

1 ENVIRONMENT IMPACT ASSESSMENT

1.1 SCREENING CRITERIA

- 1.1.1. When preparing this application, we have considered the proposed development in context of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the “EIA Regulations”). There are two schedules under the Regulations which set out the criteria used to determine whether EIA Screening is required: Schedule 1 and Schedule 2.
- 1.1.2. The site has been previously screened for 150 dwellings in 2016 (ref: 16/00209/SO). The LPA concluded that the proposed development was not EIA development and so an Environment Statement would not be required for the proposed development. Notwithstanding this chapter considers this proposal, which is for 191 dwellings, 41 more than the earlier screening request. It also considers the site with respect to the latest EIA regulations. A copy of the previous decision is enclosed at **Appendix A**.

SCHEDULE 1 – EIA SCREENING NOT REQUIRED

- 1.1.3. The first of these Schedules is Schedule 1. Schedule 1 sets out specific types of development for which EIA Screening is required. The proposed development does not fall within the definition of Schedule 1 development and therefore it does not trigger the requirement for EIA Screening.

SCHEDULE 2

- 1.1.4. The second is Schedule 2. Schedule 2 development is that which is “*likely to have significant effects on the environment by virtue of factors such as its nature, size or location*”.
- 1.1.5. It is defined as Development described in column 1 of the Schedule 2 Table (see Table 3-1 below), where:
- a) *Any part of that development is to be carried out in a sensitive area; or*
 - b) *Any applicable threshold or criterion in the corresponding part of column 2 of that table is respectively exceeded or met in relation to that development”.*
- 1.1.6. In relation to Part a, the development is not within a “sensitive area” as defined in the EIA Regulations.
- 1.1.7. The table in Schedule 2 includes the following, which is of relevance to the proposed development:

Table 3-1: Schedule 2 Thresholds and Criteria

Column 1 – Description of Development	Column 2- application thresholds and criteria
10. Infrastructure projects	
(b) Urban development projects, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas.	(ii) the development includes more than 150 dwellings (iii) The overall area of development exceeds five hectares.

- 1.1.8. The proposed development exceeds the above thresholds in Column 2, and so it is therefore necessary to screen the development.
- 1.1.9. In determining whether the development is likely to give rise to significant environmental effects, reference should be made to Schedule 3 of the EIA Regulations. This identifies three categories of criteria:
- **Characteristics of the development**, with particular regard to: size, cumulative effects, use of natural resources, production of waste, pollution and nuisances, risk of accidents and risk to human health;
 - **Location of the development** with regard to the environmental sensitivity of the area; and
 - **Characteristics of the potential impact**, having regard in particular to the extent of the impact, its trans-frontier nature, magnitude and complexity, probability and duration, frequency and reversibility.
- 1.1.10. The development team has assessed the proposal against these criteria and we set out our findings in Section 1.2 below. We conclude that the proposed development would not have a significant environmental impact on the local area, and therefore it will not form EIA development requiring an Environmental Statement.

1.2 SELECTION CRITERIA

- 1.2.1. The Planning Practice Guidance [PPG] provides further guidance as to when an EIA is needed, in which it confirms that the focus should be on those effects which are significant. It also provides, as an Annex, a series of Indicative Screening Thresholds. Indicative criteria are listed, which aims to assist in determining whether likely effects are significant.
- 1.2.2. PPG (paragraph 018, ID 4-018-20170728) confirms that not all criteria from Schedule 3 will be relevant in every case.
- 1.2.3. The same paragraph of PPG states:
- “Only a very small proportion of Schedule 2 development will require an Environmental Impact Assessment. While it is not possible to formulate criteria or thresholds which will provide a universal test of whether or not an assessment is required, it is possible to offer a broad indication of the type or scale of development which is likely to require an assessment. It is also possible to provide an indication of the sort of development for which an assessment is unlikely to be necessary. To aid local planning authorities to determine whether a project is likely to have significant environmental effects, a set of indicative thresholds and criteria have been produced. See the indicative thresholds and criteria. The table also gives an indication of the types of impact that are most likely to be significant for particular types of development.”*

- 1.2.4. The table's indicative criteria and threshold are summarised below in respect of infrastructure projects 10.(b)(ii) *"the development includes more than 150 dwellings"* and 10.(b)(iii) *"The overall area of development exceeds five hectares"*.

Table 3-2 – Indicative Criteria

Development type	Indicative criteria and threshold	Key issues to consider
10. Infrastructure projects		
(b)(ii) the development includes more than 150 dwellings (b)(iii) "The overall area of development exceeds five hectares":	EIA is unlikely to be required for the redevelopment of land unless the new development is on a significantly greater scale 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 m² 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).	Physical scale of such developments, potential increase in traffic, emissions and noise.

- 1.2.5. Of the 'indicative criteria and thresholds', part (i) is of relevance (WSP emphasis added in Table 3-2), as the overall site area exceeds 5ha.
- 1.2.6. However, PPG is clear that each development will need to be considered on its own merits, regardless of whether or not a development exceeds the indicative thresholds.
- 1.2.7. The following subsections assess the proposal against Schedule 3 Selection Criteria for Screening Schedule 2 Development, to consider whether or not the proposed development would have a significant environmental impact on the local area.

1.3 CHARACTERISTICS OF DEVELOPMENT (SCHEUDLE 3, PART 1)

(a) The size and design of the whole development

- 1.3.1. The site is approximately 10.93 ha. The proposal is for 191 dwellings including substantial areas of public open space and circa 2 ha of land for the ELR proposal.
- 1.3.2. The site is a proposed PfE allocation for around 125 high quality homes. The proposal exceeds this number however the scheme delivers a high-quality, design led layout that accommodates 191 units. The gross density is appropriate and in keeping with the area, with a nett density of circa 37 dwellings per hectare (dph), and a gross density of circa 17.5 dph. Previous structures have been cleared and the site has remained vacant for many years.

(b) Cumulation with other existing development and/or approved development

- 1.3.3. The site is one of two PFE proposed allocations within Castleton, the other being Trows Farm (Ref: JPA25). Significant work has been undertaken in preparing the draft PfE allocations, which has robustly assessed the growth potential of Castleton. The Trows Farm site has been subject to EIA screening which concluded it was not EIA development. The cumulative impacts of Castleton Sidings and Trows Farm would not result in significant environmental impacts.

- 1.3.4. The northeast corner of the site neighbours existing residential development on the Fairways, there is Green Belt to the north and west and the railway line forms the eastern and southern boundary of the site. It is therefore unlikely there will be any newer commitments in the immediate area to consider.

(c) The use of natural resources, in particular land, soil, water and biodiversity

- 1.3.5. The proposed development would not involve any significant or unusual use of natural resources and would not result in the use of natural resources that are considered to be in short supply. A site-specific drainage strategy is submitted with the planning application which has been recently updated to reflect comments received by the LLFA. There are no anticipated significant effects on the surrounding drainage network. The western part of the site will remain free from future built form but will provide an extensive area of open space that will deliver ecological and landscape enhancements. A central area of open space will be provided within the residential area. Circa 3.29ha of public open space will be provided in total.

(d) The production of waste

- 1.3.6. There will be no hazardous waste as a result of development and construction waste will be dealt with in accordance with best practice.

(e) Pollution and nuisances

- 1.3.7. The development is for a residential and open space use and so the potential for pollution and nuisance is minimal. A Construction Management Plan (CMP) will be in place during construction to minimise pollution and nuisance to nearby properties. A CMP has been submitted to be reviewed and agreed as part of this application.

(f) The risk of major accidents and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with scientific knowledge

- 1.3.8. The proposed development is for 191 dwellings with associated infrastructure and open space and ELR extension land. The risk of major accidents or disasters is minimal for this type of development.

(g) The risks to human health (for example, due to water contamination or air pollution)

- 1.3.9. The technical reports conclude that there would be no significant risks to human health as a result of the development.
- 1.3.10. As set out above, the characteristics of the development (a-g) do not trigger the need for an EIA.

1.4 LOCATION OF DEVELOPMENT (SCHEDULE 3, PARAGRAPH 2)

- 1.4.1. This subsection assesses the environmental sensitivity of geographical areas likely to be affected by the development, with particular regard to the selection criteria as set out below.

(a) The existing and approved land use

- 1.4.2. The site comprises previously developed land, with all buildings cleared from the site. There are remnants of the former railway sidings in the form of tracks, steels and hard standing. It is located adjacent to the settlement boundary of Castleton, with residential development forming the northern boundary, the railway line forming the eastern and southern boundaries and the golf course and Green Belt to the north-west. The development site is well contained by built

form, mature landscaping and railway infrastructure on three sides. A new Green Belt boundary to the west would be defined as seen in the draft PfE allocation. This scheme respects the landscape visual work undertaken that underpins the proposed allocation. The urbanising effects would be contained and positioned in areas of previously developed land.

- 1.4.3. The application is supported by a suite of documents that demonstrate the proposed development can suitably be accommodated on the existing site.

(b) The relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground

- 1.4.4. The submitted ground investigations report sets out the ground conditions present on site. It sets out recommended remediation and survey work to mitigate contamination on site, which will ready the site for residential development. There is no evidence of shallow coal seams or historic shallow coal workings recorded. It is likely that any coal seams will be at significant depth and thus highly unlikely to have been worked at this location. There is a low risk in respect of subsidence.

- 1.4.5. Blackish brown pseudo fibrous PEAT is present in the site, the residential layout has been designed to work around these areas, for instance by using the area for open space rather than building foundations.

(c) The absorption capacity of the natural environment

- 1.4.6. Having regard to the particular areas identified within the Schedule (i-viii), there would be no impact upon absorption capacity on the natural environment.

- 1.4.7. The application site is not within a sensitive location as defined in PPG, nor is it in an environmentally sensitive location or where national or internationally agreed environmental standards are affected. The closest sensitive site is Rochdale Canal (SAC and SSSI). There will be no impact on the canal, in part due to the distance to the canal and also the nature of this proposal. The submitted Habitat Regulation Assessment and Environmental Air Quality Assessment is consistent with this conclusion.

1.5 TYPE AND CHARACTERISTICS OF POTENTIAL IMPACTS

- 1.5.1. Schedule 3 states that the likely significant effects of the development on the environment must be considered in relation to characteristics and location of development criteria discussed above, having regard to the impact of the development on the factors specified in Regulation 4(2), taking into account criteria a-h below:

(a) The magnitude and spatial extent of the impact (for example geographical area and size of the affected population likely to be affected);

(b) The nature of the impact;

(c) The transboundary nature of the impact;

(d) The intensity and complexity of the impact;

(e) The probability of the impact;

(f) The expected onset, duration, frequency and reversibility of the impact;

(g) The cumulation of the impact with the impact of other existing and / or approved development; and

(h) The possibility of effectively reducing the impact.

- 1.5.2. The site investigations and technical work undertaken to support the planning application, demonstrate that the proposals will not result in significant effects in any of the considerations set out within the regulations.
- 1.5.3. The magnitude, extent and nature of the impact is localised and all anticipated impacts can be satisfactorily mitigated.
- 1.5.4. A construction management plan will be in place throughout construction to minimise effects on the local environment. Any temporary disruption would be offset by the benefits the development would deliver.
- 1.5.5. Section 8 of the Planning Statement provides further detail of the potential impact from the proposals, detailing specific site constraints. The technical work undertaken and recommendations conclude that no unusual or significant effects are considered likely that would give rise to a need for EIA.

1.6 SUMMARY

- 1.6.1. The development proposal constitutes a Schedule 2 development as it is an urban development project proposal that includes more than 150 dwellings (part ii), and the overall area of development exceeds five hectares (part iii).
- 1.6.2. An assessment of the potential impacts has been undertaken in accordance with the Regulations and PPG. The assessment has been undertaken to the best of our knowledge based on available information at the time of writing.
- 1.6.3. The site can accommodate the proposed quantum of development at a density in keeping with local context and that is appropriate to this site. The scheme will be a high-quality development with a strong design approach reflected in the submitted design codes. The proposal will deliver a range of social, environmental and economic benefits which is discussed further within Section 7 of the Planning Statement.
- 1.6.4. The site is not within a sensitive area as defined in the Regulations.
- 1.6.5. The planning application is supported by technical reports and assessments to assist the council to assess the level of environmental impact associated with the works. From this assessment and the technical work undertaken, it can be determined that the scale, nature and location of the proposed development would not result in significant effects that would require assessment in accordance with the EIA Regulations. Therefore, the preparation of an Environmental Statement is not required for the proposed development.
- 1.6.6. The information outlined above and within the EIA Screening request is sufficient for the Council to assess the impact of the proposed development and to confirm that it is not EIA development. In accordance with Regulation 6(6) of the 2017 EIA Regulations, notification of the Council's Screening Opinion should be provided within three weeks of the date of receipt of this request.

Appendix A – Previous Screening Decision



Town and Country Planning Act 1990 (as amended)

The Town and Country Planning (Environmental Impact Assessment)
Regulations 2011 (as amended)

ENVIRONMENTAL IMPACT ASSESSMENT SCREENING OPINION

APPLICATION REFERENCE: 16/00209/SO

Name and address for correspondence:	Applicant name:
Harris Lamb Grosvenor House 75-76 Francis Road Edgbaston Birmingham B16 8SP	Sam Silcocks

Part 1 - Particulars of Application

Date of Application: 22nd February 2016

Proposal:	Screening opinion in respect of a proposed residential development for up to 150 dwellings, means of access, on-site infrastructure, potential to deliver a rail platform for East Lancashire Railway and landscaping
Location:	Former railway siding, Heywood Road, Castleton, Rochdale

Regulation 5 of the Town and Country Planning (Environmental Impact Assessment)
Regulations 2011 (as amended)

Part II - Particulars of decision

The proposed development does not fall within Schedule 1 of the above regulations.

The proposed development falls within the description of paragraph 10(b) of Schedule 2 of the above regulations.

The proposed development would not be located in a sensitive area and having taken into account the criteria in Schedule 3 of the regulations, would not be likely to have significant effect on the environment by virtue of factors such as its nature, size and location.

The proposed development for which planning permission is sought is not EIA development and an Environmental Statement would not be required for the proposed development.

Date Decision Issued 5th April 2016

Head of Planning

Reasoning:

The application relates to an 11.3 ha parcel of land which is a former railway siding (no longer operational). A large proportion of the site lies within the Green Belt on the Rochdale Unitary Development Plan. Approximately one-third of the site (north east) lies in the defined urban area. The site is mainly bounded by trees and open countryside. However there is a pocket of brownfield land which makes up a proportion of land to the south, and there is some housing on the northern boundary.

The majority of the site is covered by a combination of hardstanding, rail lines and storage areas. There are also a handful of buildings/building frames. The remainder of the site consists of some low profile soft landscaping. The only access to the site is currently from Heywood Road from the north eastern corner of the site. This in turn provides access onto Manchester Road.

The proposal relates to the erection of up to 150 residential dwellings. It is understood there would be a variety of infrastructure normally associated with housing development, and the proposal may include a new railway platform. No significant level of detail accompanies the Screening Opinion request, but there is considered to be sufficient information to make a decision in accordance with EIA Regulations.

Whether EIA Would Be Required

- The development does not fall within Schedule 1 of the regulations.
- The proposed development falls within the definition of an urban development project as listed at Category 10(b) of Schedule 2. However, it does NOT exceed the relevant thresholds in this category of 5 hectares site area or 150 dwellings.

Notwithstanding the above, the screening opinion has been undertaken in accordance with the selection criteria set out in Schedule 3 to the Regulations. The screening opinion has taken into account the information submitted with the letter dated 17 February 2016, additional supplementary information and the case officer's knowledge of the site.

The site is not a Sensitive Area, as defined by Regulation 2(1).

CHARACTERISTICS OF THE DEVELOPMENT

The screening opinion is in respect of the proposal to construct up to 150 dwellings and potentially a new railway platform.

Whilst it is envisaged that there would be additional traffic, noise, dust and air quality implications from the construction of the development and from the ongoing use of the site by residents, in their daily activities and from daily traffic generation, it is noted that these are no different to any other similar residential development. The development is not considered to be particularly complicated or unique in its character. It is considered that such implications can be appropriately assessed in the submitted reports, and it is noted that these impacts are also controlled by separate legislation.

In view of the scale and form of the proposed development, it is not expected that the proposal is likely to result in materially different, additional, unexpected or unusual environmental impacts or raise issues that would be considered to require an Environmental Statement.

LOCATION OF THE DEVELOPMENT

As set out above, the site is not located within a sensitive area as defined by the regulations. Whilst part of the site lies in the Green Belt, it is considered that the characteristics and sensitivity of the site are not more than of a local significance and the detailed implications could be reasonably and properly assessed as part of a normal planning application and within appropriately detailed statements regarding traffic implications; the potential noise/acoustic, dust mitigation, odour and air implications, landscape and visual impact assessment. The nature of the residential use is considered complementary to adjacent residential land uses and not particularly unique in its implications. The site is previously developed.

CHARACTERISTICS OF THE POTENTIAL IMPACTS

In respect of ground conditions and contamination, the Council's contaminated land officer does not consider the scheme to be significantly complex. Whilst the site is a former steel yard/railway siding and is likely to be contaminated, it is not considered that the implications of site remediation would lead to significant environmental effects.

With regards to the transport implications of the proposed development, there are a range of mitigation measures which could be considered. The traffic arising from a development of up to 150 dwellings would not lead to significant environmental effects.

Whilst there are dwellings in close proximity of the site to the north, the construction phase of any permitted development would not lead to significant environmental effects. Similarly the proximity of housing to any new housing development would not lead to significant environmental effects.

With regards to arboricultural and ecological implications, the site is not located within a statutory or non-statutorily designated site of nature conservation importance.

In terms of landscape and visual implications, it is noted that the site lies partly within the Green Belt but the site is not in any locally or nationally defined area of landscape importance. The environment effects of the development on the landscape are not considered to be significant.

With regards to the flood risk and drainage implications, it is noted that the site is located within flood zone 1 and is therefore at low risk of flooding. It is envisaged that the detailed design of a surface water drainage scheme to manage surface water could be required through the application process.

In terms of heritage and archaeology, the proposed development is not in close proximity of any heritage assets.

The extent of the impact - The extent of the impact will be limited to the site and adjoining urban area of Castleton. The principal impact will be on the local highway network and the scale of the development reflects our review on the ability of the surrounding highway network to accommodate a development on this site.

The transfrontier nature of development - The development will not have any significant physical impact beyond the site itself and the immediate area. The scheme will provide economic and social benefits to the wider area through creation of construction jobs, future expenditure from residents and indirect employment associated with the development. The platform would also form an important component in the regeneration aspirations for Castleton.

Magnitude and Complexity of the Impact – It is anticipated that there will be no impact that cannot be addressed by normal mitigation measures. The impacts will be typical of those associated with medium scale residential led developments.

Probability of the impact - There will inevitably be environmental impacts associated with the proposed development as the intensity of use will increase. However, this does not necessarily mean that the impacts will be significant.

The duration, frequency and reversibility of the impact – The proposed development will result in the permanent redevelopment of a previously developed site.

Based on the above it is envisaged that all of the potential environmental implications could be suitably mitigated by way of appropriate assessments and conditions associated with any subsequent planning application and there are unlikely to be any significant or particularly complex environmental implications to warrant more detailed assessment.

ACCUMULATION

It is noted that there are no existing permissions for residential and other forms of development on the adjoining sites to the east and south that may lead to an accumulation of the above environmental implications.

CONCLUSION

Schedule 3 of the 2011 Regulations sets out a series of criteria of environmental effects that should be considered when reaching a decision as to whether a planning application should be supported by an Environmental Statement. The PPG provides further guidance on the application of Schedule 3. It confirms that not all of the identified criteria will be relevant in every case. Each case should be considered on its own merit in a balanced way and the authority should obtain the evidence to justify that decision.

The PPG advises that “Only a very small proportion of Schedule 2 development will require an assessment”. It also goes on to say:

“Environmental Impact Assessment is unlikely to be required for the redevelopment of land unless the new development is on a significantly greater scale 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 sq m 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)."*

In this case the proposed development is significantly under the indicative threshold of 1000 dwellings, although it involves the development of more than 5 hectares of land. It is established that the proposed development comprises an urban development project as defined by Schedule 2 of the above Regulations and is not located within a sensitive area. On this basis and having taken into account the criteria in Schedule 3 of the regulations, it is considered that the proposal would not have significant effects upon the environment by virtue of factors such as its nature, character, size or location. Furthermore, when considered cumulatively, it is not considered that the development would comprise EIA development as set out in the above regulations.

The proposal is therefore not considered to be EIA development and an Environmental Statement is not required in this instance.