

Town & Country Planning (EIA) Regulations 2017
Secretary of State Screening Direction – Written Statement

Application name:	BioPark, Broadwater Road, Welwyn Garden City
SoS case reference:	PCU/EIASCRC1950/3263775
Schedule and category of development:	Schedule 2 10(b) – Urban development projects

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

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.

The Secretary of State has had due regard to the EIA Regulations and Planning Practice Guidance (PPG) which identifies the physical scale of the development, potential increase in traffic, emissions, and noise, as key considerations in determining whether such proposals constitute EIA development.

The proposed is for the demolition of all existing buildings and structures on site and the development of up to 300 residential dwellings in buildings of up to nine storeys and a community hub space of up to 100sqm; and up to 340 car park spaces. This previously developed site is approximately 1.22ha and is located to the south east of Welwyn Garden City Town Centre.

The site is currently occupied by a complex of industrial buildings ranging from 2 to 5 industrial storeys. The requestor notes the current buildings are 35m at their highest point. The site was occupied until 2019 by the University of Hertfordshire for research and development. It is allocated as an Employment Area (EA1 - Welwyn Garden City Industrial Area) in the Local Plan; and within the Broadwater Road West Opportunity Area. It is also proposed as a site allocation for residential development in the Draft Local Plan.

The site is not located in a sensitive area as defined by the 2017 EIA Regulations. It is also not designated or protected under international or national or local legislation for its ecological, landscape, cultural (including heritage) or other value. However, there are various heritage and ecological designations and assets in the vicinity.

Although the site does not fall within a Conservation Area and there are no listed buildings on site, a number of designated heritage assets lie within the vicinity of the site. These include Grade I Listed Hatfield House, and Grade I Hatfield Registered Park and Garden (both over 4km to the south), and Welwyn Garden City Conservation Area, to the west of the site. There are also two Grade II listed buildings in the vicinity of the site - Roche Products office block, and Nanisco Shredded Wheat Factory, which are approximately 100m and 400m respectively from the site. To the south east lies the Peartree Conservation Area.

Although the site is also not covered by any statutory or non-statutory nature conservation designations, there are two statutory sites within 2km of the Site. Approximately 1.1km from the site lies Sherrardspark Wood which is a Site of Special Scientific Interest (SSSI), and approximately 2km from the site lies the Commons Local Nature Reserve (LNR).

In view of the above, the Secretary of State has consulted Natural England, the Government's specialist advisers on landscape and ecological issues, and Historic England, the Government's specialist advisers on heritage issues, and has given due consideration to their advice.

It is Natural England's advice to the Secretary of State that, on the basis of the evidence, that there are no potential likely significant effects on statutorily designated nature conservation sites or landscapes from this proposal, and that for all matters within its remit, an Environmental Impact Assessment is not required.

Historic England's advice to the Secretary of State is that it considers that re-development of this site could be desirable, with the BioPark building making little contribution to the overall character or appearance of the area. It does not therefore have any concerns with the loss of this building. It notes, however, that there are several highly graded designated heritage assets within the vicinity of the site boundary. It considers that this development could, potentially, have an impact on these designated heritage assets and their settings in the area around the site, and that there is the potential for harm to their setting which could affect their significance. It considers that on balance an EIA could be the most appropriate method of retrieving the information required to properly assess the levels of impact.

Planning Practice Guidance advises that that each application (or request for a screening opinion) should be considered on its own merits. There are occasions, however, when other existing or approved development may be relevant in determining whether significant effects are likely as a consequence of a proposed development. The local planning authorities should always have regard to the possible cumulative effects arising from any existing or approved development.

The Council has considered the cumulative effects of the proposed development with other existing and approved development in the area, and considers that there are potential cumulative impacts, particularly in terms of air quality and traffic impact. The Council has sought further information from the requestor regarding the potential cumulative effects in terms of transport and air quality. On assessing this information, the Council states it is still not confident that the development would not give rise to an increase in traffic and emissions, with particular regard to the cumulation with other existing and/or approved development.

The requestor has also identified other existing and approved developments in the area and states these have been considered when assessing the potential cumulative impacts of the proposal. The requestor did not identify any cumulative transport impacts in terms of vehicle movements and air quality because it predicts the proposal will result in a net reduction of trip movements when compared to the baseline position (that of the permitted B1c land use currently on the site). It considers therefore that given that there will be a net reduction in vehicle trips, the potential cumulative impact will be negligible and potentially beneficial. As such, it considers that the proposal does not have the potential to result in a significant impact in terms of either vehicle movements or air quality, either on its own, or considered cumulatively with surrounding developments.

The Secretary of State has carefully assessed all the evidence before him from the requestor and the Council, and has had regard to the comments of Historic England and Natural England. He considers that potential impacts on heritage assets and designations in the vicinity of the site, and the potential cumulative impacts of the proposal, particularly on traffic and air quality, to be the main issues in this case.

The site proposes up to 300 residential dwellings in buildings of up to nine storeys, and associated development. This is a medium sized development on previously developed land. It does not lie within a sensitive area as defined by the Regulations.

The clearance of the site and its redevelopment will inevitably result in a change in the built form, resulting in new buildings which whilst not taller than the existing buildings, would be of a greater scale than currently existing. It would introduce tall residential buildings, within an area where most buildings are smaller in height. However, although this is a significant development in physical scale with regard to buildings within the local context, taken on its own facts, the Secretary of State does not consider that a significant environmental effect is likely in terms of the physical changes that residential development, on the scale proposed, would represent.

Having regard to the characteristics of the proposed development, the Secretary of State does not consider that a significant environmental effect is likely in terms of the use of natural resources, the production of waste, or in terms of the risk of major accidents and/or disasters relevant to the development concerned.

In terms of pollution and nuisances, due to the nature of the proposed use (primarily residential) there will be some pollution and nuisance from traffic emissions. However, the site is not in an Air Quality Management Area (AQMA) and is located over 1.5km from the nearest AQMA. On its own facts the Secretary of State is not persuaded that traffic movements would be of the magnitude for a significant environmental effect to be likely in terms of air quality.

Given the nature of the scheme, he does not consider a significant environmental effect is likely in terms of the release of pollutants or any hazardous, toxic, or noxious substances to air. Further, given the nature of the proposals, he does not consider that a significant environmental effect is likely in terms of the use of substances or materials which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health.

The Council has expressed serious concerns about the impact of the proposal on transport routes on or around the location which are susceptible to congestion which could be affected by the project. The requestor has prepared an initial Transport Assessment (TA) scoping report, and states that a full assessment of the traffic and transport implications in terms of transport infrastructure will be provided as part of the TA which will fully consider the project and take account of potentially cumulative development schemes. It also states a Travel Plan will also be produced and any required transport mitigation will be identified and secured through the planning application process. On the basis of all the information, I do not consider that a proposal on this scale, taken on its own facts, is likely to result in a significant environmental impact in terms of any transport routes on or around the location which are susceptible to congestion, and that appropriate mitigation can be secured through the planning application process.

The Secretary of State has taken careful note of the comments and concerns of Historic England and the Council, in relation to potential effects on heritage assets and designations. He notes that the requestor has prepared a Heritage, Townscape and Visual Impact Assessment, and it considers the proposals will improve the quality of the existing views to the site, reflecting the considerable historical importance of the industrial zone within Welwyn Garden City.

The Secretary of State acknowledges that in relation to impact on designated heritage assets and their settings in the area around the site, there is the potential for harm to their settings which could affect their significance. However, whilst acknowledging the potential impact, after carefully considering all of the evidence, he does not consider that this proposal would lead to effects of the magnitude and complexity necessary for a significant environmental effect to be likely in this respect, that would necessitate EIA treatment.

Nevertheless, it should be noted that given the number and proximity of highly graded designated heritage assets within the vicinity of the site boundary, and Historic England's concerns about the possible impact of the development upon their significance caused by harm to their setting, Historic England should be consulted on any further assessments carried out, and as further details of the proposals emerge at the pre application stage.

While the site contains existing buildings in employment use, the Secretary of State does not consider that the proposal involves the loss of employment land on the scale necessary for a significant environmental effect to be likely in terms of any socio-economic impact.

The site is not located in a sensitive area as defined by the 2017 EIA Regulations and is not designated or protected under international or national or local legislation for its ecological or landscape value. Natural England has confirmed in its advice that it does not consider EIA would be required for this proposal for matters within its remit. The Secretary of State does not consider a scheme of this

nature and on this scale would affect the designated features of any sensitive areas in the surrounding landscape to the extent that a significant environmental effect is likely.

The site is not protected or designated for its importance to protected species. The requestor and the Council both consider the site to be of limited value for wildlife, and there is little evidence of potential to support protected or notable species. The Secretary of State does not consider that any designated sites in the surrounding area where protected species are a qualifying feature would be affected to the extent that a significant environmental effect is likely. Having regard to all the information, including the Preliminary Ecological Appraisal (PEA) prepared by the requestor, he does not consider populations of protected species would be affected to the extent that a significant environmental effect is likely.

On the basis of the information, the Secretary of State does not consider a significant environmental effect is likely in terms of ecology, landscapes, and sites of historical, cultural or archaeological significance.

In terms of cumulation with other existing or approved development, the Secretary of State has taken into account the development approved in the vicinity identified by both the requestor and the Council. He has carefully considered the arguments put forward by both parties in relation to potential cumulative effects. On the basis of all the information, the Secretary of State is not persuaded that a scheme on the scale proposed, taken on its own facts, would create changes to the environmental sensitivity of the surrounding area of the magnitude necessary for significant environmental effects – including in relation to traffic and air quality - to be likely in terms of cumulation with other development.

The Secretary of State considers that any impact from this medium sized residential development would be primarily within the area around the site and would be more limited in the wider geographical area. He also considers that based on the evidence, it would be possible to mitigate any impacts. The site is not in a sensitive area and given the characteristics of the scheme, the Secretary of State does not consider that a significant environmental effect is likely in terms of the intensity and complexity of any impact. For the reasons given above, the Secretary of State does not consider that a significant environmental effect is likely in terms of cumulation with existing and approved development.

Overall, the Secretary of State does not consider that the environmental impact would be of a magnitude necessary to suggest that a scheme of this scale would result in significant environmental effects which would exceptionally necessitate an environmental statement.

For this reason, and after carefully assessing all the evidence before him, the Secretary of State has concluded that in the circumstances of this case, an **Environmental Impact Assessment is not required**.

Is an Environmental Statement required?	No
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Name	John Oakes
Date	4 February 2021