

Dealt with by: Jo Gregory

Our Ref: SMD/2022/0524

Direct Dial: 01538 395400

Your Ref:

Date: 19th January 2023

Nicki Mablesen
The Minster Building
London
EC3R 7AG

Dear Ms Mablesen

**Town and Country Planning (Environmental Impact Assessment) (Amendment)
Regulations 2015 – Screening opinion.**

**Land at Alton Towers Resort, Farley Lane, Farley, Staffordshire
LPA Reference SMD/2022/0524**

A formal screening opinion has now been undertaken by Staffordshire Moorlands District Council as required in accordance with the above legislation, under regulation 5 of S.I 2015 No.1824 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2015 for the following development: -

Removal of existing structures and construction of new building to house indoor attraction, associated ground works, infrastructure and landscaping.

In response to your submission dated 16th September 2022 and subsequent correspondence, an EIA screening assessment has been undertaken as requested. Thank you for agreeing to extend the time for this decision to be issued by 19th January 2023. In arriving at this decision regard has been had to comments received from Staffordshire Moorlands District Council (SMDC) Environmental Health officer, the Environment Agency and Historic England. Staffordshire Wildlife Trust, SMDC Tree Officer, SMDC Conservation Officer and Natural England were all consulted but no comments were received.

The proposed development falls within the description of development given at 12d and 13b(ii) of Schedule 2 to the 2017 Regulations, namely: 13b(ii)) an extension that is over 0.5ha to an existing Theme Park (12d). In cases where such development exceeds 0.5ha in area, a screening assessment is required. The proposal occupies a site measuring 0.9ha in size. On this basis the proposal exceeds the threshold. The proposal is therefore 'Schedule 2 development' within the meaning of the 2017 Regulations and needs to be screened by the LPA to determine whether significant effects on the environment are likely and hence whether Environmental Impact Assessment (EIA) is required.

In preparing this screening opinion the LPA has had regard to the selection criteria in Schedule 3 of the 2017 Regulations. The LPA has also had regard to the indicative thresholds and criteria set out in the Government's Planning Practice Guidance (Ref: 4-057-20200720). This advises that key issues to consider for this description of development (Theme parks) are visual

impacts, impacts on ecosystems and traffic generation. It also refers to an indicative threshold that relates to new proposals of more than 10ha. However, the guidance also sets out a number of considerations that should be addressed when arriving at a decision.

The LPA has used the recommended Screening Matrix to prepare this opinion based on schedule 3 of the 2017 Regulations.

Characteristics of the development

As noted, the size of this proposal is larger than the threshold area set out in column 2 of Schedule 2 for this form of development, however it is significantly smaller than the indicative criteria and thresholds in the NPPG which suggest where an Environmental Statement (ES) may be required.

The main expected impacts resulting from the proposal relate to visual impacts (mainly related to landscape character and designated heritage assets), impact on ecosystems (Abbey Wood and an SSSI Impact Risk Zone), and traffic generation. It is also considered that for the purpose of this screening opinion noise resulting from construction and operation of the attraction should also be a key consideration.

The information provided by the applicant indicates that significant adverse environmental effects arising from these factors are unlikely, however full and detailed assessments will be required as part of the planning application that meet the provisions of the development plan which would clearly demonstrate that these issues can be mitigated to an acceptable level, without having to resort to the provisions of an EIA. Documentation would be required during the planning process that addresses and offers an opportunity to assess and consider appropriate mitigation to these potential impacts.

In terms of visual impacts the proposal does have the potential to result in adverse visual impact and harm to landscape character, the setting of listed buildings and the character and appearance of the Alton Conservation Area. The proposed scale, mass and form of the building will be key in identifying and mitigating any impact, as will the positioning of the structure and materials used. These can be secured by condition as appropriate.

In terms of impact on ecosystems, there is the potential for impact due to the proximity of the site directly adjacent to the SBI at Abbey Wood. Moreover, the site is located within an SSSI Impact Risk Zone. A comprehensive Ecology Survey, including any required follow up surveys, will identify species present and the expected impact of the proposal. Mitigation measures may be proposed and secured by way of planning condition if appropriate.

Traffic generation is a listed potential impact resulting from this category of development, particularly in relation to visitor numbers and additional staff, as well as the potential impacts of traffic during the construction phase. Submission of a CEMP and Transport Assessment therefore will be required.

Finally, as set out within the applicant's submission, noise resulting from construction and operation of the attraction is a key consideration to be had due to the proximity of residents at Alton village. A noise impact assessment will be needed to address and assess this factor.

Location of development

The site is within a sensitive area as defined by the 2017 Regulations due to the site's position within the Dimmings Dale & The Ranger SSSI Impact Risk Zone. It is also within close proximity to the Bunbury Hillfort Scheduled Monument (SM). The greatest risks to these designations are impact on the Scheduled Monument given its proximity. The proposed development use is not considered to constitute a risk to the SSSI given that the site is within an area of previously developed land and is within the wider context of the wider Alton Towers theme park.

Notwithstanding the site's definition as a sensitive area, the key potential impacts are as set out above: visual impacts, impact on ecosystems, traffic generation and noise. These matters have



all been considered above. The location of the proposal in terms of the relevant heritage designations at Alton Towers Resort (specifically including the listed Flag Tower, and adjacent Registered Park and Garden, Bunbury Hillfort SM and the Alton conservation area) and proximity to ancient woodland and biodiversity designations means that potential impacts would need to be tested by policy. The risks linked to traffic generation and noise relate more to the proposed theme park use (the nature of development) rather than this specific location.

Types and characteristics of potential impacts

The impacts of this proposal are considered to be relatively limited in the EIA assessment context and not complex – many being effectively dealt with as part of current guidance within the development plan. Overall, the LPA is of the opinion that any potential impacts would not be of a magnitude to suggest that an environmental statement would be required. There would be no trans-frontier impact. There is no evidence that the development would involve unusually complex environmental effects. The matters of visual impact with regards to landscape character and the impact on designated heritage assets will need to be explored in depth but this can be effectively addressed through best practice techniques.

Given the nature, scale and location of the proposal it is not anticipated that the proposal will have any significant adverse environmental effects in terms of use of natural resources, waste, population and human health, land use, land stability and climate change, nor will it result in a risk of major accidents/disasters. The impact on heritage will need to be fully assessed through the planning process however, the likely impact does not necessitate EIA.

Overall and taking a balanced view as advised in the NPPG, for the reasons above and following the completion of the accompanying Matrix and having regard to Schedule 3 criteria, any potential impacts are unlikely to lead to significant adverse effects as defined by the Regulations. For the reasons above it is considered that the development would not be likely to have EIA significant effects on the environment by virtue of factors such as its nature, size or location.

This judgement is based on the information provided with the Screening request and technical consultee responses that are currently available to the Local Planning Authority. Under regulation 6(9) it is hereby confirmed that in the opinion of the Local Planning Authority the above development is not EIA development in terms of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

That is not to say that all of these issues will not require very close scrutiny at the planning application stage. The application will need to be accompanied by comprehensive and robust technical reports to address these and all other material considerations, as set out above. Any application should be accompanied by a Landscape Plan, Landscape Visual Impact Assessment, Noise Impact Assessment, Heritage Impact Assessment, Archaeology Report, Construction Environmental Management Plan, Arboriculturally Impact Assessment and Method Statement, Ecology Report, Drainage Strategy and a Site Investigation Report to ensure that any proposal is effectively considered in relation to development plan policies and guidance within the NPPF.

Yours sincerely

X *B.J. Haywood*

Signed by: Ben Haywood

Head of Development Services