Coordination between overall design, landscape, drainage and ecology disciplines will be important in design of effective biodiversity mitigation and enhancement in accordance with Local Plan policy. The Scoping Opinion does not make clear how this will be achieved given the involvement of several consultancies.

The proposed approach to ecological impact assessment does not meet EIA Directive and Regulations requirements as it only includes part of the EIA process (the surveys proposed). It makes no mention of impact assessment, mitigation design and incorporation into the scheme or development of proposals for biodiversity enhancement in accordance with Local Plan policy. Furthermore, no mention is made of off-site impacts, their assessment and mitigation. For example Local Plan policy makes clear that ecological networks should be strengthened and enhanced and that impacts on Broad Meadow proposed Local Nature Reserve must be avoided. In regard of ecological networks there appears to be significant potential to deliver enhancement in accordance with Local Plan policy, the Central Rivers Initiative and biodiversity opportunity mapping. For Broad Meadow proposals for planning obligation contribution to site management might be appropriate to offset development impacts such as increased recreational pressure. No standards for ecological impact assessment are cited. It is recommended that CIEEM Guidelines for Ecological Impact Assessment form the basis for assessment. In line with these guidelines it is recommended that in assessing impacts and incorporating mitigation the mitigation hierarchy of avoid-minimise-mitigate-compensate-enhance be used.

Cont/…
Historic Environment

Chapter 16 Archaeology and Heritage: The issues to be considered and the approach put forward broadly meet the requirements of a Historic Environment Desk-Based Assessment (HEDBA). It should be noted that the NPPF Glossary consider Heritage Assets to include historic landscape character and this should also be addressed within the HEDBA. Furthermore section 16.4 should also consider the potential for unknown above and below ground archaeological remains to survive alongside the consideration of the extent, character, date, integrity and state of preservation of any known heritage assets. The HEDBA should be carried out by appropriately qualified personnel to the Chartered Institute for Archaeologists' (CIfA) 'Standard and Guidance for Historic Environment Desk Based Assessments' (revised November 2012).

Section 6.3: Any further consideration regarding compliance with the Emerging Local Plan policies should include those which relate to the Historic Environment.

Landscape and Visual

The inclusion of a section to assess landscape and visual impacts is appropriate, however the Scoping Opinion does not mention a methodology for the assessment. This should follow current guidance 'Guidelines for Landscape and Visual Assessment, Third Edition' by The Landscape Institute with the Institute of Environmental management and Assessment, 2013. Conformity with the process outlined in this guidance should address all the correct landscape issues. The Environmental Statement would be expected to refer fully, under existing character, to the Natural England Joint Character Area Profiles relevant to the area, and local Landscape Character Assessment work undertaken by Staffordshire County Council. Details of this assessment are available in “Planning for Landscape Change”. For information the site straddles the boundary between two character types; Riparian Alluvial Lowlands and Lowland Village Farmlands, falling within the Trent Valley Washlands National Character Area. The policy objectives identified in “Planning for Landscape Change” indicate that these areas have suffered loss of characteristic features and condition of features to a greater or lesser degree. Nevertheless the District Council would be advised to seek retention of existing trees, hedgerows and characteristic vegetation as site assets on which to build new landscape structure and deliver landscape enhancement.

Cont/…
**Rights of Way**

The application documents don’t recognise the existence of Public Footpath No 5 Tamworth which runs east to west within the northern boundary of the proposed development site. This is a well-used pedestrian route and part of the forthcoming Tame Valley Way which is being promoted by the Central Rivers Initiative and the Tame Valley Wetlands Partnership.

The attention of the developer should be drawn to the existence of the path and to the requirement that any planning permission given does not construe the right to divert, extinguish or obstruct any part of the public path. If the path does need diverting as part of these proposals the developer would need to Tamworth Borough Council under section 257 of the Town and Country Planning Act 1990 to divert the footpath to allow the development to commence. The County Council will need to be formally consulted on the proposal to divert this footpath. The applicants should be reminded that the granting of planning permission does not constitute authority for interference with the right of way or its closure or diversion. For further information the applicant should be advised to read section 7 of DEFRA’s Rights of Way Circular (1/09).

It is important that users of the path are still able to exercise their public rights safely and that the path is reinstated if any damage to the surface occurs as a result of the proposed development.

Further details are required in due course about any mitigation measures that may be required to safeguard the footpath from development and also from flooding. There have been occasions in the recent past where this route, along with the surrounding land, has been completely under water.

The County Council has not received any application under Section 53 of the Wildlife and Countryside Act 1981 to add or modify the Definitive Map of Public Rights of Way, which affects the land in question. It should be noted, however, that this does not preclude the possibility of the existence of a right of way at common law, or by virtue of a presumed dedication under Section 31 of the Highways Act 1980. It may, therefore, be necessary to make further local enquiries and seek legal advice in respect of any physically evident route affecting the land, or the apparent exercise of a right of way by members of the public.
Should you have any queries regarding the content of this letter, please don’t hesitate to contact me.

Yours sincerely,

Debbie Taylor

Debbie Taylor
Landscape Archaeologist
From: Evenson, Geoff (Place) [geoff.evenson@staffordshire.gov.uk]
Sent: 23 January 2015 11:19
To: Stewart, Richard
Cc: Gunn, John
Subject: RE: Land at Dunstall Farm, Dunstall Lane, Tamworth

Richard

In terms of the EIA scoping opinion document I have nothing else to add at this stage. I can confirm that early discussions regarding the extent of the highway network which needs to be considered have taken place.

Geoff

From: Stewart, Richard [mailto:Richard-Stewart@tamworth.gov.uk]
Sent: 22 January 2015 18:04
To: Evenson, Geoff (Place)
Cc: Gunn, John
Subject: RE: Land at Dunstall Farm, Dunstall Lane, Tamworth

Geoff,

Sorry to chase you but have you had the opportunity to consider your response to the Scoping Opinion for the Dunstall Lane site?

Kind regards

Richard

Richard Stewart Bsc (Hons) MA MRTPI
Senior Planning Officer  |  Tamworth Borough Council
DD: 01827 709273  |  F: 01827 709277  |  E: richard-stewart@tamworth.gov.uk
Marmion House  |  Lichfield Street  |  Tamworth  |  Staffordshire  |  B79 7BZ

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From: Stewart, Richard
Sent: 14 January 2015 12:51
To: ’Evenson, Geoff (Place)’
Cc: Gunn, John
Subject: FW: Land at Dunstall Farm, Dunstall Lane, Tamworth
Importance: High

Geoff,

Further to our brief conversation last night regarding the attached document, and the response to the submitted EIA Scoping Opinion.

Do you know when you would be able to respond?

Kind regards

Richard

Richard Stewart Bsc (Hons) MA MRTPI
Senior Planning Officer  |  Tamworth Borough Council
DD: 01827 709273  |  F: 01827 709277  |  E: richard-stewart@tamworth.gov.uk
Marmion House  |  Lichfield Street  |  Tamworth  |  Staffordshire  |  B79 7BZ

One Tamworth, perfectly placed

From: Stewart, Richard
Dear All,

Tamworth Borough Council have received a request for a Scoping Opinion from GVA acting on behalf of the Trustees of JB Aucott for the residential development of the above site.

A copy of the scoping request is attached, which outlines the scope of the proposed Environmental Statement.

I would be grateful for your comments as to the suitability of the scope of the proposed environmental issues and the method of assessment.

Due to the timescales involved under the regulations I would be grateful for you comments within 21 days (by the 6th January 2015).

Please do not hesitate to contact me if you require any clarification, have any questions, or have an alternative e-mail address that I should be sending this information to.

Kind regards

Richard

Richard Stewart Bsc (Hons) MA MRTPI
Senior Planning Officer | Tamworth Borough Council
DD: 01827 709273 | F: 01827 709277 | E: richard-stewart@tamworth.gov.uk
Marmion House | Lichfield Street | Tamworth | Staffordshire | B79 7BZ

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Dear Mr Stewart,

SCHEME OF DELEGATION TO OFFICERS: SCO.67/DUNSTALL FARM: CONSULTATION FROM TAMWORTH BOROUGH COUNCIL IN CONNECTION WITH A REQUEST FOR SCOPING OPINION FOR RESIDENTIAL DEVELOPMENT ON LAND AT DUNSTALL FARM, TAMWORTH

I refer to your email sent 16 December 2014 and write to confirm the observations of the County Council as the Minerals and Waste Planning Authority in respect of the above request to your authority made under regulation 13 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

Proposed Development

The outline application to be submitted to Tamworth Borough Council will include the following built development and land uses:

- a mix of residential dwelling types, including affordable housing;
- a total of approximately 725 units;
- a convenience retail store;
- a primary school;
- community areas;
- local and neighbourhood facilities for sport and recreation;
- a new access onto Hendon Road/Ventura Park Road and a new road system within the site;
- associated landscaping, green infrastructure and public realm works;
- flood mitigation works;
- potential conversion of some existing agricultural buildings on site; and
- pedestrian and cycle links through the site to allow access to local facilities.
Mineral safeguarding

The Scoping Report as presented makes no attempt to address the extent to which the development might sterilise underlying and adjacent mineral resources.

Relevant policy for safeguarding minerals from other development includes the adopted Minerals Local Plan saved policy 5 and the National Planning Policy Framework (paragraphs 143 and 144). In addition, consideration should be given to the emerging Minerals Local Plan (policy 3). Relevant policy guidance includes the National Planning Practice Guidance which defines Mineral Safeguarding Areas and explains how they should be regarded; and ‘Mineral safeguarding in England: good practice advice’ which was published by the British Geological Survey (BGS). The BGS also produced a report for the County Council in 2006 ‘Provision of Geological Information and a Revision of Mineral Consultation Areas for Staffordshire County Council’, which will also be relevant.

A large proportion of the proposed development site is located within a Mineral Consultation Area (MCA). MCAs define areas in which development is likely to potentially affect or be affected by the winning and working of minerals and there is a requirement for the district council to consult the Mineral Planning Authority on any proposals for non-mineral development within a MCA. The adopted Staffordshire and Stoke-on-Trent Minerals Local Plan (1994 – 2006), saved policy 5 requires that:

- Development within Mineral Consultation Areas should not sterilise or seriously hinder the extraction of mineral deposits of economic value which are capable of being worked in accordance with policy 4.

- Where the proposed development falls within the Mineral Consultation Area and may have a significant impact upon mineral resources then the responsibility rests with the prospective developer to prove the existence or otherwise, quantity and quality of the mineral prior to the determination of the planning application.

In accordance with current national policy for safeguarding important mineral resources, our emerging Staffordshire Minerals Local Plan (2015 – 2030) refers to Mineral Safeguarding Areas (MSA) that relate to “known deposits of minerals which are desired to be kept safeguarded from unnecessary sterilisation by non-mineral development”. Within these areas, policy 3 of the emerging Minerals Local Plan requires that:

- Within a Mineral Safeguarding Area, non-mineral development should not be permitted to go ahead until the prospective developer has produced evidence prior to determination of the planning application to demonstrate:

  a) the existence, the quantity and the quality of the underlying or adjacent mineral resource; and

  b) that proposals for non-mineral development in the vicinity of permitted mineral sites or mineral site allocations would not unduly restrict the mineral operations.

In this case, the proposal is located within an area of known superficial sand and gravel deposits. Whilst the mineral is widespread throughout Staffordshire, the resource associated with the Trent and Tame Valley provides a significant proportion of the aggregate used in the county and the West
Midlands conurbation. Economically viable reserves that can be worked in an environmentally acceptable manner are increasingly hard to find, so an evaluation is required to indicate whether viable reserves of minerals are to be found on the site, the extent to which such reserves would be sterilised, and whether minerals could be worked in association with the proposed development.

Waste Management

It is proposed to assess the potential environmental effects of waste generated during both the construction and operational phases of the development (refer to section 13 of the Scoping Report). Relevant policy guidance includes the Staffordshire and Stoke-on-Trent Joint Waste Local Plan 2010 – 2026 policy 1.2 and National Planning Policy for Waste, paragraph 8. The approach of the assessment should be extended to ensure that all relevant aspects of these policies are addressed e.g. using recycled construction and demolition wastes during construction.

Conclusion

Under the powers contained in the ‘Scheme of Delegation to Officers’, this letter confirms Staffordshire County Council’s minerals and waste planning comments on the scope of the environmental information to be considered by the applicant as part of the preparation of an Environmental Statement to accompany an application to Tamworth Borough Council in connection with the proposed development at Dunstall Farm.

Yours sincerely

Andrew Christelow
Senior Planning Officer
Dear Richard,

For the level of development proposed a new 1 ½ form entry primary school (315 places) will be necessary, located within the development site to accommodate the additional primary school aged children by the development.

The new primary school will need to be on a site of at least 2 hectares to meet the educational need. However, policies HG2 and SU7 of Tamworth Borough Council’s Pre-Submission Local Plan relate to the dual use of school sites and sport and recreation facilities for community use. To meet this policy, this would necessitate a larger school site to be provided than that indicated above.

The school should be located in a suitable position within the development to ensure reasonable access to the school by all residents. The school should be in such a location to allow it to be brought forward with the first phase of development.

We note that the Environmental Impact Assessment Scoping Opinion notes that the development may grow in excess of 725 dwellings in the future (paragraph 3.2). If there is any potential that the site may deliver more than 725 dwellings in the future, additional land should be allocated/safeguarded adjacent to the new school site to allow the school to be enlarged in the future to accommodate the increased numbers of pupils generated.

The EIA should consider the impact of the new school within the development site.

Education contributions will also be necessary towards additional secondary school places to accommodate the additional secondary school aged children generated by the development.

Upon receipt of a formal pre-application consultation we will be able to provide more information in relation to the necessary education requirements.

Kind regards,

School Organisation Team
Asset Management and Planning Division
Staffordshire County Council
Tipping Street,
Stafford.  ST16 2DH
Tel: (01785) 854256  Fax: (01785) 278656
school.organisation@staffordshire.gov.uk
Subject: Land at Dunstall Farm, Dunstall Lane, Tamworth
Importance: High

Dear All,

Tamworth Borough Council have received a request for a Scoping Opinion from GVA acting on behalf of the Trustees of JB Aucott for the residential development of the above site.

A copy of the scoping request is attached, which outlines the scope of the proposed Environmental Statement.

I would be grateful for your comments as to the suitability of the scope of the proposed environmental issues and the method of assessment.

Due to the timescales involved under the regulations I would be grateful for you comments within 21 days (by the 6th January 2015).

Please do not hesitate to contact me if you require any clarification, have any questions, or have an alternative e-mail address that I should be sending this information to.

Kind regards

Richard

Richard Stewart Bsc (Hons) MA MRTP
Senior Planning Officer | Tamworth Borough Council
DD: 01827 709273 | F: 01827 709277 | E: richard-stewart@tamworth.gov.uk
Marmion House | Lichfield Street | Tamworth | Staffordshire | B79 7BZ

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Do you really need to print this email? It will use paper, add to your waste disposal costs and harm the environment.
Sport England would not normally expect loss of/provision of sports facilities to form part of an environmental impact statement. Therefore we do not recommend inclusion of these matters within that assessment/document.

The loss of/provision of sports facilities, indoor and outdoor, however will need to be thoroughly addressed in the application and should be informed by the Council's recently updated Sports Strategy to ensure the development is sustainable and helps deliver healthy communities by meeting the expectations of NPPF and the draft LP/CIL schedule.

Kind regards

Maggie Taylor  
Principal Planning Manager - Central Hub  
T: 020 7273 1753  M: 07795 603451
Richard

Thanks for the opportunity to comment on this. I’ve utilised the same approach as with the scoping option response submitted for the Golf course site. Comments are consistent with the approach set out in the Council’s Healthier Housing Strategy as follows:

The health benefits associated with improving housing are difficult to quantify due to other variable influencing factors. Despite this there are clear arguments and evidence to suggest improving housing conditions significantly improves health outcomes for people. Housing and housing related factors are known to influence physical health (e.g. respiratory disease/pneumonia), mental health (e.g. depression /stress) and general well-being (e.g. diet /exercise).

The Council’s Healthier Housing Strategy describes how we will ensure housing activity, such as the development of new housing to meet local need, will contribute towards improved health outcomes for local people. Via our 4 strategic priorities, we want to ensure a safer environment in which local people can reach their full potential and live longer, healthier lives and a sustainable and thriving local economy. Our priorities are:
1. There are suitable homes for everyone
2. Homes are healthy warm and safe
3. People are able to maintain an independent and healthy lifestyle
4. Neighbourhood environments enable safer and healthier communities

Housing plays a significant part of any community and is interrelated to a variety of other agendas. By achieving the above outcomes we would like to see a more aspirational, prosperous, healthier and safer Tamworth which will result in better housing options, better housing conditions, improved neighbourhoods and more sustainable healthy lifestyles in the borough. The proposed development at the Dunstall Farm site will assist in meeting these objectives as follows:

There are suitable homes for everyone

A wide range of homes are needed of different types, tenure, size, location and affordability, to meet different housing needs and aspirations, and enable healthy lifestyles and economic wellbeing. Outcomes that the proposed development at Dunstall Farm might generate to realise these ambitions could include:

- New homes are designed to meet identified individual and family needs and aspirations and located in the right places, connected to the services people need to enjoy a good, healthy, quality of life.
- New affordable homes are to be developed to meet the needs of households who are unable to meet their own needs without assistance
- New homes are built to the lifetime homes standard to enable active ageing and independent living
- New homes should provide choice to older adults with varying care needs, enabling them to live as independently as possible in their own self contained homes, and have ‘round the clock’ access to care and support should be available, tailored to each resident’s needs.

The Council would support the provision of 25% affordable housing on this site. This equates to 180 affordable dwellings (from total of the proposed of 723 dwellings).
We would expect to negotiate a tenure mix of 75% affordable rent and 25% shared ownership sale (subject to discussion with Registered Provider partner(s)). For example, of the 180 units identified for affordable provision, up to 75% could be for affordable rent (135 = units) and 25% shared ownership sale (45 = units).

In line with evidence and analysis of the Housing Register and updated housing needs data, the Council would seek to ensure that the affordable housing provision on this site was predominately 2 and 3 bed provision (with potentially some limited 1 bed provision to reflect current national policy) to reflect the need for affordable (i.e. rented) family accommodation in the Borough and a predicted increased need for 3 bed units following the implementation of the Council’s new Allocations Policy and to assist with the decant of residents from Tinkers Green and Kerria regeneration schemes). The housing mix should be in line with the percentages identified in the updated SHMA and compliant with Policy HG5 incorporated within the pre-submission Local Plan.

Particular consideration should be given the provision of adequate amenity space that is suitable for use by young families / children and is accessible to residents with disabilities + consider points highlighted in this response.

Homes are healthy warm and safe

Decent, safe and energy efficient housing is necessary for physical, emotional and social wellbeing. Action in this area is likely to improve health outcomes for local people more than any other area of housing activity. For homes to be healthy for people living in all tenures, the proposed development could contribute to these objectives as follows:

- New homes will be energy efficient and sustainable – carbon neutral where possible.
- Affordable homes and any supported housing provision meet a decent standard
- Indoor air quality and noise pollution issues are addressed, contributing to fewer respiratory problems and improving wellbeing respectively
- People feel safe in their home as measures to improve home security are incorporated into the development
- Planning design guidance for homes on this site supports improvements in energy efficiency and will contribute to tackling climate change

People are able to maintain an independent and healthy lifestyle

Over time people’s circumstances change, as people get older, have a family, gain or lose employment. For some, their independence and quality of life may be affected. Homes and housing services can enable people to remain independent, and to lead a healthy lifestyle. The development at the Dunstall Farm should therefore seek to provide a wide range of housing to meet a variety of needs within an environment that is carefully designed, environmentally friendly and sympathetic to the needs of all sections of the community.

Neighbourhood environments enable safer and healthier communities

The environment around the home has an impact on health and wellbeing. To achieve this, the housing offer at the Dunstall Farm development should seek to ensure that:

- The environment around the new homes provided is improved so it is free from pollution and crime and offers access to open and green space
- People are able to easily access employment, education and other essential services and amenities from their new home on this development
- Neighbourhoods within the development support social and community networks
- Communities are supported to develop and maintain a strong sense of identify

The above comments are hopefully useful to you in attempting to convey the importance new housing provision on this proposed development could have with regard to creating a sustainable, healthy community within which a range of housing needs are catered for.

Kind regards.
Steve

Steve Pointon
Head of Strategic Housing
Tel: 01827 709700
Fax: 01827 709277
Email: Stephen-Pointon@tamworth.gov.uk
Visit us at: www.tamworth.gov.uk

Housing Strategy
Marmion House
Lichfield Street
Tamworth
B79 7BZ

One Tamworth, perfectly placed.
Tamworth Borough Council  
Marmion House  
Lichfield Street  
Tamworth  
B79 7BZ  

FAO: Richard Stewart  
Your Ref: -  
Our Ref: WT38054  

Dear Richard,  

Re: Screening opinion consultation request for Land at Dunstable Farm, Dunstall Lane, Tamworth.

Thank you for advising us with regard to the above Scoping Consultation. Unfortunately, without proposed drainage plans, Severn Trent Water cannot make much in the way of comment. I can advise that there are public sewers within the boundary of the site on the plan that you have provided to us and there may also be sewers that have been recently adopted under The Transfer of Sewer Regulations 2011 within the vicinity of the proposals. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you in obtaining a solution with protects both the public sewer and the building. Please note, when submitting a Building Regulations application, the building control officer is required to check the sewer maps supplied by Severn Trent and advise them of any proposals located over or within 3 meters of a public sewer. In many cases under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval.

Please find attached information regarding the general conditions and precautions that are required when carrying out work adjacent to Severn Trent’s apparatus. Note that the development should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority. Also included is Severn Trent’s Supplementary Guidance Notes for any future Development.
Enquiries that may arise. This explains how we assess the surface water run-off, in this instance conditions 1, 2 and 3 apply. Please be advised that for highway maintenance a separate enquiry will need to be made to net.dev.west@severntrent.co.uk.

I trust you find the above information in order but should you have any further enquiries then please don’t hesitate to contact us.

Kind regards,

Gareth Renshaw
On behalf of Asset Protection Wasterwater West
Severn Trent Water.