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WARRINGTON BOROUGH COUNCIL - DEVELOPMENT SERVICES

ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGULATIONS 2011 **REGULATION 13 SCOPING OPINION**

LOCATION: LAND AT PEEL HALL, WARRINGTON.

PROPOSAL: DEVELOPMENT OF UP TO 1400 RESIDENTIAL PROPERTIES, NEIGHBOURHOOD CENTRE, ECOLOGICAL ENHANCEMENT WORKS AND PUBLIC OPEN SPACE INCLUDING NEW VEHICULAR ACCESS.

This scoping opinion is prepared in accordance with Regulation 13 of the EIA Regulations 2011 and relates to the development proposal set out in your scoping report letter dated 24th October 2014. This letter comprises the adopted scoping opinion of the Council.

The site is an area of land extending up to 64.5 hectares to the south of the M62 motorway. Your email of 4th November 2014 sets out the likely effects of the proposed development in relation to the topic areas set out in the scoping report letter.

The scoping report letter of 24th October 2014 advises that the EIA will establish the existing situation and then assess the impact of the proposals individually and cumulatively on the baseline situation, both during construction and once the development is complete. Your scoping report letter goes on to advise that the EIA will be prepared in accordance with schedule 4 of the regulations and that the proposed topics of the EIA considered relevant include;

- Highways and Transportation
- Hydrology, drainage, flood risk
- Ecology and nature conservation
- Landscape and visual amenity
- Archaeology/ historic environment
- Noise pollution
- Air Quality

- Social Infrastructure
- Soils
- Waste generation
- Cumulative impact
- Planning context and alternative sites.

I confirm that the above topics are considered to deal with the areas of potential significant environmental effects to be assessed within the Environmental Statement, based on the level of information provided in the scoping report letter.

A full set of consultee comments regarding the scoping request are attached at Appendix 1 and summarized as follows;

Environment Agency

The development is located within Flood Zone 1 and the site exceeds 1 hectare therefore a Flood Risk Assessment (FRA) will be required in support of any planning application for the site. Please see consultation response letter for comments relating to the detail of the FRA as well as advice re discharge of surface water.

The watercourse running through the site is classified as an ordinary watercourse.

In relation to biodiversity the EA seek the protection and enhancement of Spa Brook and the ditches onsite. Consideration should be given to enhancing the habitat of Spa Brook for wildlife. There should also be an adequate, undeveloped buffer zone between the development (e.g. garden fences, footpaths, access roads) and all watercourses, ditches and ponds onsite. This includes the protection and enhancement of Radley Plantation & Pond Local Wildlife Site.

Appropriate ecological surveys of the site should also be carried out at the appropriate time of year with recognised techniques. We are aware of legally-protected species records in this part of Warrington, such as water vole (*Arvicola amphibius*) and great crested newt (*Triturus cristatus*).

In developing plans the EA advise that you should be aware of the Water Framework Directive (WFD). In particular the requirement that nothing be done to a water body which would cause its condition (in WFD terminology – chemical status or ecological status) to deteriorate. Measures should be in place to ensure that no part of this development should affect the waterbodies ability to reach good ecological status/potential by 2027 and ideally should help move it towards good.

In exercising their functions, all public bodies and statutory undertakers (that is most reporting authorities) have a duty to have regard to the objectives of the River Basin Management Plans or their supplementary plans.

This site falls within waterbody GB112069061010 (MSC, Irlam to Howley Weir). It is within the Weaver Goway Management Catchment.

The overall status of the waterbody is Moderate. The waterbody fails for the following elements:

Fail (Mercury)

Bad (Inverts)

Poor (Phosphate, Ammonia)

Moderate (Macrophytes, Dissolved Oxygen, Phytobenthos)

The waterbody is a Heavily Modified water body (HMWB) and the following mitigation measures have been identified as needed for this waterbody to reach good ecological potential.

- Alteration of channel bed (within culvert)
- Appropriate channel maintenance strategies and techniques - minimise disturbance to channel bed and margins
- Appropriate channel maintenance strategies and techniques - woody debris
- Appropriate techniques to align and attenuate flow to limit detrimental effects of these features (drainage)
- Appropriate water level management strategies, including timing and volume of water moved
- Educate landowners on sensitive management practices (urbanisation)
- Ensure that good status of dissolved oxygen levels is being achieved downstream of the impounding works
- Ensure that the thermal regime in waters downstream of the impounding works is consistent with good status conditions.
- Ensure there is an appropriate baseline flow regime downstream of the impoundment.
- Flood bunds (earth banks, in place of floodwalls)
- Improve floodplain connectivity
- Maintain sediment management regime to avoid degradation of the natural habitat characteristics of the downstream river.
- Operational and structural changes to locks, sluices, weirs, beach control, etc
- Preserve and where possible enhance ecological value of marginal aquatic habitat, banks and riparian zone
- Preserve and, where possible, restore historic aquatic habitats
- Provide flows to move sediment downstream.
- Re-engineering of the river where the flow regime cannot be modified.
- Re-opening existing culverts
- Retain marginal aquatic and riparian habitats (channel alteration)
- Sediment management strategies (develop and revise)
- Set-back embankments
- Structures or other mechanisms in place and managed to enable fish to access waters upstream and downstream of the impounding works.

A WFD assessment maybe required as part of the EIA. The work done for other parts of the EIA will contribute to the WFD section. WFD assessment should where possible indicate how the proposed scheme contributes to the delivery of WFD objectives and must demonstrate that the proposed scheme does not:

- Cause deterioration in the status of any waterbody through deterioration in the status of the Biological Quality Elements (BQEs) or
- Compromise the ability of the water body to achieve its WFD status objectives

Highways Agency – DCLG and DfT joint publication “Guidance on Transport Assessment” is a useful guide in terms of assessing transport implications of land use and development application proposals and this is a useful guide when producing a Transport Assessment. The Agency is happy to work with the developer regarding these proposals and will look to ensure the delivery of proposals in such a way that they minimize additional burden at the Strategic Road Network.

Public Health – As well as the impact of development on schools and health/ social care facilities there should be an assessment of the sports and leisure facilities. Sustainable modes of travel should be considered and that the application enhances access to other modes of transport. The EIA should also consider proximity to the motorway and AQMA. Sustainable design and energy efficiency of new houses and affordability should be addressed within the EIA.

HSE – The HSE’s principal concerns are the health and safety of people at work and those affected by work activities. Therefore HSE cannot usefully comment on what information should be included in the environmental statement of the proposed development. However Environmental Statements should not include measures which would conflict with requirements of the Health and Safety at Work Act 1974 and its relevant statutory provisions. As the proposed development site lies within the consultation distance of a major accident hazard pipeline HSE should be consulted, through PADHI+, should a planning application subsequently be submitted for the proposed development.

Natural England – Detailed advice related to EIA scoping requirements included at Annex A of the letter.

Coal Authority – Whilst the proposed development falls within the defined coalfield, it would be located outside of the Development High Risk Area. It is also not within an area of surface coal resource. Accordingly the Coal Authority has no comments to make on the content of the Environmental Statement and the Coal Authority would not expect to be consulted on any future planning application and the LPA should refer to the standing advice informative note.

Greater Manchester Ecology Unit – recommendations regarding the scope of ecological surveys required to inform the EIA (see consultation response).

WBC Highways -

Given the scale of the proposed development, an outline application should not be accepted by the Local Planning Authority unless access is included as a detailed matter.

To provide certainty in respect of the proposed access arrangements, the applicant will be required to demonstrate that the proposed access arrangements serving the development are deliverable by the applicant.

An access strategy for the site (which details sustainable transport provision across the site, and highway provision in accordance with the Councils design standards) should be agreed with the Local Highway Authority prior to submission of the outline application.

Notwithstanding the above, a detailed Transport Assessment (TA) will need to be submitted in support of the proposals. The scope of the TA should be agreed with the Local Highway Authority and the Highways Agency prior to commencement of its preparation.

Environmental Protection – The site covers a few smaller plots of potentially contaminated land. Within this includes a number of mast sites, infilled ponds and a former sewage disposal plot. Preliminary desk study should be carried out to determine the potential issues that the ground may pose and to further establish whether mitigation measures would be necessary to protect future residential amenity from any found issues on site. Please refer to the Environmental Protection Supplementary Planning Document for further advice.

The northern end of the site will be impacted upon by the AQMA declared for nearby to the M62 motorway. A fully detailed Air Quality Assessment will be required – again for detailed advice please refer to the Environmental Protection SPD. In relation to noise, the site will be significantly and adversely impacted by the close proximity to the M62 motorway. Noise must be assessed in detail and it is expected that a number of properties would require fairly extreme acoustic mitigation measures. A fully detailed acoustic assessment, including modelling of noise contours, the effect of the proposed built form and then further detail on mitigation measures on a plot by plot basis for some areas will be necessary. Further advice relating to noise monitoring and residential noise requirements therein is set out in the Environmental Protection SPD.

Cheshire Archaeology Planning Advisory Service (CAPAS) - It is noted that archaeology and the historic environment will be considered further in the proposed Environmental Impact Assessment and that English Heritage and CAPAS will be consulted. It is advised that this represents an appropriate approach but it may be helpful to know that the whole site was subject to a programme of desk-based assessment and field evaluation c 14 years ago in connection with an earlier scheme for the development of the area. This process identified the remains of the medieval Peel Hall moat to the south of the present building of that name and also defined an area of early ditches in the north-east corner of the application area. These two areas continue to comprise the main areas of archaeological interest within the site and the proposed study should contain recommendations for further mitigation in these two areas (preservation in situ, further excavation, etc).

There is unlikely to be a need for further field evaluation in view of the amount of trenching carried out with regard to the earlier scheme but the proposed

desk-based study should incorporate information that has been added to the Cheshire Historic Environment Record since the preparation of the last study and the results of projects such as the Cheshire Historic Landscape Characterisation Project.

Flood Risk Officer – The land adjacent to Peel Hall Farm has non main watercourses in a few locations on the site. The Flood Risk Assessment and Drainage Strategy must outline proposals to manage these watercourses and the subsequent surface water run of from the development.

Please note that this scoping opinion does not preclude the local planning authority from subsequently requiring the developer to submit further information in connection with any submitted planning application to the Council.

DATE OF REQUEST FOR SCOPING
OPINION RECEIVED:

24th October 2014

DATE SCREENING OPINION ISSUED:

28th November 2014



Andy Farrall
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Appendix 1 – Copies of consultation responses in full