Town & Country Planning (EIA) Regulations 2017

Secretary of State Screening Direction – Written Statement

Application name:	Consall Hall
SoS case reference:	
Schedule and category of development:	Schedule 2 12 (c) - Holiday villages and hotel complexes outside urban areas and associated development.

Full statement of reasons as required by 5(5)(a) of the 2017 EIA Regulations including conclusions on likeliness of significant environmental effects.

Planning Practice Guidance includes indicative screening thresholds. For holiday villages and hotel complexes outside urban areas, EIA is more likely to be required for new theme parks which are expected to generate more than 250,000 visitors per year; major new tourism and leisure developments which require a site of more than 10 hectares and holiday villages or hotel complexes with more than 300 bed spaces, or for permanent camp sites or caravan sites with more than 200 pitches. Key issues to consider are visual impacts, impacts on ecosystems and traffic generation.

The Secretary of State has considered whether the above proposal is likely to have significant environmental effects. He has undertaken this screening taking into account the criteria set out in Schedule 3 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

In preparing this screening direction, the Secretary of State has had regard to the matters raised with him in the request for him to make a direction (the request) and the information supporting the planning application.

The Secretary of State considers the main matters to be addressed are:

Schedule 3 selection criteria for Schedule 2 development refers:

1 (a) – (f) regarding characteristics of development

The Secretary of State notes that the proposal shares some of same characteristics as the development which already exists, but that there would be additional features such as accommodation in the form of a hotel, lodges (15 reduced from 24) and pods. Information available suggests that most of the more substantial built development would be located in the same general area as that already occupied by the existing facility. Although some of the accommodation, such as the lodges, would extend into areas of the grounds not currently developed, the Secretary of State considers the site to be well screened and he does not consider that the proposal represents physical changes of the magnitude necessary to suggest a significant environmental effect is likely in terms of the scale of the development. The Secretary of State has had regard to comments on design aspects on the proposal, but he considers that these can be considered as part of the planning application process.

The Secretary of State has considered the cumulative impact of the scheme with other approved or existing development and he has had regard to the developments referred to in the request. However, he is not persuaded that the proposed change of use would affect these to the extent that a significant environmental effect is likely.

Further he does not consider that if these developments are considered cumulatively with the proposed change of use there would be a significant environmental impact necessitating an environmental statement.

While utility services would be required, there is not the information to suggest that use of resources would be exceptional given the characteristics of the development. The Secretary of State does not consider that any use of, or impact on, natural resources would be of the magnitude necessary to suggest that a significant environmental effect is likely.

The Secretary of State does not consider that a significant environmental effect is likely in terms of the production of waste.

The Secretary of State notes that the site is not within an air quality management area and on the basis of all the information, he does not consider that any changes to vehicle movements would result in the release of pollutants to air of the magnitude necessary to suggest that a significant environmental effect is likely. The Secretary of State has taken into account the comments made in the request on the potential for the proposal to adversely affect the River Churnet and consequently the Crumpwood Weir Fish Pass scheme. He notes however that the Environment Agency, in its response to the planning application, stated that the development should not cause a detrimental impact to the water quality in the Churnet Valley SSSI and the River Churnet. On the basis of all the information and given the characteristics of the proposal, the Secretary of State does not consider that a significant environmental effect is likely in terms of the risks of contamination of land or water from releases of pollutants onto the ground or into surface waters or groundwater. He is not persuaded that the proposal would affect the operation of the Crumpwood Weir scheme to the extent that a significant environmental effect is likely. Additionally, the Secretary of State does not consider the scheme involves substances or materials harmful to human health to the extent that a significant environmental effect is likely.

The Secretary of State has had regard to the comments made in the request about the possible increase in noise resulting from the changes proposed. The Secretary of State however is not persuaded that the changes to the noise landscape would be of the magnitude necessary to suggest a significant environmental effect is likely.

The request raised concerns about the possible increase in traffic and the impact this would have on traffic using the lanes in the vicinity of the site, agricultural businesses in terms of the movement of vehicles and livestock and other users of public rights of way. On the basis of the information however the Secretary of State does not consider that the impact on the highways network would be severe, the site is not within an air quality management area and he does not consider that any transport routes susceptible to congestion would be affected to the extent that a significant environmental effect is likely necessitating an environmental statement for this reason. He considers that local highway issues could be considered as part of the consideration of the planning application

The request raised the possibility that the facilities proposed by the scheme could give rise to an increased risk of accidents. While the risk of accidents cannot be ruled out in terms of the demolition, construction and operational phases of any development, Schedule 3 of the 2017 EIA Regulations refers to the risk of major accidents and/or disasters relevant to the development concerned. While accidents of the nature referred to in the request cannot be ruled out, the Secretary of State does not consider that any risk associated with the proposals would be of the magnitude

necessary to suggest that a significant environmental effect is likely.

2 (a)-(c) (i) – (viii) regarding location of development

The Secretary of State notes that while the site is not in a 'sensitive area' as defined by regulation 2 of the 2017 EIA Regulations, it is close to the River Churnet SSSI. The Secretary of State has had regard to the comments made in the request together with those made in the responses to the consultation on the planning application, including those made by Natural England, Environment Agency and Staffordshire Wildlife Trust. The Secretary of State notes that the more substantial built development would be in the general area already occupied by the existing structures. Although some of the accommodation, such as the lodges, would involve development in areas of the grounds not previously developed, he is not persuaded that the changes proposed would harm the designated features of the SSSI to the extent that a significant environmental effect is likely. The Secretary of State considers that mitigation measures are possible and that planning conditions could be attached to any permission. Overall, he considers that matters relating to the impact on sites of ecological importance could be handled by information supporting the planning application without subjecting the scheme to full EIA for this reason.

Further, while information before him suggests that protected, important or sensitive species may be present on the site, development already exists and while some accommodation would extend into areas of the grounds where there is currently no development, it appears from the responses to the planning application that mitigation is possible and that appropriate conditions could be attached to any permission. Overall, the Secretary of State is not persuaded that populations of protected species would be affected to the extent that a significant environmental effect is likely on this basis. He considers that this matter could be handled by information supporting the planning application without subjecting the scheme to full EIA.

While there are heritage assets in the surrounding area, on the basis of the information, the Secretary of State does not consider that the features for which these have been designated would be affected to the extent that a significant environmental effect is likely.

The Secretary of State has no information before him to suggest that areas in which there has already been a failure to meet environmental quality standards would be affected by the proposal. He notes that the site is in an area at low risk of flooding and that although the site falls in an area where there may be coal mining features and hazards, the Coal Report prepared by the developer does not highlight any significant risks and overall the Secretary of State is not persuaded that a significant environmental effect is likely for this reason.

3(a) –(e)regarding characteristics of potential impact

The Secretary of State considers that this proposal represents development which shares similar characteristics to that existing and that while it includes different elements, the site is well screened and self-contained, and that the geographical area likely to be affected would be restricted mainly to the immediate locality. Having regard to the nature of the scheme, the Secretary of State does not consider that the impact of the proposed change of use is of the magnitude, intensity or complexity necessary to suggest that a significant environmental effect is likely, including in terms of its characteristics or location. He considers that any impacts, including on

ecological interests, are capable of mitigation measures or control by appropriate conditions being attached to any planning permission.	
Is an Environmental Statement required?	No

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