
Under:
Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (SI
No.571)

SITE: Land at Eign Wastewater Treatment Works, Hereford, Herefordshire,

REF: 223082b

DATE: 24 November 2022

DEVELOPMENT: EIA Screening Request of the proposed development for the upgrade of plant and machinery.

Part II, Regulation 4: **SCREENING DETERMINATION**

**The Regulations – SI 2017/571
National Planning Practice Guidance**

SCREENING OPINION

It is the opinion of Herefordshire Council as Local Planning Authority that the proposal set out above is **NOT** an EIA development under Schedule 1 or Schedule 2 and the indicative criteria/thresholds in the National Planning Practice Guidance. Therefore an Environmental Statement will **NOT** be required.

REASONS FOR THE OPINION

The development does not fall within the development type listed in Schedule 1. Whilst the type of development is listed in Schedule 2, 11(c) and exceeds the threshold in terms of site area, the proposal fall below the threshold set out in the Planning Practice Guidance. The site is considered to be in close proximity to a “sensitive area” as set in Regulation 2(1). After careful consideration, for the reasons set out below the proposed development as outlined within the submission is not considered to give rise to significant environmental effects on the surrounding environment.

Planning Practice Guidance (PPG) through its indicative criteria and thresholds states that for projects for waste-water treatment plants environmental effect is more likely for sites which have an area more than 10ha or a capacity which exceeds 100,000 population equivalent. The site at

Rotherwas has an area of 2.21ha and has a capacity below the 100,000 population equivalent. The proposed works do not increase capacity but replace and enhance existing equipment

The PPG identifies that the key issues to be considered are:

- Size
- Treatment process
- Pollution and nuisance potential
- Topography
- Proximity to dwellings
- Potential impact of traffic movements

The proposal consist of new machinery, and upgraded infrastructure to enable Welsh Water to meet the revised Total phosphate (P) limits of 0.4mg/l associated with the discharge permit into the River Wye, resulting in an improvement t the water quality of the River Wye. The proposed works are to be carried out entirely within the existing treatment works, with the height of the proposed works lower than existing so contained within the site and minimal impact visually on the surrounding environment. Upon completion and once operational the works will operate under an Environmental Permit and are hoped to improve the effects on the wider environment, specifically that of the River Wye SAC/SSSI.

In considering the proposal it is noted that if the works are not EIA they would be 'permitted development' under Schedule 2, Part 13, Class B of the Town and Country (General Permitted Development) (England) Order 2015. This class of 'permitted development' has no conditions attached so there is no certainty, through the planning process, that the mitigation measures set out in the Screening Request would come forward. However, as a statutory water undertaker under Chapter I of Part II of the Water Industry Act 1991, Welsh Water is subject to a duty of comply with various requirements under S3 of the Act including to (in summary) preserve and conserve flora and fauna, urban/rural amenity, features of historical interest, and freedom of access. They would also be subject to the legislative provisions of the Conservation of Habitats and Species Regulations 2017.

There will be impacts and disturbance in relation to the construction, but the impacts would be temporary and will not be 'within the meaning of the EIA Regulations, particularly as the site is an existing established treatment works. It is noted that a Risk and Method Statement (RAMS) in relation to pollution prevention will be drawn up which will detail measures to reduce impacts to protected species during construction works and will include a mitigation strategy for protected species. As works are to be undertaken adjacent to a European protected site and SSSI (River Wye SAC), HRAs and SSSI Assent will need to be are currently being prepared which include the identification of appropriate mitigation measures which will prevent any adverse effect to the integrity of the River Wye SAC ad SSSI. These documents will be submitted to NE.

Having regard to the selection criteria in Schedule 3 of the EIA Regulations, and the matters set out above, it is considered that the proposed development would not have the potential for significance effects on the environment within the meaning of the EIA Regulation 2017.

Signed



Title: DEVELOPMENT MANAGER

Date: 24TH NOVEMBER 2022