

EIA SCREENING OPINION Unauthorised Industrial use of the former Fullers Earth Works

This report should be read in conjunction with the completed screening assessment pro-forma.

Introduction and Purpose of Report

The Council is currently considering the expediency of enforcement action at this site in a separate report.

For the purposes of EIA screening, it is considered necessary to establish what the permitted baseline for the site is and then to consider the likelihood of significant effects arising from the unauthorised activities both in isolation and in combination with the permitted activities for the site.

Permitted Baseline

The permitted baseline for the former fullers earth works site (outlined in red on ENF Plan 01) is

- Agricultural land with permission for an agricultural improvement scheme involving the importation of soils;
- Residential at 1 and 2 The Firs; and
- Historical general industrial use (B2) on the area hatched green on ENF Plan 02.

The Unauthorised Development

The unauthorised development is the encroachment of industrial uses and associated structures beyond the extent of the historical general industrial use of the site, including:

- A mixed general industrial and storage and distribution use including the historic central part of the site as well as extended areas into surrounding land;
- The use of separate areas for the storage, distribution and repair of scaffolding as well as another unit as a stonemasons' yard

The unauthorised development on the site is considered to fall within paragraph 10 of Schedule 2 of the EIA regulations and the applicable threshold for the need for a screening opinion for development in this category is 0.5ha. The site is 6.25ha which is above the indicative threshold of 0.5 ha.

Setting aside the part of the site used in the past for agriculture, residential and green waste storage, the remaining industrial part of the site also exceeds the 0.5ha indicative threshold. This, in the view of the Council, is in use in part for mixed use purposes including waste processing use, scaffolding storage/repair, the stone masons contractor's yard as well as areas connected to these uses. The compound areas are similar in character to an industrial estate and the large area used primarily for waste processing utilises some buildings from the previous fullers earth use along with a large storage area with piles of material.

Circular 2/99 indicates in annex A at para A16, that "industrial and manufacturing development" may well require EIA if the site is more than 10 hectares although smaller developments are more likely to require EIA if they are expected to give rise to significant discharges of waste, emission or pollutants or operational noise. In relation to "Industrial Estates", paragraph A17 states that EIA is more likely to be required if the site area is more than 20ha. In determining whether significant effects are likely, traffic, emissions and noise should be given particular consideration.

Consideration of Potential Environmental Effects

Traffic

The Council has undertaken a traffic count of the current activities on the site which recorded 157 two way movements over the 12 hour period 0700 to 1900. Each of the uses within the compound leads to HGV traffic as does the waste processing use. The stonemasons and scaffolding uses are only responsible for a limited number of traffic movements per day taking materials and equipment to and from sites where they are utilised. The skip hire use within the compound has a more steady flow of traffic through the day. The waste processing use leads to a regular flow of HGVs throughout the day.

There are also a number of private vehicles regularly on site which appear to be related to all of the uses.

The agricultural improvements will require a short term increase in traffic to import 55,000m³ of material however, following that this aspect of the use is only likely to require some limited agricultural traffic.

However the site has good direct access on to the A367 which has approximately 15,000 two way traffic movements between 0700 and 1900.

The increased numbers of vehicles from the unauthorised activities are not considered to be so noticeable or substantial either in isolation or in combination with the permitted activities as to have significant impacts.

Air Quality and Noise

Although there are two dwellings within the site, it is otherwise remote from residential areas. The site has a background history for some industry and this context is relevant to be taken into account because those dwellings would be affected by the historic use. The former use may have led to dust within the air and noise from machinery.

The uses on the site are not, from what we know about them, obviously substantial polluters in terms of gaseous emissions or smells. The industrial processes within the compounds may lead to some temporary dust emissions for example when stone is being cut or dressed but this will have a local impact within the site. The waste processing use appears to involve largely inert material which is sorted and moved around. Although there have been some incidents of fires on the site, the circumstances of these are not precisely known but they do not appear to form a normal part of the waste processing operations.

Within the compound, the industrial uses may require the use of hand-tools for stone-cutting and other maintenance but at the time of site visits by officers, these noises are not generally distinguishable from background noise levels.

The waste processing use is the main source of noise on the site. The use requires the operation of large utility vehicles with hydraulic systems and they are the source of banging and clattering noises. These are very noticeable locally within the site but whilst audible are not overbearing outside of the site given that the main concentration of activity is in a central position within the site and much of it takes place under cover. The buildings help to reduce the impacts and the close proximity of the busy A367 provides a high level of background noise in this area.

Water

The site is not subject to designations relating to water source protection or hot springs protection. It is not within an indicative flood plain or overland flood paths.

Most of the materials on site appear to be inert with little potential for harmful leaching into the ground waters. There may be some local impacts due to spillages and leaking of fuel and oil from machinery and vehicles.

No significant impacts on the water environment are therefore considered likely as a result of the unauthorised activities either in isolation or in combination with the permitted uses for the site.

Ecology

There are local policies relating to the site being designated as a site of nature conservation importance. This is a local designation and no information is available on the value of the site prior to the unauthorised activities. It is however likely that some harm has occurred to the potential for nature conservation at the site due to the removal of grassland and some other semi-natural features which have been replaced by hard-surfacing, fencing and the piles of stored material are. Because this is an unauthorised development,

there has been no opportunity for the Council to request ecological surveys. The impacts on such sensitivities will have already occurred. Much of the hard-surfacing of the “compound” areas will make any possible impacts difficult to reverse. The non-hard-surfaced areas are also heavily used by vehicles and are used for storing skips and materials such as gravel and hard-core.

The site is also close to a Special Area of Conservation but no significant effects on this designation as a result of the unauthorised uses are considered likely on this designation.

However having regard to the local nature of the designation no significant impacts on ecology are considered likely to have occurred as a result of the unauthorised activities either in isolation or in combination with the permitted activities.

The trees alongside the access driveway are protected by a Tree Preservation Order and provide a habitat opportunity for birds and bats. Although some concerns have been raised due to the impacts around the base of the trees, they remain in place. These and other areas around the margins of the site may still allow for ecological interests.

Landscape/Visual

The site is within the Green Belt and within the forest of Avon area (where LP policy NE.5 applies seeking to respect the developing woodland setting not conflicting with objectives of the forest plan). It adjoins an Area of Outstanding Natural Beauty.

The compound areas create local visual impacts. The piles of stored material are obvious from the main road but there have been large buildings in the centre of the site for many years and prior to the occupancy by current operators. This includes high buildings that can be seen from outside of the site.

These impacts are significant in terms of the expediency of taking enforcement action and there has been a change in character of the site. There have been extensions to the buildings in the centre of the site but overall it is considered that these impacts are not significant with respects to the EIA regulations.

Geology

The site is designated as a Regionally Important Geological Site within the Local Plan (policy NE.9). The activities and developments are on the surface of the land apart from perhaps some footings where buildings have been extended. However, there are no obvious significant irreversible impacts.

Cultural Heritage

The site is adjacent to the A367 Fosse Way which is the route of the former Roman road and the gateway to Bath with its World Heritage designation. However the site has an existing permitted industrial use and is considered to be sufficiently remote from the world heritage designation so as not to have significant effects upon it.

Cumulative Impacts

The above sections consider the environmental effects of the unauthorised development both in isolation and in combination with the permitted uses for the site and no significant cumulative impacts have been identified.

Summary and Conclusion

Although the site is not within a “sensitive area”, the current use of the site is considered to fall within part 10 within the first column of schedule 2 to the EIA regulations (infrastructure projects) and exceeds the relevant thresholds in column 2. I therefore consider this requires screening for EIA.

Overall, the environmental effects from the unauthorised activities on the site both in isolation and in combination with the existing permitted uses appear to be local in impact and do not have significant effects on the environment. EIA is not therefore required.

APPENDIX 1



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