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Environmental Impact Assessment Regulations 2017 (as amended)

Regulation 15 Scoping Opinion

Reference no: 2022/41634

Location: Land at Barleycastle Lane, Appleton, Warrington

The Project: Request for Environmental Impact Assessment (EIA) Scoping Opinion for a Proposed Outline planning permission with all matters reserved except access for 176,518 sqm (1.9 million sqft) of Use Class B8 (Storage and Distribution) development including ancillary offices, access, servicing, landscaping and associated infrastructure

This scoping opinion is prepared in accordance with Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (referred to as the Regulations) and relates to the project set out in the EIA Scoping Report (ref: 9265 Rev 1, dated June 2022; referred to as the scoping report) prepared by Egniol Consulting Ltd on behalf of Liberty Properties.

The proposed scheme comprises:

- Up to 176,518sqm (1.9 million sqft) of use class B8 together with ancillary office space;
- Demolition of existing on-site structures; and
- Access from Barleycastle Lane.

The scoping report advises that, due to the size and location of the proposed development, it has been assumed for the purposes of the application that a statutory EIA will be required. This Local Planning Authority (LPA) agrees with this assumption.

The Environmental Statement (ES) should be prepared in accordance with Schedule 4 of the Regulations.

The scoping report sets out some of the likely effects of the proposed development in relation to the various topic headings, receptors and consideration of likely significant effects. The scoping report identifies the following topics to be included in the Environmental Statement:

- Landscape and visual
- Ecology and nature conservation
- Transport and access
- Air quality
- Noise
- Socio-economics
- Archaeology and heritage
- Climate change
- Water environment
- Lighting
- Agricultural land
- Geology, ground conditions and contamination

Comments on each of the proposed ES topics are provided below, and take into account comments received from the LPA's consultees. Copies of consultation responses can be viewed on the Council's website - [Warrington | Warrington Borough Council Online | Application | 208169](#).

Landscape and visual

The LPA has appointed Barnes Walker to advise on this aspect of the scoping report. Given the level of detail provided by Barnes Walker, the comments are provided as an appendix to this opinion. Please note that the advice from Natural England (referred to below) also contains advice on landscape and visual impacts and ancient woodlands and ancient and veteran trees and Historic England has suggested that the heritage chapter of the ES be cross referenced with the landscape and visual chapter. More details are provided under the heritage heading below.

Ecology and nature conservation

Comments have been received from the Greater Manchester Ecology Unit, as the Local Planning Authority's ecology advisors, who have advised that there is no disagreement with any of the habitat and species surveys proposed. Particular attention is however drawn to the need for bird surveys as parts of the area have in the past been shown to be valuable for supporting farmland bird communities (including Lapwings). It is recommended that the following issues are also considered:

- Impact on the Manchester Mosses Special Area of Conservation (SAC) – it is noted that impacts on nationally designated sites are currently scoped out. However, the development proposal would lead to traffic increases on the M62 and surrounding roads, and may therefore result in an increase in air pollution. Part of the Manchester Mosses Special Area of Conservation (Holcroft Moss) is immediately adjacent to the M62, and the Moss is sensitive to air pollution. It is therefore advised that this issue be considered in the EIA, and that the possible requirement to prepare a Habitats Regulations Assessment (HRA) for the scheme in accord with the terms of the Conservation of Habitats and Species (EU Exit) (Amendments) 2019 Regulations to assess the air pollution issue also be

- reconsidered. In doing so, it may be of assistance to refer to the HRA being prepared for the emerging Local Plan which is considering air pollution impacts on Manchester Mosses.
- Biodiversity net gain – the commitment to considering biodiversity net gain is welcomed. The proposed development may result in extensive habitat losses which may prove difficult to compensate on site. You are therefore encouraged to:
 - employ the Defra Biodiversity Metric as a way of objectively measuring habitat losses and gains which may result from the development
 - begin at an early stage to consider the mechanisms by which biodiversity net gain may be achieved for this development, for example:
 - by making a financial contribution to the Council for off-site habitat creation and/or enhancement *or*
 - by purchasing biodiversity credits from a Habitat Bank *or*
 - by proposing other off-site habitat creation and repair measures on nearby land
 - District Level Licensing (DLL) for Great Crested Newts – the DLL scheme is now operating in Warrington. Entering into this scheme, administered by Natural England, may remove the need to carry out surveys for great crested newts and to provide mitigation measures on site for great crested newts. Instead, a financial contribution is made to Natural England for carrying out habitat creation for newts off-site, in places which are best for newt conservation. Further information is available here: [Great crested newts: district level licensing schemes - GOV.UK \(www.gov.uk\)](http://www.gov.uk/government/news/great-crested-newts-district-level-licensing-schemes)

Natural England has provided detailed advice on the scope of the ES in respect of biodiversity and a copy of that advice is appended to this opinion.

Transport and access

National Highways has advised that the transport chapter of the ES should reflect the information set out within the Transport Assessment (TA) and any accompanying Travel Plan (or framework Travel Plan). The TA should follow a standard approach in line with the requirements set out in the DfT Circular 02/2013 and in The Strategic Road Network – Planning for the Future. National Highways has recommended that consideration be given to National Highways' requirement for an opening year assessment as set out in the Planning for the Future guidance document as this is typically the material test for determining whether physical mitigation at the Strategic Road Network will be required. In addition, the requirement to undertake assessments at the development and construction phase in addition to a future year assessment should be noted. A future year assessment should be undertaken either a date ten years after the date of registration of the associated planning application or the end of the Local Plan period (whichever is the greater). Given the proximity of the site to M6 J20 and M56 J10, National Highways believes that the Transport Assessment should include an appropriate assessment of these junctions. National Highways would welcome the possibility of engaging with your client's highway consultants to scope out the detailed elements of the transport submission.

The highway authority has provided the following comments in response to the scoping report:

- A TA will be required which should address the potential implications of the scheme on the transport network by means of a traffic modelling, capacity assessment, detailed analysis and an overview of potential impacts including accident analysis using STATS19 data together with an overview of the highway design issues. The TA should also include an assessment of the suitability of access routes to the site and, importantly, demonstrate that the site is accessible by sustainable transport and that a sustainable development can be delivered that is convenient to the workforce.
- Due to existing Traffic Regulation Orders on surrounding roads, the site is accessed by heavy goods vehicles via one route from the M6 motorway and the suitability of this in terms of capacity and operational issues should be considered. The feasibility of a secondary access point should be explored.

- The Warrington Multi-modal Transport Model (WMMTM) is unlikely to be available until much later this year but it may be possible for previous modelling used on similar proposals in the area to be analysed to determine potential impacts on the wider area.
- National Highways should be involved in discussions about the scope of the TA given the likely impact on the Strategic Road Network. The TA will then inform the highway and transportation issues covered within the Environmental Statement.
- The ES should consider the specific effects on all travellers (including pedestrians and cyclists) associated with the proposal including impacts on local traffic, change in journey times, change in travel patterns, road safety concerns and potential severance, using the information provided within the TA to inform those impacts. The Scoping Report suggests that construction impacts should be scoped out of the EIA; however, given the scale of the development, those impacts could be significant and should therefore be included in the EIA. This would be consistent with the approach taken for the six56 scheme. A clear distinction will be required between the construction-related impacts, for which substantial detail will be required in terms of the import and export of material and associated movements, and the operational impacts.
- The impact of the scheme on the Public Right of Way network should be considered.

Air Quality

The Council's Environmental Protection team has advised that the scoping report references the correct guidance and that although no quantitative air quality impacts have been provided at this stage due to the size of the scheme, the scoping report has correctly highlighted that a detailed assessment will be required. An assessment of the construction impacts on air quality will include appropriate mitigation to be included with a Construction Environmental Management Plan. Operational emissions will be assessed in accordance with the relevant guidance. It is noted that the assessment will be based on 2019 pre-pandemic air quality and traffic levels and that model verification will be carried out using a worse case verification factor due to no suitable monitoring data in the area. This would form a conservative approach and is agreed as being appropriate. Natural England has also provided advice on the scope of the ES in relation to air quality, which is contained in its letter appended to this opinion.

Noise

The Council's Environmental Protection team has considered the content of the scoping report and has advised that, given the proximity of the site to existing residential properties, a careful approach to controlling noise impacts on the occupiers of these properties will be needed as part of both the construction and operational phases of the development. The proposed assessment would follow normal protocols for reviewing the level and magnitude of impact from the proposals. Cumulative noise effects will be of particular relevance in relation to impacts on residential properties and therefore need to be considered in the ES.

Socio-economic

Appreciating that the list of policies/documents at paragraph 11.3 of the scoping report is not exhaustive, it is recommended that a number of other documents be referred to as part of the policy and data baseline assessment including Warrington Means Business (the Council's Economic Growth and Regeneration Programme) and the Cheshire and Warrington Strategic Economic Plan and Local Industrial Strategy. The ES also needs to consider the potential impacts arising from training and apprenticeship opportunities and include commentary on/an assessment of the potential/estimated impact of increased automation on the anticipated job creation of the proposed development.

Archaeology and heritage

Historic England (HE) has noted that the application site includes a number of listed buildings and that a Grade II* listed building (Tanyard Farm farm building) lies immediately to the east of the site, whilst several more Grade II listed buildings and two scheduled monuments (two

sections of Roman Road between Appleton and Stretton and Bradley Hall moated site) lie within the 1km study area. HE further notes that in all, ten designated heritage assets could potentially be directly or indirectly impacted by the proposed development, whilst construction has the potential to impact on previously unknown and undesignated heritage assets, particularly buried archaeological remains. HE confirms that the information contained within the scoping report appears to comply with current best practice and that the proposed study area of a 1km buffer around the site appears appropriate, given the scale of the buildings proposed. HE is satisfied that all readily available sources of information relating to the historic environment appear to have been identified and all designated heritage assets which have the potential to be impacted by the proposed development, whether directly or indirectly, appear to have been correctly identified. HE therefore considers that an ES produced in accordance with the structure and content of chapter 12 of the scoping report should allow the impact of the proposed development on the historic environment to be properly assessed, noting that detailed proposals for the archaeological response to the proposed development would need to be discussed with the Council's archaeological advisors (please see below for more information in this regard). HE also suggests that the heritage chapter of the ES be cross referenced with the landscape and visual chapter to ensure that the work carried out in connection with the landscape and visual impact assessment feeds into the assessment of potential impacts on the settings of heritage assets outside the boundary of the proposed development but within the 1km study area.

The Cheshire Archaeology Planning Advisory Service (APAS) is the Council's advisor on archaeological matters. APAS has reviewed the scoping report and advises that a number of find spots of archaeological material in the Cheshire Historic Environment Record (HER) are recorded from within the proposed development area and further study of the historic maps, aerial photographs, LIDAR and readily-available secondary sources will almost certainly reveal other features of interest which, where affected by the proposed development, may require further evaluation and mitigation. APAS therefore advises that it is essential that the Heritage Assessment be expanded to include a consideration of the archaeological issues and sources noted above. It should also consider the likely effect of specific aspects of the development process on any features identified. The study will assist in defining the need for any further evaluation work and mitigation that may be required should the development proceed.

Within the ES, conservation areas need to be correctly referred to as designated heritage assets (the wording of the first bullet at paragraph 12.1 of the scoping report suggests that conservation areas are not designated). It is also recommended that local listed buildings are referred to using this term, and not as 'locally listed *important* buildings' (our emphasis) as currently stated in the same paragraph of the scoping report, so as to avoid confusion. The Council has a list of locally listed buildings which is contained in an appendix to the adopted Local Plan. The Council's local list should be referenced as one of the sources of information for this chapter of the ES.

Climate Change

Natural England has provided advice on the scope of the ES in relation to climate change. As mentioned above, their advice is appended to this opinion.

The Council's climate emergency declaration should be referenced in the ES, along with any relevant documents produced by the Warrington's Climate Emergency Commission. The preparation of a whole life carbon assessment has been recommended and clarification would be welcomed as to whether this would form part of the ES or whether it would be a separate document.

Geology, ground conditions and contamination

The Council's EP team has reviewed the scoping report in relation to ground conditions and contamination, as hydrogeology and hydrology primarily fall under the Environment Agency's remit. There are no concerns regarding the proposed methodology and approach in relation to ground conditions and contamination.

In relation to groundwater and contaminated land, the Environment Agency (EA) has confirmed that the site does not appear to have been a historic landfill site and is situated on secondary bedrock and not located within a Source Protection Zone. The scoping in of land contamination within the ES is welcomed.

Agricultural land

Natural England's advice in relation to soils and agricultural land quality is contained within their letter appended to this opinion.

The ES needs to include details of the amount (in hectares) of the Best and Most Versatile (BMV) agricultural land within the application site and the amount that would be lost as part of the proposed development.

Water environment

The EA has confirmed its general agreement to the approach set out in the scoping report. The EA has also confirmed that both Bradley Brook tributary and Bradley Brook are designated main rivers. The acknowledgment of the required 8m easement around Bradley Brook for the maintenance of the watercourse is welcomed. The EA has further confirmed that the site is currently located in flood zone 1. It is noted that flood risk would be scoped into the ES and the EA would expect this section of the ES to outline appropriate drainage for the proposed development.

The Lead Local Flood Authority is satisfied with the approach outlined in the scoping report. Natural England has also provided advice in relation to water quality which is contained within their letter appended to this opinion.

Lighting

The lighting assessment will need to consider the impact of lighting arrays on the occupiers of neighbouring residential properties, with consideration given to how lighting levels would be controlled to minimise the impacts on residents included in the ES, during both the construction and operational phases of the development. It is envisaged that there would be cumulative lighting effects that would need to be considered in the ES.

Cumulative effects

The approach to cumulative effects outlined in the scoping report is considered acceptable. The schemes which should be considered as part of the assessment of cumulative effects are:

- Land off Petwerspear Green Road – 2016/28807
- Appleton Cross – 2017/29930
- Grappenhall Heys – 2017/29929
- Land east of Stretton Road – 2017/31848
- Six56 – 2019/34790
- Travis Perkins – 2020/37595

Please note that due to the likely time between the adoption of this scoping opinion and the submission of the planning application, it is possible that other development schemes may come forward which should be included as part of the consideration of cumulative effects. These can be discussed as necessary as part of the ongoing pre-application process.

Alternatives

It is noted that it is not proposed to consider alternative sites as part of the ES but that this may be considered outside of the ES. This is something that can be discussed further as part of the ongoing pre-application process.

Other matters

The description of development contained at paragraph 3.1 of the scoping report includes 'demolition of existing on-site structures'. It is understood that this does not include any of the listed buildings within the site, but the ES will need to be precise about which on-site structures will be demolished as part of the proposed development and the buildings to be demolished should be shown on a demolition parameters plan.

Paragraph 3.10 of the scoping report refers to the maximum building heights to the eaves. The maximum heights should be measured at the ridge, and these maximum heights should be shown on a building heights parameters plan.

DATE OF REQUEST FOR

SCOPING OPINION RECEIVED 10th June 2022

DATE SCOPING OPINION ISSUED 10th August 2022



Development Manager

Appendix 1: Comments from Barnes Walker (landscape consultant) on landscape and visual matters

Appendix 2: Advice from Natural England on biodiversity, nature conservation, landscape, soils and agricultural land quality, air quality, water quality and climate change matters as well as cumulative and in-combination effects

APPENDIX 1 – LANDSCAPE CONSULTANT ADVICE

1 Introduction

1.1 My name is Nic Folland and I am a Chartered Member of the Landscape Institute and a Director at Barnes Walker Ltd, a Landscape Architectural practice based in South Manchester.

1.2 Having been instructed by Warrington Borough Council (WBC) in early June 2022, I have prepared this response on behalf of WBC and it is related to the submitted EIA Scoping Report associated with Land at Barleycastle Lane, Appleton Thorn, Warrington.

1.3 The EIA Scoping Report was submitted to WBC in June 2022, by Egniol Consulting Ltd on behalf of Liberty Properties Developments Ltd, who are seeking to obtain outline planning permission with all matters reserved except for access, for a 47.65 ha site on land off Barleycastle Lane, nr Grappenhall.

1.4 The proposals are for up to 1.9 million ft² of Class B8 (Storage and Distribution), including ancillary offices, servicing, landscaping and associated infrastructure.

1.5 This response specifically considers Chapter 6 of the Scoping Report, titled Landscape and Visual, which was prepared by Randall Thorp, a Manchester based, Landscape Architectural consultancy. In addition to reviewing the submitted document and associated Figures, I also undertook site-based work in order to gain a fuller understanding of the site, the study area and the associated indicative viewpoints.

2 Chapter 6 - Landscape and Visual

Approach

2.1 Paragraph 6.10 confirms that the Landscape and Visual Impact Assessment will be prepared in accordance with the Guidelines for Landscape and Visual Impact Assessment 3rd Edition 2013 (GLVIA3) published by the Landscape Institute and the Institute of Environmental Management and Assessment - this guidance forms the current industry standard and is considered to be wholly appropriate in this instance.

Methodology

2.2 The Methodology, which is set out between paragraphs 6.1 and 6.26 is generally appropriate for the assessment of landscape and visual impacts in the context of an EIA. That said, I make the following comments regarding the proposed application of the Methodology and the content of the EIA Scoping Report:

Study Area

2.3 Paragraph 6.3 refers to the Study Area for the Assessment, which is described by Figure 6.2 within Appendix 6.1 Proposed Study Area and Landscape Character Areas. The Study Area is defined by the area shown by the OS basemap, rather than any defined area therein (or the study area may comprise the identified Character Areas from the Warrington Landscape Character Assessment (LCA 18 Appleton Thorn and LCA 4C Former Stretton Airfield).

2.4 Paragraph 5.2 of GLVIA3 states *'The study area should include the site itself and the full extent of the wider landscape around it, which the proposed development may influence in a significant manner. This will usually be based on the extent of Landscape*

Character Areas likely to be significantly affected either directly or indirectly. However, it may also be based on the extent of the area from which the development is potentially visible, defined as the Zone of Theoretical Visibility, or a combination of the two.'

2.5 Paragraph 6.18 of the Scoping Report states that a Zone of Theoretical Visibility (ZTV) will not be undertaken. I do not suggest that the proposed Study Area described by Figure 6.1 is not appropriate, however given the nature of the proposals ie the height and scale of the proposed buildings, a pre and post development ZTV that incorporates the presence of screening built form and vegetation would be useful in informing the extent and shape of the Study Area for the LVIA and in establishing the relevant visual receptors and associated viewpoints.

2.6 ZTVs cannot be relied upon solely, as they are 'theoretical' and require subsequent site based work to verify and inform the likely visibility of the site and the proposed development, however the preparation of a ZTV would make a credible contribution to the process of determining an appropriate study area and viewpoints for the LVIA and would be consistent with the recommended approach in the guidance (GLVIA3 paragraph 6.7 states that there are two main approaches to mapping visibility, being the 'manual approach' as proposed by the EIA Scoping Report and the 'digital approach' involving ZTV – with regards to the 'manual approach' GLVIA3 states that it '*...can be helpful in initial scoping and for smaller projects, including appraisals outside EIA*'). As a result, going forward I recommend that a ZTV that incorporates screening built form and vegetation should be undertaken in order to inform and possibly refine the study area and possibly the number and location of viewpoints (subject to reviewing the ZTV on site).

Resident's Views

2.7 Paragraph 6.17 of the EIA Scoping Report states that visual effects upon residential receptors will not be assessed. I accept that as stated, GLVIA3 recommends that private views can be dealt with by a separate 'Residential Visual Amenity Assessment' as in planning terms, residents are not entitled to a view.

2.8 As a result, this issue could be addressed through the preparation of a separate RVAA which considers the views of all the affected residents (to be undertaken in accordance with LI Technical Guidance Note 2/19), or...

...the baseline of the Landscape and Visual chapter of the ES could be supplemented by identifying the key residential receptor groups and describing their existing views.

Subsequently, in the assessment of visual effects the likely changes to the views experienced by the identified residential receptors could be considered via an appropriately detailed narrative, rather than the fuller methodological assessment that is undertaken for receptors which experience publicly accessible views ie people using Public Rights of Way and road users (being people in vehicles, cyclists and pedestrians).

2.9 This approach would acknowledge the residential receptors, their existing views and their predicted views reasonably succinctly, without assessing them fully and could negate the need for a RVAA. If the LVIA ascertains that there are residents that may be subject to higher levels of adverse visual effect, it may be deemed necessary to undertake an RVAA that focusses upon those particular residents, subsequent to the preparation of the LVIA/ES.

Landscape Receptors

2.10 Paragraph 6.27 sets out the landscape receptors that will be considered within the assessment. The site is located within two Landscape Character Areas (LCAs) that are

identified by the Warrington Landscape Character Assessment. As a result, the proposed landscape receptors include Warrington LCAs 1B Appleton Thorn and 4C Former Stretton Airfield, the character of the site and its immediate setting and the existing landscape features of the site.

2.11 These landscape receptors are appropriate and wholly relevant, however given the study area for the assessment (described by Figure 6.1) extends to areas beyond the extent of these receptors, I would expect the baseline to acknowledge all LCAs that fall within the study area. To the north, this would likely include Warrington LCT 3, specifically LCA 3A Appleton Park and Grappenhall, LCA 3B Massey Brook and LCA 3C Lymm, whereas to the south and east, the study area incorporates Cheshire East Council's LCT 7 Lower Wooded Farmland, specifically LCA 7A Arley.

2.12 I accept that it is possible that these additional LCTs/LCAs have the potential to be justifiably scoped out as they may not warrant a fuller consideration within the assessment, however given that these areas are included within the study area for the LVIA, it would be appropriate to at least acknowledge them within the baseline and within Figure 6.1.

2.13 The above comments regarding the study area and the relevant LCTs/LCAs therein may or may not remain relevant subject to any changes to the study area that may be brought about by the preparation of a ZTV. Any future extension of the study area also has the potential to incorporate further LCTs/LCAs.

Viewpoints and Receptors

2.14 Figure 6.2 describes the location of the potential visual receptors (excluding residents), being the users of Public Rights of Way (PRoW) and road users, and the location of the proposed associated viewpoints. The EIA Scoping Report proposes 5no viewpoints from PRoWs and 6no from Roads that are located both within the application site and within the surrounding landscape.

2.15 I acknowledge that in paragraph 6.28 the EIA Scoping Report states that these viewpoints are indicative and will be subject to further survey and site work during the winter months.

2.16 Having visited the site and the surrounding area I am generally in agreement with the indicative viewpoints.

2.17 Subject to further site work and possible preparation of a ZTV, may generate some further viewpoints. Notwithstanding what this further work may determine, I think that there may be additional viewpoints at the following locations (views of the site are very limited, in part due to high levels of tree cover along the intervening motorway corridor, however, given the scale and height of the proposed buildings, there is potential for them to be seen from these locations):

- To the east, where the A50 crosses over the M56 – Road users and possibly people using Public Footpaths High Legh FP15 and FP16;
- To the south-east on Swineyard Lane, just after it passes over the M6 (road users travelling west)
- To the south from Public Footpaths Antrobus FP 35, FP38, FP39 & FP40 (1no representative viewpoint from one of these footpaths may be suffice given that they are all located in close proximity to each other.

The Six-56 Application

2.18 This similar, yet larger application on land to the north of the application site currently has officer support and is awaiting a decision. A subsequent planning consent will significantly affect the baseline and the resulting landscape and visual effects that are ascertained within the LVIA as the proposed Six-56 application will contain this application site completely to the north, thus potentially affecting the ZTV, study area, landscape receptors, visual receptors, viewpoints and the consideration of cumulative landscape and visual effects.

2.19 Given the scale and proximity of the Six-56 application, an acknowledgement of the potential significance of this application in the event that it achieves a planning consent would be recommended.

Miscellaneous

2.20 Paragraph 6.21 of the EIA Scoping Report states that wireframe photomontages will be prepared in accordance with LI Technical Guidance Note 06/19. Subsequently it states that these '*will be built up using simple generic residential blocks*'...presumably this should be commercial or industrial blocks rather than residential?

2.21 The subsequent paragraph 6.22 also has a similar issue.

APPENDIX 2 – NATURAL ENGLAND ADVICE

Date: 21 July 2022
Our ref: 400064
Your ref: 2022/41634

Alison Gough
Warrington Borough Council

BY EMAIL ONLY



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Dear Alison Gough

Environmental Impact Assessment Scoping consultation (Regulation 15 (4) of the Town and

Country Planning EIA Regulations 2017): Request for Environmental Impact Assessment (EIA) Scoping Opinion for a Proposed Outline planning permission with all matters reserved except access for 176,518 sqm (1.9 million sqft) of Use Class B8 (Storage and Distribution) development including ancillary offices, access, servicing, landscaping and associated infrastructure

Location: Land at Barleycastle Lane, Appleton, Warrington

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in the consultation dated 30 June 2022, received on 08 July 2022.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

A robust assessment of environmental impacts and opportunities based on relevant and up to date environmental information should be undertaken prior to a decision on whether to grant planning permission. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for the proposed development.

Further guidance is set out in Planning Practice Guidance on [environmental assessment, natural environment and climate change](#).

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

Please note that Natural England must be consulted on Environmental Statements.

Please send any new consultations or further information on this consultation to consultations@naturalengland.org.uk.

Yours sincerely

Jacob Desmond
Planning and Development Adviser
Cheshire, Greater Manchester, Merseyside & Lancashire Area Team

Annex A – Natural England Advice on EIA Scoping

General Principles

[Schedule 4](#) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, sets out the information that should be included in an Environmental Statement (ES) to assess impacts on the natural environment. This includes:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc.) resulting from the operation of the proposed development
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen
- A description of the aspects of the environment likely to be significantly affected by the development including biodiversity (for example fauna and flora), land, including land take, soil, water, air, climate (for example greenhouse gas emissions, impacts relevant to adaptation, cultural heritage and landscape and the interrelationship between the above factors
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short,

medium, and long term, permanent and temporary, positive, and negative effects. Effects should relate to the existence of the development, the use of natural resources (in particular land, soil, water and biodiversity) and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment

- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment
- A non-technical summary of the information
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information

Further guidance is set out in Planning Practice Guidance on [environmental assessment](#) and [natural environment](#).

Cumulative and in-combination effects

The ES should fully consider the implications of the whole development proposal. This should include an assessment of all supporting infrastructure.

An impact assessment should identify, describe, and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment (subject to available information):

- a. existing completed projects;
- b. approved but uncompleted projects;
- c. ongoing activities;
- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
- e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

Environmental data

Natural England is required to make available information it holds where requested to do so. National datasets held by Natural England are available at <http://www.naturalengland.org.uk/publications/data/default.aspx>.

Detailed information on the natural environment is available at www.magic.gov.uk.

Natural England's SSSI Impact Risk Zones are a GIS dataset which can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geoportal](#).

Natural England does not hold local information on local sites, local landscape character, priority habitats and species or protected species. Local environmental data should be obtained

from the appropriate local bodies. This may include the local environmental records centre, the local wildlife trust, local geo-conservation group or other recording society.

Biodiversity and Geodiversity

General principles

The [National Planning Policy Framework](#) (paragraphs 174-175 and 179-182) sets out how to take account of biodiversity and geodiversity interests in planning decisions. Further guidance is set out in Planning Practice Guidance on the [natural environment](#).

The potential impact of the proposal upon sites and features of nature conservation interest and opportunities for nature recovery and biodiversity net gain should be included in the assessment.

Ecological Impact Assessment (EclA) is the process of identifying, quantifying, and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal. [Guidelines](#) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM).

Local planning authorities have a [duty](#) to have regard to conserving biodiversity as part of their decision making. Conserving biodiversity can include habitat restoration or enhancement. Further information is available [here](#).

Designated nature conservation sites

The proposal is unlikely to adversely impact any European or internationally designated nature conservation sites (including 'habitats sites' under the NPPF) or nationally designated sites (Sites of Special Scientific Interest, National Nature Reserves or Marine Conservation Zones).

Regionally and Locally Important Sites

The ES should consider any impacts upon local wildlife and geological sites, including local nature reserves. Local Sites are identified by the local wildlife trust, geoconservation group or other local group and protected under the NPPF (paragraph 174 and 175). The ES should set out proposals for mitigation of any impacts and if appropriate, compensation measures and opportunities for enhancement and improving connectivity with wider ecological networks. Contact the relevant local body for further information.

Protected Species

The conservation of species protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017 is explained in Part IV and Annex A of Government Circular 06/2005 [Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System](#).

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural

England does not hold comprehensive information regarding the locations of species protected by law. Records of protected species should be obtained from appropriate local biological record centres, nature conservation organisations and local groups. Consideration should be given to the wider context of the site, for example in terms of habitat linkages and protected species populations in the wider area.

The area likely to be affected by the development should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and, where necessary, licensed, consultants.

Natural England has adopted [standing advice](#) for protected species, which includes guidance on survey and mitigation measures. A separate protected species licence from Natural England or Defra may also be required.

District Level Licensing for Great Crested Newts

District level licensing (DLL) is a type of strategic mitigation licence for great crested newts (GCN) granted in certain areas at a local authority or wider scale. A [DLL scheme for GCN](#) may be in place at the location of the development site. If a DLL scheme is in place, developers can make a financial contribution to strategic, off-site habitat compensation instead of applying for a separate licence or carrying out individual detailed surveys. By demonstrating that DLL will be used, impacts on GCN can be scoped out of detailed assessment in the Environmental Statement.

Priority Habitats and Species

Priority Habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Lists of priority habitats and species can be found [here](#). Natural England does not routinely hold species data. Such data should be collected when impacts on priority habitats or species are considered likely.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. Sites can be checked against the (draft) national Open Mosaic Habitat (OMH) inventory published by Natural England and freely available to [download](#). Further information is also available [here](#).

An appropriate level habitat survey should be carried out on the site, to identify any important habitats present. In addition, ornithological, botanical, and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present.

The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys)
- Additional surveys carried out as part of this proposal
- The habitats and species present
- The status of these habitats and species (e.g. whether priority species or habitat)
- The direct and indirect effects of the development upon those habitats and species

- Full details of any mitigation or compensation measures
- Opportunities for biodiversity net gain or other environmental enhancement

Ancient Woodland, ancient and veteran trees

The ES should assess the impacts of the proposal on any ancient woodland, ancient and veteran trees, and the scope to avoid and mitigate for adverse impacts. It should also consider opportunities for enhancement.

Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. The [wood pasture and parkland inventory](#) sets out information on wood pasture and parkland.

The [ancient tree inventory](#) provides information on the location of ancient and veteran trees.

Natural England and the Forestry Commission have prepared [standing advice](#) on ancient woodland, ancient and veteran trees.

Biodiversity net gain

Paragraph 174 of the NPPF states that decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Biodiversity Net Gain is additional to statutory requirements relating to designated nature conservation sites and protected species.

The ES should use an appropriate biodiversity metric such as [Biodiversity Metric 3.0](#) together with ecological advice to calculate the change in biodiversity resulting from proposed development and demonstrate how proposals can achieve a net gain. The metric should be used to:

- assess or audit the biodiversity unit value of land within the application area
- calculate the losses and gains in biodiversity unit value resulting from proposed development
- demonstrate that the required percentage biodiversity net gain will be achieved

Biodiversity Net Gain outcomes can be achieved on site, off-site or through a combination of both. On-site provision should be considered first. Delivery should create or enhance habitats of equal or higher value. When delivering net gain, opportunities should be sought to link delivery to relevant plans or strategies e.g. Green Infrastructure Strategies or Local Nature Recovery Strategies.

Opportunities for wider environmental gains should also be considered.

Landscape

Landscape and visual impacts

The environmental assessment should refer to the relevant [National Character Areas](#). Character area profiles set out descriptions of each landscape area and statements of environmental opportunity.

The ES should include a full assessment of the potential impacts of the development on local landscape character using [landscape assessment methodologies](#). We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA provides a sound basis for guiding, informing, and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character.

A landscape and visual impact assessment should also be carried out for the proposed development and surrounding area. Natural England recommends use of the methodology set out in *Guidelines for Landscape and Visual Impact Assessment 2013* (3rd edition) produced by the Landscape Institute and the Institute of Environmental Assessment and Management. For National Parks and AONBs, we advise that the assessment also includes effects on the 'special qualities' of the designated landscape, as set out in the statutory management plan for the area. These identify the particular landscape and related characteristics which underpin the natural beauty of the area and its designation status.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. This should include an assessment of the impacts of other proposals currently at scoping stage.

To ensure high quality development that responds to and enhances local landscape character and distinctiveness, the siting and design of the proposed development should reflect local characteristics and, wherever possible, use local materials. Account should be taken of local design policies, design codes and guides as well as guidance in the [National Design Guide](#) and [National Model Design Code](#). The ES should set out the measures to be taken to ensure the development will deliver high standards of design and green infrastructure. It should also set out detail of layout alternatives, where appropriate, with a justification of the selected option in terms of landscape impact and benefit.

Heritage Landscapes

The ES should include an assessment of the impacts on any land in the area affected by the development which qualifies for conditional exemption from capital taxes on the grounds of outstanding scenic, scientific, or historic interest. An up-to-date list is available at www.hmrc.gov.uk/heritage/lbsearch.htm.

Connecting People with nature

The ES should consider potential impacts on access land, common land, public rights of way and, where appropriate, the England Coast Path and coastal access routes and coastal margin in the vicinity of the development, in line with NPPF paragraph 100. It should assess the scope to mitigate for any adverse impacts. Rights of Way Improvement Plans (ROWIP) can be used to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

Measures to help people to better access the countryside for quiet enjoyment and opportunities to connect with nature should be considered. Such measures could include reinstating existing footpaths or the creation of new footpaths, cycleways, and bridleways. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Access to nature within the development site should also be considered, including the role that natural links have in connecting habitats and providing potential pathways for movements of species.

Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.

Soils and Agricultural Land Quality

Soils are a valuable, finite natural resource and should also be considered for the ecosystem services they provide, including for food production, water storage and flood mitigation, as a carbon store, reservoir of biodiversity and buffer against pollution. It is therefore important that the soil resources are protected and sustainably managed. Impacts from the development on soils and best and most versatile (BMV) agricultural land should be considered in line with paragraphs 174 and 175 of the NPPF. Further guidance is set out in the Natural England [Guide to assessing development proposals on agricultural land](#).

As set out in paragraph 211 of the NPPF, new sites or extensions to sites for peat extraction should not be granted planning permission.

The following issues should be considered and, where appropriate, included as part of the Environmental Statement (ES):

- The degree to which soils would be disturbed or damaged as part of the development
- The extent to which agricultural land would be disturbed or lost as part of this development, including whether any best and most versatile (BMV) agricultural land would be impacted.

This may require a detailed Agricultural Land Classification (ALC) survey if one is not already available. For information on the availability of existing ALC information see www.magic.gov.uk.

- Where an ALC and soil survey of the land is required, this should normally be at a detailed level, e.g. one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, i.e. 1.2 metres. The survey data can inform suitable soil handling methods and appropriate reuse of the soil resource where required (e.g. agricultural reinstatement, habitat creation, landscaping, allotments and public open space).
- The ES should set out details of how any adverse impacts on BMV agricultural land can be minimised through site design/masterplan.
- The ES should set out details of how any adverse impacts on soils can be avoided or minimised and demonstrate how soils will be sustainably used and managed, including consideration in site design and master planning, and areas for green infrastructure or

biodiversity net gain. The aim will be to minimise soil handling and maximise the sustainable use and management of the available soil to achieve successful after-uses and minimise offsite impacts.

Further information is available in the [Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites](#) and

The British Society of Soil Science Guidance Note [Benefitting from Soil Management in Development and Construction](#).

Air Quality

Air quality in the UK has improved over recent decades but air pollution remains a significant issue. For example, approximately 85% of protected nature conservation sites are currently in exceedance of nitrogen levels where harm is expected (critical load) and approximately 87% of sites exceed the level of ammonia where harm is expected for lower plants (critical level of 1µg)^[1]. A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The Government's Clean Air Strategy also has a number of targets to reduce emissions including to reduce damaging deposition of reactive forms of nitrogen by 17% over England's protected priority sensitive habitats by 2030, to reduce emissions of ammonia against the 2005 baseline by 16% by 2030 and to reduce emissions of NO_x and SO₂ against a 2005 baseline of 73% and 88% respectively by 2030. Shared Nitrogen Action Plans (SNAPs) have also been identified as a tool to reduce environmental damage from air pollution.

^[1] [Report: Trends Report 2020: Trends in critical load and critical level exceedances in the UK - Defra, UK](#)

The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly, or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The ES should take account of the risks of air pollution and how these can be managed or reduced. This should include taking account of any strategic solutions or SNAPs, which may be being developed or implemented to mitigate the impacts on air quality. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk).

Information on air pollution modelling, screening and assessment can be found on the following websites:

- SCAIL Combustion and SCAIL Agriculture - <http://www.scail.ceh.ac.uk/>
- Ammonia assessment for agricultural development
<https://www.gov.uk/guidance/intensivefarming-risk-assessment-for-your-environmental-permit>
- Environment Agency Screening Tool for industrial emissions
<https://www.gov.uk/guidance/airemissions-risk-assessment-for-your-environmental-permit>
- Defra Local Air Quality Management Area Tool (Industrial Emission Screening Tool) – England <http://www.airqualityengland.co.uk/laqm>

Water Quality

The planning system plays a key role in determining the location of developments which may give rise to water pollution, and hence planning decisions can have a significant impact on water quality, and land. The assessment should take account of the risks of water pollution and

how these can be managed or reduced. A number of water dependent protected nature conservation sites have been identified as failing condition due to elevated nutrient levels and nutrient neutrality is consequently required to enable development to proceed without causing further damage to these sites. The ES needs to take account of any strategic solutions for nutrient neutrality or Diffuse Water Pollution Plans, which may be being developed or implemented to mitigate and address the impacts of elevated nutrient levels. Further information can be obtained from the Local Planning Authority.

Climate Change

The ES should identify how the development affects the ability of the natural environment (including habitats, species, and natural processes) to adapt to climate change, including its ability to provide adaptation for people. This should include impacts on the vulnerability or resilience of a natural feature (i.e. what's already there and affected) as well as impacts on how the environment can accommodate change for both nature and people, for example whether the development affects species ability to move and adapt. Nature-based solutions, such as providing green infrastructure on-site and in the surrounding area (e.g. to adapt to flooding, drought and heatwave events), habitat creation and peatland restoration, should be considered. The ES should set out the measures that will be adopted to address impacts.

Further information is available from the [Committee on Climate Change's \(CCC\) Independent Assessment of UK Climate Risk](#), the [National Adaptation Programme \(NAP\)](#), the [Climate Change Impacts Report Cards](#) (biodiversity, infrastructure, water etc.) and the [UKCP18 climate projections](#).

The Natural England and RSPB [Climate Change Adaptation Manual](#) (2020) provides extensive information on climate change impacts and adaptation for the natural environment and adaptation focussed nature-based solutions for people. It includes the Landscape Scale Climate Change Assessment Method that can help assess impacts and vulnerabilities on natural environment features and identify adaptation actions. Natural England's [Nature Networks Evidence Handbook](#) (2020) also provides extensive information on planning and delivering nature networks for people and biodiversity.

The ES should also identify how the development impacts the natural environment's ability to store and sequester greenhouse gases, in relation to climate change mitigation and the natural environment's contribution to achieving net zero by 2050. Natural England's [Carbon Storage and Sequestration by Habitat report](#) (2021) and the British Ecological Society's [nature-based solutions report](#) (2021) provide further information.

Contribution to local environmental initiatives and priorities

The ES should consider the contribution the development could make to relevant local environmental initiatives and priorities to enhance the environmental quality of the development and deliver wider environmental gains. This should include considering proposals set out in relevant local strategies or supplementary planning documents including landscape strategies, green infrastructure strategies, tree and woodland strategies, biodiversity strategies or biodiversity opportunity areas.