

APPENDIX 2.3
EIA SCREENING DIRECTION

BY EMAIL AND POST: npcu@communities.gsi.gov.uk

National Planning Casework Unit
5 St Philips Place
Colmore Row
Birmingham
B3 2PW

Our Ref: 25545/A3/MM

11th March 2016

Dear Sir or Madam,

PROPOSED DEVELOPMENT, BAGBY AIRFIELD, THIRSK

**REQUEST FOR SCREENING DIRECTION OF THE SECRETARY OF STATE UNDER
REGULATION 5(7) OF THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL
IMPACT ASSESSMENT) REGULATIONS 2011 AS AMENDED**

This letter requests the Secretary of State adopt an EIA screening direction for proposed development at the above site as the Local Planning Authority, Hambleton District Council (HDC), has adopted the opinion that the proposed development constitutes EIA development (see Appendix A).

This letter makes representations on behalf of the applicant, Mr Martin Scott, and sets out why it is considered that EIA is not required. As per the provisions of Regulation 6 of the *Town and Country Planning (Environmental Impact Assessment) Regulations 2011*, as amended, this submission is accompanied by the Screening Report submitted to HDC which contains a description of the proposed development and site plan (Appendix B). The Screening Report includes an assessment of the likely significant effects (or otherwise) of the proposed development and includes a 'Screening Checklist' that reflects the requirements of Schedule 3 of the Regulations.

Also attached to this letter, at Appendix C, is the further information submitted during the Screening Opinion determination period, requested by HDC.

The applicant is of the view that the proposed development would not result in significant environmental effects, and reference to the 'Indicative Screening Thresholds' set out in an Annex to the Planning Practice Guide establishes that "... *Smaller scale development at existing airports is unlikely to require Environmental Impact Assessment unless it would lead to significant increases in air or road traffic*".

I trust the accompanying submission is sufficient to register the request for a Screening Direction. However, please do not hesitate to contact me should you require any further information.



Yours faithfully,



Mary Mescall
Associate Environmental Planner

Enc.

Appendix A - HDC Screening Opinion and accompanying report, dated 2nd March 2016.

Appendix B – Environmental Impact Assessment (EIA) Screening Report including Site Location Plan, dated 25th January 2016

Appendix C – Further Information Provided to HDC during the Screening Opinion Determination Period, email dated 28th January 2016.

Cc.

Mr. Andrew Thomas, Hambleton District Council

Mr Martin Scott

Barton Willmore LLP
7 Soho Square
London
W1D 3QB

NOTICE OF DECISION

Application No. 16/00151/SCR

Date: 1st March 2016

Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (EIA Regulations) - SI 2011 No. 1824, as amended by the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015 (No 660)

PROPOSAL: EIA screening opinion
LOCATION: The Airfield Bagby North Yorkshire YO7 2PH
APPLICANT: Martin Scott

Hambleton District Council, being the Planning Authority for the purposes of the above application which was received on 15 January 2016, has resolved that an **Environmental Statement is required**.

Having regard to the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (EIA Regulations) - SI 2011 No. 1824, as amended by the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015 (No 660) and associated case law and guidance; and with particular regard to Schedule 2 10(e) it is concluded that the proposed works would call for an Environmental Impact Assessment for the following reasons:

The site has a complex and significant planning history and established lawful use of the site. The lawful level of Aircraft Movements (AMs) is still disputed and the level of AMs proposed (at 9,500) are significantly higher than highlighted in previous appeal decisions with helicopter movements also of potential significance.

Alterations to the runway, associated apron, demolition and rebuilding of hangars, access to hangars, increase in maintenance area and the size of development in consideration of the cumulative impacts, would result in significant environmental impacts that result from incremental changes caused by other past, present or reasonably foreseeable actions together with the project that would intensify the use at Bagby Airfield that require consideration through an Environmental Statement.

The associated impacts include the assessment of noise and nuisance pollution derived from the level of AM's, especially dependent on the type of aircraft undertaking such AM's, landscape character, relationship to sensitive receptors, bats and protected species. The probability and extent of the impact depends on the reliability of the underlying evidence, which is uncertain at this stage. Impacts extend beyond the application site to include movement from aircraft taking off, landing and manoeuvring around the site.

Impacts of road traffic movement from operational development, drainage, asbestos and remediation will also need to be assessed.

Specifically it is considered that the tests outlined in Schedule 3 Part 1(a), (b), (d) and (e); Part 2(a), Part 3(a), (c), (d) and (e) are exceeded and an Environmental Statement is required.

This opinion is formed on the basis of the submitted material and current legislation and case law. Should there be a significant change in circumstances the screening opinion should be resubmitted for further assessment.

Mark Harbottle
Head of Planning and Housing

Bagby

Officer dealing : Mr Andrew Thompson

16/00151/SCR

**EIA screening opinion.
at The Airfield Bagby North Yorkshire YO7 2PH
for Martin Scott.**

1.0 The Site and Proposals (i.e. scope of the screening request)

1.1 The submission requests an Environmental Impact Assessment Screening Opinion relating to Bagby Airport, which is located adjacent to the village of Bagby which is located to the southeast of Thirsk. The site extends to approximately 15.6 hectares (ha) and comprises a privately owned airfield. Agricultural land which is owned by the applicant surrounds the airfield. One grass runway runs west to east through the southern section of the site. To the south of this runway are five hangars of various sizes (hangars A, B, C, D and E) together with a helipad. To the north of the runway are four further hangars (hangars F, G, H and I) together with a clubhouse, another helipad and a maintenance building which houses an engineering business. The airfield also contains various infrastructure, such as fuelling facilities, storage and a control tower, all of which enable the airfield to function. Hangar references are shown on the submitted plans.

1.2 The applicant's agent sets out that the proposed development will be submitted in detail to HDC and would improve the facilities on-site, including the clubhouse, hangars and maintenance facilities.

1.3 At 2.6 of the applicant's report the proposed development comprises:

- Demolition of the existing clubhouse and control tower;
- Demolition of the hangar and storage located at the eastern edge of the site;
- Demolition of the single storey extension on hangar B;
- Demolition of hangars C and D on the southern boundary of the site;
- Change of use and external alterations of the existing engineering building to be used as a clubhouse and control tower;
- Change of use of the large storage hangar in the north of the site to be used as the engineering workshop;
- Development of a new tractor shed on the northern boundary of the site;
- Development of a new hangar on the southern boundary of the site in place of hangars C and D;
- Development of a new access drive; and
- Formation of new hard and soft landscaping.

1.4 The applicant's report further states that access is currently taken from Bagby Lane, to the north of the site. However, it is proposed to construct a new access further west on Bagby Lane, outside the village, with a track across an adjacent field joining the current access in the northernmost corner of the site.

1.5 In terms of the amount of development the applicant highlights that the existing floorspace at the site is 3,215m² (Gross Internal Area). The proposed development comprises the demolition of 581m² (GIA) and the conversion of 773m² (GIA) of the existing floorspace. Following the demolition of facilities and change of uses, the proposed development would comprise an uplift of approximately 192m² (GIA) on the existing floorspace. The new buildings would rise to a maximum height of 9.1m (where the maintenance facility would be converted into a new clubhouse). The maximum height of the existing facilities at the site is approximately 8.5m.

1.6 At 2.10 of the applicant's report it is stated that:

- o the proposed development does not include any additional aircraft hangar floor space;
- o the maintenance space would increase but would be unlikely to lead to a material increase of flight movements on site (because the aircraft that are in for maintenance are unfit to fly);
- o the length of the runway would not alter, which would ensure that larger aircraft cannot be able to be accommodated on site;
- o a cap on flight movements would be enforced, based on historic levels, and a Code of Conduct would be put in place to further limit these movements.

These details, it is stated, will be submitted as part of the planning application and implemented by a legal agreement.

1.7 With regard to the proposed new hard and soft landscaping, no significant engineering works, earth movements or soil are required. The applicant advises that typical works which are expected would involve the laying of access roads/hardstanding and the planting of trees/shrubs.

1.8 The applicant also provides the following information about the use of the airfield:

- Flight numbers would not exceed 9,500 per annum. They advise this figure is based on historical flight movements provided to the Council.
- Planes would fly to numerous destinations both within the UK and Europe;
- Approximately 45 planes would be stored on site which will be single propeller General Aviation (GA) aircraft (with occasional Twins) with a range of up to 1,200 N miles.
- 90 aircraft have to be maintained every year by way of a 50 and a 100 hour check. If an aircraft completed 100 hours of flying in a year, it would have to attend the Fox's Maintenance Establishment twice. This only includes standard servicing whereas often aircraft have special work performed due to accidental damage etc.;
- There would be no change to the length or materials of the runway; and
- 2 types of air fuel would be stored on site and oils and paint - typical of a General Aviation (GA) airfield.

1.9 Further clarification was also sought on the amount of development. The applicant's response was:

Hanger A

Proposed Floor Space = 273m²

Hardstanding to front of Hanger A (including Helipad 2) = 607m²

Hanger C1

Proposed Floor Space = 566m²

Hardstanding to front of new Hanger C1 = 799m²

Tractor Shed

Proposed Floor Space = 9m²

The hardstanding associated with the maintenance facility/tractor shed already exists and therefore no new hardstanding is proposed.

The applicant also states the runway would undergo a widening of the concrete parts to allow a straightforward approach from the taxiways/hardstanding areas to the hangers. They claim it is therefore an extension for health and safety measures as it reduces the need for aircraft to manoeuvre when turning off or on to the runway when ground conditions are wet.

The existing hardstanding areas are to the front of Hanger B (590m²) and to the front of Hanger E (409m²).

1.10 The Barton Willmore Screening Report is hereafter referenced as "BWR"

2.0 Planning Policy and Legislation

2.1 The relevant legislation is the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (EIA Regulations) - SI 2011 No. 1824, as amended by the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015 (No 660).

2.2 Regard is had to case law including Baker vs Bath and North East Somerset Council [2009] EWHC 595 (Admin), Commercial Estates Group v Secretary of State [2014] EWHC 3089 (Admin) and more recently Mackman vs SoSCLG [2015] EWCA Civ 716. R (Ex parte Catt) v Brighton & Hove City Council [2013] EWHC (Admin) 977 and R (ex parte Hockley) v Essex County Council and Another [2013] EWHC 4051 (Admin) are also noted. These cases were primarily related to the accumulation of development and the consideration of how this is dealt with within the EIA Regulations. R (Bateman) v South Cambridgeshire District Council [2011] EWCA Civ 157 considered the adequacy of reasons in a screening opinion for the purposes of the EIA Regulations.

2.3 The Planning Practice Guidance (PPG) also provides guidance on matters relating to the Environmental Impact Assessment and due regard is given to the PPG in the preparation of this Screening Opinion.

3.0 Relevant Planning History

3.1 The most recent planning history is relevant to consideration of the accumulation the proposed works with other development. There are numerous previous applications relating to the expansion of the use of the land as an airfield. The expansion of the use of the site has been resisted and personal restrictions imposed on the early applications. Proposals include applications for hangars that have been both approved and refused.

3.2 76/0689/EUC - Established Use Certificate for Increased Use of an Existing Grass Airstrip for Private Flying - Granted 29 July 1976.

3.3 Planning permission was granted in 1980 for the increased use of the East-West Runway (though the runway was not the same extent which exists today, as the western end has been drawn-in and the eastern end extended) for a maximum of 40 take-offs and 40 landings per week between 06:00 and 23:00 hours. (2080 take offs and 2080 landings per annum).

3.4 86/1352/FUL - Construction of a clubhouse and 5 hangar buildings - Refused 1 September 1986.

3.5 2/90/009/0015K - Construction of a building for the storage of light aircraft at Bagby Airfield, West Farm, Bagby - Granted 27 July 1990.

3.6 05/01442/FUL - Change of use of agricultural building to agricultural and aircraft hangar - Granted 13 July 2005.

3.7 06/00482/FUL - Construction of an aircraft hangar - Granted 15 May 2006.

3.8 08/01109/FUL - Construction of replacement clubhouse with leisure facilities and accommodation, construction of 7 hangars with associated works, extension to existing hangar,

siting of 4 wind turbines, new vehicular access and landscaping works - withdrawn 16. October 2008.

3.9 09/00231/FUL - Revised application for the construction of a replacement clubhouse with leisure facilities and accommodation, construction of a workshop, 6 hangars with associated works, extension to existing hangar, siting of 4 No 3 metre diameter hangar roof mounted wind turbines, new vehicular access and landscaping works - Refused 28 April 2009.

3.13 10/01272/FUL - Revised planning application on Bagby Airfield comprising an airfield clubhouse with three bedrooms new/extended hangars with concrete aprons, new workshop/maintenance hangar artificial matting area on main runway relocated fuel line, access and car parking - Refused 3 September 2010 (the appeal is noted below).

3.14 11/02489/FUL - Construction of a hanger to accommodate an air ambulance with associated operations, crew room and toilet facilities (Hanger K) - Refused 24 February 2012.

3.15 On 28 June 2011 a decision was issued on 4 appeals (3 planning and an enforcement appeal). Hereafter referenced as "2011 Appeals". These being:

3.16 Planning Appeal A Ref: APP/G2713/A/10/2136646 (related to 10/01272/FUL) was dismissed. The development proposed was an airfield clubhouse with three bedrooms, new/extended hangars with concrete aprons, new workshop/maintenance hanger, artificial matting on main runway, relocated fuel line, access and car parking.

3.17 Planning Appeal B Ref: APP/G2713/A/10/2123181 (related to 09/04039/FUL) was also dismissed. The development proposed was a replacement helicopter landing pad and jet fuel stop facility.

3.18 Planning Appeal C Ref: APP/G2713/A/10/2123183 (related to 09/03959/FUL) was allowed and planning permission was granted for the provision of geo-textile matting to east-west runway and concrete apron to hanger A at The Airfield, Bagby, Thirsk in accordance with the terms of the application, Ref 09/03959/FUL dated 24 November 2009, subject to the following condition:

1. No additional matting shall be installed on the east-west runway and the concrete apron to hanger A shall not be extended without the prior written approval of the local planning authority.

3.19 Enforcement Appeal D Ref: APP/G2713/C/09/2114975 was allowed, the enforcement notice was quashed, and planning permission was granted on the application deemed to have been made under section 177(5) of the 1990 Act as amended for the development already carried out, namely the construction of aircraft hanger E, the concreting of the apron to aircraft hanger E and the concreting of part of the main east-west runway as referred to in the notice subject to the following conditions:

1. No additional concrete shall be installed on the east-west runway and the concrete apron to hanger E shall not be extended without the prior written approval of the local planning authority.
2. No lighting or additional lighting shall be installed on hanger E without the prior written approval of the local planning authority.

3.20 In addition, enforcement appeals under the following references were determined on 30 June 2012. Hereafter referenced as "2012 Appeals"

Appeal 1 - Ref: APP/G2713/C/11/2165522

Appeal 2 - Ref: APP/G2713/C/11/2167446

Appeal 3 - Ref: APP/G2713/C/11/2167211

Appeal 4 - Ref: APP/G2713/C/11/2167443

Appeal 5 - Ref: APP/G2713/C/11/2167438

Appeal 6 - Ref: APP/G2713/C/11/2167441
Appeal 7 - Ref: APP/G2713/C/11/2167436
Appeal 8 - Ref: APP/G2713/C/11/2167163
Appeal 9 - Ref: APP/G2713/C/11/2167167
Appeal 10 - Ref: APP/G2713/C/11/2167171
Appeal 11 - Ref: APP/G2713/C/11/2167216
Appeal 12 - Ref: APP/G2713/C/11/2167218
Appeal 13 - Ref: APP/G2713/C/11/2167222

3.21 Of the above, Appeal 13 was allowed on ground (c) and the enforcement notice, as corrected, was quashed. Appeal 4 was allowed on ground (g) and the enforcement notice was upheld with a variation to the period for compliance. Appeals 1, 5, 6, 7 and 8 were dismissed and the enforcement notices were upheld. Appeals 9 and 10 were dismissed and the enforcement notices were upheld with corrections. Appeals 2, 3, 11 and 12 were withdrawn.

3.22 On 22 January 2014 two further enforcement appeals were determined. Hereafter referenced as the "2014 Appeals".

3.23 Appeal 1 Ref: APP/G2713/C/13/2192289 - The breach of planning control as alleged in the notice was: "Without planning permission, the material change of use of the site from an airfield with annual air traffic movements of 3,678 to an airfield and heliport with annual air traffic movements of 7,044 (1 June 2011 to 31 May 2012). The use of the site as an airfield has intensified to such a degree to amount to a material change in the character of the use". The appeal was allowed and the enforcement notice as corrected was quashed.

3.24 Appeal 2 Ref: APP/G2713/C/13/2192293 - The breach of planning control as alleged in the notice was: Without planning permission, operational development comprising a fuel facility, the component parts of which comprise:

- i. A fuel tank;
- ii. A blockwork wall which surrounds the fuel tank;
- iii. A pipe connecting the fuel tank to a sampling unit;
- iv. A fuel dispenser and sampling unit including a pump.

The appeal was dismissed and the enforcement notice was upheld with a correction and variations.

3.25 There are two enforcement notices that have been served that are pending consideration by appeal in May 2016. The notices relate to the formation of additional areas of tarmac to widen taxiways (APP/G2713/C/14/3000758) and the provision of fuel facilities (APP/G2713/C/15/3087177).

4.0 Consultations and Representations

4.1 There is no requirement to carry out publicity in the consideration of a screening opinion. However, the Council has provided details of the Screening Opinion Request on the Council's website and consulted statutory consultees. Local residents have commented in detail that it is unarguable that the development is "significant" (meaning that EIA is required) whatever test is used. In their view this particularly the case once the proper cumulative test is used which embraces amongst other matters the effective proposals for development made by the airfield in the current enforcement appeals. A negative screening opinion for the benefit of the airfield will be legally flawed

4.2 The public representations include a lengthy submission on behalf of Action4Refusal (appended). The issues raised are addressed below.

4.3 Bagby and Balk Parish Council and Thirkleby Parish Council also support the residents' conclusions that an EIA is required

4.4 Environmental Health Officer - Advice has been given regarding how the presence of asbestos within site should be dealt with in any future proposal.

5.0 Assessment

5.1 Schedule 3 to the 2011 Regulations sets out selection criteria which must also be taken into account in determining whether the development is likely to have significant effects on the environment. The selection criteria in Schedule 3 are grouped as follows:

Characteristics of Development

1. The characteristics of development must be considered having regard, in particular, to -
 - (a) the size of the development;
 - (b) the cumulation with other development;
 - (c) the use of natural resources;
 - (d) the production of waste;
 - (e) pollution and nuisances;
 - (f) the risk of accidents, having regard in particular to substances or technologies used.

Location of Development

2. The environmental sensitivity of geographical areas likely to be affected by the development must be considered having regard, in particular, to -
 - (a) the existing land use;
 - (b) the relative abundance, quality and regenerative capacity of natural resources in the area;
 - (c) the absorption capacity of the natural environment, paying particular attention to the following areas - [certain types of area are listed].

Characteristics of the potential impact

3. The potential significant effects of the development must be considered in relation to criteria set out under paragraphs 1 and 2 above, and having regard in particular to -
 - (a) The extent of the impact (geographical area and size of the affected population);
 - (b) The transfrontier nature of the impact;
 - (c) The magnitude and complexity of the impact;
 - (d) The probability of the impact;
 - (e) The duration, frequency and reversibility of the impact."

5.2 Under Schedule 2 Column 2 Applicable thresholds and criteria 10(e) Construction of airfields (unless included in Schedule 1); (i) The development involves an extension to a runway; or (ii) the area of the works exceeds 1 hectare. It is disagreed that the Screening Opinion should be considered to be an urban development project under 10(b) as stated in the BWR.

5.3 The information below is based on the guidance in Circular 02/99: Environmental Impact Assessment and information provided in letters to Chief Planning Officers issued by CLG in 2009 and 2011. The Planning Practice Guidance (PPG) has been amended and updated the previous Circular and the content of the PPG is duly noted.

5.4 The criteria and thresholds in the PPG, EIA Circular and Regulations are only indicative. In determining whether significant effects are likely, the location of a development is of crucial importance. The more environmentally sensitive the location, the lower will be the threshold at which significant effects will be likely. It follows, therefore, that the thresholds below should only be used in conjunction with the more general guidance in this Circular on "Establishing whether EIA is required" and, in particular, the guidance on environmentally sensitive locations.

5.5 The Regulations define Environmentally Sensitive Locations as Sites of Special Scientific Interest and European Sites; National Parks, the Broads, and Areas of Outstanding Natural

Beauty; and World Heritage Sites and Scheduled Monuments. Local designations which are not included in the definition of sensitive areas may also be relevant in determining whether an assessment is required.

5.6 The nearest Scheduled Monument is a medieval moat that is located 160m south east of The Grange which in turn is approximately 1.4km from the nearest point of the airfield site. The nearest ecological designation is Spring Wood, Thirkleby which is approximately 1.7km to the southeast which is an Ancient Woodland. Listed Buildings in the village of Bagby include Smithy Farm, Smithy Farm Cottage, Bagby Hall, East Farm Cottage, St Marys Church and Split Farthing Hall. The nearest National Park is the North York Moors National Park and is approximately 3.5km east of the Airfield. The nearest AONB is the Howardian Hills the boundary is approximately 7.4km to the southeast.

5.7 There is no evidence that any national or internationally agreed environmental standards relevant to planning (e.g. air quality) are already being approached or exceeded.

Characteristics of the Development

5.8 As noted in 1.1, the site extends to approximately 15.6 hectares (ha) and comprises a privately owned airfield. Agricultural land surrounds the airfield which is land owned by the applicant. One mainly grass runway runs west to east through the southern section of the site. To the south of this runway are five hangars of various sizes (hangars A, B, C, D and E) together with a helipad. To the north of the runway are four further hangars (hangars F, G, H and I) together with a Clubhouse, another helipad and a maintenance building which houses an engineering business. The airfield also contains various items of infrastructure, such as fuelling facilities, storage and a control tower, all of which enable the airfield to function. The existing development and demolition of existing buildings on the site is noted and considered.

5.9 There is no other development of significance in the vicinity that is allocated, proposed or approved.

5.10 It is noted that at Paragraph 70 of the 2011 Appeals that an Environmental Impact Assessment (EIA) was not submitted at application stage and it was concluded, at The Planning Inspectorate some time before the Inquiry, that none was required to be submitted by the Appellant at appeal stage. It is noted that the local action group disputed the conclusion but as the appeal was dismissed EIA was not considered further.

5.11 The development proposal, described in 1.5 of this report, increases the amount of development to 3,407m² from 3,215m² (GIA). The total floor space to be lost through demolition is 581m² and new build and conversion of engineering building to clubhouse and control tower and the change of use of the large storage hanger to an engineering workshop would therefore be approximately 1,354m². The re-use of existing floor space is also noted as is new hardsurfacing.

5.12 The existing development on the site is also factored into the assessment of this case and is established by decisions on previous applications, appeals or lawful development certificates. The recent appeal decisions sought to establish a lawful level of Aircraft Movements (AMs) however this is still in dispute. This is particularly important in considering the Screening Criteria at 3.12 of BWR assessment which considers Schedule 3 of the Regulations.

5.13 In the consideration of Pollution and Nuisances the issue of Aircraft Movements (AMs) are a key consideration. At the 2011 Appeals the Inspector considered this matter at length (paragraphs 31 to 57). He noted the position of all parties; the Appellant claimed 1000 AMs per month and 100 AMs per day; the Council, 477 AMs per month, 110 AMs per week and 16 AMs per day; and A4R, 84 AMs per week and 12 AMs per day which equates to about 360 AMs per month. The Inspector concluded that 703 AMs per peak month is the likely fallback position.

5.14 The 2014 Appeals Inspector concluded that the essential aspect of the allegation is intensification to such a degree as to amount to a material change in the character of the use of the airfield (Paragraphs 68-84). There was general agreement in closing submissions at the end of the inquiry that the quantitative information is only part of the evidence. The change in character has been associated primarily with the developments on the surrounding land outside the planning unit of the airfield. The Inspector concluded that, on the balance of probability and all the evidence available, the matters stated in the notice do not constitute a breach of planning control. The appeal succeeded on ground (c), that there had not been a breach of planning control.

5.15 The 9,500 AM's per annum limit is central to the BWR claim (at 2.10) that the proposal is not EIA development. The evidential basis for this figure (in the light of the 2014 Appeals) is unclear given that the 9,500 AM figure is in excess of previous assessments. The physical development alters the runway and the hardsurfacing of the wider apron and this is not discussed a 1(a) of the BWR Assessment.

5.16 European Guidance describes cumulative impact as being "impacts that result from incremental changes caused by other past, present or reasonably foreseeable actions together with the project. The consequential development and impact of the proposals is that the proposal could establish a capacity for higher levels of activity (both flights and maintenance works), larger planes and increased Air Movements combined with an improved layout would allow for movements at longer periods as a consequence of altering the runway and apron. Further at 2.10 of the BWR Assessment it is noted that the proposed development does not include any additional aircraft storage floorspace albeit the maintenance space will increase. Whilst the BWR Assessment does state that increase in maintenance space is not expected to lead to an increase in flight movements, it is reasonably foreseeable that increases in the capacity of both flights and maintenance operations could result from the proposed development.

5.17 The scale of the development (including setting a limit of 9,500 AM's) is therefore potentially significant (Part 1(a)); the size of the development is potentially significant in combination with the existing development which is not proven to be lawful (Part 1(b)). It is not easy to disaggregate the proposed development from the existing use of the site, which has not been certified as lawful. Given the complexity of the issue and the potential magnitude and difference between the figures discussed at the previous Public Inquiries and presented in the BWR Assessment this lends itself to determining that the proposals made are EIA development due to the complexity and magnitude of the assessments of the proposals. It is also noted that Helicopter movements in the submitted BWR Assessment are not detailed in any significant way.

5.18 Having regard to the planning history outlined above at Section 3 and the summaries above, the assessment is therefore whether or not there would be a material change in character of the airfield that would automatically result in a change that requires planning application to be submitted with a Environmental Statement.

5.19 It is noted that the BWR Assessment has highlighted that there would be no change to the length or character of the runway as referred to by BWR Assessment at 2.11. From the submitted plans the proposed runway would be altered in width. There also would be alterations or extensions with new areas of hardsurfacing relating to extensions to the northwest (for the maintenance facility) and the southern part of the site relating to the replacement hangar. The areas of hardsurfacing would be significant and potentially facilitate a change in the character of the existing airfield or maintenance facility.

5.20 It is noted that the BWR Assessment of "1(c) use of natural resources" is that the proposed demolition, construction and operational phases of the development would use resources in terms of land, water and energy as would be expected for a development of this nature. In assessing the use of land there are changes proposed to the surfacing of the airfield such as the expansion of

hard surfacing onto previously undeveloped land. There are no other impacts on water or energy that are identified in the BWR Assessment.

5.21 It is noted that it has been clarified that the landscaping would not include the importing of waste or materials (e.g. for the creation of new bunds or the levelling of the site). It is noted that there is asbestos on the site and in the buildings which would need to be dealt with during the demolition, however this is not complex or of a magnitude that is unusual for the size of development or of significance that would call for an Environmental Impact Assessment. The Site Investigation Report, commissioned by Jane Wernick Associates Limited (Report No. 36068-01, dated February 2008) has been noted but this will need to be updated and reviewed as part of a subsequent submission. The conclusions of the BWR Assessment at 1(d) are noted and it is agreed that this aspect does not call for an EIA.

5.22 Noise pollution and nuisance (at least in part) is derived from the level of AMs, and is especially dependent on the type of aircraft undertaking such AMs (Part 1(e)). There is also the level of maintenance operations, helicopter flights and other ancillary operations to understand and assess. Having regard to all the evidence (of previous appeals and evidence submitted) the proposals would result in significant environmental impacts on pollution and nuisance by particular considerations of noise and AMs. The BWR Assessment indicates that a noise monitoring exercise was conducted in September 2015 at Bagby Airfield, and from this it was concluded in the BWR report that existing noise levels in Bagby Village are acceptable in relation to what they refer to as the prevailing standards. The scope and content of the noise survey and whether the lawful use and what background levels were considered have not been indicated and on the lack of information the BWR conclusions are not accepted. The September 2015 noise survey has not been submitted with the BWR report and as such no assessment has been possible of that assessment and no reliance can be applied upon it.

5.23 Having regard to the risk of accidents, and in particular to substances or technologies used and that the proposal would involve the use of oil, paint, fuel and maintenance equipment, these would not result in issues or storage, use or handling of substances that would call for an EIA. The risk of accidents from aircraft themselves would also be limited as the maintenance and licencing of pilots is controlled by aircraft regulations.

Location of Development

5.24 Consideration Criteria 2(a) within the BWR Assessment notes the presence of Home Wood and York House Caravan Parks. The villages of Bagby and Thirkleby (both Great and Little) are the most local concentrations of resident population. As stated above given that the 9,500 limit is central to the BWR claim (at 2.10) that the proposal is not EIA development the evidential basis for this figure (in the light of the 2014 Appeals) is given that the 9,500 ATM figure is in excess of previous assessments. Given the proximity of the Airfield to the village and considering that the local resident population has shown sensitivity to the issue of aircraft noise from the site (Part 2(a)) and considering the potential for intensification of development that could occur, the proposal would have impacts of significance.

5.25 As stated above the nearest Scheduled Monument is a medieval moated grange located 160m south east of The Grange which is approximately 1.4km from the nearest point of the airfield site. The nearest ecological designation is Spring Wood, Thirkleby which is approximately 1.7km to the southeast which is an Ancient Woodland. Listed Buildings in the village of Bagby include Smithy Farm, Smithy Farm Cottage, Bagby Hall, East Farm Cottage, St Marys Church and Split Farthing Hall. The nearest AONB is the Howardian Hills the boundary to the AONB is approximately 7.4km to the southeast and the distance to the North York Moors is approximately 3.5km east of the airfield.

5.26 The site is not associated with a wetland, coastal zone, mountain or forested areas and a nature reserves and parks (in relation to part c) of the regulations in particular). The nearest Habitat designation is distant from the site.

5.27 The BWR Assessment highlights that a Phase 1 Habitat Survey, conducted in September 2015, has identified the control tower (part of the clubhouse), that is to be demolished, as supporting pipistrelle bat roosts; inactive swallow nests are also present in the clubhouse. It also highlights that the remainder of the buildings to be demolished offer no risk to important or sensitive species. Mitigation measures would be implemented to ensure the continuity of bat roosting features and limit the effects on nesting birds during the construction phase. Whilst it is noted in that the Phase 1 Habitat Survey has been carried out, the survey has not been submitted and therefore the scope and content cannot be assessed for their significance or importance to the wider environment or species. The comments of residents that the presence of bats calls for an EIA are noted. The presence of bats and their mitigation are noted and considered.

5.28 In terms of the archaeological, cultural and landscape designations, it is noted that the countryside setting is one of rolling and undulating fields that is an attractive landscape. The BWR Assessment notes that the potential for local views of the site exists from adjacent and nearby roads and the residential properties within Bagby. It is noted that a landscape and visual impact assessment (including a landscape management plan) is to be submitted with the planning application.

Characteristics of the potential impact

5.29 The proposal both cumulatively and individually need to have regard to the extent of the impact and whether there is significance in terms of the geographic area and size of the affected population. The proposed works and the cumulative impact of the works are relatively minor and dispersed movements across the UK and abroad would not result in significance that would call for an EIA or a transfrontier impact that would have an environmental significance. The probability of the impact and the duration, frequency and reversibility of the impact are also considered.

5.30 The BWR Assessment of 3(a) is not agreed as the extent of the impact can be significant as the impact is not just limited to site. This is formed from the assessment of 10(e) rather than an urban development (10(b)). It extends to noise from aircraft taking off, landing and manoeuvring around the site, the site is therefore related to consideration of a wider area and the extent of the impact is wider than that indicated in the BWR Assessment.

5.31 As the Airfield has exercised several public inquiries and over 40 years of planning history, the proposed impact is highly complex and involves a significant range of issues. The BWR Assessment of Part 3(c) is therefore not accepted.

5.32 Having regard to the BWR Assessment of Part 3(d) the probability of the impact depends on the reliability of the underlying evidence, which is uncertain at this stage in relation to noise and the background information in relation to the AMs and the evidence base for 9,500 in particular but also the comments at 2.10 which highlights the maintenance space will increase. Having regard to the level of activity that could reasonably be foreseen, whilst BWR states that AMs are not expected to increase beyond what is lawful there is, given the amount of hardsurfacing that could be made available, potential for additional capacity for aircraft on the site to be provided with consequential impacts on flight numbers and activity. The BWR Assessment of Part 3(d) is therefore not accepted.

5.33 The BWR Assessment of Part 3(e) is noted it is agreed that the operational aspects would be long term and permanent. As to whether it is possible to mitigate or compensate the impact, based on the evidence submitted, is difficult to assess. Similarly there is an unpredictable frequency dependent on weather (for example) and the environmental impact is not reversible.

Conditions and S106

5.34 Gillespie v First Secretary of State [2003] EWCA Civ 400 is noted in this respect and the evidence submitted. It is noted that it is suggested that a noise assessment, landscape and visual assessment, habitat survey and site investigation report are suggested to be submitted alongside a drainage and flood risk report and transport statement and travel plan. It is also recommended that an asbestos survey would need to be submitted (either as part of a site investigation report or a stand-alone document).

5.35 Bats and asbestos, for example, are controlled and safeguarded under other legislation in addition to the planning consideration. With regard to bats being identified in buildings, Natural England licences would be required and any report would need to be assessed. There is a possibility that a robust mitigation strategy could be agreed and controlled by condition and licence arrangements.

5.36 Turning to the applicant's offer of a legal agreement to limit movements and a Code of Conduct at 2.11 it is noted that a cap on flight movements would be enforced based on historic levels (from 2003) and a Code of Conduct would be put in place to further limit these movements. These details will be implemented by a legal agreement but no further details are submitted as to the content or enforceability of such an Agreement. However, these are core and central to the consideration and the submission indicating that this is at 9,500 AM

Conclusions

5.37 Having considered the regulations, case law, together with the substantive planning and enforcement history, and issues raised by residents, the considerations of the above legislation, designations both individually and cumulatively, the proposals would raise issues or a level of development that would significantly alter the character of the airfield from a small private airfield and associated development that would call for an Environmental Impact Assessment.

6.0 RECOMMENDATION:

6.1 OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014

6.2 The decision: as recommended at 6.7

6.3 The reasons for the decision: as set out above.

6.4 Alternative options considered:

- Granting planning permission without conditions or planning obligation
- Granting planning permission with conditions
- Granting planning permission with conditions and planning obligation
- Refusing planning permission
- Recommending the application be withdrawn

6.5 Executive Members of the Council who have declared a conflict of interest in the decision:

None

(Note: if any Member has declared a conflict of interest, the application must be referred to Planning Committee for decision)

6.6 Dispensations in respect of Executive Members

(This should always be “none” – if a Member has a dispensation, it is to allow the decision to be taken by Committee)

6.7 That **ENVIRONMENTAL STATEMENT IS REQUIRED**

1. Having regard to the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (EIA Regulations) - SI 2011 No. 1824, as amended by the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015 (No 660) and associated case law and guidance; and with particular regard to Schedule 2 10(e) it is concluded that the proposed works would call for an Environmental Impact Assessment for the following reasons:

The site has a complex and significant planning history and established lawful use of the site. The lawful level of Aircraft Movements (AMs) is still disputed and the level of AMs proposed (at 9,500) are significantly higher than highlighted in previous appeal decisions with helicopter movements also of potential significance.

Alterations to the runway, associated apron, demolition and rebuilding of hangars, access to hangars, increase in maintenance area and the size of development in consideration of the cumulative impacts, would result in significant environmental impacts that result from incremental changes caused by other past, present or reasonably foreseeable actions together with the project that would intensify the use at Bagby Airfield that require consideration through an Environmental Statement.

The associated impacts include the assessment of noise and nuisance pollution derived from the level of AM's, especially dependent on the type of aircraft undertaking such AM's, landscape character, relationship to sensitive receptors, bats and protected species. The probability and extent of the impact depends on the reliability of the underlying evidence, which is uncertain at this stage. Impacts extend beyond the application site to include movement from aircraft taking off, landing and manoeuvring around the site.

Impacts of road traffic movement from operational development, drainage, asbestos and remediation will also need to be assessed.

Specifically it is considered that the tests outlined in Schedule 3 Part 1(a), (b), (d) and (e); Part 2(a), Part 3(a), (c), (d) and (e) are exceeded and an Environmental Statement is required.

This opinion is formed on the basis of the submitted material and current legislation and case law. Should there be a significant change in circumstances the screening opinion should be resubmitted for further assessment.

Hambleton District Council
Civic Centre, Stone Cross
Northallerton
North Yorkshire
DL6 2UU

By email & post:

4 February 2016

Dear

RESPONSE TO BAGBY AIRFIELD ENVIRONMENTAL IMPACT ASSESSMENT APPLICATION

1. This letter is a response on behalf of Action 4 Refusal to the Bagby Airfield Environmental Impact Assessment Screening Report of January 2016 produced by Barton Willmore LLP ("BW").
2. As you are aware, we don't believe that you are entitled as an individual to take the decision on behalf of HDC that BW is requesting. The decision is important and controversial and greater specific formality is required if Regulation 3(4) EIA and the Walton case is to be complied with. To be safe, the decision should be taken by the Planning Committee to which the matter can be referred.
3. Without prejudice to this point on delegation, for reasons set out below our views are as follows:
 - The BW request that an EIA is not necessary cannot legally be granted because the application incorrectly classifies the proposed development as being under the Infrastructure heading rather than "Construction of Airfields" in the Schedules to the Regulations.
 - Once the proper classification (Construction of Airfields) is adopted, the effect on the environment proposed development is clearly significant as relevant thresholds are exceeded by a very much greater margin.
 - This significance is intensified by a cumulative impact assessment that is required by applicable law.
 - In circumstances where there is some doubt about proposed conditions being enforceable and remedial measures are not plainly established and uncontroversial (as in this case), an EIA should be required.
 - What is more, the BAT assessment which is flagged as being necessary in BW cannot simply be provided with the planning application. On the basis of decided cases the survey must be included within the Environmental Statement now to comply with regulation 3.2 of the EIA Regulations.

4. It is accepted that EIA's should only be required in relatively few cases and that the relevant planning body enjoys a large measure of discretion in determining the significance of environmental effect of a proposed development; however the current application simply cannot be granted legally and an EIA is required.

The mis-classification of the project under EIA Regulations

5. BW state that the proposed development falls within category 10(b) of Schedule 2 (Infrastructure Projects - Urban Development). BW admit in paragraph 3.7 that the area of development exceeds 5 hectares and therefore the threshold in the Schedule is exceeded. However, in this sub-category, the threshold for the area of development is actually 0.5 hectares. BW is simply wrong on the applicable threshold: it follows that the degree that the threshold is exceeded is very substantially understated by BW.
6. But in any event, the proposed developed is patently not an Urban Development Project such as a shopping centre or a multiplex cinema at all. Instead, the proposed development in a semi-rural landscape falls within category 10(e)(i) and (ii) in that it involves an extension to a runway (widening is enough to satisfy this condition) and the area of works exceeds 1 hectare. In the case of *R (Goodman) v Lewisham Borough Council [2003] EWCA*, misconstruing the schedules is an error of law that is legally reviewable. A decision approving that BW's application will therefore be clearly unlawful as an erroneous yardstick is bound to lead to an unreasonable conclusion.
7. Once the correct classification is made under the Schedules the key issue is whether the development that exceeds the thresholds has a significant effect on the environment. In making this assessment the degree by which a threshold is exceeded must be taken into account.
8. In supporting its case on lack of significance, at paragraph 1.11, BW say that HDC adopted an opinion that the revised development was not an EIA development in 2010. The implication clearly here is that because the current proposed development is more limited in scope, an EIA is not required here because of a lack of significant effect. However, the 2010 scheme was clearly incorrectly classified under the Tourism head and not assessed under the Construction of Airfields head. (see attached correspondence). It is scarcely surprising therefore that it was deemed not to be an EIA development. The incorrectness of the classification under the Tourism head was confirmed when the scheme was refused planning permission on the grounds of noise (hotels not being known to create much in the way of noise). It follows that BW's implied justification is invalid.
9. In any event, the proper test for the significance of the effect is a cumulative one which is set out in category 13(b) of Schedule 2. Thus, it is necessary for HDC to take into account not just the proposed development (which is significant itself for the reasons set out below) but its effect by reference to what has happened at the airfield since HDC lost planning control. The "before" and "after" yardstick goes a long way further back than the application indicates. When the cumulative exercise is carried out properly, it is not even arguable that the developments are not very significant indeed for the airfield has changed, in the words of Inspector from a

leisure facility to a mixed commercial/leisure use over the relevant period.

10. Further intensification is now proposed with the widening of the runway (ostensibly for health and safety reasons) but in reality to assist commercial operations. A noisy maintenance facility (which as extended is bound to generate more flights as more aircraft come and go) will be moved closer to the village and flight numbers are set to increase to 9500 per annum. This increase is significant intensification from the levels which HDC currently believe (wrongly in the residents' view) to be around 7000. HDC have already indicated that such an uplift would amount to intensification (see attached note showing that 8000 is the upper limit in HDC's view). No information is provided on the mix of flights that will be used and in particular nothing is said about how many helicopter flights will be envisaged.
11. With noise being the key issue, all that HDC has at its disposal of recent potential relevance is the self-serving report referred to in BW. An EIA would look at the issue of noise on an objective basis - something that is yet to happen at all but which is now imperative.

The inadequacy of conditions

12. This need for an EIA is reinforced where possible measures to mitigate environmental effects are uncertain in their efficacy. In the case of *Gillespie v First Secretary of State [2003] EWCA* the Court decided that a planning authority should exercise its discretion in favour of requiring an EIA where prospective remedial measures are not plainly established and not plainly uncontroversial. This case could not be more apposite here. At 2.11, BW say that a Code of Conduct would be set up to limit movements to "historic levels". As HDC will only be too well aware, until recently, the airfield has not even engaged in the process of supplying flight data. Inspector herself was highly sceptical of the efficacy of any of the controls put forward at the last enquiry to address resident's concerns about noise.

"... no mechanism was proposed as to how the Appellant would ensure compliance with the restrictions on air movements and how this would be enforced in practice... However as the current appeal has illustrated, acute difficulties have arisen from inadequate monitoring and record taking. Questions therefore arise, such as once a limit has been exceeded how would additional movements for fuel be prevented?"

13. Historically, self-certification is what the airfield wants and HDC has proved powerless to prevent it from marking its own homework. (see attached letter on monitoring from). As a result, increasing intensification has occurred and more is projected. For this reason any discretion HDC enjoys (which in reality it does not enjoy here) should be exercised in favour of an EIA being carried out.

Habitat issues

14. Finally (and this is an issue where discretion is not relevant) BW notes the existence of bats. The case of *R v Cornwall County Council Ex Parte Hardy (2001) ENV LR 473* decided that where preliminary surveys have identified the possible presence of bats (a European protected species) the local authority could not conclude that there were no environmental effects until further surveys had been done. This was

confirmed in the Hereford case. What this means is that the current application cannot legally be compliant with the EIA regulations (Regulation 3.2). Any planning permission which is granted where an EIA screening has not contained information which should have been contained in the Environmental Statement is unlawful. It follows that a survey has to be carried out in the EIA now.

The need for a reasoned decision

15. A number of other submissions have been made particularly those of which highlight a number of matters which HDC should take into account. However, for the reasons set out above the case for an EIA and rejection of the flawed application by BW is very clear.
16. In reaching any decision, EIA is under a duty to provide adequate reasons; the above points need to be specifically addressed (as well as adopted) by the HDC now. We therefore look forward to a correct decision being reached by HDC.

Yours faithfully

From:
Sent: 25 May 2010 15:18
To:
Cc:
Subject: RE: Bagby Airport ; FOI 1746

Dear

The issue of airport development is not specified in our screening opinion as the proposal was not for a new or extended airfield but to create an hotel and other airfield facilities.

Regards

Stone Cross
Hambleton District Council

Tel: 01609 767113 (direct line)
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Fax: 01609 767228
Email: tim.wood@hambleton.gov.uk
Website: www.hambleton.gov.uk

An Excellent Council Making Life Better

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-----Original Message-----

From:
Sent: 25 May 2010 14:17
To:
Cc:
Subject: RE: Bagby Airport ; FOI 1746

Dear

thank you for the report and the reference to para 1.13. You have only enclosed that part of the screening opinion that relates to the tourism header(12) and not the airfield (10)

I would be grateful if you supplied this element so we can satisfy ourselves about the approach taken and that relevant factors have been considered as para 1.13 would indicate

regards

From:
Sent: 25 May 2010 13:57
To:
Cc:
Subject: RE: Bagby Airport ; FOI 1746

Dear

I have attached a copy of the report to the Development management Committee in respect of the 2009 application. At paragraph 1.13 the issue of Environmental Impact is addressed.

09/00231/FUL

**HAMBLETON DISTRICT COUNCIL
THE TOWN AND COUNTRY PLANNING
(ENVIRONMENTAL IMPACT ASSESSMENT)
(ENGLAND AND WALES) REGULATIONS 1999**

THE SCREENING OF PLANNING APPLICATIONS IN ACCORDANCE WITH REGULATION 7

1. Does this proposal fall within any of the descriptions of development described in Schedules 1 and 2 of the Regulations?
(Please tick appropriate box)

NO (Go to Section 7)

YES Schedule 1 (Go to Section 6)

YES Schedule 2 (Go to Section 2)

12 Tourism & leisure.

2. Has this proposal been the subject of a pre-application screening determination. If no, go to Question 3. If yes, was an EIA deemed necessary?
(Please tick appropriate box)

NO (Go to Section 3)

YES (Go to Section 5)

3. Is the proposal located in a sensitive area?
(Please tick appropriate box)

NO (Go to Section 4)

YES (Go to Section 5)

4. Does the proposal meet any of the relevant thresholds and criteria set out in the Regulations?
(Please tick appropriate box)

NO (Go to Section 7)

YES (Go to Section 5)

Area of site for hotel complex exceeds 0.5 hectares.

5. Is the proposal likely to have significant effects on the environment?
(Please tick appropriate box)

NO (Go to Section 7)

YES (If yes, please summarise the reasons why in the space below then go to Section 6)

Reference to guidance of C. 02/99 scheme is far below the 300 bed spaces noted at para A33.

Scheme is for a "low impact" low rise, "green"

5. continued

building, using low carbon technology with no significant risk of pollution from the hotel.

Any impact would be local and not affect any protected habitat or species.

6. The applicant must be notified that this proposal requires an EIA.

Date applicant was notified .

7. I hereby confirm that I have screened this proposal in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 and found that:-

- (a) ~~an EIA is required, or~~
- (b) an EIA is NOT required.

NAME _____ SIGNATURE _____ DATE 2-2-09

CHECKED BY _____

Bagby Airfield, Thirsk

Environmental Impact Assessment Screening Report

January 2016

Bagby Airfield, Thirsk

Environmental Impact Assessment Screening Report

Prepared on behalf of Martin Scott

Job Number:	25545/A5/EIAScreening	25545/A5/EIAScreening	25545/A5/EIAScreening
Status:	Draft	Final	Final
Issue/Rev:	01	02	03
Date:	1 st December 2015	6 th January 2016	25 th January 2016
Prepared by:	Hannah Bedding	Hannah Bedding	Hannah Bedding
Checked by:	Robert Devas	Mary Mescall	Mary Mescall

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APPENDICES

APPENDIX 1:	SITE LOCATION PLAN
APPENDIX 2:	EXISTING AND PROPOSED SITE LAYOUT PLAN

1.0 INTRODUCTION

1.1 This report has been prepared in support of a request to Hambleton District Council (HDC) to adopt a screening opinion to determine whether the proposed development of Bagby Airfield, Thirsk (see site location plan at Appendix 1), constitutes EIA development.

1.2 This report reflects the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011¹ (the “EIA Regulations”) and in accordance with Regulation 5 of the EIA Regulations, this report contains:

- A plan sufficient to identify the land;
- A brief description of the nature and purpose of the development and of its possible effects on the environment; and
- Other information the applicant wishes to provide.

Requirement for EIA

1.3 In order to determine whether the proposed development is ‘EIA development’, regard must be had for the EIA Regulations and supporting Planning Practice Guidance (PPG)².

1.4 EIA development is defined by the EIA Regulations as development:

“likely to have significant effects on the environment by virtue of factors such as its nature, size or location”.

1.5 EIA development falls into two Schedules of the EIA Regulations. EIA is mandatory for developments listed within Schedule 1. Schedule 2 developments require EIA if they would lead to likely significant effects on the environment.

1.6 In deciding whether a Schedule 2 development is EIA development, Regulation 4(6) states:

“Where a local planning authority ... has to decide under these Regulations whether Schedule 2 development is EIA development ... the authority ... shall take into account in making that decision such of the selection criteria set out in Schedule 3 as are relevant to the development.”

¹ SI 2011/1824 as amended by the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015 (No. 660)

² DCLG, 2015, online access: <http://planningguidance.planningportal.gov.uk/blog/guidance/environmental-impact-assessment/>

- 1.7 In order to allow HDC to determine the need for EIA, this report provides a description of the site and proposed development, a review of the EIA Screening Criteria based on the EIA Regulations and the PPG, a completed EIA Screening Checklist, and a site location plan at Appendix 1.

Planning History

- 1.8 Three larger planning applications have been submitted at the Bagby Airfield site. The first application in April 2008 (LPA reference: 08/01109/FUL) was for the *'construction of replacement clubhouse with leisure facilities and accommodation, construction of seven hangars with associated works, extension to existing hangar, siting of wind turbines, new vehicular access and landscaping works'*. In May 2008, HDC adopted the screening opinion that the proposed development was not EIA development. In October 2008 the application was withdrawn by the Applicant.
- 1.9 A second application which was for a *"Revised application for the construction of replacement clubhouse with leisure facilities and accommodation, construction of a workshop, 6 hangars with associated works, extension to existing hangar, siting of 4 No 3 metre diameter hangar roof mounted wind turbines, new vehicular access and landscaping works"* was submitted in April 2009. This application was refused and subsequently appealed. The appeal was later withdrawn.
- 1.10 In May 2010 a reduced scheme was submitted (LPA reference: 10/01272/FUL), omitting the hotel and leisure facilities. This application consisted of:
- A single storey clubhouse (414sqm floorspace);
 - New/replacement hangars – An increase from existing 3,134sqm of hangarage to 4,283sqm of hangarage which will include plane storage, servicing and maintenance;
 - Replacement workshop/maintenance hangar;
 - Relocated "Jet A1" fuel line;
 - Matting on airfield runway; and
 - Access, car parking, landscaping.
- 1.11 This application was also subject to an EIA Screening Opinion and HDC adopted the opinion that the revised development was not EIA development. The 2010 scheme was refused planning permission by HDC on the grounds of noise, a lack of a business case and adverse impacts upon visual amenity. At a subsequent appeal of this refusal of planning permission, the Planning Inspector accepted that there would be no adverse impacts upon visual amenity

of this larger scheme. However, concerns were raised on noise and the lack of a business case and the appeal was ultimately dismissed on these grounds.

- 1.12 The proposed development, forms a further reduced scheme to that submitted in 2010 and comprises 3,407sqm of floorspace, which is only an increase of 192 sqm to that existing on site as well as the other aspects set out in paragraph 2.5.

2.0 SITE AND PROPOSED DEVELOPMENT

Site Context

- 2.1 The site (see site location plan at Appendix 1) is located to the south of the village of Bagby, within the administrative area of HDC. Bagby lies approximately 3.5km to the south east of Thirsk and 18km to the east of Ripon.
- 2.2 Immediately to the north of the site is Bagby Lane, as well as the village of Bagby and a sewage farm. Further north lies undeveloped, agricultural fields before Thirsk Industrial Park and the A170 (Sutton Road). Poultry houses and Cherrytree Farm are located immediately to the east of the site, with agricultural fields located beyond. Immediately south of the site are further agricultural fields, with the wooded areas of Pond Wood and Home Wood beyond, the latter of which is designated as ancient woodland. A small cluster of residential dwellings are also located on the fringes of this woodland. The eastern part of Home Wood also contains a caravan park. The A19 is located to the west of the site, with agricultural fields located beyond.

Site Description

- 2.3 The site extends to approximately 15.6 hectares (ha) and comprises a privately owned airfield. Agricultural land surrounds the airfield which is land owned by the Applicant. One grass runway runs west to east through the southern section of the site. To the south of this runway are five hangars of various sizes (hangars A, B, C, D and E) together with a helipad. To the north of the runway are four further hangars (hangars F, G, H and I) together with a Clubhouse, another Helipad and a Maintenance Building which houses an engineering business. The airfield also contains various infrastructure, such as fuelling facilities, storage and a control tower, all of which enable the airfield to function. A further runway runs north to south through the site. However, this runway has not been used since 2012.
- 2.4 The access road to Bagby village forms part of the eastern boundary to the site and runs north before joining Bagby Lane.

Proposed Development

- 2.5 The proposed development will be submitted in detail to HDC and would improve the facilities on-site, including the clubhouse, hangars and maintenance facilities. The proposed development ultimately intends to modernise facilities at the airfield.

2.6 The proposed development comprises:

- Demolition of the existing clubhouse and control tower;
- Demolition of the hangar and storage located at the eastern edge of the site;
- Demolition of the single storey extension on hangar B;
- Demolition of hangars C and D on the southern boundary of the site;
- Change of use and external alterations of the existing engineering building to be used as a clubhouse and control tower;
- Change of use of the large storage hangar in the north of the site to be used as the engineering workshop;
- Development of a new tractor shed on the northern boundary of the site;
- Development of a new hangar on the southern boundary of the site (Hanger C1) in place of hangars C and D;
- Development of a new access drive; and
- Formation of new hard and soft landscaping which will require no significant engineering works, earth or soil movements. Typical works are expected to involve the laying of access roads and the planting of trees/shrubs.

2.7 The plans at Appendix 2 show the site's existing layout, the location of the proposed new hangar (Hanger C1), and the locations of the buildings to be retained and demolished.

2.8 The existing floorspace at the site is 3,215m² (GIA). The proposed development comprises the demolition of 581m² (GIA) and the provision of 773m² (GIA) floorspace which will be achieved through conversion of existing, and creation of new, floorspace. Following the demolition of facilities and change of uses, the proposed development would comprise an uplift of approximately 192m² (GIA) on existing. The new buildings (see Appendix 2) will rise to a maximum height of 9.1m (where the maintenance facility will be converted into a new Clubhouse). The maximum height of the existing facilities at the site is approximately 8.5m.

2.9 Access is currently taken from Bagby Lane, to the north east of the site. However, this is to be altered to accommodate a new access road in the north of the site which will form the perimeter of the site before joining the current access in the north east. The proposed new access road is located on previously undeveloped agricultural land.

2.10 The proposed development does not include any additional aircraft storage floorspace albeit the maintenance space will increase. The increase in maintenance space is not expected to lead to an increase in flight movements. The approximate numbers of flights will not exceed 9,500 per annum which is based on historical flight movements. Aircraft will comprise single propeller General Aviation (GA) aircraft (with occasional Twins) with a range of up to 1,200

Nautical miles and will fly to numerous destinations within the UK and Europe. The number of planes currently stored on site is approximately 45 and this is not expected to be exceeded as part of the proposed development.

- 2.11 The length or nature of the runway will not alter through the proposed development which will ensure that larger aircrafts will not be able to be accommodated on site. Furthermore, a cap on flight movements would be enforced based on historic levels (from 2003) and a Code of Conduct would be put in place to further limit these movements. These details will be submitted as part of the planning application and implemented by a legal agreement.

3.0 SCREENING ASSESSMENT

Introduction

- 3.1 In determining whether the proposed development constitutes EIA development, consideration should be had to the following:
- If the proposed development is of a type listed in Schedule 1;
 - If not, whether it is listed in Schedule 2;
 - Is it located within a sensitive area;
 - It meets any of the relevant thresholds and criteria set out in Schedule 2; and/or
 - Would it lead to likely significant effects on the environment.
- 3.2 These points are explored further in this section with reference to the EIA Regulations and supporting PPG.

Schedule 1 Projects

- 3.3 EIA is mandatory for projects listed in Schedule 1 of the EIA Regulations. Schedule 1 developments are large scale projects for which significant effects would be expected and comprise developments such as new airports and power stations. The proposed development is not of a type listed in Schedule 1.

Schedule 2 Projects

- 3.4 EIA is discretionary for projects listed in Schedule 2. If the development proposed is of a type listed in Schedule 2 then it may be classified as EIA development depending on the location of the development (i.e. if it is within a sensitive area) and/or whether it meets any of the relevant thresholds or criteria in Column 2.
- 3.5 Sensitive Areas are defined in the EIA Regulations as:
- Sites of Special Scientific Interest and European Sites;
 - National Parks, the Broads, and Areas of Outstanding Natural Beauty; and
 - World Heritage Sites and Scheduled Monuments.
- 3.6 In certain cases, local designations which are not included in the definition of sensitive areas, but which are nonetheless environmentally sensitive, may also be relevant in determining whether an assessment is required. Furthermore, in considering the sensitivity of a particular

location, regard should also be had to whether any national or internationally agreed environmental standards (e.g. air quality) are already being approached or exceeded.

- 3.7 The proposed development falls within category 10 of Schedule 2, 'Infrastructure Projects', sub-section (b) 'Urban Development Projects'. The site is not located in a sensitive area and therefore the thresholds should be applied. The thresholds for urban development projects as set out in Schedule 2 relate to developments that "*include more than 150 dwellings or the overall area of the development exceeds 5 hectares*". The proposed development does not contain any residential dwellings. However, the site area exceeds 5ha. Accordingly, this screening assessment has been prepared to determine whether the proposed development would be likely to result in significant environmental effects. In order to achieve this, Schedule 3 of the EIA Regulations and the PPG need to be taken into account. Information on these are set out below.

Schedule 3

- 3.8 Schedule 3 of the EIA Regulations sets out selection criteria which relate to specific matters including: the characteristics of the development; the location of the development; and the characteristics of the potential impact. These factors should be taken into account as part of the screening process and are set out below:

Characteristics:

- The size of the development;
- The cumulation with other development;
- The use of natural resources;
- The production of waste;
- Pollution and nuisances; and
- The risk of accidents, having regard in particular to substances or technologies used.

Location:

- The existing land use;
- The relative abundance, quality and regenerative capacity of natural resources in the area; and
- The absorption capacity of the natural environment.

Potential Impact:

- The extent of the impact (geographical area and size of the affected population);
- The transfrontier nature of the impact;
- The magnitude and complexity of the impact;
- The probability of the impact; and
- The duration, frequency and reversibility of the impact.

Consideration of Cumulative Effects

- 3.9 Schedule 4 of the EIA Regulations requires consideration of a proposed development cumulatively with other development. Guidance on the consideration of cumulative effects in the EIA screening process is set out in the PPG:

“each application (or request for a screening opinion) should be considered on its own merits. There are occasions where 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.”

- 3.10 The Applicant is not aware of any committed developments which may give rise to cumulative effects when considered in combination with the proposed development.

Planning Practice Guidance

- 3.11 Paragraphs 057 and 058 of the PPG provide guidance to help determine whether significant effects are likely. In general, the more environmentally sensitive the location, the lower the threshold will be at which significant effects are likely. Table 2 below sets out indicative criteria and thresholds identified in the PPG along with some of the issues that are most likely to need to be considered in determining whether a development is likely to be EIA development.

Table 2: Planning Practice Guidance Indicative Screening Criteria

Development type	Indicative criteria and threshold	Key issues to consider
(b) Urban development projects, including	Environmental Impact Assessment is unlikely to be required for the redevelopment of land unless the new development is on a significantly greater scale	Physical scale of such developments,

Development type	Indicative criteria and threshold	Key issues to consider
the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas	than the previous use, or the types of impact are of a markedly different nature or there is a high level of contamination. Sites which have not previously been intensively developed: (i) area of the scheme is more than 5 hectares; or (ii) it would provide a total of more than 10,000 m ² of new commercial floorspace; or (iii) the development would have significant urbanising effects in a previously non-urbanised area (e.g. a new development of more than 1,000 dwellings).	potential increase in traffic, emissions and noise.

3.12 Table 3 sets out a review of all off the above criteria and requirements and specifically addresses the proposed development at the site.

Table 3: Screening Assessment for the Proposed Development

SCREENING CRITERIA	PROPOSED DEVELOPMENT
1. CHARACTERISTICS OF THE DEVELOPMENT	
(a) Size of the development	
Will the development be out of scale with the existing environment?	The site currently comprises the privately owned Bagby Airfield, located on the south western edge of the village of Bagby. The proposed development would upgrade the existing facilities on-site and add new facilities in the north and south of the site. The proposed development would comprise an uplift of approximately 192m ² (GIA) above existing facilities. In light of this, the development would not be out of context with existing development.
Will it lead to further consequential development or works?	No. The proposed development is a discrete proposal and includes all necessary works, including access.
(b) Accumulation with other development	
Are there potential cumulative impacts with other existing development or development not yet begun but for which planning permission exists?	The Applicant is not aware of any committed developments which may give rise to cumulative effects when considered in cumulation with the proposed development.
Should the application for this development be regarded as an integral part of a more substantial project? If so, can related developments which are subject to separate applications proceed independently?	No. The proposed development is a discrete project and could proceed independently.
(c) Use of natural resources	
Will construction or operation of the development use natural resources such as land, water, material or energy, especially any resources which are non-renewable or in short supply?	The proposed demolition, construction and operational phases of the development will use resources in terms of land, water and energy as would be expected for a development of this nature.
(d) Production of waste	
Will the development produce wastes during construction or operation or decommissioning?	Demolition and construction waste would be reused and recycled where possible. Operational waste would be disposed of in line with HDC requirements and managed in accordance with all applicable legislation.
(e) Pollution and nuisances	
Will the development release any pollutants or any hazardous, toxic or noxious substances to air?	During the demolition and construction phase of the proposed development, dust would be generated. Dust generation would be managed in accordance

SCREENING CRITERIA	PROPOSED DEVELOPMENT
	<p>with standard best practice measures, enforced through a construction environmental management plan (CEMP) and is not anticipated to generate significant adverse effects.</p> <p>There would be emissions associated with plant and vehicles during the demolition and construction phase and from vehicles and aircraft during the operation of the proposed development.</p> <p>Any hazardous materials stored on site will be handled in accordance with relevant legislation.</p>
<p>Is there a potential risk from leachates or escape of wastes or other products/by-products that may constitute a contaminant in the environment?</p>	<p>Appropriate measures, in accordance with all relevant legislation, would be used to prevent accidental spillages of contaminants during the demolition, construction or operational phases of the proposed development. The land uses proposed are not highly contaminative and there is not expected to be a high risk of contaminants released into the environment.</p>
<p>Will the development cause noise and vibration or release of light, heat, energy or electromagnetic radiation?</p>	<p>The potential exists for noise effects to result from the demolition and construction processes associated with the proposed development. These effects will be managed in accordance with best practice measures, implemented through the CEMP and are not anticipated to generate significant adverse effects.</p> <p>Following a noise monitoring exercise conducted in September 2015 at Bagby Airfield, it was concluded that existing noise levels received in Bagby Village are acceptable in relation to the prevailing standards. An additional noise assessment is to be submitted alongside the planning application.</p> <p>Lighting would be designed carefully in accordance with relevant British Standards.</p> <p>No electromagnetic radiation, heat or energy releases are expected other than those associated with normal residential development.</p>
<p>Will the development lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?</p>	<p>Hydrocarbons will be used as part of the demolition and construction phases of the development. This would involve plant and vehicle fuel and lubricants.</p> <p>Surface water run-off and foul water drainage will be managed on-site during the demolition, construction and operational phases. Sustainable drainage would be considered and appropriate drainage design would be included within the planning application documents, including the Drainage and Flood Risk Report.</p> <p>Two types of fuel will be stored on site: oil and paint. These are typical of a GA airfield.</p>
<p>(f) Risk of accidents, having regard in particular to substances or technologies used</p>	
<p>Will there be a risk of accidents during construction or operation of the development which would have effects on people or the environment?</p>	<p>During the demolition and construction phases, the contractor(s) would implement measures in accordance with Health and Safety legislation/requirements, and best practice to minimise the risks of accidents that would have effects on people or the environment. All such measures would form part of the CEMP. There are no anticipated significant risks of accidents during</p>

SCREENING CRITERIA	PROPOSED DEVELOPMENT
	operation as the proposed development does not involve users dealing with hazardous substances.
Will the development involve use, storage, transport, handling or production of substances or materials which could be harmful to people or the environment (flora, fauna, water supplies)?	<p>Two types of fuel will be stored on site: oil and paint. These are typical of a GA airfield.</p> <p>During the demolition and construction phases, certain materials may be present on the site which may be harmful to the environment. However, it is considered that through the implementation of appropriate environmental control measures in line with the relevant legislation there will be no significant environmental effects. The operational development is not expected to involve the use, transport or production of substances or materials which could be harmful to the environment.</p>
Other characteristics	
Potential physical changes (topography, land use, changes in water bodies etc.) from construction, operation or decommissioning of the development?	The principal land use is not expected to change with the proposed development. However, there would be changes to the site during the demolition and construction phases. The proposed new access would be located on previously undeveloped agricultural land. There will be no changes to water bodies or topography.
2. LOCATION OF THE DEVELOPMENT	
(a) Existing land use	
Are there existing land uses on or around the location which could be affected by the development, e.g. residential, industry, commerce, recreation, public open space, community facilities, agriculture, forestry, tourism, mining or quarrying?	The site is currently in use as a privately owned airfield. The proposed development would not change this land use and it is not considered likely to affect the surrounding village of Bagby or the surrounding agricultural and recreational uses (Home Wood and York House Caravan Park).
Is the development located in a previously undeveloped area where there will be loss of greenfield land?	The site comprises a privately owned airfield on previously developed land. The site also contains areas of undeveloped agricultural fields which surround the airfield. These would remain unchanged with the proposed development, however they would accommodate the new access road which would form the northern perimeter of the site before joining the current access in the east.
(b) Relative abundance, quality and regenerative capacity of natural resources in the area*	
<p>Are there any areas on or around the location which contain important, high quality or scarce resources which could be affected by the development?</p> <ul style="list-style-type: none"> • groundwater resources • surface waters • forestry • agriculture • fisheries • tourism • minerals 	<p>The site is not located within a groundwater Source Protection Zone (SPZ). There are no groundwater SPZs adjacent to the site.</p> <p>The site lies approximately 120m to the north of Grade 2, 3a and 3b agricultural land. Grades 2 and 3a agricultural land are classified as areas of best and most versatile land according to the National Planning Policy Framework.</p> <p>Home Wood and York House Caravan Park is located to the south and east of the site, respectively.</p> <p>None of the other features are present in or adjacent to the site.</p>
(c) Absorption capacity of the natural environment**	
Are there any areas on or around the location which are protected under international or national or local legislation for their ecological, landscape, cultural or other value, which could be affected by the development?	The site does not lie within or adjacent to any sensitive areas as defined by the EIA Regulations. The nearest sensitive area to the site is the Medieval Moated grange, which is located approximately 1.4km to the east of the site. A further five scheduled monuments are located within 5km of the site. The

SCREENING CRITERIA	PROPOSED DEVELOPMENT
	<p>North York Moors National Park is located approximately 3.2km to the east of the site and Gormire Site of Special Scientific Interest (SSSI) is located approximately 4.6km to the east of the site.</p> <p>The nearest protected feature is a Grade II listed building, Smithy Farmhouse and Former Smithy adjoining, located within Bagby, approximately 353m to the north east of the site. The nearest Grade I listed building to the site is The Church of St Mary, located approximately 3.9km to the north of the site. The nearest Grade II* listed building to the site is The Church of All Saints which is located approximately 1.3km to the south west of the site.</p>
<p>Are there any other areas on or around the location which are important or sensitive for reasons of:</p> <ul style="list-style-type: none"> • wetlands; • coastal zones • mountains and forest areas; • nature reserves and parks; • Special Protection Areas and Special Areas of Conservation; • Areas in which environmental quality standards laid down in EU legislation have already been exceeded • Densely populated areas • Landscapes of historical, cultural or archaeological significance. 	<p>None identified, see row above.</p>
<p>Are there any areas on or around the location which are used by protected, important or sensitive species of fauna or flora e.g. for breeding, nesting, foraging, resting, overwintering, migration, which could be affected?</p>	<p>A Phase 1 Habitat Survey, conducted in September 2015, has identified the control tower (part of the clubhouse), that is to be demolished, as supporting pipistrelle bat roosts; inactive swallow nests are also present in the clubhouse. The remainder of the buildings to be demolished offer no risk to important or sensitive species. Mitigation measures will be implemented to ensure the continuity of bat roosting features and limit the effects on nesting birds during the construction phase. A Phase 1 Habitat Survey will be submitted alongside the planning application.</p>
<p>Are there any inland, coastal, marine or underground waters on or around the location which could be affected?</p>	<p>According to the Environment Agency website, the site is located within Flood Zone 1 and is at low risk of flooding.</p> <p>The site is not located within or in close proximity to a groundwater SPZ.</p> <p>No other water bodies would be expected to be significantly affected by the proposed development.</p>
<p>Are there any groundwater source protection zones or areas that contribute to the recharge of groundwater resources?</p>	<p>The site is not located within or adjacent to a groundwater SPZ.</p>
<p>Are there any areas or features of high landscape or scenic value on or around the location which could be affected?</p>	<p>The site is not located within an Area of Outstanding Natural Beauty and is located approximately 3.2km to the west of the North York Moors National Park. There are no other known features of landscape importance on or adjacent to the site.</p>
<p>Are there any routes or facilities on or around the location which are used by the public for access to recreation or other facilities, which could be affected?</p>	<p>Bagby Lane forms the northern boundary of the site and is the main access route through Bagby Village. This joins the A19 (York Road) to the west of the site which links Thirsk, in the north, with York, in the</p>

SCREENING CRITERIA	PROPOSED DEVELOPMENT
	south. There are no public rights of way crossing the site.
Are there any transport routes on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected?	The demolition and construction phases of the proposed development would involve changes to traffic movements (e.g. use of HGVs). A Transport Statement and Travel Plan would be submitted in support of the planning application.
Is the development in a location where it is likely to be highly visible to many people?	The potential for local views of the site exists from adjacent and nearby roads and the residential properties within Bagby. A landscape and visual impact assessment (including a landscape management plan) will be submitted with the planning application.
Are there any areas or features of historic or cultural importance on or around the location which could be affected?	<p>The nearest feature to the site is the Grade II listed building, Smithy Farmhouse and Former Smithy adjoining, located within Bagby, approximately 353m to the north east of the site.</p> <p>The Medieval Moated grange Scheduled Monument is located approximately 1.4km to the east of the site. There are a further five scheduled monuments located within 5km of the site.</p>
Are there any areas on or around the location which are densely populated or built up, which could be affected?	Bagby village is the nearest developed area to the site, which has a population of approximately 600 people. Thirsk is a small market town located to the north of the site which has a population of approximately 6,000 people. Noise from the development is likely to arise during the demolition and construction phases from construction plant. However, this would be managed in accordance with standard procedures. On completion of the proposed development, the main source of noise would be from aircrafts.
Are there any areas on or around the location which are already subject to pollution or environmental damage e.g. where existing legal environmental standards are exceeded, which could be affected?	<p>The site is not located within an Air Quality Management Area.</p> <p>As stated in the Site Investigation Report submitted in support of the 2010 planning application (LPA reference: 10/01272/FUL) at the site, the risk of possible pollutant linkages is considered to be low and therefore no significant environmental effects are anticipated. A Ground Investigations Report will be submitted alongside the planning application.</p>
Is the location of the development susceptible to earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions e.g. temperature inversions, fogs, severe winds, which could cause the development to present environmental problems?	<p>According to the Environment Agency website, the site is located within Flood Zone 1 and is at low risk of flooding. A Drainage and Flood Risk Report would be submitted in support of the planning application.</p> <p>The site is not located within a groundwater SPZ.</p> <p>The site is not located within an AQMA.</p> <p>The site is not considered susceptible to any other hazards.</p>
CHARACTERISTICS OF THE POTENTIAL IMPACT	
(a) Extent of the impact	
Will the effect extend over a large area?	No. This is confined to the site (approximately 15.6ha) and the land immediately adjacent.
Will many people be affected?	Residents within the village of Bagby are located to the north of the site. The wider effect of aircraft noise will also have to be carefully considered.
(b) Transboundary nature of the impact	

SCREENING CRITERIA	PROPOSED DEVELOPMENT
Will there be any potential for transboundary impact? (N.b. Development which has a significant effect on the environment in another Member State is likely to be very rare. It is for the Secretary of State to check Environmental Statements to decide whether there is likely to be such an effect in each case).	No.
(c) Magnitude and complexity of the impact	
Will there be a large change in environmental conditions?	No.
Will the effect be unusual in the area or particularly complex?	No.
Will many receptors other than people (fauna and flora, businesses, facilities) be affected?	This is considered to be unlikely. A Phase 1 Habitat Survey will be submitted alongside the application.
Will valuable or scarce features or resources be affected?	No.
Is there a risk that environmental standards will be breached?	No.
Is there a risk that protected sites, areas, and features will be affected?	No.
d) Probability of the impact	
Is there a high probability of the effect occurring?	The effects of the proposed development can be clearly established and the probability of any effects determined with reasonable confidence.
Is there a low probability of a potentially highly significant effect?	As above.
(e) Duration, frequency and reversibility of the impact	
Will the effect continue for a long time?	Demolition and construction effects would be short term in duration and the operational effects would be long term.
Will the effect be permanent rather than temporary?	Demolition and construction effects would be temporary and the operational effects would be permanent.
Will the impact be continuous rather than intermittent?	Demolition and construction – intermittent Operation – continuous
If intermittent, will it be frequent rather than rare?	Frequent.
Will the impact be irreversible?	Demolition and construction – Yes Operation - No
Will it be difficult to avoid or reduce or repair or compensate for the effect?	No.

4.0 CONCLUSION

4.1 The screening assessment has considered whether the proposed development at Bagby Airfield, Thirsk, is likely to give rise to significant environmental effects. As well as a new proposed access in the north west, the proposed development would comprise the following:

- Demolition of the existing clubhouse and control tower;
- Demolition of the hangar and storage located at the eastern edge of the site;
- Demolition of the single storey extension on hangar B;
- Demolition of hangars C and D on the southern boundary of the site;
- Change of use and external alterations of the existing engineering building to be used as a clubhouse and control tower;
- Change of use of the large storage hangar in the north of the site to be used as an engineering workshop;
- Development of a new tractor shed on the northern boundary of the site;
- Development of a new hangar on the southern boundary of the site (Hanger C1) in place of hangars C and D;
- Development of a new access drive; and
- Formation of new hard and soft landscaping.

4.2 Appendix 2 shows the layout of the existing and proposed development and the location of those buildings to be retained or demolished, respectively.

4.3 The proposed development falls within Schedule 2, 10 (b) of the EIA Regulations, as an urban development project. The site is not located within a sensitive area as defined by the EIA Regulations but it falls above the indicative criteria and screening thresholds at more than 5 hectares in area.

4.4 With regard to the indicative criteria and thresholds identified in the PPG (set out in Table 2 above) it is considered that the proposals would be in keeping with the current nature and scale of the existing development and would not result in significant urbanising effects. The site contains existing facilities and infrastructure associated with Bagby airfield and it is considered that the principle environmental effects will relate to construction increases in traffic movements and associated noise and air quality emissions, although as set out in Table 3 above, these effects could be managed in accordance with standard methods. As stated in the site investigation report submitted alongside the 2010 application, there is no evidence

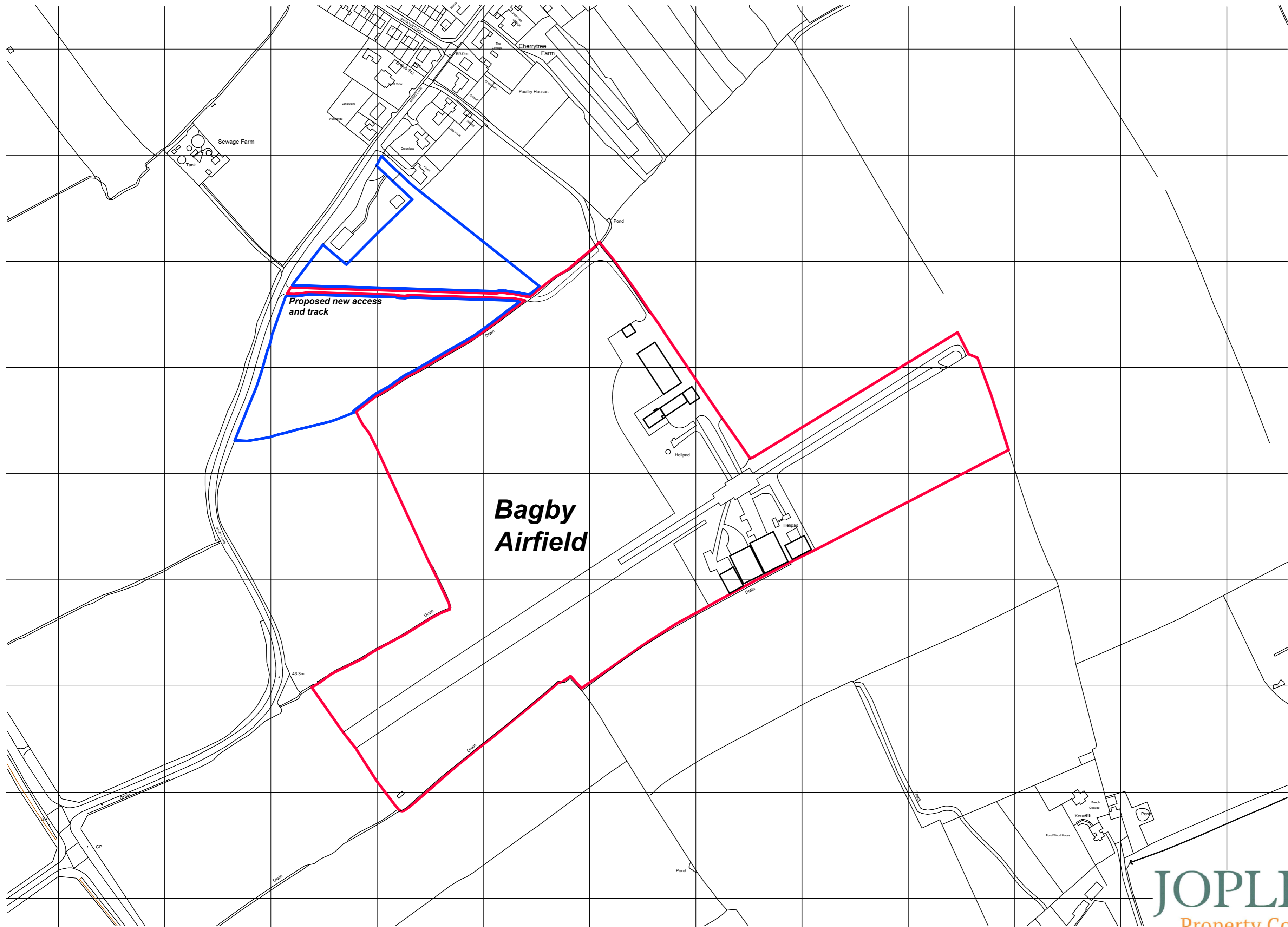
of ground contamination on site. A ground investigation report will be submitted alongside the planning application.

4.5 The proposals would be managed in accordance with standard methods. A number of environmental reports would be submitted alongside the planning application. These are outlined below and are expected to provide sufficient environmental information to support the planning application:

- Transport Statement and Travel Plan;
- Landscape and Visual Impact Assessment;
- Phase 1 Habitat Survey;
- Noise Assessment;
- Ground Investigation Report; and
- Drainage and Flood Risk Report.

APPENDIX 1

SITE LOCATION PLAN



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PROPOSED SITE LOCATION PLAN

JOPLINGS
Property Consultants

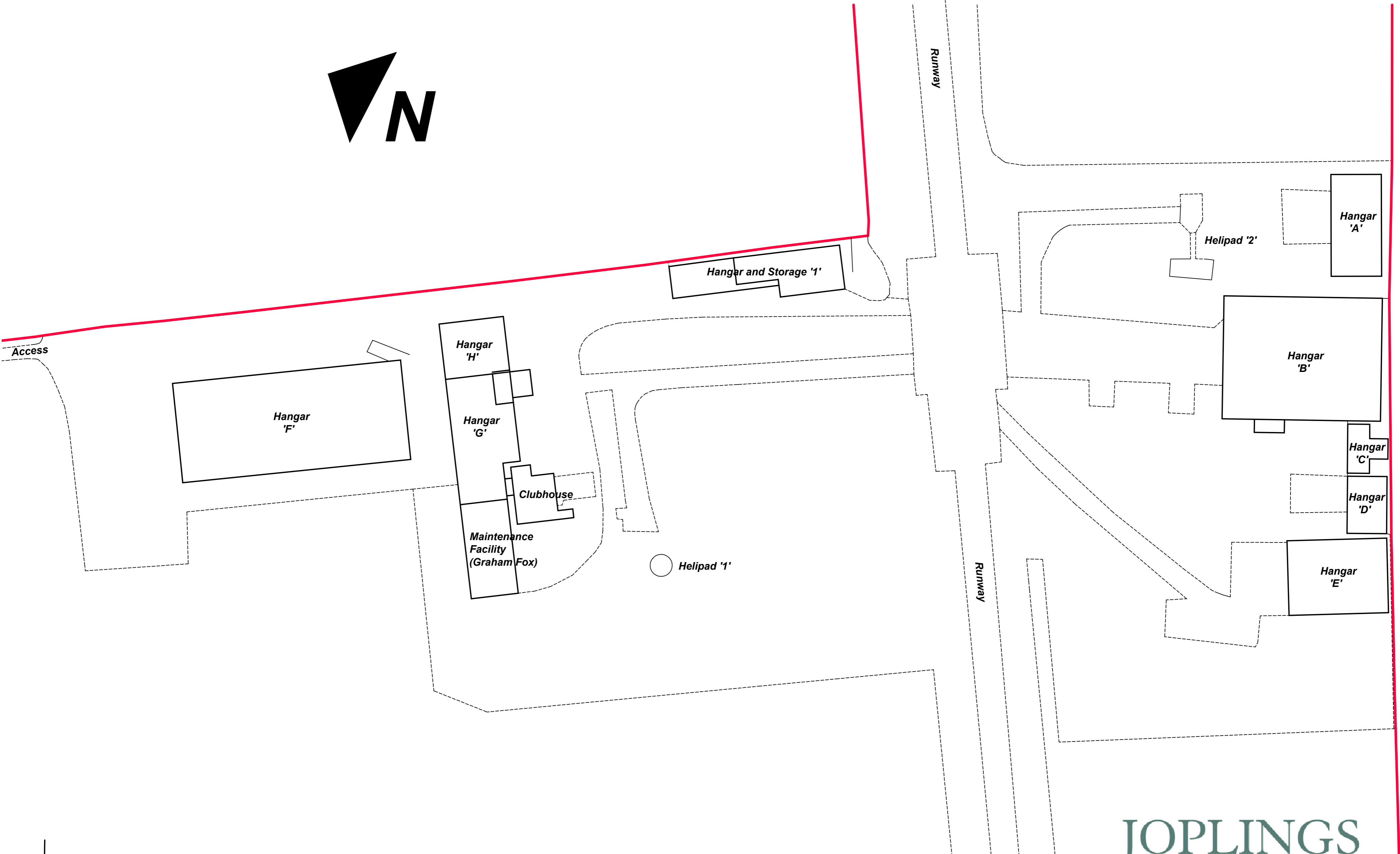
Architecture & Building Surveying
10 North Street Ripon North Yorkshire HG4 1JY
Tel 01765 694804 Fax 01765 694801 www.joplings.com

PROJECT	DWG NO	NO	REVISION	DATE
BAGBY AIRFIELD, BAGBY, THIRSK, YO7 2PH	1452-20			
CLIENT	REVISION			
MR MARTIN SCOTT	-			
DRAWING	SCALE			
PROPOSED SITE LOCATION PLAN	1:2500 @ A2			
STATUS	DATE			
PLANNING	DECEMBER 2015			

Do not scale from this drawing. All dimensions must be checked on site by the Contractor prior to the commencement of the Works. Drawings are to be read in conjunction with Specifications, specialist consultants' drawings etc. Any disparity between these documents is to be raised before commencement of the Works.

APPENDIX 2

EXISTING AND PROPOSED SITE LAYOUT PLAN



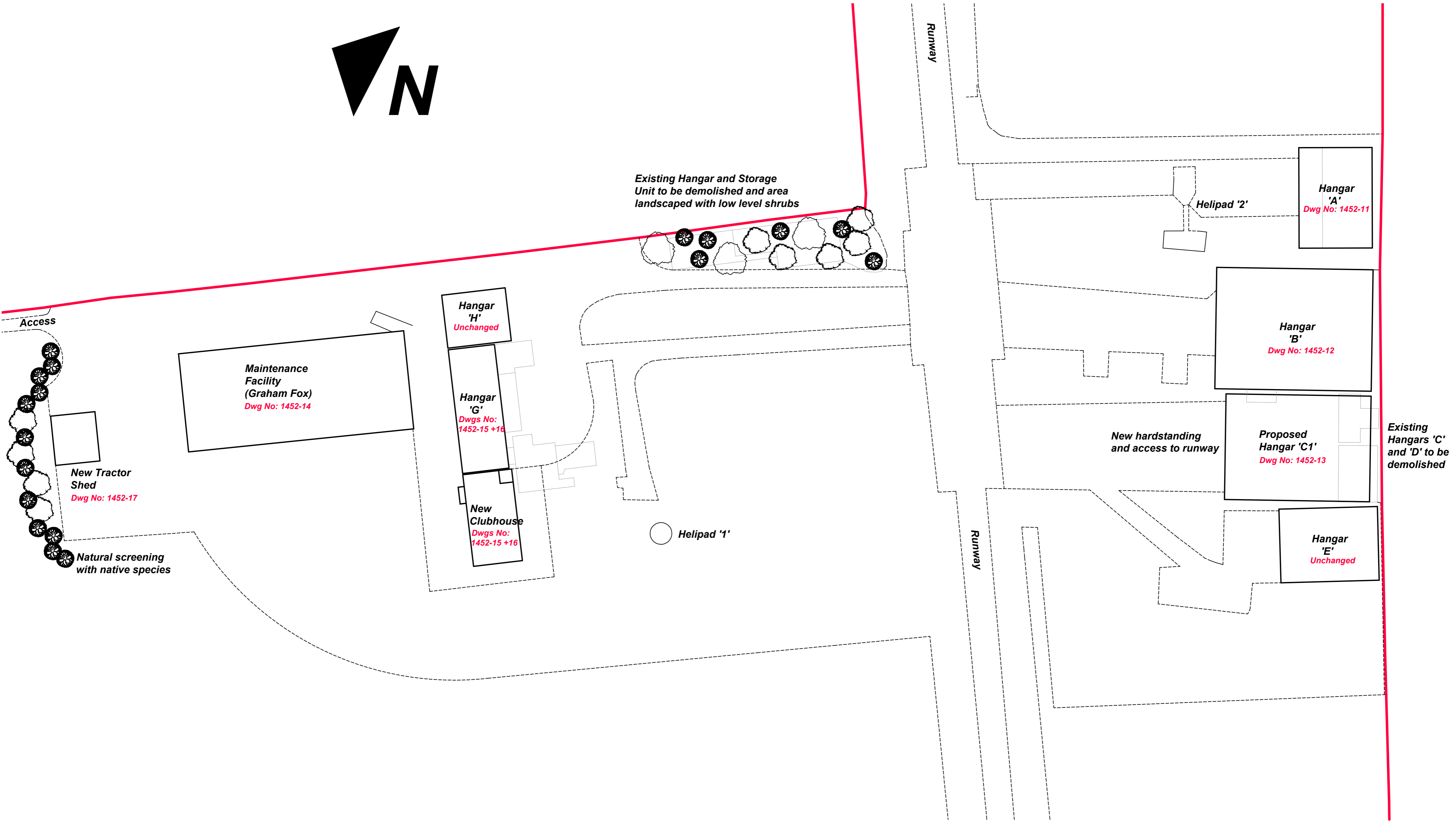
EXISTING BLOCK PLAN

JOPLINGS
Property Consultants

Architecture & Building Surveying
10 North Street Ripon North Yorkshire HG4 1JY
Tel 01765 694804 Fax 01765 694801 www.joplings.com

PROJECT	DWG NO	NO	REVISION	DATE
BAGBY AIRFIELD, BAGBY, THIRSK, YO7 2PH	1452-2			
CLIENT	REVISION			
MR MARTIN SCOTT	-			
DRAWING	SCALE			
EXISTING BLOCK PLAN	1:500 @ A2			
STATUS	DATE			
PLANNING	OCTOBER 2015			

Do not scale from this drawing. All dimensions must be checked on site by the Contractor prior to the commencement of the Works. Drawings are to be read in conjunction with Specifications, specialist consultants' drawings etc. Any disparity between these documents is to be raised before commencement of the Works



PROPOSED BLOCK PLAN

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PROJECT	DWG NO	NO	REVISION	DATE
BAGBY AIRFIELD, BAGBY, THIRSK, YO7 2PH	1452-10			
CLIENT	REVISION			
MR MARTIN SCOTT	-			
DRAWING	SCALE			
PROPOSED BLOCK PLAN	1:500 @ A2			
STATUS	DATE			
PLANNING	OCTOBER 2015			

Do not scale from this drawing. All dimensions must be checked on site by the Contractor prior to the commencement of the Works. Drawings are to be read in conjunction with Specifications, specialist consultants' drawings etc. Any disparity between these documents is to be raised before commencement of the Works.

[REDACTED]

From: [REDACTED]
Sent: 28 January 2016 17:11
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Bagby Airfield Screening

Hi [REDACTED]

Answers to your queries are below:

- Hanger A
 - Proposed Floor Space = 273m²
 - Hardstanding to front of Hanger A (including Helipad 2) = 607m²
- Hanger C1
 - Proposed Floor Space = 566m²
 - Hardstanding to front of new Hanger C1 = 799m²
- Tractor Shed
 - Proposed Floor Space = 9m²
- The hardstanding associated with the maintenance facility/tractor shed is already existing and therefore no new hardstanding is proposed.
- The runway will undergo a slight widening of the concrete parts to allow a straight in approach from the taxiways/hardstanding areas leading from the hangers. It is therefore an extension for health and safety measures as it reduces the need for aircraft to manoeuvre when turning off or on to the runway when ground conditions are wet.

For your reference, I have also included the hardstanding areas which are already existing:

- To front of Hanger B – 590m² of existing hardstanding
- To front of Hanger E – 409m² of existing hardstanding.

I hope the above answers your queries. Please let me know if you have any further questions.


Thanks.

Regards

[REDACTED]
Environmental Planner

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 Follow @bartonwillmore

From: [REDACTED]
Sent: 27 January 2016 17:33
To: [REDACTED]

Cc: [redacted]
Subject: RE: Bagby Airfield Screening

[redacted]
Thanks for the confirmation.

Please can you clarify:

Sizes of the proposed buildings A, C1, Tractor Shed?

What are the size of the area of the proposed new hard standing

- outside hangar C1? and
- the maintenance facility/tractor shed?

It appears that the runway is being widened at certain points outside hangars A and C. Is this correct or would this be part of the functional apron?

Kind Regards,
[redacted]

[redacted]
[redacted]
Planning
Tel: 01609 767169
Email: [redacted]
Website: www.hambleton.gov.uk

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From: [redacted]
Sent: 27 January 2016 12:26
To: [redacted]
Cc: [redacted]
Subject: RE: Bagby Airfield Screening

Hi [redacted],

Thanks very much. An extension of time until Friday 12th February is fine, however if you're able to issue an opinion before this, that would be great.

Thanks,
[redacted]