

**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)
(ENGLAND AND WALES) REGULATIONS 2017 (AS AMENDED): REGULATION
15 SCOPING OPINION**

APPLICATION REFERENCE: 23/00169/SCO

Name and address for correspondence:	Applicant name:
Stantec Stantec House Kelburn Court Birchwood Warrington WA3 6UT	Bloor Homes North West

Part 1 - Particulars of Application

Date of Application: 16 February 2023

Proposal:	Request for scoping opinion in respect of proposed development of up to approximately 330 residential dwellings and a primary school
Location:	Land West Of Hollingworth Road, Littleborough,

Part 2 - Particulars of decision

The Rochdale Metropolitan Borough Council hereby give notice in pursuance of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) that the Council agrees the following topics will be scoped into the Environmental Statement:

- Landscape and Visual (viewpoints to be agreed)
- Noise and Vibration
- Climate Change
- Air Quality
- Hydrology and Drainage
- Ground Conditions
- Ecology and Biodiversity
- Historic Environment
- Traffic and Transport
- Socio-Economics

Date Decision Issued 26 June 2023

Daniela Ripa
Interim Head of Planning Services

STATEMENT OF REASONS

Regulations context

The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 (as amended) allows scope for an applicant to request a formal opinion from the Local Planning Authority about whether a proposed development is development requiring an Environmental Impact Assessment (EIA).

Stantec [the Agent], acting on behalf of Bloor Homes North West [the Applicant], have requested a Screening Opinion for the above Proposal at the Site.

The Screening request has been submitted in advance of a potential planning application which would seek planning permission for the Development described above.

For the avoidance of doubt, the information submitted in support of this request by the Agent comprised the EIA Screening Report technical note (dated: February 2023) only.

Under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (Regulations), "EIA development" is development which is either Schedule 1 development or Schedule 2 development that is likely to have significant effects on the environment by reason of factors such as its nature, size or location.

The Development would not be Schedule 1 development.

With regards to Schedule 2, development of a type which is listed in the first column in Schedule 2 of the 2017 Regulations and exceeds the relevant thresholds or criteria set out in the second column the proposal needs to be screened by the local planning authority to determine whether significant effects on the environment are likely and hence whether an Environmental Impact Assessment is required.

The proposed development would be categorised as an urban development project that would exceed the applicable threshold and criteria in Part 10(b) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations), on the basis that it would include more than 150 dwellings and also on the basis that the site area exceeds 5ha.

In addition projects listed in Schedule 2 which are located in, or partly in, a sensitive area also need to be screened, even if they are below the thresholds or do not meet the criteria. Sensitive areas are defined as: Sites of Special Scientific Interest [SSSI] and European sites; National Parks, the Broads and Areas of Outstanding Natural Beauty; and, World Heritage Sites and scheduled monuments.

The site of enquiry lies within 200m of the Rochdale Canal, which is a European protected ecological site designated as a Special Area of Conservation (SAC) and a nationally designated Site of Special Scientific Interest (SSSI) on the basis of its aquatic plant communities and in particular the presence of luronium natans, a European protected species of floating water plantain. It is also designated as a Site of Biological Interest (SBI). In accordance with the guidance, sites which are in, partly in or as in this case close to sensitive areas are more likely to have significant effects on the environment.

Therefore in accordance with Regulation 6 (2) of the EIA Regulations a request for a screening opinion has been submitted to the LPA for it to consider whether the proposal is likely to have a significant effect on the environment. This Screening Opinion has been undertaken in accordance with the selection criteria set out in Schedule 3 to the Regulations and with reference to the applicant's letter dated 1st February 2022.

Selection criteria

Characteristics of the development

The characteristics of development must be considered with particular regard to:

(a) The size and design of the whole development

The proposed development comprises up to 330 dwellings and a primary school, spread over a 19.2ha site. This significantly exceeds the indicative threshold of 5ha for sites which have not been previously intensively developed.

Whilst details of the proposals are limited at this stage, an indicative masterplan has been shared with the Council as part of informal pre-application engagement. This material supports the reasonable assumption that the development will include: a main access point provided off Smithy Bridge Road, with other pedestrian and cycle links; areas of on-site public opens space; landscaping; and, other associated works.

Given the extensive size and previously undeveloped nature of the site, the whole development may give rise to relevant impacts. An EIA should therefore be carried out on this basis and included within the ES.

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

An application for up to 169 dwellings at the former Akzo Nobel site (21/01146/FUL), immediately to the north of the development site, was approved at committee on 23 March 2023.

An application for up to 199 dwellings at land to the West of Smithy Bridge Road (22/01364/FUL), approximately 800m to the WNW, is under consideration.

The surrounding area has also seen a number of application for fewer than 150 dwellings approved over the past decade, notably including at land off New Road, Littleborough to the west (20/00607/FUL and 22/01039/FUL) and at the former Soccer Village (20/00639/FUL).

The applicant has identified in their EIA Screening Report that the potential for cumulative impacts exists in relation to applications 20/00607/FUL (which they refer to as the superseded 19/00262/FUL) and 21/01146/FUL, given their size and relative location.

It is considered appropriate that those applications identified by the applicant should be considered but also that 22/01039/FUL and 22/01364/FUL should also be included in this consideration. An EIA should therefore be carried out on this basis and included within the ES.

(c) The use of natural resources

It is not envisaged that there would be a significant use of natural resources in either the construction or operation of the proposed development. Nonetheless, development would have to be carried out in accordance with adopted Building Regulations and would be controlled via a planning condition for a Construction Environmental Management Plan [CEMP]. The applicant has confirmed that the application will be supported by a CEMP.

The site is adjacent to a 'sensitive area' which is the Rochdale Canal (designated as a Special Area of Conservation (SAC), Site of Biological Importance (SBI) and a Site of Special Scientific Interest (SSSI). Hollingworth Lake which is a Grade A Site of Biological Importance (SBI) is also situated in close proximity of the site. The South Pennine Moors (SAC/SSSI) and South Pennines Moors Phase 2 Special Protection Area (SPA) are also within 1.5km of the site.

The development is in proximity of the Hollingworth Lake supply feed to the canal. Development in the proximity of this feed could impact upon the management of water resources and by extension upon the SAC, SBI and SSSI.

With regards to nesting and breeding birds, the site may be functionally linked to the South Pennine Moors, particularly as birds may use the nearby areas around the lake for feeding and resting.

Any trees removed to facilitate the development but would be subject to a policy requirement of replacement at a 2:1 ratio, in a way which is appropriate in terms of impact of nesting birds, to meet local and national policy requirements.

The proposed development has the potential to impact upon habitats and species through direct loss of features, including impact upon protected features and landscapes, as well as on birds. Additionally, the development may impact upon water management as it relates to the canal SAC/SBI/SSSI. An EIA should therefore be carried out on this basis and included within the ES.

(d) The production of waste

Waste arising from the construction stage will be dealt with and disposed via a CEMP and site waste management plan which would be required via a planning condition. These would identify opportunities for waste minimisation, segregation and the transfer to appropriate processing facilities. The applicant has confirmed that the application will be supported by a Waste Strategy.

Operational waste will be produced by end users however this would be domestic and not considered to be unusual or hazardous.

(e) Pollution and nuisances

Any planning application would be accompanied by a full assessment of the proposals with regard to traffic and transport, ecology, drainage and flood risk, noise, air quality and site conditions. The supporting reports would be required to demonstrate that any impacts can be mitigated through suitable and relevant strategies that can be required by condition of any planning permission. A CEMP would be required by condition. It is considered that these will

demonstrate that mitigation measures through appropriately worded planning conditions would ensure that no significant level of pollution and nuisance will be created.

The site does not lie within an Air Quality Management Area but the site would likely lead to increased vehicle traffic along the A58. Given the location of the development close to an AQMA, an Air Quality Assessment will be required as part of any application for planning permission to ensure that the potential impacts on air quality are satisfactorily addressed.

Whilst not located in a 'sensitive area', the site is also located near to the Rochdale Canal which is designated as a SAC, SBI and SSSI.

(f) The risk of major accidents and or disasters relevant to the development concerned

It is not considered that there are relevant and likely major accidents or disasters.

(g) The risk to human health

The nature of the development will not cause a significant risk to human health once completed and occupied. Best working practices are required to be carried out during construction to limit any risks to human health during the construction stage and will be secured as part of the CEMP.

The application site is located within the Coal Mining High Risk Area. Records indicate the presence of a recorded mine shaft within 20m of the site. Considering the nature of the development proposed, and on the basis that part of the site is within the defined Development High Risk Area, the planning application should be supported by a Coal Mining Risk Assessment.

The adjacent site, as defined by planning application 21/01146/FUL, was previously developed for industrial purposes, with remediation necessary to make that site suitable for residential development. Whilst this site was not previously developed as part of the same use, it is in close proximity and therefore it is possible that contamination would be present on site. The quantum and type of contamination on the adjacent site was such that it could be appropriately assessed and controlled as part of that submission and conditions attached to the permission and therefore it is reasonable to assume the same approach will be appropriate for this site. Indeed, the application will be accompanied by the appropriate ground investigation reports. The adjacent site's previous use by Akzo Nobel Chemicals Ltd means that the application site is within HSE consultation area. The HSE have advised that if the previous planning consents are revoked then these HSE consultation zones could in turn be removed. Given the changes in ownership and planning status of the former Akzo Nobel site, it is not considered by the authority that any permission remains extant for uses relating to hazardous substances and as such would not present a risk to the application site.

The main risk of accident or disaster caused by climate change that may affect the proposals is through flooding due to increased rainfall and periods of intense rainfall. The application site is located within Flood Zone 1, although the site lies between Hollingworth Lake, the Rochdale Canal and a short distance from the River Roch. It is considered that building infrastructure and services will be designed appropriately and surface water management

measures installed in order to take account of the Environment Agency's climate change requirements and the recommendations of the Flood Risk Assessment and Drainage Strategy. These will be secured through appropriately worded planning conditions.

The site does not lie within an Air Quality Management Area but the site would likely lead to increased vehicle traffic along the A58. Given the location of the development close to an AQMA, an Air Quality Assessment will be required as part of any application for planning permission to ensure that the potential impacts on air quality are satisfactorily addressed.

The proposed development is not likely to give rise to significant impacts on human health. In accordance with Rochdale Core Strategy policy C6, the application will be accompanied by a Health Impact Assessment, as well as technical report relating to air quality, ground conditions and water management. Whilst risks exist, it is not considered that they are so significant as to require the EIA to scope in the topic of Human Health.

Location of the development

The environmental sensitivity of geographical areas likely to be affected by development must be considered, with particular regard to:

(a) The existing and approved land use

The main land use is agricultural, however a car park is situated to the southern side of the site adjacent to Hollingworth Road. Heald Lane running north to south along the western boundary is a Public Right of Way.

(b) The relative abundance, availability, quality and regeneration capacity of natural resources

There are no known natural resources on the site that can be extracted.

(c) The absorption capacity of the natural environment

It is not considered that the development would likely impact upon, coastal zones, mountain or forest areas, nature reserves or densely population areas.

There are no listed buildings located on the site itself and it is not designated as a conservation area, however the proposed development would be in the setting of some designated and non-designated heritage assets. Given the intervening distances between the site and these heritage assets it is expected that a heritage assessment, which will accompany the planning application, will conclude that the character and appearance, setting and features of special architectural or historic interest of the listed buildings would be preserved.

With regards to archaeological interest, Greater Manchester Archaeological Advisory Service [GMAAS] have advised that it is apparent that the proposed scheme may lie in a landscape with some evidence for human activity dating from the Mesolithic (c. 8000–4000 BC) to the present. However, no statutorily protected sites will be directly affected by the development, and most of the proposed works concern areas with little known archaeological potential, and overall the heritage impact of the scheme is likely to be low. As such, GMAAS is of the opinion that any archaeological remains are very unlikely to be of national significance and is satisfied that archaeology can be scoped out of the EIA providing

that a detailed archaeological desk-based assessment coupled with a site walk-over survey is submitted with the planning application. The results from this study may demonstrate that further archaeological investigation of the site is warranted in advance of development, although GMAAS would be content to see this requirement secured via a condition attached to planning consent.

As previously noted, there are two European/Nationally designated sites within 10km of the site. The Rochdale Canal SAC and SSSI are immediately adjacent the north of the site. The South Pennine Moors SAC/SSSI and South Pennine Moors Phase 2 Special Protection Area [SPA] is 1.4km east of the site. Both the GMEU and NE consider that an EIA is required on Ecology grounds.

The topography of the site on Hollingworth Road undulates, and both sites are located in visually prominent locations that are readily apparent from a number of vantage points.

The site on Hollingworth Road is within the Pennine Foothills and Landscape Character Area '28 - Rochdale and Oldham South Pennine Foothills' as identified within Greater Manchester's Landscape Character and Sensitivity Assessment (LUC, 2018). However, the LUC report doesn't include an assessment of a school and no details of the scale of this type of building have been submitted. The proposed amount of housing and school on this site and the replacement car park would inevitably have an urbanising effect on these large areas of predominantly undeveloped land that are situated in the green belt.

The character assessment identifies the area as having a 'Moderate' sensitivity to 2-3 storey residential development, subject to a number of design suggestions and landscape management. It scores industrial and commercial development as 'Moderate to High' sensitivity in this area. Whilst not sitting comfortably within the category of industrial and commercial development a school would be more likely to have impacts akin to these uses rather than 2 and 3-storey houses. In combination with the adjacent site for 174 houses and the proposed replacement car park it is considered that there would be a significant visual impact and urbanisation of the landscape.

The LPA is therefore of the view that on the basis of the evidence submitted the proposed development would have the potential and thereby be likely to significantly impact on landscapes of historical, cultural or archaeological significance and European sites and other areas classified or protected under national legislation. As a result it would therefore require the EIA to be prepared on this basis.

With regards to agreed viewpoints for assessing landscape impact, the applicant's Screening Request sets out proposed methodology. Any application would be accompanied by a Landscape and Visual Impact Assessment. It is considered that viewpoints will be agreed as part of this process. It should be noted that the Canal and River Trust have requested a viewpoint looking south across towards the site, from the Rochdale Canal towpath in the vicinity of the site, be included.

Types and characteristics of the potential impact

The likely significant effects of the development must be considered in relation to criteria set out in the 'Characteristics of development' and 'Location of development' sections above,

with regard to the impact of the development on the factors specified in regulation 4(2), taking in to account:

- (a) The magnitude and spatial extent of the impact***
- (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.***
- (h) The possibility of effectively reducing the impact.***

Any planning application would be supported by a range of technical reports, to demonstrate that any potential harm can be effectively reduced and mitigated. The probability of some of these impacts will be predictable, localised, would be for a relatively limited period of time and could be effectively reduced and mitigated.

However, as set out in the assessment above and within the applicant's Screening Request, a range of significant impacts are considered to be probable. It is also considered that the existing consented housing scheme (21/01146/FUL) on land adjacent to the site would result in significant cumulative visual and spatial impacts if delivered alongside the proposed development and the replacement car park. These impacts would necessitate an EIA as they would be permanent and of a scale that would unlikely to be effectively reduced.

Conclusion

The PPG advises that only a very small proportion of Schedule 2 development will require an Environmental Impact Assessment. However, based on the information provided, and the statutory consultee's responses, the LPA are of the opinion that the scale of this proposal is likely to give rise to significant effects on the environment, relating to the following topics:

- Landscape and Visual (viewpoints to be agreed)
- Noise and Vibration
- Climate Change
- Air Quality
- Hydrology and Drainage
- Ground Conditions
- Ecology and Biodiversity
- Historic Environment
- Traffic and Transport
- Socio-Economics

Therefore, Rochdale Metropolitan Borough Council agrees that the proposed development is EIA development and that the above topics should be scoped in to the Environmental Statement required by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.