

Ms Emma Bonser,
AECOM
2, City Walk
Leeds
LS11 9AR

Development Management
PO Box 606
Municipal Buildings
Earle Street
Crewe
CW1 9HP

planning@cheshireeast.gov.uk

24-Jan-2017

Dear Sir/Madam

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

Application Number	16/4251S
Location	Local Development Order (Whalley Hayes), WHALLEY HAYES, MACCLESFIELD
Proposal	EIA screening request regarding a Local Development Order (LDO) to support and encourage residential development on brownfield land at a site known as Whalley Hayes.

EIA Not Required

Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended 2015) – Screening opinion.

A formal screening opinion has now been undertaken in accordance with your letter dated 30th August 2016 which requested a formal screening opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2015 for the following development: -

EIA screening request regarding a Local Development Order (LDO) to support and encourage residential development on brownfield land at a site known as Whalley Hayes, Maccelsfield.

Having considered the details within your letter, Cheshire East Council is of the opinion that the proposed application for designation as a Local Development Order (referred to as LDO hereinafter) does not fall within Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2015 where EIA is mandatory. Cheshire East

Council has also had regard to Regulation 29 of the Order, which deals specifically with Local Development Orders.

As a potential residential development of up to 170 units on a site measuring approximately 2.75ha, it is considered as a Schedule 2 development (falling under section 3b urban development projects) under the EIA Regulations 2015.

The EIA Regulations 2015 emphasizes that projects which qualify to be within the list in Schedule 2 require EIA only where they are likely to have significant environmental effects by reason of their nature, size and location. The key test in this regard is not only about the size of the development but more fundamentally, the significance of the impacts of the proposal on the environment.

In addition to the physical scale of such developments, particular consideration should be given to the potential increase in traffic, emissions and noise. EIA is unlikely to be required for the redevelopment of land unless the new development is on a significantly greater scale than the previous use, or the types of impact are of a markedly different nature or there is a high level of contamination.

Having had regard to the characteristics of the development, its location and potential impact, the Local Planning Authority has screened the proposed LDO according to the provisions of Schedule 3 of the Regulations and does not consider that the proposal requires an Environmental Impact Assessment for the following reasons.

Physical changes in the locality (topography, land use, changes in water bodies, etc)

The proposal would result in a change from commercial, residential and surface car park to a residential development of up to 170 dwellings. Given the scale of the development and its siting within an existing settlement on a previously development site, the impact in terms of physical changes in the locality is not considered to be significant (when considered alone and cumulatively).

The impact upon air quality, landscape, protected species/habitats, flood risk, trees and hedgerows will need to be considered within supporting statements submitted as part of an application for the designation as an LDO.

Noise / Visual Impact

Due to the nature of the development, there are anticipated to be noise impacts arising during construction and demolition works. Given the size of the facility and the urban nature of the area with few sensitive receptors, save

for the nearby Conservation Area and some residential properties, noise impacts are not likely to be of such significance as to warrant an EIA.

Given the built up nature of the site, the generally flat topography of the site, there are unlikely to be significant visual impacts arising from the development. There may be some views from the closest residential properties and the nearby conservation area but these are anticipated to be partially screened by existing built form. The visual impacts are not anticipated to be of such significant as to warrant an EIA. The visual impacts of the scheme on nearby heritage assets would need to be addressed by a suitable heritage statement submitted with the application for the LDO.

Cumulative Impact

There are no other significant developments (save for the proposed development at Kings School) of this nature in the local area and no other significant development which may present cumulative impacts in association with this development. It is not considered that there would be significant cumulative impacts arising from this scheme in this context.

Ecology and Nature Conservation

The site is not designated for its ecological value at the local, national or international level. There are no SSSIs within 1 km of the site. The closest SSSI is Danes Moss SSSI, located approximately 3 km to the south. Given the distance from the site, no significant impacts on this ecological asset are anticipated. Given the brownfield nature of the land, there is potential for the proposal to impact on habitat for protected species during demolition of buildings in and around the site. However, these could be assessed in a protected species survey. As such impacts on ecology are not considered to be so significant as to require EIA.

Listed Buildings and Conservation

There is one Scheduled Monument comprising three early medieval shafts in West Park which is situated approximately 330 metres to the north-west of site. There are 67 listed buildings within 250 metres of the proposed LDO Site, including ten grade II* listed buildings, the closest of which are Charles Roe House (approximately 10 metres from the proposed site boundary to the south) and Bate Hall Public House (approximately 20 metres to the south-east). The closest listed building is Little Street Mill, which is immediately adjacent to the boundary of the proposed site. West Park Grade II Registered Park and Garden lies approximately 100 metres to the north-west of the proposed site.

The impact on the adjacent listed buildings and the visual impacts of the scheme on nearby heritage assets or archaeological areas need not be significant and would need to be addressed by a suitable heritage statement. Any impact will not be so significant as to warrant EIA.

Air quality, ground conditions and water resources

During construction there is potential for dust emissions and exhaust emissions from machinery/vehicles however these would be temporary short term impacts. The site is not located within an Air Quality Management Area (AQMA). Given the distance to sensitive receptors and the potential for mitigation, there are not anticipated to be significant impacts from air emission on human receptors or statutory designated ecological sites. Such impacts could be addressed as part of the application for the LDO.

There are no watercourses on or adjoining the site and the site is not within a sensitive flood risk zone. There is potential for land or water pollution from contaminants during demolition / construction, however it is noted that the application for the LDO could include design mitigation to address contamination and any required mitigation . The potential for land and water pollution is not anticipated to be of such significance as to warrant an EIA.

Traffic and Transport

There would be some impacts on the local traffic network during construction but the impacts would be temporary and short term. The provision of up to 170 residential units would generate a number of traffic movements, however these would be balanced against the current vehicle movements generated by the present lawful uses at the site. However, the site is well served by the surrounding road network and the impacts on the local highway network are not anticipated to be of such significance as to warrant an EIA. The impacts could be assessed as part of the application for the LDO through submission of a robust Transport Assessment / Statement.

Other Matters

The Council has also considered other possible impacts and effects of the development including infrastructure, waste generation and harmful substances. The Council does not consider that these are of such significance as to warrant environmental impact assessment.

Conclusion

On the basis of the above, it is considered that the proposal is not likely to have significant effects, which means that an Environmental Impact Assessment will not be required in this case.

I have enclosed, for reference, a copy of a screening checklist document which has helped formulate this decision.

Yours faithfully

Robert Law

Principal Planning Officer