

Town and Country Planning Act 1990

The Town and Country Planning (Environmental Impact Assessment)
Regulations 2017

ENVIRONMENTAL IMPACT ASSESSMENT SCREENING OPINION

APPLICATION REFERENCE: 23/00785/SO

Name and address for correspondence:	Applicant name:
Richard Lord Booth Ventures Suite 15, Link 665 Business Centre Todd Hall Road Haslingden BB4 5HU	Richard Lord

Part 1 - Particulars of Application

Date of Application: 19 July 2023

Proposal:	Improvement of existing golf facility
Location:	Castle Hawk Golf Club, Chadwick Lane, Heywood, OL11 3BY,

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 12(f) 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 20 October 2023

Daniela Ripa
Interim Head of Planning Services

INFORMATIVE

This decision should be read in conjunction with the attached statement of reasons which clarify the Council's decision in this particular case.

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).

Booth Ventures Limited [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 (dated: March 2023), which included a site location plan, a screening request and a screening matrix.

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 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 a development project that would exceed the applicable threshold and criteria in Part 12(f) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations) [the Regulations], on the basis that it would involve development to a golf course and/or associated development and also on the basis that the site area exceeds 1ha. However, the indicative criteria and threshold of such a scheme to likely require an EIA is a new 18-hole golf course. Given that the development relates to only a small part of an existing 18-hole golf course, the indicative thresholds are not met.

The applicant has also considered the development against the thresholds and criterion set out in Part 11(b) of Schedule 2 of the Regulations, as it is proposed that inert material will be imported to the site to facilitate the re-grading of the land. However, 11(b) refers specifically to 'Installations (including landfill sites) for the deposit, recovery and/or disposal of household, industrial and/or commercial wastes where new capacity is created to hold more than 50,000 tonnes per year, or to hold waste on a site of 10 hectares or more. Sites taking smaller quantities of these wastes, sites seeking only to accept inert wastes (demolition rubble etc.) or Civic Amenity sites, are unlikely to require Environmental Impact Assessment. As the waste is not categorised as 'household, industrial and/or commercial waste, it is not considered that the criteria is suitably met to require an EIA, nor would it meet the

indicative thresholds even if relevant due to the material to be imported only consisting of inert material.

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.

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 the demolition of existing structures and creation of facilities associated within the boundary of the existing golf course (consisting of provision of car parking, a putting course, a short game facility and a driving range). To facilitate this, material is to be imported to re-grade the land and existing building(s) on site are to be demolished. The site of the development proposed is located on Green Belt designated land. The type and scale of the development would not necessarily be disproportionate or inappropriate on Green Belt-designated land and could potentially meet the exception of Paragraph 149(b) of the National Planning Policy Framework, subject to scale and final design. The design of the development will be required to accord with the requirements of all material policy and guidance.

As highlighted previously, the indicative thresholds for Schedule 2 Part 12(f) developments is a new 18-hole golf course. The screening proposals fall significantly below this indicative threshold.

There are no significant cultural, heritage or archaeological sites of interest proximate to the proposed development site. However, as referred to in submitted documentation, a suitable HGV Routing Strategy should consider the location of heritage value that could be unduly impacted by HGVs.

As referred to in submitted documentation, an appropriately scoped Transport Survey (Assessment) and HGV Routing Strategy should be provided in support of any submitted planning application.

It is also of note that there are Public Rights of Way (PROWs) along Chadwick Lane and the track along the west boundary of the proposed application site through the golf course. Information regarding these PROWs should be submitted and a condition will be required to ensure that the PROWs remain operational at all times and users of the PROWs, including vulnerable users, are protected from vehicular movements associated with the construction/operation of the development.

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

An application for up to 191 dwellings at the Castleton Sidings, Heywood Road, Rochdale (23/00431/HYBR), approximately 0.5km to the southeast of the development site, is under consideration. It will be necessary for the applicant to consider the potential for cumulative impacts in relation to application 23/00431/HYBR, given their size and relative location.

Visual Impact

The proposed area of the golf club subject to proposed development is separated from the main area of the golf club and nearby proposed developments, as well as screened by existing/retained trees from the surrounding area. The proposed development would consist largely of landscaping and profiling of land, with limited buildings/associated infrastructure proposed. As such, there would be no cumulative visual impact to the surrounding built environment, with resulting visual impacts not significant. Nonetheless, a Landscape Visual Impact Assessment (LVIA) demonstrating any impact should be provided.

Highways

The proposed application site is proximate to Castleton Sidings site, a proposed development currently with the Local Planning Authority for a new housing development. Depending on the timeline for the decision and construction phase of the Castleton Sidings site. Any such impact that the proposed development would have in combination with the Castleton Sidings site, including construction traffic, would need to be considered in the Transport Assessment, with mitigation measures proposed. However, given that construction traffic would be temporary in nature, it would not be considered that such impact would be significant in consideration of EIA terms.

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

The proposal would include the importation of inert material/waste in order to infill land and achieve the land gradient/incline to the land required to provide the facilities proposed. Development would have to be carried out in accordance with adopted Building Regulations wherever applicable and would be controlled via a planning condition for a Construction Environmental Management Plan [CEMP]. In addition, further information would be required as part of a planning application and/or a planning condition as to the source and type of material/waste to be imported. The Local Authority's Environmental Protection Lead was consulted for any additional comments and responded with:

“Any soil or soil forming materials brought to site for use in (garden areas, soft landscaping and level raising) shall be tested for contamination and suitability for use on site. Proposals for testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site.

The approved contamination testing shall then be carried out and evidence (including soil descriptions, laboratory certificates, photographs) submitted to and approved in writing by the Local Planning Authority prior to the development being brought into first use or occupation.”

The part of the gold course to which the development is proposed features a number of trees along the boundaries of the site, as well as 3no trees along the west

boundary of the site proximate to the track leading to the golf course buildings. Any trees removed to facilitate the development but would need to be replaced at a 2:1 ratio to meet local policy requirements. The applicant should submit a suitable Arboriculture Method Statement if required depending on the type of structures proposed and amount of trees to be removed.

With regards to water resources, the submitted documents refer to Rochdale Canal, which is located approximately 0.6km east of the site and separated by existing residential development and a railway line. It is agreed that, given the distance, no undue impact would be anticipated to this waterbody. However, the Local Authority's GIS mapping shows that the source of Roeacre Brook is approximately 130m to the south of the south boundary of the proposed application site. It should be ensured that the relationship between the proposed development and this brook is considered as part of any Flood Risk Assessment and/or Drainage Strategy.

The submitted documents confirm the potential presence of Great Crested Newts (GCNs), particularly in the southwest portion of the site due to the suitability of this area as habitat for GCNs. As suggested, a Preliminary Ecology Survey should be carried out and submitted for review by the Greater Manchester Ecology Unit.

Due to the distance (1.4km) between the site of the proposed development and any protected land (SSSIs, SACs etc.), it would not be a requirement to provide details of mitigation for these sites.

For completeness, the Greater Manchester Ecology Unit were consulted and submitted the following comments:

"I would not consider that the proposed development is an EIA development on Ecology grounds. The proposals will not result in substantive losses of, or harm to, designated nature conservation sites and are considered unlikely to affect significant populations of protected species.

The site appears to be dominated by modified, improved and managed grassland, and this would seem to be the planned end-use, following importation of the inert material. The planned works will involve some tree losses, but it ought to be possible to compensate for tree losses, and to plant more trees, on-site.

I would advise that a planning application should be supported by –

- *An Arboriculture Survey, Tree Protection Plan and an Arboricultural Method Statement.*
- *An Ecology survey, undertaken to UK Hab standards and including surveys for Badgers*
- *A Biodiversity Net Gain Metric calculation and proposals for achieving a meaningful net gain in biodiversity"*

With these measures in place it is not considered that the proposal would result in the use of any natural resources that are considered to be in short supply or inappropriate.

It is considered that there is some scope for mineral extraction on the application site. As such, the application will need to demonstrate accordance with Policy 8 of the Greater Manchester Minerals Plan. Nonetheless, for the purposes of this EIA screening, the proposals are not considered to prevent the potential for future extraction of minerals. As such, such impacts are not significant in EIA terms.

(d) The production of waste

The relatively small amounts of waste arising from the demolition and 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.

Small amounts of operational waste will be produced by end users. However, this would not be expected to be unusual or hazardous.

Subject to the above mitigation measures it is not considered that the development would produce waste that would be considered significant in EIA terms.

(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.

With specific regard to vehicular movements during the construction phase and potential emissions, air pollution, dust etc, the Local Highway Authority was approached for comment and stated:

“Both the construction and operational phases will generate additional vehicles movements especially HGVs onto the highway network and through residential areas so there will be an impact on highway capacity and residential amenity. We would require that any future application is supported by a Transport Assessment (TA) which must be drafted in line with current standards and addresses some of the issues we have raised below.

The importation of a large amount of material, 140,120m³ as reported in the submission, would generate a reported 120 HGV movements a day for 51 weeks. As part of any future application we are likely to ask that more detail of this estimation is provided to fully assess the size and number of vehicles required and their potential overall environmental and highway impact.”

Subject to the provision of these details within the planning submission package, alongside incorporation of any recommended mitigation measures during the construction phase, the proposals would not generate pollution or nuisances which would be significant in EIA terms.

(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 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. However, it is indicated that there is potential for surface water flooding in the southwest corner of the site. Infrastructure, buildings 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.

It is indicated in submitted document that there is a negligible risk of fuel or hydrocarbon leaks from plant and equipment. Provision for such an event should be covered in the submitted CEMP.

The site does not lie within an Air Quality Management Area but the site would likely lead to increased vehicle traffic, notably during construction phase due to the importation of a significant amount of material, Heywood Road/Chadwick Lane. Given the location of the development, which is proximate to residential dwellinghouses, a HGV Routing Strategy and potentially 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.

Location of the development

(a) The existing land use

The main land use is currently associated with the golf course (an associated driving range), but also includes an entrance, small car parking area and long, narrow sheds, with fields in the north and northeast which are currently used for rearing livestock or provide allotments. Overall, the land use will remain a golf course and associated facilities.

(b) The relative abundance, quality and regenerative capacity of natural resources in the area

Whilst there are found to be some natural mineral resources in the area, the proposed development would not lead to the mineral resources becoming inaccessible. The site contains a number of areas with existing established planting, particularly towards the site boundaries, including some protected trees. However, the site is largely devoid of protected features and the proposals could seek to protect and/or enhance protected trees and provide more planting. As such, the proposals are not considered to raise any significant adverse effects on the abundance, availability, quality and regenerative capacity of natural resources in the area.

(c) The absorption capacity of the natural environment

The site does not contain, nor does it lie in close proximity to wetlands, coastal zones, mountain and forest areas, areas where environmental standards have been exceeded (e.g. Air Quality Management Areas), densely populated areas or landscapes and sites of known historical, cultural or archaeological significance.

Ecologically, the site is not closely connected to any features which would be considered sensitive with regards to EIA development, due to the distance (1.4km)

between the site of the proposed development and any protected land (SSSIs, SACs etc.). The SAC is not hydrologically connected to the site and is geographically separated from the proposal site. As such, it is considered unlikely there would be a direct loss of degradation of habitats that support the qualifying features of the SAC.

The impacts of the proposals are considered likely to be highly localised and unlikely to impact on any ecologically sensitive areas. Therefore, it is not anticipated that there will be any detrimental impact on the absorption capacity of the natural environment. Any application would also be expected to contain full proposals for ecological mitigation and enhancements, including proposals for achieving biodiversity net gain.

Types and characteristics of the potential impact

(a) The magnitude and spatial extent of the impact

Given the scale of the proposals and upon consideration that the proposals consist largely of landscaping and land profiling, it is not considered that the impact of the proposals would be significant and would be localised. Nonetheless, the impact should be considered with support of a suitably scoped Landscape and Visual Impact Assessment.

(b) The nature of the impact

The nature of the impacts are considered to mainly relate to landscape and visual impact, ecology, impacts associated with land re-profiling and transport (particularly during the construction phase of the development).

Nonetheless, these are not considered to be unusual impacts for a proposal of this nature and could be controlled through a well-designed scheme, full suite of necessary supporting planning documents and, where necessary and reasonable, planning conditions and/or obligations to demonstrate that any potential harm can be effectively reduced and mitigated.

(c) The transboundary nature of the impact

Given the location of the site and scale of the proposals, no significant transboundary impact is expected.

(d) The intensity and complexity of the impact

It is not considered that any of the impacts are likely to be of significant complexity. The only impact considered to have potential for significant intensity are in relation to importation of material and associated vehicular movements during the construction phase of the development, especially for nearby residents and the local road network, potentially in cumulation with other nearby developments. Nonetheless, such impacts are not considered complex matters beyond what is typical for a development of this type, with suitably scoped supporting reports/plans being able to support such proposals. The temporary and localised impact such operations will have is not considered to warrant an EIA.

(e) The probability of the impact

The identified impacts would be highly probable by their nature, however these would be proactively mitigated as set out in this report.

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

The impacts will be realised as the proposed development commences on site and would be temporary for those impacts associated with construction activities and permanent for those impacts associated with the end-use. No impacts have been identified that would not be reversible.

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

As previously covered in this report, it is considered there is potential for some interaction between the proposals and cumulative developments, but that these would not give rise to significant environmental impacts.

(h) The possibility of effectively reducing the impact.

As set out within the relevant sections of this report, it is considered that all impacts associated with the proposals are capable of mitigation through standard practices in the design, planning, construction, and operation stages.

Conclusion

The proposed development has been screened in accordance with Schedule 3 and considered in cumulation with existing development and the proposed development in the vicinity. The assessment concludes that the proposal, whether alone or in cumulation with the existing and proposed development, would be unlikely to give rise to effects on the environment that cannot be adequately assessed through the planning application process. Therefore, Rochdale Metropolitan Borough Council concludes that the proposed development is not EIA development within the meaning of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.